

**Action Requested/Required:**

- ☒ Vote/Action Requested
☐ Discussion or Presentation Only
☐ Public Hearing
Report Date: 11/21/22
Hearing Date: 12/1/22
Voting Date: 12/15/22

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

Agenda Item Title:

ZCA2210-004 - Park Village - Applicant seeks to amend the current zoning conditions for 39.98 acres of the Park Village development. Marshall L. Day

Summary:

The applicant seeks approval of a Zoning Condition Amendment that would permit the subject property to be used for office and industrial uses. At this time there are no intended users. The allowance for residential uses is proposed to be eliminated.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project: Check if Estimated ☐

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

Staff Recommendations:

Conditions for consideration will be provided for the action meeting staff report.

Reviews:

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

Attachments:

Application, zoning plan and survey



Land Use Petition: ZCA2210-004

Date of Staff Report Preparation: December 6, 2022

Mayor and City Council Public Hearing Date: December 1, 2022

Action date: December 15, 2022

Project Name/Applicant: Marshall L. Day

Property Location: Park Village

Parcel ID: Tax Map Book Number 14N21, Parcel 044D

District/Land Lot: 14th District, LL 245

Acreage: +/- 39.99

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

Existing Land Use: Vacant/Undeveloped

Future Development Map Designation: SDA Suburban Development

Current Use: Vacant/Undeveloped

Proposed Development: Office, Industrial, Commercial

Owner/Petitioner: Cherokee County

District Standards:

___ Zoning District Standards (Primary Street)			
Impervious Surface (max.)	75%	Front Yard Setback (min.)	N/A
Open Space (min.)	25%	Side Yard Setback (min.)	N/A
Building Height (max.)	80'/6 stories	Rear Yard Setback (min.)	N/A
Building Height (min.)	N/A	Buffer Planting (min.)	100'
Zoning Buffer	100'	Overlay Zone	N/A

Surrounding Land Uses and Zoning:

single family homes

North – PD-MU, Vacant/Undeveloped

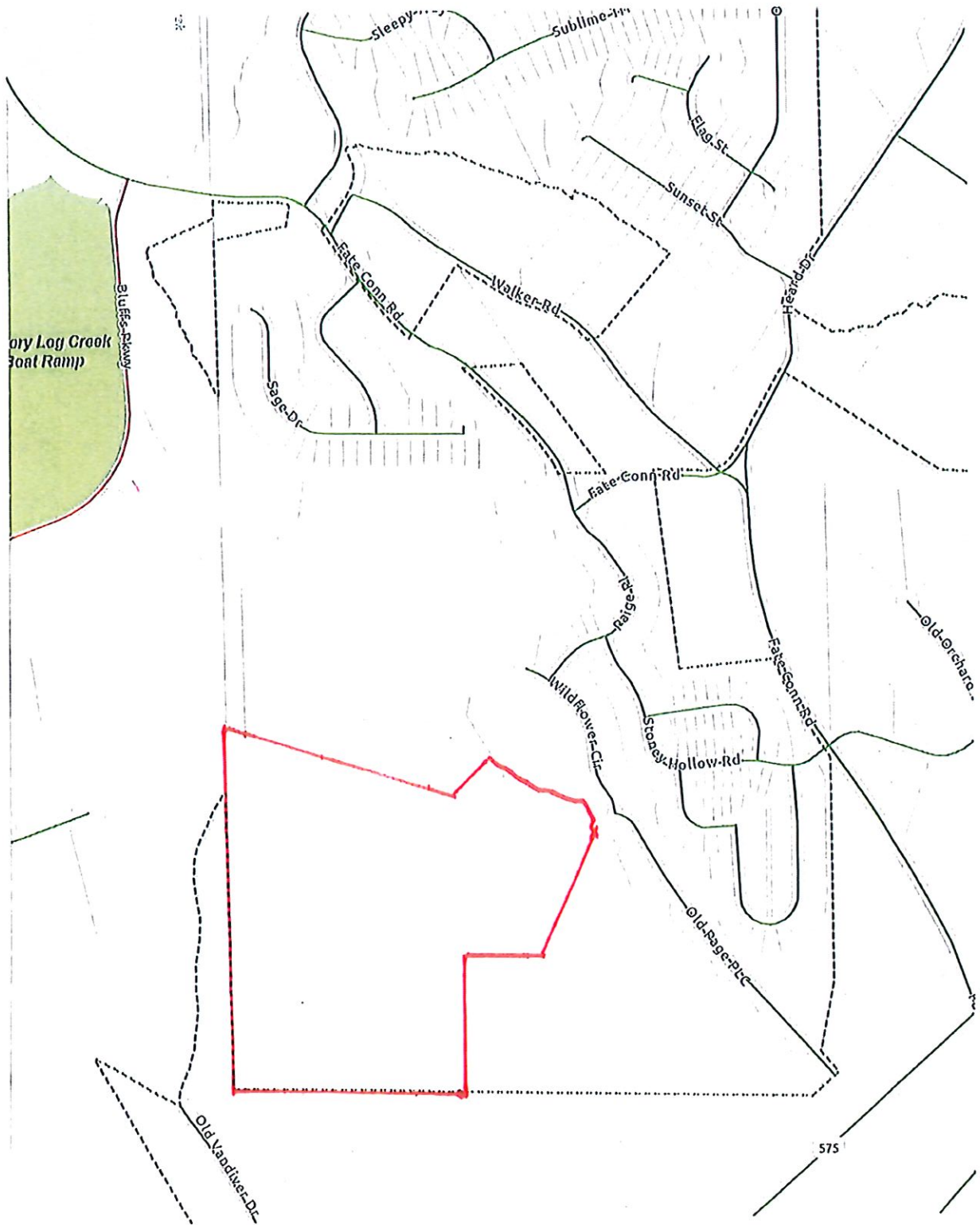
South – AG and R-40, Vacant/Undeveloped and

