

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Manor Lake Development LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Kent & Tim Puckett, Jack Burel</u>
ADDRESS: <u>6095 Atlanta Hwy Suite 100</u>	ADDRESS: <u>Same</u>
CITY: <u>Flowery Branch</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: _____ ZIP: _____
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 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:		
<u> </u> OWNERS AGENT	<u> </u> PROPERTY OWNER	<u> X </u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>O & I</u>		REQUESTED ZONING DISTRICT: <u>O & I w/SUP</u> <u>to allow Senior Housing Facility & CIC for a</u> <u>change in conditions with a buffer reduction</u>
LAND DISTRICT (S): <u>1</u>	LAND LOT (S): <u>001</u>	ACREAGE: <u>9.016</u>
ADDRESS OF PROPERTY: <u>2911 & 2969 Hamilton Mill Road</u>		
PROPOSED DEVELOPMENT: <u>Senior Housing Facility with Independent and Assisted Living</u>		
<p>RECEIVED BY 7</p> <p>" 9 2019</p> <p>Planning Development</p>		<p>SUP '20017</p>

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

SURVEY LEGAL DESCRIPTION

TRACTS 1 AND 2

ALL THAT TRACT OR PARCEL OF LAND LYING IN AND BEING IN PUCKETTS GEORGIA MILITIA DISTRICT 1397, GWINNETT COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF PLANTATION MILL DRIVE (50' PUBLIC RIGHT OF WAY) AND THE EAST RIGHT OF WAY OF HAMILTON MILL ROAD (PUBLIC RIGHT OF WAY VARIES), THENCE SOUTH ALONG THE SAID RIGHT OF WAY OF HAMILTON MILL ROAD A DISTANCE OF 124.51 FEET TO AN IRON PIN FOUND, WHICH IS THE POINT OF BEGINNING;

THENCE LEAVING THE SAID RIGHT OF WAY NORTH 60 DEGREES 03 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 544.92 FEET TO AN IRON PIN FOUND; THENCE SOUTH 29 DEGREES 58 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 293.56 FEET TO AN IRON PIN FOUND; THENCE NORTH 44 DEGREES 51 MINUTES 24 SECONDS EAST FOR A DISTANCE OF 335.02 FEET TO AN IRON PIN FOUND; THENCE SOUTH 45 DEGREES 03 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 204.20 FEET TO AN IRON PIN FOUND; THENCE SOUTH 44 DEGREES 56 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 961.19 FEET TO AN IRON PIN FOUND ON THE EAST RIGHT OF WAY OF HAMILTON MILL ROAD; THENCE TRAVELING ALONG SAID RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES AND DISTANCES: NORTH 31 DEGREES 39 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 315.79 FEET TO A POINT; THENCE NORTH 56 DEGREES 41 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 15.69 FEET TO A POINT; THENCE NORTH 30 DEGREES 09 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 212.06 FEET TO A POINT; THENCE NORTH 29 DEGREES 32 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 124.99 FEET TO THE POINT OF BEGINNING.

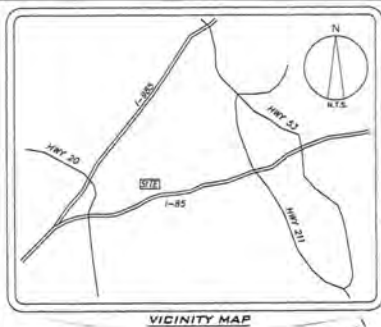
SAID TRACT OR PARCEL OF LAND CONTAINS 9.016 ACRES AND IS DEPICTED ON THAT CERTAIN ALTA/NSPS PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED OCTOBER 9, 2019.

