



DEVELOPMENTS OF REGIONAL IMPACT

Finding

Northeast Georgia Regional Development Center • 305 Research Drive, Athens, Georgia 30605-2795 • 706.369.5650 • Fax 706.369.5792 • www.negrdc.org

TO: Affected Local Governments and Other Interested Parties
FROM: James R. Dove, Executive Director *JRD*
DATE: August 27, 2008

The Northeast Georgia Regional Development Center (RDC) has completed its review of the following Development of Regional Impact (DRI). The Northeast Georgia RDC reviewed the proposed project with regard to conflicts with regional plans, goals, and policies and the impacts it might have on the activities, plans, goals, and policies of other local jurisdictions and state, federal, and other agencies. The finding does not address whether the DRI is or is not in the best interest of the local government.

DRI ID Number: 1887
Name of Proposed Project: Jackson Park
Submitting Local Government: Jackson County

Finding: After review of information submitted by the host government and comments received from affected agencies, the Northeast Georgia RDC finds that the development is not in the best interest of the Region and therefore the State.

Additional Comments:

The reasons for this finding are as follows:

- The proposed development conflicts with Jackson County’s Future Land Use map which designates the project area as “Rural Places.” If approved, Jackson County must amend its Future Land Use map with regards to the type and intensity of the proposed development.
- The project and surrounding area is rural in nature and dominated by large-lot, single-family residential use as well as agricultural and forestry uses. An industrial development of this magnitude will have a profound impact on the rural character of this area. Furthermore, it is the opinion of the review committee that this area is inadequately prepared to accommodate a project of this size and nature at this time due to the lack of existing infrastructure. A project of this type is more appropriately located within proximity to an existing urbanized environment and in areas where the county and municipalities have invested in infrastructure to support development of this type.
- The estimated traffic impacts have the potential to exceed the road network’s ability to accommodate the additional traffic volumes and will likely decrease the level of service of U.S. Highway 129.
- The reduction in tree canopy and vegetation due to land clearing on the project site will adversely impact water and air quality of the adjacent counties and the region.
- The amount of impervious surface associated with the development will adversely impact water quality in the region without adequate stormwater management controls.
- The cumulative effects of development in the county and region have the potential to adversely impact the capacities of local supportive infrastructure particularly water, wastewater, and solid waste service.

DRI Review Committee Members

Jim Luken, Bob Thomas

Date approved by NEGRDC Board of Directors

Chairperson’s Signature



DEVELOPMENTS OF REGIONAL IMPACT

Request for Comments

Northeast Georgia Regional Development Center : 305 Research Drive, Athens, Georgia 30605-2795 : 706.369.5650 :
Fax 706.369.5792 : www.negplanning.org

DRI Number:	DRI #1887 Jackson Park, Jackson County
Name of commenting organization:	City of Hoschton
Department:	Planning and Development
Address:	79 City Square, Hoschton 30548
Telephone:	706-654-3034
Email address:	wharmon@cityofhoschton.com
Date:	August 07, 2008

Hoschton has no objection to this project.



DEVELOPMENTS OF REGIONAL IMPACT

Request for Comments

Northeast Georgia Regional Development Center : 305 Research Drive, Athens, Georgia 30605-2795 : 706.369.5650 :
Fax 706.369.5792 : www.negplanning.org

DRI Number:	DRI #1887 Jackson Park, Jackson County
Name of commenting organization:	Athens-Clarke County Unified Government
Department:	Planning Department
Address:	120 W. Dougherty Street
Telephone:	706.613.3515
Email address:	leahstewart@co.clarke.ga.us
Date:	August 11, 2008

August 11, 2008

Mr. Moneyhun,

In general, the proposed industrial development in Jackson County (Project ID DRI-1887), as proposed, would not have a measurable impact on Athens-Clarke County's transportation infrastructure, solid waste management services, natural or historic resources, or other community facilities or services.