East – PD-MU, Single family homes

West – AG, Vacant/Undeveloped

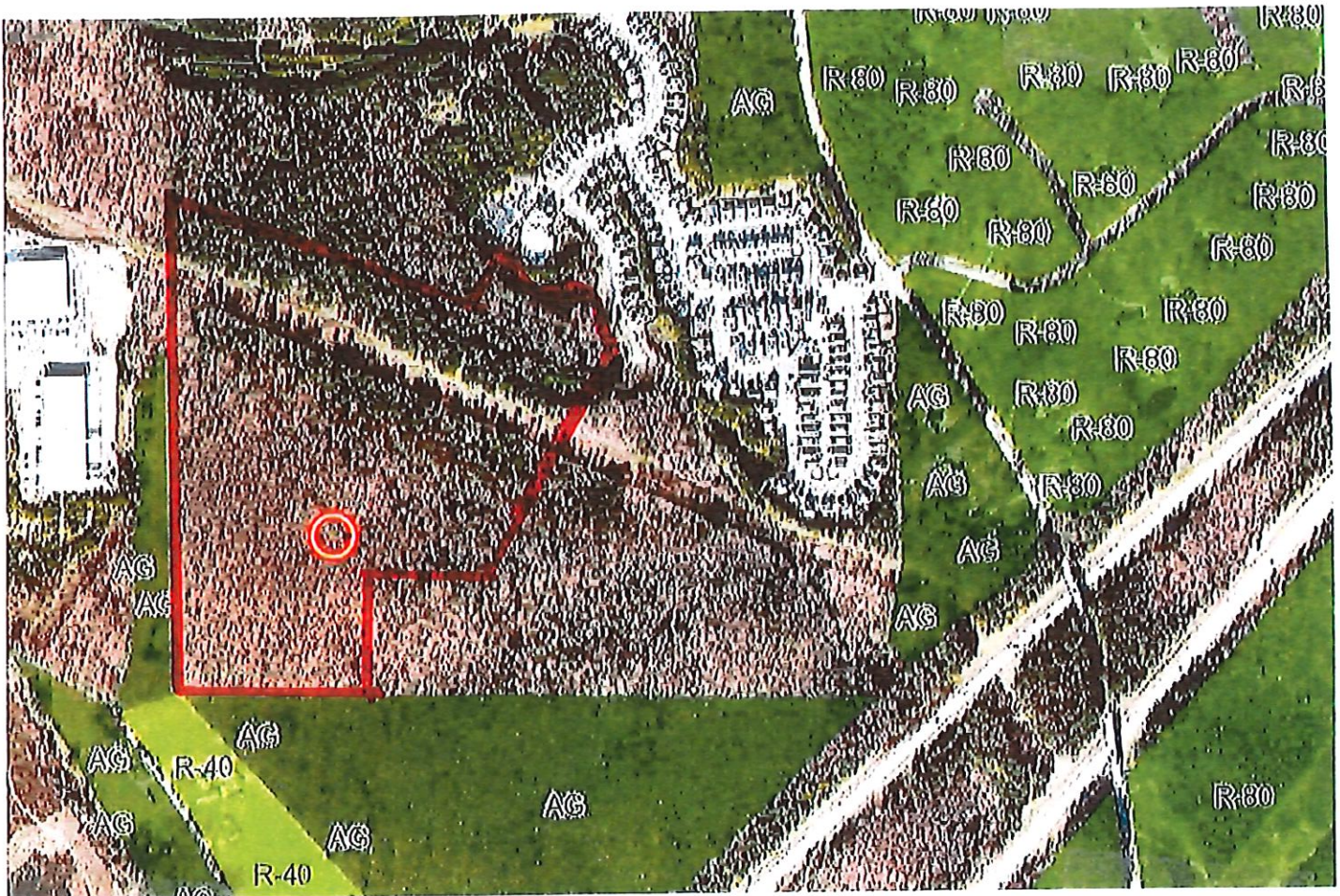
CANTON

Location Map



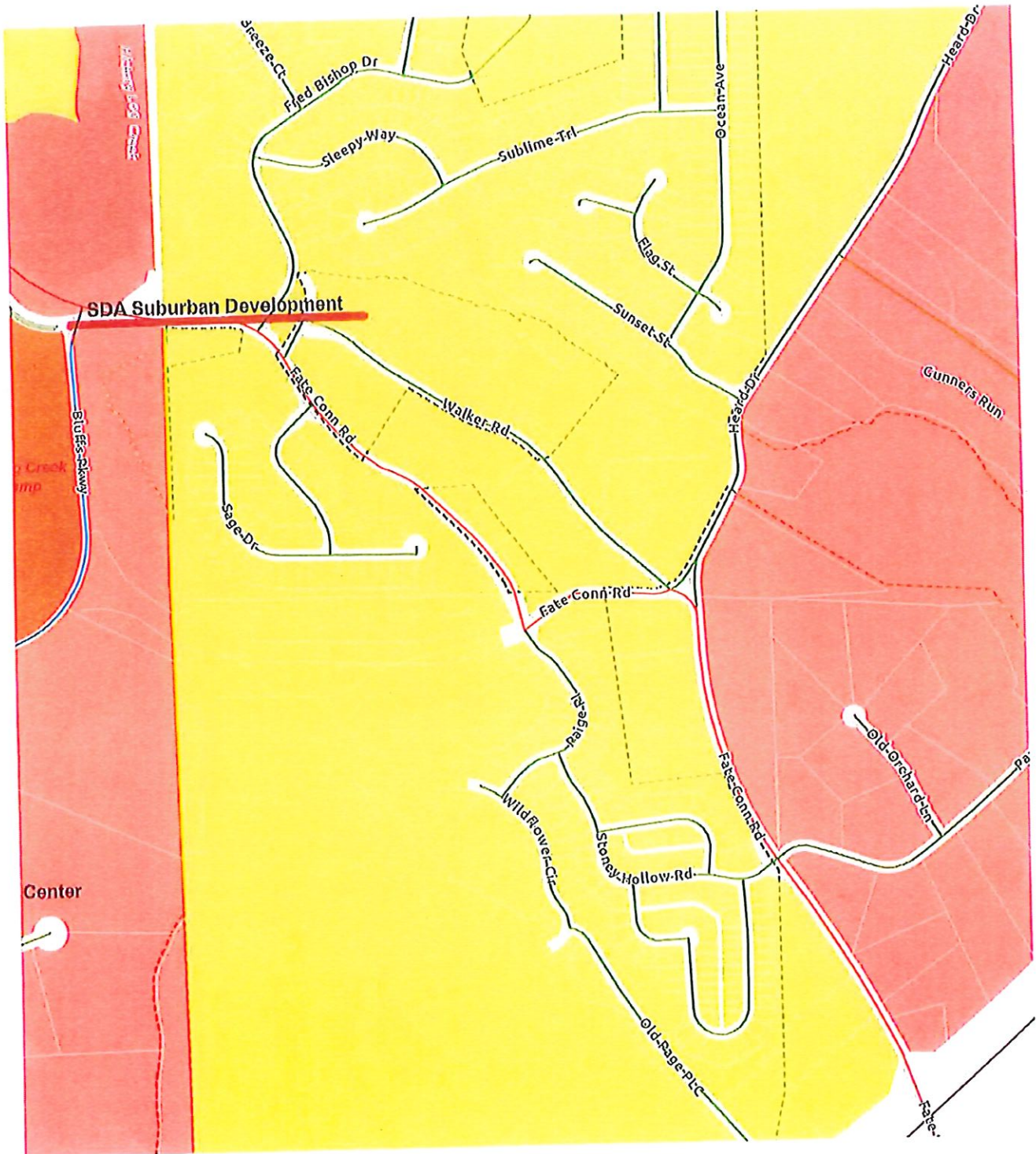
CANTON

Existing Land Use Map



CANTON

Future Development Map





Site Description: The property is currently vacant and Undeveloped. It is heavily forested with hardwoods and evergreen trees.

Site History: The property was originally part of the Park Village development. This particular area was designated for single family homes. The County purchased the property in 2009.

CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING)

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



CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT

- a. Whether the proposed use is consistent with the comprehensive plan and other adopted policies of the City;
- b. Whether the proposed use complies with the requirements of this zoning ordinance;
- c. Whether public services, public facilities and utilities are adequate to serve the proposed use;
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of:
 - 1. Noise, smoke, order, dust or vibration generated by the proposed use;
 - 2. Hours or manner of operation of the proposed use; and
 - 3. Traffic volumes generated by the proposed use;
- e. Whether the proposed use would result in an over-concentration of the subject use type within the area of the proposed use;
- f. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the comprehensive plan, the character areas, and all applicable zoning ordinance regulations; and
- g. Whether the proposed use is compatible with adjacent properties and land uses, based on consideration of the size, scale and massing of proposed buildings and the overall site design.



DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

- BUILDING SERVICES:

- SAFETY SERVICES:

 - International Building Code, 2018 Edition, with Georgia Amendments ([2020](#)), ([2022](#))
 - International Residential Code, 2018 Edition, with Georgia Amendments ([2020](#))
 - International Fire Code, 2018 Edition (Contact State Fire Marshal Below)
 - International Plumbing Code, 2018 Edition, with Georgia Amendments ([2020](#)), ([2022](#))
 - International Mechanical Code, 2018 Edition, with Georgia Amendments ([2020](#))
 - International Fuel Gas Code, 2018 Edition, with Georgia Amendments ([2020](#)), ([2022](#))
 - National Electrical Code, 2020 Edition, with Georgia Amendments ([2021](#))
 - International Energy Conservation Code, 2015 Edition, with Georgia Supplements and Amendments ([2020](#)), ([2022](#))
 - International Swimming Pool and Spa Code, 2018 Edition, with Georgia Amendments ([2020](#))

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

This project may require two or more entrances based on the number of dwelling units constructed. This requirement is in the City of Canton Unified



Development Code (UDC), section 109.03.12 - Development access and the 2018 International Fire Code Appendix "D".

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

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

Specific 2018 IFC requirements for civil plans:

1. The 2018 International Fire Code, appendix "D" requires fire apparatus access roads not exceed 10% grade and for local Cherokee County fire apparatus requirements, access road cross grades may not exceed 5%.
