

**MINUTES
CITY COUNCIL CALLED MEETING
FEBRUARY 16, 2009
6:00 P.M.**

CALL THE MEETING TO ORDER: Mayor Cox called the meeting to order at 6:00 p.m.

ROLL CALL: Those present included Mayor Cox, Council Members Linda Grant, Mike Sosebee, Jonathan Cox and Mike Wilson; staff present were Kim Cornelison, Steve Holder, Bonnie Warne, and Dana Miles, City Attorney.

INVOCATION AND PLEDGE: Invocation was led by Steve Holder, followed by the pledge.

NEW BUSINESS:

Mayor Cox asked the council to amend the agenda to reschedule the April 6th meeting to April 13th; the meeting falls during the week of spring break and creates a conflict for people to attend that meeting.

Mike Sosebee made a motion to amend the agenda and change the April meeting to the 13th; Linda Grant seconded and the motion carried unanimously.

APPROVAL OF MINUTES:

Council unanimously approved the minutes from the regular meeting held on February 2, 2009; motion by Linda Grant, second by Mike Sosebee.

MAYOR'S REPORT:

Mayor Cox announced that he had received a letter approximately 20 minutes before the meeting from Bill Elliott in support of the proposed project and that he was asked to read the letter at the meeting. Mayor Cox announced that he would not read the letter because he felt it would not be fair to read his letter and not read everybody else's letter, both for and against the project.

PUBLIC HEARINGS:

To hear ZA-11-08-1763: Jeremy Porter has requested a Zoning Map Amendment for 152.139 acres of land off Duck Thurmond Road, TMP 070-049. Current zoning is R-1; the applicant has requested a rezoning of CIR (Restricted Industrial District) for the proposed country club motorsports complex.

Dana Miles opened the public hearing and laid out the format for the hearing. There were approximately 229 people in attendance.

Mr. Miles stated that the hearing would open with reports from staff: reporting first would be Steve Holder, Planning Director followed by Charlie Auvermann, from the Development Authority. Subsequently there will be 30 minutes allotted to both the proponents and opponents allowing for each to present their view point with as many speakers as they want during the allotted time. The City requests that all speakers, not be repetitive. Mr. Miles advised the Council to hold all questions until after the presentations are made so that as many speakers from both sides may make presentations. In the event that the Council does have questions then they will recall a speaker and ask them the question. Whatever amount of time it takes for that speaker to respond to the question will be afforded to the group with the alternative view point. The time for questions and answers would not be included in either side's 30 minutes of presentation time, but would be in addition to that time.

Mr. Miles called for Steve Holder, Planning Director's report. Mr. Holder stated that the Planning Commission recommended approval with a list of stipulations which attached hereto and incorporated as Exhibit "A".

Mr. Charlie Auvermann, Development Authority provided a report to the council regarding employment and tax demographics for the city and county, as well as a review of the LOCI Analysis and what criteria

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was used to compute the data. Mr. Auvermann's presentation is attached hereto and incorporated as Exhibit "B".

Speakers in Favor:

Jeremy Porter, Cumming, Georgia, founder of Atlanta Motorsports Park proponent of the project, provided information as to what Atlanta Motor Sports Park is, is not, the concessions agreed to, and sound level and study information. Mr. Porter reserved any available time left from the proponents' presentations for rebuttal. The presentation is attached hereto and incorporated as Exhibit "C".

Ken Kaliski, P.E., INCE Bd. Cert., Q.E.P., Director, Resource Systems Group, Inc. presented a report on sound propagation and the varying factors which affect how sound travels. Subsequently Mr. Kaliski presented recommended guidelines for the proposed project, the results of the sound study, and additional mitigation implementations he recommends. The report is attached hereto and incorporated as Exhibit "D".

Speakers in Opposition:

Richard Wingate, attorney, representing Dr. and Mrs. West Hamryka of Dawsonville, Georgia spoke in opposition of the project. Mr. Wingate presented the Hamryka's concerns regarding inconsistencies with various elements of the comp plan, decreased property values, sound study information, noise pollution and current decibel readings at the Hamryka's property, and finally threatened litigation should the project be approved. A copy of Mr. Wingate's presentation is attached hereto and incorporated as Exhibit "E".

