

ORDINANCE

**CITY OF WOODSTOCK ORDINANCES AND AMENDMENTS
TO THE CHARTER OF THE CITY OF WOODSTOCK**

A#031-06

ANNEXING property into the corporate limits of the City of Woodstock, Georgia, consisting of a parcel located in Land Lot 939, and 940 of the 15th District, 2nd Section, Cherokee County, Georgia, tax map and parcel number 15N05 203, 205, 206, 207, & 208, totaling 26.23 acres, located at Putnam Ford Road and Eagle Drive, Woodstock, Georgia, 30188.

WHEREAS, O.C.G.A. Sec. 36-36-21 provides that the governing bodies of the several municipal corporations of this State have authority to annex to the existing corporate limits thereof unincorporated areas contiguous to the existing corporate limits at the time of such annexation, upon the written and signed applications of all the owners of all the land, except the owners of any public street, road, highway, or right-of-way, proposed to be annexed, containing a complete description of the land lot to be annexed; and

WHEREAS, O.C.G.A. Sec. 36-36-21 further provides that when such application is acted upon by the municipal authorities and the land is, by ordinance, annexed to the municipal corporation, an identification of the property so annexed shall be filed with the Secretary of State and with the governing authority of Cherokee County and that such lands shall constitute a part of the lands within the corporate limits of the municipal corporation as completely and fully as if the limits had been marked and defined by special act of the General Assembly; and

WHEREAS, the Mayor and Council of the City of Woodstock, Georgia have determined that the annexation to the City of Woodstock of the area proposed in said application would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Woodstock, Georgia; and

NOW, THEREFORE, the Mayor and Council of the City of Woodstock, Georgia, hereby ordain that the City Charter of the City of Woodstock, Georgia is hereby amended, as follows:

- Section 1: The following property to wit: All that tract and parcel of land lying and being in Land Lot 939 and 940 of the 15th District, 2nd Section, Cherokee County, Georgia, and being tax map and parcel number 15N05 203, 205, 206, 207, & 208, totaling 26.23 acres, said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein by this reference.
- Section 2: The above-described property is hereby annexed into the corporate limits of the City of Woodstock, Georgia.
- Section 3: The above-described property is hereby placed in Ward number 6 within the corporate limits of the City of Woodstock, Georgia.
- Section 4: The above-described property is hereby Rezoned as a tract of 17.09 acres zoned R-4 (High Density Residential) limited to 9 units an acre, and hereby described in Exhibit "B", and a tract of 9.15 acres zoned GC (General Commercial), and hereby described in Exhibit "C". Said zoning is made in accordance with the Woodstock Zoning Ordinance and subject to the conditions listed in Exhibit "D" attached hereto and made a part hereof by reference.

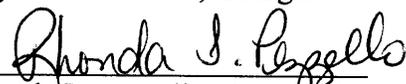
It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

This Ordinance shall become effective upon the approval of the Mayor and Council of the City of Woodstock, Georgia, as required by Georgia law.

APPROVED, ADOPTED, AND ENACTED this 11th day of April, 2006.



Donnie Henriques, Mayor
City of Woodstock, Georgia



Rhonda L. Pezzello, City Clerk
City of Woodstock, Georgia

(Municipal Seal)

First Reading: March 14, 2006 Second Reading: April 11, 2006 Third Reading April 18, 2006

Public Hearing: March 14, 2006

Public Hearing Advertisement: February 25, 2006

Charter Amendment Advertisement: Cherokee Tribune

Date 1 March 3, 2006

Date 2 March 10, 2006

Date 3 March 17, 2006

Exhibit "A"

