



Cherokee County Planning Commission Public Hearing AGENDA

March 7, 2017
Cherokee Hall 7:00 PM

CALL TO ORDER

ZONING CASES

- 1. Case #17-03-005 Georgia-Tennessee Development Partner, LLC (BOC Dist. 2)**
Applicant is requesting to rezone 79.24 acres at 300 Collett Drive from AG to R-30 for a residential community utilizing the conservation subdivision design.
- 2. Case #17-03-006 Oak Hall Companies, LLC (BOC Dist. 2)**
Applicant is requesting to rezone 39.575 acres at Arnold Mill Road and Highway 140 from AG and R-40 to NC, RTH and RZL to build a mixed use development.
- 3. Case #17-03-008 Arthur Sarkisian (BOC Dist. 3)**
Applicant is requesting to rezone 3.18 acres at 440 Victoria Road from NC to GC for a storage lot.
- 4. Case #17-03-009 John L. Lineberger (BOC Dist. 1)**
Applicant is requesting to rezone 2.34 acres at 5911 Cumming Highway from R-80 to GC for retail sales with office.
- 5. Case #17-03-010 Rob Schweiger (City of Waleska)**
Applicant is requesting to rezone 1.75 acres at 468 Bartow Street from R-40 to R-30 for single family residential use.

OTHER BUSINESS

APPROVAL OF MINUTES

- 1. December 19, 2016 Work Session Minutes**
- 2. January 23, 2017 Work Session Minutes**
- 3. February 7, 2017 Minutes**

ADJOURN



Cherokee County, Georgia
Agenda Request

Item#: 1.

SUBJECT:
Case #17-03-005 Georgia-Tennessee
Development Partner, LLC (BOC Dist. 2)

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 79.24 acres at 300 Collett Drive from AG to R-30 for a residential community utilizing the conservation subdivision design.

FACTS AND ISSUES:

Commission District: 2
Zoning Change: AG to R-30
Location: 300 Collett Drive
Tax Map and Parcel No: 03N12, 115
Acres: 79.24
Proposed Development: Residential Subdivision
Future Development Map: Suburban Growth and Country Estates

BUDGET:

| | |
|-----------------------|-------------------|
| Budgeted Amount: | Account Name: |
| Amount Encumbered: | Account #: |
| Amount Spent to Date: | Remaining Budget: |
| Amount Requested: | |

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

| Description | Type |
|--|---------|
| <input type="checkbox"/> Application | Exhibit |
| <input type="checkbox"/> Boundary Survey | Exhibit |
| <input type="checkbox"/> Existing Site Resource Map | Exhibit |
| <input type="checkbox"/> Legal Description | Exhibit |
| <input type="checkbox"/> Public Participation Report | Exhibit |
| <input type="checkbox"/> Site Plan | Exhibit |
| <input type="checkbox"/> Staff Report | Exhibit |

Jackie Coker
1-10-17



CHEROKEE COUNTY
Application for Public Hearing



Important Notes:

1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

Contact Person: E. Benson Chambers Phone: 770-720-4600
 Email: ebchamberslaw@gmail.com

SECTION I

Applicant's Information:

Name: Georgia-Tennessee Development Partner, LLC

Address: 4200 Northside PW, NW, Bldg. 14 Ste 100 Phone: 770-720-4200

City, State, Zip: Atlanta, GA 30327 Fax: 770-7204646

Property Owner's Information: same as above

Name: Harriet Wynell Sams Estate

Address: 300 Collett Drive Phone: 770-720-4600

City, State, Zip: Canton, GA 30115 Fax: 770-720-4646

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance PL2017 000 0096 Other: _____

| | |
|--------------------------------------|--|
| STAFF USE ONLY: | PUBLIC HEARING SCHEDULE: |
| Commission District: <u>2</u> | Public Participation Meeting: _____ |
| Case: <u>17 - 03 - 005</u> | PC Work Session Date: <u>2/20/17</u> |
| Received by: _____ | Planning Commission Hearing: <u>3/7/17</u> |
| Fee Paid: \$ <u>500⁰⁰</u> | Board of Commissioners: <u>3/21/17</u> |
| Date: _____ | Other: _____ |

SECTION II

Property Information:

Location: 300 Collett Drive

Current Zoning: AG Proposed Zoning: R-30 Total Acreage: ~~78~~ 79.24 ^{ac}
1164, 1165, 1212, & 1213

Tax Map #: 03_N 12 Parcel #: 115 Land Lot(s): ~~1265~~ District: 3rd

Future Development Map Designation: Suburban Growth and Country Estates

Adjacent Zonings: North AG & R-30 South AG East R-20 West AG

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

Applicant

Applicant requests a rezone of the subject property from AG to R30 for the purpose of a proposed residential community utilizing the conservation subdivision design.

Proposed Use(s) of Property:

Residential Community Utilizing the Conservation Design Standard.

SECTION III

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: Cherokee County Water and Sewer Authority

How is sewage from this site to be managed?

Public Sewer is available from the Cherokee County Water and Sewer Authority

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? 87 students

| Proposed Use(s) | # of units | Multiplier | Number of Students |
|-------------------------------|------------|------------|--------------------|
| Single Family (Detached) Home | 90 | 0.725 | 65.25 |
| Multi Family (Attached) Home | | 0.287 | |

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 1,148.40 trips

| Code | Land Use(s) | # of units* | Daily Trip Ends | Number of Trips |
|------|---------------------------------|-------------|-----------------|-----------------|
| 210 | Single Family Home/ Townhome | 90 | 9.57 | 861.30 |
| 220 | Apartment | | 6.63 | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

- A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

SECTION IV

Authorization:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, E. Benson Chambers, Attorney for Applicant, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 10 day of January, 20 17.

Print Name E. Benson Chambers, Attorney for applicant.

Applicant Signature X 

AUTHORIZATION OF PROPERTY OWNER

I, Joan Sams Brannon, Executor, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Cherokee County/Cherokee County, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a request for:

Rezoning Amendment / Modification of Zoning Conditions
 Variance Other: _____

I hereby authorize the staff of the Cherokee County, Department of Planning and Land Use to inspect the premises which are subject of the application.

Applicant's Information:

Name: Georgia-Tennessee Development Partner, LLC

Address: 4200 Northside PW, NW, Bldg. 14 Ste 100 Phone: 770-720-4200

City, State, Zip: Atlanta, GA 30327 Fax: 770-7204646

Signature of Owner: X Joan Sams Brannon Date: Jan 6, 2017

Print Name: Joan Sams Brannon, Executor of the Estate of Harriett Wynell Sams

Sworn to and Subscribed before me this: 6 day of January, 2017.

Notary Signature: Chudy McKinney



Addendum "A"

Applicant's Written Narrative in Response to the Standards of Zoning

1. Explain the intent of the requested zoning.

Applicant seeks an R-30 classification which is consistent with the highest and best uses allowed on adjacent and nearby properties for a residential neighborhood which include R-20 to the East and R-30 to the North. The R-30 classification will generate a density of 1.15 utilizing the conversation design standards to create 50% +/- of the property in protected green space. Additionally, the R-30 classification allows the developer to utilize the sanitary sewer which is available to the property.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed use for the property is residential which is the primary use on adjacent and nearby properties. While some of the adjacent and nearby property is zoned for agricultural uses, many of these include residential components. The requested R-30 classification is designated for adjacent/bounding property as well as more intensely developed property developed under the former PUD classification.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The subject property is currently adjacent to properties zoned R-20 and AG. In addition to R-20 and AG there are other properties which are zoned AG, R-60, R-40, R-30 and PUD. All of these classifications are adjacent to AG properties. Based on the history of the area is proven that the proposed zoning proposal has not adverse effect on the existing use or usability of adjacent or nearby property.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

The economic use of the property is severely diminished based upon the more dense classifications that are adjacent and nearby, denying the owner the highest and best use at the highest and best value that has been allowed other owners in the immediate area. The property as well is denied the opportunity under the current classification to be utilized for its greatest potential with the available zoning and protection of sensitive areas. While all property, irrespective of his zoning classification has some economic use, given the available resources and the large number of residential units in the area to confine this property to economic uses results in an unreasonable economic use as the classification is currently applied.

5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Currently the county road providing access to the property, Collett Drive is insufficient to meet county standards on the South side from Arbor Hill Road to the property's Southern boundary, and is cautiously meets the county standards on the North side from East Cherokee Drive to the Property's Northern boundary. That portion of Collett Road lying adjacent to the Western boundary of the subject property is fails to meet the county standard for roadways as the same has no right of way, consists of a single gravel lane with overgrown side areas to prevent two vehicles from passing safely. As a part of the development of the project, the Applicant has agreed to provide the necessary right of way along its boundary to obtain a 50 foot right of way, provide all grading and base for the application of pavement resulting in the full length of Collett Drive meeting county standards for size and safety. This system improvement will be at the Applicant's cost. In addition to the necessary road improvements, the Applicant will be providing at the Applicant's cost improvements in drainage systems and runoff detention. As to other infrastructure, sewer and water availability is sufficient for the project without excessive burdens created on the area and school capacity is understood to be sufficient to handle the expected number of new students. Based upon the current conditions and the proposed improvements by the Applicant no excessive or burdensome impact is expected with the proposed classification.

6. Whether the proposed zoning is in conformity with the policy and intent of the land use plan.

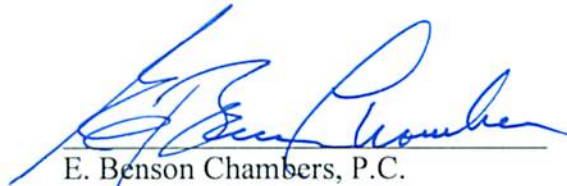
Consistency with the Community Agenda is only one of a series of criteria that members of the Planning Commission use to evaluate rezoning requests in order to make their recommendation to the Board of Commissioners. The current Character Area designation for this and surrounding properties fails to account for the higher density classifications that already exist in the area.

The Cherokee County Zoning Ordinance Section 18.6 provides: Zoning Standards. Exercise of the zoning power of Cherokee County shall constitute an effort to balance the interest of the community in promoting the public health, safety, morality or general welfare against the right of property owners to the unrestricted use of their property. The following factors are determined to be relevant in balancing these interests

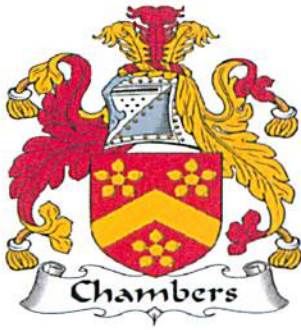
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

Historically the subject property was located in a primary agrarian area of Cherokee County. In addition to some agricultural uses, the area is now primarily residential with residential zoning classifications in the area which include PUD, R-20, R-40 and R-60. While some agricultural uses remain in the area, true agricultural uses are not compatible with residential uses due to offensive noise, smells and disturbances.

The requested classification of R-30 is consistent with the growing and developing area of residential and the increased traffic flows along East Cherokee Drive and Arbor Hill Road.

A handwritten signature in blue ink, appearing to read "E. Benson Chambers", written over a horizontal line.

E. Benson Chambers, P.C.
157 Reinhardt College PW
Suite 400
Canton, GA 30114
770-720-4600



E B CHAMBERS LAW

E. Benson Chambers
Attorney at Law

January 10th, 2017

To: Cherokee County Board of Commissioners
Cherokee County Municipal Planning Commission

RE: Letter of Intent
Application of Georgia-Tennessee Development Partners, LLC
Rezone request for 78 acres located on Collett Drive to R-30 for
Residential Community developed as with Conservation Design.

SCOPE

The applicant is requesting a rezoning of the subject property from AG to R-30 utilizing the Conservation Design Standard. The property consists of 78 +/- acres located on Collett Drive. The R-30 classification combined with the Conservation Design will allow approximately 50% of the total acreage to be maintained in undisturbed green space and 90 homes. The property is located adjacent to a phase of Woodmont which is zoned R-20 and is currently under development.

INFRASTRUCTURE

The Western boundary of the property is along Collett Drive. Collett Drive is a county road that connects East Cherokee Drive with Arbor Hill Road. Currently only the Northern and Southern portions of Collett Drive meet county standards. As a part of applicant's development of the property, applicant will be donating property along its Western boundary to provide for the required 50 feet of right of way necessary for significant improvements to bring Collett Drive up to county standards for safe access and travel. In addition to the donation of property, the applicant will provide the grading necessary to establish the road base for paving.

The property has access to sanitary sewer and sufficient water flow provided by the Cherokee County Water and Sewer Authority. Additionally all required utilities are available.

157 Reinhardt College Parkway, Suite 400
Canton, GA. 30114

770-720-4600 Office
770-720-4646 Facsimile

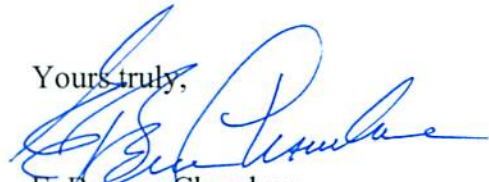
ebchamberslaw@gmail.com • ebchamberslaw.com

SUMMARY

The applicant proposes a residential neighborhood with 90 homes, maintaining 50% undisturbed green space utilizing the Conservation Design with an R-30 zoning classification. The applicant's proposal will result in significant improvements to Collett Drive benefitting the overall community and the traveling public.

On behalf of the applicant, your consideration of this request is greatly appreciated.

Yours truly,



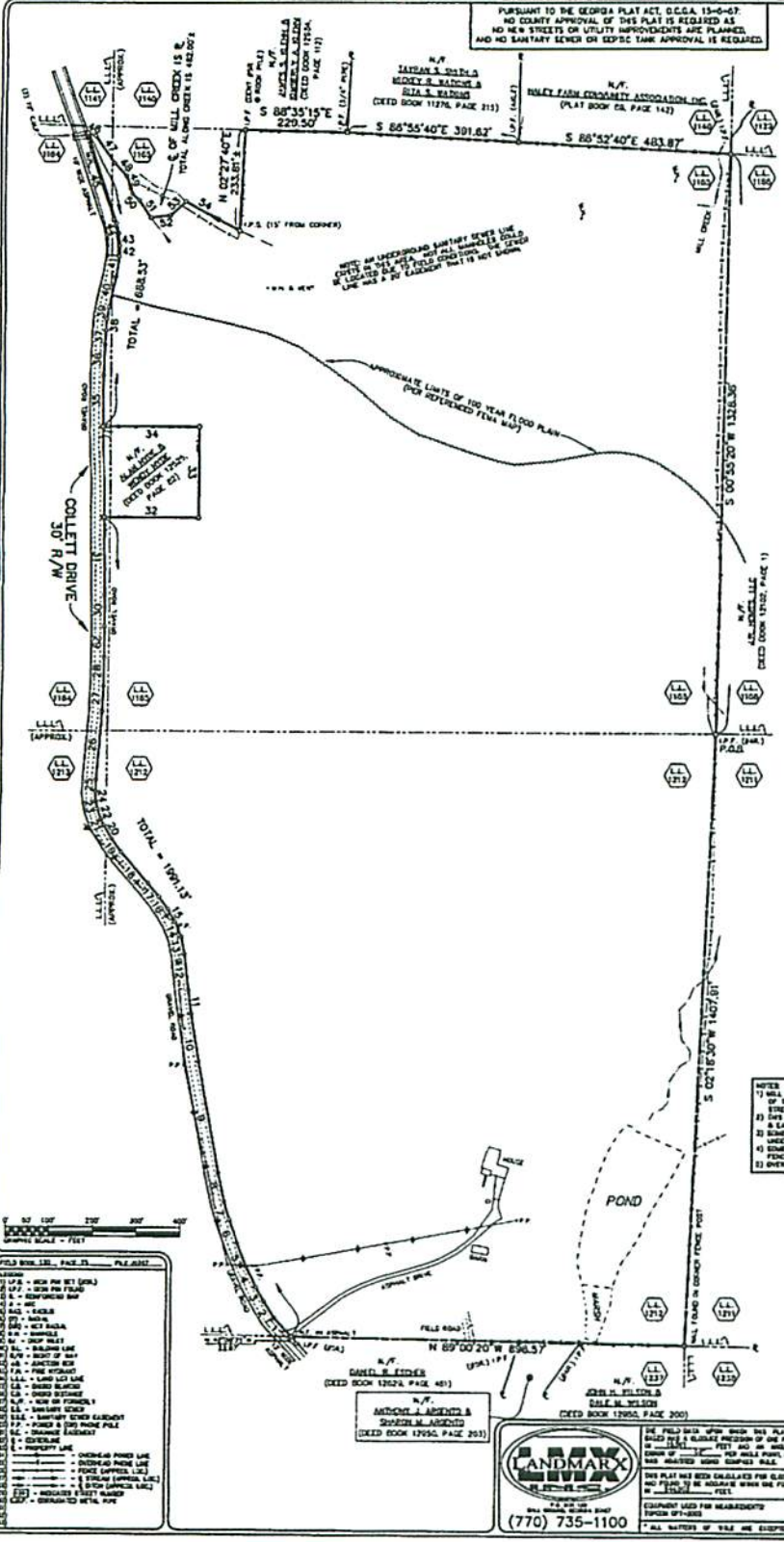
E. Benson Chambers
Attorney for Applicant

PURSUANT TO THE GEORGIA PLAT ACT, O.C.G.A. 15-0-67
 NO COUNTY APPROVAL OF THIS PLAT IS REQUIRED AS
 NO NEW STREETS OR UTILITY IMPROVEMENTS ARE PLANNED
 AND NO HAZARDOUS WELLS OR SEPTIC TANK APPROVAL IS REQUIRED.

TRAVERSE TABLE

| COURSE | BEARING | DISTANCE |
|--------|---------------|----------|
| 1 | N 41°21'32" W | 28.07' |
| 2 | N 30°52'45" W | 43.73' |
| 3 | N 28°15'45" W | 37.06' |
| 4 | N 24°34'00" W | 53.70' |
| 5 | N 21°10'30" W | 57.86' |
| 6 | N 19°59'20" W | 58.03' |
| 7 | N 10°07'00" W | 43.01' |
| 8 | N 12°27'50" W | 65.58' |
| 9 | N 10°13'30" W | 200.20' |
| 10 | N 09°20'30" W | 110.03' |
| 11 | N 07°44'25" W | 54.78' |
| 12 | N 08°28'00" W | 63.31' |
| 13 | N 10°55'50" W | 40.67' |
| 14 | N 22°55'35" W | 37.18' |
| 15 | N 29°43'00" W | 33.30' |
| 16 | N 33°45'35" W | 34.60' |
| 17 | N 39°18'40" W | 39.39' |
| 18 | N 41°37'40" W | 26.41' |
| 19 | N 35°39'40" W | 38.60' |
| 20 | N 31°05'45" W | 35.00' |
| 21 | N 24°24'40" W | 15.82' |
| 22 | N 10°32'50" W | 43.62' |
| 23 | N 12°13'30" W | 18.73' |
| 24 | N 02°29'55" W | 22.81' |
| 25 | N 02°08'00" W | 27.03' |
| 26 | N 04°17'40" E | 187.63' |
| 27 | N 02°11'43" E | 56.02' |
| 28 | N 00°02'25" E | 65.81' |
| 29 | N 00°45'45" E | 70.31' |
| 30 | N 00°29'03" E | 72.27' |
| 31 | N 00°48'15" E | 178.79' |
| 32 | S 89°54'15" W | 217.34' |
| 33 | N 00°00'30" W | 210.00' |
| 34 | N 89°54'15" W | 221.30' |
| 35 | N 00°10'10" E | 118.60' |
| 36 | N 02°01'50" E | 70.33' |
| 37 | N 03°23'40" E | 31.11' |
| 38 | N 04°02'35" E | 28.34' |
| 39 | N 09°03'00" E | 28.00' |
| 40 | N 13°15'35" E | 71.09' |
| 41 | N 00°50'00" E | 40.08' |
| 42 | N 01°11'00" E | 23.88' |
| 43 | N 05°03'35" W | 28.71' |
| 44 | N 12°18'20" W | 24.63' |
| 45 | N 17°35'00" W | 218.40' |
| 46 | S 70°41'55" E | 10.70' |
| 47 | S 34°47'10" E | 75.48' |
| 48 | S 43°19'40" E | 40.80' |
| 49 | S 18°21'40" E | 43.72' |
| 50 | S 46°20'15" E | 22.37' |
| 51 | S 33°28'15" E | 47.51' |
| 52 | N 83°33'10" E | 45.29' |
| 53 | N 47°44'50" E | 46.73' |
| 54 | S 00°56'55" E | 140.22' |

REFERENCE PLATS:
 1) RETRIEVED SURVEY FOR
 JAMES A. ANDERSON & DANIEL M. ANDERSON,
 BY MARSH LAND SURVEYING, P.C.,
 DATED 7-28-2014, JOB NO. 1003-0003-01C.
 2) SURVEY FOR PAT WILSON,
 BY MARSH LAND SURVEYING, P.C.,
 DATED 8-14-14, JOB NO. 1003-0003-00C.
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 BY MARSH LAND SURVEYING, P.C.,
 DATED 8-14-14, JOB NO. 1003-0003-00C.
 53) SURVEY FOR PAT WILSON,
 BY MARSH LAND SURVEYING, P.C.,
 DATED 8-14-14, JOB NO. 1003-0003-00C.
 54) SURVEY FOR PAT WILSON,
 BY MARSH LAND SURVEYING, P.C.,
 DATED 8-14-14, JOB NO. 1003-0003-00C.