2. Roads throughout the development must be at minimum made of asphalt or concrete capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
3. Turn radiuses for all streets shall be 35' minimum for development entrances and 25' for interior streets. Proof of turning radius compliance shall be demonstrated using software analysis such as "AutoTURN" or other clearance/swept path analysis software. For tire curb clearances, bumper swing clearances or inside crimp angles, contact Cherokee County Fire & Emergency Services.
4. Dead end fire apparatus access roads in excess of 150 feet in length shall be provided an approved area for turning around fire apparatus.
5. Aerial fire apparatus streets are required where the vertical distance between the grade plane and the highest roof surface exceeds 30'. The required width of an aerial apparatus road shall be 26' minimum and constructed as noted in note #2 above. One or more of the aerial access routes meeting the building height condition shall be located not less than 15' and not greater than 30' from the building and shall be positioned parallel to one entire side of the building. Overhead utilities and power lines shall not be located over the aerial apparatus road.



Conditions for Consideration

COMMUNITY DEVELOPMENT

This property was part of the original Park Village development plan and was purchased by Cherokee County. The property has remained undeveloped and contains a variety of hardwood and evergreen trees. The proposed use is for light industrial and corporate office space. To date no users have been identified to locate on the parcel. The applicant has stated they will adhere to zoning requirements.

The Department of Community Development recommends **approval** of this application.

Conditions for Consideration

- 1) There shall be a fifty foot (50') buffer along the subject property boundary lines as noted on the applicant's zoning plan titled Park Village Tract 3. The first twenty-five (25') of this buffer shall be planted with material that will provide an opaque screen to the adjacent property. Virginia pines and Eastern red cedars shall not be used in said screen planting.
- 2) All perimeter site/security lighting shall face inward toward the subject property. Said lighting shall be installed so as not to be a nuisance to adjacent properties. Wall pack lighting shall be prohibited on any rear building wall that faces neighboring properties with the exception of the property line that is common with the Becker property.
- 3) A traffic study shall be submitted with the Land Disturbance Permit. This traffic study shall be reviewed and approved by the City Engineer.
- 4) Delivery hours shall be limited to 7:00 am to 10:00 pm Monday through Saturday. There shall be no Sunday deliveries.
- 5) The Native Plant Rescue Society shall be allowed access to the property prior to any land disturbance in order to search for and remove any endangered plant species.
- 6) Should this parcel be subdivided into separate tracts all interior setbacks shall those as required in the LI (Light Industrial) zoning district. Required buffers shall be ten feet (10') in width along property lines.