LEGAL DESCRIPTION: OVERALL

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 934, 939 & 940 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MITERED INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) AND THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W), SAID POINT-OF-BEGINNING (P.O.B.); THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) SOUTH 35 DEGREES 40 MINUTES 05 SECONDS WEST (S35°40'05"W) FOR A DISTANCE OF 241.69' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 2175.81', AN ARC LENGTH OF 151.88', AND A CHORD BEARING SOUTH 33 DEGREES 52 MINUTES 12 SECONDS WEST (S33°52'12"W) FOR A DISTANCE OF 151.85' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 1342.43', AN ARC LENGTH OF 168.29', AND A CHORD BEARING SOUTH 28 DEGREES 18 MINUTES 44 SECONDS WEST (S28°18'44"W) FOR A DISTANCE OF 168.18' TO A POINT; THENCE CONTINUING SOUTH 24 DEGREES 41 MINUTES 23 SECONDS WEST (S24°41'23"W) FOR A DISTANCE OF 308.77' TO A POINT; THENCE TURNING AND CONTINUING NORTH 88 DEGREES 37 MINUTES 22 SECONDS WEST (N88°37'22"W) FOR A DISTANCE OF 1003.13' TO A POINT ALONG THE WESTERLY LAND LOT LINE OF 393; THENCE TURNING AND CONTINUING ALONG SAID LAND LOT LINE NORTH 00 DEGREES 39 MINUTES 31 SECONDS EAST (N00°39'31"E) FOR A DISTANCE OF 998.89' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 87 DEGREES 51 MINUTES 44 SECONDS EAST (S87°51'44"E) FOR A DISTANCE OF 46.27' TO A POINT; THENCE TURNING AND CONTINUING NORTH 03 DEGREES 07 MINUTES 58 SECONDS EAST (N03°07'58"E) FOR A DISTANCE OF 44.91' TO A POINT ALONG THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 84 DEGREES 51 MINUTES 35 SECONDS WEST (S84°51'35"W) FOR A DISTANCE OF 118.30' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 06 DEGREES 39 MINUTES 56 SECONDS WEST (S06°39'56"W) FOR A DISTANCE OF 18.46' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 83 DEGREES 39 MINUTES 51 SECONDS EAST (S83°39'51"E) FOR A DISTANCE OF 19.84' TO A POINT; THENCE TURNING AND CONTINUING NORTH 07 DEGREES 35 MINUTES 59 SECONDS EAST (N07°35'59"E) FOR A DISTANCE OF 17.95' TO A POINT; THENCE TURNING AND CONTINUING ALONG A CURVE HAVING A RADIUS OF 2088.05', AN ARC LENGTH OF 280.92', AND A CHORD BEARING SOUTH 77 DEGREES 51 MINUTES 46 SECONDS EAST (S77°51'46"E) FOR A DISTANCE OF 280.71' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 2712.21', AN ARC LENGTH OF 185.29', AND A CHORD BEARING SOUTH 75 DEGREES 57 MINUTES 58 SECONDS EAST (S75°57'58"E) FOR A DISTANCE OF 185.25' TO A POINT; THENCE CONTINUING SOUTH 76 DEGREES 44 MINUTES 35 SECONDS EAST (S76°44'35"E) FOR A DISTANCE OF 176.29' TO A POINT; THENCE CONTINUING SOUTH 79 DEGREES 19 MINUTES 27 SECONDS EAST (S79°19'27"E) FOR A DISTANCE OF 231.64' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 09 DEGREES 43 MINUTES 38 SECONDS WEST (S09°43'38"W) FOR A DISTANCE OF 21.60' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 80 DEGREES 29 MINUTES 49 SECONDS EAST (S80°29'49"E) FOR A DISTANCE OF 19.70' TO A POINT; THENCE TURNING AND CONTINUING NORTH 10 DEGREES 07 MINUTES 53 SECONDS EAST (N10°07'53"E) FOR A DISTANCE OF 22.43' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 81 DEGREES 00 MINUTES 30 SECONDS EAST (S81°00'30"E) FOR A DISTANCE OF 90.98' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 08 DEGREES 14 MINUTES 28 SECONDS WEST (S08°14'28"W) FOR A DISTANCE OF 10.38' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 82 DEGREES 37 MINUTES 48 SECONDS EAST (S82°37'48"E) FOR A DISTANCE OF 76.93' TO A POINT; THENCE CONTINUING SOUTH 82 DEGREES 24 MINUTES 39 SECONDS EAST (S82°24'39"E) FOR A DISTANCE OF 173.13' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 29 DEGREES 24 MINUTES 06 SECONDS EAST (S29°24'06"E) FOR A DISTANCE OF 60.45' TO THE POINT OF BEGINNING (P.O.B.). SAID TRACT OF LAND CONTAINS 26.23 ACRES (1,142,662 SQ. FT.).