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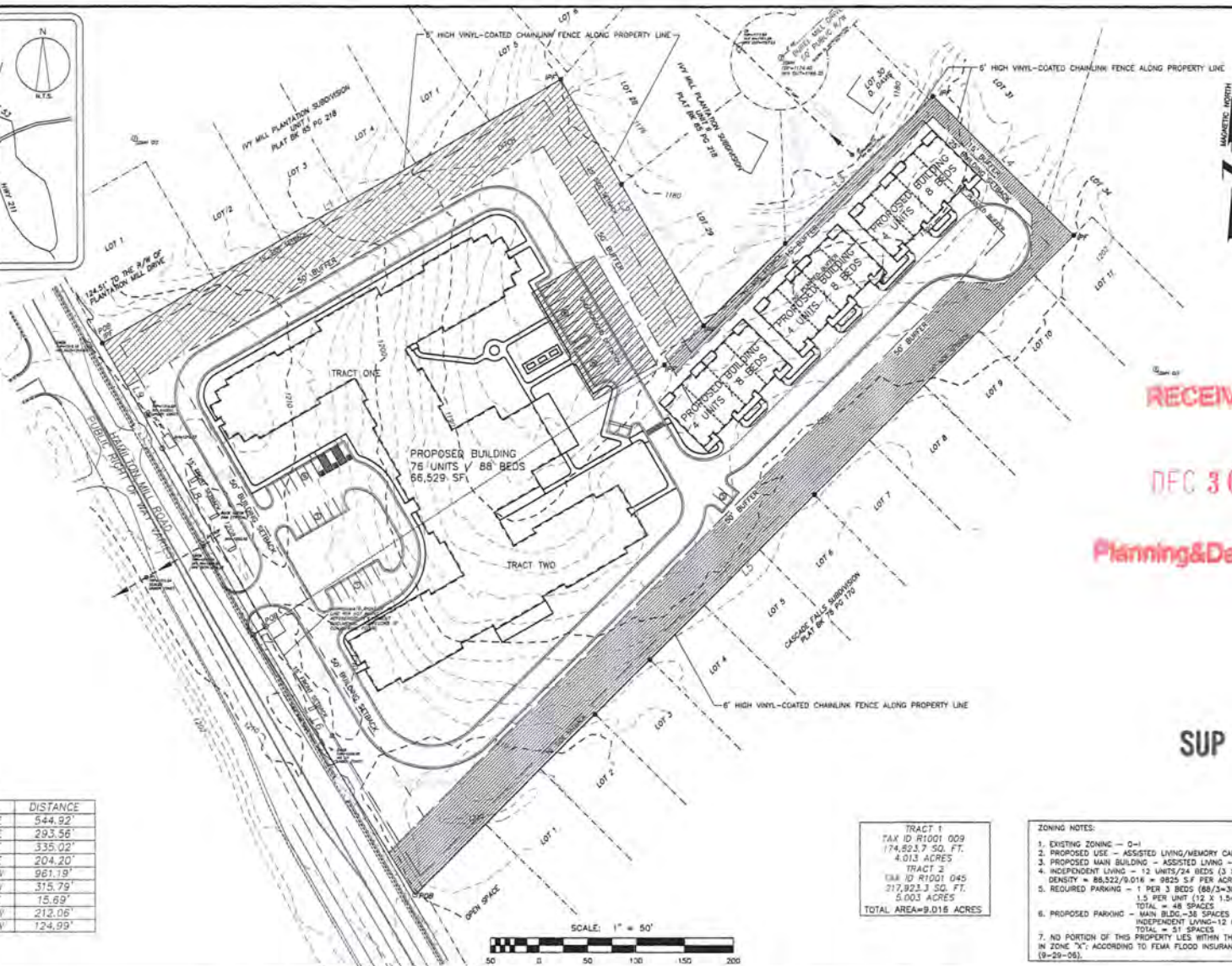
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VICINITY MAP



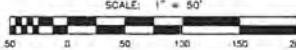
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LINE	BEARING	DISTANCE
L1	N 60°03'52" E	544.92'
L2	S 29°58'49" E	293.56'
L3	N 44°51'24" E	335.02'
L4	S 45°03'38" E	204.20'
L5	S 44°56'20" W	961.19'
L6	N 31°39'38" W	315.79'
L7	N 56°41'54" E	15.69'
L8	N 30°09'57" W	212.06'
L9	N 59°32'20" W	124.99'



TRACT 1
TAX ID R1001 009
174,823.7 SQ. FT.
4.013 ACRES
TRACT 2
TAX ID R1001 045
317,821.3 SQ. FT.
5.003 ACRES
TOTAL AREA=9.016 ACRES