NOTES:
 1) ALL CROSS RINGS THROUGH THE NORTHERN PORTION
 OF THE SUBJECT PROPERTY ARE NOT EXPLICITLY SHOWN.
 2) STREAM BUFFERS EXIST THAT ARE NOT SHOWN.
 3) THIS SURVEY IS SUBJECT TO ALL RIGHTS-OF-WAY
 & EASEMENTS, BOTH RECORDED AND UN-RECORDED.
 4) SOME UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN.
 5) UNDERGROUND UTILITIES ARE NOT IDENTIFIED BY L&L, INC.
 6) OTHER IMPROVEMENTS AND RECORDS:
 FENCE LINES EXIST THAT ARE NOT SHOWN.
 7) OVERHEAD UTILITY EASEMENTS, IF ANY, ARE NOT SHOWN.
 8) ZONING: OFFICIAL FLOOD HAZARD MAP
 CORRELATION NO. 120024, PAGE
 2008, DATED 8-20-08,
 SHOWS THIS PROPERTY TO BE IN AN
 AREA HAVING SPECIAL FLOOD HAZARD.

AREA = 79.24 ACRES



REVISION NOTE:
 1) THIS PLAT WAS REVISED ON JAN. 04, 2018
 TO CORRECT ROAD NAME.

BORDER SURVEY
HARRIETT WYNELL SAMS
 LAND SURVEYOR - LICENSE NO. 1777 & 1778
 STATE OF GEORGIA
 OFFICE: 1000 W. BROAD ST., SUITE 100, ATLANTA, GA 30334
 PHONE: (404) 525-1100
 FAX: (404) 525-1101
 WEBSITE: WWW.HWSURVEYING.COM
 E-MAIL: HARRIETT@HWSURVEYING.COM

- FIELD BOOK 188, PAGE 21, PLAT 401
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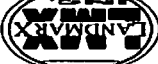
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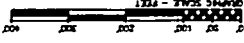
PLANNED PROTECTED GREENSPACE
THE PLANNED LOT A (OR PORTION THEREOF) WITHIN THE ADJACENT AREAS OF STATE WATERS MAY BE UTILIZED AS ALLOWED BY REGULATIONS AND/OR PERMITS FROM THE STATE OF CALIFORNIA. HOWEVER, THE PLANNED GREENSPACE SHALL BE MAINTAINED AS SUCH AND NOT BE USED FOR ANY OTHER PURPOSES, INCLUDING BUT NOT LIMITED TO: CONSTRUCTION OF BUILDINGS, UTILITIES, CROSSINGS, ETC.

ADJACENT LAND USE
WEST: THE LANDS TO THE WEST OF THIS SITE, AROUND COLLETT DRIVE, ARE USED FOR RESIDENTIAL DEVELOPMENT.
NORTH: THIS AREA IS DESIGNATED AS AN 85 ZONING BUFFER AREA. THE LANDS TO THE NORTH OF THIS AREA ARE USED FOR RESIDENTIAL DEVELOPMENT.
EAST: THE LANDS TO THE EAST OF THIS AREA ARE USED FOR RESIDENTIAL DEVELOPMENT AND THE SOUTHERN HALF IS OWNED BY AN INDIVIDUAL. THE LANDS TO THE EAST OF THIS AREA ARE USED FOR RESIDENTIAL DEVELOPMENT.
SOUTH: THE LANDS TO THE SOUTH OF THIS AREA ARE USED FOR RESIDENTIAL DEVELOPMENT.
OUT PARTS: THE OUT PARTS OF THIS AREA ARE USED FOR RESIDENTIAL DEVELOPMENT.

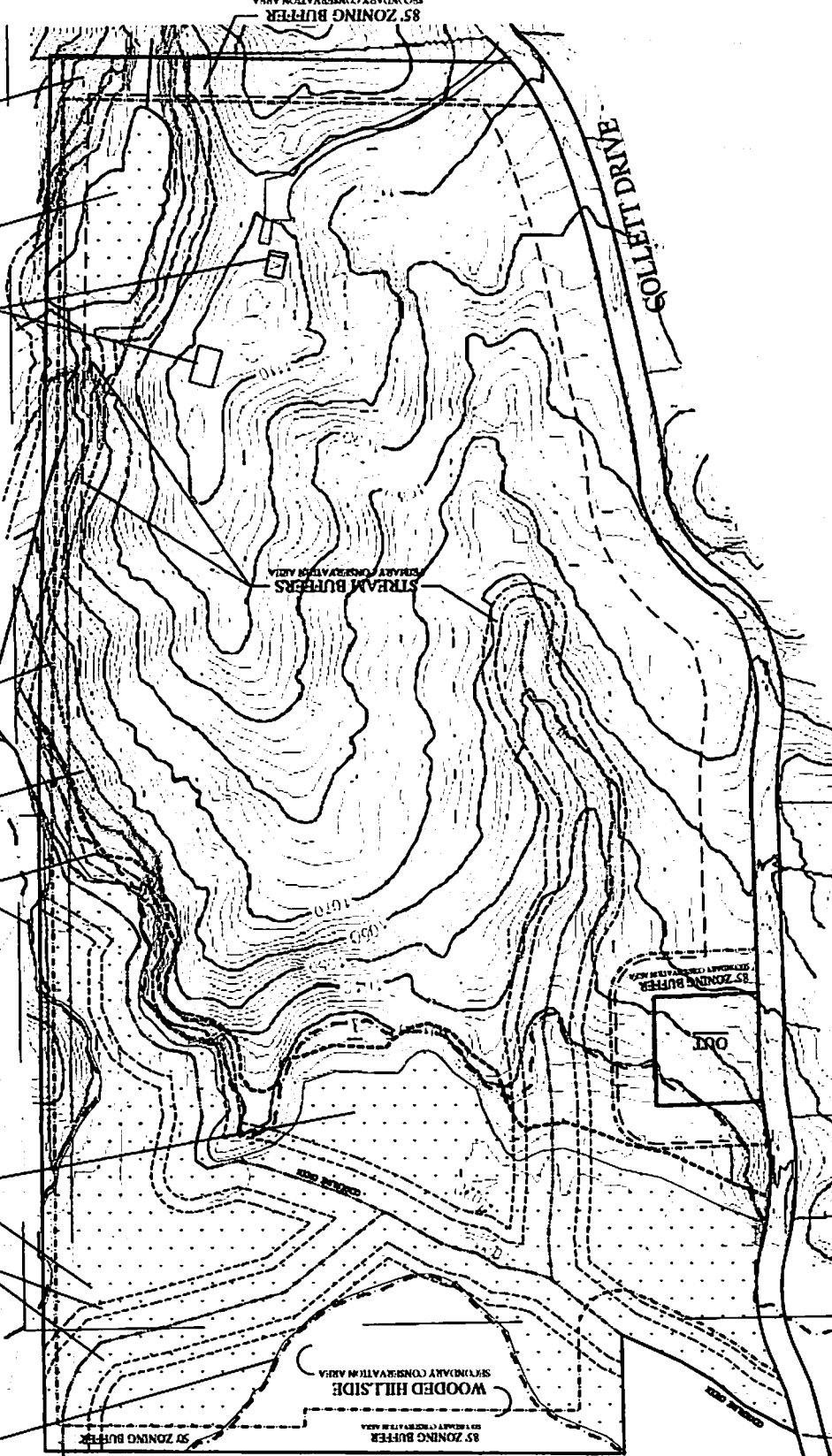
CONNECTION W/EXISTING GREENSPACE
THE PLANNED GREENSPACE IS ADJACENT TO AND WILL CONNECT TO THE EXISTING GREENSPACE ALONG THE PLANNED PROJECT LINE WITHIN THE WORKING SECTION AND ALONG THE EXISTING GREENSPACE LINE WITHIN THE ADJACENT AREAS.

HISTORIC, ARCHAEOLOGICAL, CULTURAL FEATURES
THIS FORM HAS NO KNOWLEDGE OF THE PRESENCE OF HISTORIC, ARCHAEOLOGICAL, OR CULTURAL FEATURES LOCATED ON THIS SITE.

EXISTING SITE VEGETATION
THE LOW LIVING AREA OF THE SITE IS PRIMARILY WETLANDS CONSISTING OF GRASSLANDS WITH SCATTERED PINE TREES. THE VEGETATION OF THE SITE IS PRIMARILY LAND WITH LIMITED OPEN SPACE. THE VEGETATION OF THE SITE IS PRIMARILY LAND WITH LIMITED OPEN SPACE. THE VEGETATION OF THE SITE IS PRIMARILY LAND WITH LIMITED OPEN SPACE.



- WOODED HILLSIDE
- EXISTING POND/WETLAND
- EXISTING HOUSE AND BARN
- 25' ZONING BUFFER
- 75' WETLAND BUFFER
- FUTURE CONDITIONS FLOODPLAIN
- WETLANDS
- STREAM BUFFERS
- FUTURE CONDITIONS FLOODPLAIN



"EXHIBIT A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 1164, 1165, 1212 AND 1213 OF THE 3RD LAND DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA, AND BEING A TOTAL OF 79.24 ACRES OF LAND AS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE CORNER COMMON TO LAND LOTS 1139, 1140, 1165 AND 1166, AFORESAID DISTRICT, SECTION AND COUNTY. RUNNING THENCE SOUTH 00 DEGREES 55 MINUTES 20 SECONDS WEST A DISTANCE OF 1328.36 FEET ALONG THE LINE COMMON TO LAND LOTS 1165 AND 1166, AS AFORESAID, TO AN IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID LAND LOT 1212; RUNNING THENCE SOUTH 02 DEGREES 18 MINUTES 30 SECONDS WEST A DISTANCE OF 1407.91 FEET ALONG THE LINE COMMON TO LAND LOTS 1211 AND 1212, AS AFORESAID, TO AN IRON PIN SET AT THE CORNER COMMON TO LAND LOTS 1211, 1212, 1237 AND 1238, AS AFORESAID; RUNNING THENCE NORTH 89 DEGREES 00 MINUTES 20 SECONDS WEST A DISTANCE OF 896.57 FEET TO AN IRON PIN FOUND AT THE INTERSECTION OF THE SOUTHERN LINE OF SAID LAND LOT 1212, AND THE EASTERLY RIGHT OF WAY OF COLLETT DRIVE, A THIRTY (30) FOOT RIGHT OF WAY; RUNNING THENCE IN A NORTHERLY DIRECTION ALONG THE EASTERLY RIGHT OF WAY OF COLLETT DRIVE THE FOLLOWING COURSES AND DISTANCES: RUNNING THENCE NORTH 41 DEGREES 21 MINUTES 35 SECONDS WEST A DISTANCE OF 59.67 FEET TO A POINT; RUNNING THENCE NORTH 30 DEGREES 52 MINUTES 45 SECONDS WEST A DISTANCE OF 43.73 FEET TO A POINT; RUNNING THENCE NORTH 28 DEGREES 15 MINUTES 45 SECONDS WEST A DISTANCE OF 37.96 FEET TO A POINT; RUNNING THENCE NORTH 24 DEGREES 34 MINUTES 00 SECONDS WEST A DISTANCE OF 53.76 FEET TO A POINT; RUNNING THENCE NORTH 21 DEGREES 10 MINUTES 35 SECONDS WEST A DISTANCE OF 57.96 FEET TO A POINT; RUNNING THENCE NORTH 19 DEGREES 59 MINUTES 20 SECONDS WEST A DISTANCE OF 56.03 FEET TO A POINT; RUNNING THENCE NORTH 16 DEGREES 07 MINUTES 00 SECONDS WEST A DISTANCE OF 43.01 FEET TO A POINT; RUNNING THENCE NORTH 12 DEGREES 27 MINUTES 50 SECONDS WEST A DISTANCE OF 65.58 FEET TO A POINT; RUNNING THENCE NORTH 10 DEGREES 13 MINUTES 30 SECONDS WEST A DISTANCE OF 260.29 FEET TO A POINT; RUNNING THENCE NORTH 09 DEGREES 20 MINUTES 30 SECONDS WEST A DISTANCE OF 110.93 FEET TO A POINT; RUNNING THENCE NORTH 07 DEGREES 44 MINUTES 25 SECONDS WEST A DISTANCE OF 54.76 FEET TO A POINT; RUNNING THENCE NORTH 06 DEGREES 26 MINUTES 00 SECONDS WEST A DISTANCE OF 83.31 FEET TO A POINT; RUNNING THENCE NORTH 10 DEGREES 55 MINUTES 50 SECONDS WEST A DISTANCE OF 40.57 FEET TO A POINT; RUNNING THENCE NORTH 22 DEGREES 55 MINUTES 35 SECONDS WEST A DISTANCE OF 37.16 FEET TO A

POINT; RUNNING THENCE NORTH 29 DEGREES 43 MINUTES 05 SECONDS WEST A DISTANCE OF 33.30 FEET TO A POINT; RUNNING THENCE NORTH 35 DEGREES 45 MINUTES 35 SECONDS WEST A DISTANCE OF 34.60 FEET TO A POINT; RUNNING THENCE NORTH 39 DEGREES 16 MINUTES 40 SECONDS WEST A DISTANCE OF 39.39 FEET TO A POINT; RUNNING THENCE NORTH 41 DEGREES 37 MINUTES 40 SECONDS WEST A DISTANCE OF 95.41 FEET TO A POINT; RUNNING THENCE NORTH 35 DEGREES 39 MINUTES 40 SECONDS WEST A DISTANCE OF 38.58 FEET TO A POINT; RUNNING THENCE NORTH 31 DEGREES 05 MINUTES 45 SECONDS WEST A DISTANCE OF 35.90 FEET TO A POINT; RUNNING THENCE NORTH 24 DEGREES 24 MINUTES 40 SECONDS WEST A DISTANCE OF 15.92 FEET TO A POINT; RUNNING THENCE NORTH 18 DEGREES 52 MINUTES 50 SECONDS WEST A DISTANCE OF 23.62 FEET TO A POINT; RUNNING THENCE NORTH 12 DEGREES 13 MINUTES 30 SECONDS WEST A DISTANCE OF 18.73 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 28 MINUTES 55 SECONDS WEST A DISTANCE OF 22.81 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 06 MINUTES 00 SECONDS EAST A DISTANCE OF 27.03 FEET TO A POINT; RUNNING THENCE NORTH 04 DEGREES 17 MINUTES 40 SECONDS EAST A DISTANCE OF 157.93 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 11 MINUTES 45 SECONDS EAST A DISTANCE OF 58.02 FEET TO A POINT; RUNNING THENCE NORTH 00 DEGREES 02 MINUTES 25 SECONDS EAST A DISTANCE OF 65.81 FEET TO A POINT; RUNNING THENCE NORTH 00 DEGREES 45 MINUTES 45 SECONDS WEST A DISTANCE OF 70.31 FEET TO A POINT; RUNNING THENCE NORTH 00 DEGREES 29 MINUTES 05 SECONDS EAST A DISTANCE OF 72.27 FEET TO A POINT; RUNNING THENCE NORTH 00 DEGREES 48 MINUTES 15 SECONDS WEST A DISTANCE OF 176.78 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING THENCE SOUTH 89 DEGREES 54 MINUTES 15 SECONDS EAST A DISTANCE OF 217.34 FEET TO A POINT; RUNNING THENCE NORTH 00 DEGREES 06 MINUTES 35 SECONDS WEST A DISTANCE OF 210.00 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 54 MINUTES 15 SECONDS WEST A DISTANCE OF 221.30 FEET TO A POINT LOCATED ON THE EASTERLY RIGHT OF WAY OF COLLETT DRIVE, AS AFORESAID; RUNNING THENCE NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST A DISTANCE OF 116.66 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 01 MINUTES 50 SECONDS EAST A DISTANCE OF 70.53 FEET TO A POINT; RUNNING THENCE NORTH 03 DEGREES 23 MINUTES 40 SECONDS EAST A DISTANCE OF 31.11 FEET TO A POINT; RUNNING THENCE NORTH 04 DEGREES 02 MINUTES 35 SECONDS EAST A DISTANCE OF 26.34 FEET TO A POINT; RUNNING THENCE NORTH 09 DEGREES 03 MINUTES 00 SECONDS EAST A DISTANCE OF 28.00 FEET TO A POINT; RUNNING THENCE NORTH 13 DEGREES 15 MINUTES 35 SECONDS EAST A DISTANCE OF 71.09 FEET TO A POINT; RUNNING THENCE NORTH 08 DEGREES 59 MINUTES 00 SECONDS EAST A DISTANCE OF 49.06 FEET TO A POINT; RUNNING THENCE NORTH 01 DEGREES 11 MINUTES 00 SECONDS EAST A DISTANCE OF 23.98 FEET TO A POINT; RUNNING THENCE NORTH 05 DEGREES

03 MINUTES 35 SECONDS WEST A DISTANCE OF 28.71 FEET TO A POINT; RUNNING THENCE NORTH 12 DEGREES 16 MINUTES 20 SECONDS WEST A DISTANCE OF 24.65 FEET TO A POINT; RUNNING THENCE NORTH 17 DEGREES 35 MINUTES 00 SECONDS WEST A DISTANCE OF 218.40 FEET TO A POINT; RUNNING THENCE ALONG THE CENTERLINE OF MILL CREEK WHICH CENTERLINE IS THE PROPERTY LINE, THE FOLLOWING COURSES AND DISTANCES; RUNNING THENCE SOUTH 70 DEGREES 41 MINUTES 55 SECONDS EAST A DISTANCE OF 19.70 FEET TO A POINT; RUNNING THENCE SOUTH 34 DEGREES 47 MINUTES 10 SECONDS EAST A DISTANCE OF 75.46 FEET TO A POINT; RUNNING THENCE SOUTH 43 DEGREES 19 MINUTES 40 SECONDS EAST A DISTANCE OF 40.99 FEET TO A POINT; RUNNING THENCE SOUTH 18 DEGREES 21 MINUTES 40 SECONDS EAST A DISTANCE OF 43.72 FEET TO A POINT; RUNNING THENCE SOUTH 46 DEGREES 20 MINUTES 15 SECONDS EAST A DISTANCE OF 22.37 FEET TO A POINT; RUNNING THENCE SOUTH 33 DEGREES 28 MINUTES 15 SECONDS EAST A DISTANCE OF 47.52 FEET TO A POINT; RUNNING THENCE NORTH 82 DEGREES 35 MINUTES 10 SECONDS EAST A DISTANCE OF 45.29 FEET TO A POINT; RUNNING THENCE NORTH 47 DEGREES 44 MINUTES 50 SECONDS EAST A DISTANCE OF 46.73 FEET TO A POINT; RUNNING THENCE SOUTH 60 DEGREES 56 MINUTES 35 SECONDS EAST A DISTANCE OF 140.22 FEET TO AN IRON PIN SET; RUNNING THENCE NORTH 02 DEGREES 27 MINUTES 40 SECONDS EAST A DISTANCE OF 233.81 FEET MORE OR LESS TO AN IRON PIN FOUND ON THE LINE COMMON TO LAND LOTS 1140 AND 1165, AS AFORESAID; RUNNING THENCE ALONG SAID LAND LOT LINE SOUTH 88 DEGREES 35 MINUTES 15 SECONDS EAST A DISTANCE OF 229.50 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 86 DEGREES 50 MINUTES 40 SECONDS EAST A DISTANCE OF 391.62 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 86 DEGREES 52 MINUTES 40 SECONDS EAST A DISTANCE OF 483.87 FEET TO AN IRON PIN FOUND AND THE POINT OF BEGINNING. SAID PROPERTY BEING 79.24 ACRES OF LAND AS MORE CLEARLY SHOWN ON THAT CERTAIN PLAT OF SURVEY FOR HARRIETT WYNELL SAMS, BY LANDMARX, INC., SURVEYOR, DATED 12/21/2015, AND AS LAST REVISED 01/06/2016.



Jackie Coker
1-10-17

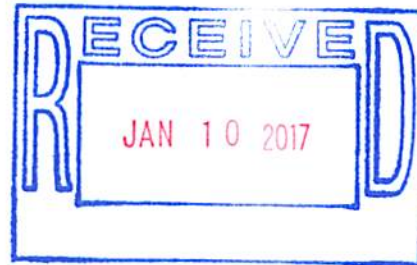
E B CHAMBERS LAW

E. Benson Chambers
Attorney at Law

January 10, 2017

Cherokee County Commissioners
1130 Bluffs Parkway
Canton, GA 30114

RE: Applicant: Georgia-Tennessee Developers
Collett Drive
Public Participation Report



Dear Commissioners:

The Public Participation meeting for the above applicant and property was held on December 29th, 2016. The meeting was well attended with 27 people signing the attendance sheet, 111 notices being sent to local property owners and interested parties. It is possible that more were in attendance and failed to sign in.

At the meeting the attendees were given the opportunity to view the proposed plan for R-30 with 90 homes on 78 acres for a density of 1.15 units per acre and approximately 50% of permanent green space. Attendees were also given the opportunity to view the current county zoning map for the area and an aerial photo showing the development and density in the area. Attendees had the opportunity to ask questions and educate themselves on the project and to make comments both verbally and in writing. The written comments along with the attendance sheet are provided with this report. While most in attendance expressed curiosity about the proposal, of the written comment sheets 9 comments are in opposition and 6 are in favor. One letter of opposition was also received and the author of that letter was also one of the 9 negative comments. Of the 9 expressing opposition 7 were from two residential addresses. Those in opposition expressed concerns about density, traffic, wetland preservation and lack of buffers. Those in favor cited the proposed improvements to Collett Drive, reasonable number of homes, the amount of green space and county revenue.

