

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>VDC Development Group, LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Julius William Davis, Jr</u>
ADDRESS: <u>6095 Atlanta Hwy, Suite 100</u>	ADDRESS: <u>6150 Thompson Mill Road</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Hoschton</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30548</u>
PHONE: <u>770-614-6511</u>	PHONE: _____
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>RA-200</u> REQUESTED ZONING DISTRICT: <u>O & I with SUP for Senior Housing</u>	
LAND DISTRICT (S): <u> 3 </u> LAND LOT: <u>006</u> ACREAGE: <u> 24.348 </u>	
ADDRESS OF PROPERTY: <u>6150 Thompson Mill Road</u>	
PROPOSED DEVELOPMENT: <u>Senior Housing</u>	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: <u> </u> DWELLING UNIT SIZE (SQ. FT.): <u> </u> GROSS DENSITY: <u> </u> NET DENSITY: <u> </u>	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: <u> 24 </u> TOTAL GROSS SQUARE FEET: <u>886,239 Each building is 10,371 sq ft per floor. Wellness 10k</u> DENSITY: <u> 36,398.8 sq. ft. per acre </u>

Legal Description – Tax ID: 3006 005

A parcel of land situated in Land Lot 6 of the 3rd District of Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a found capped rebar being the easterly most corner of the property described in Plat Book 145, Page 230 in the Gwinnett County Clerk of Courts Office, said point being the POINT OF BEGINNING of the parcel herein described, thence run North 40 Degrees 25 Minutes 51 Seconds West for a distance of 1,166.24 feet to a point, said point located on the common line between Hall County G.M.D. 392 Clinchem District and Gwinnett County G.M.D. 1749 Duncan District, thence along said common line North 64 Degrees, 49 Minutes 17 Seconds East for a distance of 1,067.40 feet to a point, thence leaving said county line run South 40 Degrees 38 Minutes 11 Seconds East for a distance of 866.19 feet to a point, said point located on the northerly right-of-way of Thompson Mill Road (80' right-of-way); thence run South 46 Degrees 41 Minutes 06 Seconds West along said right-of-way for a distance of 608.44 feet to a point, said point lying on a non-tangent curve to the right, said curve having a radius of 5,516.30 feet, a central angle of 02 Degrees 37 Minutes 19 Seconds, a chord bearing of South 48 Degrees 47 Minutes 56 Seconds West and a chord length of 252.41 feet; thence run along the arc of said curve and said right-of-way for a distance of 252.43 feet to a point, said point lying on a non-tangent curve to the right, said curve having a radius of 1,152.70 feet, a central angle of 08 Degrees 37 Minutes 56 Seconds, a chord bearing of South 54 Degrees 26 Minutes 43 Seconds West and a chord length of 173.50 feet; thence run along the arc of said curve and said right-of-way for a distance of 173.66 feet to the POINT OF BEGINNING. Said parcel containing 1,060,615 square feet, or 24.348 acres.

