

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 116-016 Tax Map & Parcel # (TMP): 114-019
~~114-033~~
Submittal Date: 7-8-16 Time: 12:00 am/pm Received by: W (staff initials)
Fees Assessed: 350.00 Paid: check # 1099 Commission District: _____
Planning Commission Meeting Date: 8-16-16
Board of Commissioners Meeting Date: 9-15-16

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Lipscomb, Johnson, Sleister Dailey & Smith, LLP
Address: 112 N Main St, Cumming, GA 30040

Phone: Listed _____ Email: Business _____ com
 Unlisted _____ Personal _____
Status: Owner Authorized Agent Lessee Option to purchase

Notice: If applicant is other than owner, enclosed Property Owner Authorization form must be completed.

I have /have not participated in a Pre-application meeting with Planning Staff.
If not, I agree /disagree to schedule a meeting the week following the submittal deadline.
Meeting Date: _____ Applicant Signature: [Signature]

PROPERTY OWNER/PROPERTY INFORMATION

Name: Dawson Forest Holdings, LLC
Street Address of Property being rezoned: 7142 Hwy 53 E, Dawsonville GA 30534

Rezoning from: AG RA to: RMF Total acreage being rezoned: 15.83
Directions to Property: Adjacent to Slack Auto Parts & Farmington Apartments

Subdivision Name (if applicable): n/a Lot(s) #: 95

Current Use of Property: Rental Trailer Park

Any prior rezoning requests for property? no if yes, please provide rezoning case #: ZA _____

*****Please refer to Dawson County's Georgia 400 Corridor Guidelines and Maps to answer the following:**

Does the plan lie within the Georgia 400 Corridor? yes (yes/no)

If yes, what section? South

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North CHB & RMF South RMF East CHB & RA West RMF

Future Land Use Map Designation: Commercial Hwy Business

Access to the development will be provided from:

Road Name: State Route 53 Type of Surface: Asphalt

REQUESTED ACTION & DETAILS OF PROPOSED USE

Rezoning to: RMF Special Use Permit for: _____

Proposed Use: Residential Neighborhood aimed at 55+ Seniors

Existing Utilities: Water Sewer Gas Electric

Proposed Utilities: Water Sewer Gas Electric

RESIDENTIAL

No. of Lots: 95 Minimum Lot Size: 2,400 (acres) No. of Units: 95

Minimum Heated Floor Area: 1200 sq. ft. Density/Acre: 6/Ac

Type: Apartments Condominiums Townhomes Single-family Other

Is an Amenity Area proposed: no; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: n/a No. of Parking Spaces: n/a

APPLICANT CERTIFICATION

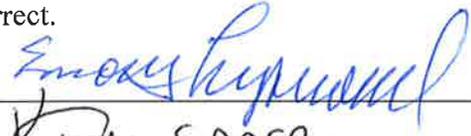
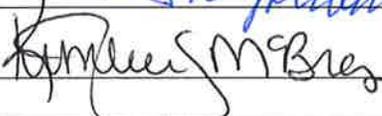
I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning of special use application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Signature		Date	<u>7/17/2014</u>
Witness		Date	<u>7/17/2014</u>

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development Department if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following the written request and publication the Planning Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Planning Commission. Further, the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fees may be made unless directed by the Board of Commissioners.

ZA _____

TMP#: _____

List of Adjacent Property Owners

It is the responsibility of the Applicant to provide a list of adjacent property owners. This list must include the name and mailing address of anyone who has property touching your property or who has property directly across the street from your property.

****Please note this information should be obtained using the Tax Map & Parcel (TMP) listing for any parcel(s) adjoining or adjacent to the parcel where a variance or rezone is being requested.**

Name

Address

TMP	114 046 002	1.	Farmington Creek, LP, 3825 PACES WALK SUITE 100 ATLANTA, GA 30339
TMP	114 043	2.	William & Phillip Slack, P O BOX 778 GAINESVILLE, GA 30503
TMP	114 020 006	3.	BEAR PRAISE CENTER INC , 293 OVERLOOK DR DAWSONVILLE, GA 30534
TMP	114 020 002	4.	MB REO GA LAND LLC, 515 S FLOWER ST 44th FLOOR LOS ANGELES, CA 90071
TMP	114 020 001	5.	3MIND DAWSON FOREST LLC & SG ATLANTIC LLC, 433 E. LAS COLINAS BLVD SUITE 300 IRVING, TX 75039
TMP	_____	6.	_____
TMP	_____	7.	_____
TMP	_____	8.	_____
TMP	_____	9.	_____
TMP	_____	10.	_____
TMP	_____	11.	_____
TMP	_____	12.	_____
TMP	_____	13.	_____
TMP	_____	14.	_____
TMP	_____	15.	_____

Use additional sheets if necessary.