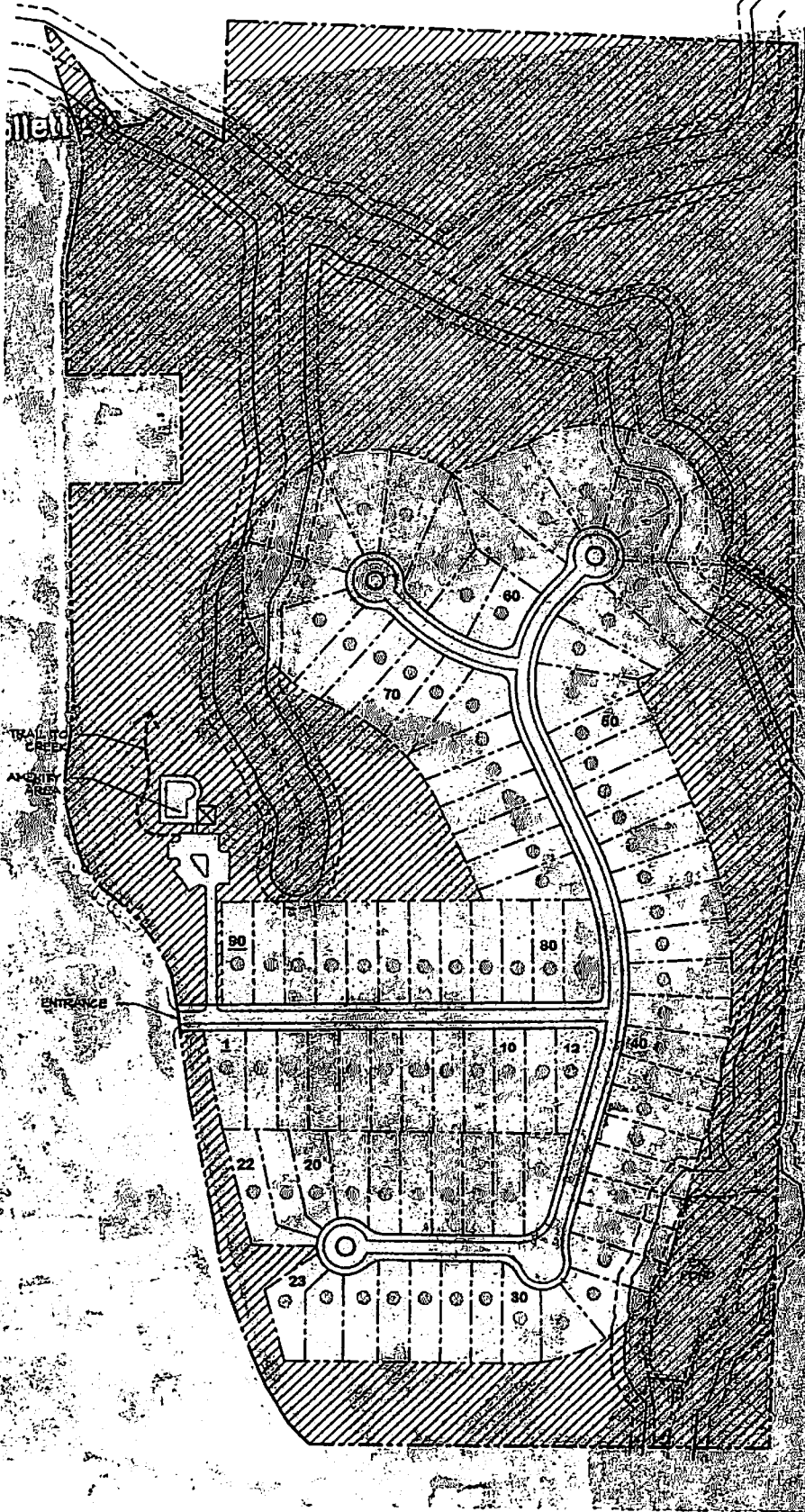
Yours truly,

E. Benson Chambers
Attorney for Applicant

157 Reinhardt College Parkway, Suite 400
Canton, GA. 30114

770-720-4600 Office
770-720-4646 Facsimile

| Name: | Address: | Phone: | Email: |
|------------------|--|--------------|-----------------------------|
| HERB SCHWAB | 136 HALEY FARM DRIVE | 770 213-3880 | |
| JUANITA Schwab | " " " | " " | |
| Russell Martin | 180 Killian Street Canton GA | | |
| Robert Jones | 185 Collett Dr Canton | 678-665-4586 | rjone39@bellsouth.net |
| Rosamar Jones | 167 Collett Dr Canton | ↑ | ↑ |
| Justin Jones | 175 Collett Dr Canton | 770/855-9708 | justinjonesauthor@yahoo.com |
| Nancy Burton | 467 Collett Dr Canton | 404-977-7304 | Nancy-burton@bellsouth.net |
| Justin Kelley | 222 Hampden Station Canton | 678-381-3100 | |
| Constance Burton | 467 Collett Dr Canton | | |
| Parker Thompson | 241 Allendale Dr Canton | 678-66-2205 | ptt20@aol.com |
| JAN BURTON | 467 Collett Dr Canton 30115 | 404-977-7304 | burtonj365@gmail.com |
| Jeanne Waclena | 363 Collett Dr, Canton, GA 30115 | 756-2510 | jmquinnw@gmail.com |
| GARY WACLENA | 363 COLLETT DR CANTON GA 30115 | 315-436-2223 | GRWHAWK1@GMAIL.COM |
| Tricia Waclena | 363 Collett Dr Canton 30115 | 770-597-1935 | Tricia@Rosewood-Farm.com |
| CAROL MARTIN | 363 COLLETT DR CANTON 30115 | 678-910-5703 | mistral97@gmail.com |
| Jerry Brannon | 309 Collett D Canton 30115 | 770-475-7914 | |
| Joan Brannon | 309 Collett Dr Canton 30115 | 770-475-7914 | |
| Alan Hyde | 744 Collett Drive Canton Ga. 30115 | 770-343-9002 | |
| Wendy Hyde | 744 Collett Drive Canton Ga. 30115 | 770-343-9002 | |
| Mike Ivey | 1377 Arbor Hill Rd Canton GA 30115 | 770-265-1683 | mikeivey55@yahoo.com |
| RICHARD BUCHER | 190 COLLETT DRIVE, CANTON, GA, 30115 | 770-894-2359 | |
| Paulette Sams | 6003 E. Cherokee Dr. Canton, GA 30115 | 770-479-8388 | psams@windstream.net |
| Melvin Sams | 6003 E. Cherokee Dr. Canton, GA 30115 | " | " |
| Russell Sams | 119 Wall St Saint Simons Island GA 31522 | 912-634-6346 | jrussellsams@gmail.com |
| Eddy Sams | 119 Wall St St Simons, GA 31522 | 912.634.6346 | FourSams@gmail.com |

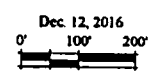


This drawing is the property of Raso, Hoopes & Fisher, Inc. and is not to be copied or reproduced in whole or in part without written permission. It is only to be used for the project and site specifically identified herein. Drawings shall be returned immediately upon request.

| SITE DATA (PROPOSED 8-60 SPONS) | |
|---------------------------------|-------------------------------|
| TOTAL LOTS: | 100 LOTS |
| AVERAGE LOT SIZE: | 80' x 200' 16,000 S.F. MIN |
| TOTAL TRACT AREA: | 1.13 AC. |

PRELIMINARY LAND PLAN
COLLETT DRIVE
 Cherokee County, Georgia

GEORGIA-TENNESSEE DEVELOPMENT PARTNERS, LLC.





Staff Report

Case No: 17-03-005
Applicant Name: Georgia-Tennessee Development Partner, LLC.
Location: 300 Collett Drive
(03N12, 115)
From/To: AG to R-30
Proposed Use: Conservation Designed Residential Subdivision
Commission Post: 2

| | Existing Zoning | Existing Land Use |
|-------|-----------------|-----------------------------------|
| North | AG and R-30 | Rural Residential and Subdivision |
| South | AG | Rural Residential |
| East | R-20 | Subdivision |
| West | AG | Rural Residential |

Future Development Map

| Character Area/Node/Corridor | Description |
|------------------------------|--|
| Suburban Growth | This character area consists of areas that are located outside identified centers that are experiencing a high volume of residential growth, primarily single-family houses. Has a pockets of neighborhoods interspersed with a rural landscape. Suggested zonings: R-80, R-60 and R-40. |
| Country Estates | This character area seeks to provide a low-intensity residential community. Country Estates features a mixture of single-family housing on large lots and farms. New residential development should be large-lot "estate" developments of two acres or greater. Suggested zoning districts in this character area are AG and R-80. |

| Suburban Growth | |
|---|--|
| Primary Land Uses | Secondary Land Uses |
| Single-family detached housing Conservation Subdivisions Master planned communities | Residentially-related institutional uses |

| Country Estates | |
|--|--|
| Primary Land Uses | Secondary Land Uses |
| Active Farming, timbering, and conservation uses Wholesale nurseries and commercial greenhouses Homesteads on individual lots Large Lot Single Family home subdivisions Horse farms Gentlemen's farms Executive housing Conservation Subdivisions | Semi-Public and institutional uses Passive Recreation areas |

Analysis and Comment

The subject parcel totals 79.24 acres and lie on east side of Collett Drive approximately one-quarter mile north of Arbor Hill Road. A Public Participation Meeting was held on December 29 with twenty-seven (27) attendees. An Existing Site resource map was submitted as well and appears to meet the requirements by Code. We have received six letters in opposition to this petition representing five homes and no letters in support of the petition.

1 Findings

1.1 Engineering Department

- See attached.

1.2 Cherokee County Water and Sewerage Authority

1.3 Cherokee County Board of Education

- The Board of Education anticipates the addition of 65 students from the proposed 90 lots.

1.4 Fire Marshal's Office

1.5 Sheriff's Office

Case # 17-03-005 - Community Agenda Analysis

Section 1 – Community Vision

| | |
|-----------|--|
| Community | 0.5 mile north of the intersection of Collett Drive and Arbor Hill Road. |
|-----------|--|

Vision:

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

Applicant seeks to rezone property from AG to R-30 for a Conservation Design Community.

Section 2 - Core Issues

Project Supports

| | |
|---------------------------------|--|
| Planning for Sustainable Growth | This location has most infrastructure and services nearby. |
| Housing Choice | This project could add to the range of housing options in the area. |
| Designing with the Environment | The applicant intends to preserve approximately 50% of the tract as green space. |

Project is Neutral

| | |
|--|--|
| Diverse Economic Opportunities | Although some jobs will be created during the construction phase, there is no evidence of a long-term positive impact. |
| Land Use Patterns that Promote Connectivity and Mobility | No evidence of impact. |
| Aging in Place | No evidence of impact. |
| Preserve and Enhance Sense of Place | No evidence of impact. |

Project Neglects

Section 3 – Character Area Description

| | |
|----------------|-----------------------------------|
| Character Area | Country Estates / Suburban Growth |
|----------------|-----------------------------------|

The Country Estates Character Area seeks to provide a low-intensity residential community. Country Estates features a mixture of single-family housing on large lots and farms. New residential development should be large-lot "estate" developments of two acres or greater. Suggested Zoning Districts in this Character Area are AG and R-80. This project is not consistent with the Character Area.

The Suburban Growth Character Area is an area in transition from rural to suburban, often characterized by pockets of development interspersed among a rural landscape. This Character Area generally consists of detached single-family homes situated on lots ranging in size with shallower setbacks than in rural areas. Suggested Zoning Districts are R-80, R-60, and R-40. This project is not consistent with the Character Area.

| | |
|------------------|-----|
| Node or Corridor | N/A |
|------------------|-----|

Rezoning Case Impact Report

| Jurisdiction | | Rezoning Case Number | | Applicant Name | |
|---|----------------|---|-----------------|---|------------------------------------|
| Cherokee County | | 17-03-005 | | Georgia Tennessee Dev Partner, LLC | |
| Acreage | Number of Lots | Current Zoning | Proposed Zoning | Housing Type | |
| 79.24 | 90 | AG | R-30 | Single Family Residential | |
| Estimated Student Impact ⁽¹⁾ | | Additional Capacity Needed | | Additional Capacity Cost ⁽²⁾ | |
| 65 | Students | 3 | Classroom(s) | \$88,636.36 | Annual Student Cost ⁽³⁾ |
| | | | | | \$464,815.00 |
| Planning Commission Meeting Date | | County Commission/City Council Meeting Date | | Map and Parcel | |
| 3/7/2017 | | 3/21/2017 | | 03N12/115 | |
| Property Description | | | | | |
| Suburban Living | | | | | |

Affected Schools Capacity Information

| Elementary School | ES Enrollment | ES Capacity | % Capacity |
|-------------------|---------------|-------------|------------|
| Avery ES | 1015 | 1175 | 86.38% |
| Middle School | MS Enrollment | MS Capacity | % Capacity |
| Creekland MS | 1494 | 1287 | 116.08% |
| High School | HS Enrollment | HS Capacity | % Capacity |
| Creekview HS | 1993 | 1925 | 103.53% |

All Enrollment and Capacities are based on the last published Cherokee County Inventory of School Housing (CCISH) Numbers

It is the position of CCSD that all developers should attempt to mitigate as much of the impact of their proposed development as possible. In every such case, the district designates a minimum contribution expected to help provide adequate facilities for the school age children who will occupy the residences in the development.

Please recommend to all Residential Zoning applicants to contact Mitch Hamilton at 770-721-8429 to discuss mitigation of their subdivision prior to appearing before the Zoning Board. If the applicant cannot meet during that time period, we request that the Zoning Board put a condition on the zoning so they must meet with Mr. Hamilton prior to the City Council/County Commission Meeting.

The 2014 estimated cost for building an elementary school is 22 to 27 million dollars, middle school is 35 to 40 million, and the cost of building a high school is 55 to 60 million

(1) - All increases to student enrollment should be considered cumulative in nature. All recent cases will impact the affected Schools. The School District may have to transport the students of any given development to an alternate district due to over-enrollment.

(2) - Additional Capacity Calculations are based on adding Mobile Units to existing campus facilities at the following rate: 1 Mobile Unit = 2 Classrooms with a cost of \$60,000/Mobile Unit

(3) - Annual Cost is calculated using the 2013 General Fund Operating Expenditure cost per pupil of \$7,151.00, and does not count for inflation.

Cherokee County Government

ENGINEERING DEPARTMENT

1130 Bluffs Parkway – Canton, Georgia 30114

678-493-6077 – Fax 678-493-6055



REZONING MEMORANDUM

Case Number: 17-03-005

Applicant: Georgia-Tennessee Development Partner, LLC

Current Zoning: AG

Proposed Zoning: R-30

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is Collett Road. Collett Road is currently a mix of different road types. Starting at the southern intersection with Arbor Hill Road, it is a single lane paved roadway for approximately 0.22 miles. At that point, it transitions to a single lane gravel roadway for approximately 0.50 miles. The final section of Collett drive is a two-lane paved roadway until it reaches East Cherokee Drive for approximately 0.70 miles. The geometry of the roadway in the two-lane section is generally good. The geometry in the single lane sections could use some vertical and horizontal improvements.
- **Planned Improvements** – There are no currently planned improvements to this section of Collett Road.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is an increase of 727 vehicles per day.

| Zoning | Units | Trips Per Day |
|---------------|-----------|---------------|
| Current AG | 39 units | 373 |
| Proposed R-30 | 115 units | 1,100 |

- **Development Related Improvements** – It is anticipated that the developer would need to enter into a Development Agreement with Cherokee County in order to upgrade the single lane portion of Collett Road to a full width two-lane roadway. It is anticipated that the development will include a deceleration lane at the entrance to the subdivision along the improved portion of Collett Drive.

● **Stormwater:**

- **Flood Plain or Wetlands on Property** – Yes. Approximately 25% is located within the floodplain.
- **Runoff Tributary and Basin** – Mill Creek in the Allatoona basin.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that Collett Drive should be able to handle the additional traffic generated by this application provided that the developer enter into a Development Agreement with Cherokee County in order to upgrade the single lane portion of Collett Road to a full width two-lane roadway.



Cherokee County, Georgia
Agenda Request

Item#: 2.

SUBJECT:
Case #17-03-006 Oak Hall Companies, LLC
(BOC Dist. 2)

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 39.575 acres at Arnold Mill Road and Highway 140 from AG and R-40 to NC, RTH and RZL to build a mixed use development.

FACTS AND ISSUES:

Commission District: 2
Zoning Change: AG and R-40 to NC, RTH and RZL
Location: Arnold Mill Road and Highway 140
Tax Map and Parcel No: 02N04, 215C, 215E, 219 and 223
Acres: 39.575
Proposed Development: Mixed Use Development
Future Development Map: Suburban Living in a transitional corridor.

BUDGET:

| | |
|-----------------------|-------------------|
| Budgeted Amount: | Account Name: |
| Amount Encumbered: | Account #: |
| Amount Spent to Date: | Remaining Budget: |
| Amount Requested: | |

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

| Description | Type |
|--|---------|
| <input type="checkbox"/> Application | Exhibit |
| <input type="checkbox"/> Existing Site Resources | Exhibit |
| <input type="checkbox"/> Legal Description | Exhibit |
| <input type="checkbox"/> Public Participation | Exhibit |
| <input type="checkbox"/> Site Plan | Exhibit |
| <input type="checkbox"/> Staff Report | Exhibit |



CHEROKEE COUNTY
Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

SECTION I

Contact Person: Parks F. Huff Phone: (770) 422-7016
 Email: phuff@slhb-law.com

Applicant's Information:

Name: Oak Hall Companies, LLC
 Address: 5256 Peachtree Road, Suite 195 Phone: _____
 City, State, Zip: Atlanta, GA 30341

Property Owner's Information: ___ same as above see attached authorization forms (multiple properties)

Name: _____
 Address: _____ Phone: _____
 City, State, Zip: _____

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

| | |
|---------------------------------------|--|
| STAFF USE ONLY: | PUBLIC HEARING SCHEDULE: |
| Commission District: <u>2</u> | Public Participation Meeting: <u>1/10/17</u> |
| Case: <u>17-03-006</u> | PC Work Session Date: <u>2/20/17</u> |
| CityView # <u>PL20170000103</u> | Planning Commission Hearing: <u>3/7/17</u> |
| Received by: _____ | Board of Commissioners: <u>3/21/17</u> |
| Fee Paid: \$ <u>1250⁰⁰</u> | Zoning Board of Appeals: _____ |
| Date: _____ | Other: _____ |

SECTION II

Property Information:

Location: North side of Arnold Mill at Highway 140 and east side of Highway 140

Current Zoning: AG & R-40 Proposed Zoning: NC, RTH & RZL Total Acreage: 38.76

Tax Map #: N Parcel #: See attached Exhibit "A" Land Lot(s): 787, 798 & 859 District: 2

Future Development Map Designation: Suburban Living in a Transitional corridor.

Adjacent Zonings: North R-20 South R-40 & AG East NC & R-20 West R-20 & R-40

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

Applicant proposes to rezone the property from AG and R-40 to NC, RTH and RZL to build a mixed-use development with single family homes and retail pods.

Proposed Use(s) of Property:

Single family homes and retail pods.

Applicant Affidavit:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Parks F. Huff, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 20 day of January, 2017.

Print Name Parks F. Huff, Attorney for Applicant.

Applicant Signature .

SECTION III

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: Cherokee County

How is sewage from this site to be managed?

Cherokee Water and Sewer

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? 0* students *This application is for an age restricted development.

| Proposed Use(s) | # of units | Multiplier | Number of Students |
|-------------------------------|------------|------------|--------------------|
| Single Family (Detached) Home | | 0.725 | |
| Multi Family (Attached) Home | | 0.287 | |

Traffic Generation:

A traffic impact study prepared by a registered engineer will be required if the proposed subdivision exceeds 250 dwelling units; the non-residential development contains more than 25,000 square feet of floor area; or at the discretion of the County Engineer. If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 1,311 trips

| Code | Land Use(s) | # of units or sqft* | Daily Trip Ends* | Number of Trips |
|------|---------------------------------|---------------------|------------------|-----------------|
| 210 | Single Family Home/ Townhome | 137 | 9.57 | 1,311.09 |
| 220 | Apartment | | 6.63 | |
| | | | | |
| | | | | |
| | | | | |

Notes:

* Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.

+ Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

EXHIBIT "A"
CHEROKEE COUNTY APPLICATION FOR PUBLIC HEARING

Property Owners List

- | | |
|---|------------------|
| 1. Roy Sylvie & Paul F Gantt 3302 Sugar Pike Road Canton, Georgia 30115 | TIN: 02N04 215 C |
| 2. Mosaic Capital, LLC 669 Atlanta Country Club Drive Marietta, Georgia 30067 | TIN: 02N04 215 E |
| 3. Roy F. & Carole R. Gantt 3302 Sugar Pike Road Canton, Georgia 30115 | TIN: 02N04 219 |
| 4. Roy Gantt 3302 Sugar Pike Road Canton. Georgia 30115 | TIN: 02N04 223 |

SECTION V

AMENDED APPLICANT RESPONSE STATEMENT - REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

1. Explain the intent of the requested zoning.

Oak Hall proposes to build an age-restricted community with a small amount of retail use at the north-west intersection of Arnold Mill Road and Hickory Flay Highway (S.R. 140). The proposal's impact being an age restricted community is consistent with the Suburban Living Land use category. Because of the age-restricted product, the applicant is therefore proposing a combination of NC, RTH and RZL zoning categories. Overall, the applicant proposes 137 homes with a variety of products for a density of 3.5 units per acre with 11,000 square feet of neighborhood commercial.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The property is at the intersection of two major roads. Because of the existing GC zoning in the area and the fact it is at a major intersection, the owners of the property anticipate a major commercial development. The applicant proposes an age-restricted development with a small 11,000 square feet of neighborhood retail. The impact of this development on the schools and traffic is significantly less than if the property was developed as R-20.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposed use will not adversely affect the usability of adjacent or nearby property. The residential is developed at 3.5 units per acre and the relatively small amount of retail is less than the size of a small grocery store with relatively small footprints for restaurants and small scale retail. This mixed use development is compatible with the existing residential development.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

As zoned, given the challenges associated with developing the property including accessing sewer, it is not economically feasible to develop the property as zoned.

