

ZONING SYNOPSIS
Petition Number(s): Z24-08 (Revised)

REQUEST SUMMARY:

Applicant requests a change in zoning of 78.8 acres from R-20 (Residential) to P-D (Planned Development) for the construction of (70) Single family detached homes and (113) townhomes.

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Starlight Homes Geogia, LLC.**
Representative: **Bryan Muddiman**
Property Owner: **Robert Jordan Properties, LLC**
Property Location: **Center Rd. (C108-0002-003)**
Access to the Property: **Overlook Pkwy and Center Rd**

Site Characteristics:

Tract Size: Acres: **78.8 ac** District: **4th** Section: **3rd** LL(S): **258, 319,320**
Ward: **1** Council Member: **Kary Hodge**

LAND USE INFORMATION

Current Zoning: **R-20 (Residential 20,000sf. min. lot size.)**
Proposed Zoning: **P-D (Planned Development) on 78.8 acres.**
Proposed Use: **Single family detached homes and townhomes.**

Current Zoning of Adjacent Property:

North: **R-10 (Ponders Mountain Subdiv)**
South: **MF-14 (Prose Apartments)**
East: **R-20 (Remainder of Rob Jordan Property; I-2, County Industrial)**
West: **R-10 (Autumn Canyon Subdiv) and MN (Mining)**

The Future Development Plan designates the subject property as: **Suburban Living**

The Future Land Use Map designates the subject property as: **Low & Medium Density Residential**

REVISIONS TO THE APPLICATION (12-2-24):

At the November 12th meeting, Board members requested the following items be addressed by the applicant:

1. On street parking
2. Wider garages
3. Increase front yard building setbacks
4. Cap on rental units

With the exception of item 4, all other items represent concerns of developing residential units on smaller lots with limited parking. A concern for large trucks not being able to park in a driveway or garage was discussed. Garages are anticipated to be used for storage of household items, not automobiles. Also, the Board expressed a strong desire for the project to encourage home ownership and discourage real estate investors.

The applicant has addressed these concerns with the documents on the following pages. No changes were made to the original Zoning Analysis or Department comments.

A Traffic study was also performed in April 2023 and the conclusions of that study are also included on the following pages.

ZONING ANALYSIS

Zoning History

In 2021, a 50- acre tract of the Rob Jordan Properties, LLC property (RJP) was rezoned from R-20 to MF-14 with a condition limiting the apartments to 1 and 2 bedrooms, Z20-04. Construction on this project, known as Prose Apartments, was completed earlier this year. Prose Apartments is located directly south of the proposed townhomes at the end of Overlook Pkwy. Overlook Pkwy would be extended as a private street to serve the townhome development.

Proposed Zoning

The current zoning application is to rezone 78.8 acres of the 289 +/- acres RJP property from R-20 to P-D (Planned Development) for the construction of (70) single-family detached homes (SFH) and (113) townhome units (TH). The SFH will be part of a subdivision on the northern boundary of the project across from Ponders Mountain Subdivision on Center Rd. Lots will be a minimum of 5,000sf.

One hundred thirteen (113) townhomes units are planned for the southern end of the property adjacent to the Prose Apartments. The minimum heated floor area is planned at 1,000 sf. Access to the townhomes will require an extension of Overlook Pkwy.

No active use amenities are planned. Trail and greenspace connectivity between the developments are planned.

No development activities are currently planned for the remaining 204 +/- acres due to water service issues above the 1050 elevation.

No commercial-office elements are currently planned.

See concept plan and elevations included with the application.

The Future Land Use Map identifies this area as Low & Medium Density Residential. The proposed development achieves this metric. Refer to the table below for a comparison of development densities for past and current proposals and nearby developments.

Zoning Case/ Name of Development	Lots or Units (P=Proposed; UC= Under Construction; C= Constructed)	Acreage (+/-)	Density (Lots or Units/ Acre)	Allowed Density by Zoning Cat. (Units or Lots/Acre)
Z24-08. RJP, LLC	183 (P)	78.8	2.3	SFH- 8.7. TH- 12
Z23-06, Merrill Townhomes, RA-12 (Townhomes), Zoning Approved	Max. 199 (P)	*103.85	1.9	12
Z18-03, Everton Estates. RA-12 (Townhomes)	183 (C)	58	3.3	12
Autumn Canyon Subd. (Z04-14)	79 (C)	37	2.1	4.3
Hamilton Township Subd.	87 (C)	38	2.3	4.3
Estates at Ponders Mountain Subd. Phase 1 (Max. allowed all phases= 315)	75 (C)	29	2.6	4.3
Estates at Ponders Mountain Subd.- Phase 2	118 (P) Phase 2 plans approved 7-11-23.	187	1.7 (based on 315 lots)	1.7
Estates at Ponders Mountain Subd.- Phase 3	122 (P) Lots remaining.	187	1.7 (based on 315 lots)	1.7

* Approximately (7) seven acres were removed from the Phase 2 tract and added to the Everton Estates tract thereby reducing the original 111 acres to the 103.85 acres.

Proposed development and zoning regulations for the project:

Proposed Zoning Development Standards per Site Plan

SITE ANALYSIS			
TOTAL SITE AREA TO BE REZONED		78.8 ACRES±	
PROPOSED DETACHED LOTS		70 UNITS	
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' + 10' PATIO)		113 UNITS	
TOTAL		183 UNITS	
PROPOSED DENSITY		2.32 UNITS/AC	
PROPOSED P-D ZONING CRITERIA		DETACHED	TOWNHOMES
MINIMUM UNIT WIDTH		N/A	20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)		50 FEET	N/A
MINIMUM LOT AREA		5,000 S.F.	N/A
MINIMUM HEATED FLOOR AREA PER UNIT		1,000 S.F.	1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT	15 FEET	N/A
	SIDE	5 FEET	N/A
	REAR	20 FEET	N/A
MINIMUM EXTERNAL SETBACK	TYPICAL	50 FEET	50 FEET
	AGAINST MF-14 ZONED PARCEL	20 FEET	N/A
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)		10 FEET	10 FEET
MAXIMUM BUILDING HEIGHT		35 FEET	35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)		20 FEET	20 FEET
MINIMUM OPEN SPACE		20% OF AREA TO BE REZONED (15.76 AC±)	
OPEN SPACE PROVIDED		68.5% (54 AC±)	

Proposed Internal Roadways:

SFH. 60ft Public ROW. (24ft. Back of Curb)

TH. 60ft. Private access/ utility easement. (24ft. Back of Curb)

Sidewalk:

5ft. wide sidewalk to be provided on (1) side of all roadways (public and private). Located 2ft. Back of Curb.

Bedroom Counts

Bedroom counts have become a point of interest for reviewers as high bedroom counts suggest the potential for families with children. The school district reviews these proposals to identify needs for school capacity and transportation operations.

The developer will provide 2 and 3 bedroom floor plans. No tally for 2 or 3 bedroom configurations has been provided.

City Department Comments

Electric: Takes No Exception.

Fibercom: Takes No Exception.

Fire: No comments received.

Gas: Takes No Exception.

Public Works: Please see PW comments below:

1. Streets in development will be required to be constructed to all standards for public streets.
2. Streets will be required to be private since a gated entry is proposed.
3. The geometric design of all internal streets shall accommodate an AASHTO WB-40 design vehicle to accommodate City of Cartersville fire trucks. Turning template tracks need to be shown on plans before final approval.
4. Utility easement required to extend 30 feet from centerline of proposed roadway.
5. Access/maintenance easements will be required for all proposed stormwater conveyances and detention facilities associated with proposed development.
6. A stormwater maintenance agreement will be required for all proposed stormwater conveyances and detention facilities associated with proposed development.
7. Hammer head turnarounds not allowed. Turn around must be shown as a permanent cul-de-sac.
8. Driveways should be able to accommodate vehicles behind the back of sidewalk so that pedestrians and trash service will not be inhibited by vehicles parking close to the road.

Water and Sewer:

Takes No Exception.

Cartersville School District:

Thanks, David. We take no exception but would appreciate knowing the bedroom size count when you have them. Respectfully, Marc Feuerbach, Ed.D. Superintendent - Cartersville City Schools

Public Comments:

11-4-24: Email request for information received from Autumn Canyon HOA. Zoning application provided.

STANDARDS FOR EXERCISE OF ZONING POWERS.

1. ***The existing land uses and zoning of nearby property.***
Existing land uses to the north, south and east are primarily single family detached residential and multi-family. The multi-family site to the south was subdivided from the RJP, LLC property. There is an industrial property in the County jurisdiction to the east that is undeveloped, but is used to store old automobiles and construction equipment.

Land uses to the west across the I-75 corridor include single family detached and mining. All zoning for these areas accurately reflects the land use.
2. ***The suitability of the subject property for the zoned purposes.***
The subject property is suitable for the P-D zoning.
3. ***The relative gain to the public, as compared to the hardship imposed upon the individual property owner.***
The proposed gain to the public would be minimal. Additional housing products will be available. No true hardship has been identified except for the elevation restriction for municipal water service.
4. ***Whether the subject property has a reasonable economic use as currently zoned.***
The property may have a reasonable economic use as currently zoned (R-20); however, water pressure limitations for development above the 1050 elevation may be restrictive for large lot development.
5. ***Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.***
The zoning proposal may permit a use that is suitable in view of the use of the adjacent residential properties with low to medium unit density. The proposed density of 2.32 is aligned with the density of existing, adjacent residential developments.
6. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.***
The zoning proposal should not have an adverse effect on adjacent property owners. Concerns regarding traffic increases may be raised.
7. ***Whether the zoning proposal is in conformity with the current future development plan and community agenda of the comprehensive land use plan as currently adopted or amended in the future.***
The zoning proposal generally conforms with the Future Development Plan and Comprehensive Land Use Plan for Neighborhood Living and Low to Medium density requirements.
8. ***Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage,***

wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.

Development resulting from an approved zoning proposal would be required to meet all local, state, and federal environmental regulations.

9. ***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.***

The proposed use is not expected to cause an excessive or burdensome use on local streets. Center Rd. traffic will increase slightly. No burden is expected on city utilities or schools.

10. ***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.***

There are no known conditions.

STAFF RECOMMENDATION:

Staff does not oppose the zoning change as long as all development regulations are met.

Revised Application Documents

David Hardegree

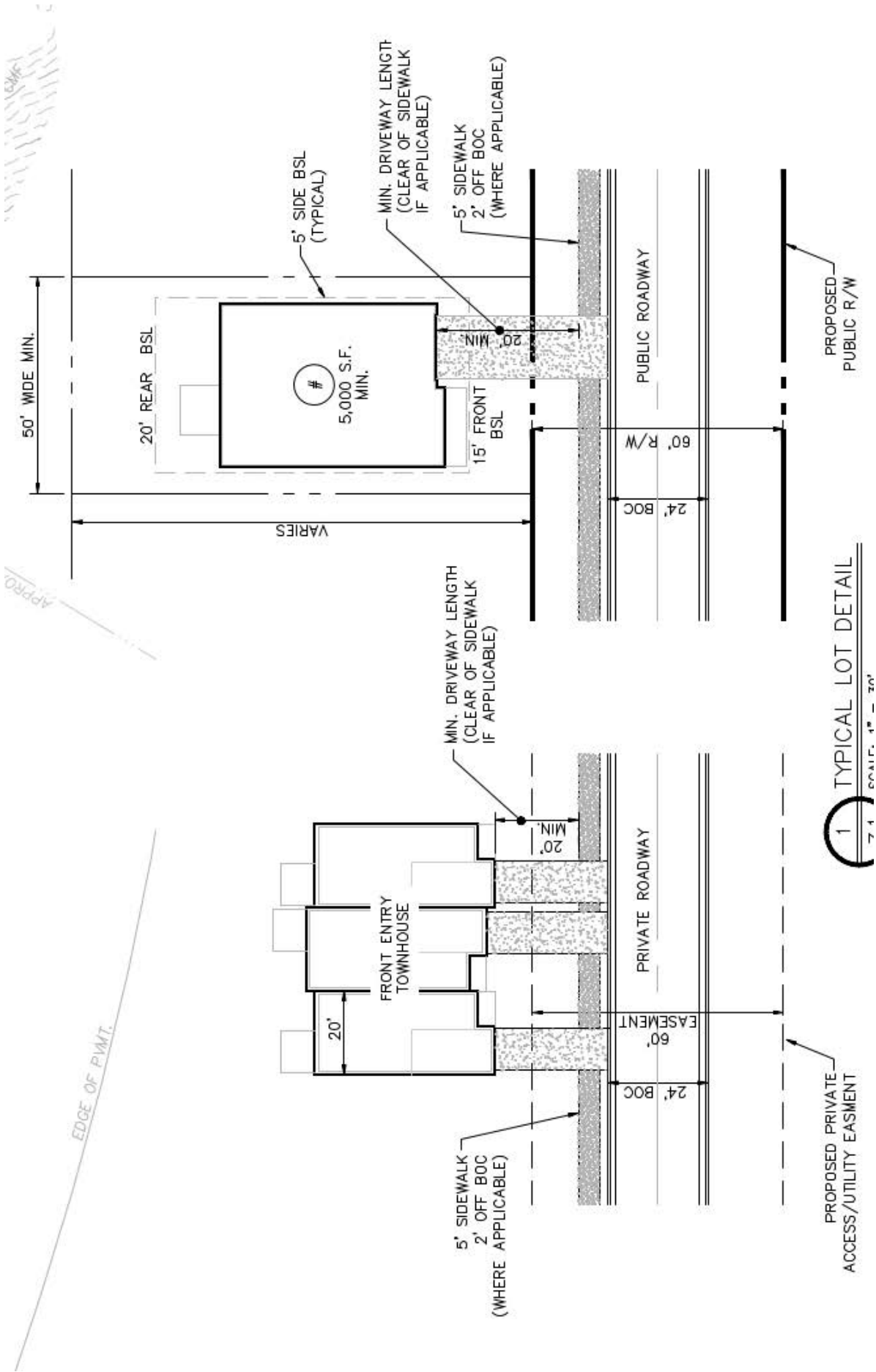
From: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>
Sent: Friday, November 22, 2024 3:34 PM
To: David Hardegree; Robert Jordan
Subject: [EXTERNAL] RE: Zoning Z24-08. Local Center Rd resident possibly opposing
Attachments: Declaration Provisions - Center Road.v2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged



David,

See below for the typical lot layout exhibit that we can include on the site plans. I've also attached proposed language for the street parking and rental sections of the Declaration. Please review at your convenience and let me know if you have any questions. Thank you.



Proposed HOA conditions (CCR)

Center Road Tract – Declaration Provisions

PARKING

7.4 Vehicles; Parking.

(a) General. Vehicles shall be parked only in appropriate parking spaces serving the Unit or other designated parking areas established by the Board, if any. The term "vehicles," as used herein, shall include, without limitation, motor homes, boats, trailers, motorcycles, minibikes, scooters, go carts, golf carts, trucks, campers, buses, vans and automobiles. The term "parking spaces serving a Unit" shall refer to the number of garage parking spaces and, if and only if, the Owner or Occupants of a Unit have more vehicles than the number of garage parking spaces, those excess vehicles which are an Owner's or Occupant's primary means of transportation on a regular basis may be parked on the driveway located on such Unit; provided, however, no vehicle parked on a driveway shall encroach onto any portion of the sidewalk, public right-of-way or any landscaped or grassy area. Unless otherwise provided by the Board, parking at mailbox kiosk areas, if any, shall be for short term temporary parking, only for such reasonable period of time as may be necessary to retrieve mail, and may be subject to such additional rules and regulations as the Board may adopt from time to time. All parking shall be further subject to such reasonable rules and regulations as the Board may adopt from time to time. **No on-street parking shall be permitted.**

(b) Garages. All homes shall contain a garage; carports shall not be permitted. Garage doors should be kept closed at all times, except during times of ingress and egress from the garage. Garages shall be used primarily for the parking of vehicles and not for storage or other purposes; provided, however, use of a garage shall be permitted so long as such storage does not prevent an Owner or Occupant from parking his or her vehicles in the garage. Garages may not be converted to additional living space unless the same has been approved in accordance with Article 6 hereof.

(c) Disabled and Stored Vehicles. No vehicle may be left upon any portion of the Community, except in an enclosed garage or other area designated by the Board, if any, for a period longer than five (5) days if it is not licensed or if it is in a condition such that it is incapable of being operated upon the public highways. After such five-day period, such vehicle may be removed from the Community by the Board of Directors or the appropriate authority of Bartow County. Any towed vehicle, boat, personal watercraft, recreational vehicle, motor home, trailer, motorcycle, minibike, scooter, go cart, golf cart, commercial truck, camper, bus or mobile home regularly stored in the Community or temporarily kept in the Community, except if kept in an enclosed garage, for periods longer than twenty-four (24) hours may be removed from the Community by the Board of Directors (the temporary removal of such vehicle to break the continuity of the twenty-four (24) hour period shall not be sufficient to establish compliance with this restriction). Trucks with mounted campers which are used as a primary means of transportation shall not be considered recreational vehicles provided they are used on a regular basis for transportation and the camper is stored out of public view upon removal. No eighteen wheel trucks or the cabs of such trucks or trucks with a load capacity in excess of three-quarters of a ton shall be parked, kept or stored within the Community except during the time reasonably

necessary to provide service to or delivery within the Community. All parking shall be subject to such other rules and regulations as the Board may adopt from time to time.

(d) Commercial Vehicles. The term "commercial vehicles" as used in this paragraph, shall include, without limitation, any standard passenger vehicles, pick-up trucks or vans with no more than two (2) axels which bear any indicia of commercial use, including, but not limited to, writing, logos, ladders, ladder racks, vehicles displaying signage of a commercial or business nature or vehicles which are not primarily used for the transportation of passengers, all as determined by the Board in its sole discretion.

Commercial vehicles must fit and be parked within an enclosed garage or on the driveway serving the Unit without blocking or impeding traffic on the sidewalk or street. Such vehicles shall be kept clean and in good repair.

