



**PLANNING AND DEVELOPMENT DEPARTMENT
CASE REPORT**

Case Number: RZC2023-00014
Current Zoning: C-1 (Neighborhood Business District)
Request: Rezoning to **O-I** (Office-Institutional District)
Overlay District: Gateway 85
Additional Requests: Variances
Address: 5000 Block of Singleton Road
Map Number: R6186 096
Site Area: 0.11 acres
Square Feet: 965,746
Units: 700
Proposed Development: Senior Housing
Commission District: District 2 – Commissioner Ku
Character Area: Neighborhood Node

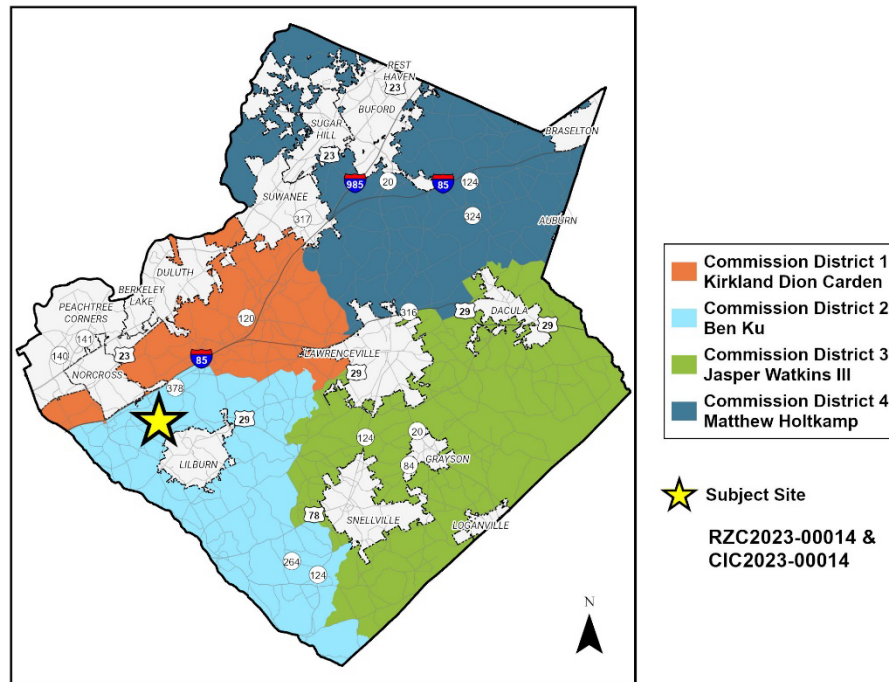
Staff Recommendation: **APPROVAL WITH CONDITIONS**

**Planning Commission
Recommendation:** **APPROVAL WITH CONDITIONS**

Case Number: CIC2023-00014
Current Zoning: O-I (Office-Institutional District)
Request: Change In Conditions
Overlay District: Gateway 85
Additional Request: Variances
Addresses: 5054, 5064 Singleton Road, and 5000 Block of Singleton Road
Map Numbers: R6186 012, 013, 096
Site Area: 3.37 acres
Square Feet: 965,746
Units: 700
Proposed Development: Senior Housing
Commission District: District 2 – Commissioner Ku
Character Area: Neighborhood Node

Staff Recommendation: **APPROVAL WITH CONDITIONS**

**Planning Commission
Recommendation:** **APPROVAL WITH CONDITIONS**



Applicant: Bill Loomis
3495 Piedmont Road Building 10
Suite 700
Atlanta, GA 30305

Owners: King David Community Center of Atlanta Inc.
5054 Singleton Road
Norcross, GA 30093

Contact: Bill Loomis

Contact Phone: 404.233.5453

Zoning History

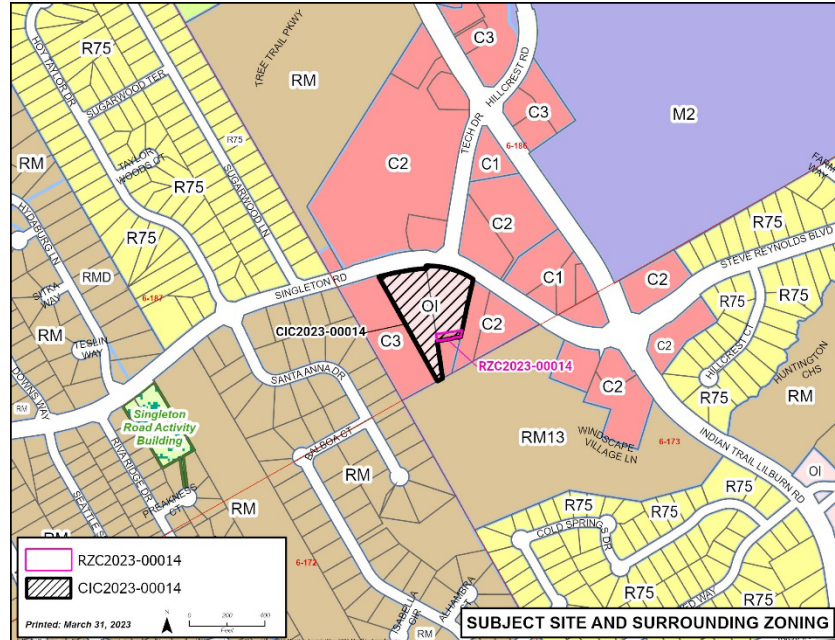
The subject property is zoned O-I (Office - Institutional District). In 2014, 5064 Singleton Road was rezoned from C-2 (General Business District) to O-I for a 12-story senior apartment community, pursuant to RZC2014-00012, SUP2014-00027, and SUP2014-00028. In 2015, 5054 Singleton Road was rezoned from C-1 (Neighborhood Business District) to O-I for an Independent Living Retirement Community pursuant to RZC2015-00018 and SUP2015-00051 and to allow a height increase to 165 feet, pursuant to SUP2015-00052. An associated case for Singleton was approved at that time to allow a height increase to 165 feet, pursuant to CIC2015-00023. In 2021, a request to allow an increase in the maximum height in the building from 165 feet to 168.5 feet was approved, pursuant to CIC2021-00015. A special use permit to allow a childcare center within the retirement community was also approved in 2021, pursuant to SUP2021-00036. This request is a change in conditions for CIC2021-00015 with an associated rezoning. The site is located within the Gateway 85 Overlay Zoning District.

Existing Site Condition

The subject property is a 3.48-acre assemblage of three parcels located south of the intersection of Singleton Road and Tech Drive. One of the parcels, 5054 Singleton Road, is developed with a childcare center and an associated parking area. Multiple accessory buildings are located on the western portion of the property. Outdoor play areas supporting the childcare center are located on the eastern and southern portion of the property. There is a small, fenced in pool, located in front of an accessory, portable building. The western portion of the site, 5064 Singleton Road, has been cleared and is vacant. A building, which once existed on the property, appears to have been demolished in 2011. The parcel is currently used for overflow parking for the childcare center on the adjacent parcel. The third parcel is a small, 0.11-acre, land locked parcel south of 5054 Singleton Road. Access to the site is provided via three driveways onto Singleton Road, the primary of which aligns with the intersection of Singleton Road and Tech Drive. There are overhead utilities that run along the shared property line of the two larger parcels. A five-foot wide sidewalk is located along the frontage of the site along Singleton Road. The nearest Gwinnett County Transit stop is approximately 150 feet from the subject property.

Surrounding Use and Zoning

The subject site is surrounded by commercial, retail, office, and multi-family residential uses. Two multi-tenant shopping centers are located across Singleton Road to the north. A light industrial building and a multi-tenant shopping center are located to the east of the subject property. Sterling Glen apartments are located to the south, and a self-storage facility is located to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Senior Housing	O-I	N/A
North	Commercial	C-2	N/A
East	Light Industrial	C-2	N/A
South	Apartments	RM-13	13.03 units per acre
West	Commercial	C-3	N/A

Project Summary

The applicant requests rezoning of a 0.11-acre parcel from C-1 to O-I and a change in conditions on a 3.37-acre assemblage of property zoned O-I for a senior housing facility and related uses, including:

- A change in conditions of case CIC2021-00015. The applicant is requesting a revision to the following conditions:
 - *“1.A. Limited to development as a retirement community for occupancy by persons 55 years of age and older, a childcare center, and an accessory adult daycare center as special uses. Final site design for the retirement community shall be in general accordance with the site plan dated March 30, 2021, and shall be subject to review and approval by the Director of Planning and Development.”* The applicant is requesting to condition the development to the site plan submitted with this application.
 - *“1.B. Limit the height of the buildings to no more than 168.5 feet, including roof gardens.* The applicant proposes to increase the maximum average height from 168.5 feet to 190 feet; (an increase of 21.5 feet).
 - *“2.B. Provide a 10-foot-wide landscaped strip adjacent to Singleton Road.”* The applicant requests to strike this condition in its entirety.
- 700 one-bedroom apartment units within a 16-story building to accommodate approximately 1,000 residents in 3 attached buildings.
- An accessory childcare center with a green roof/active playground to support the childcare center with approximately 140 children.
- A covered drop off area along Singleton Road with an outdoor terrace and roof.
- A 1,085-seat theater that will be used for the entertainment of the residents and guests.
- Physical therapy areas to include fitness equipment and a therapy pool for residents.
- 40 surface parking spaces and structured parking with 288 spaces (0.46 spaces per unit). The structured parking facility includes two levels and is located below grade.
- A loading dock at the rear of the site.
- A full-access point from Singleton Road at the intersection of Tech Drive.
- An emergency, right-in-right-out access point located along the western property line.
- An underground stormwater management facility.
- A dining hall and kitchen for residents and shell space for a potential pharmacy and sundries shop.
- 965,746 square feet of building, of which 690,046 (71%) is for residential uses.

Zoning and Development Standards

The applicant is requesting a rezoning to O-I, Office Institutional District, and a change in conditions in the O-I, Office Institutional District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	190'	NO*
External Front Yard Setback	Minimum 15'	>15'	YES
External Side Yard Setback	Minimum 10'	>20'	YES
External Rear Yard Setback	Minimum 25'	30'	YES
Off-Street Parking	Minimum: 1,050 spaces Maximum: 2,100 spaces	328 spaces	NO**
Landscape Strip	Minimum 10'	0'	NO***

*CIC2021-00015 allowed a building height of 168.5'. The applicant is requesting a change of conditions to allow the building to be 190' tall.

**A parking variance was granted by the Zoning Board of Appeals in April 2021, pursuant to ZVR2021-00052 to reduce the minimum parking to 420 (0.6 spaces per unit). The applicant is requesting to reduce the amount of parking to 322 spaces (0.46 spaces per unit). No parking is identified for the day care facilities.

***The applicant is requesting a change in condition to remove the required landscape strip.

In addition, the following standards apply to development in the Gateway 85 Overlay District:

Standard	Meets Standard?
Streetscape Standards. 8-foot-wide sidewalk on Priority Corridors (Singleton Road) with two-foot-wide landscape strip. 2'x8' concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers. Streetlights shall be provided.	NO*
Pedestrian Access. A walkway shall be provided from all buildings to an adjacent public right of way.	NO*

*The applicant is requesting a variance from the Streetscape standards of the Gateway 85 Overlay District. The applicant must provide the required walkway from the building during the permitting process or seek a variance from the Zoning Board of Appeals.

Variance Requests

In addition to the change in conditions request, the applicant is seeking variances from the following provision of Title II of the UDO:

- Section 220-50.5 Streetscape Standards

A. Streetscapes shall be installed along public rights-of-way as specified in Table 220.4: Streetscape Table.

- C. Sidewalks shall be constructed with an additional 2-foot by 8-foot concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers, at the following locations: At intersections of Priority Corridors with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map**

The applicant is requesting a variance from all requirements of the Gateway 85 Overlay District. The proposed site plan does not include the two requirements listed above. The applicant proposed to maintain the existing 5-foot-wide sidewalk.

2. Section 240-20 Parking Space Requirements

- A. Multifamily residences shall provide 1.5 spaces per dwelling.**

The applicant is requesting a parking reduction from 1,050 spaces (1.5 spaces per unit) to 328 spaces (0.46 spaces per unit).