- 5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

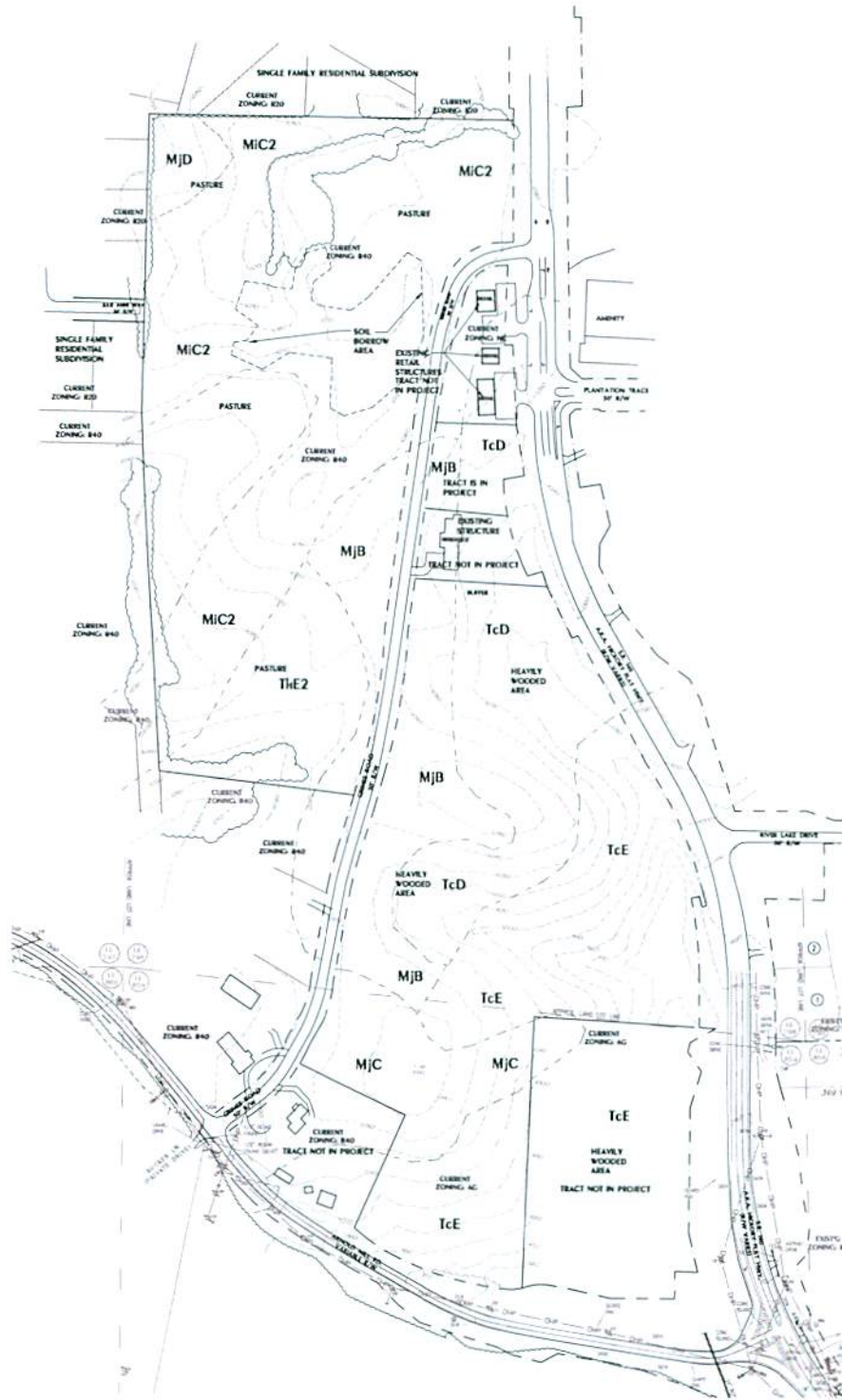
The property is at the intersection of two major roads. There is an existing traffic problem. Oak Hall will propose traffic improvements to the existing streets that relate to the proposed new development. Additionally, the applicant will work with the Cherokee County Engineer on other improvements that could help, including donation of right of way and potentially the installation of turn lanes.

- 6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.**

The property is in a Transitional Zone with an underlying Suburban Living category. Suburban Living includes residential development up to RD-3, or 3 units per acre. But, adding the Transitional component adds RTH and RZL as zoning categories and the potential for low intensity commercial uses. Therefore, the proposal is consistent with the Future Development Map.

- 7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.**

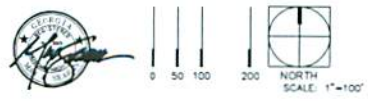
This area of Cherokee County has little options for restaurants and shopping. Additionally, housing options are limited. The proposed development will provide housing options and retail options at a major interchange. The properties proximity to Milton, Alpharetta and I-400 is also a huge factor for the proposal.



**140 TOWNSHIP
A MIXED-USE COMMUNITY**

Site Resources Map
(Tract north of Arnold Mill Road)

Development Consultants, Inc.
1000 Peachtree Road, Suite 195
Atlanta, GA 30331
770-442-5995



Prepared for
 Oak Hall Companies, LLC 1225
 Peachtree Road, Suite 195
 Atlanta, GA 30331
 DATE: 1/3/2017

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lot 787, 2nd District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northwestern intersection of S.R. 140 a.k.a. Hickory Flat Hwy.(right of way varies) and the right of way of Grimes Road (50 feet right of way); thence northerly along the right of way of S.R. 140 a.k.a. Hickory Flat Hwy. a distance of 18.85 feet to a point, that is the **POINT OF BEGINNING**; thence leaving said right of way South 44°41'05" West a distance of 17.92 feet to a point; thence South 89°52'45" West a distance of 180.56 feet to a point; thence South 01°07'30" West a distance of 4.00 feet to a point; thence South 89°52'45" West a distance of 33.71 feet to a point; thence North 00°07'15" West a distance of 267.04 feet to a point; thence South 89°12'57" East a distance of 226.18 feet to a point located on the western right of way of S.R. 140 a.k.a. Hickory Flat Hwy.; thence along said right of way South 00°18'55" East a distance of 246.75 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 1.360 Acres.

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lot 798, 2nd District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the southwestern intersection of S.R. 140 a.k.a. Hickory Flat Hwy.(right of way varies) and the right of way of Grimes Road (50 feet right of way); thence southwesterly along the right of way of Grimes Road a distance of 410.64 feet to a point located on the intersection of said right of way with the Land Lot Line common to Land Lots 787 and 798, that is the **POINT OF BEGINNING**; thence leaving said right of way and along the land Lot Line common to Land Lots 787 and 798 South 88°41'02" East a distance of 174.41 feet to a point located on the western right of way of S.R. 140 a.k.a. Hickory Flat Hwy.; thence along said right of way South 08°55'34" East a distance of 111.55 feet to a point; thence continuing along said right of way South 79°51'42" West a distance of 46.22 feet to a point; thence continuing along said right of way 80.52 feet along a curve to the left, said curve having a chord of South 06°53'06" East 80.44 feet and a radius of 520.31 feet to a point; thence leaving said right of way North 85°00'06" West a distance of 181.43 feet to a point located on the eastern right of way of Grimes Road ; thence along said right of way North 07°36'43" East a distance of 181.71 feet to a point; thence continuing along said right of way 6.35 feet along a curve to the right, said curve having a chord of North 07°42'37" East 6.35 feet and a radius of 1848.25 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 0.807 Acres.

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lot 798, 2nd District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northeastern intersection of Arnold Mill Road (right of way varies) and the right of way of Grimes Road (50 feet right of way) thence northeasterly along the right of way of Grimes Road a distance of 577.54 feet to a point, that is the **POINT OF BEGINNING**; thence continuing along the right of way of Grimes Road North 10°14'48" East a distance of 32.15 feet to a point; thence continuing along said right of way 81.09 feet along a curve to the right, said curve having a chord of North 13°21'42" East 81.08 feet and a radius of 1545.61 feet to a point; thence continuing along said right of way North 17°30'10" East a distance of 99.17 feet to a point; thence continuing along said right of way North 15°38'29" East a distance of 93.28 feet to a point; thence continuing along said right of way 310.34 feet along a curve to the left, said curve having a chord of North 08°55'25" East 309.63 feet and a radius of 1323.49 feet to a point; thence continuing along said right of way North 07°36'43" East a distance of 116.91 feet to a point; thence leaving said right of way South 86°44'06" East a distance of 289.67 feet to a point located on the western right of way of S.R. 140 a.k.a. Hickory Flat Hwy. (right of way varies); thence along said right of way South 16°42'37" East a distance of 1.51 feet to a point; thence continuing along said right of way South 26°11'18" East a distance of 124.80 feet to a point; thence continuing along said right of way North 61°52'30" East a distance of 13.43 feet to a point; thence continuing along said right of way South 28°32'48" East a distance of 315.78 feet to a point; thence continuing along said right of way 305.85 feet along a curve to the right, said curve having a chord of South 24°02'06" East 304.42 feet and a radius of 910.96 feet to a point; thence continuing along said right of way South 14°24'59" East a distance of 35.08 feet to a point; thence continuing along said right of way South 72°11'34" West a distance of 9.17 feet to a point; thence continuing along said right of way North 14°56'29" West a distance of 24.19 feet to a point; thence continuing along said right of way South 77°15'28" West a distance of 18.40 feet to a point; thence continuing along said right of way 165.87 feet along a curve to the right, said curve having a chord of South 06°09'03" East 165.59 feet and a radius of 818.50 feet to a point; thence continuing along said right of way South 00°20'44" East a distance of 116.71 feet to a point located on the intersection of said right of way with the Land Lot Line common to Land Lots 798 and 859; thence leaving said right of way and along the Land Lot Line common to land Lots 798 and 859 North 86°34'57" West a distance of 360.71 feet to a point; thence leaving said Land Lot Line North 04°04'02" East a distance of 127.74 feet to a point; thence North 74°57'49" West a distance of 432.46 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 11.337 Acres.

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lots 787 and 798, 2nd District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northwestern intersection of S.R. 140 a.k.a. Hickory Flat Hwy.(right of way varies) and the right of way of Grimes Road (50 feet right of way), that is the **POINT OF BEGINNING**; thence along the right of way of Grimes Road South 88°57'36" West a distance of 28.55 feet to a point; thence continuing along said right of way 163.84 feet along a curve to the left, said curve having a chord of South 52°45'28" West 153.39 feet and a radius of 131.18 feet to a point; thence continuing along said right of way 310.28 feet along a curve to the left, said curve having a chord of South 12°17'40" West 309.93 feet and a radius of 1898.25 feet to a point; thence continuing along said right of way South 07°36'43" West a distance of 456.28 feet to a point; 300.96 feet along a curve to the right, said curve thence continuing along said right of way having a chord of South 08°52'16" West 300.26 feet and a radius of 1273.49 feet to a point; thence continuing along said right of way South 15°38'29" West a distance of 68.03 feet to a point; thence leaving said right of way North 83°11'01" West a distance of 425.27 feet to a point located on the Land Lot Line common to Land Lots 797 and 798; thence along said Land Lot Line North 03°12'50" West a distance of 622.71 feet to a point; thence North 02°04'35" West a distance of 162.50 feet to a point located on the Land Lot corner common to Land Lots 787, 788, 797 and 798; thence along the Land Lot Line common to Land Lots 787 and 788 North 01°05'37" East a distance of 652.55 feet to a point; thence leaving said Land Lot Line South 89°12'57" East a distance of 564.79 feet to a point; thence South 00°07'15" East a distance of 267.04 feet to a point; thence North 89°52'45" East a distance of 33.71 feet to a point; thence North 01°07'30" East a distance of 4.00 feet to a point; thence North 89°52'45" East a distance of 180.56 feet to a point; thence North 44°41'05" East a distance of 17.92 feet to a point located on the western right of way of S.R. 140 a.k.a. Hickory Flat Hwy; thence along said right of way South 00°18'55" East a distance of 18.85 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 18.657 Acres.

Legal Description

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lots 798 and 859, 2nd District, 2nd Section, Cherokee County, Georgia, being more particularly described as follows:

BEGINNING at the northeastern intersection of Arnold Mill Road (right of way varies) and the right of way of Grimes Road (50 feet right of way) thence northeasterly along the right of way of Grimes Road a distance of 214.31 feet to a point, that is the **POINT OF BEGINNING**; thence continuing along the right of way of Grimes Road 46.41 feet along a curve to the left, said curve having a chord of North 26°29'03" East 46.37 feet and a radius of 351.25 feet to a point; thence continuing along said right of way North 29°14'01" East a distance of 47.86 feet to a point; thence continuing along said right of way 99.46 feet along a curve to the left, said curve having a chord of North 16°31'20" East 98.65 feet and a radius of 224.16 feet to a point; thence continuing along said right of way North 10°14'48" East a distance of 169.50 feet to a point; thence leaving said right of way South 74°57'49" East a distance of 432.46 feet to a point; thence South 04°04'02" West a distance of 127.74 feet to a point; thence South 02°21'37" West a distance of 594.81 feet to a point located on the northern right of way of Arnold Mill Road; thence along said right of way 36.17 feet along a curve to the right, said curve having a chord of South 86°49'21" West 36.02 feet and a radius of 113.53 feet to a point; thence continuing along said right of way 251.48 feet along a curve to the right, said curve having a chord of North 73°46'34" West 250.13 feet and a radius of 701.29 feet to a point; thence continuing along said right of way 80.30 feet along a curve to the right, said curve having a chord of North 57°00'27" West 80.13 feet and a radius of 354.16 feet to a point; thence continuing along said right of way North 50°30'43" West a distance of 29.52 feet to a point; thence leaving said right of way North 23°45'27" East a distance of 270.72 feet to a point; thence North 64°07'29" West a distance of 254.84 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 6.620 Acres.

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770-422-7016
TELEPHONE
770-426-6583
FACSIMILE

ADAM J. ROZEN

SLHB-LAW.COM

January 20, 2017

**VIA E-MAIL: vtaylor@cherokeega.com
AND REGULAR U.S. MAIL**

Ms. Vicki Taylor Lee, AICP, Zoning Administrator
Cherokee County Planning and Zoning Department
1130 Bluffs Parkway
Canton, GA 30114

Re: Application of Oak Hall Companies, LLC to rezone ±38.76 acres on the west side of Hickory Flay Highway (S.R. 140) and the north side of Arnold Mill Road from AG and R-40 to NC, RTH and RZL for a mixed use development.

Dear Vicki:

Oak Hall Companies, LLC ("Oak Hall") conducted a public participation meeting on **January 10, 2017** at City Center in Woodstock. The meeting was well attended and attached is a list of those in attendance signed in. Oak Hall explained that the project was a mixed use proposal with neighborhood commercial and a variety of housing options similar the Crabapple development. The property presented to them is currently zoned GC, AG, R-40 and R-20 and the proposed zoning categories are NC, RTH and RZL for a neighborhood village. The property is at the signalized intersection of State Route 140 and Arnold Mill Road and traffic was a big concern for the community. Although traffic is bad for the morning and afternoon commute, putting residents closer to the employment centers in Roswell and Alpharetta is good planning. The neighbors were generally opposed to the proposed density and specifically did not like the attached townhomes. However, the Suburban Living and Transitional Corridor land use designation indicates the county anticipates additional density in this area. Additionally, the existing GC zoning in the area shows the potential for commercial development in the area.

Based upon the feedback from the community, Oak Hall dropped the property to the east from the development proposal and is now only proposing the property on the west side of State Route 140. Additionally, Oak Hall will agree to age-restricting this community so its impact on traffic and schools will be significantly less than if the community is developed as a single family neighborhood. In general though, the neighbors were very concerned about the proposed density and specifically the traffic problem that currently exists.

SAMS, LARKIN & HUFF

A LIMITED LIABILITY PARTNERSHIP

Ms. Vicki Taylor Lee, AICP, Zoning Administrator
Cherokee County Planning and Zoning Department

January 20, 2017

Page 2

Please let me know if you have any additional questions or concerns regarding this meeting.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP



Parks F. Huff
Attorney for Applicant
phuff@slhb-law.com

PFH/dvm

Attachments

cc: Oak Hall Companies, LLC

PUBLIC INPUT PLAN

COMES NOW, OAK HALL COMPANIES, LLC, (hereinafter "Applicant") to file this Public Participation Plan along with its Public Hearing Application for property located on the west side of Hickory Flay Highway (S.R. 140) and the north side of Arnold Mill Road. The Applicant is implementing the following plan in order to inform the community of the development proposal and to create a dialogue with the surrounding residents and the effected government entities.

1.

The Applicant mailed notices to all property owners and homeowners associations within 750 feet of the subject property and persons on the Interested Parties List, and invited them to the Public Participation Meeting. Said letter was mailed prior to the Public Participation Meeting and was mailed to all property owners based upon the Cherokee County Tax Assessor records and all interested parties.

2.

The notice of the Public Participation Meeting included a summary of the Applicant's rezoning request and a plat of the proposed development.

3.

The Applicant submitted to the Planning and Zoning Office a copy of the notices and a list of the property owners so served.

4.

The Public Participation Meeting occurred prior to filing the Public Hearing Application and a summary of the results of this meeting has been sent to the Planning and Zoning Office.

5.

The Applicant will continue a dialogue with the respective County departments regarding transportation and other issues relating to the proposed zoning.

6.

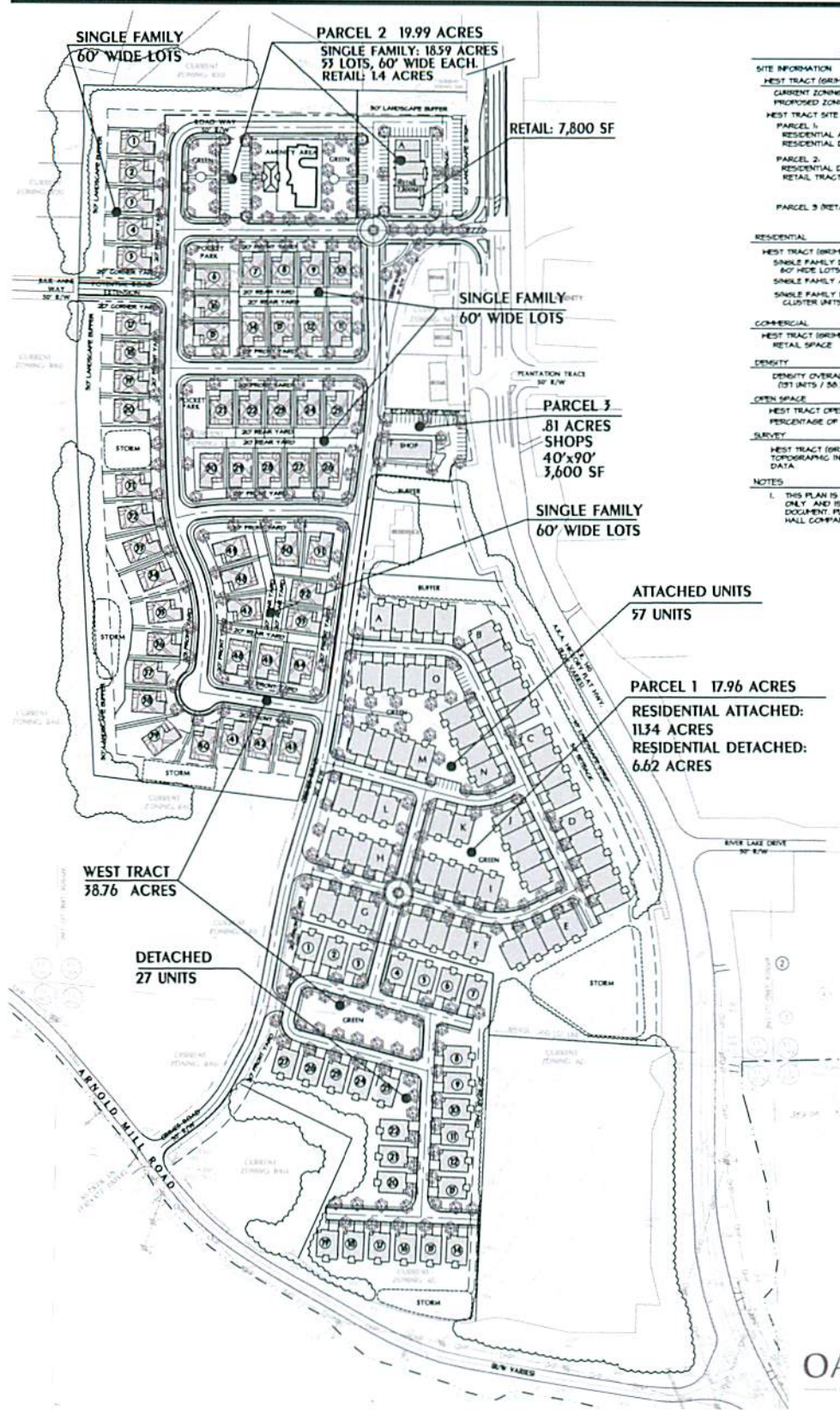
The notice of the Public Participation Meeting as described above adequately notified those parties who are interested in the development. The Applicant will adjust its Public Participation Plan consistent with the feedback it receives during the rezoning process.

Respectfully submitted this 20 day of January, 2017.