Vehicles of three (3) or more axels shall not be permitted in the Community, except if kept in an enclosed garage. Construction, service, and delivery vehicles shall be exempt from this provision for such period of time as is reasonably necessary to provide service to or make a delivery within the Community.

(e) Remedies of the Association for Noncompliance. If any vehicle is parked on any portion of the Community in violation of this Section or in violation of the Association's rules and regulations, the Board or agent of the Association may cause the vehicle to be towed or booted, subject to compliance with applicable law, including any notice required thereby. The notice may be a general notice by signage or may be placed on the vehicle, if and as allowed under applicable law, as the case may be. If a vehicle is parked in a fire lane, is blocking another vehicle, is obstructing the flow of traffic, is parked on any landscaped area or otherwise creates a hazardous condition, the Board or agent of the Association may have the vehicle towed immediately, subject to compliance with applicable law. If a vehicle is towed or booted in accordance with this subparagraph and applicable law, Declarant, the Association and their respective affiliates, directors, officers, employees, representatives or agents shall not be liable to any person for any claim of damage as a result of the towing or booting activity. Notwithstanding anything to the contrary herein, the Board may elect to impose fines or use other available sanctions, rather than exercise its authority to tow or boot.

(f) Traffic Regulations. All vehicular traffic on any private streets in the Community shall be subject to the provisions of the state and local laws concerning the operation of motor vehicles on public streets. The Association is hereby authorized to promulgate, administer, and enforce reasonable rules and regulations governing vehicular and pedestrian traffic, including, without limitation, imposing reasonable safety measures and speed limits consistent with those in force on public streets within the Community. The Association shall be entitled to enforce the same by establishing such enforcement procedures as it deems appropriate, including levying and collecting fines for the violation thereof. In the event of a conflict between the provisions of state and local laws and rules and regulations promulgated by the Association, the more restrictive provision shall control. Only drivers properly licensed to operate motor vehicles on the public roads within the State of Georgia may operate any type of motor vehicle within the Community. All vehicles of any kind and nature which are operated on the streets and alleys in

the Community shall be operated in a careful, prudent, safe, and quiet manner and with due consideration for the rights of all Owners and Occupants.

(g) Guest Parking Spaces. Portions of the Common Property may contain striped and lined parking spaces for use by the guests of Owners and Occupants, as may be more particularly identified on the recorded subdivision plat(s) for the Community ("Guest Parking Spaces"). The Guest Parking Spaces shall be on a first-come, first served basis and are reserved for the exclusive use of the guests of Owners and Occupants. For purposes of this Section 7.4(g), a guest is defined as an individual who resides in the Unit for less than ten (10) consecutive days. A guest may park his or her vehicle in a Guest Parking Space for up to ten (10) consecutive days; provided, however, the temporary removal of a vehicle from a Guest Parking Space or the relocation of a vehicle from one Guest Parking Space to another Guest Parking Space shall not be sufficient to establish compliance with this restriction. Any guest residing at a Unit for more than ten (10) consecutive days shall be deemed to be an Occupant and must park his or her vehicle in either the garage or driveway serving the Unit. Owners and Occupants are prohibited from parking vehicles in the Guest Parking Spaces. Any guest, Owner or Occupant who fails to comply with the provisions set forth in this subsection (g) shall be subject to the remedies of the Association as set forth in subsection (e) above and any other remedies available to the Association under this Declaration or Georgia law.

(h) Declarant Exemption. Notwithstanding anything to the contrary in this Section 7.4, the Declarant and its respective agents, employees, contractors, subcontractors and assigns shall have the right, during regular business hours, to park vehicles on any and all streets within the Community as needed in order to facilitate the construction, development, maintenance and build out of the Community.

LEASING

Please note, the definition of "Person" (described below), includes corporations, limited partnerships, etc. Therefore, when the term "Person" is used in the following leasing restriction, entities are included in that definition.

1.19 "Person" includes any individual, individual acting in a fiduciary capacity, corporation, limited partnership, limited liability company, general partnership, joint stock company, joint venture, association, company or other organization, recognized as a separate legal entity under Georgia law.

Article 8 **Leasing Restrictions**

8.1 Purposes. In order to: (a) protect the equity of the individual Unit Owners; (b) carry out the purpose for which the Community was formed by preserving the character of the Community as predominantly owner-occupied homes; (c) prevent the Community from assuming the character of a renter-occupied neighborhood; and (d) comply with site specific zoning conditions, leasing of Units shall be governed by the restrictions imposed by this Article.

The Board of Directors shall have authority to make and enforce reasonable rules and regulations in order to enforce this Article.

8.2 Definitions.

(a) Leasing means the regular, exclusive occupancy of a Unit by any Person(s) other than the Owner for which the Owner receives any consideration or benefit, including, but not limited to, a fee, rent, gratuity or emolument. For purposes hereof the following shall not constitute leasing: (i) occupancy by a roommate of an Owner Occupant; (ii) occupancy by a member of the Owner's family; (iii) occupancy by one or more wards if the Unit is owned by their legal guardian; or (iv) occupancy by one or more beneficiaries of a trust if the Unit is owned in trust by the trustee.

(b) Open Leasing Status. Any Unit that is designated as being in "Open Leasing Status" shall authorize a Unit to be leased at any time. A Unit designated as being in Open Leasing Status shall remain in Open Leasing Status until such time as title to the Unit is conveyed or transferred to another person or entity, after which conveyance the Unit shall be converted to Restricted Leasing Status regardless of the continued occupancy by the same lessee unless the new Owner requests that the Unit remain in Open Leasing Status within ninety (90) days of said conveyance. Open Leasing Status may be temporarily conferred upon a Unit as provided hereinafter or may be applied for as provided below. Notwithstanding anything to the contrary herein, any Unit in Open Leasing Status shall automatically be converted to Restricted Leasing Status if the Unit is not subject to a lease for ninety (90) or more consecutive days.

(c) Restricted Leasing Status. Any Unit that is designated as being in "Restricted Leasing Status" shall prohibit a Unit Owner from leasing his or her Unit except as may be provided below for undue hardship. All Units shall be in Restricted Leasing Status unless converted to Open Leasing Status as provided in this Section.

8.3 General. No more than ten percent (10%) of the Units may be leased at one time. Accordingly, any Owner of a Unit in Restricted Leasing Status desiring to lease a Unit must apply in writing to the Board of Directors for conversion to Open Leasing Status in accordance with rules and regulations promulgated by the Board of Directors. **Notwithstanding any provision herein to the contrary, in no event shall a Person own more than five (5) Units in Open Leasing Status.**

Upon receipt of a written application to lease a Townhome Unit from the Owner thereof, the Board of Directors shall automatically approve the same if less than ten percent (10%) of the Townhome Units in the Community are in in Open Leasing Status at which time the Townhome Unit shall be converted to Open Leasing Status and such Owner shall have ninety (90) days within which to lease the Townhome Unit or it shall automatically revert to Restricted Leasing Status. If more than ten percent (10%) of the Townhome Units are leased, the Townhome Unit shall be placed at the end of a waiting list for conversion to Open Leasing Status and when less than ten percent (10%) of the Townhome Units in the Community are in Open Leasing Status, the Board shall notify the Owner of the Townhome Unit at the top of the waiting list of its

conversion to Open Leasing Status, and such Owner shall have ninety (90) days within which to lease the Townhome Unit or it shall automatically revert to Restricted Leasing Status.

8.4 Undue Hardship. Any Owner who believes that he or she must lease his or her Unit to avoid undue hardship shall submit a written application to the Board of Directors setting forth the circumstances necessitating the leasing, a copy of the proposed lease, and such other information as the Board of Directors may reasonably require. Leasing in the case of undue hardship shall be permitted only upon the Board of Director's written approval of the Owner's application.

Notwithstanding the provisions above, the Board shall be empowered to allow reasonable leasing of a Unit upon application in accordance with this Section to avoid undue hardship, which may include, but not be limited to the following situations: (a) a Unit Owner must relocate his residence outside the greater Atlanta metropolitan area and cannot, within six (6) months from the date that the Unit was placed on the market, sell the Unit except at a price below the current appraised market value, after having made reasonable efforts to do so; (b) the Owner is deceased and the Unit is being administered by a personal representative; or (c) the Owner takes a leave of absence from employment or temporarily relocates for employment purposes and intends to return to reside in the Unit, in which case the Unit Owner must reapply every year for renewal of the hardship exception. Those Owners who have complied with this Section, have demonstrated that the inability to lease their Unit would result in undue hardship, and have obtained the requisite written Board approval may lease their Units for such duration as the Board reasonably determines is necessary to prevent undue hardship.

In determining whether to permit an Owner to lease a Unit for undue hardship the Board may consider the following factors, which include, but are not limited to: (a) the nature, degree and likely duration of the hardship; (b) the harm, if any, which will result to the Community if the hardship leasing is approved; (c) the number of other Owners who are leasing to prevent undue hardship; (d) the Owner's role in causing the hardship or ability to cure the hardship; and (e) whether the Owner has previously been granted the right to lease to avoid hardship.

8.5 Leasing Provisions. Any Units permitted to be leased as provided herein may be leased only in their entirety; no fraction or portion may be leased. All leases shall be in writing and there shall be no subleasing or assignment of leases. All leases must be for an initial term of at least one (1) year, except with written approval by the Board of Directors, which shall not be unreasonably withheld in cases of undue hardship. The Owner must provide the lessee with copies of the Declaration, Bylaws, the rules and regulations and Architectural Guidelines and the lease shall provide that the Owner has made available to the lessee copies of the Declaration, Bylaws, and the rules and regulations and Architectural Guidelines. Notwithstanding anything to the contrary herein, under no circumstances shall a lease be for a term of less than thirty (30) days, even if a Unit is leased to avoid undue hardship in accordance with the terms of this Declaration.

(a) Notice. Within ten (10) days after executing a lease agreement for the lease of a Unit, the Owner shall provide the Board of Directors with the following information: (i) a fully executed copy of the lease agreement; (ii) the name of the lessee and all other people occupying

the Unit; (iii) the phone number of the lessee; (iv) the Owner's email address, telephone number and mailing address other than at the Unit; and (v) such other information as the Board of Directors may reasonably require.

(b) Liability for Assessments, Use of Common Property, and Compliance with Declaration, Bylaws, Rules and Regulations and Architectural Guidelines. Each Owner covenants and agrees that any lease of a Unit shall contain the following language and agrees that if such language is not expressly contained therein, then such language shall be incorporated into the lease by existence of this covenant, and the lessee, by occupancy of the Unit, agrees to the applicability of this covenant and incorporation of the following language into the lease:

(1) Compliance with Declaration, Bylaws, Rules and Regulations and Architectural Guidelines. Lessee shall abide by and comply with all provisions of the Declaration, Bylaws, and rules and regulations and Architectural Guidelines adopted pursuant thereto and shall control the conduct of all other Occupants and guests of the leased Unit in order to ensure such compliance. Owner agrees to cause all Occupants of his or her Unit to comply with the Declaration, Bylaws, and the rules and regulations and Architectural Guidelines adopted pursuant thereto and is responsible for all violations caused by such Occupants, notwithstanding the fact that such Occupants of the Unit are fully liable and may be sanctioned for any violation of the Declaration, Bylaws, and rules and regulations and Architectural Guidelines adopted pursuant thereto. In the event that the lessee or a person living with the lessee violates the Declaration, Bylaws, or a rule or regulation or Architectural Guideline for which a fine is imposed, notice of the violation shall be given to the Owner and the lessee, and such fine may be assessed against the Owner. Unpaid fines shall constitute a lien against the Unit.

Any violation of the Declaration, Bylaws, or rules and regulations and Architectural Guidelines adopted pursuant thereto by the lessee, any Occupant, or any guest of the lessee, is deemed to be a default under the terms of the lease and authorizes the Owner to terminate the lease without liability and to evict the lessee in accordance with Georgia law.

(2) Use of Common Property. The Owner transfers and assigns to the lessee, for the term of the lease, any and all rights and privileges that the Owner has to use the Common Property, including, without limitation, the Amenity Area.

(3) Liability for Assessments. If an Owner who is leasing his or her Unit fails to pay any general, special or specific assessment or any other charge owed to the Association for a period of more than thirty (30) days after it is due and payable, then the delinquent Owner hereby consents to the assignment of any rent received from the lessee during the period of delinquency, and, upon request by the Board of Directors, lessee shall pay to the Association all unpaid general, special and specific assessments and other charges payable during and prior to the term of the lease and any other period of occupancy by lessee. However, lessee need not make such payments to the Association in excess of, or prior to the due dates for, monthly rental payments unpaid at the time of the Board of Director's request. All such payments made by lessee shall reduce, by the same amount, lessee's obligation to make monthly rental payments to lessor. If lessee fails to comply with the Board of Director's request to pay assessments or other charges, lessee shall pay to the Association all amounts authorized under the Declaration as if lessee were

an Owner. The above provision shall not be construed to release the Owner from any obligation, including the obligation for assessments, for which he or she would otherwise be responsible.

8.6 Exemptions. The provisions of this Article shall not apply to any Unit owned by Declarant or any Mortgagee in possession of a Unit through foreclosure or otherwise as a result of the exercise of any rights arising out of a first priority Mortgage on a Unit.

8.7 Lease Administration Fee.

(a) General. It is anticipated that the leasing of Units will result in increased duties performed by the Association's management company, which include, but are not limited to: (i) maintaining and updating a leasing spreadsheet; (ii) collecting all required documentation from the Owner as required by Section 8.5(a) hereof; (iii) accepting and processing all applications to convert Units to Open Leasing Status and applications to lease for undue hardship circumstances; (iv) providing copies of the governing documents to the tenants; (v) determining the identity of all tenants and occupants of a leased Unit and the alternative address for those Owners who lease their Units in the Community; and (vi) continually monitoring and updating the Association's records accordingly.

(b) Payment of Lease Administrative Fee. Any Unit authorized to be leased pursuant to this Article 8 shall pay a nonrefundable fee to the Association for the administrative costs and processing costs incurred by the Association in connection with the leasing of Units within the Community ("Lease Administrative Fee"). The initial amount of the Lease Administrative Fee shall be Three Hundred and No/100 Dollars (\$300.00) each year the Unit is leased, but such amount may be changed from time to time by the Board in its sole discretion, and shall be paid by the Owner each year the Unit is leased. The Lease Administrative Fee shall be a specific assessment against the Unit, as provided in Section 4.7 hereof, and shall be collected in the same manner as provided in the Declaration for the collection of assessments.

Traffic Study May 2023. Appendices with data omitted due to file size

**TRAFFIC IMPACT STUDY
FOR
RESIDENTIAL DEVELOPMENT
BETWEEN CENTER ROAD AND EAST MAIN STREET,
CITY OF CARTERSVILLE, GEORGIA**



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A & R Project # 23-048

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1.0 INTRODUCTION

The purpose of this study is to determine the traffic impact from the proposed residential development that will be located east of I-75 in the City of Cartersville, Georgia, between Center Road to the north and E Main Street to the south. The traffic analysis includes an evaluation of the current operations and future conditions with the traffic generated by the development. The development will consist of two unconnected sections: The north section will consist of 73 single-family detached homes with a full access driveway on Center Road, while the southern section will consist of 168 townhome units and have access by a driveway connection with Overlook Parkway to the south.



The AM and PM peak hours have been analyzed in this study. In addition to the site access points, this study includes the evaluation of traffic operations at the intersections of:

- E. Main Street at Komatsu Drive
- E. Main Street at I-75 Northbound Ramps
- E. Main Street at I-75 Southbound Ramps
- Center Road at Ponders Road
- Center Road at Smiley Ingram Road

Recommendations to improve traffic operations have been identified as appropriate and are discussed in detail in the following sections of the report. The location of the development and the surrounding roadway network are shown in Figure 1.

2.0 EXISTING FACILITIES / CONDITIONS

2.1 Roadway Facilities

The following is a brief description of each of the roadway facilities located in proximity to the site:

2.1.1 I-75 (Larry McDonald Memorial Highway)

I-75 (Larry McDonald Memorial Highway) is a north-south, eight-lane, median-divided roadway with a posted speed limit of 70 mph in the vicinity of the site. GDOT traffic counts (Station ID: 015-0274) indicate that the daily traffic volume on I-75 (Larry McDonald Memorial Highway) was 96,100 vehicles per day south of Center Road. GDOT classifies I-75 (Larry McDonald Memorial Highway) as an urban interstate roadway.

2.1.2 Center Road

Center Road is an east-west, two-lane, undivided roadway with a posted speed limit of 35 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID 015-0358) indicate that the daily traffic volume on Center Road in 2021 was 3,750 vehicles per day east of Wansley Drive. GDOT classifies Center Road as an urban major collector roadway.

2.1.3 Ponders Road

Ponders Road is a north-south, two-lane, undivided roadway with a posted speed limit of 25 mph in the vicinity of the site.

2.1.4 Smiley Ingram Road

Smiley Ingram Road is a two-lane undivided roadway with a posted speed limit of 35 mph in the vicinity of the site.

2.1.5 Komatsu Drive

Komatsu Drive is a north-south, two-lane, undivided roadway with a posted speed limit of 25 mph in the vicinity of the site.

2.1.6 E. Main Street

E. Main Street is an east-west, four-lane, median-divided roadway with a posted speed limit of 45 mph in the vicinity of the site. Georgia Department of Transportation (GDOT) traffic counts (Station ID 015-0201) indicate that the daily traffic volume on E. Main Street in 2021 was 18,800 vehicles per day west of I-75. GDOT classifies E. Main Street as an urban principal arterial roadway.

3.0 STUDY METHODOLOGY

In this study, the methodology used for evaluating traffic operations at each of the subject intersections is based on the criteria set forth in the Transportation Research Board's Highway Capacity Manual, 6th edition (HCM 6). Synchro software, which utilizes the HCM methodology, was used for the analysis. The following is a description of the methodology employed for the analysis of unsignalized and signalized intersections.