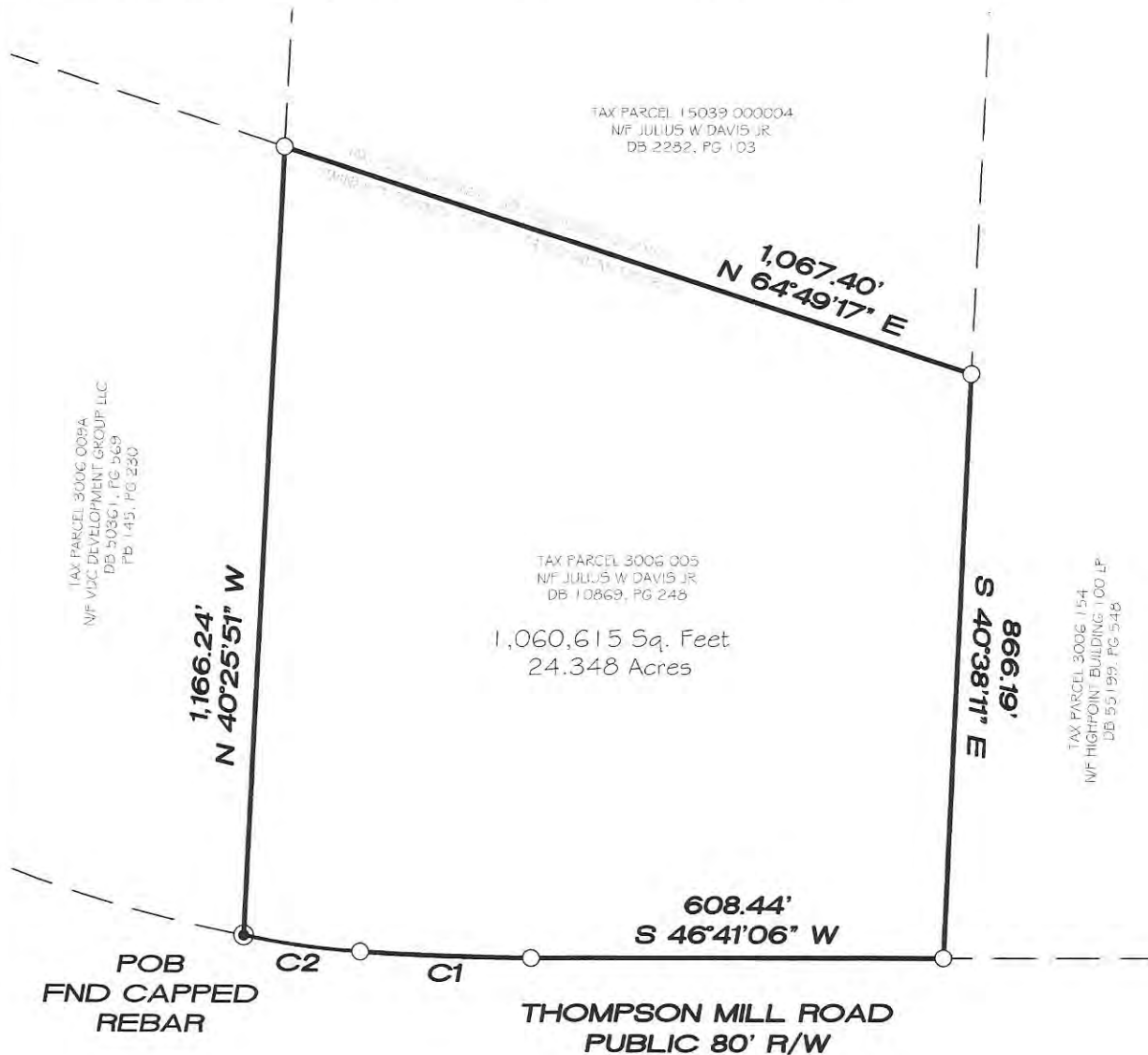
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SUP2020-00067
10/6/2020

REZONING EXHIBIT

LOCATED IN
LAND LOT 6, 3RD DISTRICT
GWINNETT COUNTY, GEORGIA
TAX ID: 3006 005



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C10	5,516.30'	252.43'	252.41'	S 48°47'56" W	2°37'19"
C11	1,152.70'	173.66'	173.50'	S 54°26'43" W	8°37'56"



SHEET 1 OF 1

REFERENCES:
PLAT BOOK 145, PAGE 230

THIS EXHIBIT IS NOT TO SCALE

DRAFTED: 9/29/2020
BY: MCB

LEGEND

- IRON PIN FOUND
- IRON PIN SET

ALS ALLIANCE
LAND SURVEYING

L.S.F. 1322
6095 ATLANTA HIGHWAY SUITE 100
FLOWERY BRANCH, GA. 30542
678.828.7424 | www.alsurvey.com