SAMS, LARKIN, HUFF & BALLI, LLP



By: _____
PARKS F. HUFF
Attorneys for Applicant,
Oak Hall Companies, LLC



SITE SUMMARY

| SITE INFORMATION | |
|--|--------------------|
| WEST TRACT (GRIMES RD) | |
| CURRENT ZONING: | R40 & A9 |
| PROPOSED ZONING: | R2L, RTH & NC |
| WEST TRACT SITE AREA: | |
| PARCEL 1: | 11.34 ACRES |
| RESIDENTIAL ATTACHED: | 6.62 ACRES |
| RESIDENTIAL DETACHED: | 11.76 ACRES |
| PARCEL 2: | |
| RESIDENTIAL DETACHED: | 18.54 ACRES |
| RETAIL TRACT: | 1.40 ACRES |
| | 14.94 ACRES |
| PARCEL 3 (RETAIL): | |
| | .81 ACRES |
| TOTAL 41-50.76 ACRES | |
| RESIDENTIAL | |
| WEST TRACT (GRIMES RD) | |
| SINGLE FAMILY DETACHED | 53 LOTS |
| 60' WIDE LOTS | |
| SINGLE FAMILY ATTACHED | 51 UNITS |
| SINGLE FAMILY DETACHED | 21 LOTS |
| CLUSTER UNITS | |
| TOTAL 131 UNITS | |
| COMMERCIAL | |
| WEST TRACT (GRIMES RD) | |
| RETAIL SPACE | 11,400 SF |
| DENSITY | |
| DENSITY OVERALL PROJECT: | 3.595 UNITS / ACRE |
| (131 UNITS / 50.76 ACRE) | |
| OPEN SPACE | |
| WEST TRACT OPEN SPACE: | 4.34 ACRES |
| PERCENTAGE OF OPEN SPACE OVERALL PROJECT: | 24.7% |
| SURVEY | |
| WEST TRACT (GRIMES ROAD) BOUNDARY AND TOPOGRAPHIC INFORMATION OBTAINED FROM COMPILED DATA. | |
| NOTES | |
| 1. THIS PLAN IS TO BE USED FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED TO BE A CONSTRUCTION DOCUMENT. PLAN IS PREPARED FOR USE ONLY BY OAK HALL COMPANIES, LLC. | |

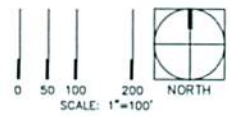


OAK HALL
COMPANIES LLC

140 TOWNSHIP
A MIXED-USE COMMUNITY

CONCEPT PLAN

Development Consultants, Inc.
 Land Planning • Site Development • Landscape Architecture
 4815 Peachtree Lane, Atlanta, GA 30340, Tel: 404.252.0100



Prepared for
 Oak Hall Companies, LLC
 5254 Peachtree Road, Suite 195
 770-662-5395
 Atlanta, GA 30341
 DATE: 1/19/2017



Staff Report

Case No: 17-03-006
Applicant Name: Oak Hall Companies, LLC.
Location: Arnold Mill Road at Highway 140
 (02N04, 215C, 215E, 219, and 223)
From/To: AG and R-40 to NC, RTH and RZL
Proposed Use: Age-restricted single family homes and retail pod
Commission Post: 2

| | Existing Zoning | Existing Land Use |
|-------|------------------|--------------------------------------|
| North | R-20 | Quail Woods Subdivision |
| South | R-40 and AG | Residential and Vacant |
| East | R-20, NC, and AG | Crabapple Falls and Landscape Supply |
| West | R-20 and R-40 | Laurel Brooke and Quail Woods |

Future Development Map

| Character Area/Node/Corridor | Description |
|------------------------------|--|
| Suburban Living | Established residential neighborhoods with potential infill and redevelopment opportunities. Suggested zonings: R-40, R-30, R-20, R-15 and RD-3. |
| Transitional Corridor | This corridor is designed to allow more intensive residential uses and limited compatible non-residential uses along major roadways. Restrictions in this corridor allow a smooth transition to surrounding areas. Size, appearance and parking standards apply. Suggested zoning districts in this character area are AG, O-1 and NC. |

| Suburban Living | |
|---|---|
| Primary Land Uses | Secondary Land Uses |
| Single-family Residential Traditional Neighborhoods Conservation Subdivisions | Residentially-related semi-public and institutional uses Regional outdoor recreational uses or parks |

| Transitional Corridor | |
|---|---|
| Primary Land Uses | Secondary Land Uses |
| Single-family detached housing Conservation Subdivisions Master planned communities | Retail shops Personal services such as laundromats, dry cleaners, barber/beauty shops and video rental Professional services such as lawyers, accountants, insurances agents, physicians and dentists Neighborhood institutions such as churches, schools, day care, fire stations and libraries |

Analysis and Comment

The subject parcels total 39.575 acres and lie on the west side of State Route 140 at Arnold Mill Road. A Public Participation Meeting was held on January 10, 2017 with thirty-one (31) attendees signing in. An Existing Site resource map was submitted as well and appears to meet the requirements by Code. We have received a lot of letters in opposition to this petition and one letter in support of the petition.

1 Findings

1.1 Engineering Department

- See attached.

1.2 Cherokee County Water and Sewerage Authority

1.3 Cherokee County Board of Education

- This is proposed as an age restricted development. Barring that, the Board of Education estimated 99 students in a 137 lot subdivision.

1.4 Fire Marshal's Office

1.5 Sheriff's Office

Case # 17-03-006 - Community Agenda Analysis

Section 1 – Community Vision

| | |
|------------------|---|
| Community | Northwest of the intersection of SR 140 and Arnold Mill Road. |
|------------------|---|

Vision:

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

Applicant seeks to rezone from AG and R-40 to NC, RTH, and RZL to build a mixed-use development with single family homes and retail pods.

Section 2 – Core Issues

Project Supports

| | |
|---------------------------------|---|
| Planning for Sustainable Growth | This location has most infrastructure and services nearby. |
| Diverse Economic Opportunities | New employment opportunities could be generated by the commercial tracts. |
| Housing Choice | Project could add to the diversity of housing options. |
| Aging in Place | The applicant proposes an age restricted residential product. |

Project is Neutral

| | |
|--|------------------------|
| Land Use Patterns that Promote Connectivity and Mobility | No evidence of impact. |
| Designing with the Environment | No evidence of impact. |
| Preserve and Enhance Sense of Place | No evidence of impact. |

Project Neglects

Section 3 – Character Area Description

| | |
|-----------------------|-----------------|
| Character Area | Suburban Living |
|-----------------------|-----------------|

The Suburban Living Character Area. The intent of this Character Area is to support existing suburban development with compatible residential and commercial development. Suitable development in this area should be similar to the existing pattern of development in terms of size, scale, and lot density. Suggested Zoning Districts in this Character Area are R-40, R-30, R-20, R-15, and RD-3. This project is not consistent with the Character Area.

| | |
|-------------------------|--------------|
| Node or Corridor | Transitional |
|-------------------------|--------------|

The intent of the Transitional Corridor is to allow more intense development immediately adjacent to the roadway and transitioning to lower intensity surrounding areas. Nonresidential uses are envisioned to be small in size and scale. New commercial developments should be compatible with the adjoining neighborhood. In addition, master planned communities are one of the primary land uses within the Corridor. The intensity of new residential developments may be higher than the underlying Character Area based on the character of surrounding

development and if infrastructure permits. Suggested Zoning Districts in this Corridor are AG, OI, and NC. While this project is proposed near the intersection of two major roads and has access to sewer, the intensity of the residential component exceeds the envisioned intensity of this Corridor. Therefore, this project is not consistent with the Corridor.

Cherokee County Government

ENGINEERING DEPARTMENT
1130 Bluffs Parkway – Canton, Georgia 30114
678-493-6077 – Fax 678-493-6055



REZONING MEMORANDUM

Case Number: 17-03-006

Applicant: Oak Hall Companies, LLC

Current Zoning: AG & R-40

Proposed Zoning: NC, RTH & RZL

● Transportation:

- **Primary Public Access** – The primary public access for the property in this application is Grimes Road. Grimes Road is a two-lane local roadway that is approximately 16 feet wide. The geometry of the roadway is generally good. Grimes Road runs between State Route 140 and Arnold Mill Road.
- **Planned Improvements** – There are no planned improvements to this section of Grimes Road.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is an increase of 1,350 vehicles per day.

| Zoning | Units | Trips Per Day |
|-------------------------|-----------|---------------|
| Current AG & R-40 | 33 units | 316 |
| Proposed NC, RTH, & RZL | 209 units | 1,666 |

- **Development Related Improvements** – It is anticipated that the developer would need to reconstruct Grimes Road to meet the current County Standards and include curb and gutter for the entire length. The intersection of Grimes Road and State Route 140 would need to be improved to include a deceleration lane. The intersection of Grimes Road and Arnold Mill Road would need to be improved to include a deceleration lane and a left turn-lane onto Grimes Road (as well as possible geometric improvements on Arnold Mill Road in order to meet current sight distance requirements). At the time of the report, there has not been a traffic study submitted.

● Stormwater:

- **Flood Plain or Wetlands on Property** – No.
- **Runoff Tributary and Basin** – Unnamed tributary of Little River in the Allatoona basin.

● Conclusion:

It is the opinion of the Cherokee County Engineering Department that Grimes Road should be able to handle the additional traffic generated by this application provided that the developer complete the following improvements:

1. Upgrade Grimes Road to include curb and gutter and construct to meet current County Standards.
2. Improve the intersection of Grimes Road and SR 140 to include a deceleration lane and improved radii.
3. Improve the intersection of Grimes Road and Arnold Mill Road to include a deceleration lane and a left-turn lane onto Grimes Road.

Rezoning Case Impact Report

| | | | | | |
|---|---|----------------------|---|---------------------------|------------------------------------|
| Jurisdiction | | Rezoning Case Number | | Applicant Name | |
| Cherokee County | | 17-03-006 | | Oak Hall Companies, LLC | |
| Acreage | Number of Lots | Current Zoning | Proposed Zoning | Housing Type | |
| 39.575 | 137 | AG & R-40 | NC, RTH & RZL | Single Family Residential | |
| Estimated Student Impact ⁽¹⁾ | Additional Capacity Needed | | Additional Capacity Cost ⁽²⁾ | | Annual Student Cost ⁽³⁾ |
| 99 Students | 4 Classroom(s) | \$135,000.00 | | \$707,949.00 | |
| Planning Commission Meeting Date | County Commission/City Council Meeting Date | | Map and Parcel | | |
| 3/7/2017 | 2/21/2017 | | 02N04/215C, 215E, 219, 223 | | |
| Property Description | | | | | |
| Suburban Living | | | | | |

Affected Schools Capacity Information

| Elementary School | ES Enrollment | ES Capacity | % Capacity |
|-------------------|---------------|-------------|------------|
| Mountain Road ES | 419 | 713 | 58.77% |
| Middle School | MS Enrollment | MS Capacity | % Capacity |
| Dean Rusk MS | 1479 | 1600 | 92.44% |
| High School | HS Enrollment | HS Capacity | % Capacity |
| Sequoyah HS | 1848 | 1737 | 106.39% |

All Enrollment and Capacities are based on the last published Cherokee County Inventory of School Housing (CCISH) Numbers

It is the position of CCSD that all developers should attempt to mitigate as much of the impact of their proposed development as possible. In every such case, the district designates a minimum contribution expected to help provide adequate facilities for the school age children who will occupy the residences in the development.

Please recommend to all Residential Zoning applicants to contact Mitch Hamilton at 770-721-8429 to discuss mitigation of their subdivision prior to appearing before the Zoning Board. If the applicant cannot meet during that time period, we request that the Zoning Board put a condition on the zoning so they must meet with Mr. Hamilton prior to the City Council/County Commission Meeting.

The 2014 estimated cost for building an elementary school is 22 to 27 million dollars, middle school is 35 to 40 million, and the cost of building a high school is 55 to 60 million

(1) - All increases to student enrollment should be considered cumulative in nature. All recent cases will impact the affected Schools. The School District may have to transport the students of any given development to an alternate district due to over-enrollment.

(2) - Additional Capacity Calculations are based on adding Mobile Units to existing campus facilities at the following rate: 1 Mobile Unit = 2 Classrooms with a cost of \$60,000/Mobile Unit

(3) - Annual Cost is calculated using the 2013 General Fund Operating Expenditure cost per pupil of \$7,151.00, and does not count for inflation.



Cherokee County, Georgia
Agenda Request

Item#: 3.

SUBJECT: **MEETING DATE:**
Case #17-03-008 Arthur Sarkisian (BOC Dist. 3) 3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 3.18 acres at 440 Victoria Road from NC to GC for a storage lot.

FACTS AND ISSUES:

Commission District: 3
Zoning Change: NC to GC
Location: 440 Victoria Road
Tax Map and Parcel No: 21N09, 581
Acres: 3.18
Proposed Development: Storage Lot for Vehicles
Future Development Map: Neighborhood Village over Suburban Living

BUDGET:

Budgeted Amount: Account Name:
Amount Encumbered: Account #:
Amount Spent to Date: Remaining Budget:
Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

| Description | Type |
|---|---------|
| <input type="checkbox"/> Application | Exhibit |
| <input type="checkbox"/> Site Plan | Exhibit |
| <input type="checkbox"/> Legal Description | Exhibit |
| <input type="checkbox"/> Future Development Map | Exhibit |
| <input type="checkbox"/> Zoning Map | Exhibit |
| <input type="checkbox"/> PP Report | Exhibit |
| <input type="checkbox"/> Staff Report | Exhibit |



CHEROKEE COUNTY
Application for Public Hearing



Important Notes:

1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

SECTION I

Contact Person: ARTHUR SARKISIAN Phone: 678-368-9393
 Email: fullthrottlega@gmail.com

Applicant's Information:

Name: Arthur Sarkisian
 Address: 400 Victoria Rd. Phone: 678-368-9393
 City, State, Zip: Woodstock, GA. 30189

Property Owner's Information: same as above see attached authorization forms (multiple properties)

Name: Cynthia Marcus & Sharon Wiggins McCombs
 Address: 187 Maner Rd Phone: _____
 City, State, Zip: Rockmart, Ga. 30153

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

STAFF USE ONLY:

Commission District: 3
 Case: 17-03-008
 CityView # PL2017 000 D100
 Received by: _____
 Fee Paid: \$ 750⁰⁰
 Date: _____

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: _____
 PC Work Session Date: 2/20/17
 Planning Commission Hearing: 3/7/17
 Board of Commissioners: 3/21/17
 Zoning Board of Appeals: _____
 Other: N/A

SECTION II

Property Information:

Location: 440 Victoria Rd. Woodstock, GA. 30189

Current Zoning: Com-NCC Proposed Zoning: GC Total Acreage: 3.18 ac

Tax Map #: 21 N 09 Parcel #: 581 Land Lot(s): 609 District: 21

Future Development Map Designation: Neighborhood Village over Suburban Living

Adjacent Zonings: North R-40 South GC East RT14 West L1

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

see attached

Proposed Use(s) of Property:

Storage lot for vehicles

Applicant Affidavit:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, ARTHUR SARKISIAN, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 13 day of January, 2017.

Print Name Arthur Sarkisian.

Applicant Signature [Signature].

SECTION III

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: CCWSA

How is sewage from this site to be managed?

No building at this time. Sewer line is in Victoria Overlook

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? _____ students

| Proposed Use(s) | # of units | Multiplier | Number of Students |
|-------------------------------|------------|------------|--------------------|
| Single Family (Detached) Home | | 0.725 | |
| Multi Family (Attached) Home | | 0.287 | |

Traffic Generation:

A traffic impact study prepared by a registered engineer will be required if the proposed subdivision exceeds 250 dwelling units; the non-residential development contains more than 25,000 square feet of floor area; or at the discretion of the County Engineer. If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? _____ trips

| Code | Land Use(s) | # of units or sqft* | Daily Trip Ends* | Number of Trips |
|------|---------------------------------|---------------------|------------------|-----------------|
| 210 | Single Family Home/ Townhome | | 9.57 | |
| 220 | Apartment | | 6.63 | |
| | <u>Auto Storage</u> | | | |
| | | | | |
| | | | | |

Notes:

* Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.

+ Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

January 20, 2017

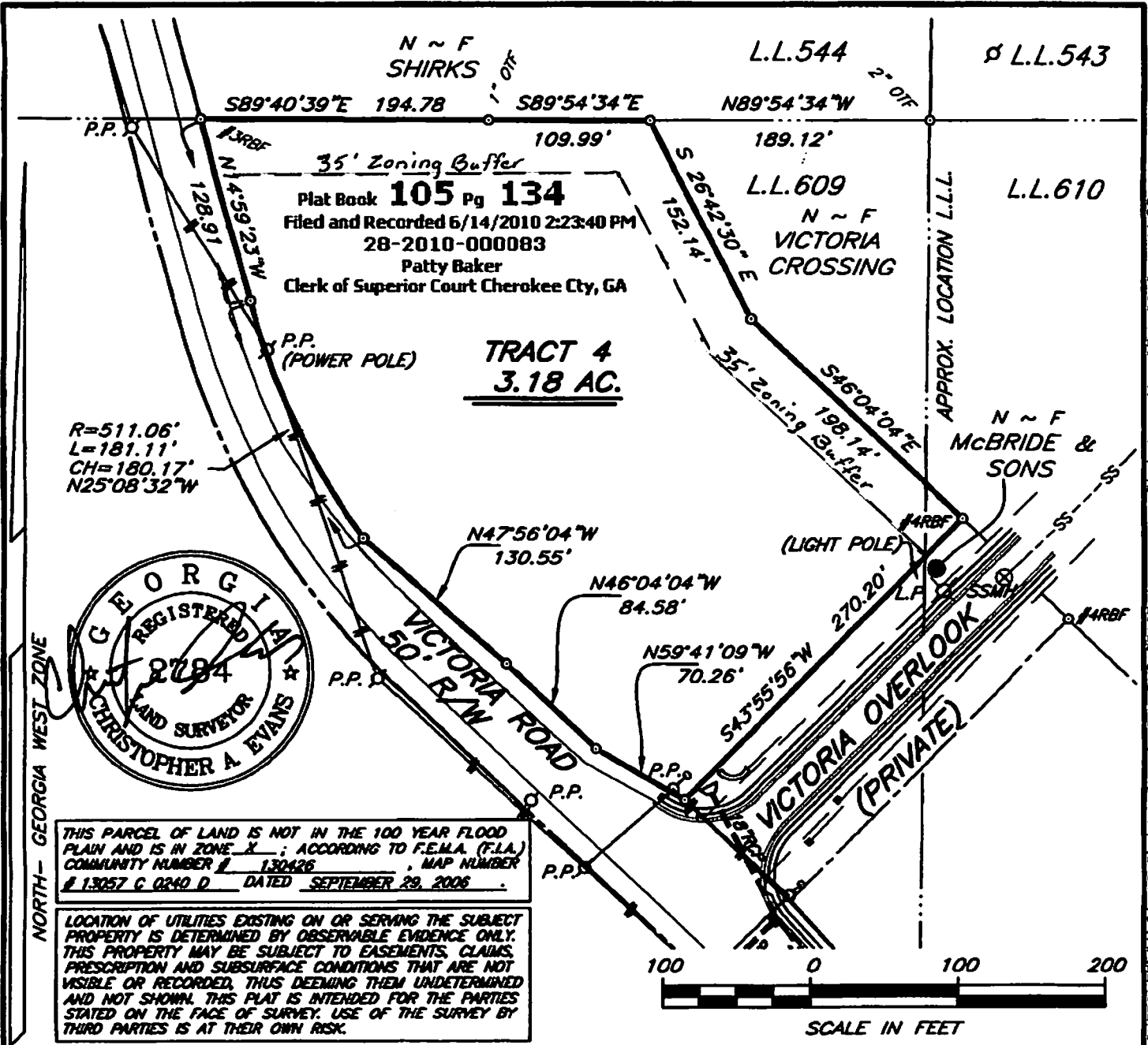
To Whom It May Concern:

This letter is in reference to the rezoning request for 440 Victoria Road in Woodstock, GA. 30188

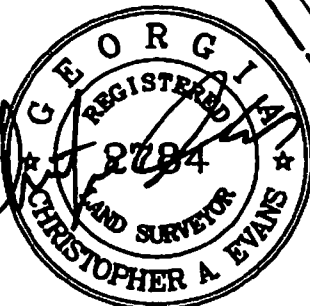
1. The intent of the requested zoning is for the opportunity to store boats and RVs. Nothing will change in reference to the property not limited to removal of some trees within the buffering.
2. The zoning requested is similar to what is already located at adjacent and nearby properties.
3. The zoning requested will not adversely affect the existing use or usability of adjacent or nearby property.
4. This property is currently not being utilized as anything for the community. We are looking to add the ability to store Personal Water Crafts, and RVs. This will not only look great for the community but also help keep driveways and living communities neat and clean. It will be very clean and nothing will be visible from the street.
5. The changes we are requesting should have no effect on the use of existing streets, transportation facilities, utilities, or schools.
6. The requested zoning is in conformity with the policy and interest of the land use plan.
7. I am not aware of any other existing or changing condition effecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed zoning.

Sincerely

Arthur Sarkisian



R=511.06'
L=181.11'
CH=180.17'
N25°08'32"W



THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X; ACCORDING TO F.E.M.A. (F.L.A.) COMMUNITY NUMBER # 130426, MAP NUMBER # 13057 C 0240 D DATED SEPTEMBER 29, 2006.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THIS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE: 1/48,704; ANGULAR ERROR: 1" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/1,013,147. MATTERS OF TITLE ARE EXCEPTED.

| DATE | REVISIONS |
|---------------------|---------------------|
| 9-25-03 | |
| SCALE : 1" = 100' | 5-20-04 REV. #1 |
| DRAWN BY : MW | 7-16-04 REV. #2 |
| CHECKED BY : CAE/MW | 3-5-10 UPDATE (MAN) |
| FIELD BOOK : 401 | |

Gaskins

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Marietta, Georgia 30064

www.gscsurvey.com

Phone: (770) 424-7168
Fax: (770) 424-7593

SURVEY FOR:

THE ESTATE OF GEORGE L. HEAD, JR.

TALMAR PROPERTIES, IN
TRACT 4

LOCATED IN L.L. 609 & 610
21th DISTRICT, 2nd. SECTION
CHEROKEE COUNTY, GA.