3.1 Unsignalized Intersections

For unsignalized intersections controlled by a stop sign on minor streets, the level-of-service (LOS) for motor vehicles with controlled movements is determined by the computed control delay according to the thresholds stated in Table 1 below. LOS is determined for each minor street movement (or shared movement), as well as major street left turns. LOS is not defined for the intersection as a whole or for major street approaches. The LOS of any controlled movement which experiences a volume to capacity ratio greater than 1 is designated as "F" regardless of the control delay.

Control delay for unsignalized intersections includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Several factors affect the control delay for unsignalized intersections, such as the availability and distribution of gaps in the conflicting traffic stream, critical gaps, and follow-up time for a vehicle in the queue.

Level-of-service is assigned a letter designation from "A" through "F". Level-of-service "A" indicates excellent operations with little delay to motorists, while level-of-service "F" exists when there are insufficient gaps of acceptable size to allow vehicles on the side street to cross the main road without experiencing long delays.

TABLE 1 — LEVEL-OF-SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS		
Control Delay (sec/vehicle)	LOS by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	v/c > 1.0
≤ 10	A	F
> 10 and ≤ 15	B	F
> 15 and ≤ 25	C	F
> 25 and ≤ 35	D	F
> 35 and ≤ 50	E	F
> 50	F	F

*The LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for Major-street approaches or for the intersection.

Source: Highway Capacity Manual, 6th edition, Exhibit 20-2 *LOS Criteria: Motorized Vehicle Mode*

3.2 Signalized Intersections

According to HCM procedures, LOS can be calculated for the entire intersection, each intersection approach, and each lane group. HCM uses control delay alone to characterize LOS for the entire intersection or an approach. Control delay per vehicle is composed of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Both control delay and volume-to-capacity ratio are used to characterize LOS for a lane group. A volume-to-capacity ratio of 1.0 or more for a lane group indicates failure from capacity perspective. Therefore, such a lane group is assigned LOS F regardless of the amount of control delay.

Table 2 below summarizes the LOS criteria from HCM for motorized vehicles at signalized intersection.

TABLE 2 — LEVEL-OF-SERVICE CRITERIA FOR SIGNALIZED INTERSECTIONS		
Control Delay (sec/vehicle) *	LOS for Lane Group by Volume-to-Capacity Ratio*	
	v/c ≤ 1.0	v/c > 1.0
≤ 10	A	F
> 10 and ≤ 20	B	F
> 20 and ≤ 35	C	F
> 35 and ≤ 55	D	F
> 55 and ≤ 80	E	F
> 80	F	F

*For approach-based and intersection wide assessments, LOS is defined solely by control delay

Source: Highway Capacity Manual, 6th edition, Exhibit 19-8 *LOS Criteria: Motorized Vehicle Mode*

LOS A is typically assigned when the volume-to-capacity (v/c) ratio is low and either progression is exceptionally favorable, or the cycle length is very short. LOS B is typically assigned when the v/c ratio is low and either progression is highly favorable, or the cycle length is short. However, more vehicles are stopped than with LOS A. LOS C is typically assigned when progression is favorable, or the cycle length is moderate. Individual *cycle failures* (one or more queued vehicles are not able to depart because of insufficient capacity during the cycle) may begin to appear at this level. Many vehicles still pass through the intersection without stopping, but the number of vehicles stopping is significant. LOS D is typically assigned when the v/c ratio is high and either progression is ineffective, or the cycle length is long. There are many vehicle-stops and individual cycle failures are noticeable. LOS E is typically assigned when the v/c ratio is high, progression is very poor, the cycle length is long, and individual cycle failures are frequent. LOS F is typically assigned when the v/c ratio is very high, progression is very poor, the cycle length is long, and most cycles fail to clear the queue.

4.0 EXISTING 2023 TRAFFIC ANALYSIS

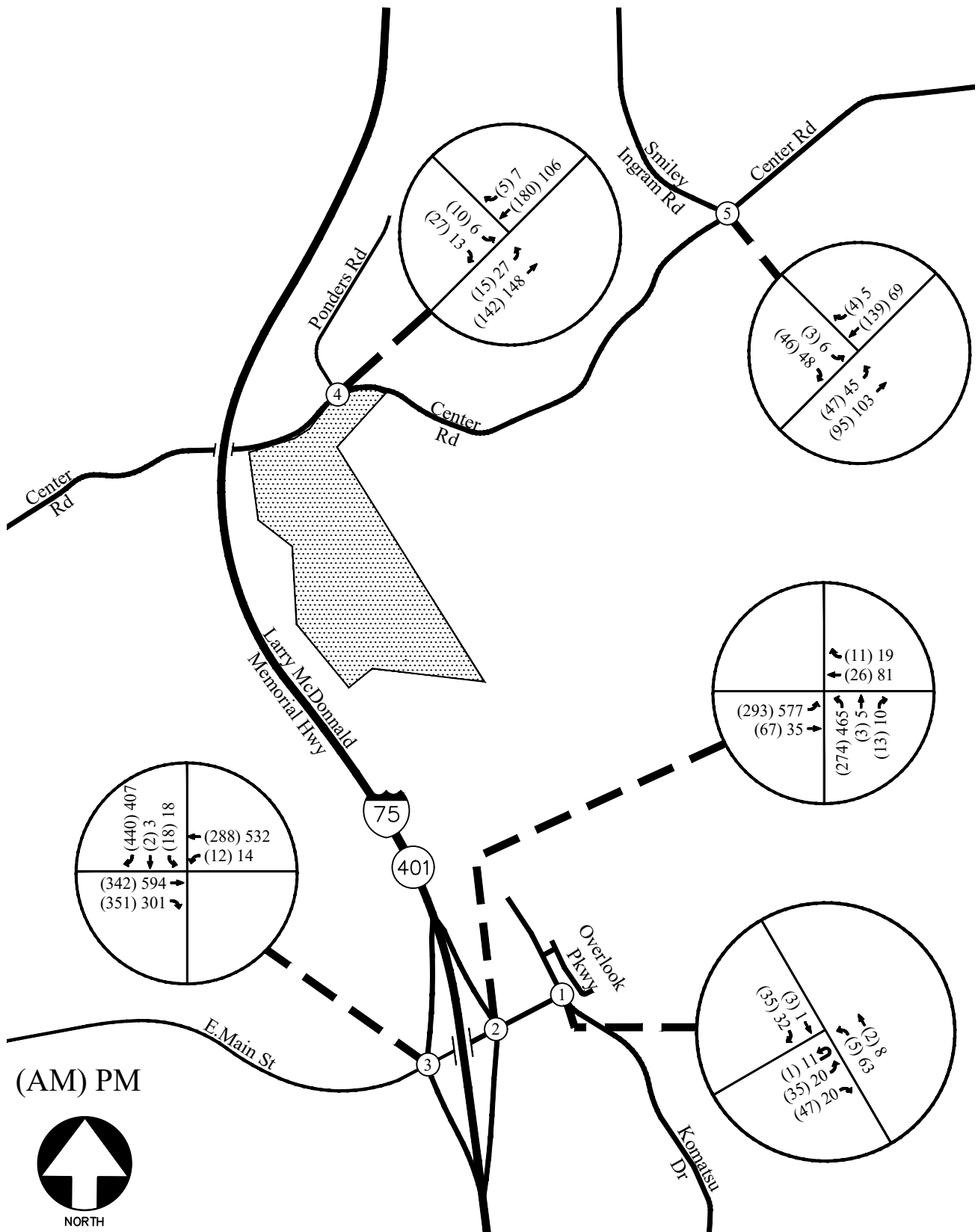
4.1 Existing Traffic Volumes

Existing traffic counts were obtained at the following study intersections:

- E. Main Street at Komatsu Drive
- E. Main Street at I-75 Northbound Ramps
- E. Main Street at I-75 Southbound Ramps
- Center Road at Ponders Road
- Center Road at Smiley Ingram Road

Turning movement counts were collected on Tuesday, April 11, 2023. All turning movement counts were recorded during the AM and PM peak hours between 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, respectively. The four consecutive 15-minute interval volumes that summed to produce the highest volume at the intersections were then determined. These volumes make up the peak hour traffic volumes for the intersections counted and are shown in Figure 2.




The existing traffic control and lane geometry for the intersections are shown in Figure 3.

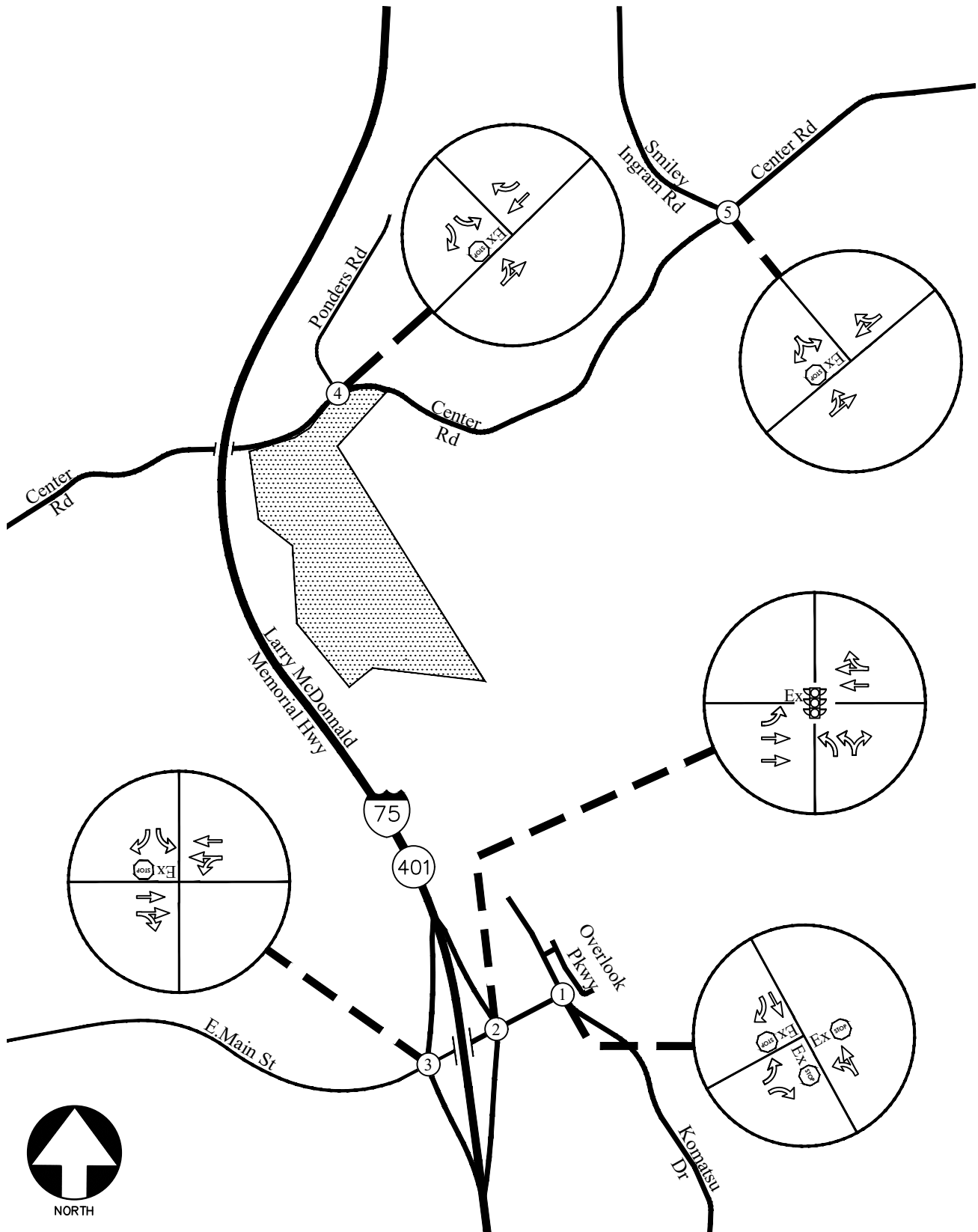


EXISTING WEEKDAY PEAK-HOUR VOLUMES

FIGURE 2
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LEGEND

- Ex  Existing Signed Approach
-  Existing Lane Geometry
- Ex  Existing Traffic Signal



EXISTING TRAFFIC CONTROL AND LANE GEOMETRY

FIGURE 3

A&R Engineering Inc.

4.2 Existing Traffic Operations

Existing 2023 traffic operations were analyzed at the study intersections in accordance with the HCM methodology. The results of the analysis are shown in Table 3.

TABLE 3 — EXISTING INTERSECTION OPERATIONS				
Intersection		Traffic Control	LOS (Delay)	
			AM Peak Hour	PM Peak Hour
1	<u>E. Main Street @ Komatsu Drive</u>	All-Way Stop Controlled	<u>A (7.4)</u>	<u>A (8.1)</u>
	-Eastbound Approach		A (7.6)	A (8.0)
	-Northbound Approach		A (7.8)	A (8.6)
	-Southbound Approach		A (7.0)	A (7.1)
2	<u>E. Main Street @ I-75 Northbound Ramps</u>	Signalized	<u>C (20.9)</u>	<u>C (26.0)</u>
	-Eastbound Approach		B (12.2)	B (19.0)
	-Westbound Approach		C (24.1)	C (30.2)
	-Northbound Approach		C (31.4)	C (34.1)
3	<u>E. Main Street @ I-75 Southbound Ramps</u>	Stop Controlled on SB Approach	A (8.1) B (14.7)	A (8.8) C (17.0)
	-Westbound Left -Southbound Approach			
4	<u>Center Road @ Ponders Road</u>	Stop Controlled on SB Approach	A (7.7) B (10.0)	A (7.5) A (9.4)
	-Eastbound Left -Southbound Approach			
5	<u>Center Road @ Smiley Ingram Road</u>	Stop Controlled on SB Approach	A (7.7) A (9.5)	A (7.4) A (9.1)
	-Eastbound Left -Southbound Approach			

The results of the existing traffic operations analysis indicate that the stop-controlled side street approaches at the unsignalized study intersections are operating at a level of service “C” or better in both the AM and PM peak hours. The signalized study intersection (E. Main Street at the I-75 northbound ramps) is operating at an overall level of service “C” during the AM and PM peak hours.

5.0 PROPOSED DEVELOPMENT

The proposed development will consist of two unconnected sections: The north section will consist of 73 single-family detached homes with a full access driveway on Center Road, while the southern section will consist of 168 townhome units and have access by a driveway connection with Overlook Parkway to the south.



A site plan is shown in Figure 4.

Figure 4 – Site Plan

5.1 Trip Generation

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation was based on the ITE Land Uses 210 – *Single-Family Detached Housing* and 215 – *Single-Family Attached Housing*. The calculated total trip generation for the proposed development is shown in Table 4A.

TABLE 4A— TRIP GENERATION (PROPOSED SITE)								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 210 – Single-Family Detached Housing	73 Units	14	42	56	47	27	74	755
ITE 215 – Single-Family Attached Housing	168 Units	20	62	82	57	40	97	1,230
Total Trips		34	104	138	104	67	171	1,985

5.1.1 Alternate Site Plan

Per the current zoning at the location of the proposed site, there is sufficient space for a total of 315 single-family detached homes. For comparison purposes, site-generated traffic volumes for this possible alternative project design were estimated below. The trip generation was based on the ITE Land Use 210 – *Single-Family Detached Housing*, and the estimated volumes for the alternative site plan are shown in Table 4B. As shown below, a subdivision with 315 single-family detached homes is estimated to generate a total of 2,900 two-way trips on a weekday within 24 hours, compared to the projected 1,985 total trips for the proposed site consisting of a combination of attached and detached housing.

TABLE 4B— TRIP GENERATION (ALTERNATIVE SITE PLAN)								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 210 – Single-Family Detached Housing	315 Units	53	159	212	184	108	292	2,900

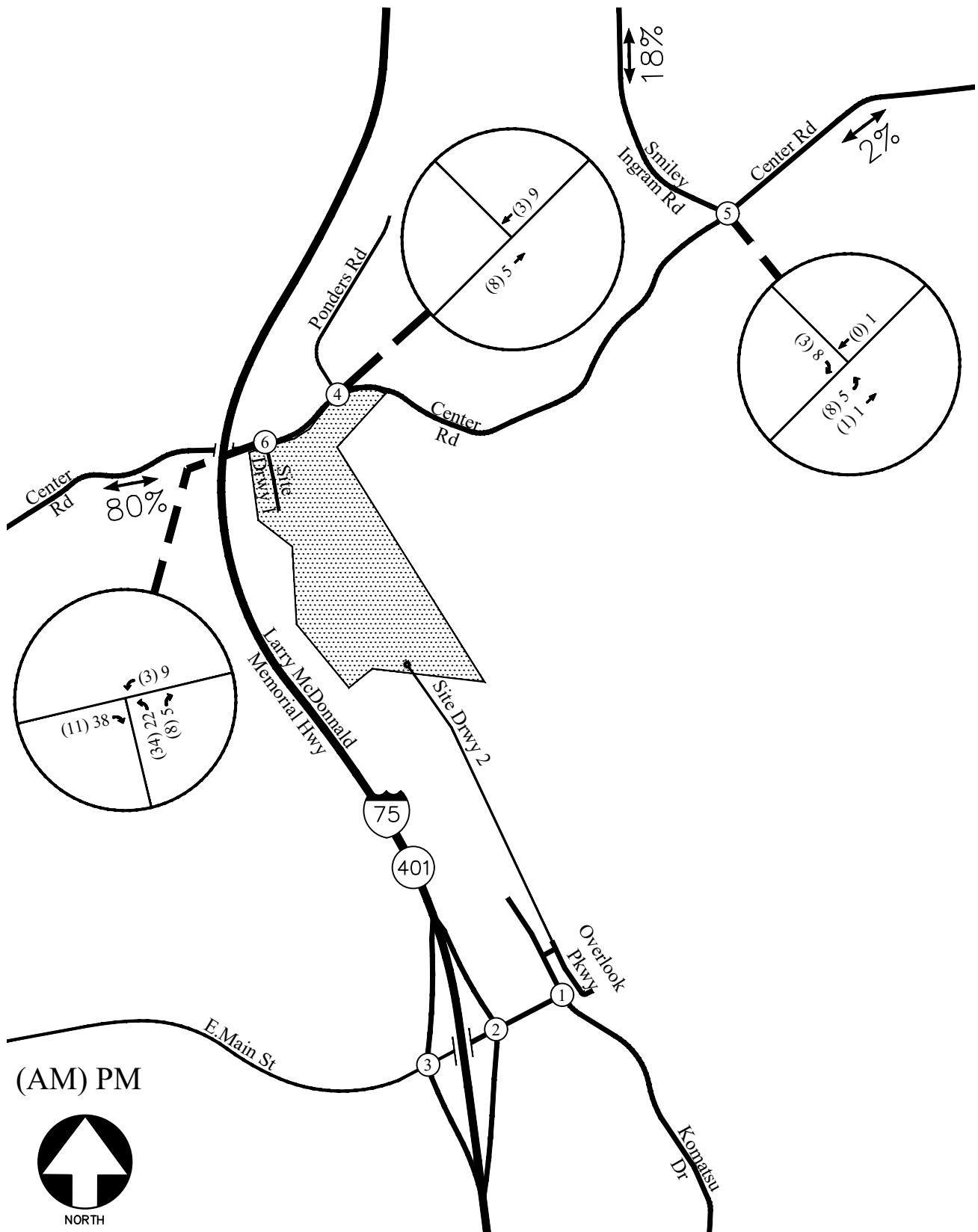
5.2 Trip Distribution

The trip distribution describes how traffic arrives and departs from the site. An overall trip distribution was developed for the site based on a review of the existing travel patterns in the area and the locations of major roadways and highways that will serve the development. The site-generated peak hour traffic volumes, shown in Table 4A, were assigned to the study area intersections based on this distribution. The outer-leg distribution and AM and PM peak hour new traffic generated by the site are shown in Figures 5 (Detached Homes) and Figure 6 (Attached Homes). The combined total site-generated peak hours volumes are shown in Figure 7.