NOTICE OF RESIDENTIAL EXURBAN/AGRICULTURAL DISTRICT (R-A) ADJACENCY

Agricultural districts include uses of land primarily for active farming activities and result in odors, noise, dust and other effects, which may not be compatible with adjacent development. Future abutting developers in non RA land use districts shall be provided with this "Notice of RA Adjacency" prior to administrative action on either the land use district or the issuance of a building or occupancy permit.

Prior to administrative action the applicant shall be required to sign this waiver which indicates that the applicant understands that a use is ongoing adjacent to his use which will produce odors, noise, dust and other effects which may not be compatible with the applicant's development. Nevertheless, understanding the effects of the adjacent RA use, the applicant agrees by executing this form to waive any objection to those effects and understands that his district change and/or his permits are issued and processed in reliance on his agreement not to bring any action asserting that the adjacent uses in the RA district constitute a nuisance) against local governments and adjoining landowners whose property is located in an RA district.

This notice and acknowledgement shall be public record.

Applicant Signature: *Emory Lipscomb*

Applicant Printed Name: Emory Lipscomb for Lipscomb, Johnson, Sleister Dailey & Smith, LLP

Application Number: _____

Date Signed: 7/8/16

Sworn and subscribed before me

this 8 day of July, 2016.

Christina L. Brislin
Notary Public

My Commission Expires: 8/30/2019



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS
(APPLICANT(S) AND REPRESENTATIVE(S) OF REZONING)

Pursuant to O.C.G.A. Section 36-67 A-3.A, the following disclosure is mandatory when an applicant or any representation of application for rezoning has been made within two (2) years immediately preceding the filing of the applicant's request for rezoning, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application for rezoning.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government showing the following:

1. Name of local official to whom campaign contribution was made:

_____ n/a _____

2. The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two (2) years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

Amount \$ _____ 0 _____ Date: _____

Enumeration and description of each gift when the total value of all gifts is \$250.00 or more made to the local government official during the two (2) years immediately preceding the filing of application for rezoning:

_____ n/a _____

Signature of Applicant/Representative of Applicant:

_____  _____ Date: 7/17/2012

BY NOT COMPLETING THIS FORM YOU ARE MAKING A STATEMENT THAT NO DISCLOSURE IS REQUIRED

This form may be copied for each applicant. Please attach additional sheets if needed.

PROPERTY OWNER AUTHORIZATION

I/we, Dawson Forest Holdings, LLC, hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

7142 Hwy 53E, Dawsonville, GA 30534 PIN #'s L13 081 & 114 033

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The under signer is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of the last action by the Board of Commissioners.

Printed Name of applicant or agent: Lipscomb, Johnson, Sleister Dailey & Smith, LLP

Signature of applicant or agent: [Signature] Date: 7/8/16

Printed Name of Owner(s): Dawson Forest Holdings, LLC

Signature of Owner(s): [Signature] Date: 7/8/2016

Mailing address: 112 N. Main St.

City, State, Zip: Cumming, GA 30040

Telephone Number: 770-587-7761
Listed Unlisted

Sworn and subscribed before me this 8 day of July, 2016.

[Signature]
Notary Public

My Commission Expires: 8/2019



(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

OWNER/DEVELOPER:
 D&B COMMUNITY DEVELOPMENT, LLC
 1300 BROADWAY, SUITE 200
 DAWSONVILLE, GA 30128
 PH: 770-979-6000
 WWW.D&BCOMMUNITYDEVELOPMENT.COM