- ZONING NOTES:
- EXISTING ZONING - O-1
 - PROPOSED USE - ASSISTED LIVING/MEMORY CARE - TOTAL S.F.=88,522 S.F.
 - PROPOSED MAIN BUILDING - ASSISTED LIVING - 75 UNITS/88 BEDS (66,529 S.F.)
 - INDEPENDENT LIVING - 12 UNITS/24 BEDS (3 X 7331 S.F.=21,993 S.F.)
 - DENSITY = 88,522/9,016 = 9825 S.F. PER ACRE
 - REQUIRED PARKING - 1 PER 3 BEDS (88/3=30 SPACES)
1.5 PER UNIT (12 X 1.5=18 SPACES)
TOTAL = 48 SPACES
 - PROPOSED PARKING - MAIN BLDG.-36 SPACES
INDEPENDENT LIVING-12 GARAGES + 3 GUEST-15 SPACES
TOTAL = 51 SPACES
 - NO PORTION OF THIS PROPERTY LIES WITHIN THE 100 YEAR FLOOD PLAIN, AND LIES IN ZONE "X", ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13135C00277 (9-29-05).

CONSULTANT
BRADFORD ENGINEERING, INC.
CONSULTING ENGINEERS
278 STONYBROOK DR.
CANTON, GA. 30115
OFFICE (878) 382-3883
engbrad1@windstream.net

PROJECT TITLE/NO:
MANOR LAKE DEVELOPMENT
HAMILTON MILL ROAD
PUCKETTS GMD 1397
GWINNETT COUNTY, GEORGIA
OWNER/DEVELOPER:
MANOR LAKE DEVELOPMENT, LLC - 318 HILLSIDE DRIVE
WALESKA - GEORGIA 30183 - PHONE: (770) 318-5412

NO.	DESCRIPTION	DATE

TAX MAP REF. R1001 009 & 045
STAMPS

ZONING PLAN
Sheet No.
B/JH
C/DIGED
B/JH
PROJECT NO.
1918
DATE
12-26-16
Scale
1" = 50'

Z~1

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 SPECIAL USE PERMIT, NO DEMAND FOR OV.

(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:
YES, THE SUBJECT PROPERTY IS DESIGNATED AS COMMUNITY 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 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 LETTER OF INTENT

The Applicant, Manor Lake Development LLC, requests a Change in Conditions (CIC) with a Special Use Permit (SUP) to allow a Senior Living Complex for residents 55 years old or older. The existing O & I zoning was approved by Gwinnett County in 2007 which was prior to the economic crash that the country went through. The property owners have not had any proposals from any developers to build an office park on the property. The applicant is proposing to build a single-story retirement facility that will have a total of 76 units with 88 beds with an additional 12 Independent Living units on the rear of the property. The main building will provide living space for Assisted Living in 48 of the units with a total of 52 beds and for Memory Care in 28 of the units with a total of 36 beds. Proposed amenities are Laundry/Housekeeping, 3 full meals daily with a 24\7 grab and go Bistro, Reserved private dining room, Hair salon and spa, Group Activities and arts and crafts room, Physical therapy, Movie Theater, Garden plots, Courtyard fountain and fire pit, Monthly cookouts for residents and family and a shuttle service for outings.

The proposed condition changes are:

1. B. Remove the restriction against congregate personal care homes and retirement communities.
D. Change the building material to match the submitted elevations of Stone Veneer and Concrete Siding.
E. Change the height of the buildings to only be allowed as one-story.
2. A. Allow a reduction in the 50-foot buffer adjacent to the Independent living units along the rear of the property to 15 feet as shown on the submitted plan. The berm and fencing will be installed to separate the property from the adjoining single family homes.

The SUP is to allow a retirement facility in the O & I zoning category with less traffic.

This proposed facility will be a low impact use next to the existing subdivision as the majority of the traffic produced will be off peak hours. In reality, the Independent Living residents in the 12 units will be the main ones that still use their car and even that is not on a daily basis. The assisted living residents will only have about 5 cars typically among this total number of units that they even occasionally use.

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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

12/17/19

Date

William Criswell

Type or Print Name and Title

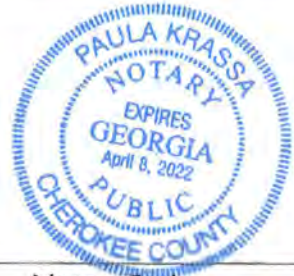
President



Signature of Notary Public

12/17/19

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.