5.2.1 Nearby Planned Residential Development – Project #23-045

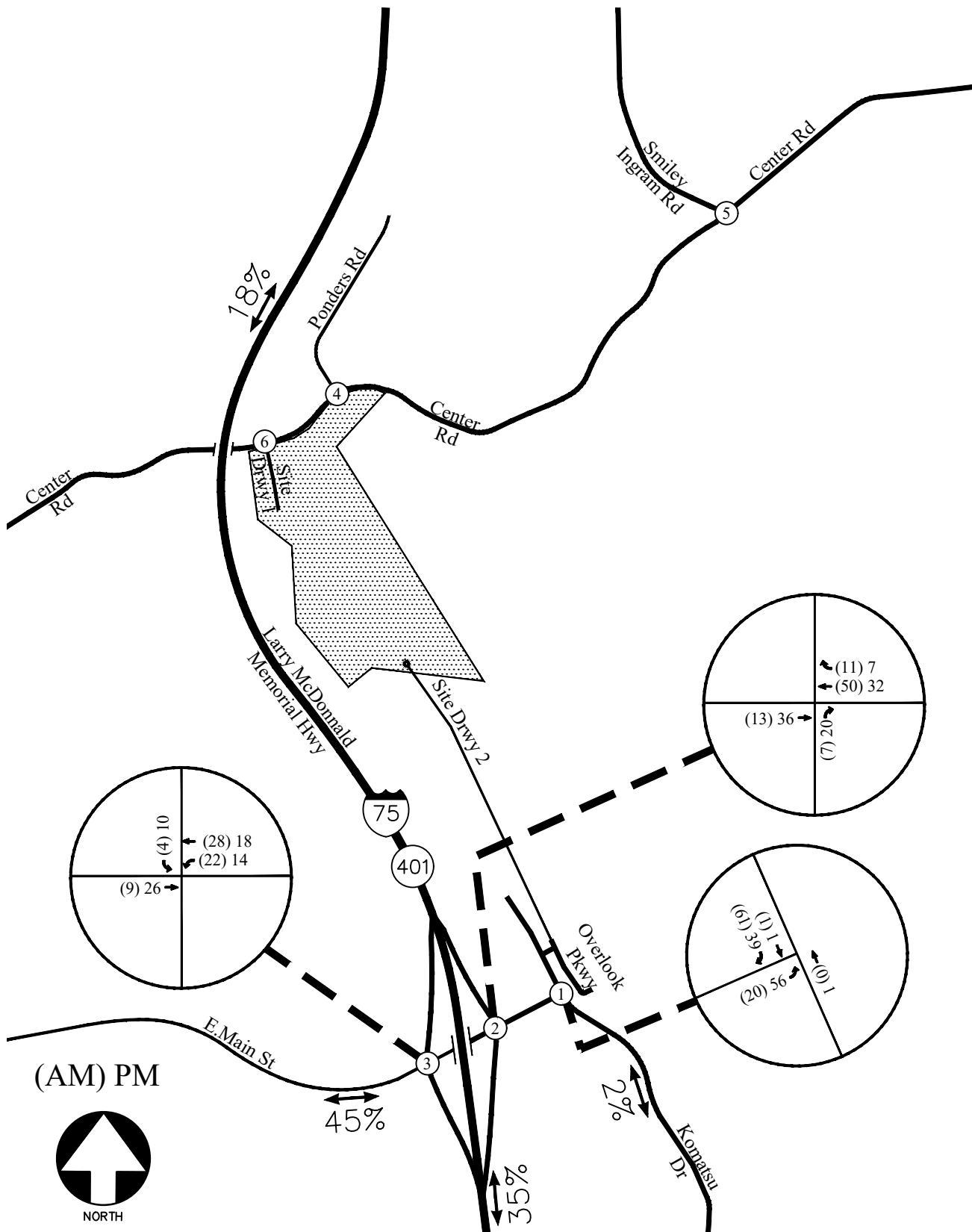
A separate nearby residential development is currently being planned to be built northwest of where I-75 crosses over Center Road. The development will consist of 199 townhome units and proposes one full access driveway on Center Road aligned with Autumn Canyon Path to the south. Because this project is estimated to be completed by 2025, its impact on the study area was considered in both the “No-Build” and “Build” future conditions analyses. The calculated site-generated traffic volumes for this development are shown in Table 4C, and the AM and PM peak hour volumes passing through the study area are shown in Figure 8.

TABLE 4C— TRIP GENERATION (ADJACENT SITE)								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-Way
ITE 215 – Single-Family Attached Housing	199 units	24	74	98	68	47	115	1,466



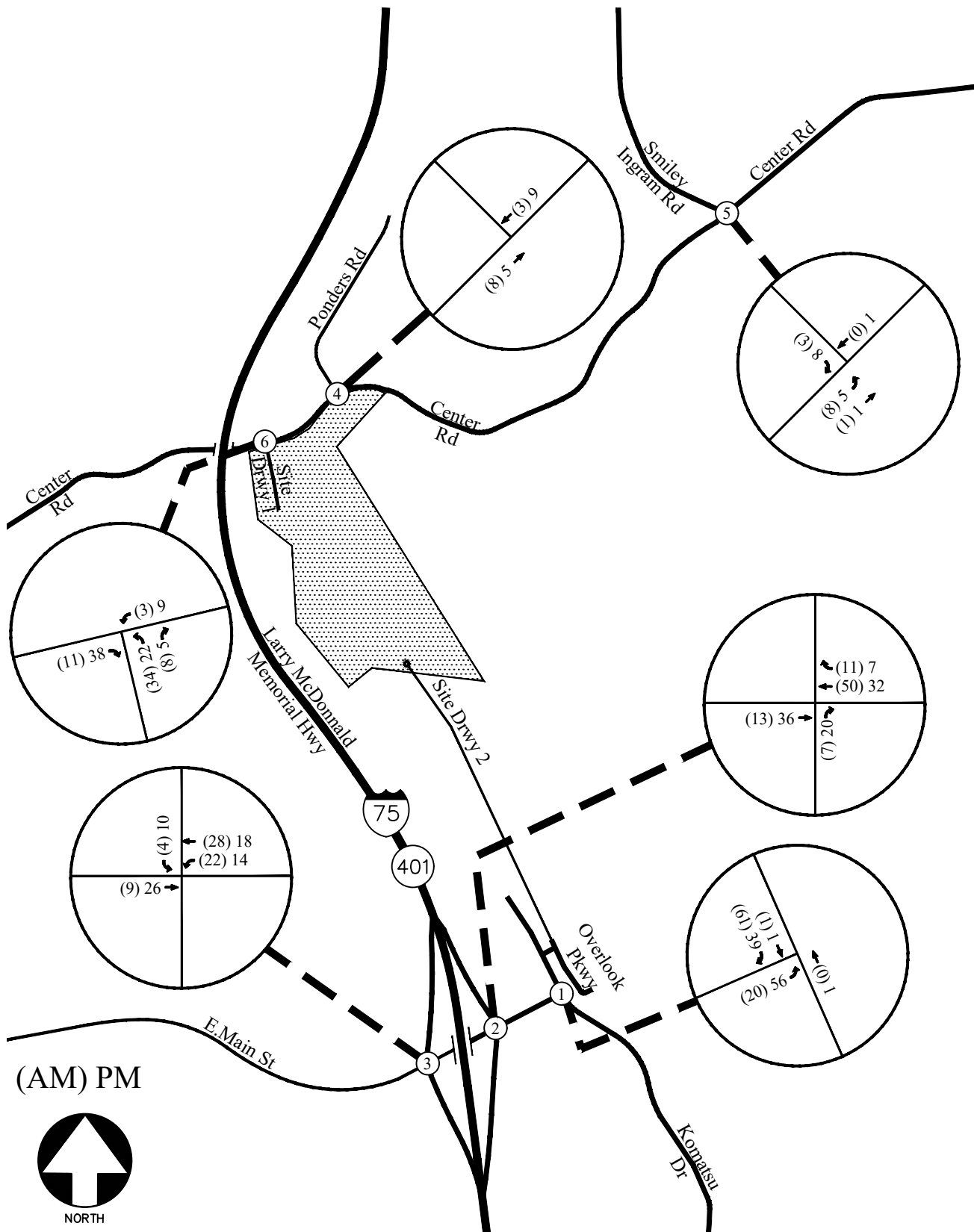
TRIP DISTRIBUTION AND SITE-GENERATED WEEKDAY
PEAK HOUR VOLUMES (DETACHED HOMES)

FIGURE 5
A&R Engineering Inc.



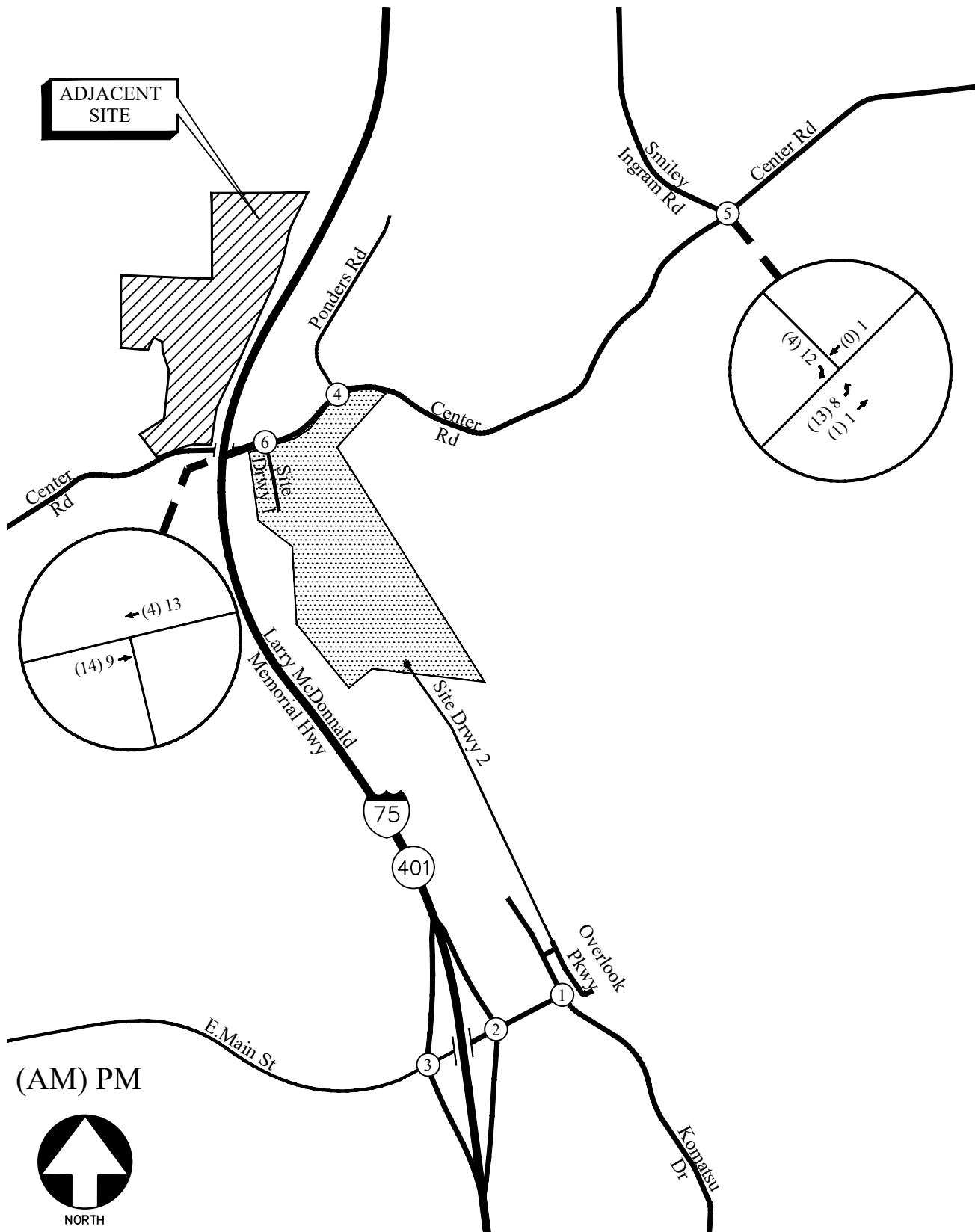
TRIP DISTRIBUTION AND SITE-GENERATED WEEKDAY
PEAK HOUR VOLUMES (ATTACHED HOMES)

FIGURE 6
A&R Engineering Inc.



TOTAL SITE GENERATED PEAK HOUR VOLUMES

FIGURE 7
A&R Engineering Inc.



TRIP DISTRIBUTION AND SITE-GENERATED
WEEKDAY PEAK HOUR VOLUMES (ADJACENT SITE)

FIGURE 8
A&R Engineering Inc.

6.0 FUTURE 2025 TRAFFIC ANALYSIS

The future 2025 traffic operations are analysed for the “Build” and “No-Build” conditions.

6.1 Future “No-Build” Conditions

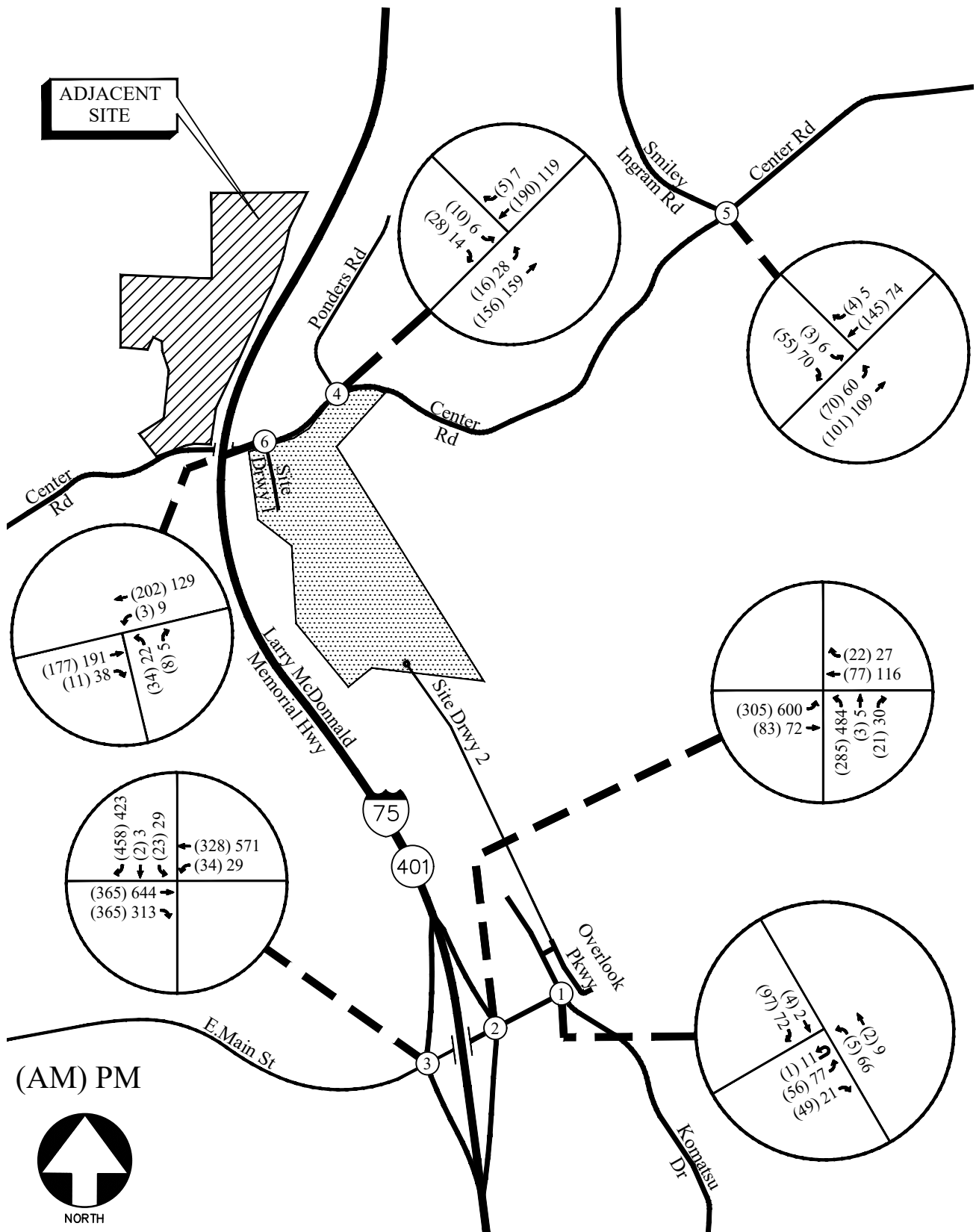
The “No-Build” (or background) conditions provide an assessment of how traffic will operate in the study horizon year without the study site being developed as proposed, with projected increases in through traffic volumes due to normal annual growth. The Future “No-Build” volumes consist of the existing traffic volumes (Figure 2) plus increases for annual growth of through traffic.

