

## **COUNCIL AGENDA REPORT**

FROM:

Community Development Department

Prepared by: Ken Patton

CC:

City Clerk

**Public Information** 

SUBJECT:

Submittal of application for annexation of property - Case AX1605-001 - A portion of Tax Parcel

089E found on Tax Map # 14N09

DATE:

June 21, 2016

### **RECOMMENDATION**

### REPORT-IN-BRIEF

Lifestyle at Laurel Canyon, LLC has submitted an application seeking to annex +/- 3.309 acres of land into the City of Canton for the purpose of constructing a roadway that would serve as the second entrance into Laurel Canyon. This roadway would be a public road and be located in front of the security gate of Soleil. The road would be approximately .377 of a mile in length and would be built to City of Canton standards.

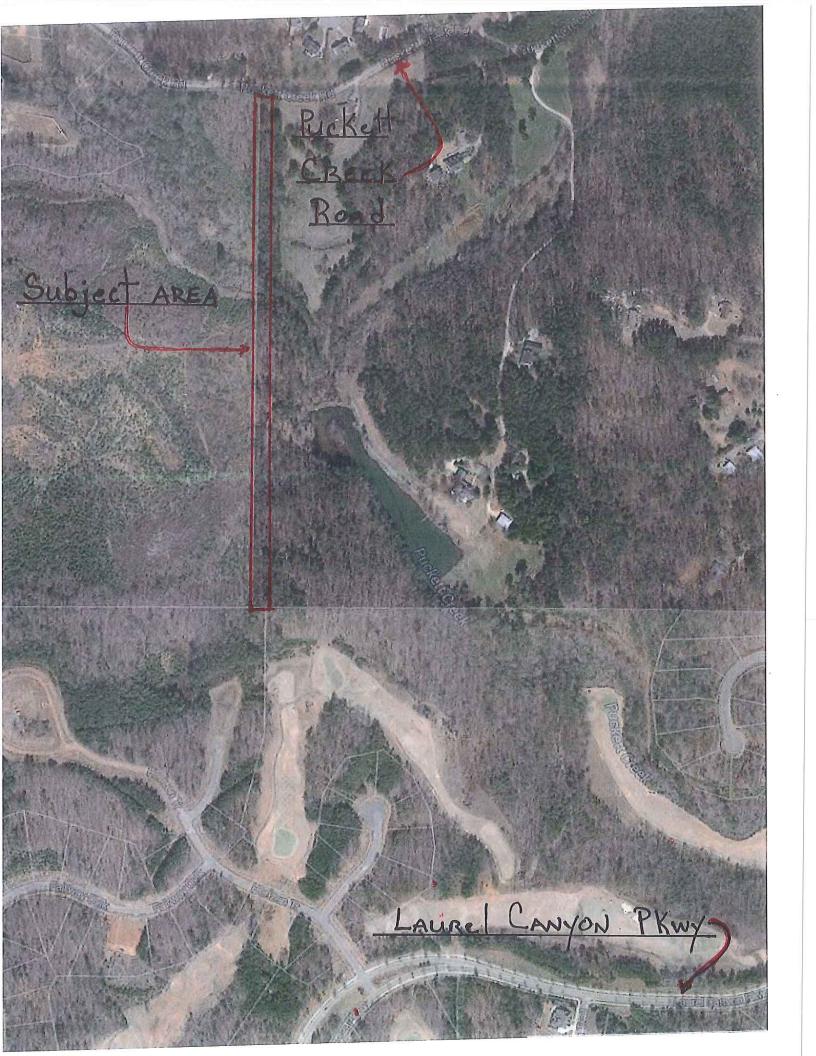
DISCUSSION

CONCURRENCES

FISCAL IMPACT

**ALTERNATIVES** 

Attachments



### Ordinance #AX1605-001

AN ORDINANCE TO ANNEX CERTAIN CONTIGUOUS AREA TO THE CITY OF CANTON, TO PROVIDE FOR THE EXTENSION OF CITY SERVICES TO THE AREA ANNEXED, TO DESIGNATE A ZONING CLASSIFICATION FOR THE AREA ANNEXED AND THE REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES

(Lifestyle at Laurel Canyon, LLC, applicant, 329 Puckett Creek Road, LLC, owner)

WHEREAS, the above referenced applicant and property owner, as the applicant for and owner of the land area by acreage involved, have filed an application to annex a certain area contiguous to the existing city limits of the City of Canton, Georgia, the area to be annexed being described as follows:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 117 of the 14th District, 2<sup>nd</sup> Section of Cherokee County, Georgia and being more particularly described on Exhibit "1" and Exhibit "2" attached hereto and incorporated herein by reference.