24-HOUR CONTACT:
 PROJECT: **HUGHES COURT TRACT**

LOCATED IN:
 13th DISTRICT, SOUTH SECTION
 DAWSON COUNTY, GEORGIA
 PARCEL NUMBERS:
 140109 & 141406

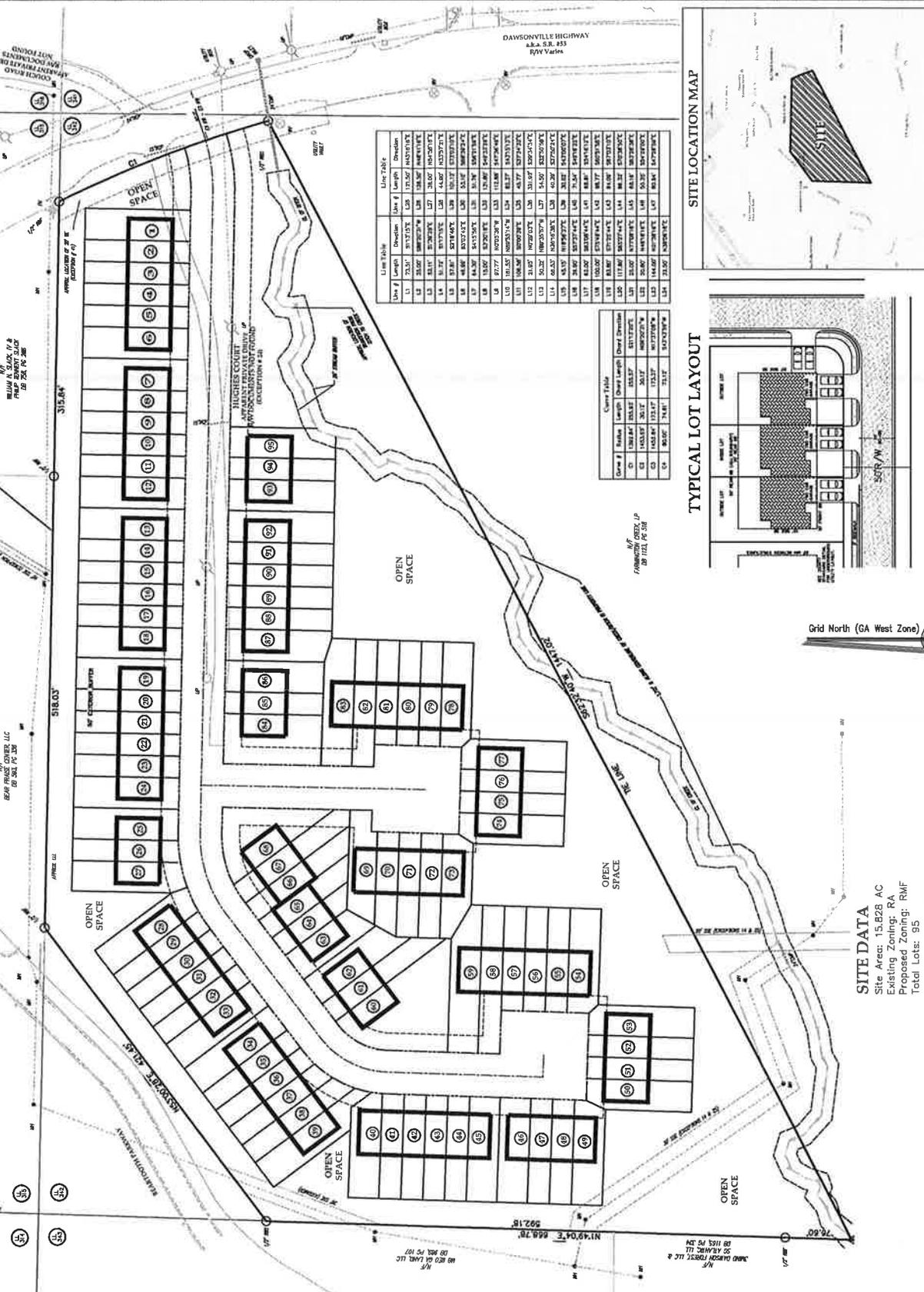
SHEET TITLE:
REZONING EXHIBIT

DRAWING DATE: 2016-07-07
STAMP:

SHEET REVISIONS

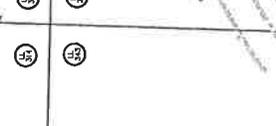
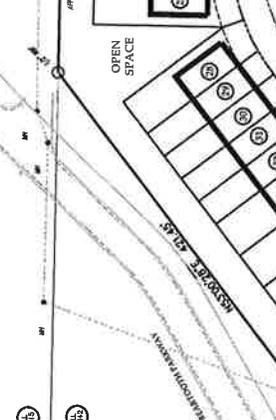
NO.	DESCRIPTION	DATE
1	ISSUING EXHIBIT	7/14/16