6.1.1 Annual Traffic Growth

To evaluate future traffic operations in this area, a projection of normal traffic growth was applied to the existing volumes. The Georgia Department of Transportation recorded average daily traffic volumes at several locations in the vicinity of the site. Reviewing the growth over the last three years revealed growth of approximately 2% in the area. This growth factor was applied to the existing traffic volumes between collector and arterial roadways to estimate the future year traffic volumes prior to the addition of site-generated traffic. The resulting Future “No-Build” volumes on the roadway are shown in Figure 9.

6.2 Future “Build” Conditions

The “Build” or development conditions include the estimated background traffic from the “No-Build” conditions plus the added traffic from the proposed development. To evaluate future traffic operations in this area, the additional traffic volumes from the site (Figure 7) were added to the base traffic volumes (Figure 9) to calculate the future traffic volumes after the construction of the development. These total future “Build” traffic volumes are shown in Figure 10.



FUTURE (BUILD) WEEKDAY PEAK HOUR VOLUMES

FIGURE 10

A&R Engineering Inc.

6.3 Auxiliary Lane Analysis

Included below are analyses for left-turn lanes and deceleration lanes for site driveway 1 (northern driveway) per GDOT standards. No turn lane analyses were necessary for site driveway 2 at the southern section of the development, as it will simply consist of a connection at the end of the planned Overlook Parkway Extension directly to the south. The analyses below are based off the trip distribution included in Section 5.2. According to the trip distribution, the 24-hour two-way volume for traffic the entering and exiting the northern section of the site is 755 vehicles.

6.3.1 Left Turn Lane Analysis

For two-lane roadways with AADT's less than 6,000 vehicles and a posted speed limit of 35 mph, the daily site-generated traffic left turn movements threshold to warrant a turn lane is 300 left-turning vehicles a day. The projected left turn volumes per day for site driveway 1 is included in Table 5.

TABLE 5 — GDOT REQUIREMENTS FOR LEFT TURN LANES					
Intersection	Left Turn Traffic (% total entering)	Left Turn Volume (vehicles/day)	Roadway Speed / # Lanes / ADT	GDOT Threshold (vehicles/day)	Warrants met?
Center Road @ Site Drwy 1 (N)	20% Westbound	76 $(\text{Total Trips}) \div 2 \times 0.2 =$ $(755) \div 2 \times 0.2 = 76$	35 mph / 2-Lane / < 6,000	300	No

A left turn lane is not warranted at site driveway 1 per GDOT standards.

6.3.2 Deceleration Turn Lane Analysis

For two lane roadways with AADT's less than 6,000 vehicles and a posted speed limit of 35 mph, the daily site generated traffic right turn movements threshold to warrant a deceleration lane is 200 right-turning vehicles a day. The projected right-turn volumes per day for each driveway is included in Table 6.

TABLE 6 — GDOT REQUIREMENTS FOR DECELERATION LANES					
Intersection	Right Turn Traffic (% total entering)	Right Turn Volume (vehicles/day)	Roadway Speed / # lanes / ADT	GDOT Threshold (vehicles/day)	Warrants met?
Center Road @ Site Drwy 1 (N)	80% Eastbound	302 $(\text{Total Trips}) \div 2 \times 0.8 =$ $(755) \div 2 \times 0.8 = 302$	35 mph / 2-Lane / < 6,000	200	Yes

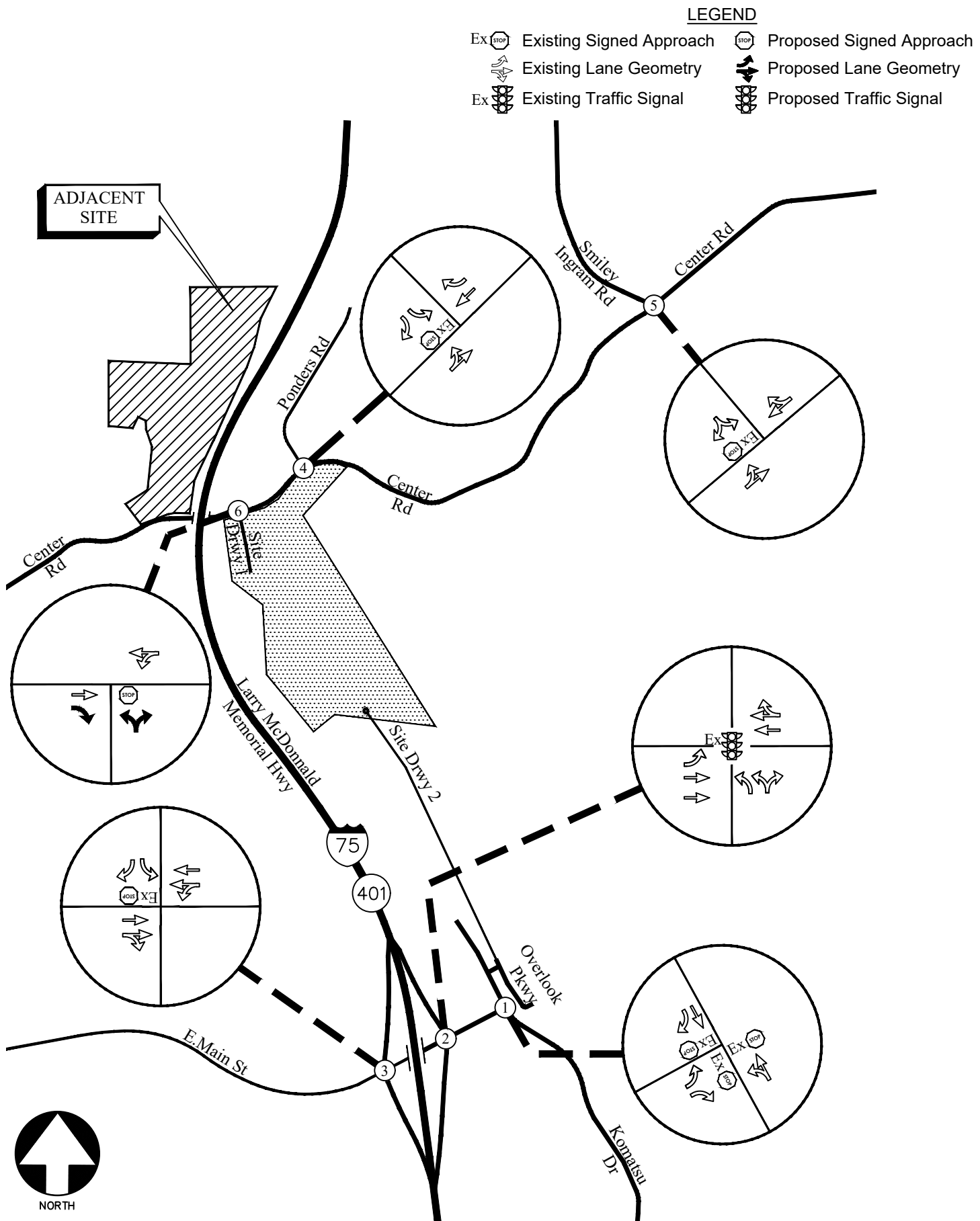
A right turn lane is warranted at site driveway 1 per GDOT standards.

6.4 Future “Build” Traffic Operations

The future “No-Build” and “Build” traffic operations were analysed using the volumes in Figure 9 and Figure 10, respectively. The results of the future traffic operations analysis are shown below in Table 7. Recommendations on traffic control and lane geometry are shown in Figure 11.

TABLE 7 — FUTURE INTERSECTION OPERATIONS					
Intersection		Future Condition: LOS (Delay)			
		NO-BUILD		BUILD-OUT (2025)	
		AM Peak	PM Peak	AM Peak	PM Peak
1	<u>E. Main Street @ Komatsu Drive</u>	<u>A (7.5)</u>	<u>A (8.1)</u>	<u>A (7.9)</u>	<u>A (8.9)</u>
	-Eastbound Approach	A (7.6)	A (8.0)	A (8.0)	A (9.4)
	-Northbound Approach	A (7.9)	A (8.7)	A (8.0)	A (9.3)
	-Southbound Approach	A (7.1)	A (7.1)	A (7.7)	A (7.9)
2	<u>E. Main Street @ I-75 Northbound Ramps</u>	<u>C (21.1)</u>	<u>C (26.8)</u>	<u>C (21.4)</u>	<u>C (27.0)</u>
	-Eastbound Approach	B (12.3)	C (20.2)	B (12.3)	C (20.2)
	-Westbound Approach	C (24.5)	C (30.4)	C (25.0)	C (30.9)
	-Northbound Approach	C (31.5)	C (34.4)	C (31.6)	C (34.8)
3	<u>E. Main Street @ I-75 Southbound Ramps</u>				
	-Westbound Left	A (8.2)	A (8.9)	A (8.3)	A (9.1)
	-Southbound Approach	B (15.6)	C (18.1)	B (16.2)	C (18.9)
4	<u>Center Road @ Ponders Road</u>				
	-Eastbound Left	A (7.7)	A (7.5)	A (7.7)	A (7.5)
	-Southbound Approach	B (10.1)	A (9.4)	B (10.1)	A (9.4)
5	<u>Center Road @ Smiley Ingram Road</u>				
	-Eastbound Left	A (7.7)	A (7.5)	A (7.7)	A (7.5)
	-Southbound Approach	A (9.6)	A (9.1)	A (9.7)	A (9.2)
6	<u>Center Road @ Site Driveway 1</u>				
	-Westbound Left	-	-	A (7.6)	A (7.8)
	-Northbound Approach			B (11.2)	B (10.8)

The results of the future traffic operations analysis indicate that the stop-controlled side street approaches at the unsignalized study intersections will continue to operate at a level of service “C” or better in both the AM and PM peak hours. The signalized study intersection (E. Main Street at the I-75 northbound ramps) will continue to operate at an overall level of service “C” during the the AM and PM peak hours.



FUTURE TRAFFIC CONTROL AND LANE GEOMETRY

FIGURE 11

A&R Engineering Inc.

7.0 CONCLUSIONS AND RECOMMENDATIONS

Traffic impacts were evaluated for the proposed residential development that will be located east of I-75 in the City of Cartersville, Georgia, between Center Road to the north and E Main Street to the south. The development will consist of two unconnected sections: The north section will consist of 73 single-family detached homes with a full access driveway on Center Road, while the southern section will consist of 168 townhome units and have access by a driveway connection with Overlook Parkway to the south.

Existing and future operations after the completion of the project were analysed at the intersections of:

- E. Main Street at Komatsu Drive
- E. Main Street at I-75 Northbound Ramps
- E. Main Street at I-75 Southbound Ramps
- Center Road at Ponders Road
- Center Road at Smiley Ingram Road
- Center Road at Site Driveway 1 (North)

The analysis included the evaluation of future operations for “No-Build” and “Build” conditions, with the differences between “No-Build” and “Build” accounting for an increase in traffic due to the proposed development. The results of the future traffic operations analysis indicate that the stop-controlled side street approaches at the unsignalized study intersections will continue to operate at a level of service “C” or better in both the AM and PM peak hours. The signalized study intersection (E. Main Street at the I-75 northbound ramps) will continue to operate at an overall level of service “C” during the AM and PM peak hours. Based on the analysis, the proposed development will have minimal impact on traffic operations in the study network.

7.1 Recommendations for Site Access Configuration

The following configuration is recommended at the site driveways:

- Site Driveway 1 (N): Full access driveway on Center Road
 - One entering lane and one exiting lane
 - Stop-sign controlled on the driveway approach with Center Road remaining free flow
 - A right turn lane for entering traffic
 - Provide adequate sight distance per AASHTO standards
- Site Driveway 2 (S): Full access driveway connection with planned Overlook Parkway Extension to the south
 - One entering lane and one exiting lane

Original Application and Staff analysis documentation

David Hardegree

From: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>
Sent: Thursday, November 7, 2024 8:27 AM
To: David Hardegree; Robert Jordan
Subject: [EXTERNAL] RE: Z24-08. Rob Jordan property. Center Rd east of I-75. PW comments

Follow Up Flag: Follow up
Flag Status: Flagged



David,

I apologize for the delayed response, but I was confirming a few things with our engineer. He mislabeled the ROW on the plans. It is designed at 60' and scales out to that measurement. We'll update the plans before our hearing. Thanks.

-Bryan

From: David Hardegree <dhardegree@cityofcartersville.org>
Sent: Tuesday, November 5, 2024 5:21 PM
To: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>; Robert Jordan <rjordan@rjordancompany.com>
Subject: FW: Z24-08. Rob Jordan property. Center Rd east of I-75. PW comments

Bryan and Rob,

See Public Works comments below. Most of these can be addressed during plan review. The primary one that should be addressed during zoning is Item 1. The development regs require all streets, public or private, to be a min. 60ft in width. This does conflict with the proposed 50ft width noted on the concept site plan. This primarily affects the detached product since it is proposed with a public ROW. The private street for the townhomes could be addressed with an additional 5ft utility easement on either side of the 50ft. access/utility easement. Just my thoughts.

David

From: Steven Foy <sfoy@cityofcartersville.org>
Sent: Tuesday, November 5, 2024 4:48 PM
To: David Hardegree <dhardegree@cityofcartersville.org>; Lynn Gayton <lgayton@cityofcartersville.org>; Tommy Rozier <trozier@cityofcartersville.org>
Subject: RE: Z24-08. Rob Jordan property. Center Rd east of I-75

David,

Please see PW comments below:

1. Streets in development will be required to be constructed to all standards for public streets.
2. Streets will be required to be private since a gated entry is proposed.

David Hardegree

From: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>
Sent: Wednesday, November 6, 2024 8:48 AM
To: David Hardegree
Cc: Robert Jordan
Subject: [EXTERNAL] RE: Center Road rezoning presentation
Attachments: Starlight Streetscape Perspective - Townhomes.jpg; Starlight Streetscape Perspective - Detached.jpg

Follow Up Flag: Follow up
Flag Status: Flagged



Good morning David. Answers are below in [blue](#).

From: David Hardegree <dhardegree@cityofcartersville.org>
Sent: Tuesday, November 5, 2024 5:11 PM
To: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>
Cc: Robert Jordan <rjordan@rjordancompany.com>
Subject: RE: Center Road rezoning presentation

Bryan,

Just a couple of questions.

- 1) Do you have information on floor plan configurations? I'm expecting all units to be 3 bedroom. The school district has asked about this. [We plan to offer both 2 and 3 bedroom floor plans.](#)
- 2) Do you have any elevations or other graphics that depict the type of product you want to provide for both the townhomes and detached units? [Please see attached for renderings of the townhome and detached product. Let me know if you need anything else. Thank you.](#)

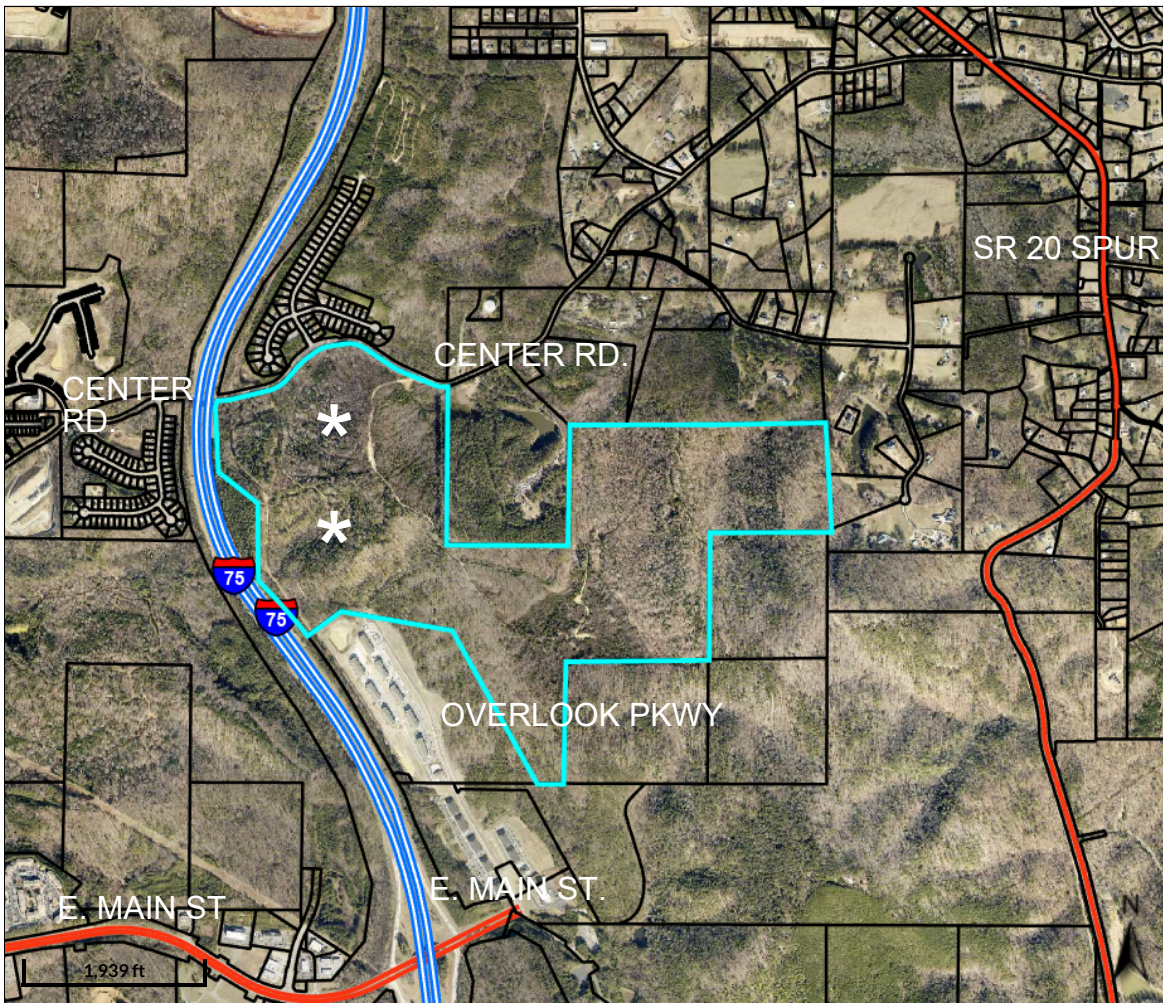
David

From: Bryan Muddiman <bryan.muddiman@ashtonwoods.com>
Sent: Tuesday, November 5, 2024 10:31 AM
To: David Hardegree <dhardegree@cityofcartersville.org>
Cc: Robert Jordan <rjordan@rjordancompany.com>
Subject: [EXTERNAL] Center Road rezoning presentation

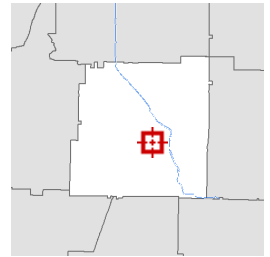
Good morning David. I hope you have been well. In anticipation of our rezoning hearing next Tuesday, I wanted to check on the status of the staff report. Should we expect it soon?