Terry Tragesser, Dawsonville, Georgia spoke in opposition to the project. Mrs. Tragesser expressed her concerns regarding whether the project is consistent with the city and county's long term goals for economic success. A copy of Mrs. Tragesser's presentation is attached hereto and incorporated as Exhibit "F".

The following individuals also spoke in opposition to the project: Shirley Horrah, Dawsonville, Georgia; James Edward Thurmond, Dawsonville, Georgia; and Mike Connor, Dawsonville, Georgia.

Remainder of Public Hearing:

Dana Miles announced that Jeremy Porter had two minutes left on his time and that the opposition had used up all of their time. Mr. Porter responded to several statements made in the opponents' presentations until stopped by Mr. Miles when his time expired.

Mr. Miles then called for questions from the Council. Council members Jonathan Cox and Linda Grant asked several questions of Jeremy Porter as a proponent of the project. Mr. Ed Hallman, attorney, co-council with Richard Wingate representing the Hamryka's, presented the opposition's perspective to the questions.

There being no further questions from the Council and both sides having fully exhausted their entire 30 minute time frame for comment, Mr. Miles closed the public hearing at 7:47 p.m. on Zoning Amendment ZA-11-08-1763

Mayor Cox expressed his concerns to the Council stating that the Council has received a tremendous amount of information and stated that he doesn't feel like there has been ample time to make a decision on something this important. Mayor Cox recommended that the City Engineer review the sound study and make a recommendation to the Council; to hold a couple of work sessions regarding everything they have received regarding this issue, and that the decision regarding the zoning amendment be tabled until the April 13th meeting.

Linda Grant made a motion to table ZA 11-08-1763 until the April 13, 2009 meeting. Jonathan Cox seconded the motion; the motion carried unanimously.

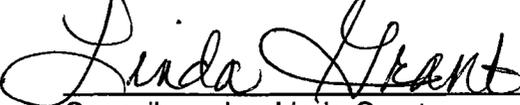
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ADJOURNMENT: There being no further business, Jonathan Cox made a motion to adjourn, seconded by Linda Grant. The motion carried unanimously and the meeting adjourned at 7:50 p.m.



Joe Lane Cox, Mayor

Councilmember Jonathan Cox



Councilmember Linda Grant



Councilmember Mike Sosebee



Councilmember Mike Wilson

Attested: 

Kim Cornelison, City Clerk



Planning Commission:
Claire Sharp, Chairperson
B. J. Farley, Vice Chairperson
Jimmy Castleberry
Ken Breeden
Pam Bragg

P.O. Box 6
415 Highway 53 East, Suite 100
Dawsonville, GA 30534
Office (706)265-3256 Fax (706)265-4214
www.dawsonville.com

Steve Holder
Planning Director

Bonnie Warne
Zoning Administrator

December 5, 2008

To: Chairperson Claire Sharp
Dawsonville Planning Commissioners

RE: ZA-11-08-1763
Motorsports Park

The staff recommendation for this request is to approve with the following stipulations;

- Private driving instruction and exhibition facility shall mean a facility containing a paved roadway two or more miles in length the use of which is limited to:
 - (a) Providing instruction and training in safe driving skills, adverse weather driving techniques, or high performance driving;
 - (b) The exhibition, maintenance, and operation of vintage or specialty motor vehicles;
 - (c) Similar non-spectator activities which are recreational or educational in nature.
 - (d) A private driving instruction and exhibition facility
- The Operator by application for and acceptance of this license shall have conclusively deemed to have agreed to indemnify the City and its agents and representatives from all liability including personal injuries and property damage coming out of the existence, use, ownership or operation of the Motorsport Park. Such indemnity agreement shall be expressly covered in said policy or policies.
- When the driving course contained within a Non-Spectator facility is not in use, it shall be secured in such a manner as to prevent its unauthorized use.
- No PA system operated on site.