However, the aforementioned project, as proposed, could have a measurable impact on Athens-Clarke County's water quality. Jackson County is not regulated under the state's NPDES Stormwater Phase II rules which require jurisdictions to minimize pollutants in stormwater runoff from development. Given that this site will contribute runoff to our watershed, we suggest that the development be required to comply with all the recommendation specified in the Georgia Stormwater Management Manual. At a minimum, the site should provide water quality treatment and stream channel protection volumes for the increase in stormwater through applicable best management practices listed in the Georgia Stormwater Management Manual.

Should you have any questions or comments, please contact Brad Griffin, Planning Director, or myself at (706) 613-3515.

Leah Graham Stewart
Long Range Planner

Georgia Department of Natural Resources

Noel Holcomb, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street, Suite 1600, Atlanta, Georgia, 30303
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

MEMORANDUM

TO: Jim Moneyhun
Northeast Georgia Regional Development Center
305 Research Drive
Athens, Georgia 30605-2795

FROM: Elizabeth Shirk *es*
Environmental Review Coordinator
Historic Preservation Division

RE: Development of Regional Impact 1887
Proposed Warehouse Construction over 701 Acres, US Hwy 129, Jackson County

Date: August 11, 2008

The Historic Preservation Division (HPD) has reviewed the information submitted concerning the proposed project in Jackson County, Georgia. Our comments are offered to assist the Northeast Georgia Regional Development Center in assessing the potential impacts of the proposed project as it pertains to the Georgia Planning Act.

Regarding historic structures that may be located in the area, we recommend a survey be conducted by a qualified historian to identify historic structures located within the project's area of potential effects.

Regarding archaeological resources, due to the size and topographic setting of the subject property, we recommend that an intensive (Phase I) archaeological survey be conducted by a qualified archaeologist.

We offer these comments now as technical assistance; however HPD looks forward to reviewing this project under Section 106 of the National Historic Preservation Act if at some stage in the development federal funding, permitting or licensing becomes required, or under the Georgia Environmental Policy Act (GEPA) if state funds are utilized.

If we may be of further assistance, or for more information on compliance requirements for Section 106 or GEPA, please contact Michelle Volkema at (404) 651-6546.

ES:mcv

JACKSON COUNTY

WATER & SEWERAGE AUTHORITY

POST OFFICE BOX 869 • JEFFERSON, GEORGIA 30549 • 706-367-1741
FAX 706-367-1759

August 14, 2008

Ms Julie Ball
Planning Assistant
Northeast Georgia Regional Development Center
305 Research Drive
Athens, Georgia 30605-2795

Re: DRI #1887, Comments regarding

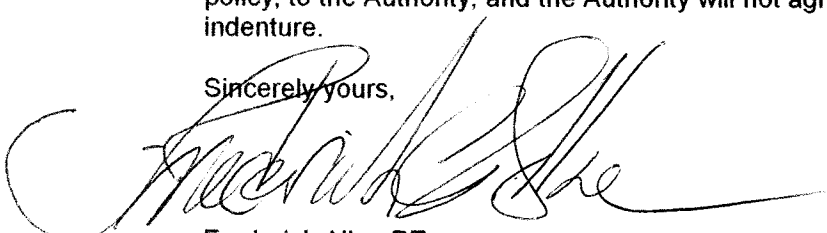
Dear Ms Ball:

The Jackson County Water and Sewerage Authority (Authority) submits the following comments on the referenced DRI:

The Authority supports this development based upon the submitted wastewater flow of 172,000 GPD, and that the wastewater treatment facility will be constructed on-site and in accordance with the JCWSA Modular Plant policy, and that upon completion the facility is conveyed to the Authority.

NOTE: The Authority calls attention to what appears to be a typo error on page 2 of 4 of Developments of Regional Impact form, Wastewater Disposal, which shows 72K GPD as the wastewater flow, 100K GPD less than that stated earlier. For the record, the Authority's Modular Plant Policy requires a facility with minimum capacity of 120,000 GPD plus an additional 20-percent, or 144,000 GPD total capacity. A modular plant of lesser capacity is unacceptable, by policy, to the Authority, and the Authority will not agree to participation in permitting or trust indenture.

