ATTACHMENT 5A PAGE 1 REVISED 07/91

# **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: VDC Development Group, LLC .		
ADDRESS: 4480 Commerce Drive, Suite A	ADDRESS: 6122 Brookside Lane		
CITY: Buford	CITY: Hoschton		
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30548</u> .		
PHONE: 770-614-6511	PHONE:		
CONTACT PERSON: <u>MITCH PEEVY</u> PHON EMAIL ADDRESS: Mitchpeevy@gmail.com	NE: <u>(770) 614-6511</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:				
OWNERS AGENT X PROPERTY OWNER CONTRACT PURCHASER				
PRESENT ZONING DISTRICT (S): <u>MUO</u> REQUESTED ZONING DISTRICT: <u>O &amp; I with</u> <u>SUP for Senior Housing w\Height Increase</u>				
LAND DISTRICT (S): <u>3</u> LAND LOT:	006 ACREAGE: 11.52			
ADDRESS OF PROPERTY: Thompson Mill Road				
PROPOSED DEVELOPMENT: Senior Housing				
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:			
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/UNITS: 14			
DWELLING UNIT SIZE (SQ. FT.):	TOTAL GROSS SQUARE FEET: 544,950			
GROSS DENSITY:	DENSITY: 47,305 sq. ft. per acre			
NET DENSITY:	RZC '20 00 1 RECEIVED BY			

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED NOV 0 4 2019

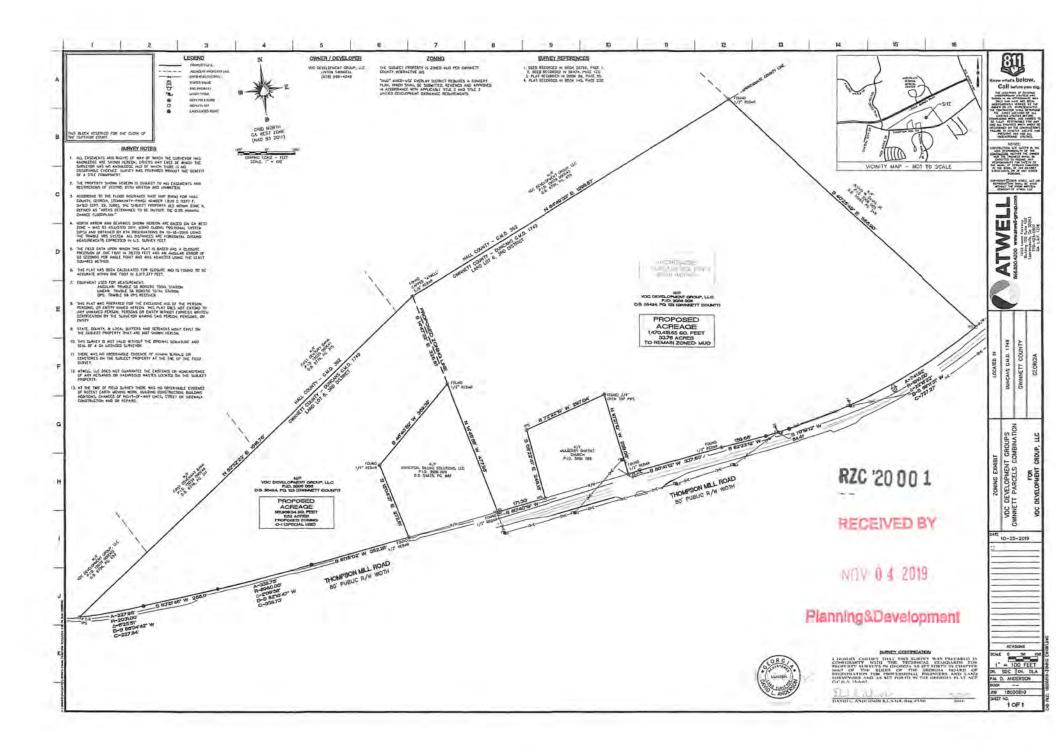
#### Legal Description – Proposed Rezoned Parcel