- Driving course will be contained within a Non-Spectator facility shall be enclosed by a fence of a height and construction sufficient to preclude wildlife and unauthorized persons from gaining access to the driving course
- At all times during which a driving course is in use, the Operator shall have, at his/her expense, on-site, a fully equipped EMT. The EMT's shall be licensed under the laws of the State of Georgia.
- The amount of people allowed on the driving course shall only be its members, family, or guests.
- Rental garages, home sites, retail, etc shall be placed strategically to reduce sound levels as well.
- There shall be a fifty (50) foot or greater undisturbed buffer along all streams.
- Where the property runs along Duck Thurman, buildings shall be placed to reduce the sound levels and keep as much vegetative buffer as possible and use dirt berms as well; those shall be covered with woody vegetation.
- There shall be a buffer of two hundred (200) feet to reduce sound levels. The buffer shall be around the perimeter of the property and shall be undisturbed except to permit an entrance road to subject property. This buffer shall be undisturbed in any area that is visually impervious and shall be planted in any area that is not visually impervious.
- Exterior lighting fixtures shall be of the box type and situated so that light only goes downward and shall not be more than twenty-five feet high and shall be designed so as to minimize glare and light spillage to not more than one (1) foot candle along the interior buffer line of the subject property.
- There will be no grandstand constructed on the property.
- There will be no billboards or signs on poles. All signs will meet current regulations.
- Hours of operation are limited to 7:00 a.m. to 6:00 p.m. from November 1 to March 31. From April 1 to October 31, the hours are limited to 7:00 a.m. (or one (1) hour after sunrise, whichever is earlier) to 8:00 p.m. (or one (1) hour after sunset, whichever is earlier).
- No motors to be ran before or after the hours listed above.
- Facility to be restricted to site plan as submitted as to type of structures allowed and placement. Any major adjustments or additions must be approved by Planning Commission.

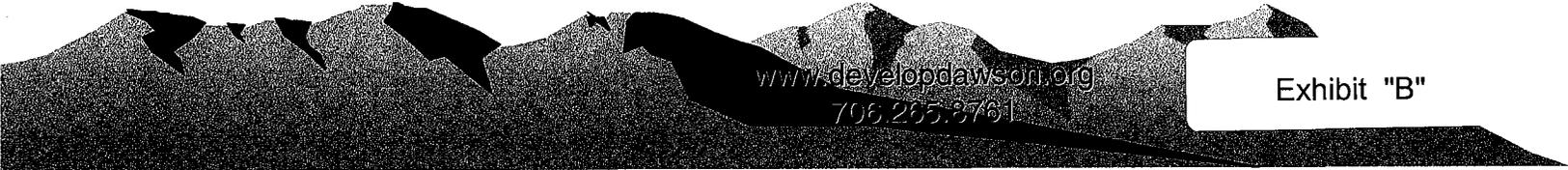
Steve Holder

Steve Holder

Planning Director
City of Dawsonville

City of Dawsonville Atlanta Motorsports Park LOCI Review

Charlie Auvermann
Executive Director
Development Authority of
Dawson County



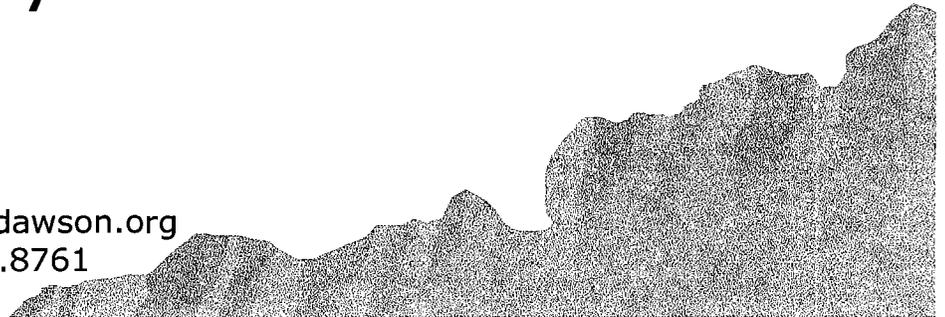
www.developdawson.org
706.265.3761

Exhibit "B"

DADC Role

- ◆ State Authorized Separate Entity -1974
- ◆ Promote Economic Health & Vitality
- ◆ Assist Established Businesses
- ◆ Generate New Businesses
- ◆ Generate New Business Opportunities
- ◆ Finance Selected Projects
- ◆ Does Work for the City of Dawsonville