Sincerely yours,



Frederick Alke, PE
Chief Engineer
Jackson County Water and Sewerage Authority

(706) 367-1741, ext 227

NOTE: This message sent by email August 14, 2008.

Jim Moneyhun

From: Doug Haynie [DHaynie@andersonins.com]
Sent: Tuesday, August 26, 2008 10:33 AM
To: Jim Moneyhun
Subject: FW: Urgent -Confidential- draft fax (or email) to NE Ga RDC

Dear Sirs:

I understand the above project would be located less than two miles from Arcade City limits and that it will be the one of the largest industrial/manufacturing parks in Georgia, involving over 720 acres. Roughly half of which would be under concrete, including 7.5 million square foot of buildings. I also understand traffic count would be as much as 1000 at peak times. I am concerned that there are still many questions that are as yet unanswered regarding the compatibility of the project with Arcade's proposed mixed use development plan for the 4W Farms property. Regarding the sufficiency of resources and services for both projects, we still do not have an agreement as to who would serve for water and sewer. In addition, while we are not opposed to any project that is consistent with Arcade's plans and with the county's comprehensive plan, we do believe that a balance of rural, residential and commercial is desirable. It would be unfortunate if this or any other project of this size was to move forward without analysis and careful screening to ensure that Arcade's interests in balanced and sustainable development are safeguarded.

Thank you for taking these views into account.

Yours truly,

Doug Haynie
Mayor,
City of Arcade

Doug Haynie, CPCU
Anderson Insurance
P.O. Box 100000
Lawrenceville, Ga. 30046
Phone: 770-962-4111
Fax: 770-339-2062
dhaynie@andersonins.com

IMPORTANT/CONFIDENTIAL: This message and any attachments to it contain information from Jim Anderson & Co., that is intended only for the use of the individual or entity named as the recipient. Such information is intended to be privileged, confidential, and exempt from disclosure under the applicable law. If the reader of this message is not the intended recipient or the employee or other agent responsible for delivering the message and any attachments to the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this message and any attachments to it is strictly prohibited. If you have received this message and any attachments in error, please notify us immediately by telephone at: 770-962-4111 and permanently delete the message and any attachments from your e-mail system. Jim Anderson & Co does not accept responsibility for changes to communications that occur after they have been sent. Thank you.

8/27/2008

Jim Moneyhun

From: Buffenstein, Daryl R. [darylbuffenstein@paulhastings.com]
Sent: Tuesday, August 26, 2008 11:42 AM
To: Jim Moneyhun
Subject: URGENT - Comment on #1887 Jackson Park

South Jackson Citizens and Landowners Group

c/o Daryl R. Buffenstein

(404) 685-5232 facsimile

Via Electronic Mail and Facsimile

Original to Follow

By Regular Mail

Mr. Jim Moneyhun

Northeast Georgia Regional Development Center

305 Research Drive

Athens, Georgia 30605

Re: Forestar Real Estate Group - Jackson Park #1887

Dear Mr. Moneyhun:

I am a resident of South Jackson County in the area in close proximity to the proposed development identified as #1887 Jackson Park (the "Proposed Project"). I am writing on behalf of myself and the South Jackson Citizens and Landowners Group, which consists of landowners and developers who live and own property in close proximity and immediately adjacent to the Proposed Project. This letter is to provide our comments and concerns about the document titled Developments of Regional Impact, Regional Review Notification ("DRI") submitted by the Forestar Real Estate Group for the Proposed Project. This DRI was not brought to our attention until last Friday, August 22, 2008.

8/27/2008

Our concerns are as follows:

(1) The Proposed Project will consist of the construction of over 7.5 million square feet of industrial space located on more than 700 acres of land in a rural area of Jackson County. According the Existing Use Map contained in the Comprehensive Plan for Jackson County, the Project Site is currently entirely forested and is one of the few areas of the County designated as "Crop Forest." The Proposed Project would require clear-cutting of the entire Site for development.

