

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Georgia Senior Living LLC</u> <u>c/o Alliance Engineering and Planning</u> ADDRESS: <u>4480 Commerce Drive, Suite A</u> CITY: <u>Buford</u> STATE: <u>GA</u> ZIP: <u>30518</u> PHONE: <u>770-614-6511</u>	NAME: <u>Meadow Church Real Estate LLC</u> ADDRESS: <u>6123 Oakbrook Pkwy, Suite A</u> CITY: <u>Norcross</u> STATE: <u>GA</u> ZIP: <u>30093</u> PHONE: <u>770-614-6511</u>
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u> EMAIL ADDRESS: <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:	
<u> </u> OWNERS AGENT	<u> </u> PROPERTY OWNER
<u> X </u> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>R-100</u>	REQUESTED ZONING DISTRICT: <u>O-I with SUP for Care Facility & Buffer Reduction</u>
LAND DISTRICT (S): <u> 7 </u>	LAND LOT: <u>121</u>
ACREAGE: <u>7.675</u>	
ADDRESS OF PROPERTY: <u>Meadow Church Road</u>	
PROPOSED DEVELOPMENT: <u>Senior Living with Independent, Assisted & Memory Care Units</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u> </u>	NO. OF BUILDINGS/UNITS: <u> 1 </u>
DWELLING UNIT SIZE (SQ. FT.): <u> </u>	TOTAL GROSS SQUARE FEET: <u>178,600</u>
GROSS DENSITY: <u> </u>	DENSITY: <u>23,270sq ft per acre</u>
NET DENSITY: <u> </u>	

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

JUL 05 2019

RZC '19 014

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LEGAL DESCRIPTION

Meadow Church Road Property
R7121 013, 014, 093 & 174

ALL THAT TRACT or parcel of land lying and being in Land lot 121 of the 7th Land district of Gwinnett County, Georgia and a portion more particularly shown on a plat for Kevin L. Jackson & Lisa L. Jackson as recorded in Plat Book 32 Page 165-B and a plat for C. Lamar Jackson as recorded in Plat Book 85 Page 27 of the records of the Clerk of Superior Court, Gwinnett County, Georgia and more described as follows:

Beginning at a ½" rebar found on the westerly right-of-way of Meadow Church Rd being 675' south from the southerly right-of-way of the entrance of Sugarloaf Country Club; thence continue along said right-of-way (right-of-way varies) along a curve to the left 201.54' having a radius of 612.96' and subtended by a chord of S00°25'50"E and distance of 200.63' to a point; thence continuing along said right-of-way S09°51'00"E a distance of 174.67' to a point; thence continuing along a curve to the right 231.58' having a radius of 341.97' and subtended by a chord of S09°33'00"W and distance of 227.48' to a point; thence S28°57'00"W a distance of 214.13' to a point; thence continuing along a curve to the left 129.61' having a radius of 858.30' and subtended by a chord of S24°37'30"W and a distance of 129.61' to a point; thence continuing along said right-of-way along a curve to the right 100.90' having a radius of 357.93' and subtended by a chord of S12°12'52"W and a distance of 100.14' to a ½" rebar found; thence leaving said right-of-way N73°38'18"W a distance of 52.30' to a ½" rebar found; thence N27°28'03"W a distance of 196.48' to a ½" rebar found; thence along a curve to the left 287.59' having a radius of 2824.49' and subtended by a chord of N30°23'03"W and distance of 287.47' to a point; thence N33°18'03"W a distance of 57.70' to a point; thence along a curve to the left 188.74' having a radius of 1392.44' and subtended by a chord of N37°11'02"W and a distance of 188.60' to a ½" rebar found along the Sugarloaf Subdivision Phase I Pod 1 as found in Plat Book 73 Page 117; thence along Sugarloaf Subdivision N58°43'00"E a distance of 296.01' to a ½" rebar found; thence N59°55'19"E a distance of 420.75' to THE POINT OF BEGINNING.

The property is subject to any right-of-ways deeds or other easements of record. This tract of land is 7.675 acres.

