

# DAWSON COUNTY REZONING APPLICATION

\*\*\*This portion to be completed by Zoning Administrator\*\*\*

ZA 19.04 Tax Map & Parcel # (TMP): 113 085  
Submittal Date: Feb. 7, 2019 Time: 10:54 (am/pm) Received by: WJG (staff initials)  
Fees Assessed: \$350 Paid: check Commission District: \_\_\_\_\_  
Planning Commission Meeting Date: March 19, 2019  
Board of Commissioners Meeting Date: April 18, 2019

## APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Landbridge Development, LLC

Address: 7000 Peachtree Dunwoody Road, Suite 4-100, Atlanta, GA 30328

Phone:  Listed \_\_\_\_\_  Unlisted \_\_\_\_\_ Email:  Business \_\_\_\_\_  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: February 5, 2019 Applicant Signature: 

## PROPERTY OWNER/PROPERTY INFORMATION

Name: WJS Dawson LLC

Street Address of Property being rezoned: 65 North 400 Center Lane, Dawsonville, GA 30534

Rezoning from: C-HB to: RMF Total acreage being rezoned: 14.28 Acres

Directions to Property: From the intersection of GA-53 & US-19, travel northwesterly for 0.1 mile, turn right on North 400 Center Lane, continue for 0.1 mile, the property is on the left.

Subdivision Name (if applicable): LL 283-282 TRACT 1 LD 13 S-1 Lot(s) #: N/A

Current Use of Property: C-HB, Vacant Lot w/ Existing Detention Basin

Any prior rezoning requests for property? N/A 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 400 Corridor

**SURROUNDING PROPERTY ZONING CLASSIFICATION:**

North C-HB, C-PCD, R-A South C-HB East C-HB, C-PCD West C-HB

Future Land Use Map Designation: Commercial-Highway

Access to the development will be provided from:

Road Name: North 400 Center Lane, Medical Center Drive Type of Surface: 28' Asphalt w/ CC&G, 26' Asphalt

**REQUESTED ACTION & DETAILS OF PROPOSED USE**

Rezoning to: RMF, Residential Multi-Family  Special Use Permit for: \_\_\_\_\_

Proposed Use:

80 Units Residential Multi-Family, 5 2-Story Buildings (16-Unit Each) w/ Community Building

Existing Utilities:  Water  Sewer  Gas  Electric

Proposed Utilities:  Water  Sewer  Gas  Electric

**RESIDENTIAL**

No. of Lots: 1 Minimum Lot Size: 14.28 (acres) No. of Units: 80

Minimum Heated Floor Area: 800 sq. ft. Density/Acre: 5.6 Unit/Acre

Type:  Apartments  Condominiums  Townhomes  Single-family  Other

Is an Amenity Area proposed: YES; if yes, what? Community Building, Fenced Community Gardens

**COMMERCIAL & INDUSTRIAL**

Building area: \_\_\_\_\_ No. of Parking Spaces: \_\_\_\_\_

**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 2/6/19

Witness 

Date 2/6/19

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**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.

**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:

\_\_\_\_\_

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 \$ \_\_\_\_\_ 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant/Representative of Applicant:

\_\_\_\_\_ Date: \_\_\_\_\_

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

65 NORTH 400 CENTER LANE, DAWSONVILLE, GA 30534

TAX DISTRICT 1 (UNINCORPORATED), PARCEL NUMBER 113 085

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: Landbridge Development, LLC

Signature of applicant or agent: [Signature] Date: 2/5/19

\*\*\*\*\*

Printed Name of Owner(s): WJS Dawson, LLC

Signature of Owner(s): [Signature] Date: 2/5/2019

Mailing address: \_\_\_\_\_

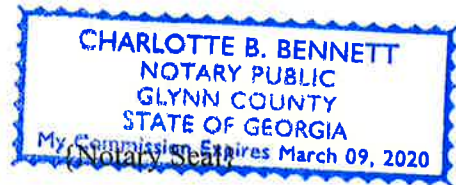
City, State, Zip: \_\_\_\_\_

Telephone Number:  Listed  Unlisted \_\_\_\_\_

Sworn and subscribed before me this 5<sup>th</sup> day of February, 2019.

Charlotte Bennett  
Notary Public

My Commission Expires: 3/9/2020



(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.)