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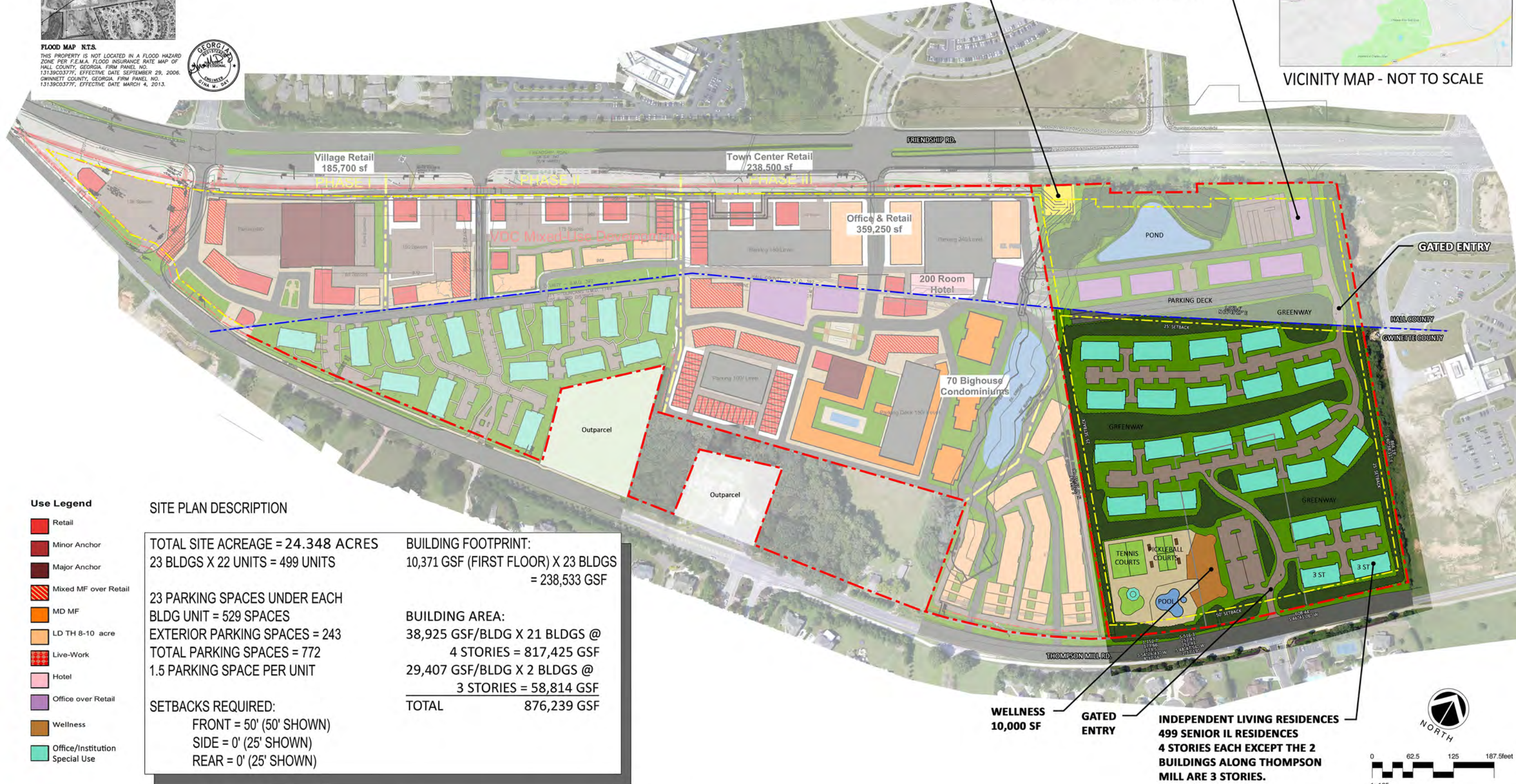
10/6/2020



FLOOD MAP N.T.S.
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE PER F.E.M.A. FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA, FIRM PANEL NO. 13139C0377F, EFFECTIVE DATE SEPTEMBER 29, 2006. GWINNETT COUNTY, GEORGIA, FIRM PANEL NO. 13139C0377F, EFFECTIVE DATE MARCH 4, 2013.



VICINITY MAP - NOT TO SCALE



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 AS CURRENTLY ZONED.