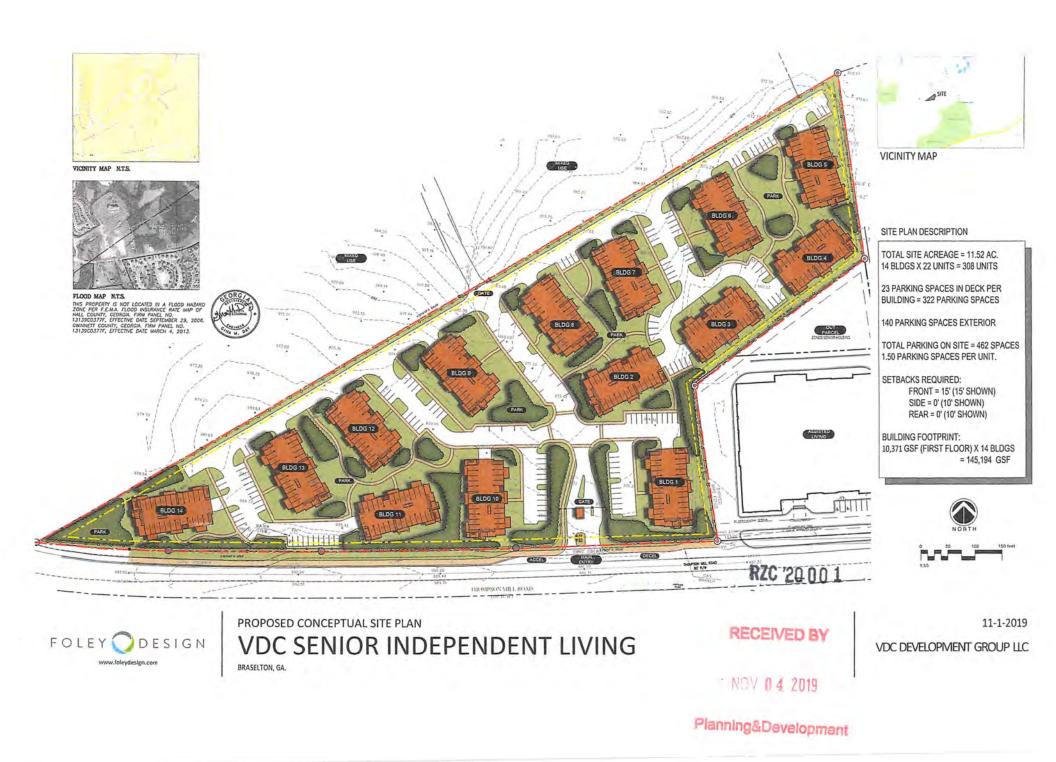
A portion of a parcel of land situated in Duncans General Militia District 1749, Gwinnett County, Georgia, as shown on that plat recorded in Plat Book 145, Page 230 in the Clerk of Superior Courts Office in Gwinnett County, Georgia, said parcel being more particularly described as follows:

Beginning at a set 5/8 inch capped rebar marking the Westernmost Corner of the parcel of land as shown on that plat recorded in Plat Book 145, Page 230 in the Clerk of Superior Courts Office in Gwinnett County, Georgia, said point also marking the intersection of the Northerly Right of Way of Thompson Mill Road (having a 80' Public Right of Way Width) and the dividing line between Hall County and Gwinnett County, Georgia; thence leaving said Right of Way run North 52 degrees 52 minutes 23 seconds East along said County line for a distance of 1616.76 feet to a found 5/8 inch capped rebar; thence leaving said County line run South 14 degrees 47 minutes 32 seconds East along the proposed zoning line for a distance of 326.61 feet to a found 1/2 inch rebar; thence leaving said proposed zoning line run South 46 degrees 40 minutes 59 seconds West for a distance of 369.39 feet to a found 1/4 inch rebar; thence run South 15 degrees 04 minutes 31 seconds East for a distance of 272.81 feet to a found 1/2 inch rebar lying on the Northerly Right of Way of the aforementioned Thompson Mill Road; thence run South 81 degrees 16 minutes 02 seconds West along said Right of Way for a distance of 352.28 feet to a point, said point lying on a curve to the right, said curve having a radius of 8960.00 feet, a central angle of 02 degrees 09 minutes 58 seconds, a chord bearing of South 82 degrees 16 minutes 47 seconds West, and a chord distance of 338.73 feet; thence run along the arc of said curve and said Right of Way for a distance of 338.75 feet to a point; thence run South 83 degrees 21 minutes 46 seconds West for a distance of 265.11 feet to a point, said point lying on a curve to the right, said curve having a radius of 2031.00 feet, a central angle of 06 degrees 25 minutes 51 seconds, a chord bearing of South 86 degrees 34 minutes 42 seconds West, and a chord distance of 227.84 feet to a point; thence run along the arc of said curve and said Right of Way for a distance of 227.96 feet to the POINT OF BEGINNING. Said parcel contains 501,969.04 Square Feet or 11.52 Acres.