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and external agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning and Change in Conditions Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, or change in conditions, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

- A. Whether a proposed rezoning and change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The requested zoning change from C-1 to O-I for the 0.11-acre property is suitable given the small area of the parcel. Adding the parcel to the overall development is needed due to site constraints. The change in conditions to increase the maximum height from 168.5' to 190' is also suitable. The additional height will not increase the number of floors or number of units. The change in condition request to remove the 10-foot-landscape strip is not suitable. All streetscape requirements of the Gateway 85 Overlay District should be met to accommodate the pedestrian movement in the area which will increase substantially based on the proposed development.

B. Whether a proposed rezoning and change in conditions will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning and change in conditions would not have adverse impacts on the existing use or usability of adjacent properties. The height increase from 168.5' to 190' does not result in additional units within the building. There are no single-family homes in the immediate area that would be negatively affected by a taller building. Again, including conditions that require the development to meet the streetscape standards of the overlay district should mitigate any adverse impacts of the request. In addition, the applicant has prepared a report confirming adjacent uses would not be impacted by any building shadows.

C. Whether the property to be affected by a proposed rezoning and change in conditions has a reasonable economic use as currently zoned.

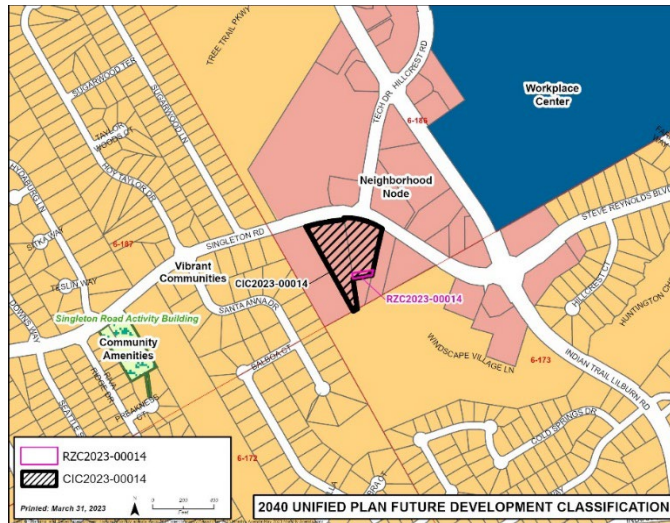
The property has reasonable economic use as currently zoned.

D. Whether the proposed rezoning and change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is not anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning and change in conditions request is attached (Exhibit F).

E. Whether the proposed rezoning and change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Neighborhood Node Character Area. This Character Area is intended for smaller commercial/retail nodes at various intersections located throughout the County. Mainly serving the residents of the surrounding residential neighborhoods, these nodes will most likely draw customers from the nearby area. Future development and redevelopment should maintain the community-oriented feel of these areas, with a focus on creating small areas with a mixture of uses combining retail, low-intensity office and medium-density residential in a pedestrian friendly environment and allowing nearby residents to safely walk to and within them. The overall project is much higher in density than the intent of the character area, however the scale of the proposed site plan is consistent with the previous approvals and does not increase the intensity of the site. In addition, senior oriented housing does not generate as much traffic. However, all streetscape standards should be met to ensure conformance with the Unified Plan.



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 and change in conditions.

The proposed rezoning and change in conditions would be appropriate given the development of the surrounding area. The proposed use of the property from previous approvals has not changed. Additionally, the density has not changed. The development will remain as 700 units of affordable senior housing despite the height increase. Affordable senior housing is needed in the County and the proposed change in conditions allows the site to provide such housing. The reduction in parking may impact the use of the site for the daycare facilities and theater. Conditions of zoning should be included to mitigate these impacts.

Variance Requests Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings related to the variance requests:

The applicant requests variances from the streetscape standards of the Gateway 85 Overlay District. The streetscape standards require, among other things, an 8-foot-wide sidewalk, a 10-foot-wide landscape, and pedestrian amenities such as benches and trash containers. The applicant states these variances are necessary due to site contains including the shape of the property. Reducing the 10-foot-wide landscape strip would be appropriate, but eliminating it entirely and other overlay requirements would not be appropriate. The proposed surface parking spaces could be relocated to accommodate these pedestrian amenities. The elimination of the pedestrian amenities is not appropriate given that the site provides less parking than the minimum and will generate additional pedestrians. Residents of this development will likely rely on public transportation, so benches and other amenities should be provided for those residents.

The applicant was granted a parking reduction variance in 2021 for the proposed development from 1,050 spaces to 420 spaces. The applicant is requesting as part of this rezoning and change in conditions request to further reduce the amount of parking provided from 420 spaces to 322 spaces. The applicant states that most of the residents will not own personal vehicles and providing 420 spaces would be an excess of what the development needs. However, the proposed development contains a day care center and a 1,085-seat theatre for residents and guests. These accessory uses are for the public and not just for residents which means vehicle

parking is needed. In addition, it would be expected that a facility of this size would require a large number of staff which would also need to park on-site. Further reducing the amount of parking from 420 spaces to 322 spaces may lead to parking issues. Staff recommended conditions are proposed to mitigate these impacts.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL** of the rezoning request and **APPROVAL WITH CONDITIONS** of the change in conditions request.

In addition, staff recommends **APPROVAL** of the following variance requests:

1. To reduce the 10-foot-wide landscape strip to a 5-foot-wide landscape strip along Singleton Road.
2. To reduce the minimum number of off-street parking spaces to 328.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning and change in conditions request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance requests:

1. To reduce the 10-foot-wide landscape strip to a 5-foot-wide landscape strip along Singleton Road **in accordance with the exhibit presented at the May 2, 2023, Planning Commission public hearing.**
2. To reduce the minimum number of off-street parking spaces to 328.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval of a Rezoning and Change in Conditions for senior housing, a daycare facility and related uses, subject to the following conditions:

CIC2023-00014

~~1. To restrict the use of the property as follows:~~

1. **The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received February 23, 2023, and Exhibit C: Building Elevations dated received February 23, 2023, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.**
- 2 A. Limited to development as a retirement community for occupancy by persons 55 years of age and older, a childcare center, and an accessory adult daycare center as special uses. ~~Final site~~

design for the retirement community shall be in general accordance with the site plan submitted October 2, 2015, dated March 30, 2021 and shall be subject to review and approval by the Director of Planning and Development.

3. ~~B-Limit the height of the buildings to no more than 168.5 feet, including roof gardens.~~ **Maximum building height shall be limited to 190 feet.**

~~C-Final exterior architectural materials and building elevations shall be subject to the review and approval of the Director of Planning and Development.~~

4. ~~D-All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:~~

- Easy access step free feature at each entrance to the unit.
- Easy passage feature, to include 32-inch wide doorways.
- Easy use feature, all units shall be one level.

2. ~~To satisfy the following site development considerations:~~

~~A. Provide a 50-foot wide, natural buffer, undisturbed except for approved perpendicular access and utility crossings and replantings where sparsely vegetated adjacent to residentially-zoned property.~~

5. ~~B. Provide a ten-foot wide landscaped strip adjacent to Singleton Road.~~ **All requirements of the Gateway 85 Overlay District shall be provided; unless approved as a variance.**

~~6. C. Provide a perimeter security fence around the entire property. Fence materials and location shall be subject to the review and approval of the Director of Planning and Development.~~

~~D. Ground signage shall be limited to a monument type sign, and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, and the sign cabinet shall be fully surrounded by the same materials, matching the building's architectural treatments. Ground sign shall not exceed ten feet in height.~~

7. ~~E. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.~~ **located within a building.**

~~F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.~~

8. ~~G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.~~ **No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.**

H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

~~3. To abide by the following requirements, dedications and improvements:~~

9. A. Dedicate at no cost to Gwinnett County the right-of-way and easements needed for the Gwinnett D.O.T project to improve the intersection of Singleton Road with Tech Drive (M-0902).

10. All non-residential uses on the site, excluding daycare facilities for both adults and children, shall be for the sole use of the senior housing occupants, their family and friends, and employees.

11. A combination plat shall be approved prior to the issuance of a development permit.

12. No permanent structures shall be located within 10 feet of the existing 24-inch transmission water main. The transmission main shall be avoided during all phases of construction.

RZC2023-00014

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received February 23, 2023, and Exhibit C: Building Elevations dated received February 23, 2023, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

2. Limited to development as a retirement community for occupancy by persons 55 years of age and older, a childcare center, and an accessory adult daycare center as special uses.

3. Maximum building height shall be limited to 190 feet.

4. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:

- Easy access step free feature at each entrance to the unit.
- Easy passage feature, to include 32-inch wide doorways.
- Easy use feature, all units shall be one level.

5. All requirements of the Gateway 85 Overlay District shall be provided; unless approved as a variance.

~~6. Provide a perimeter security fence around the entire property. Fence materials and location shall be subject to the review and approval of the Director of Planning and Development.~~

7. Dumpsters or trash compactors shall be located within a building.

8. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall occur no more than twice per calendar year and last no longer than seven day each.

9. Dedicate at no cost to Gwinnett County the right-of-way and easements needed for the Gwinnett D.O.T project to improve the intersection of Singleton Road with Tech Drive (M-0902).
10. All non-residential uses on the site, excluding daycare facilities **for both adults and children**, shall be for the sole use of the senior housing occupants, **their family and friends**, and employees.
11. A combination plat shall be approved prior to the issuance of a development permit.
12. No permanent structures shall be located within 10 feet of the existing 24-inch transmission water main. The transmission main shall be avoided during all phases of construction.

Exhibits:

- A. Site Visit Photos
- B. Previously Approved Resolution
- C. Site Plan
- D. Building Elevations
- E. Letter of Intent and Applicant's Response to Standards
- F. Internal and External Agency Review Comments
- G. Maps
- H. Landscape Strip Exhibit Presented at the May 2, 2023 Planning Commission Public Hearing

Exhibit A: Site Visit Photos



Existing Day Care



Existing sidewalk along Singleton Road

Exhibit B: Previously Approved Resolution

[attached]

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: CHANGE IN CONDITIONS OF ZONING

ADOPTION DATE: JUNE 22, 2021

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Gwinnett Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

	<u>Present</u>	<u>Vote</u>
Nicole L. Hendrickson, Chairwoman	Yes	Aye
Kirkland Carden, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Jasper Watkins, III, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMMISSIONER KU, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application by STEPHEN HOLLAND to Change the Conditions of Zoning on a tract of land zoned O-I and described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JUNE 22, 2021, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, on this the 22nd day of JUNE 2021, that the aforesaid application to amend the Official Zoning Map is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A. Limited to development as a retirement community for occupancy by persons 55 years of age and older, a childcare center, and an accessory adult daycare center as special uses. Final site design for the retirement community shall be in general accordance with the site plan dated March 30, 2021, and shall be subject to review and approval by the Director of Planning and Development.
- B. Limit the height of the buildings to no more than 168.5 feet, including roof gardens.
- C. Final exterior architectural materials and building elevations shall be subject to the review and approval of the Director of Planning and Development.
- D. All units shall incorporate applicable accessibility standards known as "Easy Living Standards" which shall include the following:
 - Easy access step free feature at each entrance to the unit.
 - Easy passage feature, to include 32-inch wide doorways.
 - Easy use feature, all units shall be one level.

2. To satisfy the following site development considerations:

- A. Provide a 50-foot wide, natural buffer, undisturbed except for approved perpendicular access and utility crossings and replanting where sparsely vegetated adjacent to residentially zoned property.
- B. Provide a ten-foot wide landscaped strip adjacent to Singleton Road.