(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 SHOWN AS EMERGING SUBURBAN

(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.

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 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.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

RECEIVED BY: _____

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SUP2020-00067

10/6/2020

LETTER OF INTENT

The Applicant's vision and primary focus for the area under consideration for this rezoning is to provide opportunities for housing, wellness, services and lifestyle for a segment of the senior population that is sixty-two years and older. Consequently, the Applicant—VDC Development Group, LLC—requests a rezoning from RA200 to O & I with a Special Use Permit to allow a Gated Senior Living offering for this age resident. The neighboring MUO (Mixed Use Overlay) was approved by Gwinnett County in 2008 prior to the construction of Northeast Georgia Medical Center. Del Webb also developed two Active Adult housing communities in the immediate area—other senior housing facilities are also opening in the area. This request is to replace the current zoning to allow the Applicant to build 499 units of Independent Living space containing mostly 1 and 2 bedroom units.

Instead of a massive multi-story building, this offering will consist of multiple buildings. **a)** The site plan depicts the number and size of buildings, the most typical buildings contains 22 units. The average resident unit size is 1,163 sq. ft. Each building will be 10,371 square feet of heated space per floor except for the Wellness\Club House which will be 10,000 square feet. **b)** The number of resident units per building may vary based upon market requirements and building site conditions, **c)** underground parking below each building, **d)** a large lobby area on the first floor for entertaining guests and having activities and meetings with other residents, **e)** Four residences on the first floor—six on the other floors, **f)** each building will have an elevator, **g)** buildings will be modeled after large elegant homes, using French Provincial, English Manor and other architectural styles, **h)** each residence will have a full kitchen, dining area, living area, bedrooms, bathroom(s) with walk-in shower, outdoor patio/balcony and additional features, **i)** by using an architectural review process, each building will have distinctive features and colors, complementing the neighboring buildings. **j)** The 2 buildings that front onto Thompson Mill Road will be limited in height to 3 stories.

As the buildings are occupied, future plans are for **a)** a catering restaurant located in the commercial area of the MUO so residents can have a full dining experience—or can have meals delivered to them on an as-needed basis, **b)** a community Wellness/ Clubhouse facility for exercise and social group activities, this will be a minimum 10,000 square foot facility that will serve residents of the entire community **c)** optional A la Carte services offered to residents including concierge, a wellness coordinator, linen and dry cleaning service, weekly house cleaning service, transportation coordination and 3rd party healthcare services.

All units will be only for Independent Living residents as no assisted or memory care facilities are being proposed. One gated entrance is proposed off Thompson Mill Road and another internal gated entrance to the MUO section of the property.

The Applicant's second request is for a height increase to a maximum height of 57 feet 10 inches—and an average height of 50 feet for the buildings throughout this proposed development. .

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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.

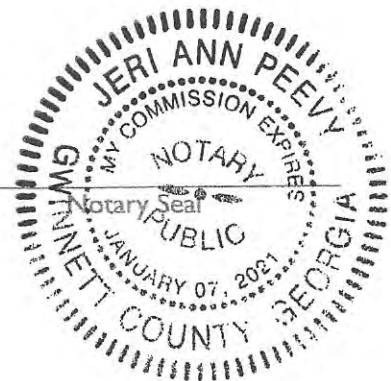
X Linton N. Swindle
Signature of Applicant

9-29-2020
Date

LINTON N. SWINDELL, MGR./OWNER VDC DEVELOPMENT GROUP LLC
Type or Print Name and Title

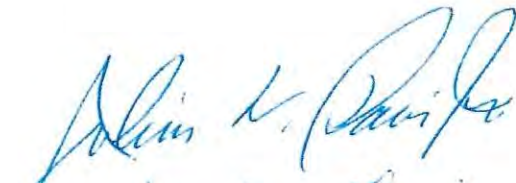
Jeri Ann Peavy
Signature of Notary Public

9/29/20
Date



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.