Exhibit "B"

LEGAL DESCRIPTION: TOWN HOME TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 939 & 940 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MITERED INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) AND THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W), THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) SOUTH 35 DEGREES 40 MINUTES 05 SECONDS WEST (S35°40'05"W) FOR A DISTANCE OF 241.69' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 2175.81', AN ARC LENGTH OF 151.88', AND A CHORD BEARING SOUTH 33 DEGREES 52 MINUTES 12 SECONDS WEST (S33°52'12"W) FOR A DISTANCE OF 151.85' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 1342.43', AN ARC LENGTH OF 101.41', AND A CHORD BEARING SOUTH 29 DEGREES 42 MINUTES 22 SECONDS WEST (S29°42'22"W) FOR A DISTANCE OF 101.38' TO SAID POINT-OF-BEGINNING (P.O.B.); THENCE CONTINUING SAID CURVE HAVING A RADIUS OF 1342.43', AN ARC LENGTH OF 68.88', AND A CHORD BEARING SOUTH 26 DEGREES 08 MINUTES 54 SECONDS WEST (S26°08'54"W) FOR A DISTANCE OF 68.87' TO A POINT; THENCE CONTINUING SOUTH 24 DEGREES 41 MINUTES 23 SECONDS WEST (S24°41'23"W) FOR A DISTANCE OF 308.77' TO A POINT; THENCE TURNING AND CONTINUING NORTH 88 DEGREES 37 MINUTES 22 SECONDS WEST (N88°37'22"W) FOR A DISTANCE OF 1003.13' TO A POINT ALONG THE WESTERLY LAND LOT LINE OF 393; THENCE TURNING AND CONTINUING ALONG SAID LAND LOT LINE NORTH 00 DEGREES 39 MINUTES 31 SECONDS EAST (N00°39'31"E) FOR A DISTANCE OF 998.88' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 87 DEGREES 51 MINUTES 44 SECONDS EAST (S87°51'44"E) FOR A DISTANCE OF 48.27' TO A POINT; THENCE TURNING AND CONTINUING NORTH 03 DEGREES 07 MINUTES 56 SECONDS EAST (N03°07'56"E) FOR A DISTANCE OF 44.91' TO A POINT ALONG THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 84 DEGREES 51 MINUTES 35 SECONDS WEST (S84°51'35"W) FOR A DISTANCE OF 118.30' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 06 DEGREES 39 MINUTES 56 SECONDS WEST (S06°39'56"W) FOR A DISTANCE OF 18.48' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 83 DEGREES 39 MINUTES 51 SECONDS EAST (S83°39'51"E) FOR A DISTANCE OF 19.84' TO A POINT; THENCE TURNING AND CONTINUING NORTH 07 DEGREES 35 MINUTES 59 SECONDS EAST (N07°35'59"E) FOR A DISTANCE OF 17.95' TO A POINT; THENCE TURNING AND CONTINUING ALONG A CURVE HAVING A RADIUS OF 2088.05', AN ARC LENGTH OF 280.92', AND A CHORD BEARING SOUTH 77 DEGREES 51 MINUTES 48 SECONDS EAST (S77°51'48"E) FOR A DISTANCE OF 280.71' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 2712.21', AN ARC LENGTH OF 39.42', AND A CHORD BEARING SOUTH 74 DEGREES 25 MINUTES 31 SECONDS EAST (S74°25'31"E) FOR A DISTANCE OF 39.42' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 16 DEGREES 20 MINUTES 52 SECONDS WEST (S16°20'52"W) FOR A DISTANCE OF 46.27' TO A POINT; THENCE CONTINUING SOUTH 10 DEGREES 58 MINUTES 14 SECONDS EAST (S10°58'14"E) FOR A DISTANCE OF 188.18' TO A POINT; THENCE CONTINUING SOUTH 19 DEGREES 22 MINUTES 23 SECONDS WEST (S19°22'23"W) FOR A DISTANCE OF 177.67' TO A POINT; THENCE CONTINUING SOUTH 01 DEGREES 09 MINUTES 18 SECONDS WEST (S01°09'18"W) FOR A DISTANCE OF 167.21' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 69 DEGREES 08 MINUTES 25 SECONDS EAST (S69°08'25"E) FOR A DISTANCE OF 456.54' TO A POINT; THENCE CONTINUING SOUTH 68 DEGREES 52 MINUTES 37 SECONDS EAST (S68°52'37"E) FOR A DISTANCE OF 253.31' TO THE POINT OF BEGINNING (P.O.B.) TRACT B; SAID TRACT OF LAND CONTAINS 17.09 ACRES (744,261 SQ. FT.)