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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 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 SURBURBAN

(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 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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## 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 a lifestyle component for a segment of the senior population that is sixty-two years and older. With that in mind, the Applicant, VDC Development Group, LLC requests a rezoning from MUO to O & I with a Special Use Permit to allow a Gated Senior Living Offering for residents 62 years of age or older. The MUO was approved by Gwinnett County in 2008 prior to the construction of Northeast Georgia Medical Center. Del Webb has also developed two of their Active Adult housing communities in the immediate area with other senior housing facilities also opening in the area. The current approval for the 11.52 acres is for over one-hundred townhomes. This request is to replace the current zoning to allow the applicant to build three hundred and eight units of Independent Living space containing one- and two-bedroom units. Instead of building a massive multi-story building, this Independent Living project will consist of fourteen separate buildings with twenty-two units in each building. There will be underground parking below each building with a large lobby area on the first floor for entertaining guests or activities and meetings with other residents. There will be four units on the first floor and six units on all the other floors and all the buildings will have elevators. The average heated space for each unit will be 1,136 square feet. The buildings will be modeled after large elegant homes using French provincial, English Manor and other architectural styles. Through the architectural control process, each building will have distinctive features and colors that will separate it from the other buildings in the development. Every unit will have a full kitchen, dining area, living area, bedrooms, bathrooms with walk-in shower, outdoor patio/balcony and additional features. The proposed plan is that once the development becomes more occupied there will be a catering restaurant located in the commercial area of the MUO where residents can have a full dining experience or can choose to have meals delivered to their home on an as-needed basis. Also, there are plans to have a Wellness/Clubhouse facility in the MUO portion of the community that residents will have available for exercise as well as other social group activities. Some of the proposed "A La Carte Services" offered to residents include concierge services, a Wellness Coordinator, linen and dry-cleaning service, weekly house cleaning service, transportation coordination, and 3rd party healthcare services. All the units will be only for Independent Living residents as no assisted or memory care facilities are being proposed. One gated entrance is proposed off of Thompson Mill Road and another internal gated entrance to the existing MUO property.

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

NOV 04 2019

Gwinnett County Planning Division Rezoning Application Last Updated 8.2008

#### **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.

VDC DEVELOPMENT GROUP, LLC Zinton N. Swindell, MBR.

Signature of Applicant

10-31-2019 Date

VDC DEVELOPMENT Type or Print Name and Title MGR, GROU LLC

Signature of Notary Public

10:31-19 Date



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**Gwinnett County Planning Division Rezoning Application** Last Updated 8.2008

#### **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.

VDC DEVELOPMENT GROW, LLC into 1. Swindell, MGR-

Signature of Property Owner

10-31-2019 10-14-2019 Date

MER VOC DEVELOPMENT Type or Print Name and Title LLC

Signature of Notary Public

0-31-19 Date

Notary Sea

APRIL 19, 202

90W CO

"Perpisesen

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#### CONFLICT OF INTEREST CERTIFICATION FOR REZONING

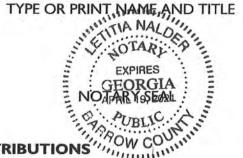
The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

DATE

LINTON N. SWINDELL, MGR. VDC DEVELORMENT GROUP, LLC 10-31-2019 This TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE

JRE OF NOTARY PUBLIC



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?

NO X Kinton M. Swin YES 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)

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

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ATTACHMENT 5A PAGE6 REVISED 10/99

#### VERIFICATION OF CURRENTP AID 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 HAVEB EEN 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.

\* <u>Note</u>: A SEPARATE VERIFICATION FORM MUST BE COMPLETEDF OR EACH TAX PARCEL INCLUDED IN THER EZONING REQUEST.