- C. Provide a perimeter security fence around the entire property. Fence materials and location shall be subject to the review and approval of the Director of Planning and Development.
 - D. Ground signage shall be limited to a monument type sign and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, and the sign cabinet shall be fully surrounded by the same materials, matching the building's architectural treatments. Ground sign shall not exceed ten feet in height.
 - E. Dumpsters or trash compactors shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
 - G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - H. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. To abide by the following requirements, dedications, and improvements:
- A. Dedicate at no cost to Gwinnett County the right-of-way and easements needed for the Gwinnett D.O.T project to improve the intersection of Singleton Road with Tech Drive (M-0902).
 - B. Prior to approval of a final certificate of occupancy, any conditions of the Development of Regional Impact GRTA Notice of Decisions shall be met.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Nicole L. Hendrickson
Nicole L. Hendrickson, Chairwoman

Date Signed: 7-15-2021

ATTEST:

Diana Kemp
County Clerk/Deputy County Clerk



EXHIBIT 'C'

**Singleton Road
Overall Property Description
(Date: 4-1-2021)**

All that tract or parcel of land lying and being in Land Lot 186 of the 6th District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a 1/2-inch rebar found on the common Land Lot line between land lots 186 and 173, said 1/2-inch rebar being located 212.0 feet northeast of the southeastern most corner of Land Lot 186; Thence departing said Land Lot line North 29 degrees 00 minutes 11 seconds West, a distance of 629.31 feet to a 1/2-inch rebar found located on the southerly right-of-way of Singleton Road (variable public right-of-way); Thence continuing with said right-of-way North 76 degrees 07 minutes 01 seconds East, a distance of 82.32 feet to a point; Thence North 79 degrees 59 minutes 29 seconds East, a distance of 98.10 feet to a point; Thence North 84 degrees 05 minutes 29 seconds East, a distance of 71.38 feet to a 1/2-inch rebar found; Thence North 08 degrees 06 minutes 56 seconds West, a distance of 14.15 feet to a point; Thence along a curve to the right having an arc length of 92.36 feet, with a radius of 509.89 feet, being subtended by a chord bearing of South 83 degrees 37 minutes 36 seconds East, for a distance of 92.23 feet to a point; Thence South 11 degrees 42 minutes 22 seconds West, a distance of 17.41 feet to a point; Thence South 75 degrees 30 minutes 02 seconds East, a distance of 50.69 feet to a point; Thence North 04 degrees 00 minutes 20 seconds West, a distance of 18.65 feet to a point; Thence along a curve to the right having an arc length of 127.74 feet, with a radius of 509.89 feet, being subtended by a chord bearing of South 66 degrees 07 minutes 58 seconds East, for a distance of 127.40 feet to a point; Thence departing said right-of-way South 13 degrees 28 minutes 02 seconds West, a distance of 273.52 feet to a 1/2-inch rebar found; Thence South 81 degrees 36 minutes 46 seconds West, a distance of 138.98 feet to a 1/2-inch rebar found; Thence South 08 degrees 21 minutes 41 seconds East, a distance of 236.86 feet to a 1/2-inch rebar found; Thence South 60 degrees 03 minutes 25 seconds West, a distance of 30.08 feet to a 1/2-inch rebar found, which is the POINT OF BEGINNING.

Said tract or parcel of land contains 3.37 Acres.

RECEIVED BY PLANNING
AND DEVELOPMENT
04-01-2021
NS
CIC2021-00015

Exhibit C: Site Plan

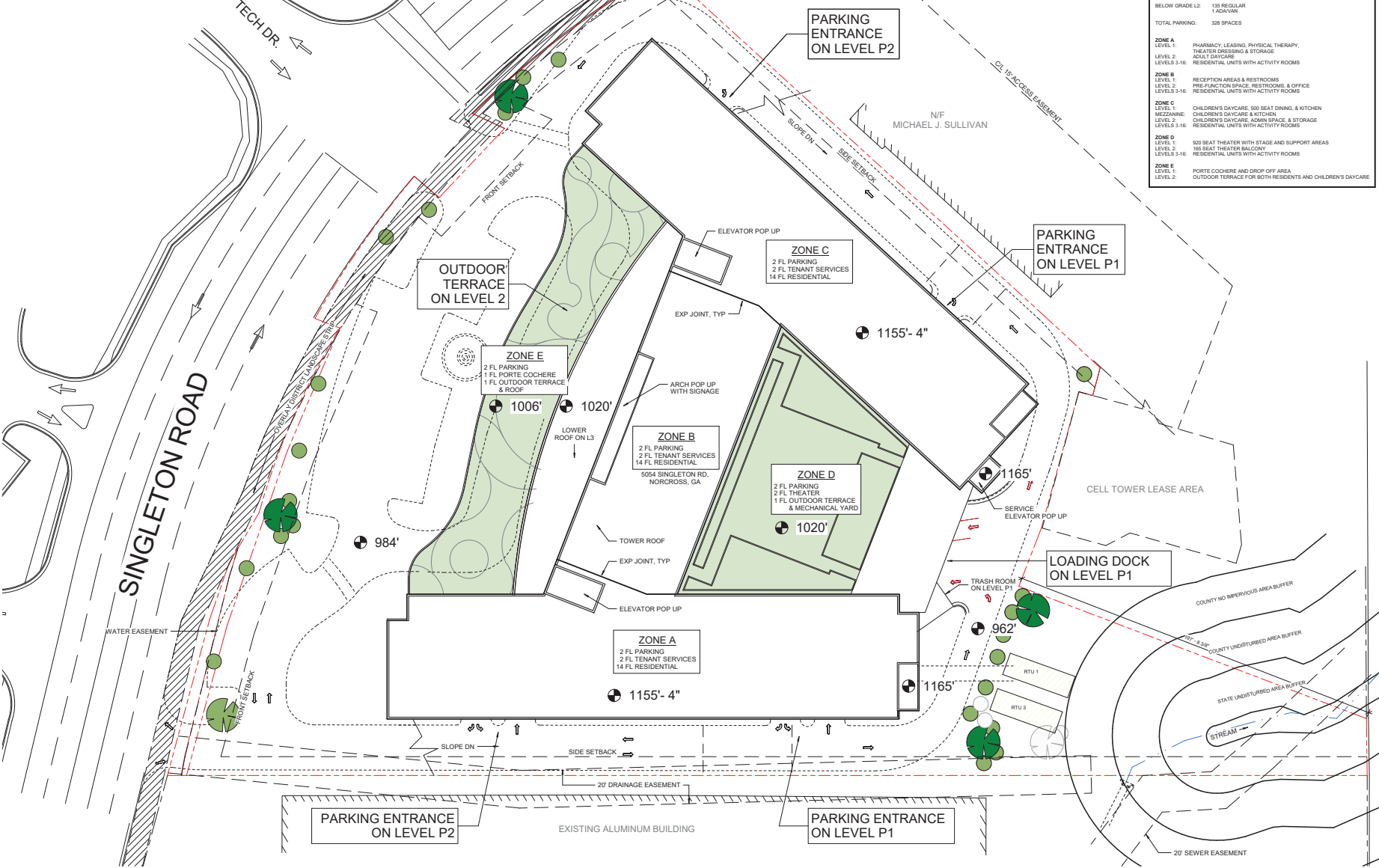
[attached]

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7-23-2023

DESCRIPTION	BUILDING AREA TOTALS (APPROX)				TOTAL AREA	TOTAL LENGTH	TOTAL WIDTH
	Zone A	Zone B	Zone C	Zone D			
Parking Level 1 (Level 1)	13,500	13,500	13,500	13,500	54,000	13,500	40
Parking Level 2 (Level 2)	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone A	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone B	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone C	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone D	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone E	13,500	13,500	13,500	13,500	54,000	13,500	40
Total	67,500	67,500	67,500	67,500	270,000	67,500	160

DESCRIPTION	BUILDING AREA TOTALS (APPROX)				TOTAL AREA	TOTAL LENGTH	TOTAL WIDTH
	Zone A	Zone B	Zone C	Zone D			
Zone A	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone B	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone C	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone D	13,500	13,500	13,500	13,500	54,000	13,500	40
Zone E	13,500	13,500	13,500	13,500	54,000	13,500	40
Total	67,500	67,500	67,500	67,500	270,000	67,500	160



GENERAL LANDSCAPE

- ALL ON-GRADE SITE LANDSCAPE TO INCLUDE A MIX OF SOIL ENGINEERING FOUNDATIONS, FLOWERING SHRUBS AND CANOPY TREES. ALL NEW LANDSCAPE AREAS WILL RECEIVE AN AUTOMATIC FULLY ZONED IRRIGATION SYSTEM.
- ALL ON-GRADE SITE HARDSCAPES WILL INCLUDE STANDARD CONCRETE SIDEWALKS WITH CONCRETE PAVERS IN SPECIALLY AREAS, BENCHES, RECREATION TABLES AND LANDSCAPE ACCENT LIGHTING. ALL SITE WALLS WILL BE CAST IN PLACE CONCRETE WITH BRICK/STONE FACE AND CAP.
- ALL ON-STRUCTURE / ROOFTOP LANDSCAPE AREAS WILL BE A LIVE ROOF SYSTEM WITH LIGHTWEIGHT PLANTING SOIL AND AN AUTOMATIC FULLY ZONED IRRIGATION SYSTEM.
- ALL ON-STRUCTURE / ROOFTOP LANDSCAPE AREAS WILL BE A PERENNIAL PAVING SYSTEM OUTDOOR FURNITURE, AREA LIGHTING, AND LANDSCAPE ACCENT LIGHTING. ALL PLAYER WALLS WILL BE CAST IN PLACE CONCRETE WITH BRICK STONE FACE AND CAP.

SITE LEGEND

---	PROPERTY LINE
---	EASEMENT

PROJECT FACILITIES PROGRAM SUMMARY

BUILDING DATA
 TOTAL SITE AREA: 3.37 ACRES
 GROSS BUILDING AREA: 968,383 SF
 GROSS RESIDENTIAL BUILDING AREA: 686,644 SF
 700 TOTAL ONE BEDROOM RESIDENTIAL UNITS

BUILDING HEIGHT
 2 PARKING LEVELS BELOW GRADE: '22
 16 FLOORS ABOVE GRADE: '168' - 4"

PARKING ON GRADE: 38 REGULAR, 2 ADA/VAN
BELOW GRADE L1: 151 REGULAR, 1 ADA/VAN
BELOW GRADE L2: 135 REGULAR, 1 ADA/VAN
TOTAL PARKING: 328 SPACES

ZONE A LEVEL 1: PHARMACY LEASING, PHYSICAL THERAPY, THEATER DRESSING & STORAGE, ADULT DAYCARE, RESIDENTIAL UNITS WITH ACTIVITY ROOMS
LEVEL 2: ADULT DAYCARE, RESIDENTIAL UNITS WITH ACTIVITY ROOMS
LEVELS 3-16: RESIDENTIAL UNITS WITH ACTIVITY ROOMS

ZONE B LEVEL 1: RECEPTION AREAS & RESTROOMS, PRE-FUNCTION SPACE, RESTROOMS, & OFFICE
LEVEL 2-16: RESIDENTIAL UNITS WITH ACTIVITY ROOMS

ZONE C LEVEL 1: CHILDREN'S DAYCARE, 500 SEAT DINING, & KITCHEN
MEZZANINE: CHILDREN'S DAYCARE & KITCHEN
LEVEL 2: CHILDREN'S DAYCARE, ADMIN SPACE, & STORAGE
LEVELS 3-16: RESIDENTIAL UNITS WITH ACTIVITY ROOMS

ZONE D LEVEL 1: 500 SEAT THEATER WITH STAGE AND SUPPORT AREAS
LEVEL 2: 160 SEAT THEATER BALCONY, RESIDENTIAL UNITS WITH ACTIVITY ROOMS
LEVELS 3-16: RESIDENTIAL UNITS WITH ACTIVITY ROOMS

ZONE E LEVEL 1: PORTE COCHERE AND DROP OFF AREA
LEVEL 2: OUTDOOR TERRACE FOR BOTH RESIDENTS AND CHILDREN'S DAYCARE

REVISIONS / REVISED

REV. NO.	DATE	REVISION



SMALLWOOD
 3485 Piedmont Road NE, Building 9 10
 Suite 500, Atlanta, Georgia 30305
 404-253-9651 | smallwood.com

ARCHITECTURAL SITE PLAN
 KING DAVID TOWERS
 5054 SINGLETON ROAD, NORCROSS, GA

DATE: 7/20/23
 PROJECT: 222091.00
 SHEET: A0-00

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Exhibit D: Building Elevations

[attached]