Also, for the night of the hearing, should we have printed presentation materials or will there be projection screens? If we need to bring printed materials is there an easel we can use? If we will be using projection screens who should we email with our presentation materials?



Thanks for your help and I look forward to hearing from you.



Overview



Legend

-  Parcels
-  Roads

Parcel ID C108-0002-003
 Sec/Twp/Rng n/a
 Property Address 100 OVERLOOK PKWY

Alternate ID 38134
 Class Residential
 Acreage 289.23

Owner Address CHARLES BARTENFELD PROP LLC
 ROBERT JORDAN PROP LLC & ETAL
 4200 NORTHSIDE PKWY BLDG 3
 ATLANTA, GA 30327

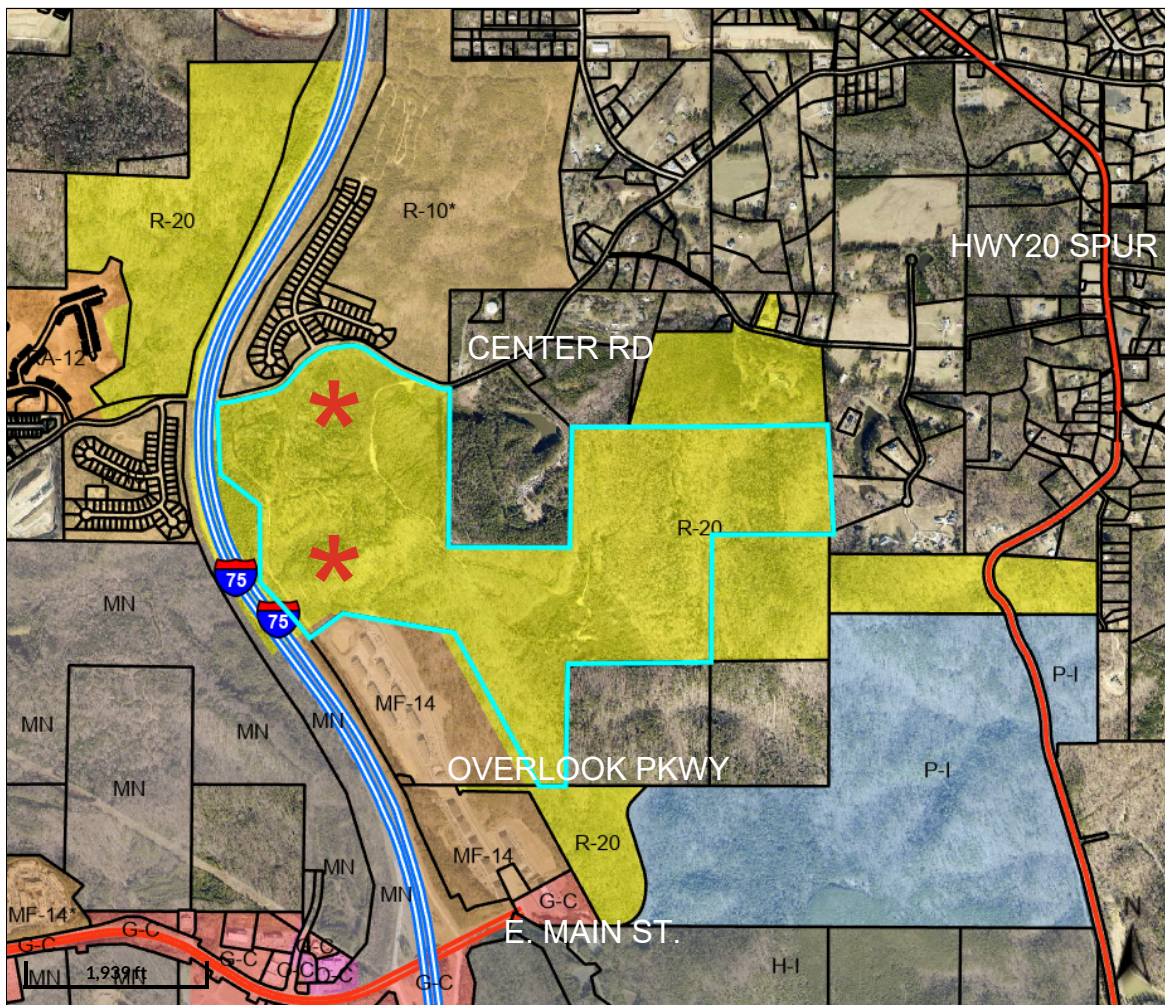
District Cartersville
 Brief Tax Description LL 247 DIST 4

(Note: Not to be used on legal documents)

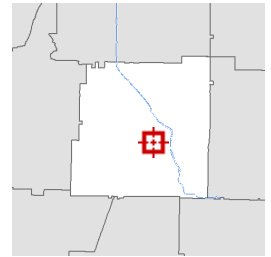
Date created: 9/25/2024
 Last Data Uploaded: 9/24/2024 10:35:13 PM

Developed by  SCHNEIDER
 GEOSPATIAL

* Project Location



Overview



Legend

Parcels

Roads

Cartersville Zoning

- AG
- DBD
- G-C
- G-C*
- H-I
- H-I*
- L-I
- L-I*
- M-U
- M-U*
- MF-14
- MF-14*
- MN
- O-C
- O-C*
- P-D
- P-D*
- P-I
- P-S
- P-S*
- R-10
- R-10*
- R-15
- R-15*
- R-20
- R-20*
- R-7
- R-7*
- R-D
- RA-12
- RA-12*

* Project Location

Parcel ID C108-0002-003
 Sec/Twp/Rng n/a
 Property Address 100 OVERLOOK PKWY

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 Class Residential
 Acreage 289.23

Owner Address CHARLES BARTENFELD PROP LLC
 ROBERT JORDAN PROP LLC & ETAL
 4200 NORTHSIDE PKWY BLDG 3
 ATLANTA, GA 30327

District
Brief Tax Description

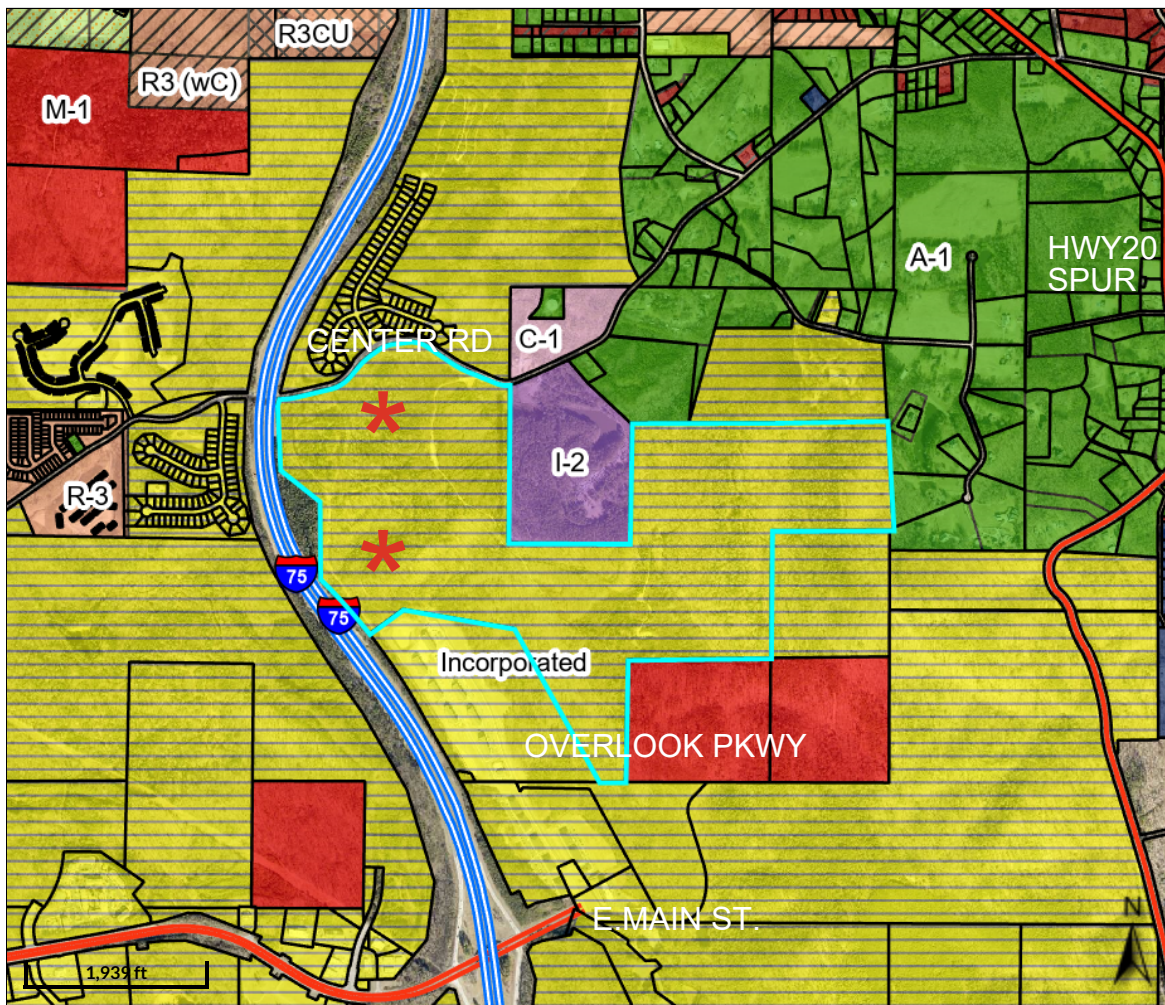
Cartersville
LL 247 DIST 4

(Note: Not to be used on legal documents)

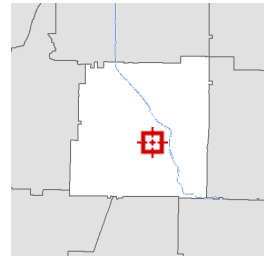
Date created: 9/25/2024

Last Data Uploaded: 9/24/2024 10:35:13 PM

Developed by  **SCHNEIDER**
GEOSPATIAL



Overview



Legend





Parcels

Roads

Bartow County Zoning

- A-1
- A1 (wC)
- A1CU
- BPD
- BPD (wC)
- C-1
- C1 (wC)
- C1CU
- CN
- CN (wC)
- CNCU
- I-1
- I-2
- I1 (wC)
- I1CU
- I2 (wC)
- I2CU
- Incorporated
- M-1
- M1 (wC)
- M1CU
- O/I
- OI (wC)
- OICU
- PUD
- PUD (wC)
- PUDCU
- R-1
- R-2
- R-3
- R-4
- R-7
- R-8
- R-8 w/c
- R1 (wC)

* Project Location

-  R1CU
-  R2 (wC)
-  R2CU
-  R3 (wC)
-  R3CU
-  R4 (wC)
-  R4CU
-  R7 (wC)
-  RE-1
-  RE-2
-  RE1 (wC)
-  RE1CU
-  RE2 (wC)
-  RE2CU
-  Unknown
-  Zoning with Conditions

Parcel ID
C108-0002-003

Alternate ID
38134

Sec/Twp/Rng
n/a

Class
Residential

Property Address
100 OVERLOOK PKWY

Acreage
289.23

Owner Address

CHARLES BARTENFELD PROP LLC
ROBERT JORDAN PROP LLC & ETAL
4200 NORTHSIDE PKWY BLDG 3
ATLANTA, GA 30327

District

Cartersville

Brief Tax Description

LL 247 DIST 4
(Note: Not to be used on legal documents)

Date created: 11/6/2024

Last Data Uploaded: 11/5/2024 10:29:18 PM

Application for Rezoning

City of Cartersville

Case Number: Z24-08
Date Received: 9-20-24

Public Hearing Dates:

Planning Commission 11-12-24 1st City Council 11-21-24 2nd City Council 12-5-24
5:30pm 7:00pm ~~7:00pm~~ 9am

Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of:  Notary Public		Applicant Signature  My commission expires: <u>03-26-2028</u>	



* Titleholder <u>Robert Jordan Properties, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordanccompany.com</u>	
Signature  Signed, sealed, delivered in presence of:  Notary Public		My commission expires: <u>12/5/2026</u>	



Present Zoning District <u>R-20</u>	Requested Zoning <u>P-D</u>		
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

* Attach additional notarized signatures as needed on separate application pages.

Application for Rezoning

City of Cartersville


Case Number: Z24-08

Date Received: 9-20-24

Public Hearing Dates:

Planning Commission 11-12-24 5:30pm 1st City Council 11-21-24 7:00pm 2nd City Council 12-5-24 ~~7:00pm~~ 9am

Applicant Starlight Homes Georgia, LLC Office Phone 404-308-1861
(printed name)
Address 3820 Mansell Road, Suite 100 Mobile/ Other Phone 404-308-1861
City Alpharetta State GA Zip 30022 Email bryan.muddiman@ashtonwoods.com
Bryan Muddiman Phone (Rep) 404-308-1861
Representative's printed name (if other than applicant) Email (Rep) bryan.muddiman@ashtonwoods.com
 Representative Signature  Applicant Signature
Signed, sealed and delivered in presence of: My commission expires: 03-26-2028
 Notary Public 

* Titleholder Charles Bartenfeld Properties, LLC Phone 404-237-2900
(titleholder's printed name)
Address 4200 Northside Parkway, Bldg 3 Email rjordan@rjordancompany.com
Atlanta, GA 30327
Signature  Signed, sealed, delivered in presence of: My commission expires: 12/5/2026
 Notary Public 

Present Zoning District R-20 Requested Zoning P-D
Acreage 78.8 Land Lot(s) 258, 319, 320 District(s) 4th Section(s) 3rd
Location of Property: Overlook Parkway, Cartersville, GA 30121 Parcel ID No. Portion of C108-0002-003
(street address, nearest intersections, etc.)
Reason for Rezoning Request: Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.
(attach additional statement as necessary)

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Application for Rezoning
City of Cartersville

Case Number: Z24-08
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Planning Commission 11-12-24 1st City Council 11-21-24 2nd City Council 12-5-24
5:30pm 7:00pm ~~7:00pm~~ 9am

Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Bryan Muddiman Representative's printed name (if other than applicant)		Phone (Rep) <u>404-308-1861</u>	
		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Representative Signature		Applicant Signature	
Signed, sealed and delivered in presence of: 		My commission expires: <u>03-26-2028</u>	
Notary Public			

* Titleholder <u>OJK, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature 		My commission expires: <u>12/5/2026</u>	
Signed, sealed, delivered in presence of: 			
Notary Public			

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

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Application for Rezoning

City of Cartersville

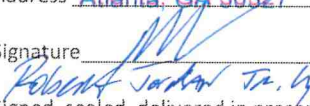
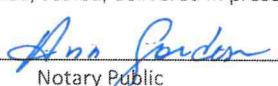

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Planning Commission 11-12-24 1st City Council 11-21-24 2nd City Council 12-5-24
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Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative's Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of: 		My commission expires: <u>03-26-2028</u>	
Notary Public			

* Titleholder <u>3 Knoxes, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature 		My commission expires: <u>12/05/2026</u>	
Signed, sealed, delivered in presence of: 			
Notary Public			

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u>			
(attach additional statement as necessary)			

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Application for Rezoning

City of Cartersville

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Date Received: 9-20-24

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Planning Commission 11-12-24

5:30pm
5:00pm

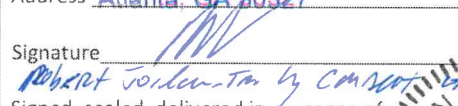

1st City Council 11-21-24

7:00pm
7:00pm

2nd City Council 12-5-24

~~7:00pm~~ 9am
7:00pm

Applicant <u>Starlight Homes Georgia, LLC</u>		Office Phone <u>404-308-1861</u>
(printed name)		
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u> Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>
Representative's Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>
Signed, sealed and delivered in presence of: <u>Keylana Woods</u>		My commission expires: <u>03-26-2028</u>
Notary Public		