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.**

	<u>Name</u>	<u>Address</u>
TMP <u>113 092</u>	1. D53 LLC Northeast Georgia Primary Care Inc	355 Brogdon Road, Suite 211, Suwanee, GA 30024
TMP <u>113 179</u>	2. Neighborhood Health Care Nanrob Properties LP & 657 Mission	743 Spring Street NE, Gainesville, GA 30501
TMP <u>113 180</u>	3. C/O Brenda Bernheim	4984 Vistazo West, Belvedere Tiburon, CA 94920
TMP <u>113 040</u>	4. Howe H Clay & Kathleen	1 CVS Drive Occ. Exp. Dept., Woonsocket, RI 02895
TMP <u>113 085 003</u>	5. Cutchin Company LLC	PO Box 978, Gainesville, GA 30503
TMP <u>113 085 009</u>	6. Colvis Investments LLC	647 Gardinia Glen, Escondido, CA 92025
TMP <u>113 114</u>	7. Colvis Investments LLC	647 Gardinia Glen, Escondido, CA 92025
TMP <u>113 121</u>	8. Waffle House Inc	PO Box 6450, Norcross, GA 30091
TMP <u>113 122</u>	9. Fuentes Daniel	412 Pine Ridge Court, Woodstock, GA 30188
TMP <u>113 087</u>	10. PAR Dawson LLC	50 Cinema Lane, St. Simons Island, GA 31522
TMP <u>113 085 004</u>	11. Autozone Inc	123 South Front Street (Dept. 8088), Memphis, TN 38101
TMP <u>113 085 005</u>	12. Armando Castillo LLC	6429 Grand Marina Circle, Gainesville, GA 30506
TMP <u>113 085 002</u>	13. Mahadev Inc	5133 Aurelia Trail, Suwanee, GA 30024
TMP <u>113 085 006</u>	14. WJS Dawson LLC Spirit Master Funding IX LLC	50 Cinema Lane, St. Simons Island, GA 31522 2727 North Hardwood Street, Suite 300
TMP <u>113 042</u>	15. C/O Spirit SPE Manager LLC	Dallas, TX 75201

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: 

Applicant Printed Name: Gary R. Hammond, Jr.

Application Number: \_\_\_\_\_

Date Signed: 2/6/19

Sworn and subscribed before me

this 6th day of Feb, 2019.

  
Notary Public

My Commission Expires: 10/20/19





7000 Peachtree Dunwoody Road  
Suite 4-100  
Atlanta, GA 30328  
Phone: (770) 481-0853  
Fax: (770) 481-0854

February 6, 2019

Dawson County Planning and Development  
25 Justice Way, Suite 2322  
Dawsonville, GA 30534

RE: Peaks of Dawsonville  
65 North 400 Center Lane Dawsonville, GA 30534  
Tax Parcels # 113 085  
Rezoning/Variance Applications

To Whom It May Concern:

Landbridge Development, LLC, seeks support for the rezoning of the above listed property from Dawson County C-HB to RMF. This proposed change would allow for the construction of the Peaks of Dawsonville, a Multi-Family Development of 80 units. This development will help to address issues and opportunities identified within the Dawson County Comprehensive Plan. Under Housing specifically they state, "The new housing market currently provides few options beyond single-family homes on large lots and limits options that would meet residents' needs at all stages of life", and "Zoning regulations that segregate housing types and do not provide for mixed use development". The Plan lists that "Multi-family housing near Georgia 400, between Georgia 53 and Dawson Forest Road, can provide housing for people working in the retail center."

The property is owned by WJS Dawson, LLC, and is a  $\pm 14.28$  acre tract of vacant land. The proposed development will include new construction of 80 one, two, and three-bedroom garden style apartment homes (or 5.6 units/per acre) and a community building that will house the onsite management office along with additional resident amenities.