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GARDEN LEVEL
23,340 SF

24 MC UNITS
AMENITIES
SERVICE
MC/AL ENTRY
SUPPORT

FIRST LEVEL
58,460 SF

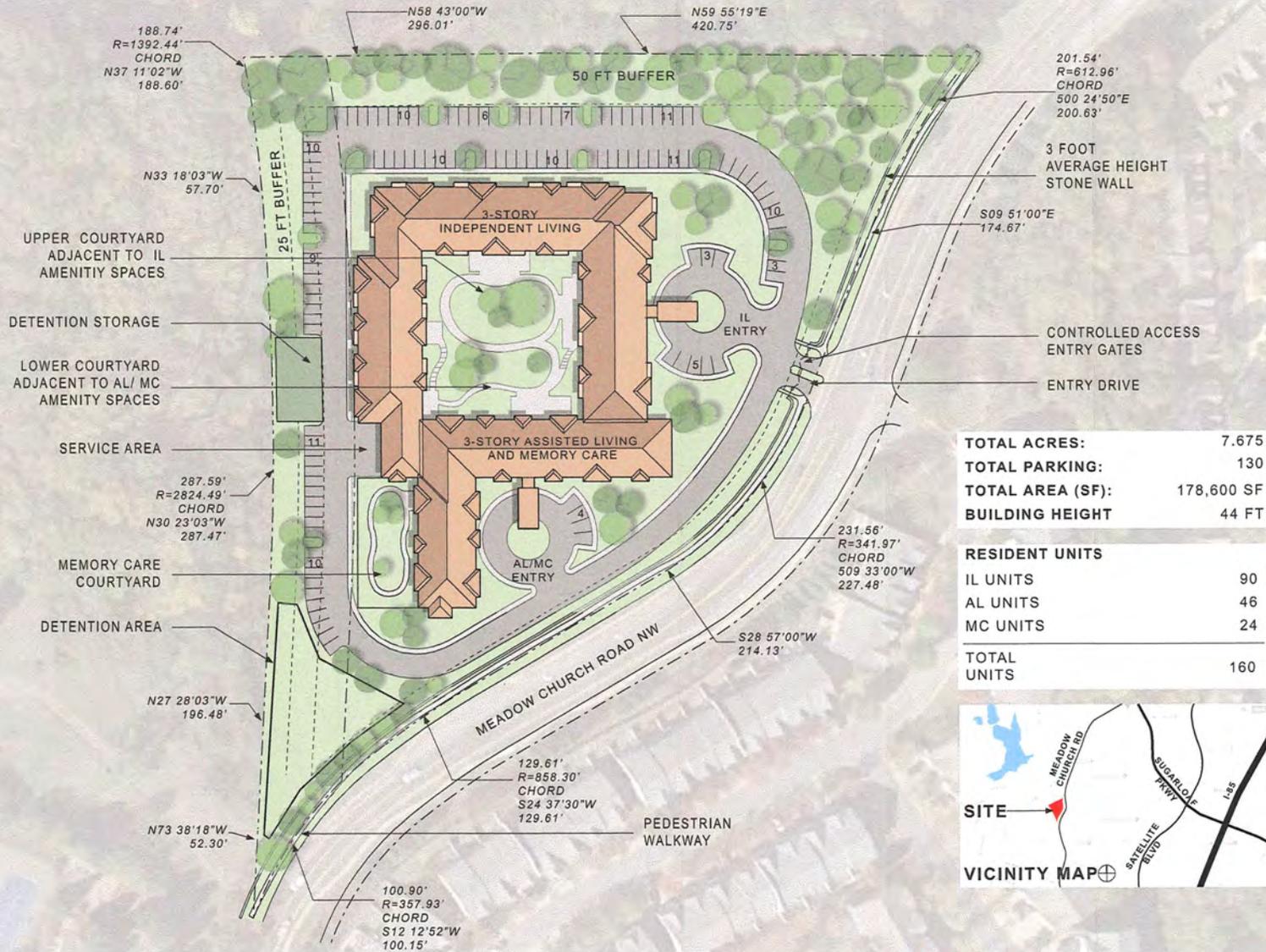
21 AL UNITS
20 IL UNITS
AMENITIES
AL/IL ENTRY
SUPPORT

SECOND LEVEL
58,460 SF

25 AL UNITS
36 IL UNITS
AMENITIES

THIRD LEVEL
38,340 SF

34 IL UNITS
AMENITIES



TOTAL ACRES:	7.675
TOTAL PARKING:	130
TOTAL AREA (SF):	178,600 SF
BUILDING HEIGHT	44 FT

RESIDENT UNITS	
IL UNITS	90
AL UNITS	46
MC UNITS	24
TOTAL UNITS	160



GEORGIA SENIOR LIVING, LLC
AT "SUGARLOAF MEADOW CAMPUS"
georgiaseniorliving@hotmail.com
6340 Sugarloaf Pkwy, Suite 200, Duluth, GA 30097

OM. Duggal
(O)678-775-6767 (C)678-770-2657
omduggal@icloud.com
diplomat.in@live.com
DIPLOMAT INFRAPROP
CONSULTANTS

GEORGIA SENIOR LIVING 07/01/19
WHITE STONE REALTY CAPITAL SCALE @ 11 x 17: 1" = 100'-0"

SITE PLAN DIAGRAM
MEADOW CHURCH SENIOR LIVING TOWNE CLUB CAMPUS
at SUGARLOAF

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LANTZ-BOGGIO
Architects & Interior Designers

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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 DUE TO THE TOPO WITHOUT THE SPECIAL USE PERMIT.

(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 EMERGING SURBURBAN CHARACTER AREA.

(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.