Exhibit "C"

LEGAL DESCRIPTION: COMMERCIAL TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 934, 939 & 940 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MITERED INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) AND THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W), SAID POINT-OF-BEGINNING (P.O.B.); THENCE CONTINUING ALONG THE WESTERN RIGHT-OF-WAY OF PUTNAM FORD ROAD (40' R/W) SOUTH 35 DEGREES 40 MINUTES 05 SECONDS WEST (S35°40'05"W) FOR A DISTANCE OF 241.69' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 2175.51', AN ARC LENGTH OF 151.88', AND A CHORD BEARING SOUTH 33 DEGREES 52 MINUTES 12 SECONDS WEST (S33°52'12"W) FOR A DISTANCE OF 151.85' TO A POINT; THENCE CONTINUING ALONG A CURVE HAVING A RADIUS OF 1342.43', AN ARC LENGTH OF 101.41', AND A CHORD BEARING SOUTH 29 DEGREES 42 MINUTES 22 SECONDS WEST (S29°42'22"W) FOR A DISTANCE OF 101.38' TO A POINT; THENCE TURNING AND CONTINUING NORTH 68 DEGREES 52 MINUTES 37 SECONDS WEST (N68°52'37"W) FOR A DISTANCE OF 253.31' TO A POINT; THENCE CONTINUING NORTH 89 DEGREES 06 MINUTES 25 SECONDS WEST (N89°06'25"W) FOR A DISTANCE OF 458.54' TO A POINT; THENCE TURNING AND CONTINUING NORTH 01 DEGREES 09 MINUTES 18 SECONDS EAST (N01°09'18"E) FOR A DISTANCE OF 167.21' TO A POINT; THENCE CONTINUING NORTH 19 DEGREES 22 MINUTES 23 SECONDS EAST (N19°22'23"E) FOR A DISTANCE OF 177.67' TO A POINT; THENCE CONTINUING NORTH 10 DEGREES 58 MINUTES 14 SECONDS WEST (N10°58'14"W) FOR A DISTANCE OF 188.18' TO A POINT; THENCE CONTINUING NORTH 15 DEGREES 20 MINUTES 52 SECONDS EAST (N15°20'52"E) FOR A DISTANCE OF 43.92' TO A POINT ALONG THE SOUTHERN RIGHT-OF-WAY OF EAGLE DRIVE (VARIABLE R/W); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ALONG A CURVE HAVING A RADIUS OF 2712.21', AN ARC LENGTH OF 145.86', AND A CHORD BEARING SOUTH 76 DEGREES 22 MINUTES 57 SECONDS EAST (S76°22'57"E) FOR A DISTANCE OF 145.85' TO A POINT; THENCE CONTINUING SOUTH 78 DEGREES 44 MINUTES 35 SECONDS EAST (S78°44'36"E) FOR A DISTANCE OF 176.29' TO A POINT; THENCE CONTINUING SOUTH 79 DEGREES 19 MINUTES 27 SECONDS EAST (S79°19'27"E) FOR A DISTANCE OF 231.84' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 09 DEGREES 43 MINUTES 36 SECONDS WEST (S09°43'36"W) FOR A DISTANCE OF 21.60' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 80 DEGREES 29 MINUTES 49 SECONDS EAST (S80°29'49"E) FOR A DISTANCE OF 19.70' TO A POINT; THENCE TURNING AND CONTINUING NORTH 10 DEGREES 07 MINUTES 53 SECONDS EAST (N10°07'53"E) FOR A DISTANCE OF 22.43' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 81 DEGREES 00 MINUTES 30 SECONDS EAST (S81°00'30"E) FOR A DISTANCE OF 90.98' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 08 DEGREES 14 MINUTES 28 SECONDS WEST (S08°14'28"W) FOR A DISTANCE OF 10.38' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 82 DEGREES 37 MINUTES 48 SECONDS EAST (S82°37'48"E) FOR A DISTANCE OF 78.93' TO A POINT; THENCE CONTINUING SOUTH 82 DEGREES 24 MINUTES 39 SECONDS EAST (S82°24'39"E) FOR A DISTANCE OF 173.13' TO A POINT; THENCE TURNING AND CONTINUING SOUTH 29 DEGREES 24 MINUTES 08 SECONDS EAST (S29°24'08"E) FOR A DISTANCE OF 60.45' TO THE POINT OF BEGINNING (P.O.B.) OF TRACT A. SAID TRACT OF LAND CONTAINS 9.15 ACRES (398,401 SQ. FT.).