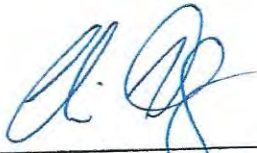

X Kan Soon Davis

Signature of Property Owner

OCTOBER 01, 2020
Date

Julius William Davis, Jr. and Kan Soon Davis

Type or Print Name and Title



Signature of Notary Public

10/1/2020

Date



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 Linton N. Swindell 9-29-2020 LINTON N. SWINDELL MGR./OWNER
SIGNATURE OF APPLICANT DATE VDC DEVELOPMENT & REALTY, LLC
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

Jeri Ann Peavy 9/29/20
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 Linton N. Swindell
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 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: 3 - R3006 - 005
(Map Reference Number) District Land Lot Parcel

Linton N. Swindell
Signature of Applicant

9-29-2020
Date

LINTON N. SWINDELL MGR./OWNER VDC DEVELOPMENT GROUP, LLC
Type or Print Name and Title & APPLICANT FOR REZONING OF PROPERTY

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)

Megan Kittrell
NAME

Assistant Manager
TITLE

9-30-2020

DATE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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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: 3 - R 3006 - 050
(Map Reference Number) District Land Lot Parcel

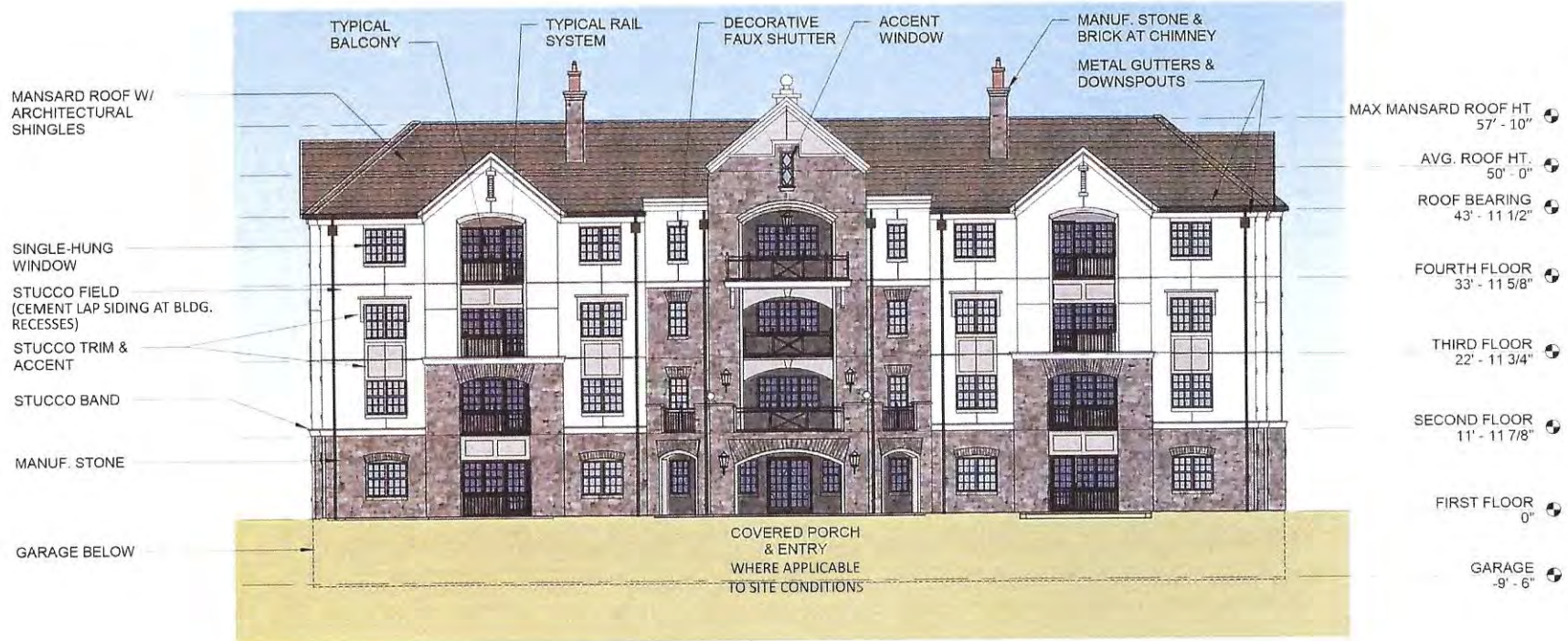
X Linton N. Swindell 9-29-2020
Signature of Applicant Date