DEVELOPMENT SERVICES

Green infrastructure methods must be used during development.

Further comments be made once a Land Disturbance Permit has been applied for.

Conditions for Consideration

POLICE DEPARTMENT



Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

CHEROKEE COUNTY (AS NEEDED)

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration



CHEROKEE COUNTY FIRE MARSHAL

Conditions for Consideration

STAFF CONDITIONS FOR CONSIDERATION



Community Development Department

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

Public Hearing Application

Project # ZCA 2210-004

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

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

ML Day

This 13th day of September, 20 22.

Applicant: Marshall L. Day, Chairman

Print Name: Marshall L. Day, Chairman

Applicant Information:

Name: Marshall L. Day, Chairman
Address: One Innovation Way
City: Woodstock
State: GA Zip Code: 30188
Telephone: 770.345.0600
Fax Number: _____
Email Address: mmartin@cherokeega.org; hliппens@cherokeega.org

Owner Information:

Name: Cherokee County, Geoff Morton, County Manager
Address: 1130 Bluffs Parkway
City: Canton
State: GA Zip Code: 30114
Telephone: 678-493-6000
Fax Number: _____
Email Address: _____

This Application For (Check Only One):

- | | |
|--|--|
| ☐ A Annexation | ☐ I Temporary Use Permit |
| ☐ B Rezoning | ☐ J Zoning Ordinance Text Amendment |
| ☐ C Master Plans | ☐ K Variance : Pre-Construction |
| ☐ D Master Plan Revisions | ☐ K Variance : Post-Construction |
| ☐ E Conditional Use Permit | ☐ Appeal |
| ☐ F Land Use Modification | |
| ☒ G Zoning Condition Amendment | ☐ Adjustment |
| ☐ H Density Transfer within Master Plan | ☐ Special Exception |

Fee Schedule:

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

Staff Use Only

Amount Due: _____
Amount Due: _____
Total Fee: _____

Received By: _____

Date: _____

Amount Paid: _____



Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Property Owner

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

This 13th day of September, 2022.

Owner Signature: [Signature] Print Name: Geoffrey E. Morton

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

- | | |
|---|--|
| ☐ A Annexation | ☒ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Sworn To And Subscribed Before Me This 13th Day Of September, 2022.

Notary Signature: [Signature] (Seal)





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

Authorization Of Applicant

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

This 13th day of September, 20 22.

Owner Signature: [Signature]

Print Name: Geoffrey E. Morton

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

- | | |
|---|--|
| ☐ A Annexation | ☒ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Name of Authorized Applicant: Marshall L. Day, Chairman

Signature: [Signature]

Mailing Address: One Innovation Way

City: Woodstock

State: GA

Zip Code: 30114

Telephone: 770.345.0600

Fax Number: _____

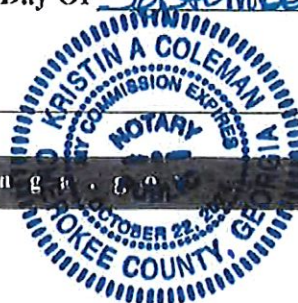
E-mail: mmartin@cherokeega.org; hippens@cherokeega.org

Applicant Status:

- ☐ Owner
☐ Option to Purchase
☐ Leasee
☐ Area Resident
☒ Other (Explain): Cherokee County

This Authorization of Applicant Form has been completed and the property owner's signature is Sworn To And Subscribed Before Me This 13th Day Of September, 20 22.

Notary Signature: [Signature]



(Seal)



Dear Applicant,

By signing this letter you have acknowledged that you have read and understand the City of Cantons "Housing Needs Assessment & Market Study". A copy of this study may be found on the City's website, www.cantonga.gov.

In addition by signing this letter you have acknowledged that you have read and understand the City of Canton's "Roadmap for Success". This plan was adopted by the Mayor and City Council on December 17, 2020. A copy of this document may also be found on the City's website, www.cantonga.gov. *

I, Marshall L. Day, Chairman, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton "Housing Needs Assessment & Market Study". The proposed project meets the tenets of success and assists the City in reaching goals through the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

ML Day

Date: 9/13/22

Signature

Marshall L. Day, Chairman

Printed Name

I, ML Day, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton's "Roadmap for Success". The proposed project has implemented the "Roadmap for Success" or portions thereof within the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.

ML Day

Date: 9/13/22

Signature

Marshall L. Day, Chairman

Printed Name

*Please be prepared to discuss the items with the City staff.



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

Disclosure Form

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

1. Name of Applicant/Opponent: Marshall L. Day, Chairman *Please Type Or Print All Responses*

Section 1

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

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

Section 2

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

N/A

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

	Description
\$	
\$	
\$	

Note: Complete a separate form for each authorized applicant.