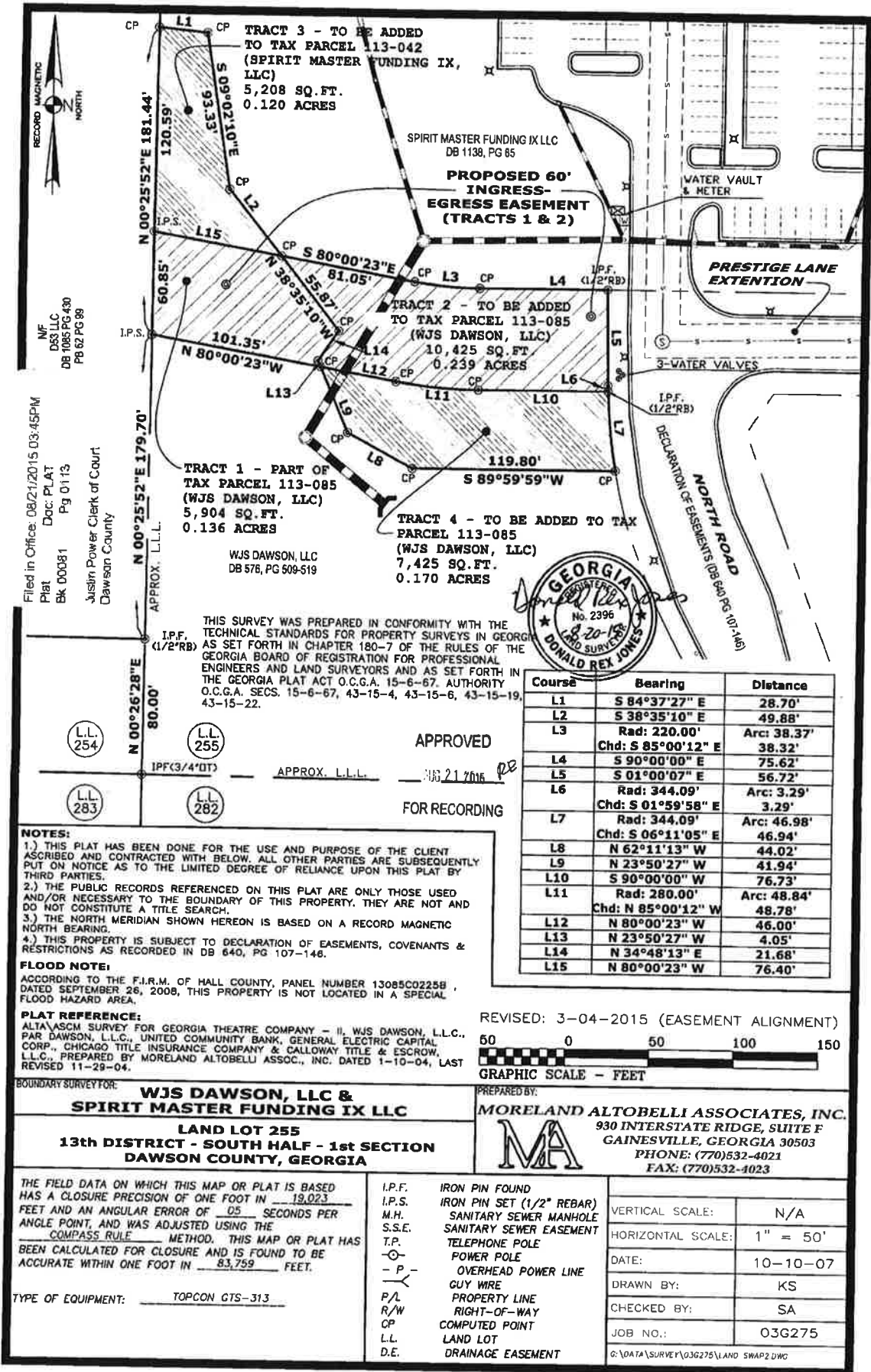
The Development of the proposed apartment community is anticipated to commence summer 2020 with a proposed completion of summer 2021.

The proposed Peaks of Dawsonville will be developed through the Georgia Department of Community Affairs LIHTC Program and will be subject to a Declaration of Land Use Restricted Covenant ("LURC") that will be recorded at closing. This LURC defines the number and type of units that will be constructed/operated on the property; dictates the owner's representations, covenants, and warranties such as performance agreements and maintenance of site amenities. Additionally the LURC lists out all additional site, use, occupancy restrictions, with a detailed amenity and supportive services list. The Georgia Department of Community Affairs requires Annual Owner Certifications and conducts physical inspections and compliance audits every two to three years to make sure properties are well maintained and managed per their program requirements. The community will also have an executed Management Plan to provide onsite Management to include management and maintenance staff to operate and maintain the property. Third party contractors may be used for landscaping and other maintenance items that fall outside of their typical maintenance activities.