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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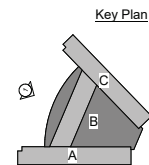
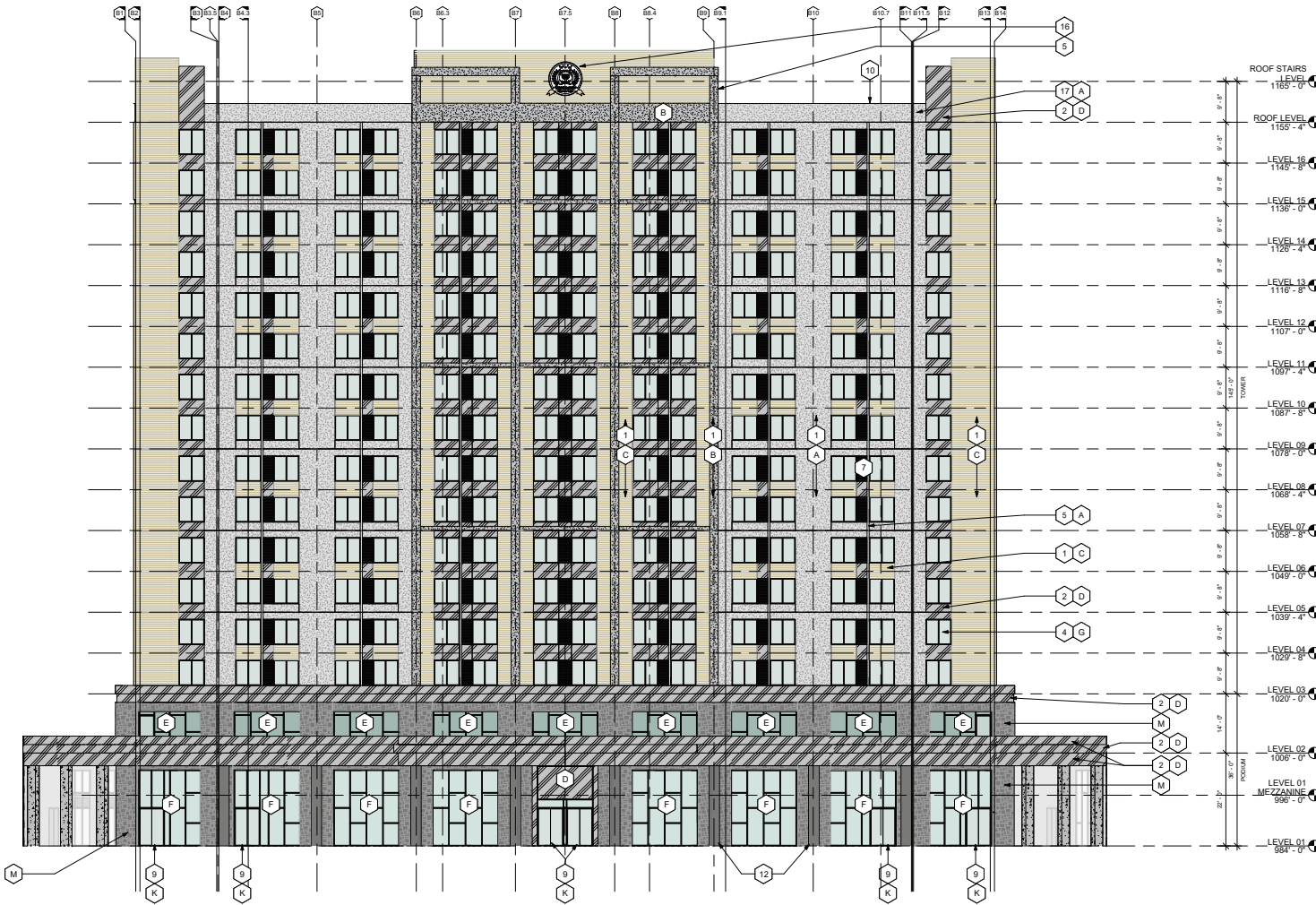
KEY NOTE LEGEND

- | | | |
|--------------------------------------|-------------------------------|-------------------------------------|
| 1 CONTINUOUS INSULATION SYSTEM (CIS) | 10 PRE-FINISHED ALUM. LOUVERS | 13 4'-0" TALL GUARDRAIL |
| 2 ALUMINUM METAL PANEL | 11 16'-0" HIGH COILING DOOR | 14 PREFINISHED ALUMINUM MULLION CAP |
| 3 CURTAIN WALL SYSTEM | 12 DOOR | 15 SIGNAGE |
| 4 WINDOW WALL SYSTEM | 13 METAL COPING | 16 CIS PARAPET WALL |
| 5 CIS TRIM | 14 NOT USED | 17 STEEL LADDER |
| 6 ARCHITECTURAL WALL LOUVER | 15 FRP PREFABRICATED COLUMN | 18 CONCRETE WALLS |

MATERIAL LEGEND

- | | |
|--|---------------------------------------|
| | 01 CONTINUOUS INSULATION SYSTEM (CIS) |
| | CIS-CUSTOM PAINT 1 (LIGHT GRAY) |
| | CIS-CUSTOM PAINT 2 (DARK GRAY) |
| | CIS-CUSTOM PAINT 3 (BEIGE) |
| | 02 ALUMINUM METAL PANEL |
| | 03 CURTAIN WALL SYSTEM |
| | GLASS TYPE 1 |
| | GLASS TYPE 2 |
| | 04 WINDOW WALL SYSTEM |
| | WINDOW TYPE 1 |
| | WINDOW TYPE 2 |
| | WINDOW TYPE 3 |
| | 05 DOOR |
| | METAL DOOR |
| | GLASS DOOR |
| | 06 SPANDEL GLASS |
| | 07 DECORATIVE STONE |
| | 08 BRICK |
| | BRICK TYPE 1 |
| | BRICK TYPE 2 |

GENERAL NOTE:
- OPERABLE WINDOWS IN EACH RESIDENTIAL UNIT



1 NORTH ELEVATION - B
3/32" = 1'-0"

REV. NO.	DATE	REVISION



SMALLWOOD
3495 Piedmont Road NE, Building 10
Suite 700, Atlanta, Georgia 30305
404-255-9455 | smallwood-us.com

NORTH ELEVATION - B
KING DAVID TOWERS
5034 SINGLETON ROAD, NORCROSS, GA

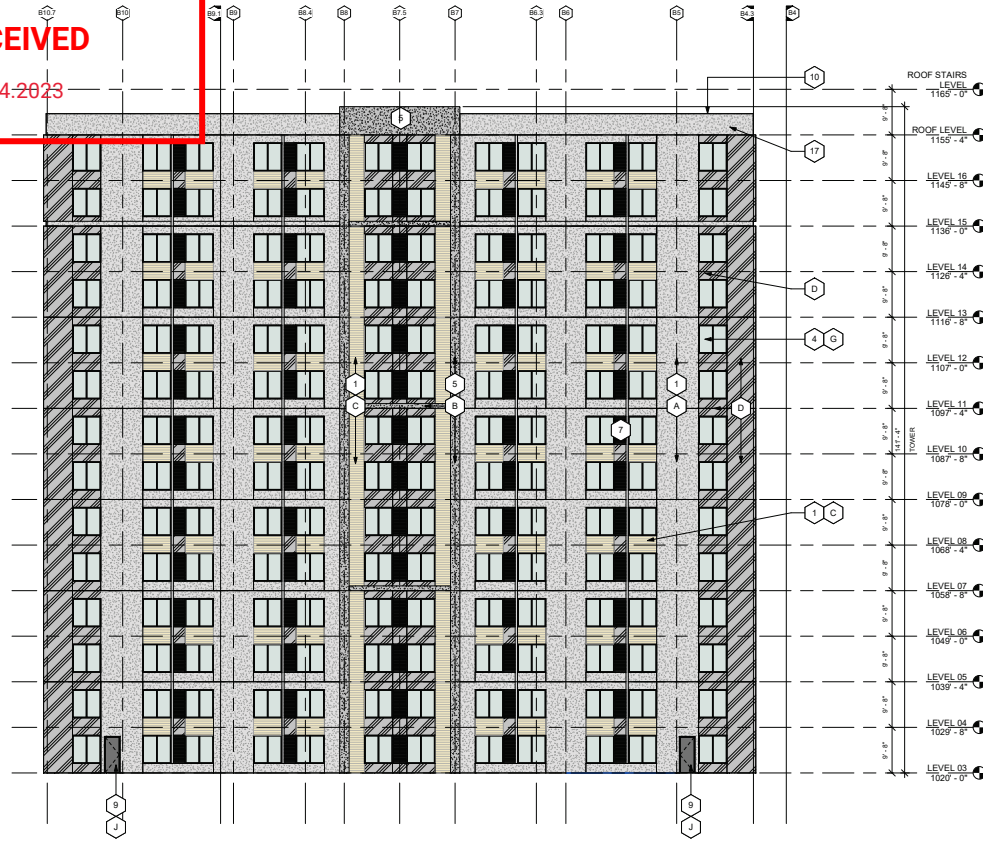
DATE
FOR NO. **222091.00**
REVISION

A2-01

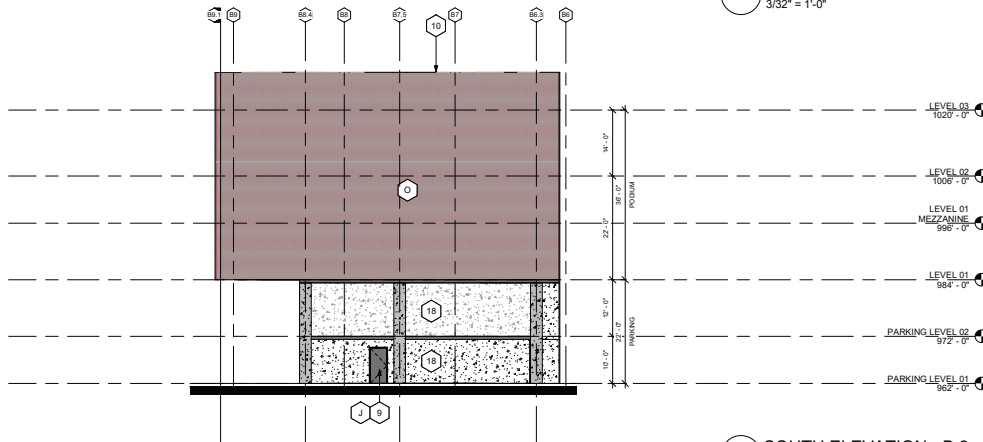
GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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3.24.2023



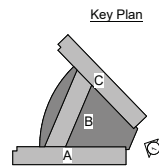
1 SOUTH ELEVATION - B.1
3/32" = 1'-0"



2 SOUTH ELEVATION - B.2
3/32" = 1'-0"

KEY NOTE LEGEND		
(1) CONTINUOUS INSULATION SYSTEM (CIS)	(10) PRE-FINISHED ALUM. LOUVERS	(13) 4'-0" TALL GUARDRAIL
(2) ALUMINUM METAL PANEL	(11) 16'-0" HIGH COILING DOOR	(14) PREFINISHED ALUMINUM MULLION CAP
(3) CURTAIN WALL SYSTEM	(12) DOOR	(15) SIGNAGE
(4) WINDOW WALL SYSTEM	(13) METAL COPING	(16) CIS PARAPET WALL
(5) CIS TRIM	(14) NOT USED	(17) STEEL LADDER
(6) ARCHITECTURAL WALL LOUVER	(15) FRP PREFABRICATED COLUMN	(18) CONCRETE WALLS

MATERIAL LEGEND	
01. CONTINUOUS INSULATION SYSTEM (CIS)	
	CIS-CUSTOM PAINT 1 (LIGHT GRAY)
	CIS-CUSTOM PAINT 2 (DARK GRAY)
	CIS-CUSTOM PAINT 3 (BEIGE)
02. ALUMINUM METAL PANEL	
	ALUMINUM METAL PANEL
03. CURTAIN WALL SYSTEM	
	GLASS TYPE 1
	GLASS TYPE 2
04. WINDOW WALL SYSTEM	
	WINDOW TYPE 1
	WINDOW TYPE 2
	WINDOW TYPE 3
05. DOOR	
	METAL DOOR
	GLASS DOOR
06. SPANDREL GLASS	
	SPANDREL GLASS
07. DECORATIVE STONE	
	DECORATIVE STONE
08. BRICK	
	BRICK TYPE 1
	BRICK TYPE 2
GENERAL NOTE: - OPERABLE WINDOWS IN EACH RESIDENTIAL UNIT	



REVISIONS / REVISED		
REV. NO.	DATE	REVISION



SMALLWOOD
3495 Piedmont Road NE, Building 10
Suite 700, Atlanta, Georgia 30305
404-252-6450 | smallwood-us.com