* Titleholder <u>Marian S. McCamy Houk</u>	Phone <u>404-237-2900</u>
(titleholder's printed name)	
Address <u>4200 Northside Parkway, Bldg 3</u>	Email <u>rjordan@rjordanccompany.com</u>
<u>Atlanta, GA 30327</u>	
Signature 	My commission expires: <u>12/5/2026</u>
Signed, sealed, delivered in presence of: <u>Anna Jordan</u>	
Notary Public	

Present Zoning District <u>R-20</u>	Requested Zoning <u>P-D</u>
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u> District(s) <u>4th</u> Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> Parcel ID No. <u>Portion of C108-0002-003</u>	
(street address, nearest intersections, etc.)	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u>	
(attach additional statement as necessary)	

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Application for Rezoning


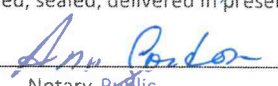
City of Cartersville

Case Number: Z24-08Date Received: 9-20-24**Public Hearing Dates:**

Planning Commission 11-12-24 1st City Council 11-21-24 2nd City Council 12-5-24
5:30pm 7:00pm ~~7:00pm~~ 9am

Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative's Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of:  Notary Public		My commission expires: <u>03-26-2028</u>	



* Titleholder <u>Robert J. McCamy, Jr. and Marian S. McCamy Houk</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3 Atlanta, GA 30327</u>		Email <u>rjordan@rjordanccompany.com</u>	
Signature 			
Signed, sealed, delivered in presence of:  Notary Public		My commission expires: <u>12/5/2026</u>	

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
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Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

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Application for Rezoning

City of Cartersville

Case Number: Z24-08

Date Received: 9-20-24

Public Hearing Dates:

Planning Commission 11-12-24

5:30pm

1st City Council 11-21-24

7:00pm

2nd City Council 12-5-24

~~7:00pm~~ 9am

Applicant Starlight Homes Georgia, LLC
(printed name)

Office Phone 404-308-1861

Address 3820 Mansell Road, Suite 100

Mobile/ Other Phone 404-308-1861

City Alpharetta

State GA

Zip 30022

Email bryan.muddiman@ashtonwoods.com

Bryan Muddiman

Phone (Rep) 404-308-1861

Representative's printed name (if other than applicant)

Email (Rep) bryan.muddiman@ashtonwoods.com

Representative Signature

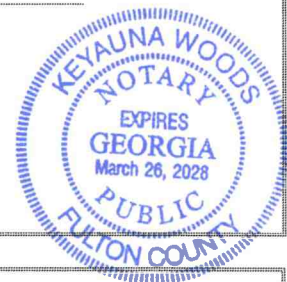
Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Keyanna Woodh
Notary Public

03-26-2028



* Titleholder Clare S. McCamy
(titleholder's printed name)

Phone 404-237-2900

Address 4200 Northside Parkway, Bldg 3
Atlanta, GA 30327

Email rjordan@rjordancompany.com

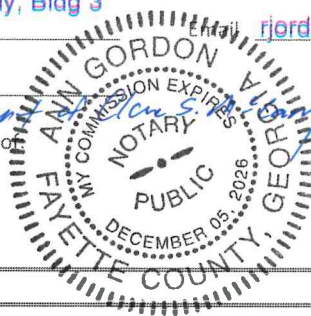
Signature

Signed, sealed, delivered in presence of

My commission expires:

Ann Gordon
Notary Public

12/5/2026



Present Zoning District R-20

Requested Zoning P-D

Acreage 78.8

Land Lot(s) 258, 319, 320

District(s) 4th

Section(s) 3rd

Location of Property: Overlook Parkway, Cartersville, GA 30121
(street address, nearest intersections, etc.)

Parcel ID No. Portion of C108-0002-003

Reason for Rezoning Request: Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.

(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

Application for Rezoning
City of Cartersville

Case Number: Z24-08
Date Received: 9-20-24

Public Hearing Dates:

Planning Commission 11-12-24 1st City Council 11-21-24 2nd City Council 12-5-24
5:30pm 7:00pm ~~7:00pm~~ 9am

Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative's Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of: <u>Keyauna Woods</u>		My commission expires: <u>03-26-2028</u>	
Notary Public			

* Titleholder <u>Robert J. McCamy, Jr.</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature 		My commission expires: <u>12/5/2026</u>	
Signed, sealed, delivered in presence of: <u>Ann Jordan</u>			
Notary Public			

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

* Attach additional notarized signatures as needed on separate application pages.

CAMPAIGN DISCLOSURE REPORT
FOR REZONING ACTIONS

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a rezoning action must make the following disclosures:

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Date Two Years Prior to Application: September 20, 2022


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Council Member:		
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 Planning Commission		
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Jay Milam	_____	<u>X</u>
Fritz Dent	_____	<u>X</u>
Matt Womack	_____	<u>X</u>

2. If the answer to any of the above is **Yes**, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.

DocuSigned by:


Signature

9/20/2024

Date

Rob Jordan under consent

Robert Jordan Properties, LLC

Print Name

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
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Signature

9/20/2024

Date

Rob Jordan under consent

Charles Bartenfeld Properties, LLC

Print Name

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
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Signature

Rob Jordan under consent

9/20/2024

Date

OJK, LLC

Print Name

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
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9/20/2024

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Rob Jordan under consent

3 Knoxes, LLC

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
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Rob Jordan under consent

9/20/2024

Date

Marian S. McCamy Houk

Print Name

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DocuSigned by:



Signature

Rob Jordan under consent

9/20/2024

Date

Robert J. McCamy, Jr. & Marian S. McCamy Houk

Print Name

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Signature

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9/20/2024

Date

Clare S. McCamy

Print Name

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
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Signature

Rob Jordan under consent

9/20/2024

Date

Robert J. McCamy, Jr.

Print Name



City of Cartersville

G A S D E P A R T M E N T

May 20, 2022

Sherry Lancaster, Land Entitlement Manager
Ashton Woods - Corporate HQ
3820 Mansell Rd, Suite 300
Alpharetta, Georgia 30022

RE: Natural Gas Availability
Center Road
Bartow County Parcel #C108-0002-003

Dear Ms. Lancaster:

In response to your request, natural gas service is available for the above referenced site location from an existing 6" HP steel natural gas main located at the intersection of Center Road and I-75 as well as adjacent to the parcel's western property line. The City of Cartersville Gas System will install and construct the proposed natural gas main infrastructure within the proposed development at no cost provided the developer and property owner or developer, if one in the same, enters into a Development Agreement with the City of Cartersville. The Development Agreement requires that each home must have a natural gas furnace for the main living area of the home, natural gas water heater and a third natural gas appliance installed or natural gas piping for a third appliance. Each homebuilder will receive incentives under the Gas Advantage Home Program as long as the terms of the Agreement are adhered to. The costs associated with the installation of each service line will be dependent on the number of natural gas appliances installed in the prospective home and, in most cases, these costs are offset by the rebates available from the City's Gas Advantage Program at the time of construction. To obtain the current rebate amounts, please contact the Gas Advantage Program Administer at this office.

Please note that the existing natural gas facilities operate at high-pressure, therefore, an easement will be required to construct a regulating station to serve natural gas to this development. The Gas System will work with your civil design team to locate the proposed regulating station to ensure maximum aesthetics. Additionally, it is our understanding that a portion of this development will include townhomes. It shall also be noted that townhomes are typically served natural gas by installing a natural gas meter header on one end of each building and the townhomes shall typically be accessed by a 60' public road right-of-way or 60' private ingress/egress/utility easement to prevent comingling of utilities.

If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

CITY OF CARTERSVILLE, GEORGIA

Brian S. Friery, Assistant Gas System Director

cc: Mr. Michael Dickson, Gas System Director *via email*



"Providing dependable service while preserving an exceptional quality of life."

P.O. Box 1390 • 155 Old Mill Road • Cartersville, Georgia 30120
Telephone: 770-387-5642 • Fax: 770-387-5638 • www.cityofcartersville.org





City of Cartersville

W A T E R D E P A R T M E N T

March 5, 2024

Barton Pierce
Ashton Woods – Atlanta Division
3820 Mansell Road, Suite 300
Alpharetta, GA 30022

RE: Water and Sewer Availability- Center Road Starlight Homes (241 residential units)

Mr. Pierce,

This letter provides confirmation that water and sewer service is available for the proposed 168-unit subdivision development located at Center Road and 73-unit townhomes development adjacent to the I-75 Highway. Adequate capacity based on anticipated design flows from the development must be confirmed and approved at the time of plan submission.

An existing 16-inch diameter water main along Center Road and along the west side of the property is available for both developments. The maximum water service elevation allowed for this area is 1050 feet MSL. Each development will require dual water feed points for redundancy and reliability.

An existing 18-inch diameter sewer main along Center Road is available for both developments. The developer will be responsible for the design and construction of the sewer main extension required for the townhomes development (south of the site) and for obtaining the required easements in order to connect to the future pump station serving other adjacent developments. The sewer main extension must be in accordance with City of Cartersville Water Department specifications and requirements. The developer will be responsible for verifying elevations for gravity sewer service and contacting design locate (811) to obtain the correct location of the water line, sewer line, and other utilities in the area.

The City of Cartersville will not be responsible for financial losses or delays if the future pump station is not complete at the time the townhomes development needs sewer service. If the future pump station is not complete at the time townhomes service is needed or if the sewer extension is determined to be infeasible (requires concurrence from the City), the developer will be responsible for the design and construction of a new pump station at the site and the sewer force main required. The pump station and sewer force main must be designed by the City's engineering consultant.

The developer of the property will be responsible for all service capacity fees in effect at the time of service application. Fire protection flow rates for hydrants and fire suppression sprinkler systems are determined by the governing fire department. The developer will be responsible for coordinating with the fire department to determine fire flow requirements.

"Providing dependable service while preserving an exceptional quality of life."



P.O. Box 1390 • 148 Walnut Grove Road • Cartersville, Georgia 30120
Telephone: 770-387-5653 • Fax: 770-606-2386 • www.cityofcartersville.org





City of Cartersville

W A T E R D E P A R T M E N T

This determination is valid for a period of one year beginning on the date of this letter. You are encouraged to develop approved plans for this development within this one year time frame. An extension of this availability approval may not be possible due to other developments in this area.

Sincerely,

Michael De Leon, P.E.

Water System Engineer – Cartersville Water Dept.



"Providing dependable service while preserving an exceptional quality of life."

P.O. Box 1390 • 148 Walnut Grove Road • Cartersville, Georgia 30120
Telephone: 770-387-5653 • Fax: 770-606-2386 • www.cityofcartersville.org



Georgia Power Company
Jeff Gilbert
41 Massell Drive
Cartersville, GA 30120
770-634-8880



5/18/2022

Sherry Lancaster

Land Entitlement Manager
Ashton Woods - Corporate HQ

3820 Mansell Rd, Suite 300 | Alpharetta, GA 30022

c 678-543-8898

sherry.lancaster@ashtonwoods.com | ashtonwoods.com [ashtonwoods.com]

RE: Electric Service Availability

This letter is to confirm the availability of electric service for **Parcel Number C108-0002-003** which will be located **South of Center Rd, North of Main St and east of I-75, in Cartersville, GA 30121**

This property is further described as **339 acres** being in **Land Lot 247 DIST 4** of **the Cartersville (District 01) District, Bartow, County, Georgia, 30121 Zip Code.**

Details of the type of voltage characteristics and location of facilities will be in accordance with Company standard procedures and policies. Please reference the NEC and Georgia Power Company's current Electric Service and Metering Installation Blue Book to determine all rules and regulations.

We look forward to working with you on this project. Please call me at **(770-634-8880)** if you have any questions or need further assistance.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Gilbert", with a stylized flourish at the end.

Jeff Gilbert
Senior Distribution Engineer
Georgia Power

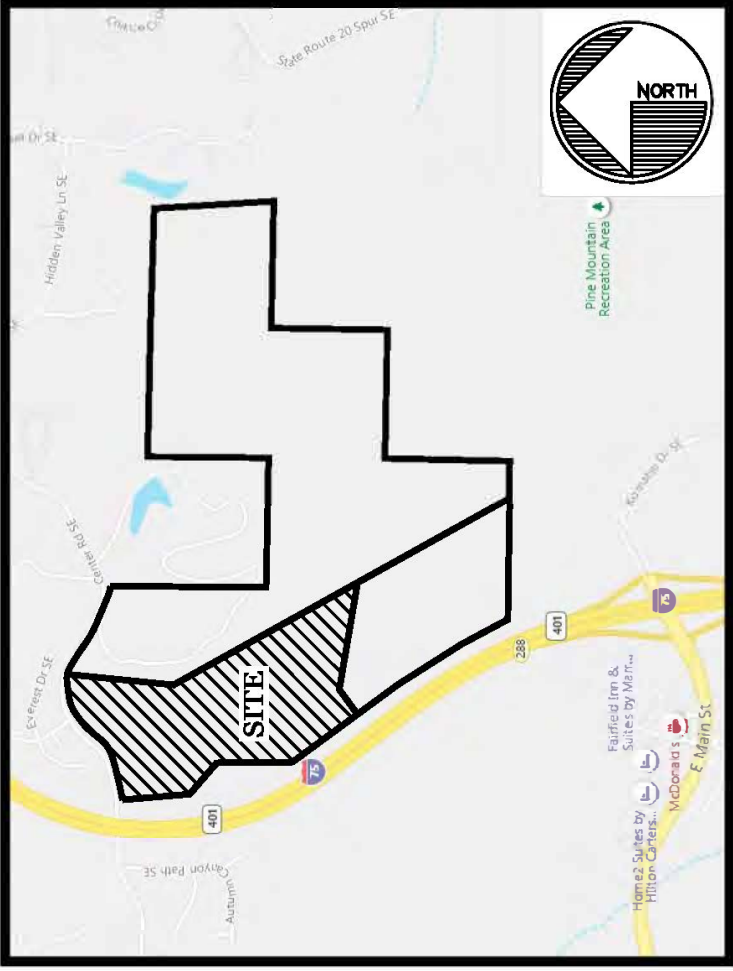
THESE PLANS ARE THE PROPERTY OF CHRISTOPHER PLANNING & ENGINEERING. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF CHRISTOPHER PLANNING & ENGINEERING.

ZONING PLAN
FOR:

CENTER ROAD
TRACT

LAND LOTS 258, 319 & 320
4TH DISTRICT 3RD SECTION
CITY OF CARTERSVILLE
BARTOW COUNTY, GEORGIA

PIN: C108-0002-003



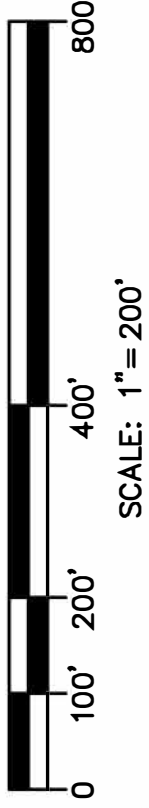
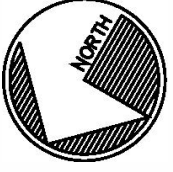
VICINITY MAP
SCALE 1" = 2,000'

PLAN NOTES:

- SURVEY INFORMATION TAKEN FROM ACTA SURVEY FOR JORDAN COMPANY BY WATTS SURVEYING, INC. (WATTS SURVEY) IS TO BE USED FOR THE PURPOSES OF THIS ZONING PLAN. THE PROPERTY INFORMATION TAKEN FROM CITY OF CARTERSVILLE GIS.
- PROPERTY IS LOCATED NEAR OVERLOOK PARKWAY IN LAND LOTS 258, 319 & 320, 4TH DISTRICT, 3RD SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA. ACCESS TO THE PROPERTY IS PROVIDED BY OVERLOOK PARKWAY. ACCESS TO THE DETACHED POD WILL BE OFF CENTER ROAD AS SHOWN.
- EXISTING PROPERTY IS NOT IN A 1000' HAZARD AREA PER FIRM PANEL.
- EXISTING ZONING: P-20
PROPOSED ZONING: P-20
- AREA TO BE REZONED IS A PORTION OF THE OVERALL PARCEL C108-0002-003 (258 AC.).
- WATER & SEWER SERVICE TO BE PROVIDED BY CITY OF CARTERSVILLE WATER DEPARTMENT.
- PROPOSED INTERNAL ROADWAYS TO BE PROVIDED AS FOLLOWS:
TOWNHOUSE: 50' PRIVATE ACCESS/UTILITY EASEMENT (24' RC)
DETACHED: 50' PRIVATE ACCESS/UTILITY EASEMENT (24' RC)
- 5' SIDEWALK TO BE PROVIDED ON 1 SIDE OF ALL ROADWAYS (PUBLIC OR PRIVATE) LOCATED 2' OFF R.O.C.

SITE ANALYSIS

TOTAL SITE AREA TO BE REZONED	78.8 ACRES
PROPOSED DETACHED LOTS	70 UNITS
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' X 10' PAVED)	15 UNITS
TOTAL	185 UNITS
PROPOSED DENSITY	2.32 UNITS/AC
PROPOSED P-20 ZONING CRITERIA	DETACHED: TOWNHOUSES
MINIMUM LOT WIDTH	N/A
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)	50 FEET
MINIMUM LOT AREA	5,000 S.F.
MINIMUM HEATED FLOOR AREA PER UNIT	1,000 S.F.
MINIMUM EXTERNAL BUILDING SETBACKS	FRONT: 5 FEET SIDE: 5 FEET REAR: 20 FEET
MINIMUM EXTERNAL SETBACK	TYPICAL: 50 FEET AGAINST MF-14 ZONED PARCEL: 20 FEET
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)	10 FEET
MAXIMUM BUILDING HEIGHT	35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)	20 FEET
MINIMUM DRIVEWAY WIDTH (CLEAR OF SIDEWALK IF APPLICABLE)	10 FEET
OPEN SPACE PROVIDED	20% OF AREA TO BE REZONED (15.76 AC.) REMAINS (64 AC.)