APPROVED FOR RECORDING
CHEROKEE COUNTY
PLANNING AND ZONING
5-14-2010
Starrale Davis

Plotted By: Matt Noell
 Drawing name: S:\Bnd\CHEROKEE\21_21_053\Victoria.dwg\HEAD BND TRACT 4.dwg
 Plotted on: May 07, 2010 - 11:06am
 1" = 103.45'

Deed Book **11043** Pg **168**
 Filed and Recorded 6/14/2010 2:23:40 PM

Transfer Tax \$0.00
 Patty Baker
 Clerk of Superior Court Cherokee Cty, GA

After recording, please return to:
 J. Steve Astin
 Attorney at Law
 P.O. Box 25
 Cedartown, GA 30125

****Title Not Examined****

EXECUTOR'S DEED

GEORGIA,
 CHEROKEE COUNTY.

THIS INDENTURE, made and entered into this 9th day of March, 2010, between Sharon Wiggins f/k/a Sharon Montaree Head Marlowe, as Executor Under the Last Will and Testament of George Lester Head, Jr. a/k/a George L. Head, Jr., deceased, late of Polk County, Georgia, party of the first part, and Sharon Wiggins and Cynthia A. Marcus, as parties of the second part,

WITNESSETH:

That the party of the first part, by virtue of the power and authority vested in her by said will, which has been duly probated in solemn form on July 28, 2009, and admitted to record in the Court of Probate of said Polk County, and in compliance with the provisions of said will has granted and conveyed, and does hereby grant and convey, unto the said Sharon Wiggins and Cynthia A. Marcus, their heirs and assigns, the following described real estate, together with all improvements located thereon, to-wit:

TRACT ONE:

All that tract or parcel of land lying and being in Land Lot 609 and 610 of the 21st District and 2nd Section of Cherokee County, Georgia, shown as Tract 4 of Talmar Properties, Inc., containing 3.18 acres, as shown on plat of survey for the Estate of George L. Head, Jr., by Christopher A. Evans, Georgia Registered Land Surveyor No. 2784, of Gaskins Engineering, dated September 25, 2003, updated March 5, 2010, and recorded in Plat Book 105, page 134, in the office of the Clerk of Superior Court of Cherokee County, Georgia. Said plat is incorporated herein and by reference is made a part of this description as fully as if set out herein.

TRACT TWO:

All that tract or parcel of land lying and being in Land Lot 609 and 610 of the 21st District and 2nd Section of Cherokee County, Georgia, shown as Tract 5 of Talmar Properties, Inc., containing 2.93 acres, as shown on plat of survey for the Estate of George L. Head, Jr., by Christopher A. Evans, Georgia Registered Land Surveyor No. 2784, of Gaskins Engineering, dated September 25, 2003, updated March 5, 2010, and recorded in Plat Book 105, page 135, in the office of the Clerk of Superior Court of Cherokee County, Georgia. Said plat is incorporated herein and by reference is made a part of this description as fully as if set out herein.

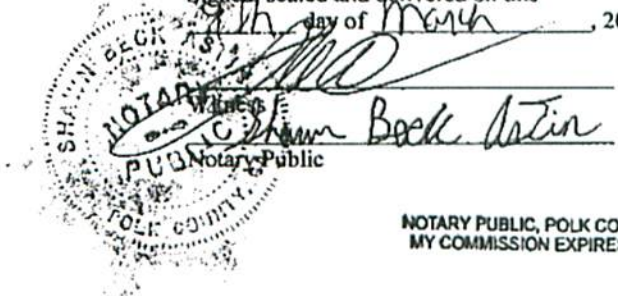
The said parcels are parts of the same property conveyed to George L. Head by Quitclaim Deed recorded in Deed Book 80, page 345 of the deed records of Cherokee County, Georgia, on January 1, 1965.

TO HAVE AND TO HOLD together with all the rights, members and appurtenances thereunto, belonging or in anywise appertaining, to the said parties of the second part, individually, to their own proper use, benefit and behoof, in fee simple, and in as full, ample and complete a manner as the same was possessed and enjoyed by the said George Lester Head, Jr. a/k/a George L. Head, Jr. at the time of his death.

IN WITNESS WHEREOF, the party of the first part, as Executrix as aforesaid, has hereunto set her hand and affixed her seal on the day and in the year first above written.

Sharon M Wiggins (L.S.)
Sharon Wiggins
f/k/a Sharon Montaree Head Marlowe
As Executrix of the Last Will and Testament of
George Lester Head, Jr. a/k/a George L. Head, Jr.

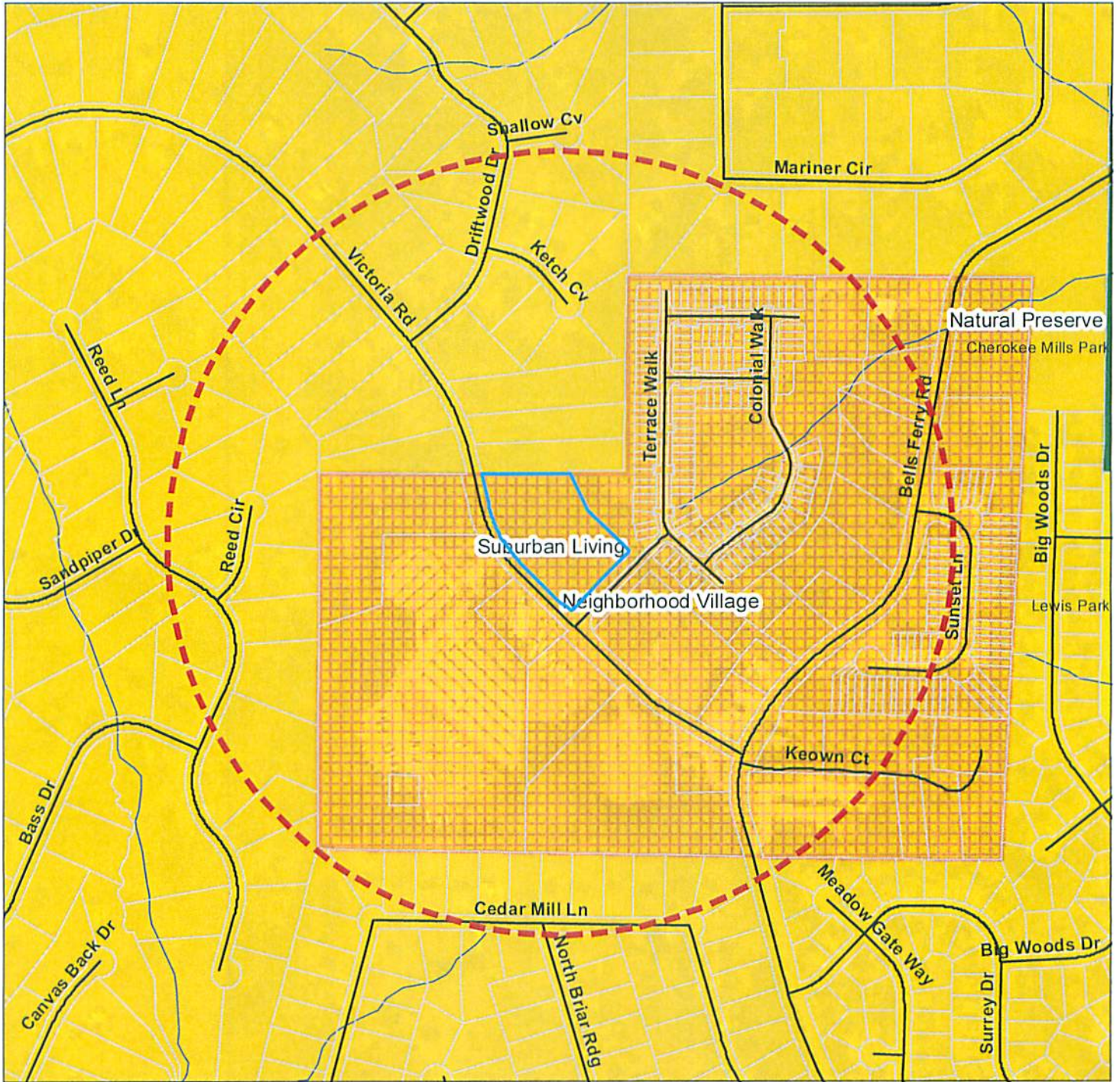
Signed, sealed and delivered on this 9th day of March, 2010.



NOTARY PUBLIC, POLK COUNTY, GEORGIA
MY COMMISSION EXPIRES JUNE 27, 2011

Case # 17-03-008 Arthur Sarkisian

Future Development Map



Legend

| | | | |
|---------------------|-----------------------|--------------------------|---------------------|
| Rezoning Parcel | County Crossroads | Development Nodes | Natural Preserve |
| 1/4 Mile Radius | Hamlet | Neighborhood Village | Rural Places |
| School | Community Village | Suburban Growth | Country Estates |
| Cemetery | Scenic Corridor | Suburban Living | Neighborhood Living |
| Church | Transitional Corridor | Bells Ferry LCI | Urban Core |
| Street | Development Corridor | Workplace Center | Regional Center |
| Parcel | | Waste Management | Canton |
| 100 Year Flood Zone | | Ball Ground | Holy Springs |
| | | Canton | Woodstock |



This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.

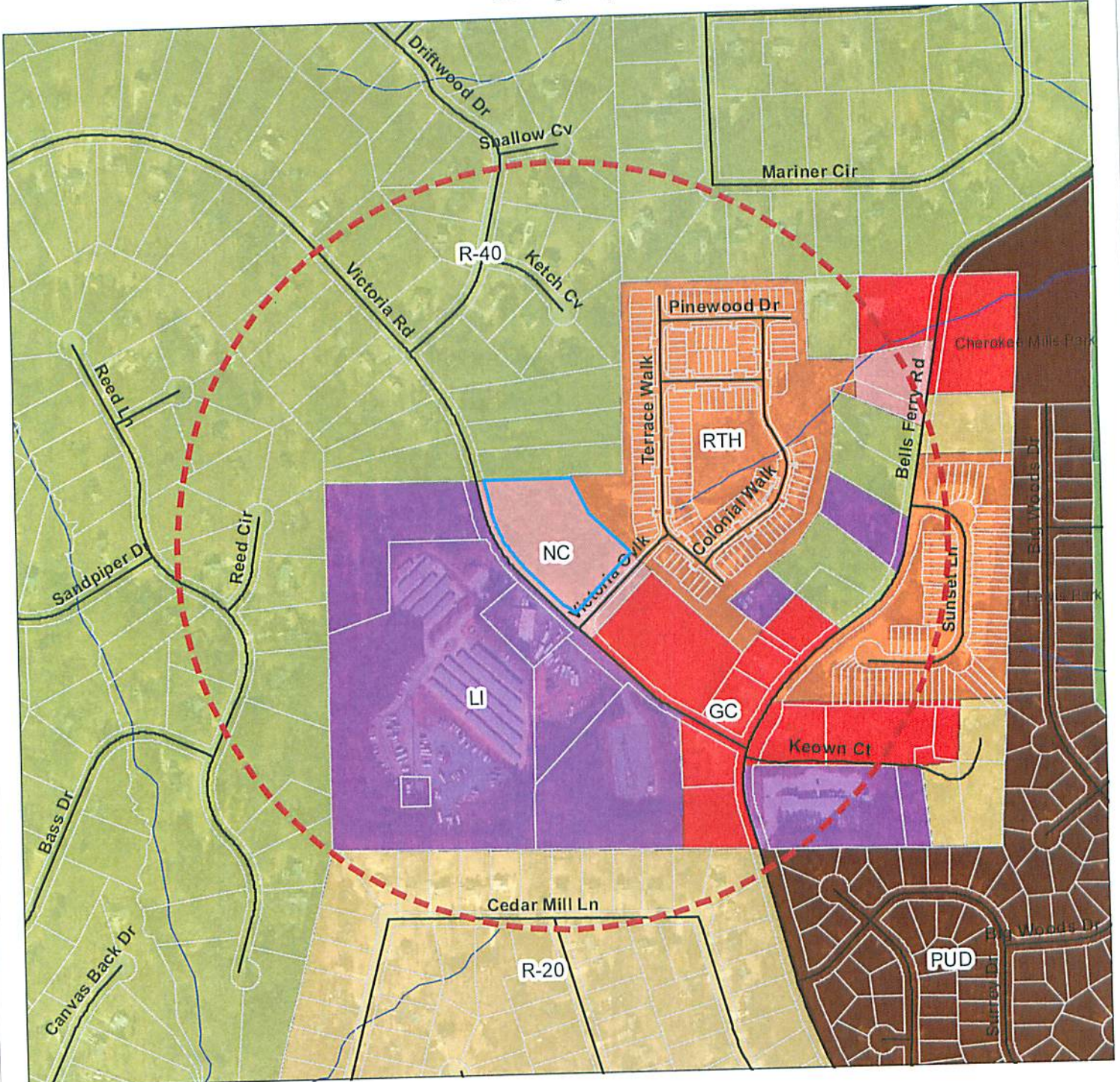


Prepared by:
Cherokee County
Planning and Land Use
Canton, Georgia
30 January 2017



Case # 17-03-008 Arthur Sarkisian

Zoning Map



- Legend**
- Resizing Parcel
 - 1/4 Mile Radius
 - School
 - Cemetery
 - Church
 - Street
 - Parcel
 - 100 Year Flood Zone
 - Ball Ground
 - Canton
 - Holly Springs
 - Woodstock
- Cherokee County Zoning**
- AG
 - R80
 - R60
 - R40
 - R30
 - R20
 - R15
 - RD 3
 - R10
 - RZL
 - RA
 - RTH
 - RM 10
 - RM 16
 - TND
 - PUD
 - O1
 - NC
 - GC
 - LI
 - HI
 - Bells Ferry Overlay
 - Hwy 92 Overlay



This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



Prepared by:
Cherokee County
Planning and Land Use
Canton, Georgia
30 January 2017



Rezoning Meeting Report

Date: February 14, 2017

**For: 440 Victoria Road
Woodstock, GA.30189**

To whom it may concern,

A meeting took place on February 13, 2017 at 250 Heritage Walk Woodstock, GA. 30188 to rezone 440 Victoria road Woodstock, GA. 30189 from residential to general commercial.

Letter of intent for rezoning were sent out to all residents and businesses within 750 radiuses in the area.

We had a total of 1 person show up for the meeting (please see attached)...

The meeting went very smooth We took our time and went over everything with her. She was very excited as they know that community development increases property market value for the area, as well as cleans up the community. Her only concern was to keep the property clean and neat.

The meeting started and ended on neighborly grounds with no complaint or disagreements.

Looking forward to positive results,

Sincerely

A handwritten signature in black ink, appearing to read 'Arthur Sarkisian', with a long horizontal flourish extending to the right.

Arthur Sarkisian

Zoning meeting for 440 Victoria Rd
February 13th Monday 2017

Judy Held

678-232-6804

4526 Victoria Rd
Woodstock GA



Staff Report

Case No: 17-03-008
Applicant Name: Arthur Sarkisian
Location: 440 Victoria Road
(21N09, 581)
From/To: NC to GC
Proposed Use: Storage Lot
Commission Post: 3

| | Existing Zoning | Existing Land Use |
|-------|-----------------|---------------------------------------|
| North | R-40 | Residential |
| South | GC and LI | Full Throttle and Boat Repair/Storage |
| East | RTH | Victoria Overlook |
| West | LI | Boat Repair |

| Node/Corridor/ Character Area | Description |
|--|---|
| Neighborhood Village Node over Suburban Living | Small-scaled commercial designated to serve a neighborhood with access and building size restrictions (maximum 50,000 square feet). May be part of a residential development, as well. Good transportation access. Suggested zoning districts OI, NC, and GC. Established residential neighborhoods with potential infill and redevelopment opportunities. Public water available, public sewerage available or planned; local public facilities. |

| Neighborhood Village | |
|--|---|
| Primary Land Uses | Secondary Land Uses |
| Retail shops, drug stores, bakeries, cafes, restaurants Tack shops, "feed and seed" or hardware stores Grocery store Personal services such as laundromats, dry cleaners, barber/beauty shops and video rental Professional services such as lawyers, accountants, insurance agents, physicians and dentists | Single family residential neighborhoods Neighborhood institutions such as churches, schools, day care, fire stations and libraries |

| Suburban Living | |
|---|---|
| Primary Land Uses | Secondary Land Uses |
| Single-family Residential Traditional Neighborhoods Conservation Subdivisions | Residentially-related semi-public and institutional uses Regional outdoor recreational uses or parks |

1 Analysis and Comment

The subject parcel is 3.18 acres and lies on the northeast side of Victoria Road at Victoria Overlook. The proposal is for automobile, boat, and RV storage lot. A public participation meeting was held on February 13, 2017 with one (1) attendee.

There are no letters in support of or in opposition to the rezoning on file.

2 Findings

2.1 Engineering Department

- See attached.

2.2 Cherokee County Water and Sewerage Authority

2.3 Cherokee County Board of Education

2.4 Fire Marshal's Office

2.5 Sheriff's Office

Case # 17-03-008 - Community Agenda Analysis

Section 1 – Community Vision

Community

Intersection of Victoria Road and Victoria Overlook, west of Bells Ferry Road

Vision:

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

Applicant seeks to rezone from NC to GC for a vehicle storage lot.

Section 2 - Core Issues

Project Supports

Planning for Sustainable Growth

This location has most infrastructure and services nearby.

Diverse Economic Opportunities

Project may create new business and employment opportunities.

Project is Neutral

Housing Choice

No evidence of impact.

Land Use Patterns that Promote Connectivity and Mobility

No evidence of impact.

Aging in Place

No evidence of impact.

Designing with the Environment

No evidence of impact.

Preserve and Enhance Sense of Place

No evidence of impact.

Project Neglects

Section 3 – Character Area Description

Character Area

Suburban Living

The Suburban Living Character Area suggests R-40, R-30, R-20, R-15, and RD-3 as Zoning Districts. The intent of this Character Area is to support existing suburban development with compatible residential and commercial development. Suitable development in this area should be similar to the existing pattern of development in terms of size, scale, and lot density. This project is not consistent with the Character Area.

Node or Corridor

Neighborhood Village

The Neighborhood Village Development Node suggests OI, NC, and GC as Zoning Districts. The intent of this Node is to permit small-scale commercial projects designed to serve a single neighborhood with access and size restrictions. Neighborhood Villages are envisioned as having one to three story buildings arranged around a civic space such as a green or plaza in a small-town setting. Neighborhood Villages should be designed to be pedestrian-oriented, with

walkable connections between commercial and residential uses, neighborhood institutions, and surrounding neighborhoods. Although GC is a suggested district in this Development Node and the proposed use is not out of character with the existing businesses nearby, this project is not consistent with the intent of the Neighborhood Village Development Node.



REZONING MEMORANDUM

Case Number: 17-03-008
Current Zoning: NC

Applicant: Arthur Sarkisian
Proposed Zoning: GC

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is Victoria Road. Victoria Road is a two-lane local roadway that is 20 feet wide. The geometry of the roadway is generally good.
- **Planned Improvements** – There are no planned improvements to this section of Victoria Road.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is likely negligible since the proposed storage use is less than most GC or NC uses.

| Zoning | Units | Trips Per Day |
|-------------|-------|---------------|
| Current NC | -- | - |
| Proposed GC | -- | - |

- **Development Related Improvements** – The applicant would need to install a commercial driveway through the site plan review process. It should be expected that this entrance would include a deceleration lane and needs to be located on the western side of the property due to an existing left-turn lane across the eastern point of the frontage.

● **Stormwater:**

- **Flood Plain or Wetlands on Property** – No.
- **Runoff Tributary and Basin** – Unnamed tributary in the Allatoona basin.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that Victoria Road should be able to handle the additional traffic generated by this application.



Cherokee County, Georgia
Agenda Request

Item#: 4.

SUBJECT: **MEETING DATE:**
Case #17-03-009 John L. Lineberger (BOC Dist. 3/7/2017
1)

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 2.34 acres at 5911 Cumming Highway from R-80 to GC for retail sales with office.

FACTS AND ISSUES:

Commission District: 1
Zoning Change: R-80 to GC
Location: 5911 Cumming Highway
Tax Map and Parcel No: 03N05, 171
Acres: 2.34
Proposed Development: Retail Sales with Office
Future Development Map: Transitional/Country Estates

BUDGET:

| | |
|-----------------------|-------------------|
| Budgeted Amount: | Account Name: |
| Amount Encumbered: | Account #: |
| Amount Spent to Date: | Remaining Budget: |
| Amount Requested: | |

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

| Description | Type |
|---|---------|
| <input type="checkbox"/> Application | Exhibit |
| <input type="checkbox"/> Legal Description | Exhibit |
| <input type="checkbox"/> Site Plan | Exhibit |
| <input type="checkbox"/> Public Participation | Exhibit |
| <input type="checkbox"/> Staff Report | Exhibit |



CHEROKEE COUNTY
Application for Public Hearing



Important Notes:

1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

Contact Person: E. BENSON CHAMBERS Phone: 770-720-4600
 Email: ebchamberslaw@gmail.com

SECTION I

Applicant's Information:

Name: JOHN L. LINEBERGER

Address: 179 WILLOW GLEN DRIVE Phone: 678-386-9792

City, State, Zip: MARIETTA, GA 30068 Fax: 770-720-4600

Property Owner's Information: X same as above

Name: _____

Address: _____ Phone: _____

City, State, Zip: _____ Fax: _____

Requested Public Hearing (check all that apply):

Rezoning

Amendment / Modification of Zoning

Variance

Other: _____

PL2017000101

STAFF USE ONLY:

Commission District: 1

Case: 17-03-009

Received by: _____

Fee Paid: \$ 750⁰⁰

Date: _____

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: 1/5/17

PC Work Session Date: 2/20/17

Planning Commission Hearing: 3/7/17

Board of Commissioners: 3/21/17

Other: /

SECTION II

Property Information:

5911 Cumming Highway

Location: HIGHWAY 20 EAST, EAST OF SHADY LANE ON THE NORTH SIDE.