The impacts to the environment must be weighed against the need for this development. Upon information and belief, there is significant, unused industrial park space in Jackson County (in some cases, some parks are reportedly at only 25% capacity). Clearly, there is no need at this time for 7.5 million additional square feet of industrial park space in a rural area of the County.

The Comprehensive Plan clearly states that the goals for the County include:

- Protect county's rural character;
- Limit clearcutting in anticipation of development;
- Encourage protection of sufficient forest resources and prevent loss of habitat and support habitat diversity.

See CP Chapter 10. Table 1.2

The Proposed Project is clearly totally inconsistent with these stated goals for the future development of Jackson County, and will destroy natural resources that are to be protected by the edicts of the Comprehensive Plan.

(2) The Proposed Project is inconsistent with the Comprehensive Plan for Jackson County. The DRI clearly indicates that the Project Site is designated as "Rural Places" and that the proposed project is "Industrial Workplace." The Proposed Jackson County Future Use Map indicates that the surrounding area of the Proposed Project is predominantly Residential Growth or Rural Places. There is a small area designated as Industrial Workplace located to the South of Mary Collier Road, near the Project Area, and a small area nearby designated as Gateway Corridor. These two small areas of proposed commercial use show that the Comprehensive Plan for Jackson County attempts to limit commercial development in this area of the County. These land use limitations should not be changed or expanded. The Proposed Project is entirely inconsistent with the projected land use for this area of Jackson County.

The Comprehensive Plan states: "Future commercial development should locate at interchanges along I-85 and at major intersections along the county, federal and state routes. Commercial land use needs to be clustered at nodes rather than along roadways as strip developments. Commercial developments should be set back from the roadways to aesthetically improve the corridors."

The Proposed Project is an isolated development along a strip of US 129 in the southern part of

Jackson County. This Proposed Project is clearly inconsistent with the future development goals of Jackson County, as carefully documented in the Comprehensive Plan.

(3) The DRI indicates that water service will be provided by the Jackson County Water and Sewerage Authority ("JCWSA"). The Comprehensive Plan states:

developments should be carefully planned to allow for future utility and road expansion. The advisory committee recommends locating all commercial and industrial development in water and sewer service areas.

See CP p. 11-2.

The DRI does not indicate whether JCWSA has sufficient capacity to provide for future utility expansion or water and sewer service to this area. Further evidence must be provided to address these issues.

The DRI also indicates that the developer (Forestar Real Estate Group) will construct a wastewater treatment plant ("WWTP"), which will then be turned over to JCWSA. There is no indication of the name or qualifications of a trustee for the proposed WWTP or that the developer has sufficient financial resources to maintain operations of the WWTP after it is constructed.

For these reasons, the Proposed Project is clearly not in a current sewer service area. Implementation of the Proposed Project will not fit within the Comprehensive Plan for Jackson County. The Comprehensive Plan was carefully developed and approved and should not be altered for the benefit of this developer. To do so will create a precedent that will allow all developers to totally ignore the Comprehensive Plan of Jackson County. If this project is approved, the Comprehensive Plan will become a nullity and of no value to the citizens and residential home owners throughout Jackson County.

(4) The DRI discloses the existence of at least four perennial streams on the Proposed Project Site and states that the applicant has identified several wetland areas on the site plan. The DRI also "states that it is not anticipated that the wetlands will be impacted by this project." However, the DRI also clearly states that the "percentage of impervious surface at buildout is expected to be 47%." The current impervious surface is less than 1%. *See* Existing Land Use Map, Comprehensive Plan. All stormwater is proposed to be directed into detention ponds. If all stormwater is directed to detention ponds, then there is no mechanism for any existing wetlands to recharge with water. This is the draining of a wetland, and a Section 404 permit must be obtained from the United States Corps of Engineers to drain these wetlands. The project should not be approved until all wetlands are clearly delineated and the Section 404 permit is obtained.

As stated goal of the Comprehensive Plan is to:

- Conserve and protect environmental, natural, and rural resources;
- Encourage use of buffers adjacent to streams;

- Encourage protection of sufficient forest resources and prevent loss of habitat and support habitat diversity;
- Protect water resources from condemnation and degradation;
- Consider commutative effect of soil erosion on water resources.