Exhibit "D"

Conditions of Zoning

1. Maximum Build out of 132 Residential Town Home units.
2. Applicant is to Maximize Green Space on both Commercial and Residential portions of the property.
3. Service Entrance Only South on Putnam at the separation of Residential and Commercial.
4. Developer will work with City and County Traffic Engineers to ensure the safest entrance-exit point on Putnam Road. This must allow for Left Turning Traffic North Bound on Putnam. This can also restrict South Bound Putnam Traffic to Right In Only with No Left Turn on Putnam from the front most entrance on Putnam Drive.
5. Applicant will work with City's DRC on the placement of all Buildings depending on topography and the final Commercial use in order to Maximize Green Space and Landscaping.
6. If a traffic light is deemed appropriate for Putnam Road applicant will work with which ever governmental agency has jurisdiction.
7. The applicant will provide two residential models with Master Bedrooms on the first level per customer preference.
8. The applicant will provide certain residential units with Master Bedrooms on the first level (with build in infrastructure pre-prepped) for the addition of bath and sink rails, in addition to any increased door widths to accommodate wheel chairs per customer preference.
9. Developer will agree to exercise all positive means to encourage and enhance cross connectivity to any development to the west of their project.
10. City of Woodstock and Cherokee County School Board will work on an Intergovernmental agreement for the retention pond located northwest of the proposed property site.
11. The request per Councilman Brewer was for 5 units per acre to abut Spicer Cove; the applicant currently has 6 units to accommodate a pedestrian path.
12. Council will require DRC to review each stage of the planning and development to ensure the developer has maximized all Green Space and Land Development Requirements. Council also grants "DRC Limited Administrative Authority" to adjust setbacks and parking locations, and lot lines in order to Maximize Green Space without returning to council for an affirmative vote.
13. If the applicant submits any plans that are significantly different than the *conceptual approved plan. Conceptual Approved in this definition means; The front parcel is to be General Commercial and the separate back parcel is to be residential with a maximum of 132 Town Homes.
14. If there are any unresolved disagreements between the applicant and DRC, those issues will be brought back to the Mayor and Council for final resolution.

Approval by Applicant: _____