WHEREAS, upon filing, the Mayor and City Council of the City of Canton determined that such application met the requirements of the O.C.G.A. Section 36 Title 36 for annexation of property by municipalities and fixed a date for a meeting on such annexation application, such date being not less than fifteen (15) or more than forty-five (45) days from the date of such determination; and

WHEREAS, notice of time and place of such meeting was given in writing to the persons presenting the application and was advertised twice not less than 15 days nor more than 45 days immediately preceding such meeting in the "Cherokee Tribune", a newspaper of general circulation in the municipality and in the area proposed for annexation; and

WHEREAS, notice of receipt of the proposed annexation was given in writing to Cherokee County within five (5) days of the City's acceptance of the completed application;

NOW, THEREFORE, the Council of the City of Canton hereby ordains as follows: The aforesaid real property is contiguous to the City of Canton at said property's southern boundary. Said application for annexation is hereby approved.

ORDAINED FURTHER that the area annexed shall have a zoning classification of PD-MU (Planned Development-Mixed Use),

ORDAINED FURTHER that this ordinance shall become effective on the 1st day of August 2016.

ORDAINED FURTHER that the City of Canton Planning and Zoning Department will submit to the Georgia Department of Community Affairs per O.C.G.A. 36-36-3. The City of Canton participates in the U. S. Census Bureau's Boundary and Annexation Survey (BAS) and will include this parcel per O.C.G.A. 36-36-3. Certified copies of this ordinance will be submitted to the U. S. Department of Justice, Voting Rights Section pursuant to Section 5 for preclearance, and to Cherokee County thirty (30) days after the effective date of this annexation.

ADOPTED this 21st day of July 2016.
Attest:
City Clerk, Susan Stanton
Approved as to form and content:
Robert M. Dyer., City Attorney
First Reading: July 7, 2016
Adopted by Council: July 21, 2016
Approved by Mayor:
Veto by Mayor:
Second vote by Council:
Effective Date:

The legal description of the Property is:

All that tract or parcel of land lying and being in Land Lot 117 of the 14th District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a ½" rebar found at the southeast corner of Land Lot 117, said corner being common to Land Lots 117, 118, 135 and 136; Thence along the southerly line of Land Lot 117, North 87 Degrees 30 minutes 00 seconds West, 1134.33 feet to a point, said point being the TRUE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, thence continuing along the southerly line of Land Lot 117, North 87 Degrees 30 Minutes 00 Seconds West a distance of 127.32 feet to a 1/2" rebar found; thence leaving said land lot line, North 00 Degrees 42 Minutes 29 Seconds East a distance of 1961.24 feet to a 1/2" rebar found on the southern right of way of Puckett Creek Road (40' right-of-way); thence along said right of way along a curve turning to the left with an arc length of 63.47 feet, with a radius of 448.00 feet, with a chord bearing of South 70 Degrees 08 Minutes 00 Seconds East, with a chord length of 63.42 feet to a 1/2" rebar found; thence leaving said right-of- way South 00 Degrees 41 Minutes 40 Seconds West a distance of 1009.81 feet to a 1/2" rebar found; thence South 02 Degrees 36 Minutes 29 Seconds East a distance of 388.50 feet to a point; thence South 13 Degrees 08 Minutes 45 Seconds West a distance of 33.00 feet to a point; thence South 10 Degrees 50 Minutes 21 Seconds West a distance of 10.11 feet to a point; thence South 00 Degrees 54 Minutes 28 Seconds West a distance of 9.20 feet to a point; thence South 07 Degrees 45 Minutes 50 Seconds East a distance of 34.57 feet to a point; thence South 06 Degrees 22 Minutes 06 Seconds East a distance of 110.79 feet to a point; thence South 11 Degrees 42 Minutes 56 Seconds East a distance of 51.83 feet to a point; thence South 02 Degrees 43 Minutes 09 Seconds East a distance of 58.50 feet to a point; thence South 07 Degrees 00 Minutes 50 Seconds East a distance of 58.74 feet to a point; thence South 01 Degrees 30 Minutes 54 Seconds East a distance of 154.81 feet to a point; thence South 11 Degrees 20 Minutes 41 Seconds East a distance of 30.01 feet to a point on the southerly line of Land Lot 117, said point being the TRUE POINT OF BEGINNING; being shown as 3.309 Acres on plat entitled "Survey for Southeast Capital Companies" prepared by Gunnin Land Surveying, LLC, bearing the seal of Jesse R. Gunnin, Georgia RLS #3079, Project No. 15088, dated May 9, 2016.

### SURVEY FOR

### SOUTHEAST CAPITAL COMPANIES

LOCATED IN LAND LOT 117 14th DISTRICT, 2nd SECTION CHEROKEE COUNTY, GEORGIA

MAY 9, 2016 1"=100'

## TOTAL AREA= 3.309 ACRES

### CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 42,855. IT WAS ADJUSTED USING THE COMPASS RULE. THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF 1 IN 139,831.