Current Zoning: R-80 Proposed Zoning: GC Total Acreage: 2.34

Tax Map #: 03 N 05 Parcel #: 171 Land Lot(s): 942 District: 3RD

Future Development Map Designation: TRANSITIONAL/COUNTRY ESTATES

Adjacent Zonings: North R-40 South R-80 East GC West R-20

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

APPLICANT'S PROPERTY FRONTS ON STATE ROUTE 20 AND IS CONTIGOUS TO GC ZONING. APPLICANT SEEKS TO REZONE THE PROPERTY TO GC.

Proposed Use(s) of Property:

RETAIL SALES WITH OFFICE

SECTION III

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: CHEROKEE COUNTY WATER AND SEWER

How is sewage from this site to be managed?

CURRENT SEWAGE ON SITE

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? _____ students

| Proposed Use(s) | # of units | Multiplier | Number of Students |
|-------------------------------|------------|------------|--------------------|
| Single Family (Detached) Home | | 0.725 | |
| Multi Family (Attached) Home | | 0.287 | |

Traffic Generation:

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? _____trips

| Code | Land Use(s) | # of units* | Daily Trip Ends | Number of Trips |
|------|---------------------------------|--------------|-----------------|-----------------|
| 210 | Single Family Home/ Townhome | | 9.57 | |
| 220 | Apartment | | 6.63 | |
| | <i>Office</i> | <i>1.243</i> | | |
| | | | | |
| | | | | |

• A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

SECTION IV

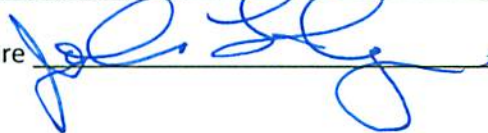
Authorization:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, JOHN L. LINEBERGER, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 5 day of January, 20 12.

Print Name JOHN L. LINEBERGER.

Applicant Signature .

APPLICANT RESPONSE STATEMENT

REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.

APPLICANT SEEKS A REZONING TO GC FOR RETAIL SALES AND OFFICE LOCATION.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

APPLICANTS PROPERTY IS CONTIGOUS TO GC ZONING THAT HAS OR HAS HAD THE SAME USES PROPOSED BY APPLICANT.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

NO, AS STATED ABOVE THE SAME CLASSIFICATION AND USES EXIST OR HAVE EXISTED IN THE AREA WITHOUT ANY ADVERSE AFFECT ON ADJACENT AND NEARBY PROPERTIES.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

NO, THE CURRENT ZONING CLASSIFICATION ON THE SUBJECT PROPERTY IS RESIDENTIAL R-80. THE PROPERTY FRONTS ON STATE HIGHWAY 20 WHICH HAS HEAVY TRAFFIC LOADS THAT MAKE THE PROPERTY UNSUITABLE FOR RESIDENTIAL USE. HOWEVER, THE CURRENT TRAFFIC LOADS ON HIGHWAY 20 MAKE THE PROPERTY VERY SUITABLE FOR GENERAL COMMERCIAL USES.

5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

THE USES PROPOSED BY APPLICANT ALLOWED IN THE GC CLASSIFICATION HAVE NO EFFECT ON EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS.

6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.

THE COMPREHENSIVE PLAN WHICH PROVIDES A GUIDE FOR LAND USE IN A PARTICULAR AREA PLACES THE SUBJECT PROPERTY IN A TRANSITIONAL CORRIDOR OVER AN UNDERLYING CHARACTER AREA OF COUNTRY ESTATES. TRANSITIONAL CORRIDORS ARE DESCRIBED IN THE COMPREHENSIVE PLAN AS AREAS AS AN AREA WHICH IS BECOMING LESS DESIRABLE FOR OR ARE NO LONGER SUITED FOR VERY LOW INTENSITY TYPES OF USES FRONTING DIRECTLY ONTO THE MAJOR ROAD. PROPERTIES ALONG TRANSITIONAL CORRIDORS MAY BE APPROPRIATE FOR MORE INTENSE RESIDENTIAL DEVELOPMENT OR LIMITED NON-RESIDENTIAL USE WHICH WOULD PROVIDE THE TRANSITION FROM THE ROADWAY TO ADJACENT AGRICULTURAL LAND AND RESIDENTIAL NEIGHBORHOODS. NEW NON-RESIDENTIAL USES WOULD BE GENERALLY SMALL IN SIZE AND SCALE. COMPATIBLE NON-RESIDENTIAL DEVELOPMENT WOULD INCLUDE THE COVERSION OF EXISTING HOMES FOR COMMERCIAL USE. APPLICANT PROPOSES

THE EXACT TYPE OF NON-RESIDENTIAL USE AS OUTLINED IN THE TRANSITIONAL CHARACTER AREA WHICH INCLUDES THE PROPOSED CONVERSION OF THE EXISTING HOME FOR COMMERCIAL USE WHICH IS SMALL IN SIZE AND SCALE. GIVEN THIS CHARACTER AREA FOR THE PROPERTY AND THE GENERAL COMMERCIAL CLASSIFICATION ADJACENT, THE APPLICANT CONCLUDES THAT THE PROPOSED USE AND CLASSIFICATION OF ZONING IS CONSISTENT WITH THE LAND USE PLAN.

7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

THE SUBJECT PROPERTY FRONTS ON STATE HIGHWAY 20, LYING ON THE NORTH SIDE OF SAID HIGHWAY. STATE HIGHWAY 20 CARRIES VERY A HEAVY TRAFFIC VOLUME AND HAS BEEN AND CONTINUES TO BE THE SUBJECT OF NUMEROUS STATE ROAD IMPROVEMENT PROJECTS. RECENTLY ADDING A SECOND LANE TO THE WEST BOUND LANE, THE STATE NOW PROPOSES FURTHER WIDENING AND ADDITIONAL LANES TO HANDLE BOTH THE CURRENT AND FUTURE EXPECTED VOLUMES OF TRAFFIC. AS STATE HIGHWAY 20 PROVIDES ONE OF ONLY THREE MAJOR EAST/WEST CORRIDORS, THE SAME WILL CONTINUE TO TRANSITION AWAY FROM LOW DENSITY RESIDENTIAL AND TOWARD NON-RESIDENTIAL USES.

LEGAL DESCRIPTION

JOHN L. LINEBERGER

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 942 OF THE 3RD DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING BETTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LAND LOT LINE OF LAND LOT 942 AND THE NORTHERN RIGHT OF WAY OF CUMMING HIGHWAY (STATE ROUTE 20) HAVING A VARIABLE RIGHT OF WAY AT AN IRON PIN PLACED; THENCE NORTH 87 DEGREES, 41 MINUTES, 09 SECONDS WEST ALONG THE NORTH RIGHT OF WAY OF CUMMING HIGHWAY A DISTANCE OF 250.94 FEET TO AN IRON PIN PLACED; THENCE LEAVING THE NORTHERN RIGHT OF WAY OF CUMMING HIGHWAY NORTH 00 DEGREES, 40 MINUTES, 38 SECONDS EAST A DISTANCE OF 413.59 FEET TO AN IRON PIN FOUND; THENCE SOUTH 88 DEGREES, 25 MINUTES, 40 SECONDS EAST A DISTANCE OF 240.42 FEET TO A POINT; THENCE SOUTH 00 DEGREES, 36 MINUTES, 41 SECONDS EAST A DISTANCE OF 124.32 FEET TO AN IRON PIN FOUND; THENCE; THENCE SOUTH 00 DEGREES 49 MINUTES, 12 SECONDS EAST A DISTANCE OF 292.81 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

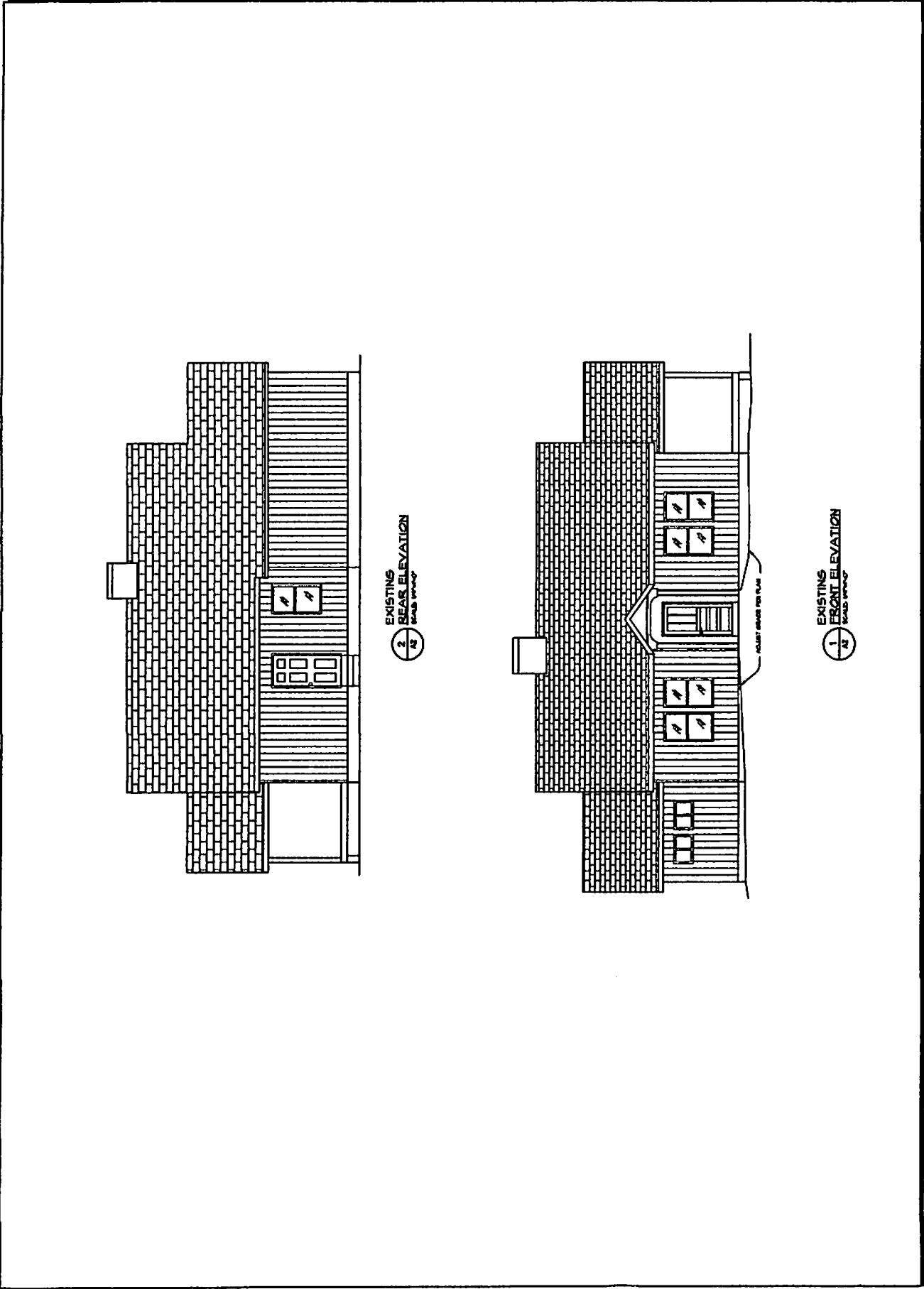
ARCHITECT OF RECORD:
RODNEY E. WOODMAN, AIA
 ARCHITECT
 43 PARKSIDE TRAIL
 CLAYTON, GEORGIA 30115
 PHONE: 770-366-9792
 FAX: 770-366-9793
 E-MAIL: rodney@woodmanarchitect.com
 WEBSITE: www.woodmanarchitect.com
 GENERAL NOTE:
 THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

OWNER
JOHN LINBURGER
 5911 CLARKSON HIGHWAY
 CANTON, GEORGIA 30115
 770-366-9792

PROJECT:
LINBURGER OFFICE (RENOVATION)
 5911 CLARKSON HIGHWAY
 CANTON, GEORGIA 30115
 CHEROKEE COUNTY

CONTRACT 2016
 Project No. _____
 Date: _____
 Scale: _____
 Drawing No. _____
 Revision: _____

SHEET NO.
A2



EXISTING REAR ELEVATION
 1
 AS SHOWN

EXISTING FRONT ELEVATION
 1
 AS SHOWN

COPYRIGHT 2016

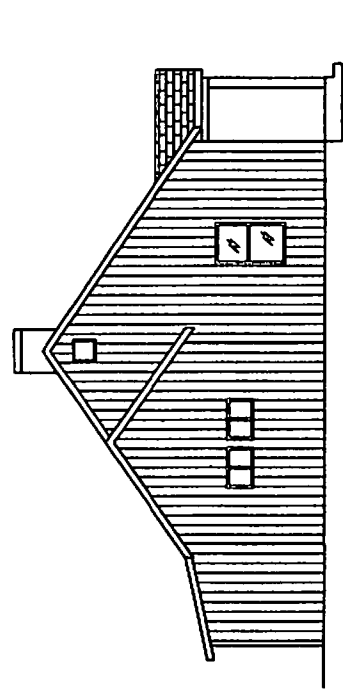
| | |
|--------------|-------------------------------|
| Project No. | 16-01 |
| Sheet No. | A3 |
| Project Name | LANBURGER OFFICE (RENOVATION) |
| Scale | AS SHOWN |
| Date | 07/20/16 |
| Author | |
| Checker | |
| Printer | |

PROJECT:
LANBURGER OFFICE (RENOVATION)
 3911 CLARKING HIGHWAY
 CANTON, GEORGIA 30115
 CHEROKEE COUNTY

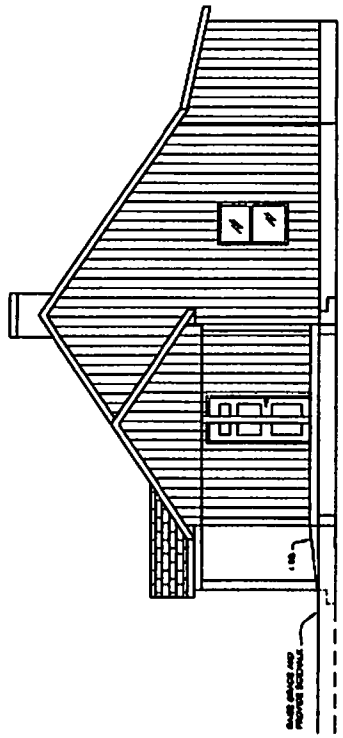
OWNER:
JOHN LANBURGER
 3911 CLARKING HIGHWAY
 CANTON, GEORGIA 30115
 678-566-9792

ARCHITECT OF RECORD:
THOMAS E. MURPHY, JR.
ARCHITECT
 421 PARKSIDE TRAIL
 ALPHARETTA, GEORGIA 30201

GENERAL NOTE:
 THIS SET OF DRAWINGS IS THE PROPERTY OF THOMAS E. MURPHY, JR. ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THOMAS E. MURPHY, JR. ARCHITECT.



2
 EXISTING
 LEFT SIDE ELEVATION
 SCALE: 1/4"=1'-0"



1
 EXISTING
 RIGHT SIDE ELEVATION
 SCALE: 1/4"=1'-0"



Jackie Coker
1-10-17

E B CHAMBERS LAW

E. Benson Chambers
Attorney at Law

January 6th, 2017

Cherokee County Board of Commissioners
1130 Bluffs Parkway
Canton, GA 30114




RE: Public Participation Report
Applicant: John Lineberger
Current zoning: R-80; Requested zoning: GC
Location: 5911 Cumming Highway, Canton, GA 30114
Map: 03N05, Parcel: 171

Dear Commissioners:

The public participation meeting for the above applicant and rezone request was held on January 5th, 2017. The meeting which was held at the Airport Fire Department Community Room began at 6:30 pm and concluded around 7:10 pm. Ninety eight notices for the meeting were sent to area property owners and interested parties. At the meeting there were three attendees representing two properties. With this report is a copy of the sign in sheet. At the meeting attendees were provided an opportunity to view the proposed site plan, a copy of the Cherokee County zoning map for the area and a copy of an aerial photo of the property and surrounding area. Attendees were also given the opportunity to provide written comments but none were made. While a number of questions were asked and address, one attendee expressed concern over the location of his property to the subject property. No additional comments were expressed.

Yours truly,


E. Benson Chambers
Attorney for Applicant

157 Reinhardt College Parkway, Suite 400
Canton, GA. 30114

770-720-4600 Office
770-720-4646 Facsimile



Staff Report

Case No: 17-03-009
Applicant Name: John Lineberger
Location: 5911 Cumming Highway
(03N05, 171)
From/To: R-80 to GC
Proposed Use: Office/Retail
Commission Post: 1

| | Existing Zoning | Existing Land Use |
|-------|-----------------|-------------------|
| North | R-40 | Residential |
| South | R-80 | Residential |
| East | GC | Commercial Lot |
| West | R-20 | Residential |

Future Development

| Character Area/Node/Corridor | Description |
|------------------------------|--|
| Country Estates | This character area seeks to provide a low-intensity residential community. Country Estates features a mixture of single-family housing on large lots and farms. New residential development should be large-lot "estate" developments of two acres or greater. Suggested zoning districts in this character area are AG and R-80. |
| Transitional Corridor | This corridor is designed to allow more intensive residential uses and limited compatible non-residential uses along major roadways. Restrictions in this corridor allow a smooth transition to surrounding areas. Size, appearance and parking standards apply. Suggested zoning districts in this character area are AG, O-1 and NC. |

| Country Estates | |
|--|--|
| Primary Land Uses | Secondary Land Uses |
| Active Farming, timbering, and conservation uses Wholesale nurseries and commercial greenhouses Homesteads on individual lots Large Lot Single Family home subdivisions Horse farms Gentlemen's farms Executive housing Conservation Subdivisions | Semi-Public and institutional uses Passive Recreation areas |

| Transitional Corridor | |
|---|--|
| Primary Land Uses | Secondary Land Uses |
| Single-family detached housing Conservation Subdivisions Master planned communities | Retail shops Personal services such as laundromats, dry cleaners, barber/beauty shops and video rental Professional services such as lawyers, accountants, insurance agents, physicians and dentists Neighborhood institutions such as churches, schools, day care, fire stations and libraries |

1 Analysis and Comment

The subject parcel is 2.34 acres and lies on the north side of Cumming Highway approximately 1.5 miles east of Buffington. The proposal is retail sales and/or an office utilizing the existing structure after conversion to a commercial building. A public participation meeting was held on January 5, 2017 with three (3) attendees.

There are no letters in support of or in opposition to the rezoning on file.

2 Findings

2.1 Engineering Department

- See attached.

2.2 Cherokee County Water and Sewerage Authority

2.3 Cherokee County Board of Education

2.4 Fire Marshal's Office

2.5 Sheriff's Office

Case # 17-03-009 - Community Agenda Analysis

Section 1 – Community Vision

| | |
|-----------|--------------------------------------|
| Community | SR 20, 1.5 miles east of Buffington. |
|-----------|--------------------------------------|

- Vision:
- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
 - Commitment to grow responsibly from rich agricultural foundation through careful community design.
 - Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
 - Balance needed between housing, employment, education, recreation, infrastructure, and community services.

Applicant seeks to rezone from R-80 to GC for retail sales with office.

Section 2 - Core Issues

Project Supports

| | |
|---------------------------------|--|
| Planning for Sustainable Growth | This location has most infrastructure and services nearby. |
|---------------------------------|--|

| | |
|--------------------------------|---|
| Diverse Economic Opportunities | A new business could be created at this location. |
|--------------------------------|---|

Project is Neutral

| | |
|----------------|------------------------|
| Housing Choice | No evidence of impact. |
|----------------|------------------------|

| | |
|--|------------------------|
| Land Use Patterns that Promote Connectivity and Mobility | No evidence of impact. |
|--|------------------------|

| | |
|----------------|------------------------|
| Aging in Place | No evidence of impact. |
|----------------|------------------------|

| | |
|--------------------------------|------------------------|
| Designing with the Environment | No evidence of impact. |
|--------------------------------|------------------------|

| | |
|-------------------------------------|------------------------|
| Preserve and Enhance Sense of Place | No evidence of impact. |
|-------------------------------------|------------------------|

Project Neglects

Section 3 – Character Area Description

| | |
|----------------|-----------------|
| Character Area | Country Estates |
|----------------|-----------------|

The Country Estates Character Area seeks to provide a low-intensity residential community. Country Estates is a low intensity land use with a mixture of single-family housing on large lots and farms. Suggested Zoning Districts in this Character Area are AG and R-80. This project is not consistent with the Character Area.

| | |
|------------------|--------------|
| Node or Corridor | Transitional |
|------------------|--------------|

The intent of the Transitional Corridor is to allow more intense development immediately adjacent to the roadway and transitioning to lower intensity surrounding areas. Nonresidential uses are envisioned to be small in size and scale. Suggested Zoning Districts in this Corridor are AG, OI, and NC. Although adjacent to GC, this project is not consistent with the Corridor.



REZONING MEMORANDUM

Case Number: 17-03-009
Current Zoning: R-80

Applicant: John L. Lineberger
Proposed Zoning: GC

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is State Route 20. State Route 20 is a principal arterial roadway that is approximately 3 lanes wide (2 westbound and 1 eastbound). The geometry of the roadway is generally good. GDOT reported a traffic volume of 17,200 vehicles per day in 2015 on this section of SR 20.
- **Planned Improvements** – The Georgia DOT plans to widen this section of SR 20 from 3 to potentially 6 lanes. The project is currently in the design phase. Construction is expected to begin as early as 2020.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is an increase of 36 vehicles per day.

| Zoning | Units | Trips Per Day |
|--------------|-------------|---------------|
| Current R-80 | 1 unit | 9 |
| Proposed GC | 1,243 sq ft | 45 |

- **Development Related Improvements** – The applicant will need to acquire a commercial driveway permit from the Georgia Department of Transportation. It should be expected that this entrance would include a deceleration lane and possibly a left-turn lane into the property.