PARCEL I.D. NUMBER:	3	- 006	- 006
(Map Reference Number)	District	Land Lot	Parcel
SIGNATURE OF APPLICANT	Finton N. Suring	<i>llc</i> date	10-31-2019
TYPE OR PRINT NAME ANDT I	TLE LINTON N. SWI	INDELL MOR V	DC DOVELISMAT GROAT
ТАХ	COMMISSIONERS U	SE ONLY	
(PAYMENT OF ALL PROPERTY PARCEL HAVE BEEN VERIFIED SIGNATURE BELOW) NAME LOVELI Hunday DATE <u>10-31-19</u>		AND CONFIRMED B	
CASE NUMBER			RZC '20 0 0 1
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FRONT ELEVATION



ELEVATION CONCEPT - ENGLISH MANOR VDC SENIOR INDEPENDENT LIVING BRASELTON, GEORGIA

11.01.2019 VDC DEVELOPMENT GROUP, LLC RECEIVED BYBRASELTON, GA

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FRONT ELEVATION



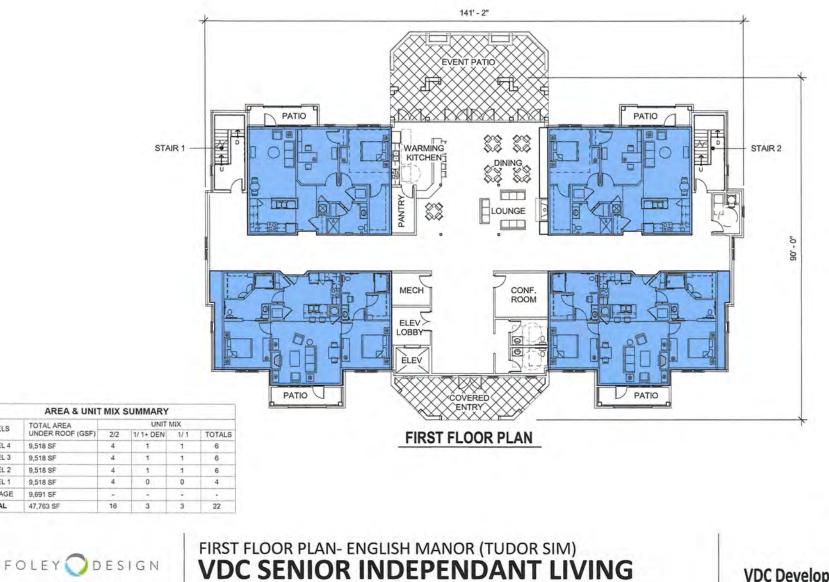
ELEVATION CONCEPT - ENGLISH TUDOR VDC SENIOR INDEPENDENT LIVING BRASELTON, GEORGIA

11.01.2019 VDC DEVELOPMENT GROUP, LLC BRASELTON, GA

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www.foleydesign.com

TOTAL AREA

9,518 SF

9,518 SF

9,518 SF

9,518 SF

9,691 SF

47,763 SF

UNDER ROOF (GSF)