PROPOSED PROPERTY LINE (LIMITS OF PROPOSED ZONING)

CHARLES BARTONEFELD PROP. LLC
ROBERT JORDAN PROP. LLC & ETAL
ZONED R-20

N-F
OVERLOOK INVESTMENT GROUP LLC
PROPOSED MF-14 ZONING (#200-01)

N-F
CHARLES BARTONEFELD PROP. LLC
ROBERT JORDAN PROP. LLC & ETAL
ZONED R-20

N-F
OVERLOOK INVESTMENT GROUP LLC
PROPOSED MF-14 ZONING (#200-01)

INTERSTATE I-75
(VARIABLE R/W)

INTERSTATE I-75
(VARIABLE R/W)

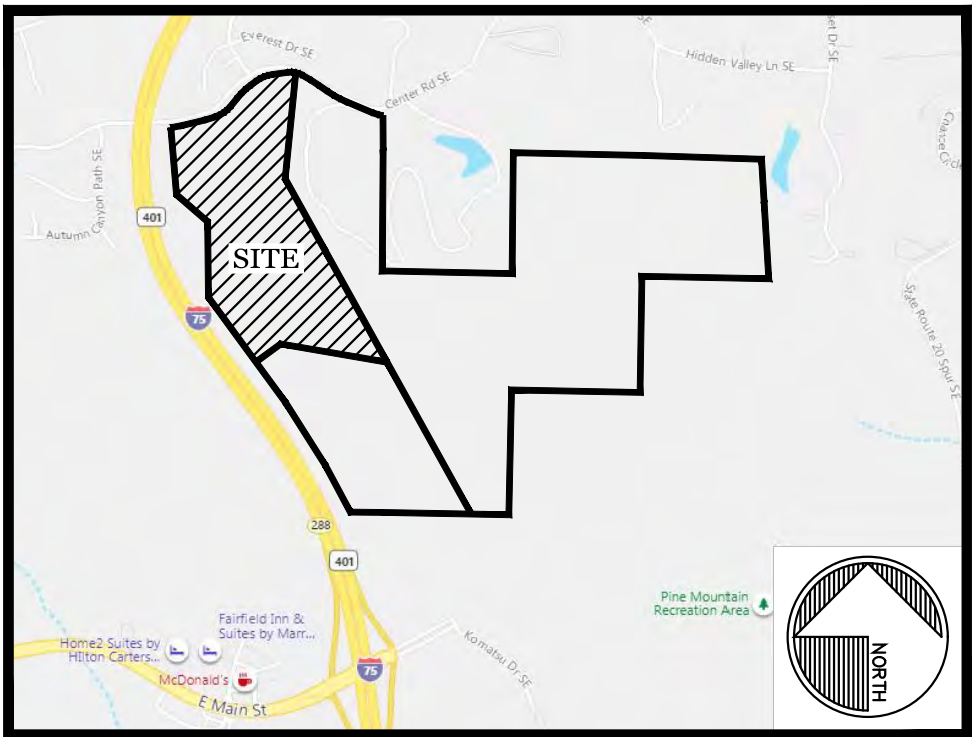
INTERSTATE I-75
(VARIABLE R/W)

OVERALL
SITE PLAN

DATE: MAY 24, 2022
DRAWING NO: 202015921.dwg

SHEET NO.

1 OF 2



VICINITY MAP

SCALE 1" = 2,000'

PLAN NOTES:

- 1. SURVEY INFORMATION TAKEN FROM ALTA SURVEY FOR JORDAN COMPANY BY WATTS & BROWNING ENGINEERS, INC. DATED 06.18.2005. TOPOGRAPHY INFORMATION TAKEN FROM CITY OF CARTERSVILLE GIS.
- 2. PROPERTY IS LOCATED NEAR OVERLOOK PARKWAY IN LAND LOTS 258, 319 & 320, 4TH DISTRICT, 3RD SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA. ACCESS TO THE TOWNHOUSE POD WILL BE THRU OVERLOOK PARKWAY & ACCESS TO THE DETACHED POD WILL BE OFF CENTER DRIVE AS SHOWN.
- 3. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER FIRM PANEL 13015C0267H EFFECTIVE DATE 10.05.2018.
- 4. EXISTING ZONING: R-20
PROPOSED ZONING: P-D
- 5. AREA TO BE REZONED IS A PORTION OF THE OVERALL PARCEL C108-0002-003 (289 AC±).
- 6. WATER & SEWER SERVICE TO BE PROVIDED BY CITY OF CARTERSVILLE WATER DEPARTMENT.
- 7. PROPOSED INTERNAL ROADWAYS TO BE PROVIDED AS FOLLOWS:
DETACHED 50' PUBLIC R/W (24' BC)
TOWNHOUSE 50' PRIVATE ACCESS/UTILITY EASEMENT (24' BC)
- 8. 5' SIDEWALK TO BE PROVIDED ON 1 SIDE OF ALL ROADWAYS (PUBLIC OR PRIVATE) LOCATED 2' OFF BOC.

60ft. - to be corrected

CP & E

CHRISTOPHER PLANNING & ENGINEERING



8/19/2024

GSWCC LEVEL II CERTIFIED
DESIGN PROFESSIONAL #05744
(EXP. 03.21.2027)

12460 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
PHONE 770.331.7303
schristopher@christopherplanning.com

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ZONING PLAN

FOR:

CENTER ROAD TRACT

LAND LOTS 258, 319 & 320
4TH DISTRICT, 3RD SECTION
CITY OF CARTERSVILLE
BARTOW COUNTY, GEORGIA

PIN: C108-0002-003

SITE ANALYSIS

TOTAL SITE AREA TO BE REZONED			78.8 ACRES±
PROPOSED DETACHED LOTS			70 UNITS
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' + 10' PATIO)			113 UNITS
TOTAL			183 UNITS
PROPOSED DENSITY			2.32 UNITS/AC
PROPOSED P-D ZONING CRITERIA		DETACHED	TOWNHOMES
MINIMUM UNIT WIDTH		N/A	20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)		50 FEET	N/A
MINIMUM LOT AREA		5,000 S.F.	N/A
MINIMUM HEATED FLOOR AREA PER UNIT		1,000 S.F.	1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT	15 FEET	N/A
	SIDE	5 FEET	N/A
	REAR	20 FEET	N/A
MINIMUM EXTERNAL SETBACK	TYPICAL	50 FEET	50 FEET
	AGAINST MF-14 ZONED PARCEL	20 FEET	N/A
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)		10 FEET	10 FEET
MAXIMUM BUILDING HEIGHT		35 FEET	35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)		20 FEET	20 FEET
MINIMUM OPEN SPACE		20% OF AREA TO BE REZONED (15.76 AC±)	
OPEN SPACE PROVIDED		68.5% (54 AC±)	

CP & E

CHRISTOPHER PLANNING & ENGINEERING

GEORGIA

REGISTERED PROFESSIONAL

CHRISTOPHER

8/19/2024

GSWCC LEVEL II CERTIFIED

DESIGN PROFESSIONAL #05744

(EXP. 03.21.2027)

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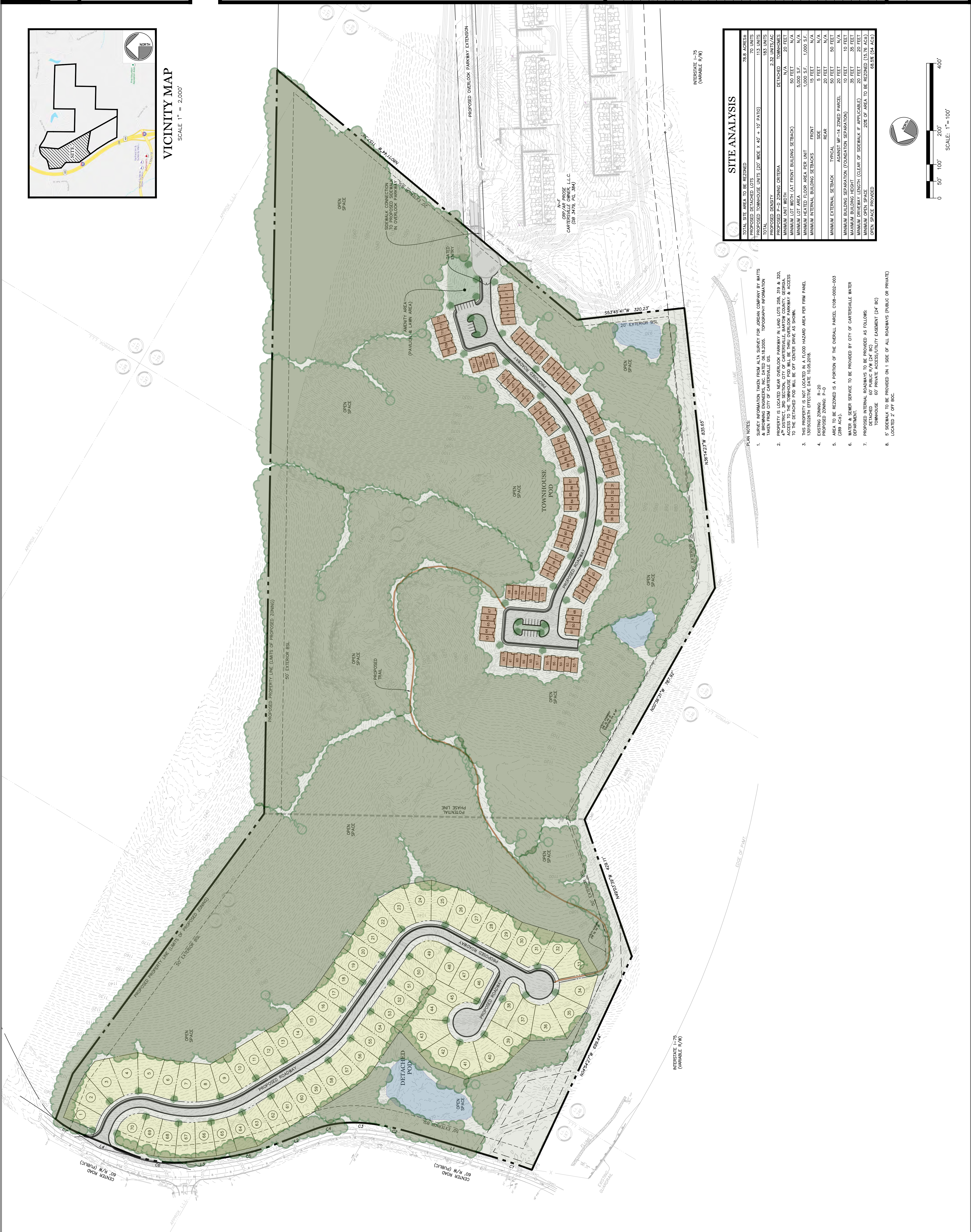
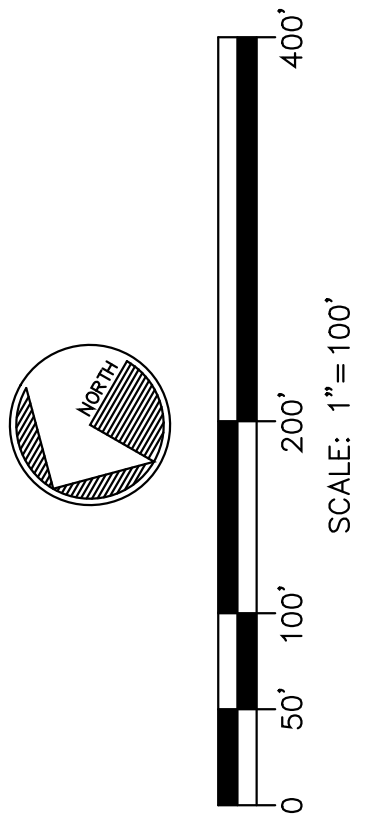
christopher@christopherplanning.com

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ZONING PLAN
FOR:
CENTER ROAD TRACT
LAND LOTS 258, 319, & 320
4TH DISTRICT 3RD SECTION
CITY OF CARTERSVILLE
BARTOW COUNTY, GEORGIA
PIN: C108-0002-003

REVISIONS	CLIENT COMMENTS
Δ 06.13.2022	CLIENT COMMENTS
Δ 07.14.2022	CLIENT COMMENTS
Δ 03.24.2023	CLIENT COMMENTS
Δ 06.06.2023	CITY COMMENTS
Δ 07.30.2024	CLIENT COMMENTS
Δ 08.19.2024	CLIENT COMMENTS
Δ 09.12.2024	CITY COMMENTS
Δ 09.12.2024	CLIENT COMMENTS

SITE ANALYSIS	
TOTAL SITE AREA TO BE REZONED	28.8 ACRES
TOTAL EXISTING LOTS	20 UNITS
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' X 10' PATIO)	113 UNITS
TOTAL	133 UNITS
PROPOSED DENSITY	2.32 UNITS/AC
PROPOSED P-D ZONING CRITERIA	DETACHED TOWNHOUSES
MINIMUM UNIT WIDTH	N/A
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)	50 FEET
MINIMUM LOT AREA	5,000 S.F.
MINIMUM LOT COVER AREA PER UNIT	1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT 15 FEET SIDE 5 FEET REAR 5 FEET
MINIMUM EXTERNAL SETBACK	TYPICAL 20 FEET AGAINST MP-14 ZONED PARCEL 50 FEET
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)	10 FEET
MINIMUM BUILDING HEIGHT (CLEAR OF SIDEWALK IF APPLICABLE)	20 FEET
MINIMUM OPEN SPACE	20 FEET
OPEN SPACE PROVIDED	20% OF AREA TO BE REZONED (15.76 AC)
	68.5% (24 AC)



- PLAN NOTES:
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DETACHED 60' PUBLIC R/W (24' BO)
TOWNHOUSE 60' PRIVATE ACCESS/UTILITY EASEMENT (24' BO)
LOCATED 2' OFF BOB.
 - 5' SIDEWALK TO BE PROVIDED ON 1' SIDE OF ALL ROADWAYS (PUBLIC OR PRIVATE)

**-AMENITY AREA RENDERING-
CENTER ROAD TOWNHOMES**

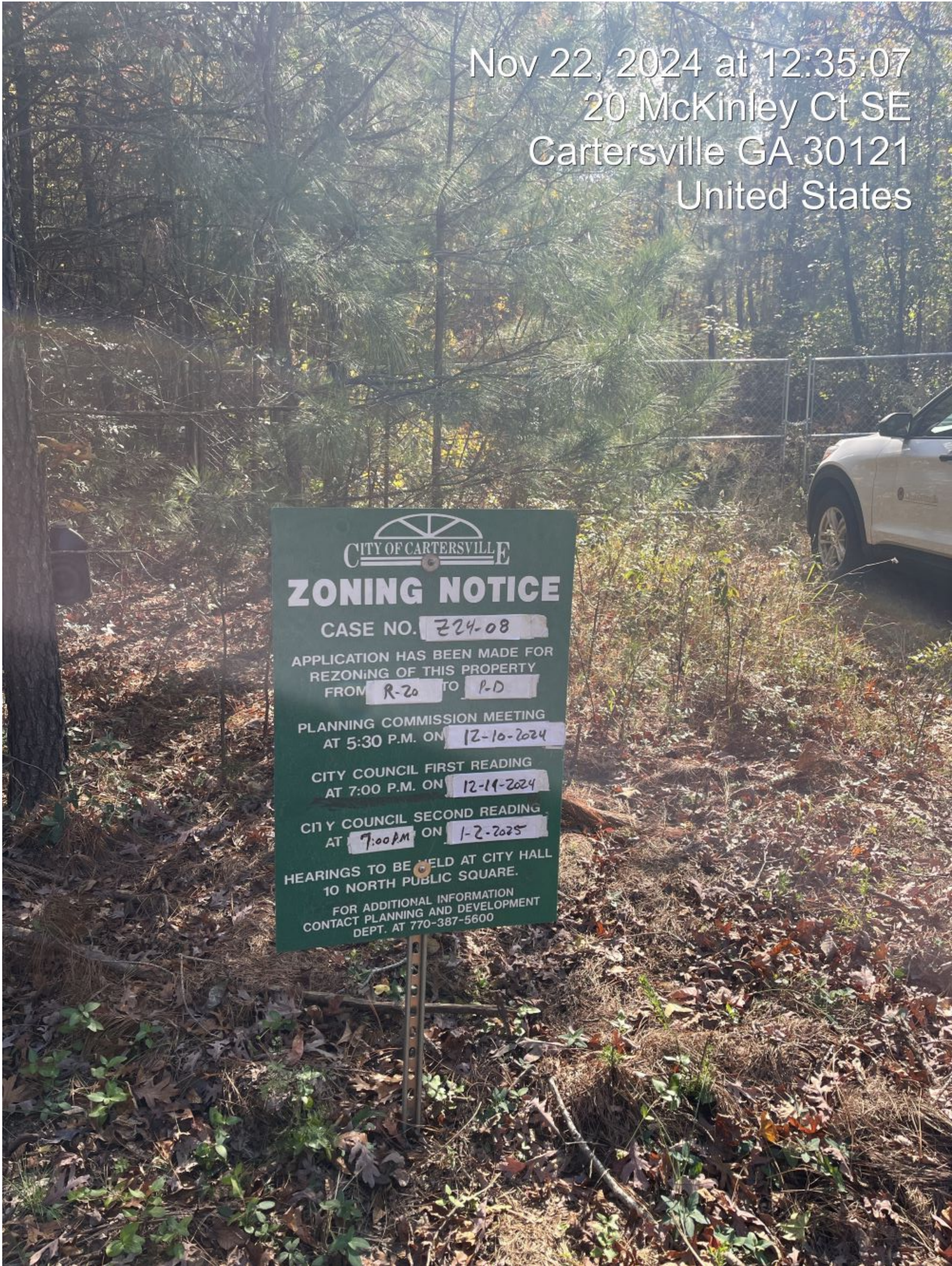








Nov 22, 2024 at 12:35:07
20 McKinley Ct SE
Cartersville GA 30121
United States



Nov 22, 2024 at 12:19:26
Cartersville GA 30121
United States