SOUTH ELEVATION - B
KING DAVID TOWERS
5034 SINGLETON ROAD, NORCROSS, GA

DATE: _____
PROJECT NO.: **222091.00**
SHEET NO.: **A2-02**

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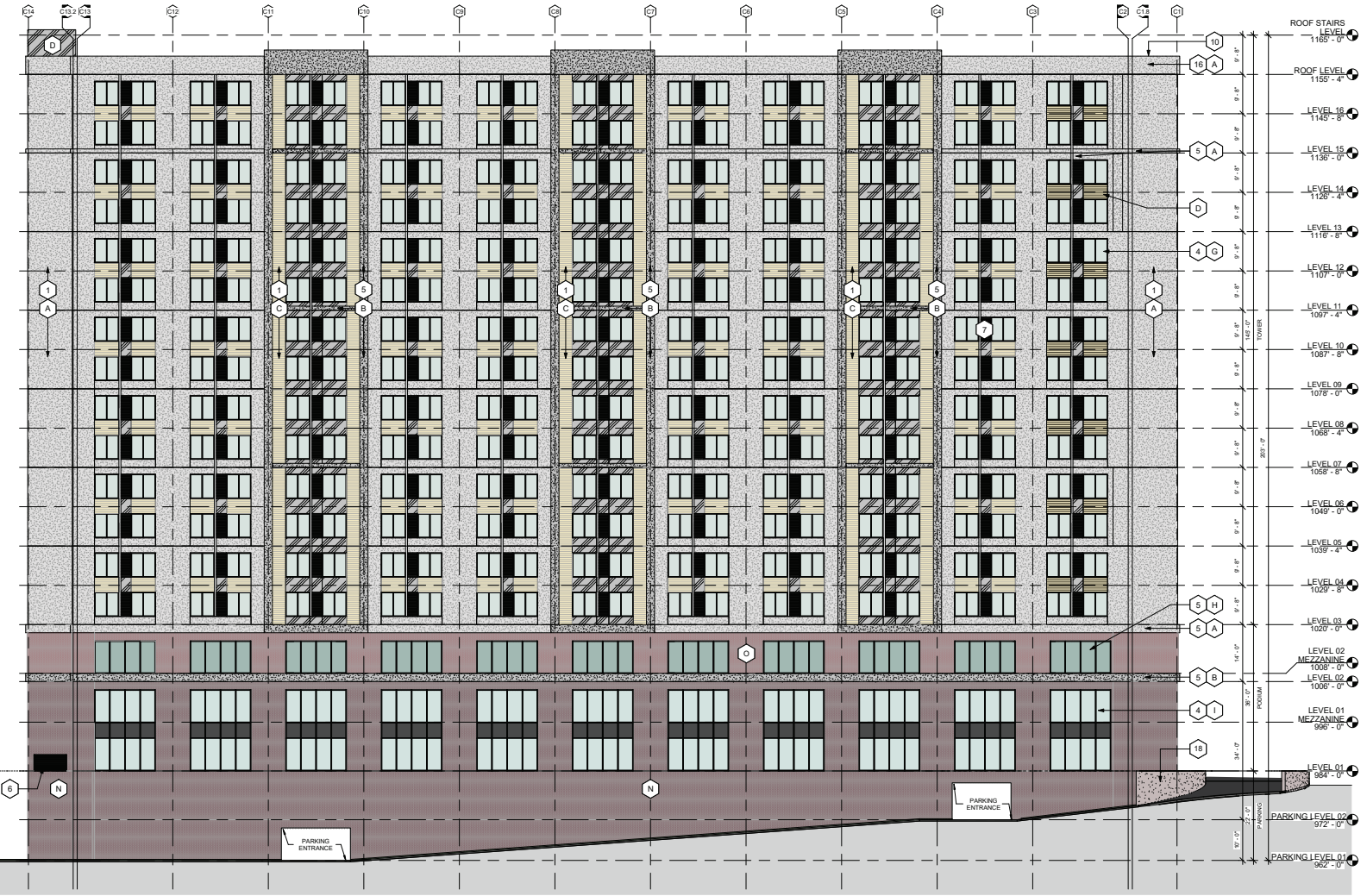
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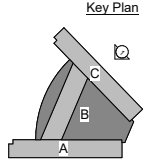
KEY NOTE LEGEND		
(1) CONTINUOUS INSULATION SYSTEM (CIS)	(10) PRE-FINISHED ALUM. LOUVERS	(13) 4'-0" TALL GUARDRAIL
(2) ALUMINUM METAL PANEL	(11) 16'-0" HIGH COILING DOOR	(14) PREFINISHED ALUMINUM MULLION CAP
(3) CURTAIN WALL SYSTEM	(12) DOOR	(15) SIGNAGE
(4) WINDOW WALL SYSTEM	(13) METAL COPING	(16) CIS PARAPET WALL
(5) CIS TRIM	(14) NOT USED	(17) STEEL LADDER
(6) ARCHITECTURAL WALL LOUVER	(15) FRP PREFABRICATED COLUMN	(18) CONCRETE WALLS

MATERIAL LEGEND	
01. CONTINUOUS INSULATION SYSTEM (CIS)	CIS-CUSTOM PAINT 1 (LIGHT GRAY)
	CIS-CUSTOM PAINT 2 (DARK GRAY)
	CIS-CUSTOM PAINT 3 (BEIGE)
02. ALUMINUM METAL PANEL	
03. CURTAIN WALL SYSTEM	GLASS TYPE 1
	GLASS TYPE 2
04. WINDOW WALL SYSTEM	WINDOW TYPE 1
	WINDOW TYPE 2
	WINDOW TYPE 3
05. DOOR	METAL DOOR
	GLASS DOOR
06. SPANDREL GLASS	
07. DECORATIVE STONE	
08. BRICK	BRICK TYPE 1
	BRICK TYPE 2

GENERAL NOTE:
- OPERABLE WINDOWS IN EACH RESIDENTIAL UNIT



1 EAST ELEVATION - C
3/32" = 1'-0"



REVISIONS / REVISED	
REV. NO.	DATE



SMALLWOOD
 3495 Piedmont Road NE, Building 10
 Suite 700, Atlanta, Georgia 30305
 404-252-9452 | smallwood-us.com

EAST ELEVATION - C
KING DAVID TOWERS
 5054 SINGLETON ROAD, NORCROSS, GA

DATE: **222091.00**
 FOR THE: **A2-03**
 DRAWING: **NOT ISSUED FOR CONSTRUCTION**

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Street View from Singleton Road