SHEET: C0.01



Lot Table

Lot #	Length	Width	Area	Direction
1	73.54'	31.12 (50%)	2309.14	142°30'00"
2	73.54'	31.12 (50%)	2309.14	142°30'00"
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52	73.54'	31.12 (50%)	2309.14	142°30'00"
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Open Space

Open #	Area	Length	Width	Direction
1	128.84'	128.84'	128.84'	131°29'00"
2	143.83'	26.17'	26.17'	80°27'00"
3	143.84'	173.47'	173.47'	80°27'00"
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All that tract or parcel of land being located in Land Lot 341 in the South half of the 13th District, 1st Section, Dawson County, Georgia, being more particularly described as follows:

Commencing at the Southwest corner of Land Lot 342; thence, North 01 degrees 49 minutes 04 seconds East a distance of 391.27 feet to a point, said point being the True Point of Beginning; thence, North 01 degrees 49 minutes 04 seconds East a distance of 668.78 feet to a point; thence, North 53 degrees 00 minutes 28 seconds East a distance of 421.45 feet to a point; thence, South 88 degrees 51 minutes 27 seconds East a distance of 833.86 feet to a point on the western R/W of Dawsonville Highway, a.k.a. SR #53 (60' R/W); thence with a curve turning to the right with an arc length of 255.93 feet, with a radius of 1392.84 feet, with a chord bearing of South 21 degrees 13 minutes 13 seconds East, with a chord length of 255.57 feet; thence, departing said R/W, along the centerline of a ditch/creek for a distance of 1,712± feet, said creek having a tie line of South 62 degrees 32 minutes 40 seconds West a distance of 1447.02 feet to a point, said point being the True Point of Beginning.

Said tract contains 15.828± Acres, more or less.

LETTER OF INTENT

The applicant requests Rezoning of Parcel Number 114 019 from RA to RMF in order to build a 95-Unit Fee Simple Townhome Community on 15.83 acres. The property is located at 20 Hughes Court, Dawsonville, GA 30534. The property is immediately adjacent to the Farmington Apartments to the south and Slack Auto Parts to the north. It is bordered on the west by the Dawson Forest apartments. The current use of this property is a rental trailer park which is very similar in use to RMF.

Printed: 7/6/2016 11:38:47 PM

Phone: (706) 344-3520

Fax: (706) 344-3522

**Official Tax Receipt
Dawson County
25 Justice Way, Suite 1222
Dawsonville, GA 30534
--Online Receipt--**

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 2385	L13 081 / 001 LL 317 339 340 341 FMV: \$608,479.00	\$6,007.89	\$0.00 Fees: \$0.00 \$0.00		\$6,007.89	\$6,007.89	\$0.00 Current Due: \$0.00
	Totals:	\$6,007.89	\$0.00		\$6,007.89	\$6,007.89	\$0.00

Paid Date: 12/4/2015

Charge Amt: \$6,007.89

CF SOUTHEAST REO LLC
412 E PARKCENTER BLVD
STE 300

BOISE, ID 83706



Printed: 7/6/2016 11:35:06 PM

Phone: (706) 344-3520
Fax: (706) 344-3522

Official Tax Receipt
Dawson County
25 Justice Way, Suite 1222
Dawsonville, GA 30534
--Online Receipt--

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 2382	114 033 / 001 LL 374 LD 13-S FMV: \$1,020,885.00	\$10,079.82	\$0.00 Fees: \$0.00 \$0.00		\$10,079.82	\$10,079.82	\$0.00 Current Due: \$0.00
	Totals:	\$10,079.82	\$0.00		\$10,079.82	\$10,079.82	\$0.00

Paid Date: 12/4/2015

Charge Amt: \$10,079.82

CF SOUTHEAST REO LLC
412 E PARKCENTER BLVD
STE 300

BOISE, ID 83706





- Area of Minimal Flood Hazard: Determined to be outside the 0.2% annual chance floodplain
 - X: 500 Year Flood - Areas of 0.2% annual chance flood
 - A: 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined
 - AE: 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations determined
 - AO or AH: Areas subject to inundation by 1-percent-annual-chance shallow flooding, average depths 1-3 feet
 - VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action)
 - Openwater
- 0 1600 3200 4800 6400 ft