LINTON N. SWINDELL, MGR/OWNER VDC DEVELOPMENT GROUP, LLC
Type or Print Name and Title & APPLICANT FOR REZONING OF PROPERTY

TAX COMMISSIONERS USE ONLY

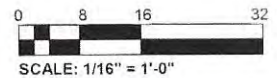
(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Megan Kittrell Assistant Manager
NAME TITLE
9-30-20
DATE



ENGLISH MANOR-FRONT ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS:
MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STYLES: ENGLISH MANOR AND ENGLISH TUDOR. THAT ALLOWS STYLE VARIATION WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARIATION IS FURTHER REINFORCED BY PROVIDING AN ADDITIONAL COLOR OPTION FOR EACH STYLE WHILE MAINTAINING THE CURRENT MATERIAL PALETTE SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SAME COLOR FAMILY AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OPTION SHOWN ABOVE. THIS ADDITIONAL COLOR OPTION FOR EACH STYLE WOULD STRENGTHEN THE BUILDING VARIATION AND INCREASE A MORE VILLAGE-LIKE EXPERIENCE FOR THIS NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.



FOLEY DESIGN
www.foleydesign.com

ENGLISH MANOR-FRONT ELEVATION
VDC SENIOR INDEPENDENT LIVING
BRASELTON, GA

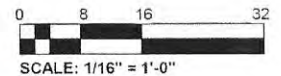
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VDC Development Group LLC

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ENGLISH MANOR-REAR ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS:
MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STYLES, ENGLISH MANOR AND ENGLISH TUDOR, THAT ALLOWS STYLE VARIATION WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARIATION IS FURTHER REINFORCED BY PROVIDING AN ADDITIONAL COLOR OPTION FOR EACH STYLE WHILE MAINTAINING THE CURRENT MATERIAL PALETTE SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SAME COLOR FAMILY AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OPTION SHOWN ABOVE. THIS ADDITIONAL COLOR OPTION FOR EACH STYLE WOULD STRENGTHEN THE BUILDING VARIATION AND INCREASE A MORE VILLAGE-LIKE EXPERIENCE FOR THIS NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.