The Proposed Project fails to consider any of these stated goals of Jackson County, as unequivocally stated in the Comprehensive Plan for Jackson County.

(5) The proposed fire and emergency service is over 2 miles away, and consists of two engines, one tanker, and one ambulance. The Proposed Project is over 7.5 million square feet of industrial space on over 700 acres of real property. The emergency services of Jackson County would be quickly overwhelmed by even a minor incident in the Proposed Project. Citizens in the area will be at a tremendous risk if the Proposed Project is implemented without the creation of, and funding for, significant additional emergency services.

We urge the Northeast Georgia Regional Development Center to withhold approval of the DRI at this time. At a minimum, the evaluation of the DRI should be tabled until all local governments in the area are allowed an opportunity to address the issues addressed in this letter.

Sincerely,

Daryl R. Buffenstein

DRB:raw

 IRS Circular 230 Disclosure: As required by U.S. Treasury Regulations governing tax practice, you are hereby advised that any written tax advice contained herein was not written or intended to be used (and cannot be used) by any taxpayer for the purpose of avoiding penalties that may be imposed under the U.S. Internal Revenue Code.

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

For additional information, please visit our website at www.paulhastings.com.

The following comments were received after the DRI review committee meeting.

Georgia Department of Natural Resources

Wildlife Resources Division

Nongame Conservation Section
2065 U.S. Highway 278, S.E., Social Circle, Georgia 30025-4743
(770) 918 6411

August 25, 2008

Jim Moneyhun
Northeast Georgia Regional Development Center
305 Research Drive
Athens, GA 30605-2795

Subject: Known occurrences of natural communities, plants and animals of highest priority conservation status on or near DRI # 1887 - Jackson Park Warehouses, Jackson County, Georgia

Dear Mr. Moneyhun:

This is in response to your request of August 4, 2008. According to our records, within a three-mile radius of the project site there is the following Natural Heritage Database occurrence:

GA *Cyprinella xaenura* (Altamaha Shiner) approx. 3.0 mi. S of site in the Middle Oconee River

* Entries above preceded by "US" indicates species with federal status (Protected, Candidate or Partial Status). Species that are federally protected in Georgia are also state protected; "GA" indicates Georgia protected species.

Recommendations:

We have no records of species of concern within the project area. We recommend completing surveys for species of concern before the project begins. We are also concerned about stream habitats that could be impacted by construction activities. In order to protect aquatic habitats and water quality, we recommend that all machinery be kept out of creeks during construction. We urge you to use stringent erosion control practices during construction activities. Further, we strongly advocate leaving vegetation intact within 100 feet of creeks, which will reduce inputs of sediments, assist with maintaining riverbank integrity, and provide shade and habitat for aquatic species. We realize that some trees may have to be removed, but recommend that shrubs and ground vegetation be left in place.

Data Available on the Nongame Conservation Section Website

By visiting the Nongame Conservation Section Website you can view the highest priority species and natural community information by Quarter Quad, County and HUC8 Watershed. To access this information, please visit our GA Rare Species and Natural Community Information page at: <http://georgiawildlife.dnr.state.ga.us/content/displaycontent.asp?txtDocument=89>

An ESRI shape file of our highest priority species and natural community data by quarter quad

and county is also available. It can be downloaded from:
<http://georgiawildlife.dnr.state.ga.us/assets/documents/gnhp/gnhpds.zip>

Disclaimer:

Please keep in mind the limitations of our database. The data collected by the Nongame Conservation Section comes from a variety of sources, including museum and herbarium records, literature, and reports from individuals and organizations, as well as field surveys by our staff biologists. In most cases the information is not the result of a recent on-site survey by our staff. Many areas of Georgia have never been surveyed thoroughly. Therefore, the Nongame Conservation Section can only occasionally provide definitive information on the presence or absence of rare species on a given site. Our files are updated constantly as new information is received. **Thus, information provided by our program represents the existing data in our files at the time of the request and should not be considered a final statement on the species or area under consideration.**

If you know of populations of highest priority species that are not in our database, please fill out the appropriate data collection form and send it to our office. Forms can be obtained through our web site (<http://www.georgiawildlife.com>) or by contacting our office. If I can be of further assistance, please let me know.