SMALLWOOD

King David Towes

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24 of 30



February 23, 2023

Building Context

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Aerial View

Westbound direction



King David Towers

Tech Drive

Indian Trail Lilburn Rd NW

Singleton Road

190'-0" Max. Height

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3.24.2023

Aerial View

Northbound direction



Vulcan Materials Quarry

Singleton Road

Indian Trail Lilburn Rd NW

King David Towers

190'-0" Max. Height



Aerial View

Westbound direction



King David Towers

Tech Drive

Indian Trail Lilburn Rd NW

Singleton Road

190'-0" Max. Height

Aerial View

Eastbound direction



Indian Trail Lilburn Rd NW

King David Towers

Singleton Road

190'-0" Max. Height

Google Earth

Aerial View

Southbound direction



King David Towers

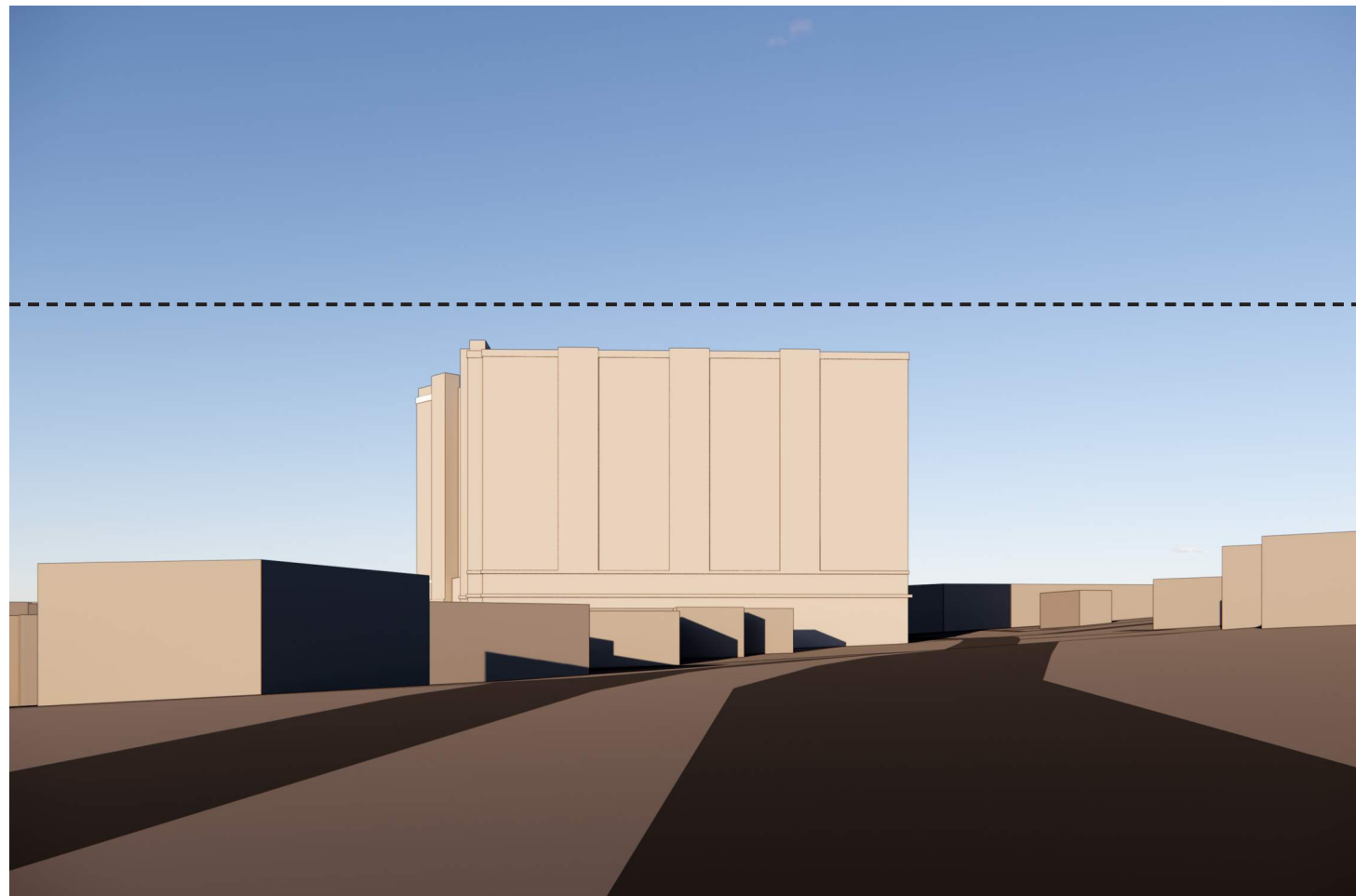
Singleton Road

Tech Drive

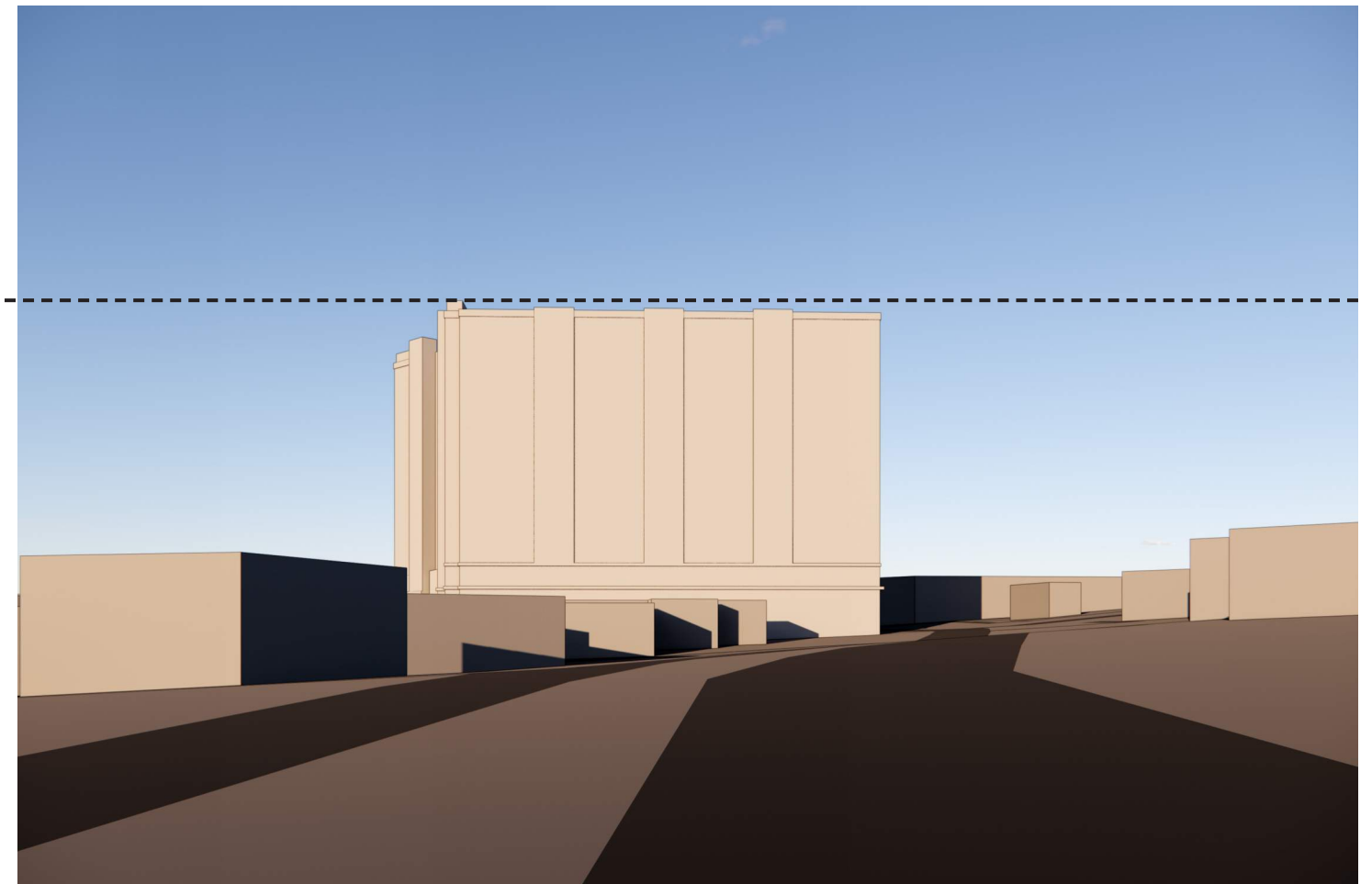
190'-0" Max. Height

Street View

Westbound on Singleton Road



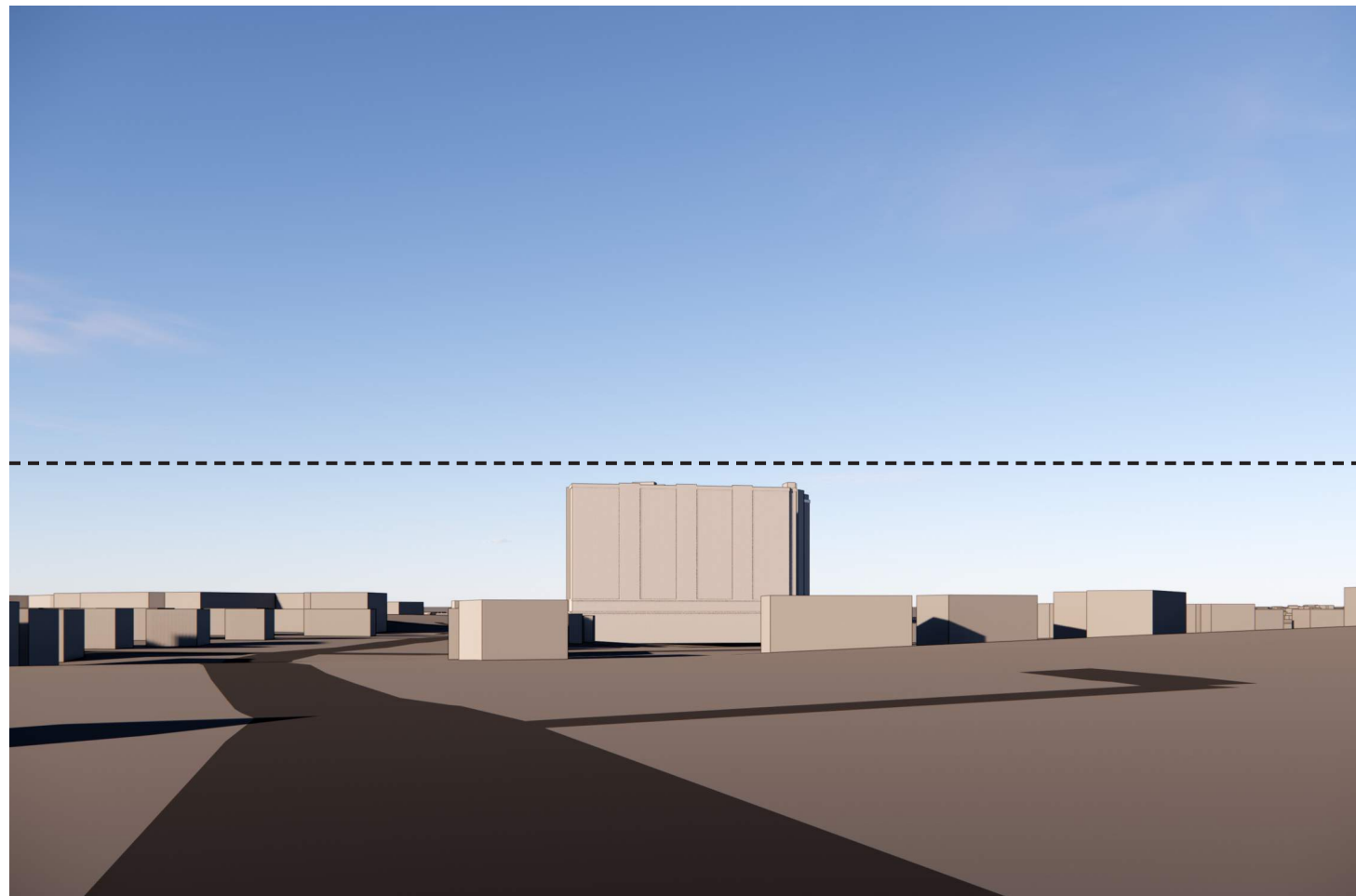
168'-6" Height



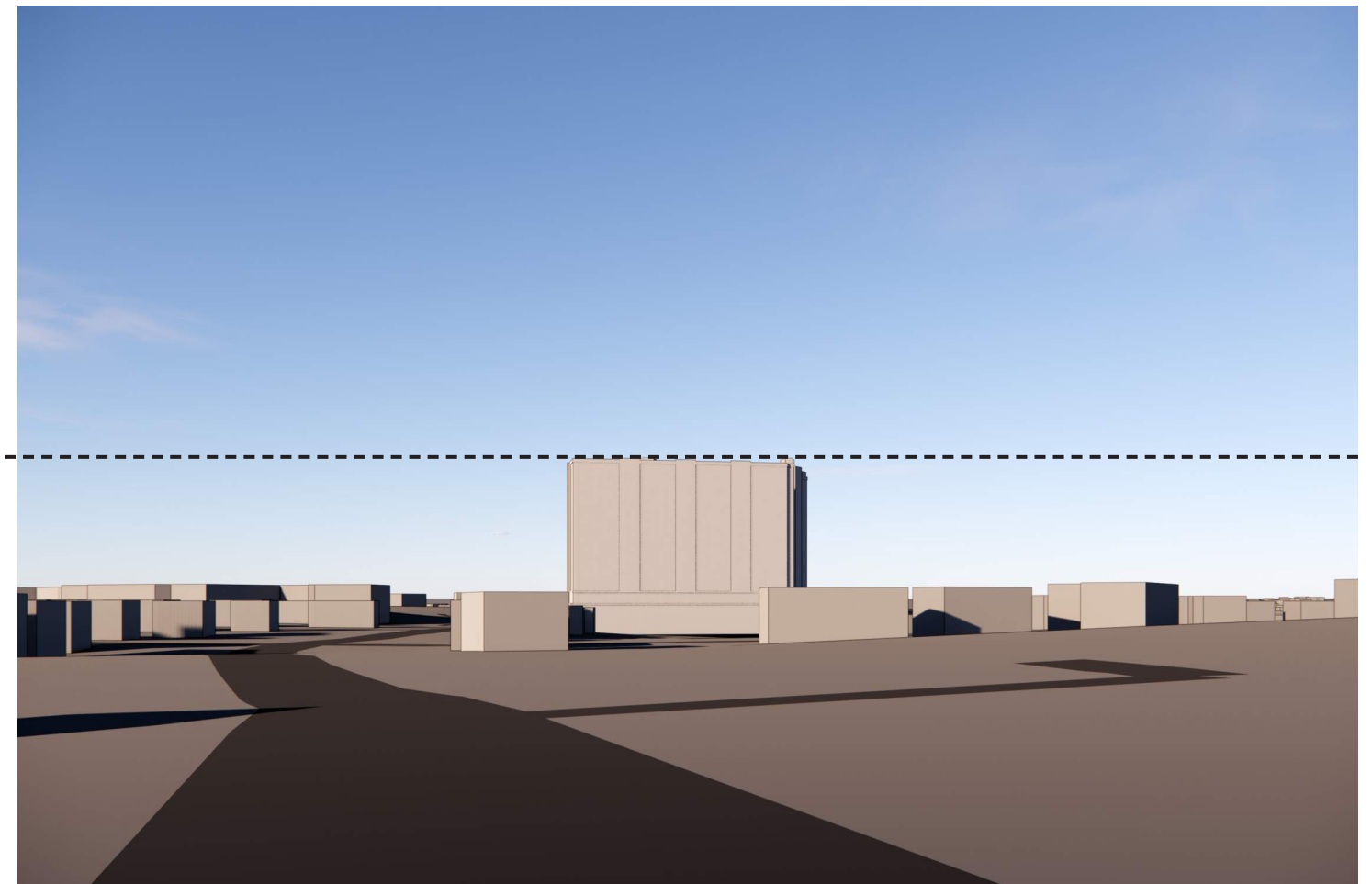
190'-0" Max. Height

Street View

Eastbound on Singleton Road



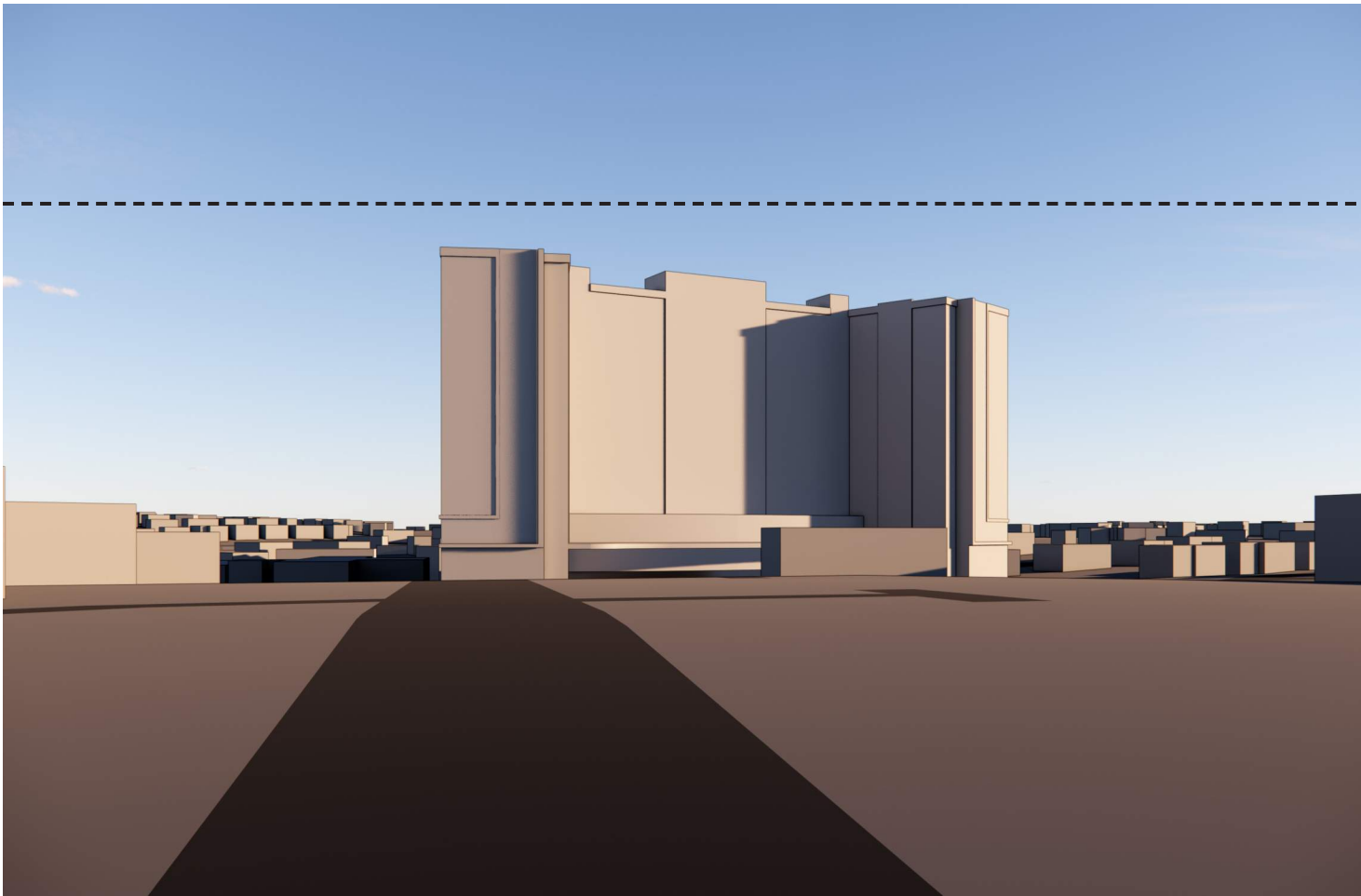
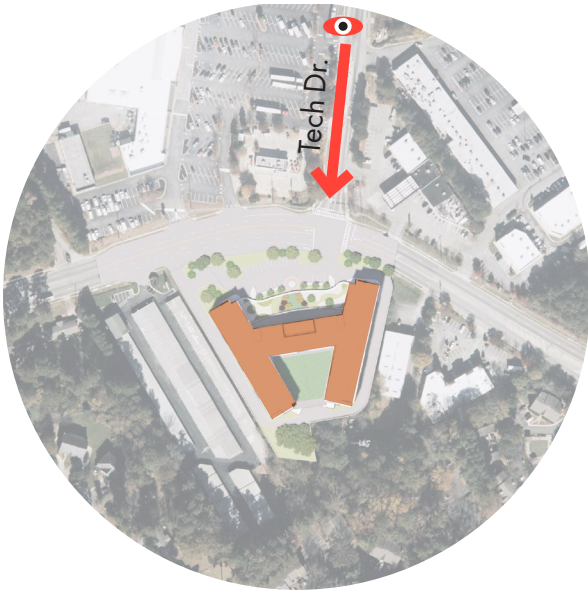
168'-6" Height



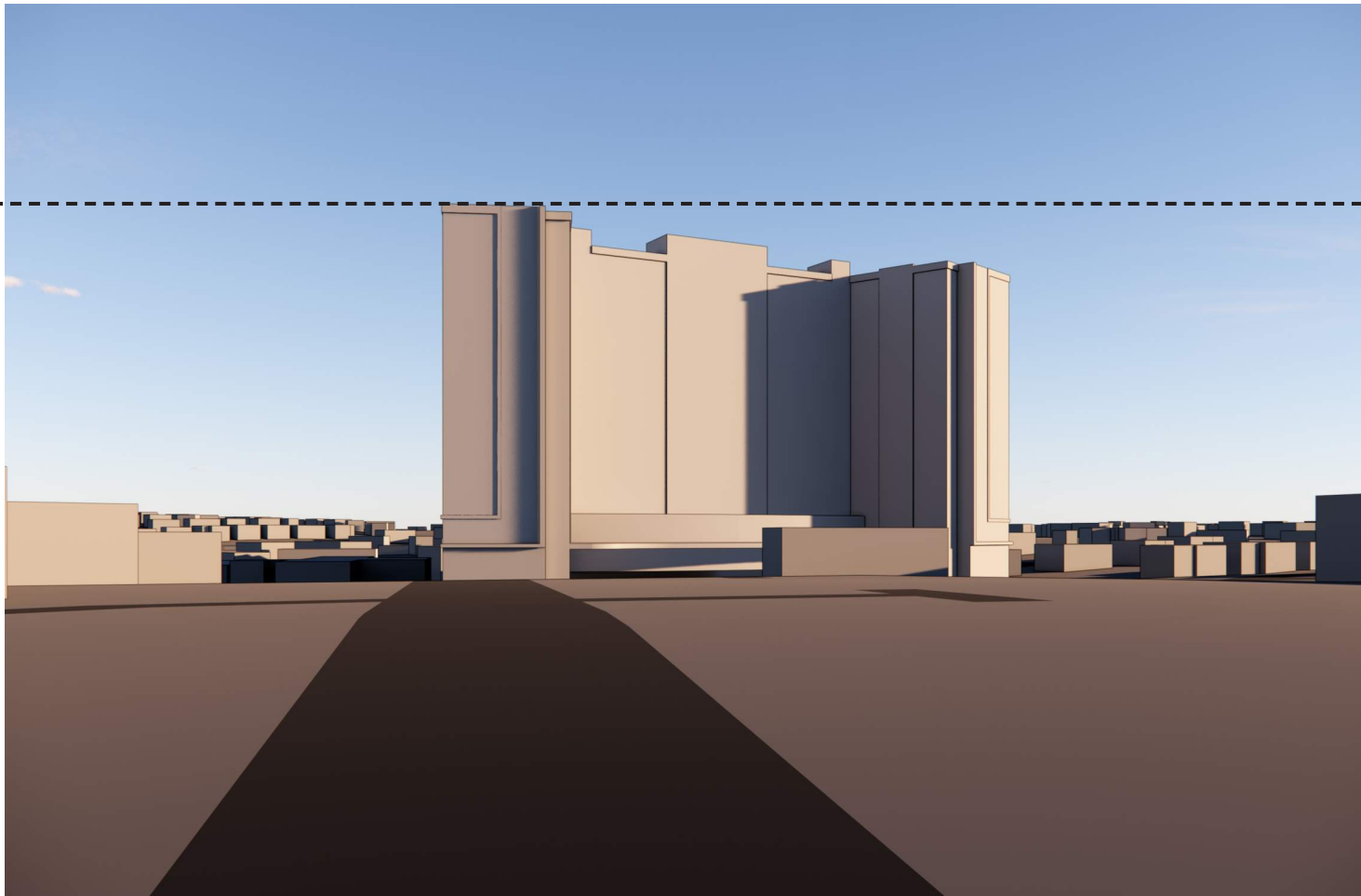
190'-0" Max. Height

Street View

Southbound on Tech Drive



168'-6" Height



190'-0" Max. Height



Shadow Study

Shadow Study

Summer Solstice

June 21st

9am

12pm

3pm

168'-6"
Height



190'-0"
Max.
Height



Shadow Study

Winter Solstice

December 21st

9am

12pm

3pm

168'-6"
Height



190'-0"
Max.
Height



Shadow Study

Equinox

March 21st / September 21st

9am

12pm

3pm

168'-6"
Height



190'-0"
Max.
Height



Exhibit E: Letter of Intent and Applicant's Response to Standards

[attached]

April 5, 2023 revised

Gwinnett County Planning Commission
75 Langley Drive
Lawrenceville, Georgia 30046

Re: King David Towers
Change in Conditions – Letter of Intent

Gwinnett County Board of Commissioners

Smallwood presents this request for a Change in Conditions to previous case number CIC2021-00015 and the Gateway 85 overlay District requirements (Section 220-50), as well as an Application for Variance to previous case number ZVR2021-00052 and the Gwinnett County UDO Table 240.1 Minimum Parking Requirements for Multifamily residences. The list of Conditions / Variances/ Rezoning is as follows:

1. We are requesting that requirement for a 10'-0" landscape buffer along Singleton Road, per CIC2021-00015 and the Gateway 85 Overlay district be removed from the conditions.
2. We are requesting that the previously allowed Maximum Average height of 168.5' per CIC2021-00015 be changed to 190'-0".
3. We are requesting that the minimum required parking (.6 per dwelling unit per Case ZVR2021-00052) be reduced to .46 Spaces per unit.
4. We are requesting a change in zoning for parcel 6186-096 from C1 to OI.
5. We are requesting that the above be adopted per the updated site plan attached.

King David Community Center of Atlanta Inc. intends to develop the property as a 700-unit senior living facility for Medicaid funded elderly & economically challenged adults of diverse ability. The program for the facility will remain the same as in previously approved CICs and rezoning approvals including:

1. 700 1-bedroom Residential units (approx. 1,000 residents)
2. Dining Hall and kitchen for the Residents
3. Community Rooms and Adult Daycare Facilities for the Residents.
4. A Children's Daycare facility for approx. 140 children.
5. A 1,000-seat Auditorium that will be used for entertainment of the residents and guests.
6. A physical therapy area to include fitness equipment and a therapy pool for the Residents.
7. Administration offices
8. Shell space for a possible Pharmacy and Sundries shop.
9. Structured Parking.

Landscape Buffer - Change in Condition