Community Development Department

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

Property Information:

Address: _____ Lat: 34.28385° N
Lon: 84.45897° W
Land Lot(s): 245 District: 14 Section: _____ Map #: 14N21 Parcel #: 044 D

Existing Zoning Of Property: PD-MU ☒ City ☐ County Total Acreage Of Property: 39.99 +/- acres

Proposed Zoning Of Property: PD-MU; corporate/LI/office uses; allow up to 13,000 sq. ft./acre Existing Use(s) Of Property: Raw Land

Directions to property from Main Street in downtown Canton:

Take Main St. to the intersection of 140 & Hwy 5; take a right on Highway 5; continue on Riverstone Parkway; take a left on Bluffs Parkway;

Take a right on Bluffs Court

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

	<u>OWNER NAME/ADDRESS</u>	<u>CURRENT ZONING</u>	<u>CURRENT LAND USE</u>
NORTH	CHEROKEE COUNTY	PD-MU (Corporate)	Planned Corporate/LI/Office/Retail
SOUTH	ADAMS, CHARLES LYLE	AG	Residential
EAST	PARK VILLAGE COMMUNITY ASSOC	PD-MU (Residential)	Residential
WEST	MJS PARTNERS LLC	PD-MU (Corporate)	Light Industrial
OTHER	WILKINS, MICHAEL (WEST)	AG	Residential

UTILITY INFORMATION

How is sewage from this development to be managed? City of Canton

Proposed managing jurisdiction: City of Canton

How will water be provided to the site? City of Canton

Proposed managing jurisdiction: City of Canton Size Limit: _____



Community Development Department

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

PUBLIC SCHOOL POLICY STATEMENT

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

County Schools serving this development:

HIGH _____

MIDDLE _____

ELEMENTARY _____

TRAFFIC INFORMATION

Road/Street providing access: _____

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

Distance to nearest major thoroughfare: _____ Thoroughfare Name: _____

Description of Road accessing property (Classification): _____

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

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

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



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

Canton Planning Commission Review Criteria

(Applications Type A – J : ONLY)

How will this proposal be compatible with surrounding properties? The proposed site is adjacent to current corporate growth,
has adequate natural buffers in addition to the city buffer/setback requirements. The proposed development will be compatible with surrounding property.

How will this proposal affect the use and value of surrounding properties? _____
We have found with other parks that we developed that the surrounding prop. values go up.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.
The property can be developed for residential purposes as currently zoned. However, we propose to develop corporate buildings that will create jobs,
add to the tax base, and not put any additional burden on the schools.

What would be the increase to population and traffic if the proposal were approved? We do our best to recruit companies
that match the needs of our residents. An good example for truck traffic is Cherokee 75 which when considering all businesses avg. is 6.5 trucks/day.

What would be the impact to schools and utilities if the proposal were approved? Increased tax base for schools and
increased revenues for utilities.

How is the proposal consistent with the Comprehensive Land Use Plan, particularly the Future Land Use Map?
There is currently corporate growth to the west and a proposed mixed-use development to the north with light industrial, corporate, retail, and office growth; the
future land use map notes the employment center designation to the west and south of the site.

Are there existing or changing conditions which affect the development of the property and support the proposed request? There are limited areas for corporate/office/light industrial growth within the City of Canton

* Please provide a Letter of Intent, which provides the necessary information to support your application.



CHEROKEE
OFFICE OF ECONOMIC
DEVELOPMENT

30 September 2022

Mr. Steve Green
Zoning Administrator
City of Canton
110 Academy Street
Canton, GA 30114

Dear Steve,

RE: Letter of Intent - Application of the Development Authority of Cherokee County & Cherokee County seeking a zoning condition amendment on 39.98 +/- acres near Bluffs Court

The Development Authority of Cherokee County (DACC) seeks a zoning condition amendment of 39.98 +/- acres (shown as tract 3 on the attached site plan) east of Bluffs Court and South of the proposed Heard Road Extension/Technology Ridge Parkway. Cherokee County currently owns the Property and the Development Authority seeks to request a zoning condition amendment to better market the property. Appropriate entitlement will allow the Authority to locate more office operations, advanced manufacturers, and/or headquarters operations within Cherokee County and the City of Canton. The site lies less than three miles off Interstate 575 and will give the Development Authority and the City of Canton more marketable product to target industries for further corporate expansion along this corridor.

From our research, the site has served primarily as raw land for the last 30+ years as seen on the historical aerial. The site has a proposed mixed use, corporate, and light industrial development to the north, office/light industrial development to the west, and good buffers for the adjacent residential property to the south and east. Although the site can be developed as it is currently zoned for residential purposes, Bluffs 2 will provide a location for corporations to create jobs and add to the tax base. We have attached a building example of global panoramic sunroof automotive supplier, Inalfa Roof Systems' facility in Cherokee 75 Corporate Park as well as Watt Neal's smaller flex-space buildings in The Bluffs. We anticipate the buildings at the Bluffs 2 site could be of similar construction. We expect to see similar traffic generation to Cherokee 75 Corporate Park, which generates an average of 6.5 trucks per day. There are two potential proposed access points to the north and/or west.

Cherokee By Choice.



CHEROKEE | ECONOMIC
OFFICE OF | DEVELOPMENT

Although conceptual at this point, the plan notes a maximum density of 13,000 sf per acre. The finished product will be market-driven and project specific. We propose a height restriction equal to the 80' (6 stories) requirement under the Light Industrial classification within the zoning ordinance. In addition, the DACC will also adhere to minimum area requirements and regulations as noted in the Canton Zoning Ordinance.

Attached to this Letter of Intent you will find the Application for Public Hearing, reference materials, and the following:

1. A copy of the Site Plan (no buildings shown; final design project specific/market driven)
2. Boundary Survey
3. Copy of the deeds reflecting the record title holders
4. Current legal description

Thank you and please do not hesitate to contact me should you need any additional information.

Sincerely,

Marshall L. Day, Chairman

Cherokee By Choice.

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

-----[Space Above Provided For Recording Data]-----

After Recording Return To:
Paul N. Higbee, Jr., Esq.
Jarrard & Davis, LLP
105 Pilgrim Village Drive, Suite 200
Cumming, GA 30040

Ref.: DB 9297 P 481

STATE OF GEORGIA

COUNTY OF CHEROKEE

QUITCLAIM DEED

THIS INDENTURE, dated and effective as of the 27th day of March, 2009, between **CANTON LAND INVESTORS A, LLC**, as party of the first part (hereinafter referred to as "Grantor"), and **CHEROKEE COUNTY, GEORGIA**, as party of the second part (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include the respective heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits);

WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does bargain, sell, remise, release and forever quitclaim unto said Grantee, all the right, title, interest, claim or demand which the said Grantor has, or may have had, in and to the following described property, to-wit:

All that tract or parcel of land lying and being in Cherokee County Georgia being more particularly described in **Exhibit "A,"** attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said described premises unto the said Grantee, so that neither the said Grantor, nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