Dawson County Assessor			
Parcel: 114 019 Acres: 14.39			
Name:	CF SOUTHEAST REO LLC	Land Value	\$1,439,000.00
Site:	20 HUGHES CT	Building Value	\$0.00
Sale:	\$3,900,000 on 03-2016 Reason=MV Qual=Q	Misc Value	\$44,800.00
Mail:	412 E PARKCENTER BLVD STE 300 BOISE, ID 83706	Total Value:	\$1,483,800.00



The Dawson County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER DAWSON COUNTY NOR ITS EMPLOYEES , RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 07/21/16 : 16:54:48

Printed: 7/6/2016 11:36:57 PM

Phone: (706) 344-3520
Fax: (706) 344-3522

Official Tax Receipt
Dawson County
25 Justice Way, Suite 1222
Dawsonville, GA 30534
--Online Receipt--

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2015 - 2381	114 019 / 001 LL 342 LD 13-S FMV: \$1,368,680.00	\$13,513.79	\$0.00 Fees: \$0.00 \$0.00		\$13,513.79	\$13,513.79	\$0.00 Current Due: \$0.00
	Totals:	\$13,513.79	\$0.00		\$13,513.79	\$13,513.79	\$0.00

Paid Date: 12/4/2015

Charge Amt: \$13,513.79

CF SOUTHEAST REO LLC
412 E PARKCENTER BLVD
STE 300

BOISE, ID 83706



GMRDC Development of Regional Impact REVIEW DATA

In addition to the rezoning application we will need the following for the DRI submittal:

1. At minimum we will need a traffic study/report showing the vehicle trips per day produced by the proposed development, the net impact on the surrounding roads, and the level of service rating for the road that the development will be accessed from. **Traffic Study in Process. Should have in 3-4 weeks.**
2. Developer contact information (address, telephone, email)
**Dawson Forest Holdings, LLC
5665 Atlanta Highway
Suite 103-205
Alpharetta, GA 30004**
3. Property Owner if different from Developer **Dawson Forest Holdings, LLC**
4. Is this project a phase or part of a larger overall project? If yes, what percent of the overall project does this project/phase represent? **NO**
5. What is your estimated project completion date? Overall project? **Fall 2019**
6. Estimated value at build-out? **Hughes Ct Townhomes = \$14,000,000. SF Neighborhood behind Tractor Supply = \$48,000,000 Commercial Parcel beside Tractor Supply = \$500,000**
7. What is the estimated water supply demand to be generated by the project, measured in millions of gallons per day (MGD)? **54,480 gpd = .054 MGD & for the 40,314 sq. ft. commercial (based on retail) will be 3,024 gpd = .003 MGD and for the 95 residential lots will be 21,565 gpd = .022 MGD for a total of 79,069 gpd = .079 MGD.**
8. Is sufficient water supply capacity available to serve the proposed project? If no, describe any plans to expand the existing water supply capacity. **Yes, there is currently sufficient water supply available to serve the project.**
9. Is a water line extension required to serve this project? If yes, how much additional line (in miles) will be required? **Yes, water line upgrades and extensions will be required to serve the projects. The existing water main is located across the street from TMP L13-081. An upgrade will be required for this line and an extension will be required within the project property to serve the lots proposed. Combined, the footage for the water line upgrade and extension will be approximately 6,000 ft = 1.14 miles. The water main is located on the same side of the street for TMP 114-019. The water main must be extended within the property to serve the development for approximately 1,500 ft = .28 miles. Total footage: 7,500 ft = 1.42 miles**
10. What is the estimated sewage flow to be generated by the project, measured in millions of gallons per day (MGD)? **Based on the information submitted, the estimated sewage flow for the 240 lots will be 54,480 gpd = .054 MGD & for the 40,314 sq. ft. commercial (based on retail) will be 3,024 gpd = .003 MGD and for the 95 residential lots will be 21,565 gpd = .022 MGD for a total of 79,069 gpd = .079 MGD.**
11. Is sufficient wastewater treatment capacity available to serve the proposed project? If no, describe any plans to expand existing wastewater treatment capacity. **Yes, there is currently sufficient wastewater treatment capacity to serve the project.**
12. Is a sewer line extension required to serve this project? If yes, how much additional line (in miles) will be required? **Yes, a sewer line extension and lift station will be required to serve the project on TMP L13-081. There is an existing gravity sanitary sewer line across the street from the project property. New gravity sanitary sewer line and force main must be installed within the project property to provide sanitary sewer service. The new gravity sanitary sewer**