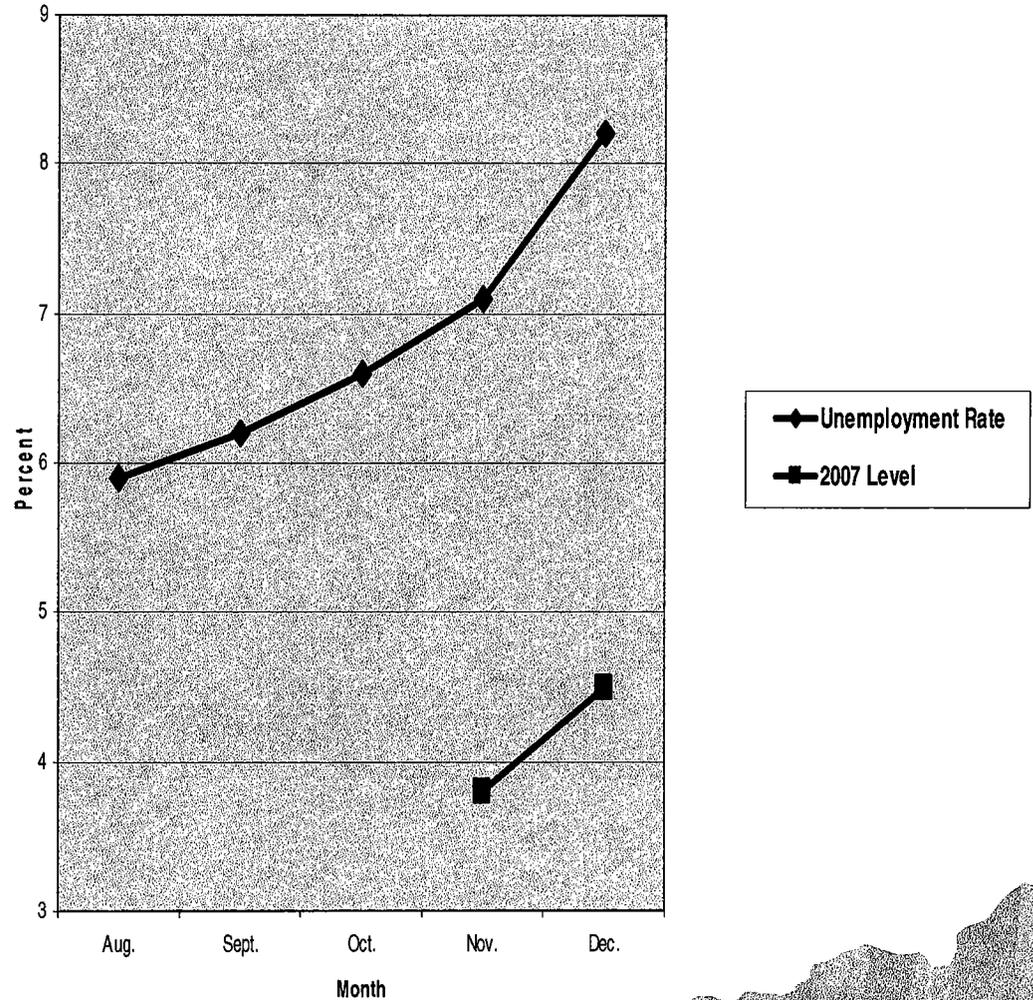
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Dawson County

Dawson County 2008

- ◆ Dawson – Dec 2008 = 8.2%
Nov 2008 = 7.1%
- ◆ Dawson – Dec 2007 = 3.8%
- ◆ Georgia – Dec 2008 = 8.1%
- ◆ Dawson – Q4 = 6.4%
- ◆ 927 real people