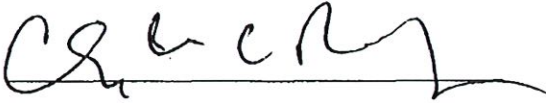
IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

[SIGNATURES ON THE FOLLOWING PAGE]

GRANTOR:

Signed and sealed in the presence of:

CANTON LAND INVESTORS A, LLC



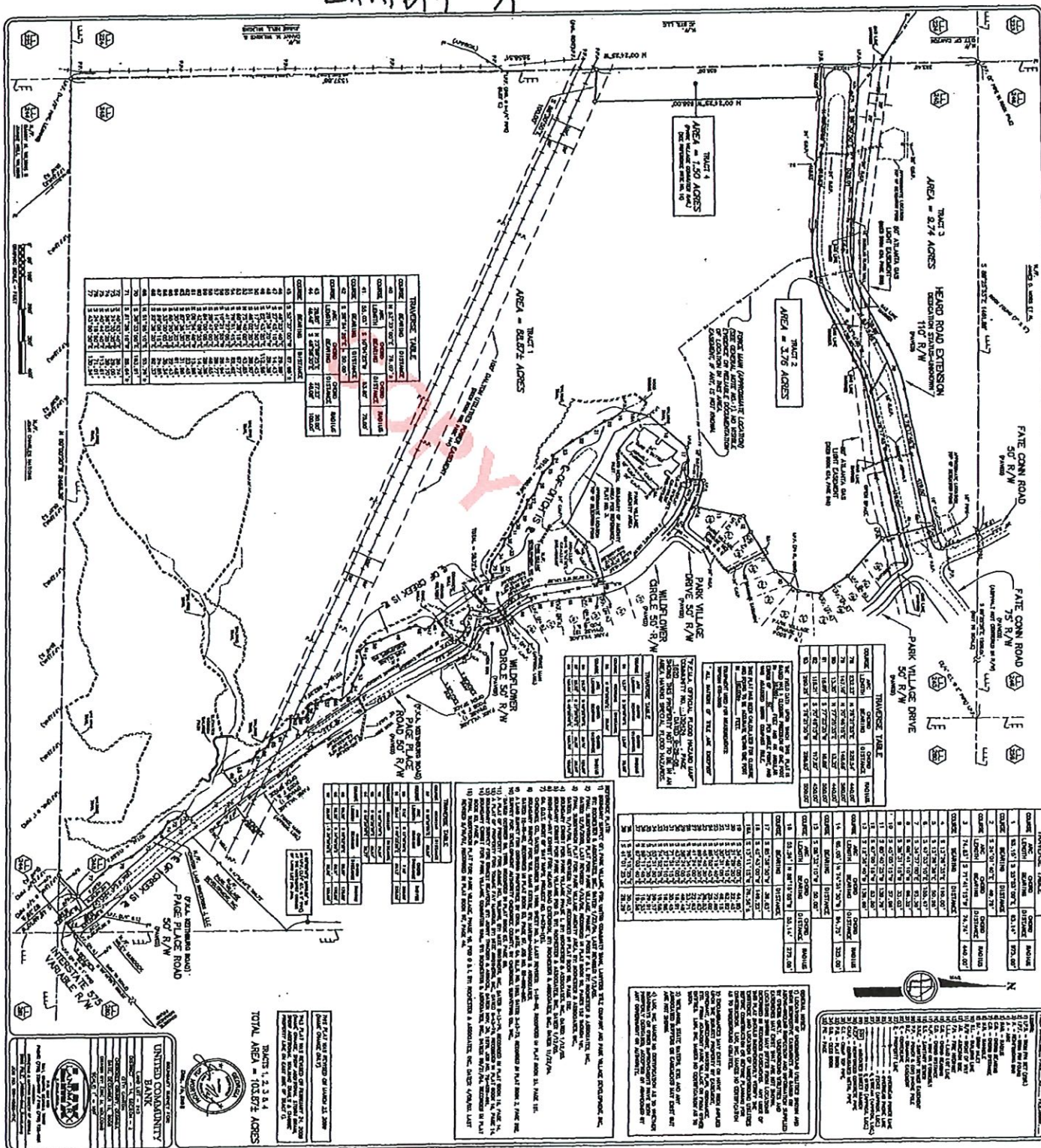
By: 
Name: Kevin Reece
Title: Manager


NOTARY PUBLIC

[Notary Seal]



Exhibit "A"



SECTION A - SELLER'S INFORMATION (Do not use agent's information)				SECTION C - TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME Canton Land Investors, A, LLC				Exempt Code If no exempt code enter NONE	Govt/NonProfit Public Corp
MAILING ADDRESS (STREET & NUMBER) 1640 Powers Ferry Road Building 18, Suite 300				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Marietta, GA 30067 USA		DATE OF SALE 3/27/2009		1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B - BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only	\$0.00
BUYER'S BUSINESS / ORGANIZATION / OTHER NAME Cherokee County				3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 1130 Bluffs Parkway				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$0.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Canton, GA 30014 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$0.00
SECTION D - PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION Fate Conn Road			SUITE NUMBER
COUNTY CHEROKEE		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 1421/044A, D, E, G	ACCOUNT NUMBER
TAX DISTRICT 14	GMD 2nd Sec	LAND DISTRICT	ACRES	LAND LOT 245	SUB LOT & BLOCK
SECTION E - RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK		DEED PAGE		PLAT BOOK PLAT PAGE

ADDITIONAL BUYERS

None

Cherokee County, GA - Real Estate Search

14N21044D
FATE CONN RD

N/A,
1130 BLUFFS PKWY,
CANTON, GA, 30114

Total Market Value
\$9,418,000

KEY INFORMATION

Parcel #	14N21044D
Account #	1103118
Owner Name	CHEROKEE COUNTY GOVERNMENT
Neighborhood	99999
Land Size	102.37
Legal Description	LL 245; 14TH D/POD A
Tax District	03 - Canton

ASSESSMENT DETAILS

Residential Value	\$0
Commercial Value	\$0
Accessories Value	\$0
Land Value	\$9,418,000
Total Value	\$9,418,000
Prior Value	\$9,418,000

RESIDENTIAL

No data to display

COMMERCIAL

No building data to display.