LEVELS

LEVEL 4

LEVEL 3

LEVEL 2

LEVEL 1

GARAGE

TOTAL

BRASELTON, GA

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

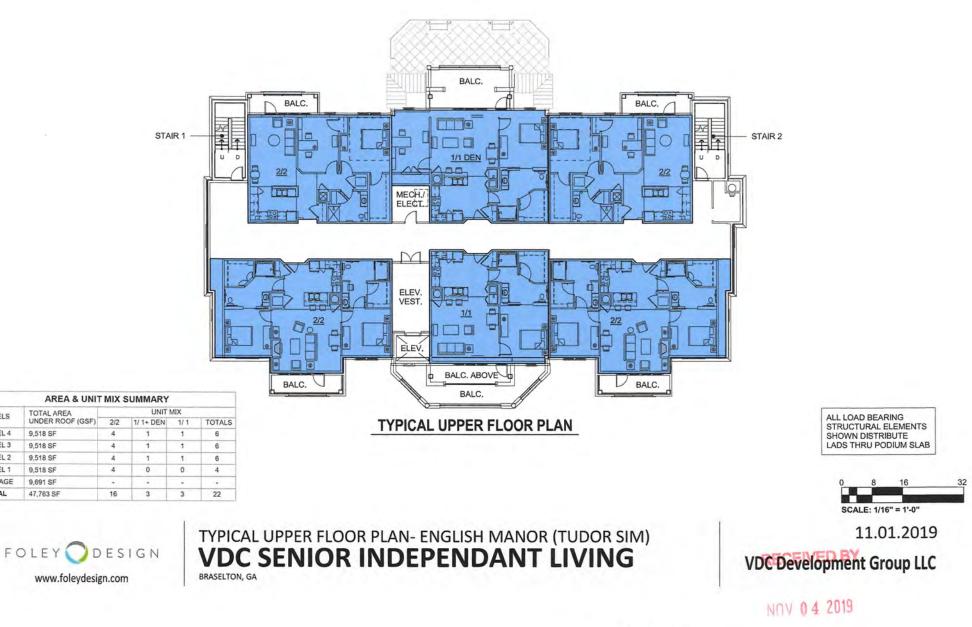
11.01.2019

**VDC Development Group LLC** 

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TOTAL AREA

9,518 SF

9,518 SF

9,518 SF

9,518 SF

9,691 SF

47,763 SF

LEVELS

LEVEL 4

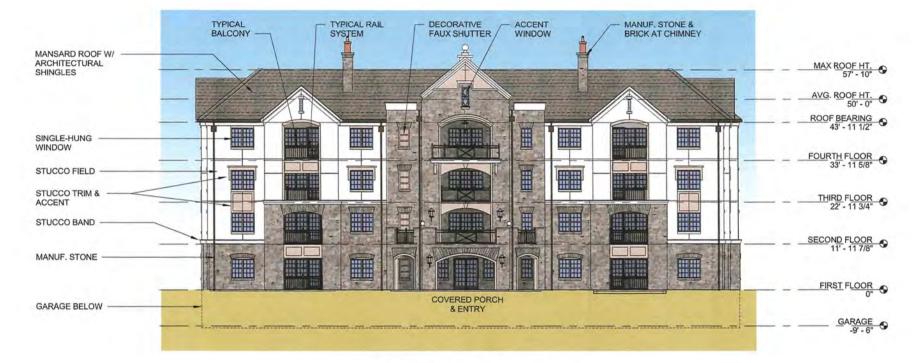
LEVEL 3

LEVEL 2

LEVEL 1

GARAGE

TOTAL



## ENGLISH MANOR-FRONT ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS:

PROPOSED ADDITIONE COLOR ODIONES TIONS: MATERIAL AND COLOR CONCEPT FOR VICE SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STUTIES, ENGLISH MANOR AND ENGLISH TUDOR, THAT ALLOWS STYLE WARATON WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARATION IS FURTHER REINFORCED BY PROVIDING AN ADVIDIS THE REPETITIVE HOUSING FEREST. THIS VARATION IS FURTHER CURRENT MARTERIAL FALETTE BHOWN. THE RECORD FOR DOINF FOR BACH STYLE WHILE MAINTAINING THE SAME COLOR FAMIL' AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OFTION SHOWN ABOVE. THIS ADDITIONAL COLOR OFTION FOR BASE COLOR OFTION SHOWN ADVICE THIS ADDITIONAL COLOR OFTION FOR BASE COLOR OFTION SHOWN ADVICE THIS ADDITIONAL COLOR OFTION FOR BASE COLOR OFTION SHOWN ADVICE THIS ADDITIONAL COLOR OFTION FOR THIS 10-ACRE NEIGHBORHOOD WHICH THES INTO THE OVERALL MASTER LUANED COMMUNTY.





SCALE: 1/16" = 1'-0" 11.01.2019 VDC Development Group LLC

32

NOV 04 2019

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## **ENGLISH MANOR-LEFT ELEVATION**

## **ENGLISH MANOR-RIGHT ELEVATION**

PROPOSED ADDITIONAL COLOR OPTIONS

PROPOSED ADDITIONAL COLOR OFTIONS: MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STULES, 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 BOTH STYLES WOULD BE WITHIN THE CURRENT MARTERIAL PALETES SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SMAE COLOR FAMILY AND COMPLEMENTARY TO THE ROPOSED 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 10-ACRE NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.



ENGLISH MANOR-SIDE ELEVATIONS **VDC SENIOR INDEPENDANT LIVING** BRASELTON, GA

SCALE: 1/16" = 1'-0" 11.01.2019

**VDC Development Group LLC** 

NOV 04 2019

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