

## CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT  
COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Redland Creek Housing, LLC</u> <u>c/o Advanced Engineering &amp; Planning</u>	NAME: <u>Charles G. Cassady</u>
ADDRESS: <u>4480 Commerce Dr., Suite A</u>	ADDRESS: <u>Same</u>
CITY: <u>Buford</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: _____ ZIP: _____
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
APPLICANT'S E-MAIL: <u>mitchpeevy@gmail.com</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input type="checkbox"/> OWNERS AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>O &amp; I</u>	PRIOR ZONING CASE: <u>RZM2012-0003</u>
LAND DISTRICT (S): <u>5</u>	LAND LOT (S): <u>82 &amp; 84</u> ACREAGE: <u>9.52</u>
ADDRESS OF PROPERTY: <u>1340 Lawrenceville Highway</u>	
PROPOSED DEVELOPMENT: <u>Retirement Community for 55 and older persons</u>	
<b>RESIDENTIAL DEVELOPMENT:</b>	<b>NON-RESIDENTIAL DEVELOPMENT:</b>
NO. OF LOTS/DWELLING UNITS: <u>96</u>	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): <u>750 to 950</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>10.08</u>	DENSITY: _____
NET DENSITY: <u>10.52</u>	

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LETTER OF INTENT

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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#### Lawrenceville Legal Description

All that parcel and land located in Land Lots 82 and 83 of the 5<sup>th</sup> district of Gwinnett County Georgia, and being more particularly described as follows:

To arrive at the true point of beginning, begin at an iron pin on the southerly side of Highway 29, 23.7 feet easterly from the intersection of the right of way of Hwy. 29 with the centerline of Huston Road; running thence easterly along the southerly side of Hwy. 29, 40.3 feet to an iron pin set; thence South 08°13'31" East a distance of 118.24 feet to an iron pin set; thence South 27°54'23" East a distance of 326.25 feet to an iron pin set; thence North 59°07'55" East a distance of 326.08 feet to an iron pin set, thence South 32°06'42" East a distance of 434.64 feet to a point, thence South 32°36'38" West a distance of 505.39 feet; thence South 59°18'57" West a distance of 409.21 feet to an iron pin set; thence north 31°29'02" west a distance of 547.30 feet to an axle; thence North 26°34'51" west a distance of 396.57 feet to an iron pin set; thence South 62°11'46" a distance of 139.30 feet to an iron pin set; thence North 27°42'30" west a distance of 367.35 feet to an iron pin set; thence North 07. 52.00" West a distance of 132.56 feet to an iron pin set and the point of beginning.