MOBILE HOME(S)

No mobile homes to display.

ACCESSORIES

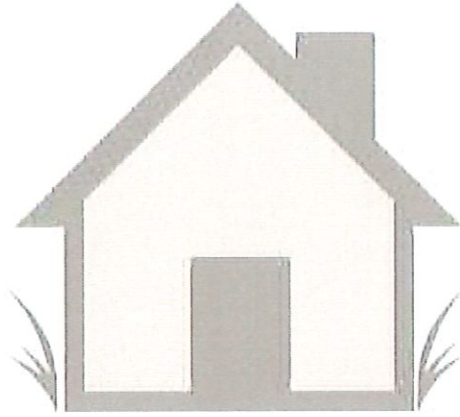
CODE DESCRIPTION	LENGTH	WIDTH	UNITS	ACTUAL YEAR BUILT	EFFECTIVE YEAR BUILT	APPRAISED VALUE
No items to display						

SALES

BOOK	PAGE	SALE DATE	DEED TYPE	QUALIFIED	SALE PRICE	VACANT / IMPROVED
10582	00102	03/01/2009	QC	N	\$0	Y
10582	00105	03/01/2009	WD	N	\$0	Y
10582	00109	03/01/2009	WD	N	\$0	Y
09297	00478	12/01/2006	WD	N	\$0	Y



No Photo Available



Disclaimer

All information on this site is prepared for the inventory of real property found within Cherokee County. All data is compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. All information contained herein was created for the Cherokee County's internal use. Cherokee County, its employees and agents make no warranty as to the correctness or accuracy of the information set forth on this site whether express or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use.

If you have any questions about the data displayed on this website please contact the Cherokee County Assessor's Office at 678-493-6120. For technical problems related to this website, please contact the Cherokee County Assessor's Office at 678-493-6120.

Data last updated: 10/03/2022

Written Description:

Bluffs 2, Proposed Tract 3

All that tract or parcel of land lying and being in Land Lot 245 of the 14th District, 2nd Section, City of Canton, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 2" pipe in rock pile found at the northwest corner of Land Lot 245, said corner being common to Land Lots 223, 224, 245, and 24; thence along the common line of Land Lots 224 and 245 S00°24'25"E for a distance of 1131.87 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

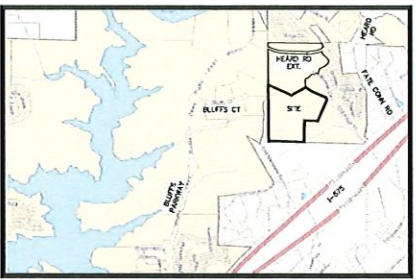
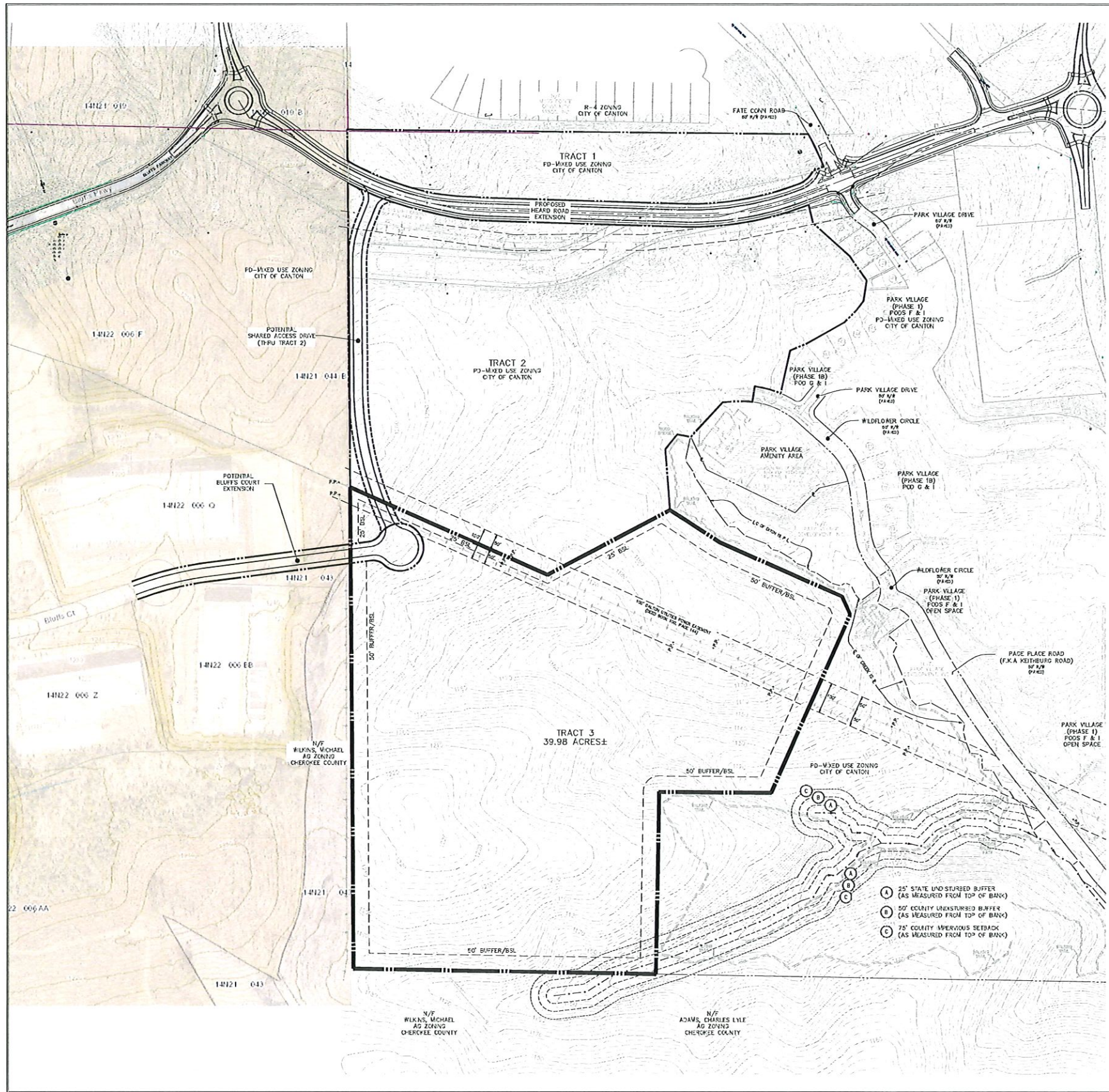
FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said Land Lot Line S66°05'11"E for a distance of 555.39 feet to a point; thence N73°12'04"E for a distance of 528.22 feet to a 1/2" rebar set; thence S57°09'25"E for a distance of 186.01 feet to a 1/2" rebar set; thence S66°08'55"E for a distance of 424.76 feet to a point; thence S24°41'45"E for a distance of 62.69 feet to a 1/2" rebar set; thence S23°52'00"W for a distance of 617.90 feet to a 1/2" rebar set; thence N89°29'50"W for a distance of 355.33 feet to a 1/2" rebar set; thence S00°59'40"W for a distance of 577.31 feet to a 1/2" rebar set at the common line of Land Lots 244 and 245; thence along said Land Lot Line N89°00'20"W for a distance of 958.32 feet to a 1-1/2" pipe found (leaning) at the southwest corner of Land Lot 245, said corner being common to Land Lots 224, 225, 244, and 245; thence along the common line of Land Lots 224 and 245 N00°24'25"W for a distance of 1524.65 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 39.985 acres.