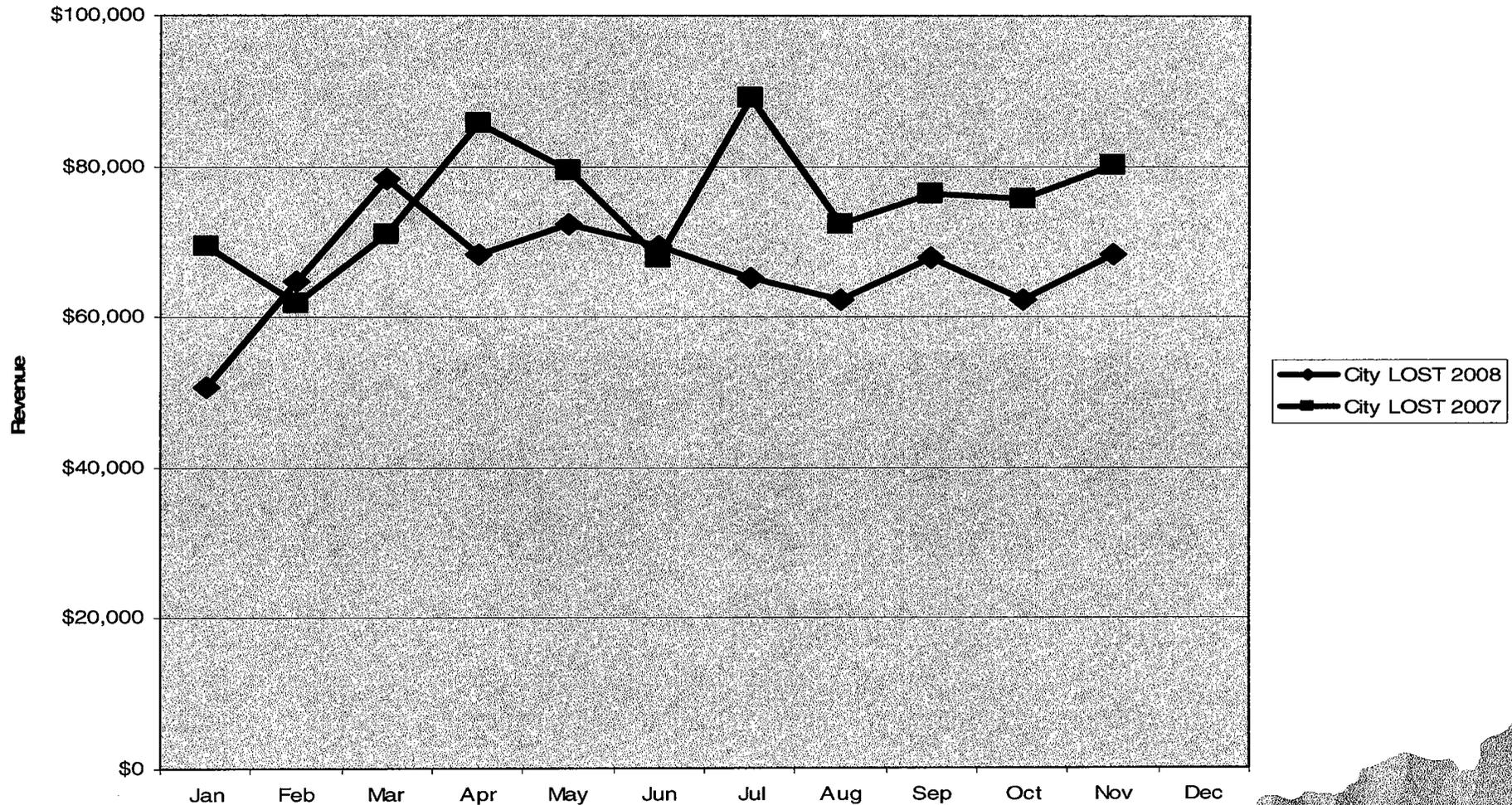
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Other Economic Indicators

- ◆ Layoffs – 84 Lumber, Timken, Mohawk
- ◆ Sembler – Delay
- ◆ Home Inventory – 17.6 months
- ◆ Commercial Vacancy Level – 8%

L.O.S.T. Collections (YtoY)

City L.O.S.T. Revenue



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706.265.8761

LOCI Analysis

- ◆ Positive NPV tax for City/County
- ◆ \$776,455 NPV to City over 10 years
- ◆ \$ 4 million NPV to County
- ◆ Very Little Up Front City Cost
- ◆ Balanced Revenue Streams
- ◆ Ran 50 different models in 22 sets
- ◆ Ran on “φ one” only
- ◆ Ran a PTF analysis