Sincerely,



Katrina Morris
Environmental Review Coordinator



DEVELOPMENTS OF REGIONAL IMPACT

Request for Comments

Northeast Georgia Regional Development Center : 305 Research Drive, Athens, Georgia 30605-2795 : 706.369.5650 :
Fax 706.369.5792 : www.negplanning.org

DRI Number:	DRI #1887 Jackson Park, Jackson County
Name of commenting organization:	Office of Planning
Department:	GA Department of Transportation
Address:	One Georgia Center, 600 west Peachtree Street
Telephone:	404-631-1795
Email address:	abassey@dot.ga.gov
Date:	August 27, 2008

DRI 1887-- Comments from Affected Partiesâ€™ Jackson Park-Jackson County.

Name of Commenting Organization:

Georgia Department of Transportation (GDOT)
600 West Peachtree Street
One Georgia Center
Atlanta, GA 30308

Contact Person: Anietie Bassey (404) 631-1795

Do you believe your jurisdiction will be affected by the proposed development?

Yes, please see comments below.

Please describe the effects (positive and/or negative) the proposed project could have on your jurisdiction:

Comments:

The development of DRI # 1887 consists of 7,524,750 square feet of warehouse distribution space along SR 15ALT / US 129, between Crooked Creek Road and Mary Collier Road in Jackson County. SR 15ALT / US 129 is a 4-lane divided roadway through much of the development site. There's a 2-lane section between

Mary Collier Road and SR 330 that is currently being widened to a 4-lane divided roadway (Project P.I. # 122170). For the purpose of the 2018 and 2030 level of service analysis, SR 15ALT / US 129 is assumed to be a four-lane divided roadway throughout the development site. Secondly, the no-built and build scenario represents when DRI # 1887 is not built and when it is actually completed. Access to the proposed development of DRI # 1887 is provided via a southern driveway on SR 15ALT across from the intersection with SR 330. Access would also be provided via a northern driveway on SR 15ALT just to the south of Brock Road. At traffic count station 0227 located south of the project site, SR 15ALT / US 129 is currently operating at a level of service (LOS) "A" with a total vpd of 13,960.

The proposed development of DRI # 1887 would have a negative impact on SR 15ALT/US 129 when these developments are built due to the additional 28,042 vpd. According to the traffic counts collected on April 29, 2008 by the sponsor, volumes were 12,100 vpd and they are projected to be 16,491 vpd in 2018 (LOS A) for a no build scenario and 44,533 vpd (LOS C) for a build scenario. But these volumes are based on using traffic data for only 5 years (2002-2006). Therefore, using trend analysis based on 15 years of GDOT traffic counts, traffic has been projected for the proposed development with a build and no build scenario, shown in the table below.

SR 15ALT/ US 129

	No Build	Build		
Year	VPD	LOS	VPD	LOS
2018	15,100	A	43,142	C
2030	19,500	A	58,316	E

As indicated, there is no difference between the sponsor's projected 2018 LOS and GDOT's projected 2018 LOS. However, for the year 2030 there is a significant decrease for projected conditions where the LOS declines from A (no-build) to an E (build).

Currently, there are two widening projects that are almost completed in close proximity to this DRI's development, which are PI# 122170 and PI# 122160 (SR 15 ALT/US 129 from SR 330 to Jefferson Bypass at CR 104 and SR 15 ALT/US 129 from Lavender Drive in Clarke County to SR 330 in Jackson County). Crashes, congestion and delay are often associated with un-planned driveway access. This proposed development/ project will necessitate the need for consideration of access management strategies along all of the proposed access points to the development. Further, Jackson County officials and the developer should work with the GDOT District 1 office to develop access management plans for ingress and egress along SR 15 ALT/US 129.