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LAWRENCE HWY

EXISTING WALKWAY FROM EXISTING WALMART PROPERTY TO JOHNSON ROAD TO BE PROVIDED BY DEVELOPER

ADMINISTRATIVE PARKING REDUCTION TO BE REQUESTED

UNDEVELOPED

PROPOSED PARKING REDUCTION

PROJECT SIGN

EXISTING SINGLE FAMILY

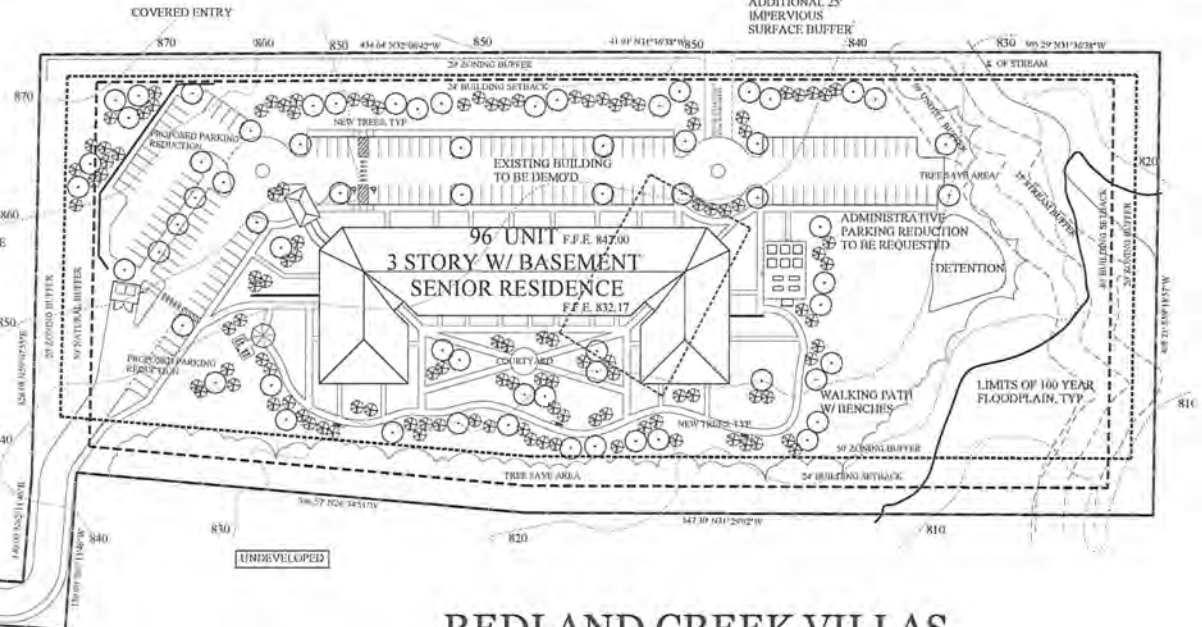
NEW PAVED PEDESTRIAN SIDEWALK IN PUBLIC R.O.W. FROM EXISTING WALMART PROPERTY TO JOHNSON ROAD TO BE PROVIDED BY DEVELOPER

EXISTING WALMART SUPERCENTER

EXISTING SINGLE FAMILY

EXISTING RESIDENTIAL

ADDITIONAL 25' IMPERVIOUS SURFACE BUFFER



## REDLAND CREEK VILLAS

### 1 CONCEPTUAL SITE DEVELOPMENT PLAN

### SITE INFO

GROSS AREA = 9.52 ACRES; NET AREA = 9.125 ACRES

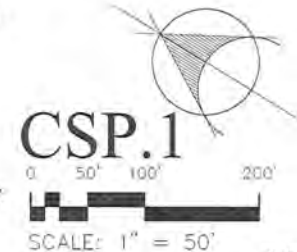
### UNIT MIX

1-BR (A UNITS)	= 36
2-BR (B UNITS)	= 60
TOTAL	= 96 UNITS

### REQUIRED PARKING @ 1.15 SPACES PER UNIT

144 PARKING SPACES PROVIDED

NOTE: ADMINISTRATIVE PARKING REDUCTION TO BE REQUESTED FOR A 30% REDUCTION TO 110 SPACES.



#### EXEMPTED CONDITIONS

- 1.A. THE DEVELOPMENT IS LIMITED AND BEED RESTRICTED TO A RETIREMENT COMMUNITY FOR PERSONS 55 YEARS OF AGE AND OLDER AS A SPECIAL USE. THE FINAL SITE DESIGN SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE DIRECTOR OF PLANNING AND DEVELOPMENT.
- 1.B. THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 100 UNITS, (96 PROPOSED).
- 1.C. ALLOWABLE 1-STORIES WITH A MAX HEIGHT OF 36'-4" PROPOSED 1-STORY BUILDING WITH A HAMBURG AND RELIEF ON THE 36'-4" HEIGHT LIMITATION.
- 1.D. THE BUILDINGS SHALL BE FINISHED WITH ARCHITECTURAL TREATMENTS OF BRICK OR STACKED STONE OR A MINIMUM OF 50% OF EACH BUILDING ELEVATION.
- 1.E. ALL UNITS SHALL INCORPORATE "EASY LIVING STANDARDS" - EAST ACCESS AT EACH ENTRANCE, EAST PASSAGE DOORWAYS, AND ALL UNITS ONE LEVEL.
- 1.F. WE ARE REQUESTING RELIEF ON THE REQUIREMENT FOR PERMITS FOR FENCE AROUND THE ENTIRE PROPERTY.
- 1.G. WE ARE REQUESTING RELIEF ON THE REQUIREMENT FOR GATED ENTRANCE.
- 2.A. WE WILL PROVIDE A 25-FOOT WIDE NATURAL BUFFER UNDISTURBED EXCEPT FOR APPROVED PERPENDICULAR ACCESS AND UTILITY CROSSINGS AND REPLANTING WHERE SPARSELY VEGETATED, ALONG THE NORTH PROPERTY LINE ADJACENT TO RESIDENTIALLY ZONED PROPERTY.
- 2.B. WE WILL PROVIDE A 25-FOOT WIDE NATURAL BUFFER UNDISTURBED EXCEPT FOR APPROVED PERPENDICULAR