We are requesting that requirement for a 10'-0" landscape buffer along Singleton Road, per CIC2021-00015 and the Gateway 85 Overlay district be removed from the conditions.

Based on the density required to make the project feasible, an irregular shaped site, and working within the requirements of other conditions, including emergency access, as well as side yard setbacks and utility placements, the tower itself has to push towards Singleton Road



to meet these requirements and therefore pushes the emergency access road as well as the on-grade parking within the 10' landscape buffer behind the sidewalk at certain locations along the frontage.

JUSTIFICATION

We believe that the intent of the UDO and Gateway 85 overlay district requirements will be met per the following:

- 1. The project will create an attractive setting for business growth, provides jobs and promotes the districts success.
- 2. The project will promote quality redevelopment in the area.
- 3. The project will be an incubator for the revitalization of underutilized properties in the surrounding area.
- 4. It will achieve and maintain a pleasing aesthetic quality.
- 5. The project will have high quality useable open space that is visible from the right-of-way.
- 6. The project will promote safe and convenient access for all forms of transit.
- 7. The project will encourage public safety and security through a visual connection to the right-of-way.

Additionally with the programs included in this project, a visual connection to the right-of-way would provide for a heightened sense of safety, as it would not be creating a visual barrier to the street.

ADDITIONAL DOCUMENTATION

Please find the attached **Architectural site plan, Floor plans, and Landscape Renderings** showing the site layout of the proposed tower.

Please find attached **3d images** of the proposed development along Singleton Road.

Building Height - Change in Condition

We are requesting that the previously allowed Maximum Average height of 168.5' per CIC2021-00015 be changed to 190'-0".

The additional height is needed to accommodate necessary floor to floor heights to accommodate the program requirements as well as the structure depth for a Cast-in-Place Concrete structure. The non-uniform shape of the site and the existing conditions in regard to utilities and grading leads to an more condensed tower layout rather than a spread out footprint.

JUSTIFICATION

We believe that the intent of the UDO and the revised conditions in Case CIC2021-00015 will be met per the following:

- 1. The proposed CIC will not affect the existing use or approved use or usability of nearby and adjacent properties.
- 2. The proposed CIC will not result in a use that could cause excessive or burdensome use

- of existing streets, transportation facilities, utilities, or Schools.
3. The proposed CIC will allow for the highest and best use for the property and result in an economically feasible project.
 4. The proposed CIC will promote the most efficient utilization of land.
 5. The proposed CIC will provide for adequate light, air, convenience of access, and safety from fire, flood, and other dangers.

ADDITIONAL DOCUMENTATION

Please find the attached **Architectural site plan and Floor plans and Elevations** showing the layout of the proposed tower.

Please find attached **KDT_Height Exhibit** dated 02.23.2023, Showing the change in allowable heights as well as sun studies for the max allowable height vs. the requested 190'-0". Please note that due to the site orientation, no undue shadows are cast on any residential zoned neighborhoods.

Please find the attached **3D image** of the proposed tower.

Parking Requirements - Variance

Case ZVR2021-00052 reduced the minimum parking required from 1.5 spaces per dwelling unit (Table 240.1) to .6 spaces per dwelling unit.

We are requesting that the minimum required parking be reduced to .46 Spaces per unit.