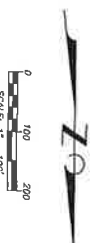
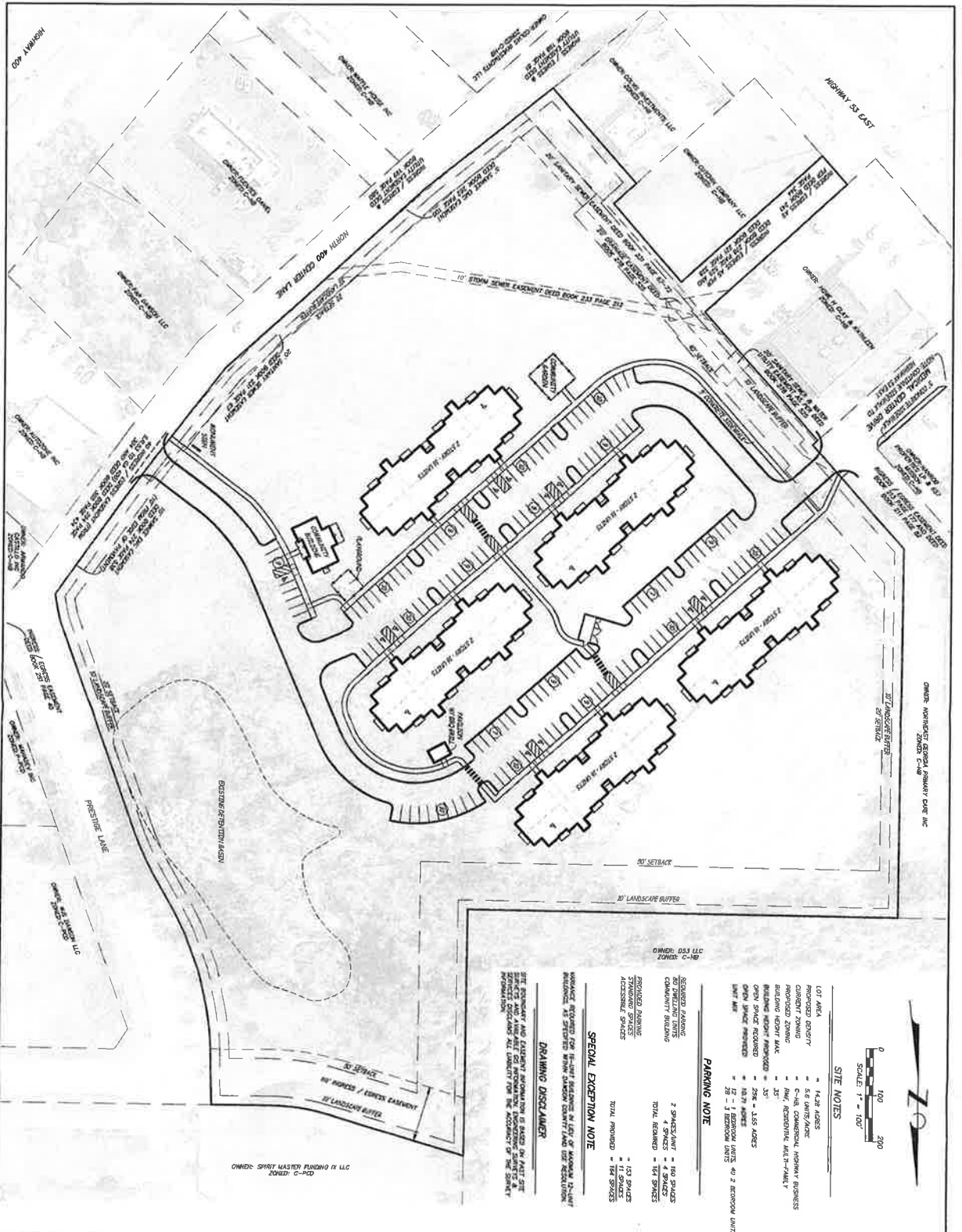
Sincerely,

Gary R. Hammond, Jr.