- ACCESS AND UTILITY CROSSINGS AND REPLANTING WHERE SPARSELY VEGETATED, ALONG THE EAST PROPERTY LINE ADJACENT TO RESIDENTIALLY ZONED PROPERTY.
- 2.C. WE WILL PROVIDE A 25-FOOT STREAM BUFFER AND 25-FOOT IMPERVIOUS SETBACK ALONG ALL STREAMS.
- 2.D. NATURAL VEGETATION SHALL REMAIN ON THE PROPERTY UNTIL THE ISSUANCE OF A DEVELOPMENT PERMIT.
- 2.E. GROUND SIGNAGE SHALL BE LIMITED TO A MONUMENT TYPE SIGN WITH A MIN. TWO-FT. HIGH BRICK OR STACKED STONE BASE. GROUND SIGN SHALL NOT EXCEED 10 FEET IN HEIGHT.
- 2.F. DUMPSTERS SHALL BE SCREENED BY A 100% OPAQUE BRICK OR STACKED STONE WALL WITH AN OPAQUE METAL GATE ENCLOSURE. HEIGHTS OF DUMPSTER PICK-UP SHALL BE LIMITED TO BETWEEN 7 AM AND 7 PM.
- 2.G. LIGHTING SHALL BE CONTAINED IN CUT-OFF TYPE LUMINAIRES AND SHALL BE DIRECTED IN TOWARD THE PROPERTY AS NOT TO SHINE DIRECTLY INTO ADJACENT PROPERTIES OR RIGHTS OF WAY.
- 2.H. TENTS, CANOPIES, FLAP BANNERS, STREAMERS, ROPING WITH FLAGS, TUBES, DECORATIVE BALLOONS OR HOT AIR BALLOON, YARD AND/OR HAND SIGNS, SIGN-WALKERS AND SIGN TWIGLERS SHALL BE PROHIBITED.
- 2.I. PEDESTAL AND PARKING LOT SALES SHALL BE PROHIBITED.
- 2.J. THE PROPERTY OWNER SHALL REPAINT OR REPAIR ANY GRAFFITI OR VANDALISM THAT OCCURS ON THE PROPERTY WITHIN 72 HOURS.

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE WITHOUT THE CHANGE IN CONDITIONS.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

THE SUBJECT PROPERTY IS DESIGNATED AS CORRIDOR MIXED USE.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

SEE LETTER OF INTENT.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....  
PLANNING DIVISION USE ONLY

CASE NUMBER \_\_\_\_\_

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To the Commissioners of Gwinnett County,

Redland Creek Housing, LLC (the "Applicant") thanks you for the opportunity to submit this Letter of Intent ("LOI") with a Change In Conditions application pertaining to Case Number RZM2012-00003 / GCID 2012-0370 for the development of 9.52 acres located at 1340 Lawrenceville Hwy in Unincorporated Gwinnett County (the "Site"). The Applicant, owned by Zimmerman Properties SE, LLC ("ZP"), a semi-national builder-owner-operator of over 7,000 multi-family apartment units across 11 States, is proposing the development of a 96-unit, 55 years of age and better retirement community on the Site to be known as Redland Creek Villas (the "Project"). The Applicant has drafted a site plan detailing the proposed development of the site, with certain modifications relating to previous conditions applied to the zoning thereof, and plans to develop to strict Earth Craft Community and Earth Craft Multi-Family Building design and construction standards ("ECC" and "ECMF", respectively).

As mentioned above, the Project is a 96-unit community offering 36 x 1BR / 1BA and 60 x 2BR / 2BA units of approximately 750 and 950 square feet, respectively. The Project enjoys proximity to a multitude of services and amenities, and ZP plans on finishing out a substantial portion of unconnected sidewalks along Lawrenceville Hwy to promote walkability, and encourage use of the nearby GCT transit stop. Future residents will enjoy one of the best living environments, and amenities and services packages in all of Gwinnett County. As part of Applicant's plan to achieve ECC certification, several initiatives will be proposed onsite which shall include, but may not be limited to subsidized annual transit passes for a portion (meant to encourage use of the nearby public transit system)...educating residents on healthy living goals whereby Property Management will sponsor classes on growing and maintaining organic produce within the on-site community garden (to be maintained by Property Management and Maintenance personnel)...and coordinating health screenings with local supportive service providers in the on-site, dedicated wellness center room. Other on-site amenities will include centralized, on-site property management and leasing offices, mail kiosk, guest greeting room, community gathering rooms with kitchenettes centrally located on each floor, centrally located resident storage closets on each floor, business center, and fitness room.

The reason for Applicant's submitted Change In Conditions application is for Planning and County Commissioners to review Applicants proposed site plan, and consider the removal of certain conditions that may prohibit achievement of ECC certifications, or present restrictions on the property's architectural and community appeal. The Conditions previously placed on the Site, which Applicant requests to be modified or removed, are as follows:

1. Item 1.C: Limit the height of the buildings to no more than 3 stories and 38.3 feet.
  - a. Applicant plans to develop the Project as a singular, fully enclosed building with leasing and community spaces centrally located within the building, as previously mentioned, covered portico at the main entrance to the building, and conditioned interior corridors and stairwells. The previously reviewed site plan proposed multiple residential buildings with a separate clubhouse. Applicant feels the proposed modified plan will result in less impervious surfaces, and more dedicated green space. However, to minimize on-site grading and retaining walls, Applicant is proposing the single building to be developed in a 3 / 4 split level. The front of the building will be 3-stories and close to the current restricted height of 38.3 feet, but the rear of the building will have a basement with units along the exterior and a height greater than 38.3 feet. Therefore, Applicant is requesting Condition 1.C be modified to apply height condition specific to the scope proposed in the submitted site plan.

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Beyond Buildings.

2. Item 1.F: Provide a perimeter security fence around the entire property. Fence materials shall be subject to the review and approval of the Director of Planning and Development.
  - a. Applicant is fine providing some perimeter fencing, where it would be architecturally appealing. However, fencing around the entire property would require disturbance of greenspaces, floodplains and wetlands. Therefore, Applicant is requesting Condition 1.F be modified to apply a fencing / screening condition specific to the scope proposed in the submitted site plan.
3. Item 1.G: The project design shall include a gated entrance to the internal private drives.
  - a. In order for Applicant to achieve ECC certification, any restriction of connectivity within the community is prohibited by Southface regulations, the entity responsible for said certification. Therefore, Applicant is requesting Condition 1.G to be removed entirely so the site may promote and provide unrestricted connectivity.

In addition to the above Conditions Applicant is requesting to be modified or removed, Applicant would also like to request a reduction in the required parking spaces for the Project. Currently, the Project would be required to provide 1.5 spaces per unit, or 144 spaces. Applicant would like to request a thirty percent (30%) reduction, or a total of 110 spaces. This will further encourage use of public transit and reduce residents need and dependency on cars for transportation. In exchange for this reduction, Applicant would agree to set-aside additional green space of the Site and preserve natural buffers in the area indicated on the submitted site plan for the remaining required parking spaces.

Applicant appreciates this opportunity to present the Commissioners with a site plan it feels meets the goals and objectives of Earth Craft Community initiatives. We hope the Commissioners will realize the requests are not being made for the sole benefit of the Applicant, but for the benefit of the Community, the future residents of the Project, and the environment and ecosystem surrounding the Site. The overall process will engage the local community with nearby services and amenities, as well as encourage responsible and sustainable building practices. Should the Commissioners have any questions, comments, or concerns, the Applicant, ZP and its project design team are ready and willing to respond and address them accordingly.

Sincerely,

Robert Fink  
VP of Development – SE Region  
Zimmerman Properties SE, LLC

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**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**


THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

  
\_\_\_\_\_  
Signature of Applicant

2-02-2017  
\_\_\_\_\_  
Date

**Robert Fink, VP of Development**  
\_\_\_\_\_

Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

02/02/2017  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Notary Seal

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**CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION**

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Charles Cassady 2/1/17  
Signature of Property Owner Date

Charles Cassady  
Type or Print Name and Title

GADL  
0529 22976  
E - 09/22/20  
F - 09/09/15



Paulette Lindo 02/01/17  
Signature of Notary Public Date Notary Seal

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**CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION**

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Myra Cassady 2-1-2017  
Signature of Property Owner Date  
GADL  
049919490  
E-6/20/21  
S-4/14/16

Myra Cassady  
Type or Print Name and Title

Paulette Linds 02/01/17  
Signature of Notary Public Date  
Notary Seal



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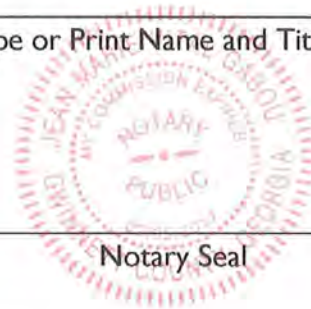
**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Robert Fink 2-02-2017 Robert Fink, VP of Development  
Signature of Applicant Date Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

James Gabe 02/02/2017  
Signature of Notary Public Date



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ YES ☒ NO Robert Fink  
Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES  
FOR CHANGE IN CONDITIONS**

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\* NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:**      5th      83      009  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

2-03-2017  
Date

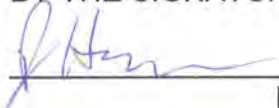
**Robert Fink, VP of Development**

Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**TAX COMMISSIONERS USE ONLY**

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

  
NAME

T. S. A. II  
TITLE

2-3-17  
DATE

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES  
FOR CHANGE IN CONDITIONS**

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\* NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:**                      5th                      - 82                      - 016  
(Map Reference Number)                      District                      Land Lot                      Parcel

  
Signature of Applicant

2-03-2017  
Date

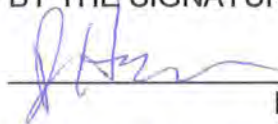
**Robert Fink, VP of Development**

Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**TAX COMMISSIONERS USE ONLY**

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

  
NAME  
2-3-17  
DATE

TSA II  
TITLE

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CASE NUMBER RZM2012-00003  
GCID 2012-0370

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Shirley Lasseter, District 1	<u>ABSENT</u>
Lynette Howard, District 2	<u>YES</u>
Michael Beaudreau, District 3	<u>NO</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 3-1 the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-ZT to RM-13 by THE NUROCK COMPANIES for the proposed use of SENIOR APARTMENTS (REDUCTION IN BUFFERS) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MAY 22, 2012 and objections were filed.

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NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 22<sup>nd</sup> day of MAY 2012, that the aforesaid application to amend the Official Zoning Map from R-ZT to RM-13 is hereby **APPROVED AS O-I WITH A SPECIAL USE PERMIT FOR A RETIREMENT COMMUNITY**, with the following enumerated conditions:

- I. To restrict the use of the property as follows:
  - A. Limited to development as, and deed restricted to, a retirement community for occupancy by persons 55 years of age and older as a Special Use. Final site design for the retirement community shall be subject to review and approval by the Director of Planning and Development.
  - B. The development shall be limited to a maximum of 100 units.
  - C. Limit the height of the buildings to no more than 3 stories and 38.3 feet.
  - D. Buildings shall be finished with architectural treatments of brick or stacked stone on a minimum of 50% of each building elevation. The balance of each elevation shall be stucco or fiber-cement siding/shake. Final building elevations shall be subject to the review and approval of the Director of Planning and Development.
  - E. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
    - Easy access step free feature at each entrance to the home.
    - Easy passage feature, to include 32-inch wide doorways.
    - Easy use feature, all units shall be one level.
  - F. Provide a perimeter security fence around the entire property. Fence materials shall be subject to the review and approval of the Director of Planning and Development.
  - G. The project design shall include a gated entrance to the internal private drives.
2. To satisfy the following site development considerations:
  - A. Provide a 50-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated, along the north property line adjacent to residentially zoned property. There shall be no buffer requirement along the entrance driveway.

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- B. Provide a 20-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated, along the east property line adjacent to residentially zoned property.
- C. Provide a 50-foot stream buffer and an additional 25-foot impervious setback along all streams, as required per the Stream Buffer Protection Ordinance of Gwinnett County. This shall not preclude a variance application.
- D. Natural vegetation shall remain on the property until the issuance of a development permit.
- E. Ground signage shall be limited to a monument type sign with a minimum two-foot high brick or stacked stone base. Ground sign shall not exceed 10 feet in height.
- F. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
- G. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- H. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- I. Peddlers and/or parking lot sales shall be prohibited.
- J. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash  
Charlotte J. Nash, Chairman

Date Signed: May 29, 2012

ATTEST:

Maria Ditty  
County Clerk/Deputy County Clerk



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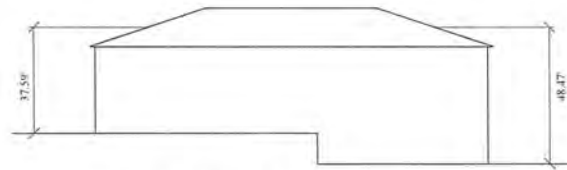
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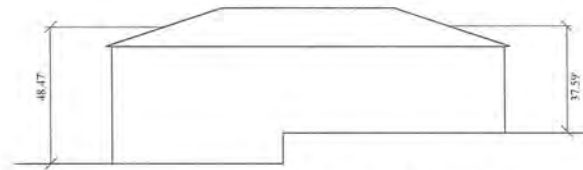
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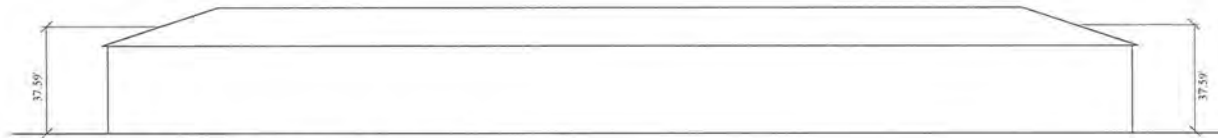




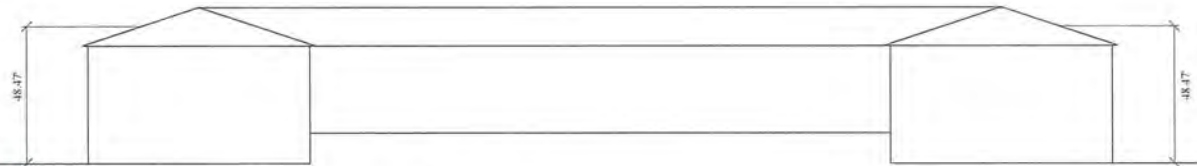
4 NORTHWEST ELEVATION



3 SOUTHEAST ELEVATION



2 NORTHEAST ELEVATION



1 SOUTHWEST ELEVATION

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