VICINITY MAP

SCALE: 1"=2,000'



GENERAL NOTES:

- BOUNDARY INFORMATION TAKEN FROM SURVEY BY LANDMARK INC. DATED 12/18/2008. TOPOGRAPHIC SURVEY INFORMATION TAKEN FROM COUNTY GIS. PROPOSED HEARD ROAD EXTENSION LAYOUT & ASSOCIATED TOPO PROVIDED BY CHEROKEE COUNTY.
- PROPERTY IS LOCATED LAND LOT 245, 14TH DISTRICT, 2ND SECTION, CITY OF CANTON, CHEROKEE COUNTY, GEORGIA.
- TOTAL SITE AREA = 39.98 ACRES.
PROPERTY INCLUDES PORTION OF PARCEL 14-0245-0142 (14N21 0440) & EXCLUDES THE R/R OF THE PROPOSED HEARD ROAD EXTENSION (CHEROKEE COUNTY PROJECT).
- APPLICANT: CHEROKEE OFFICE OF ECONOMIC DEVELOPMENT
ONE INNOVATION WAY
WOODSTOCK, GA 30188
CONTACT: MR. HEATH TIPPENS
770.345.0600
- ENGINEER: CHRISTOPHER PLANNING & ENGINEERING, INC.
12450 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GA 30004
CONTACT: SOTIR J. CHRISTOPHER, P.E.
770.331.7303
- CURRENT ZONING: PD-MIXED USE
PROPOSED ZONING: PD-MIXED USE
PROPOSED USE: CORPORATE/OFFICE/LIGHT INDUSTRIAL
PROPOSED MAX. DENSITY: 15,000 SF/ACRE
PROPOSED MAX. HEIGHT: 60 FEET (6 STORES)
- A PORTION OF THE SITE IS NOT LOCATED WITHIN A DELINEATED 100 YR FLOOD HAZARD AREA PER FIRM PANELS 1305700162E LAST REVISED JUNE 7, 2019
- A JURISDICTIONAL WATERS DELINEATION HAS NOT BEEN PREPARED AT THE TIME THIS PLAN WAS PREPARED.
- WATER & SEWER TO BE PROVIDED BY CITY OF CANTON.
- STORMWATER MANAGEMENT WILL BE HANDLED IN ACCORDANCE WITH THE GEORGIA STORMWATER MANAGEMENT MANUAL (MODIFICATION TO EXISTING STANDARDS, ADOPTION OF PROPOSED STORMWATER PONDING AND UNDERGROUND STORMWATER BMPs).
- AS SHOWN ON THE PLAN, A 50 FOOT PERMETER BUFFER IS PROPOSED ADJACENT TO RESIDENTIAL USE (THIS SHALL SERVE AS THE BUILDING SETBACK). THIS BUFFER CAN BE DISTURBED/REPLANTED. A 25 FOOT BUILDING SETBACK IS PROPOSED ADJACENT TO ALL OTHER NON-RESIDENTIAL USES.
- ACCESS TO THE PROPERTY SHALL BE PROVIDED THRU AN EXTENSION OF BLUFFS COURT AND/OR WITH AN ACCESS ROAD FROM THE PROPOSED HEARD ROAD EXTENSION (THRU PROPERTY TO THE NORTH). BOTH OPTIONS ARE SHOWN ON THE SITE PLAN.



0 75' 150' 300' 600'
SCALE: 1"=150'

CP&E

CHRISTOPHER PLANNING
& ENGINEERING



GSWCC LEVEL II CERTIFIED
DESIGN PROFESSIONAL #05744
(EXP. 02.17.2024)

12450 CRABAPPLE ROAD, SUITE 202-612
ALPHARETTA, GEORGIA 30004
PHONE 770.331.7303

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ZONING PLAN
FOR:

PARK VILLAGE
TRACT 3

LAND LOTS 245
14TH DISTRICT, 2ND SECTION
CHEROKEE COUNTY, GEORGIA

FOR:



CHEROKEE ECONOMIC
OFFICE OF DEVELOPMENT

ONE INNOVATION WAY
WOODSTOCK, GA 30188

24HR CONTACT: HEATH TIPPENS
770.345.0600

REVISIONS

DATE: SEPTEMBER 30, 2022 CP&E DRAWING NO: 2021147z1.dwg

ZONING
SITE PLAN

SHEET NO.

Z.1