**SITE NOTES**

- LOT AREA = 14.28 ACRES
- PROPOSED DENSITY = 5.8 UNITS/ACRE
- CONCEPT ZONING = C-148 COMMERCIAL HIGHWAY BUSINESS
- BUILDING HEIGHT MAX. = 35' (RESIDENTIAL MULTIFAMILY)
- RELIABLE REPORT PROVIDED = 3/31
- ORIG. SURVEY PROVIDED = 2/28 = 1.58 ACRES
- ORIG. SURVEY PROVIDED = 12/27/18
- LOT AREA = 14.28 ACRES
- 25' = 1' GEOMETRIC UNITS @ 2' GEOMETRIC UNITS

**PARKING NOTE**

- 2 SHARED SPACES = 100 SPACES
- STANDARD SPACES = 7 SPACES
- TOTAL REQUIRED = 107 SPACES
- PROPOSED SPACING = 107 SPACES
- STANDARD SPACES = 11 SPACES
- ACCESSIBLE SPACES = 14 SPACES
- TOTAL PROVIDED = 141 SPACES

**SPECIAL EXCEPTION NOTE**

NOTICE: REQUIRED FOR TRAFFIC ANALYSIS IN ALL OF MAJOR HIGHWAY BUSINESS ZONING DISTRICTS. THIS PROJECT IS BEING REVIEWED FOR SPECIAL EXCEPTION ALL COUNCIL FOR THE ACCURACY OF THE SURVEY.

**DRAINAGE DISCLAIMER**

THE ENGINEER HAS EXAMINED THE PROPOSED DRAINAGE PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF DAWSONVILLE. THIS PLAN IS NOT A GUARANTEE OF PERFORMANCE AND THE ENGINEER DOES NOT ACCEPT ANY LIABILITY FOR THE ACCURACY OF THE SURVEY.

**SITE PLAN**  
**PEAKS OF DAWSONVILLE**  
 DAWSON COUNTY, GEORGIA  
 FEBRUARY 6, 2019

**Engineering Surveys & Services**  
 1113 Fay Street, Columbia, Missouri 65201  
 573 - 449 - 2646 | www.ess-inc.com  
 Georgia Professional Engineering Corp # PEF005339

**ES&S NO. 14166**

Revised

2/6/2019

MATTHEW A. KRIETE  
 REGISTERED PROFESSIONAL  
 ENGINEER NO. 032958

Sheet

**C1.01**

IF ORIGINAL SIGNATURE OR DIGITAL AUTHENTICATION IS NOT PRESENT, THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.



**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	Amount Due	Amount Paid	Transaction Balance
2018 - 15006	113 085 / 1 LL 283-282 TRACT 1 LD 13 S-1 FMV: 2570400	\$20901.05	\$0.00 Fees: \$0.00 \$0.00	\$0.00	\$20901.05	\$0.00
<b>Totals:</b>		<b>\$20901.05</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$20901.05</b>	<b>\$0.00</b>