● **Stormwater:**

- **Flood Plain or Wetlands on Property** – No.
- **Runoff Tributary and Basin** – Edward Creek in the Allatoona basin.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that State Route 20 should be able to handle the additional traffic generated by this application.



Cherokee County, Georgia
Agenda Request

Item#: 5.

SUBJECT:
Case #17-03-010 Rob Schweiger (City of
Waleska)

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 1.75 acres at 468 Bartow Street from R-40 to R-30 for single family residential use.

FACTS AND ISSUES:

Commission District: City of Waleska
Zoning Change: R-40 to R-30
Location: 468 Bartow Street
Tax Map and Parcel No: 95N03, 010
Acres: 1.75
Proposed Development: Single Family Residential
Future Development Map: Urban Core - City of Waleska

BUDGET:

| | |
|-----------------------|-------------------|
| Budgeted Amount: | Account Name: |
| Amount Encumbered: | Account #: |
| Amount Spent to Date: | Remaining Budget: |
| Amount Requested: | |

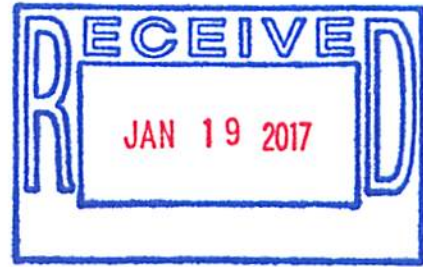
ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

| Description | Type |
|--|---------|
| <input type="checkbox"/> Application | Exhibit |
| <input type="checkbox"/> Legal Description | Exhibit |
| <input type="checkbox"/> Site Plan | Exhibit |
| <input type="checkbox"/> Dept Comments | Exhibit |



CHEROKEE COUNTY
Application for Public Hearing



Important Notes:

1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

SECTION I

Contact Person: ROB SCHWEIGEN Phone: 770-560-7387
 Email: albersage@xstream.net

Applicant's Information:

Name: ROB SCHWEIGEN
 Address: 3011 HIDDEN VALLEY DR. Phone: 770-560-7387
 City, State, Zip: CANTON, GA. 30114

Property Owner's Information: same as above see attached authorization forms (multiple properties)

Name: _____
 Address: _____ Phone: _____
 City, State, Zip: _____

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

| | |
|---|--|
| STAFF USE ONLY: | PUBLIC HEARING SCHEDULE: |
| Commission District: <u>City of Waleska</u> | Public Participation Meeting: _____ |
| Case: <u>17-03-010</u> | PC Work Session Date: <u>2/20/17</u> |
| CityView #: <u>PL20170000102</u> | Planning Commission Hearing: <u>3/7/17</u> |
| Received by: _____ | Board of Commissioners: <u>3/21/17</u> |
| Fee Paid: \$ <u>250.00</u> | Zoning Board of Appeals: _____ |
| Date: _____ | Other: <u>pre. file</u> <u>1-18-17</u> |

SECTION II

Property Information:

Location: 468 Bartow Street, Waleska, GA 30183

Current Zoning: R-40 Proposed Zoning: R-30 Total Acreage: 1.75

Tax Map #: 95 N 03 Parcel #: 010 Land Lot(s): 40 District: 14

Future Development Map Designation: Urban Core - City of Waleska

Adjacent Zonings: North 01 South 01 & R-40 East R-30 & R-40 West R-30

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

REZONE FROM R-40 TO R-30

Proposed Use(s) of Property:

ADD SINGLE FAMILY DWELLING

Applicant Affidavit:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, ROB SCHWEIGER, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 19th day of JANUARY, 2017.

Print Name ROB SCHWEIGER

Applicant Signature [Signature]

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: City

How is sewage from this site to be managed?

septic

Will this proposal result in an increase in school enrollment? Yes No

If yes, what is the projected increase? 1 students

| Proposed Use(s) | # of units | Multiplier | Number of Students |
|-------------------------------|------------|------------|--------------------|
| Single Family (Detached) Home | <u>1</u> | 0.725 | <u>1</u> |
| Multi Family (Attached) Home | | 0.287 | |

Traffic Generation:

A traffic impact study prepared by a registered engineer will be required if the proposed subdivision exceeds 250 dwelling units; the non-residential development contains more than 25,000 square feet of floor area; or at the discretion of the County Engineer. If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? 10 trips

| Code | Land Use(s) | # of units or sqft* | Daily Trip Ends ⁺ | Number of Trips |
|------|---------------------------------|---------------------|------------------------------|-----------------|
| 210 | Single Family Home/ Townhome | <u>1 - 3000</u> | 9.57 | <u>10</u> |
| 220 | Apartment | | 6.63 | |
| | | | | |
| | | | | |
| | | | | |

Notes:

* Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.

+ Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

SECTION V

APPLICANT RESPONSE STATEMENT - REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.
5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.
7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

It is the intent of the requested zoning to add a single family dwelling at the rear of the property. I believe the use is suitable and will not adversely affect the adjacent properties. The adjacent properties are residential + adding an additional house with a shared driveway should not put an excessive burden on streets on the school district. The proposed zoning is in conformity with the land use plan. Properties with houses on both sides of this property currently have the zoning I am requesting.

BK 2966 260 PG

Georgia, Cherokee County
Filed in office this 22 day of Jan. 1998
at 12:30P M. Recorded in Book 2966 Page 268
this 23 day of Jan 1998
Anne M. Rineau
Clerk Superior Court

2000966
2156
Return to:
Sandy Jordan Bank of Canton
Box 649, Canton, GA 30114
1/2
12.00

STATE OF GEORGIA
COUNTY OF CHEROKEE

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID \$ 38.00
DATE 1-22-98
Anne M. Rineau
CLERK OF SUPERIOR COURT
LIMITED WARRANTY DEED

THIS INDENTURE, Made this 22 th day of December in the Year of Our Lord
One Thousand Nine Hundred and Ninety-Seven between BANK OF CANTON, A
BANKING CORPORATION of the State of Georgia and the County of Cherokee as
party of the first part, and ROB SCHWEIGER, as Tenant with Right of Survivorship, of
the State of Georgia and the County of Cherokee as party of the second part;

WITNESSETH: That the said party of the first part, for and in consideration of the
sum of TEN AND NO/100 DOLLARS, in hand paid, at and before the sealing and
delivery of these presents, the receipt of which is hereby acknowledged, has granted,
bargained, sold and conveyed and by these presents does grant, bargain, sell and convey
~~unto the said parties of the second part, their heirs and assigns, the following described~~
property to wit:

All that tract or parcel of land lying and being in the 14th District, 2nd Section, Land Lot
40, City of Waleska, Cherokee County, Georgia, containing 1.75 acres, more or less,
and being more fully described as follows:

To ascertain the true point of beginning, begin at the intersection of the Westerly right-
of-way of Bartow Street (fka Cartersville St.) with the Southerly right-of-way of Ga.
Hwy. 140 (60 foot right-of-way), proceeding Southwesterly from said intersection along
the Westerly right-of-way of Bartow Street 568.85 feet to an iron pin set on the
Westerly right-of-way of Bartow Street, said iron pin set being and marking the True
Point of Beginning, proceeding thence along the following courses, and distances:

From the True Point of Beginning, proceed as follows along the Westerly right-of-way
of Bartow Street: South 44 degrees 33' 25" West a distance of 27.60 feet to a point;
thence South 42 degrees 18' 00" West a distance of 46.65 feet to a point; thence South
40 degrees 04' 05" West a distance of 26.65 feet to an iron pin found (1/2" Rebar) on
the Westerly right of way of Bartow Street; thence leaving the right of way of said

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, the following described property to wit:

All that tract or parcel of land lying and being in the 14th District, 2nd Section, Land Lot 40, City of Waleska, Cherokee County, Georgia, containing 1.75 acres, more or less, and being more fully described as follows:

To ascertain the true point of beginning, begin at the intersection of the Westerly right-of-way of Bartow Street (fka Cartersville St.) with the Southerly right-of-way of Ga. Hwy. 140 (60 foot right-of-way), proceeding Southwesterly from said intersection along the Westerly right-of-way of Bartow Street 568.85 feet to an iron pin set on the Westerly right-of-way of Bartow Street, said iron pin set being and marking the True Point of Beginning, proceeding thence along the following courses, and distances:

From the True Point of Beginning, proceed as follows along the Westerly right-of-way of Bartow Street: South 44 degrees 33' 25" West a distance of 27.60 feet to a point; thence South 42 degrees 18' 00" West a distance of 46.65 feet to a point; thence South 40 degrees 04' 05" West a distance of 26.65 feet to an iron pin found (1/2" Rebar) on the Westerly right-of-way of Bartow Street; thence leaving the right-of-way of said Bartow Street and proceeding along the following courses and distances: North 54 degrees 16' 00" West a distance of 274.55 feet to an iron pin set on the western land lot line of Land Lot 40 (being also the Eastern land lot line of Land Lot 33); thence along the said common land lot line of Land Lots 33 and 40 North 01 degrees 42' 17" East a distance of 387.05 feet to an iron pin found (1/2" Rebar) on said common land lot line, thence leaving said common land lot line and proceeding as follows: South 41 degrees 04' 00" East a distance of 142.00 feet to a 28" Persimmon tree; thence South 49 degrees 37' 50" East a distance of 178.50 feet to an iron pin set; thence South 36 degrees 52' 10" West a distance of 76.05 feet to an iron pin set; thence South 41 degrees 30' 30" West a distance of 83.00 feet to an iron pin set; thence South 49 degrees 52' 25" East a

distance of 197.00 feet to an iron pin set on the Westerly right-of-way of Bartow Street, said iron pin set being and marking the True Point of Beginning, and the above described parcel containing 1.75 acres; more or less.

The above described 1.75 acre parcel is that same tract and parcel of land being depicted, described and represented in that certain PLAT of SURVEY by ADAMS-SIMS & ASSOC, INC., P. O. Box 1466, Canton, Georgia, 30114, 404-479-5856, by RUSSELL R. SIMS, Ga. Reg. Prof. Surveyor no. 2306, being job no. 88-2570-113C, dated 7-14-88, and being recorded in PLAT BOOK 35, Page 196, Cherokee County, Georgia Deed Records, the metes, bounds, courses and distances therein being fully incorporated herein by express reference thereto as though fully set out hereby, said PLAT to control in the event of any variance between the above set out metes and bounds legal description and the description of the above parcel in said PLAT.

Subject to all restrictive covenant and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, in Fee Simple.

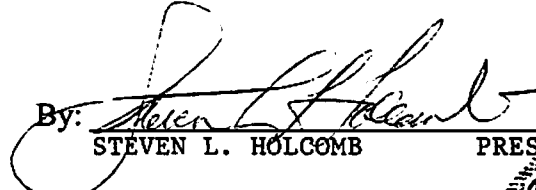
AND THE SAID party of the first part, for its heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said party of the second part, his heirs and assigns, against the claims of all persons owning, holding or claiming by, through, or under the said party of the first part.


IN WITNESS WHEREOF, the said party of the first part has hereunto set its hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:


BANK OF CANTON, A BANKING CORPORATION

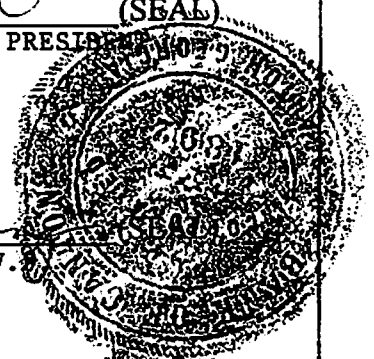

Unofficial Witness

By:  (SEAL)
STEVEN L. HOLCOMB PRESIDENT


Notary Public

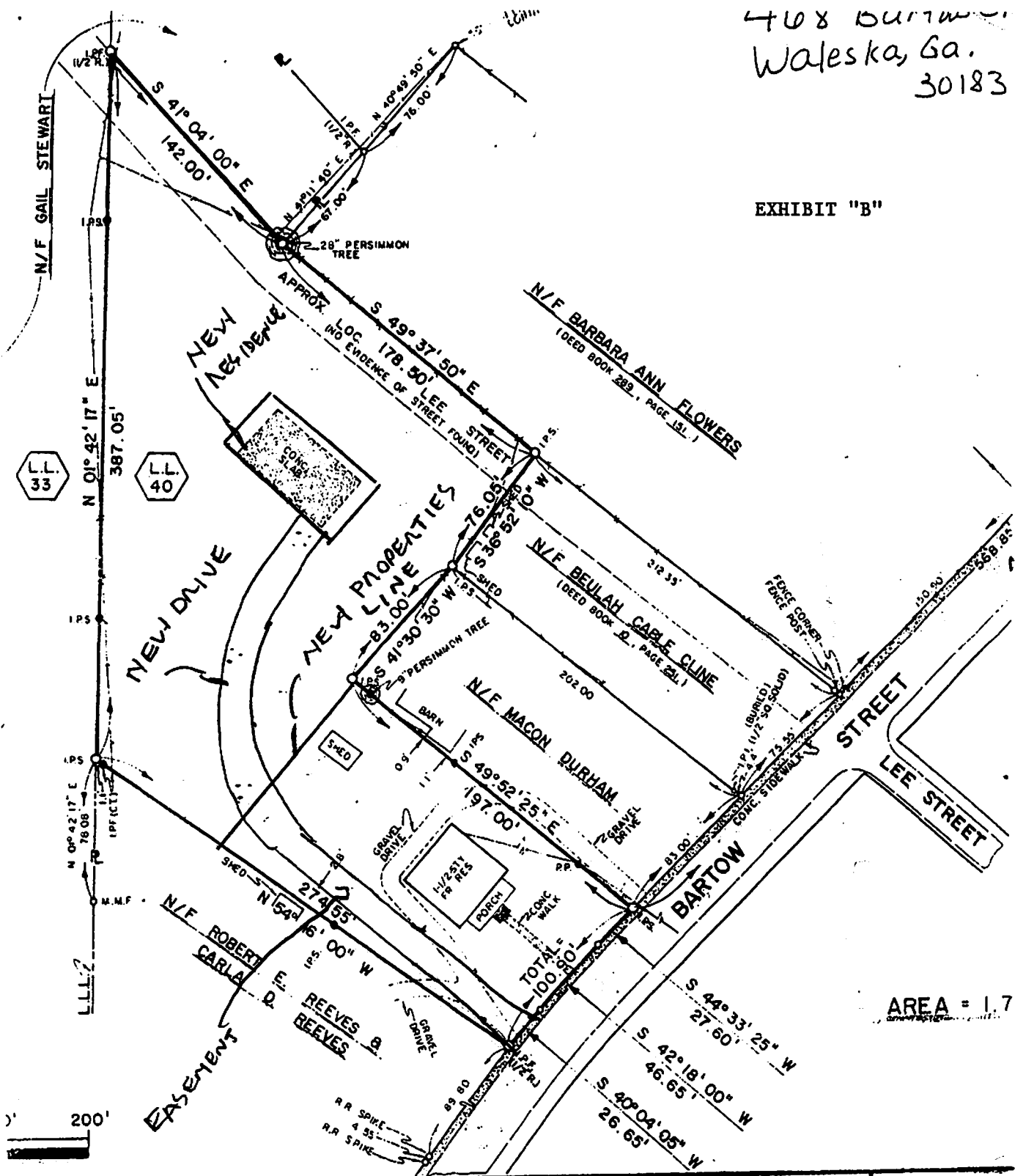
Com. Exp. Dec 9, 2000

Attest: 
KATHRYN J. YOUNG SR. V.



408 Durham
 Waleska, Ga.
 30183

EXHIBIT "B"



AREA = 1.7

MS-SIMS & ASSOCIATES, INC.
 P.O. BOX 1466
 WALESKA, GEORGIA 30114
 (404) 479-5856

S LAND SURVEYING
 SUBDIVISIONS
 LAND PLANNING

| | | | |
|--------------------------|--------------------|------------------------------|--|
| TYPE OF SURVEY: LOCATION | | LEGEND | |
| SUBDIVISION: | | 1.) I.P.S. - IRON PIN SURVEY | |
| LOT: | PHASE, UNIT, BLOCK | 2.) I.P.F. - IRON PIN FOUND | |
| SURVEY FOR: | | 3.) L.L.L. - LAND LOT | |
| JIMMY WADE | | 4.) R/W - RIGHT OF WAY | |
| | | 5.) P - PROPERTY LINE | |
| LAND LOT(S): 40 | | 6.) C - CENTERLINE | |
| DISTRICT: 14, SECTION: 2 | | 7.) F - FENCE | |
| CITY: WALESKA | | 8.) S - STREAM | |
| CHEROKEE COUNTY, GEORGIA | | 9.) D - DITCH | |
| DRAWN BY: D.C. | | 10.) P.P. - POWER & OR | |
| CHECKED BY: R.S. | | 11.) M.M.F. - MARBLE | |
| PREPARED: 7-14-88 | | 12.) ALL MATTERS OF | |
| SCALE: 1" = 50 FEET | | JOB NO. 88-2 | |



Staff Report

Case No: 17-03-010
Applicant Name: Rob Schweiger
Location: 468 Bartow Street
 (95N03, 010)
From/To: R-40 to R-30
Proposed Use: A Single Family home
Commission Post: City of Waleska

| | Existing Zoning | Existing Land Use |
|-------|-----------------|-----------------------------------|
| North | OI | Vacant Commercial |
| South | OI and R-40 | Vacant Commercial and Residential |
| East | R-30 and R-40 | Residential |
| West | R-30 | Residential |

Future Development

| Character Area/Node/Corridor | Description |
|------------------------------|--|
| Urban Core | The Urban Core Character Area generally consists of the highest density development and the widest range of mixed uses, combined with central civic areas such as a City Hall, a school or a library. Downtown residential neighborhoods contribute to the overall vitality of the Urban Core. |

Analysis and Comment

The subject parcel is 1.75 acres and lies on the northwest side of Bartow Street, one block southwest of Reinhardt College Parkway (State Route 140). This proposal is to allow the addition of one single family home. Neither a public participation meeting nor an existing site resource map is required.

There are no letters in support of or in opposition to the rezoning on file.

1 Findings

1.1 Engineering Department

- See attached.

1.2 Cherokee County Water and Sewerage Authority

1.3 Cherokee County Board of Education

1.4 Fire Marshal's Office

1.5 Sheriff's Office

Case # 17-03-010 - Community Agenda Analysis

Section 1 – Community Vision

| | |
|-----------|---------|
| Community | Waleska |
|-----------|---------|

Vision:

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

Applicant seeks to rezone from R-40 to R-30 for a single family dwelling.

Section 2 - Core Issues

Project Supports

| | |
|---------------------------------|--|
| Planning for Sustainable Growth | This location has most infrastructure and services nearby. |
|---------------------------------|--|

| | |
|----------------|---|
| Housing Choice | This project could add to the range of housing options. |
|----------------|---|

Project is Neutral

| | |
|--------------------------------|---|
| Diverse Economic Opportunities | While there may be a temporary increase in construction-related jobs, there is no evidence of a long-term impact. |
|--------------------------------|---|

| | |
|--|------------------------|
| Land Use Patterns that Promote Connectivity and Mobility | No evidence of impact. |
|--|------------------------|

| | |
|----------------|------------------------|
| Aging in Place | No evidence of impact. |
|----------------|------------------------|

| | |
|--------------------------------|------------------------|
| Designing with the Environment | No evidence of impact. |
|--------------------------------|------------------------|

| | |
|-------------------------------------|------------------------|
| Preserve and Enhance Sense of Place | No evidence of impact. |
|-------------------------------------|------------------------|

Project Neglects

Section 3 – Character Area Description

| | |
|----------------|------------|
| Character Area | Urban Core |
|----------------|------------|

The Urban Core Character Area envisions a traditional downtown with a broad range of uses. One of the primary objectives within Urban Cores is to promote infill development that is a natural extension of the city's fabric. Downtown residential neighborhoods contribute to the overall vitality of the Urban Core. Diverse development helps to create an Urban Core where people are able to live, shop, and work within a walkable area. This project is consistent with the Urban Core Character Area.

| | |
|------------------|-----|
| Node or Corridor | N/A |
|------------------|-----|



REZONING MEMORANDUM

Case Number: 17-03-010

Applicant: Rob Schweiger

Current Zoning: R-40

Proposed Zoning: R-30

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is Bartow Street. Bartow Street is a local roadway that is approximately 20 feet wide. The geometry of the roadway is generally good.
- **Planned Improvements** – There are no planned improvements to this section of Bartow Street.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is an increase of 9 vehicles per day.

| Zoning | Units | Trips Per Day |
|---------------|---------|---------------|
| Current R-40 | 1 unit | 9 |
| Proposed R-30 | 2 units | 18 |

- **Development Related Improvements** – If creating a new driveway, the applicant would need to apply for a driveway permit through Cherokee County.

● **Stormwater:**

- **Flood Plain or Wetlands on Property** – No.
- **Runoff Tributary and Basin** – Shoal Creek in the Allatoona basin.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that Bartow Street should be able to handle the additional traffic generated by this application.



**Cherokee County, Georgia
Agenda Request**

Item#: 1.

SUBJECT:
December 19, 2016 Work Session Minutes

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:



**Cherokee County, Georgia
Agenda Request**

Item#: 2.

SUBJECT:
January 23, 2017 Work Session Minutes

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:



**Cherokee County, Georgia
Agenda Request**

Item#: 3.

SUBJECT:
February 7, 2017 Minutes

MEETING DATE:
3/7/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:
