

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Redland Creek Housing, LLC</u>	NAME: <u>Charles G. Cassady</u>
ADDRESS: <u>c/o Advanced Engineering &amp; Planning</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>77-614-6511</u>	
CONTACT'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"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>OVI</u>	BUILDING/LEASED SQUARE FEET: <u>94,000</u>
PARCEL NUMBER(S): <u>5-082-16</u> <u>5-083-009</u>	ACREAGE: <u>9.52</u>
ADDRESS OF PROPERTY: <u>1340 Lawrenceville Highway</u>	
SPECIAL USE REQUESTED: <u>Increase the building height to 48.47 feet high</u>	
_____	

**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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**SPECIAL USE PERMIT APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, 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 SPECIAL USE PERMIT 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 SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
THE PROPOSED USSE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS 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 SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:  
THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT 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 SPECIAL USE PERMIT:  
SEE LETTER OF INTENT.

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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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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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**SPECIAL USE PERMIT 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.



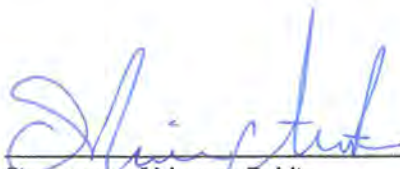
Signature of Applicant

2-22-2017

Date

Robert Fink, VP of Development

Type or Print Name and Title



Signature of Notary Public

2/22/2017

Date



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Charles Cassidy 2-23-17  
Signature of Applicant Date  
GADL  
052922976  
E - 9/22/20  
I - 9/9/15  
Charles Cassady, owner  
Type or Print Name and Title

Paulette Lindo 2/23/17  
Signature of Notary Public Date  
Notary Seal  


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**SPECIAL USE PERMIT 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.

Myra Cassidy 2-23-17  
Signature of Property Owner Date  
GAD# 049915490  
E - 6/20/21  
I - 4/14/16  
Myra Cassidy OWNER  
Type or Print Name and Title

Paulette Lyndo 2/23/17  
Signature of Notary Public Date  
Notary Seal  


**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, 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.

[Signature] 2-22-2017 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

[Signature] 2/22/2017  
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.

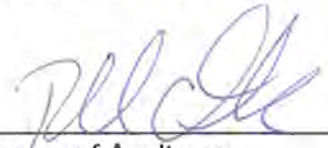


**VERIFICATION OF CURRENT PAID PROPERTY TAXES**  
**FOR CHANGE IN CONDITIONS**

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:**      5      82      016  
(Map Reference Number)      District      Land Lot      Parcel

      2-22-2017  
Signature of Applicant      Date

**Robert Fink, VP of Development**

Type or Print Name and Title

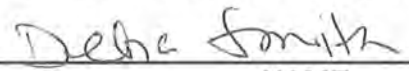
**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

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**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)

      tax services associate  
NAME      TITLE


2.24.2017  
DATE

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

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

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

                      2-22-2017  
Signature of Applicant                      Date

**Robert Fink, VP of Development**

Type or Print Name and Title

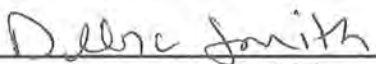
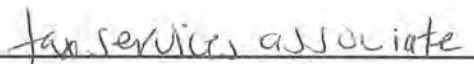
**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

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(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                      TITLE

2-24-2017  
DATE

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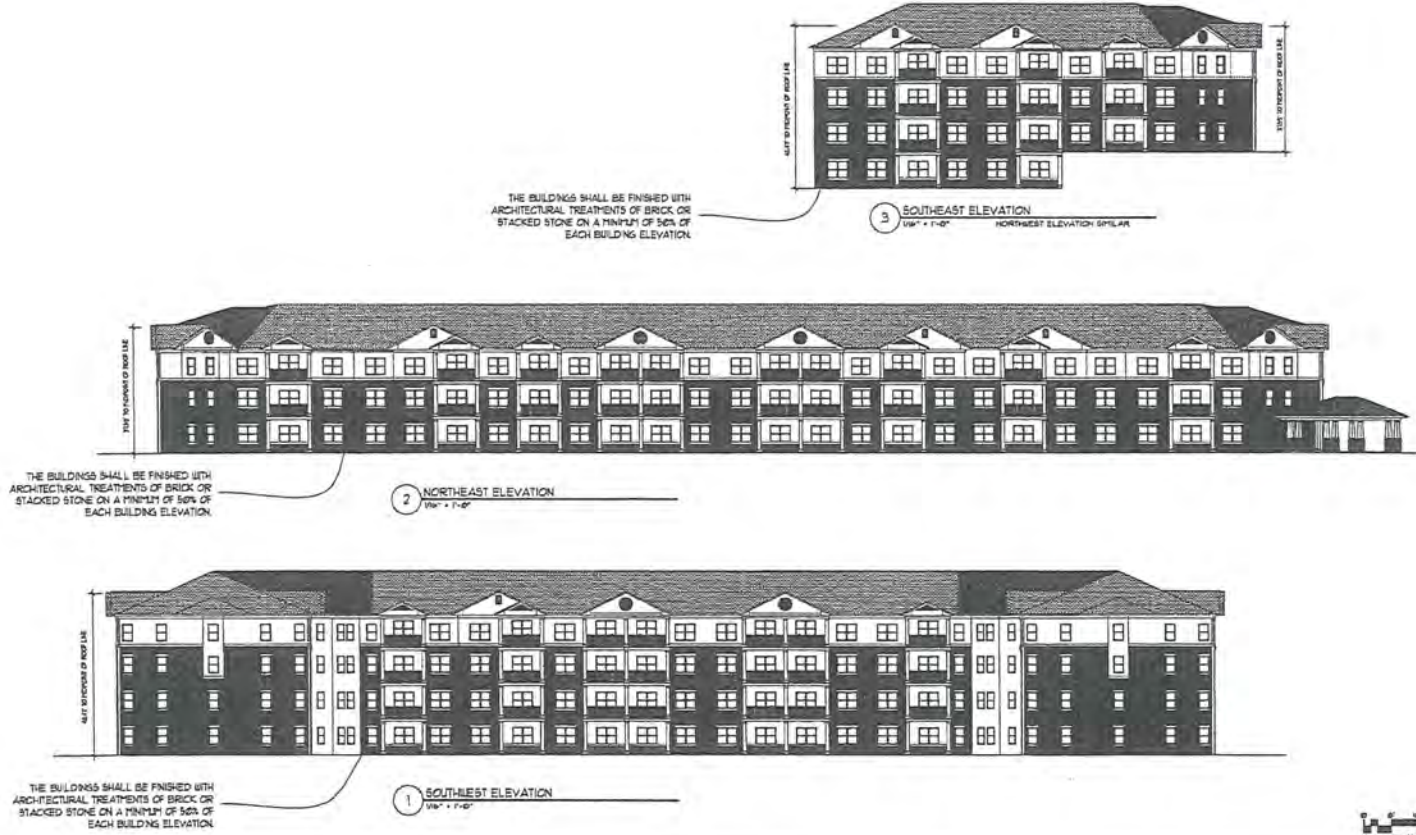
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SCALE:  $\frac{1}{2}$ " = 1'-0"

### A3.1

**MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.**  
25 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3529 404-373-2600

**REDLAND CREEK VILLAS**  
LAWRENCEVILLE, GEORGIA

ELEVATIONS

NOT RELEASED FOR CONSTRUCTION

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