**Paid Date:** 12/3/2018

**Charge Amount:** \$20901.05

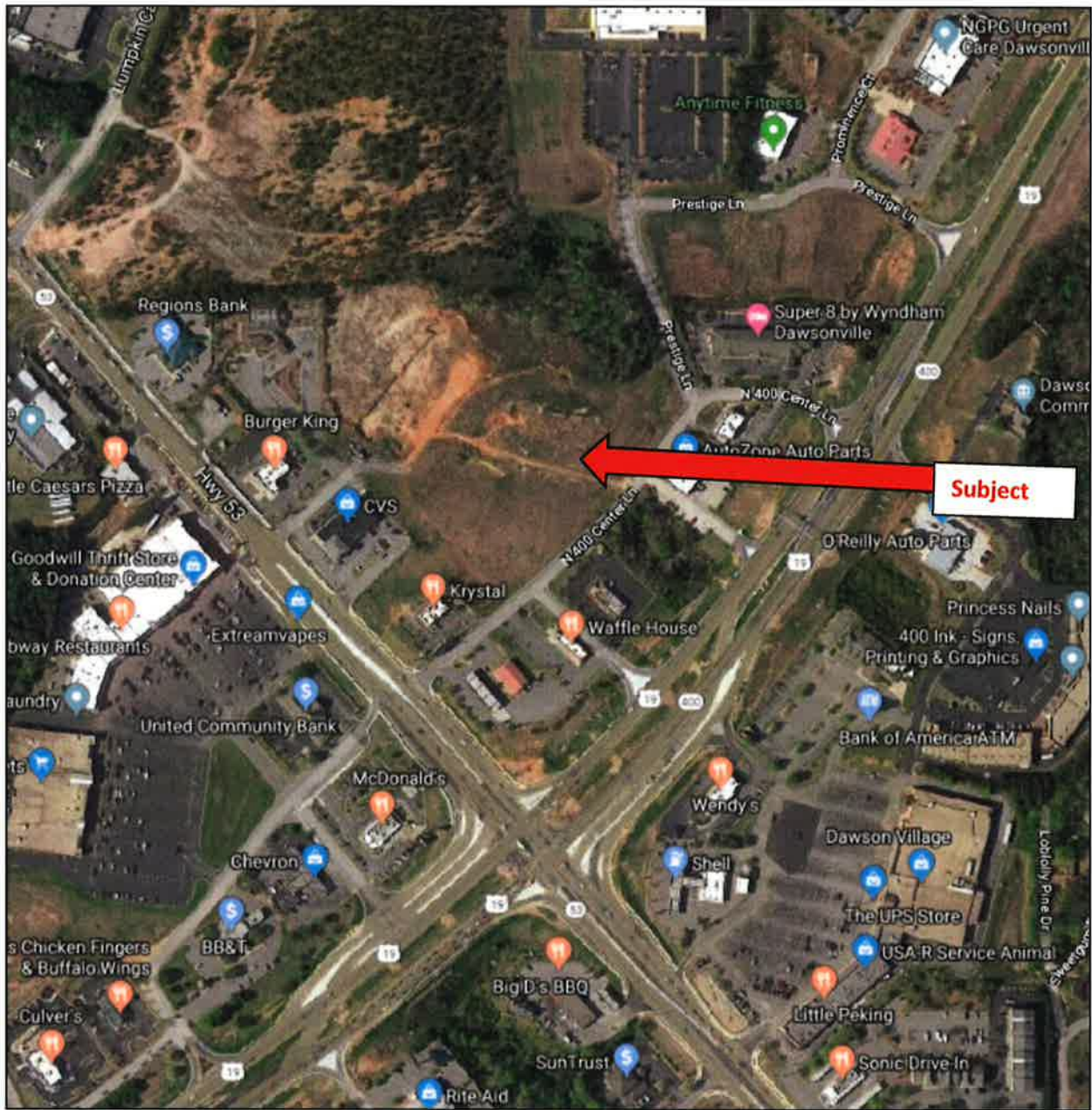
WJS DAWSON LLC  
50 CINEMA LANE

ST SIMONS ISLAND, GA 31522



Scan this code with your  
mobile phone to view  
this bill

# Aerial Location Map



**Dawson County, Georgia Board of Commissioners**  
**Affidavit for Issuance of a Public Benefit**  
**As Required by the Georgia Illegal Immigration Reform and Enforcement Act of 2011**

By executing this affidavit under oath, as an applicant for a Dawson County Business License, Out of County Business Registration, Alcohol License, or other public benefit as referenced in the Georgia Illegal Immigration Reform and Enforcement Act of 2011 [O.C.G.A. § 50-36-1(e)(2)], I am stating the following with respect to my application for such Dawson County public benefit.

- X   I am a United States citizen.
- I am a legal permanent resident of the United States. (FOR NON-CITIZENS)
- I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency. (FOR NON-CITIZENS)

My alien number issued by the Department of Homeland Security or other federal immigration agency is:

\_\_\_\_\_

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one **secure and verifiable document**, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit. (See reverse side of this affidavit for a list of secure and verifiable documents.)

The secure and verifiable document provided with this affidavit can best be classified as:

Georgia Drivers License

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20 and face criminal penalties as allowed by such criminal statute.

Executed in Atlanta (city), Georgia (state)

[Signature]  
Signature of Applicant

2/6/2019  
Date

Gary R. Hammond, Jr.  
Printed Name

Landbridge Development, LLC  
Name of Business

SUBSCRIBED AND SWORN BEFORE ME ON

THIS 6th DAY OF Feb., 2019

[Signature] Notary Public

My Commission Expires: 10/20/19