Kent B. Puckett 12/20/19
Signature of Property Owner *EXECUTOR* Date

Kent B. Puckett
Type or Print Name and Title

Jeri Ann Peavy 12/20/19
Signature of Notary Public Date



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Jack Buehl
Signature of Property Owner

12-20-19
Date

Jack Buehl owner
Type or Print Name and Title

Jeri Ann Peavy
Signature of Notary Public

12/20/19
Date



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Signature of Property Owner

Executor

12-20-2019

Date



Type or Print Name and Title



Signature of Notary Public

12/20/19

Date



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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.

[Signature] 12/17/19 William B. Cresson, President
Signature of Applicant Date Type of Print Name and Title

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

[Signature] 12/17/19
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 William B. Cresson
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 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)

1 - 001 - 009
District Land Lot Parcel

X Mitch Peery
Signature of Applicant

12-2-19
Date

Mitch Peery Applicant Representative
Type or Print Name and Title

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)

Julie Smith
NAME

TSA II
TITLE

12-2-19
DATE

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

1 - 001 - 045
District Land Lot Parcel

X MHA M
Signature of Applicant

12-2-19
Date

Mitch Peery Applicant Representative
Type or Print Name and Title

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)

Cherie Smith
NAME

TSA II
TITLE

12-2-19
DATE

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

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 SPECIAL USE PERMIT REQUEST.**

PARCEL I.D. NUMBER:

(Map Reference Number)

District

Land Lot

Parcel

Signature of Applicant

Date

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

TITLE

DATE

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LAP SIDING
FIBER-GLASS BOARD (F.G.B.) LAP
SIDING WITH 6" EXPOSURE AND HOOD
GRAIN TEXTURE (HARDIE OR EQUAL)

BOARD AND BATTEN SIDING
4"X8" 5/8" THK. F.G.B. VERTICAL PANEL
SIDING WITH 1/2" F.G.B. BATTENS
APPLIED AT PANEL JOINTS AND 12" O.C.
(HARDIE OR EQUAL)

STAGGERED EDGE NOTCHED PANEL
48"X16" 1/4" THK. F.G.B. STAGGERED
EDGE NOTCHED PANEL WITH 6"
EXPOSURE (HARDIE OR EQUAL)

STONE VENEER
TENSURE TRIM VENEER FIELDSTONE
(OR EQUAL)

ARCHITECTURAL SHINGLE
64P TIMBERLINE HD SHINGLES -
WEATHERED HOOD

BODY
SHERWIN WILLIAMS SW1074 -
SOFTWARE

TRIM
SHERWIN WILLIAMS SW6555 -
DOVE OR WHITE

PCA	
PRECISION COMMERCIAL	
ARCHITECTS, INC.	
ARCHITECTURAL PLANNING CONSULTING	
430 PAULETTE ROAD SUITE 1000	
LAWRENCE, KENTUCKY 40303	
P: (502) 875-0500 WWW.PCA-ARCHITECTS.COM	
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ELEVATIONS	
PROJECT NO.	PCA
DATE	12/14
FILE NO.	2/1
PROJECT NO.	PC 2019.02
DATE	12/14/2019
BY	PCA
A-3.0	



MANOR LAKE - HAMILTON MILL
INDEPENDENT LIVING COTTAGES

PCA



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2200
CORNER BOARD (7'x3") LAP
WITH 6" EXPOSURE AND HOOD
TEXTURE (HARDIE OR EQUAL)
AND BATTEN SIDING
18" THK. F.C.B. VERTICAL PANEL
WITH 1/2" F.C.B. BATTENS
D AT PANEL JOINTS AND 12" O.C.
S OR EQUAL
WOOD SIDING NOTCHED PANEL
1/4" THK. F.C.B. STAGGERED
NOTCHED PANEL WITH 6"
RE. HARDIE OR EQUAL

STONE VENEER
TENNESSEE THIN VENEER FIELDSTONE
(OR EQUAL)

ARCHITECTURAL SHINGLE
GAP THROU-ROOF NO SHINGLES -
HEAVY-DUTY HOOD

BODY
SHERWIN WILLIAMS SW7074 -
SOFFITWARE

TRIM
SHERWIN WILLIAMS SW6555 -
DOVER WHITE

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PK
ARCHT
NO. 1
S. 1752