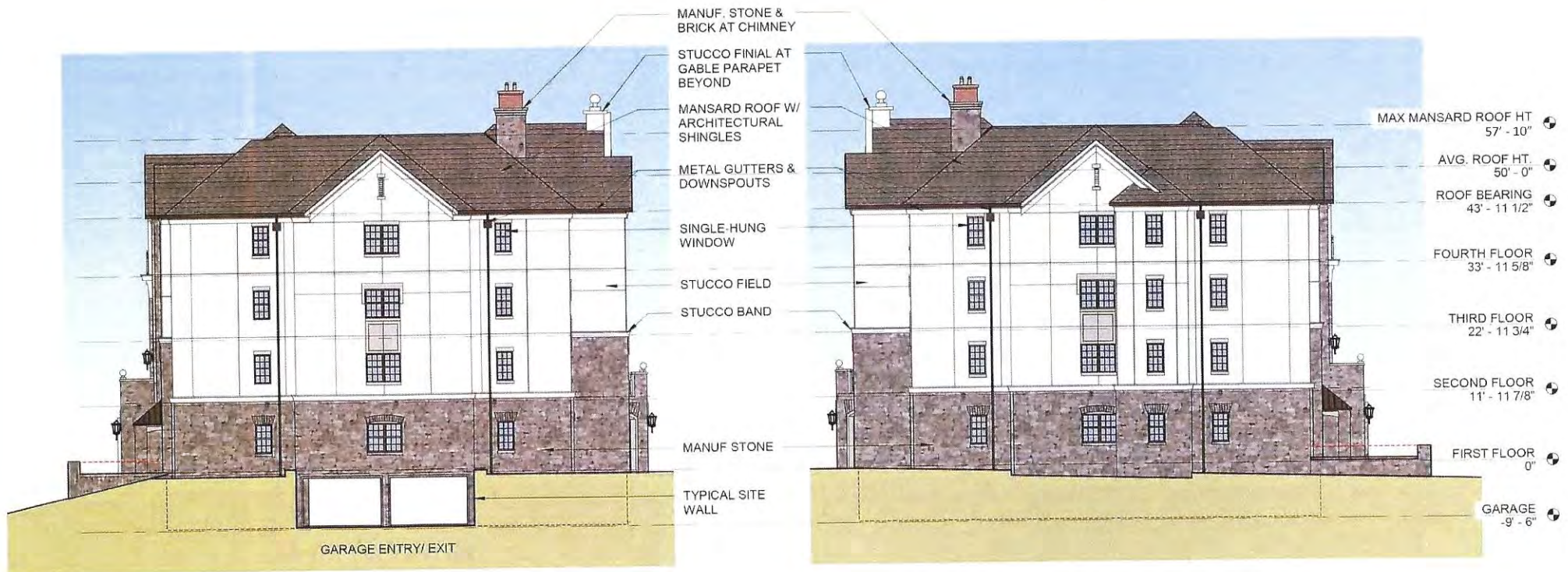


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ENGLISH MANOR-REAR ELEVATION
VDC SENIOR INDEPENDENT LIVING
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ENGLISH MANOR-LEFT ELEVATION

ENGLISH MANOR-RIGHT ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS
MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STYLES, ENGLISH MANOR AND ENGLISH TUDOR THAT ALLOWS STYLE VARIATION WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARIATION IS FURTHER REINFORCED BY PROVIDING AN ADDITIONAL COLOR OPTION FOR EACH STYLE WHILE MAINTAINING THE CURRENT MATERIAL PALETTE SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SAME COLOR FAMILY AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OPTION SHOWN ABOVE. THIS ADDITIONAL COLOR OPTION FOR EACH STYLE WOULD STRENGTHEN THE BUILDING VARIATION AND INCREASE A MORE VILLAGE-LIKE EXPERIENCE FOR THIS NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.

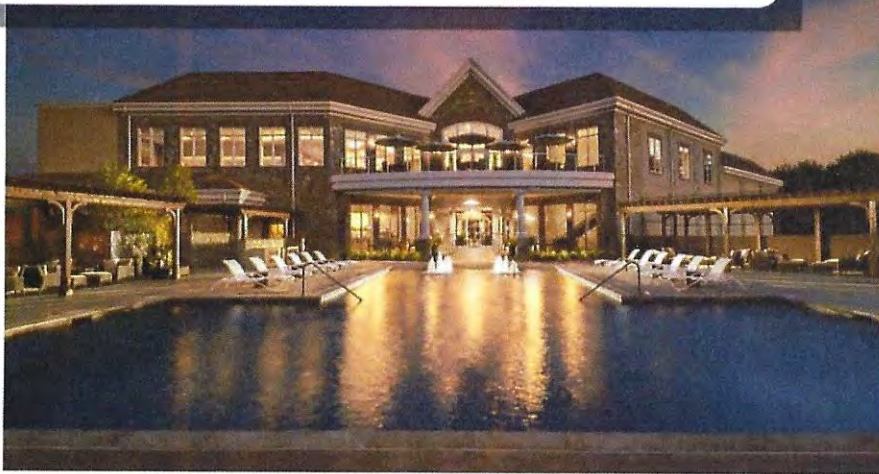
0 8 16 32
SCALE: 1/16" = 1'-0"

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ENGLISH MANOR-SIDE ELEVATIONS
VDC SENIOR INDEPENDENT LIVING
BRASELTON, GA

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WELLNESS CENTER - STYLE INSPIRATIONS
VDC MASTER DEVELOPMENT
BRASELTON, GEORGIA

10.01.2020
VDC DEVELOPMENT GROUP, LLC
BRASELTON, GA

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