PLANNING DIVISION USE ONLY

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CASE NUMBER _____

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Georgia Senior Living, LLC, requests a rezoning from R-100 to O & I with a Special Use Permit and a buffer reduction for the purpose of developing a retirement community for residents 55 and older. The 7.675 acres is located on Meadow Church Road and the property was cleared for a subdivision that was never built. The buffer reduction is for the existing detention pond along the rear of the property that was built for the proposed subdivision and abuts open space. The applicant is planning on using the existing detention pond with any upgrades as needed to comply with today's requirements. The area along that same property line is proposed to have a 25-foot buffer where the detention pond is not located. Along the common property line with Sugarloaf Country Club, the proposal is to provide the full 50-foot buffer and since that area was cleared it is to be replanted with a mixture of evergreen and deciduous trees to provide a visual screening to those adjacent homes. The building is proposed to be a total of 178,600 square feet and be limited to 3 stories with a pitched roof and a maximum height of 44 feet. The building materials will be a mixture of stone and concrete siding with a total of 130 parking spaces being provided. There will be 90 independent living units, 46 assisted living units and 24 memory care units. There will be a central area for the residents to eat with the independent units having a kitchenette in their apartments if they choose to cook their own meals. Outside activities will be provided for the independent and assisted living residents in a courtyard surrounded by the building while the memory care residents will have a secured outdoor area next to their living quarters. The property is within walking distance to the new Revel project being developed around the Gwinnett Arena and the applicant believes that the proposed senior facility will become another asset to the immediate area.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the rezoning 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 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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REZONING 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.

X [Signature] _____ Date 07/01/2019

OM-DUGAL / COO / GEORGIA SENIOR LIVING LLC
Type or Print Name and Title COO / DISCOVERY - FUNDING LLC

[Signature] _____ Date 7-1-2019



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REZONING 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.

X *[Handwritten Signature]*
Signature of Property Owner

5/27/2019
Date

SOHAIL Habani
Type or Print Name and Title

[Handwritten Signature]
Signature of Notary Public

5/24/19
Date



JUAN PABLO GOMEZ
Notary Public
Commonwealth of Massachusetts
My Commission Expires Dec-26-2025

Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, 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.

X [Signature] _____ 7/1/14 _____
 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] _____ 7-1-14 _____
 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 X _____ [Signature] _____
 YOUR NAME

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

NAME AND OFFICAL 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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JUL 05 2014

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. 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:
(Map Reference Number)

7 - 121 - 174
District Land Lot Parcel

X [Signature]
Signature of Applicant

07/01/2019
Date

OML DUGHAL / COO / GEORGIA SENIOR LIVING INC
Type or Print Name and Title
CEO DISCOVERY - FUNDING LLC -

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)

[Signature]
NAME
7/5/19
DATE

Senior Tax Service Associate
TITLE

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PARCEL I.D. NUMBER: 7 - 121 - 013
(Map Reference Number) District Land Lot Parcel

X [Signature] 07/01/2019
Signature of Applicant Date

OMNIDIGITAL / COO / GEORGIA SENIOR LIVING - LLC
Type or Print Name and Title COO / DISCOVERY - FUNDING - LLC -

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)

[Signature]
NAME
7/5/19
DATE

Senior Tax Service Associate
TITLE

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PARCEL I.D. NUMBER:
(Map Reference Number)

7 - 121 - 093
District Land Lot Parcel

X 
Signature of Applicant

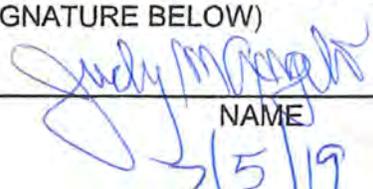
27/01/2019
Date

OMNIDUAL / COO / Georgia-Senior-Living-Nc
Type or Print Name and Title

Case Discovery - FUNDING-LLC -

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
5/5/19
DATE

Senior Tax Service Associate
TITLE

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PARCEL I.D. NUMBER:
(Map Reference Number)

7 - 121 - 014
District Land Lot Parcel

Signature of Applicant

[Handwritten Signature]

Date

27/01/2019

Type or Print Name and Title

OM/DUGAL / Co-Georgia-Senior-Living-Nr
Co-Discovery-Funding-LLC-

TAX COMMISSIONERS USE ONLY

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[Handwritten Signature]
NAME
7/5/19
DATE

Senior Tax Service Associate
TITLE

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GEORGIA SENIOR LIVING, LLC
 AT 'SUGARLOAF MEADOW CAMPUS'
 georgiaseniorliving@hotmail.com
 6340 Sugarloaf Pkwy, Suite 200, Duluth, GA 30097

OM. Duggal
 (O) 678-775-6767 (C) 678-770-2657
 omduggal@icloud.com
 diplomat.in@live.com
DIPLOMAT INFRAPROP™
 CONSULTANTS

GEORGIA SENIOR LIVING 07/01/19

SITE PLAN DIAGRAM

WHITE STONE REALTY CAPITAL

SCALE @ 11 x 17: 1" = 100'-0"

**MEADOW CHURCH SENIOR LIVING TOWNE CLUB CAMPUS
at SUGARLOAF**

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LANTZ-BOGGIO
 Architects & Interior Designers

RZC '19014

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