#### GENERAL NOTES

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS WAS A TOPCON GTS 235W.

BEARINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE GRID BASELINE.

ALL IRON PINS ARE 1/2" REBAR UNLESS OTHERWISE NOTED.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-8-67.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY 6GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983 (HARN)—STATE PLANE COORDINATE SYSTEM OF GEORGIA—WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

BY GRAPHIC PLOTTING ONLY, THIS SITE IS NOT WITHIN THE LIMITS OF A 100 YR. FLOOD HAZARD AREA AS PER F.I.R.M. CHEROKEE COUNTY, GEORGA AND INCORPORATED AREAS, COMMUNITY PANEL NO. 13057C 0144 D DATED SEPTEMBER 29, 2006. THIS SITE FALLS WITHIN ZONE "X".

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD GUNNIN LAND SURVEYING, LIC. HARMLESS AGAINST ANY AND ALL LABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. UNDERGROUND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY.

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PROJECT NO: 15088 FIELD DATE: 04.03.16 PLAT PREP.: 05.09.16

### **ABBREVIATIONS**

B.L.	BUILDING LINE
C.L.	CENTERLINE
CMP	CORRUGATED METAL PIPE
CT	CRIMPED TOP PIPE
DE	DRAINAGE EASEMENT
E.O.P.	EDGE OF PAVEMENT
FEN	FENCE
LLL	LAND LOT LINE
0.H.	OVERHEAD UTIL. LINE
OT"	OPEN TOP PIPE
RCP	REINFORCED CONCRETE PIPE
	RIGHT OF WAY
R.W.	SANITARY SEWER
SS	SANITARY SEWER EASEMENT

### SYMBOL LEGEND

	e IPF	1/2" REBAR FND.
	e IPS	1/2" REBAR SET
	⊕ BM	BENCHMARK
	O CTV	CABLE BOX
		CATCH BASIN
	CB CB	CONCRETE MONUMENT FOUND
	☐ CMF	
	■ DI	DROP INLET
	□ EM	ELECTRIC METER
	⊕ FH	FIRE HYDRANT
	© FH Ø ICV	IRRIGATION CONTROL VALVE
	-O- LP	LIGHT POLE
	o ocs	OUTLET CONTROL STRUCTURE
	Ø PP	POWER POLE
	@ CO	SANITARY CLEANOUT
	● MH	SANITARY SEWER MANHOLE
		STORM JUNCTION BOX
	● JB	
	<u>□</u> 7X	TRANSFORMER BOX
	TSB	TRAFFIC SIGNAL BOX
ı	-O- TSP	TRAFFIC SIGNAL POLE
ı	図 TB	TELEPHONE BOX
ı	DES WM	WATER METER
ı	⊗ WV	WATER VALVE
ı	● W/	WEIR INLET

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# Gunnin

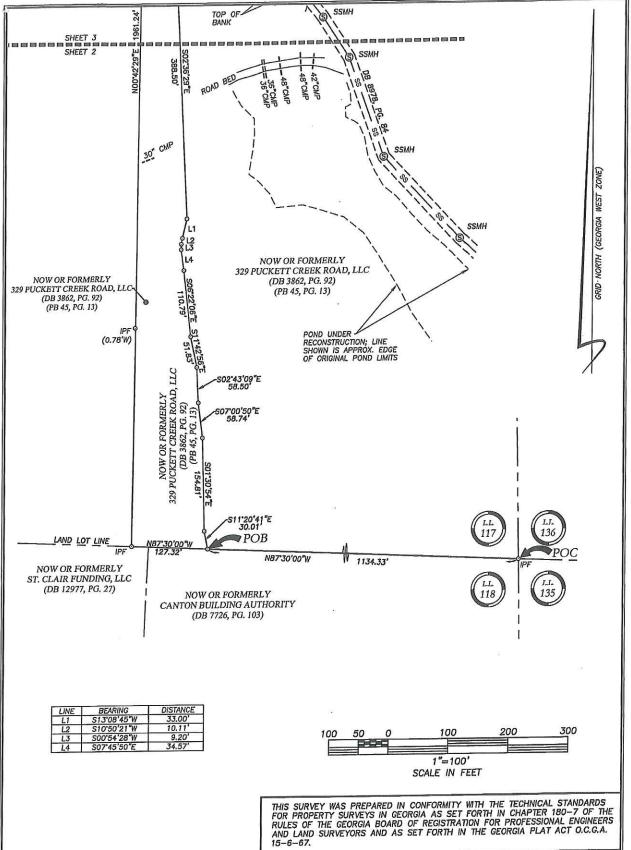
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www.gunninlandsurveying com Land Surveyor Firm License





ORG

DE R. GUNN

SHEET OF

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