STATEMENT OF CONSISTENCY WITH UDO INTENT

The requested variance with the intent of UDO SECTION 240-10 AND 240.10.1 A, B, C, D per the below:

1. The requested ratio safe and adequate parking based on the intended use.
2. It minimizes harm while providing emergency access.
3. The number of spaces will not create impact on adjacent residential areas.
4. It will minimize the impact of stormwater runoff.

JUSTIFICATION

The proposed development is a 700-unit senior living facility for Medicaid funded elderly & economically challenged adults of diverse ability. They do not drive or own automobiles. Included with this application is updated data indicating true demand for facilities of this type, the economic impact of providing excess parking and peak parking demand considerations.

King David Community Centers mission of providing affordable housing and essential services for their residents is reliant on a facility that can be self-sustaining over time. We the current climate of the construction industry and the increase of interest rates, the cost of every parking space has increased exponentially, and that cost must be attributed to the rental units over the life of the construction loan. With fixed rate rental reimbursement schedules that are set by the US Dept. of Housing and Urban Development, providing an excess of parking spaces will lead to an operating income shortfall.



Previous masterplan approvals by the Dept of Planning and Development, as well as rezoning approvals by the Gwinnett County Board of Commissions, that have included reduced ratio for parking demand for the tenant demographics for this project type. support the intent of this variance request.

STATEMENT OF HARDSHIP

The current ratio presents a hardship for the development of the project due to parking requirements more than the estimated usage for a similar facility:

- 1. Owners’ history of demand for parking
- 2. Owner provision of private mass transportation for all clients
- 3. Empirical national data gathered regarding similar facilities in both US and Canada.
- 4. The cost of providing parking in accordance with the current market conditions will be prohibitive in cost, impeding the completion of the development.

ADDITIONAL DOCUMENTATION

Please find the attached **Architectural site plan and Floor plans** showing the parking layout within the footprint of the proposed tower. Due to the density of the project, the irregular site shape, and the cast-in-place structure, the parking layout has been maximized to allow for emergency access around the perimeter of the site.

Please find attached **Minimum Parking Ratio Research** dated 2/23/23, which includes updated versions of studies that were submitted with Case number ZVR2021-00052.

Please find attached **DRI 3296** dated August 3, 2021.

Zoning Change - Parcel 6186-096 from C1 to OI.

Parcel 6186-096 is a Land locked .11 acre parcel with no street frontage. The parcel was subdivided from a larger parcel in 2020 and is integral to the feasibility of the overall project.

We are requesting that the zoning designation of the parcel be changed from C1 to OI with Conditions to align with the 2 larger parcels included in the development.

JUSTIFICATION

The proposed development is a 700-unit senior living facility for Medicaid funded elderly & economically challenged adults of diverse ability. King David Community Centers mission of providing affordable housing and essential services for their residents is reliant on a facility that can be self-sustaining over time.

This parcel allows for a service and fire access drive to fully encircle the facility as required by the Authority having Jurisdiction. This additional acreage allows the facility to meet the density requirements needed to provide a self-sustaining facility while adhering to the Conditions required in previous Change in Conditions.



The parcel in question has already been adopted into the Gateway 85 overlay district.

ADDITIONAL DOCUMENTATION

Please find the attached **Architectural site plan and Floor plans** showing the parking layout within the footprint of the proposed tower. Due to the density of the project, the irregular site shape, and the cast-in-place structure, the parking layout has been maximized to allow for emergency access around the perimeter of the site.

Thank you for allowing us to submit this application. Please do not hesitate to call with any questions or comments.

Very truly yours,

SMALLWOOD, REYNOLDS, STEWART, STEWART & ASSOCIATES, INC.

Bill Loomis
Principal

cc: File

\\atl-srv-fs\Projects\2022\222091.00 - King David Towers\3.0 Zoning-Code Analysis\1.0 Zoning Regulations & Analysis\New variances\Zoning\KDT - Letter of Intent_Compiled_324rev.docx

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3.24.2023

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The proposed Rezoning will permit a use that is suitable

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed Rezoning will not adversely affect the existing use or usability of adjacent or nearby property

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The property has less than reasonable economic use under current conditions. The proposed rezoning will render the economic use more reasonable

- (D) WHETHER THE PROPOSED REZONING 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 rezoning will not result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities or Schools

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The proposed rezoning is in conformity with the intent of the previous rezoning and Land use plan.

- (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:

The proposed Rezoning is being submitted concurrently with Change in Conditions and variance for the overall project that covers 3 parcels, 2 of which are already zoned OI with conditions.

Exhibit F: Internal and External Agency Review Comments

[attached]



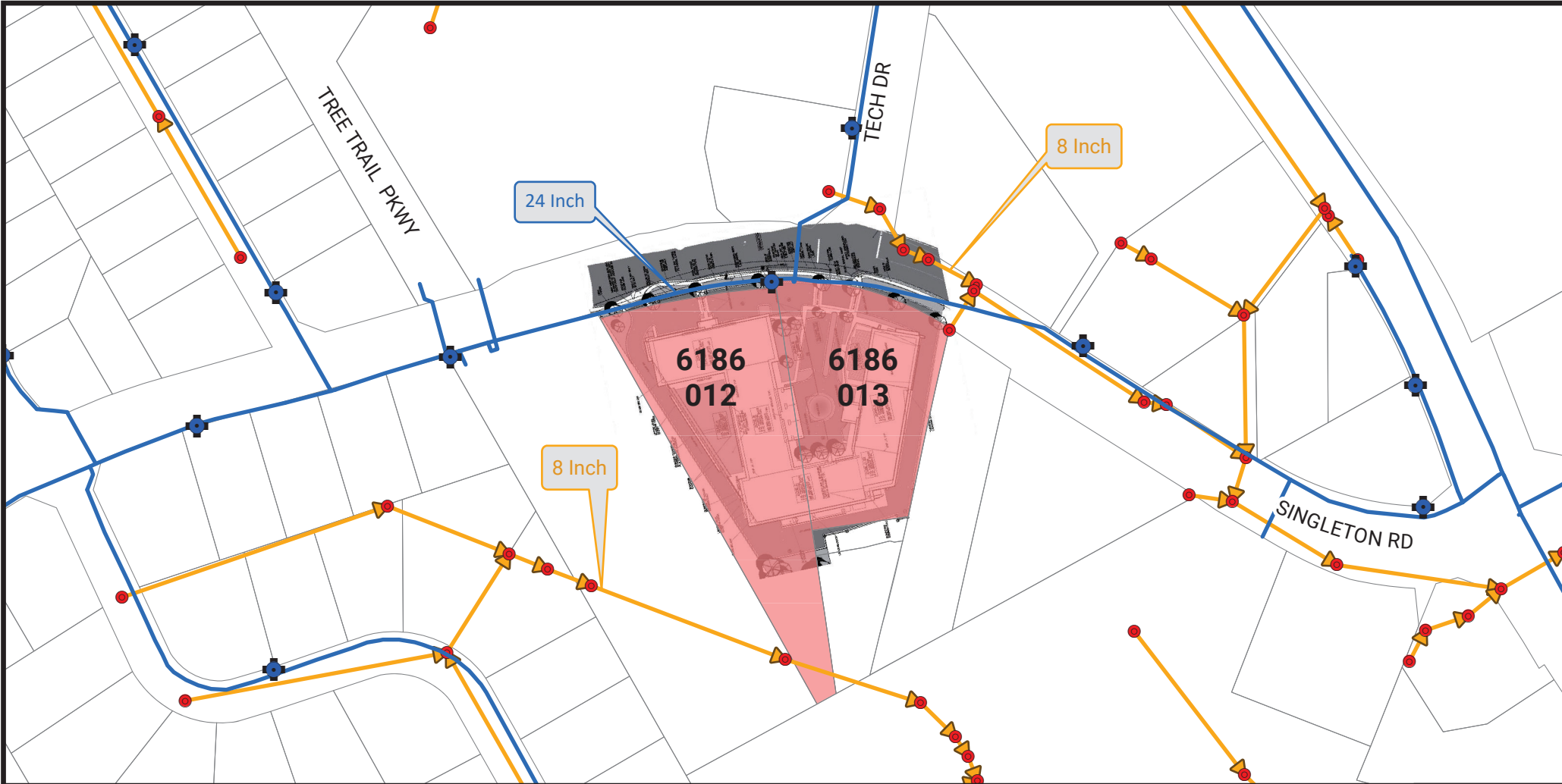
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		04.05.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager I	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		CIC2023-00014 / RZC2023-00014	
Case Address:		5054 and 5064 Singleton Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Singleton Road is a minor arterial. ADT = 20,611.		
2	This property is located 150-feet from the nearest transit facility (#2335299) Singleton Road and Metro Self-Storage.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:			
Department/Agency Name:	DWR		
Reviewer Name:	Mike Pappas		
Reviewer Title:	GIS Planning Manager		
Reviewer Email Address:	Michael.pappas@gwinnettcounty.com		
Case Number:	CIC2023-00014 and RZC2023-00014		
Case Address:	5054 and 5056 Singleton Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	No permanent structures shall be located within 10 feet of the existing 24-inch transmission water main. The transmission main shall be avoided during all phases of construction.		
2			
3			
4			
5			
6			
7			

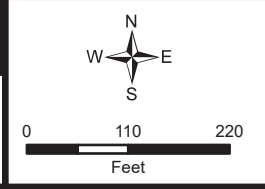


	Flow Management		Hydrant		Sewer Force Main
	Pump Station		City		Effluent Outfall
	Regional		Water Main		Sewer Collector
	Manhole		Reuse Main		Sewer Interceptor

CIC2021-00015 & SUP2021-00036

O-I

Water & Sewer Utility Map



Water Comments: Available 12-inch ductile iron water main crossing Singleton Rd. No connections or impacts allowed to 24-inch transmission main.

Sewer Comments: Existing 8-inch sanitary sewer located on parcel 6186 012. Existing building connected to sewer. Sewer Capacity certification required. Potential downstream capacity issues to be evaluated.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Extensions of the water and/or sanitary sewer systems within the project area shall conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 06, 2012, as required for design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

August 3, 2021

Christopher Tomlinson
Georgia Regional Transportation Authority
245 Peachtree Center Avenue, NE, Ste. 2200
Atlanta, Georgia 30303-1426

RE: Staff Report and Recommendations – King David Retirement Community (DRI # 3296)

GRTA staff has reviewed the King David Retirement Community (DRI # 3296) Review Package and provides this Staff Recommendations Report pursuant to Section 4.2 of the *GRTA DRI Review Procedures*.

PROJECT SUMMARY

Name and Number of DRI:	King David Retirement Community (DRI # 3296)
Permitting Local Government:	Gwinnett County
Local Development Approval Sought:	Special Use Permit
Location:	The proposed site is located on approximately 3 acres south of Singleton Road and west of Indian Trail Lilburn Road (5054 and 5064 Singleton Road).
Uses and Intensities of Use:	The project proposes 700 dwelling units of congregate care and an expansion of the existing child day care facility from approximately 5,000 SF to 10,000 SF.
Project Phasing & Build-Out Schedule:	2023
Net Average Daily Trip Generation:	879
Notice of Decision Due:	August 12, 2021
STAFF RECOMMENDATION:	Approval with Conditions

RECOMMENDATIONS

GRTA staff recommends that King David Retirement Community (DRI # 3296) be **APPROVED with conditions** based on the information provided by the Applicant, GDOT, ARC and Local Government; based on and the information provided in the Methodology Meeting Packet and the Transportation Study; based on the DRI Plan of Development; and based on the Review Criteria established in Section 4.3 of the *GRTA DRI Review Procedures*. Specific recommendations are provided below pursuant to Section 4.2 of the *GRTA DRI Review Procedures*. The draft Conditions of Approval below are proposed for the GRTA Notice of Decision.

Proposed Improvements for GRTA Notice of Decision:

Draft Conditions of Approval attached to the DRI (*Section 1 of Attachment C in the Notice of Decision*)

Bicycle, Pedestrian & Transit Facilities

- Provide pedestrian connectivity between all buildings and uses.
- Coordinate with Gwinnett County Transit to evaluate if the existing bus stop on Singleton Road located west of the DRI should be relocated to the DRI property frontage. If relocated to the DRI property frontage, install a bus pad and shelter per Gwinnett County Transit approval. When evaluating the relocation, consideration should be given to whether the GCT Route 20 would be able to easily return to traffic and make a left turn on Tech Drive.

Main DRI Driveway / Tech Drive at Singleton Road

- Align the primary DRI driveway with Tech Drive as shown on the DRI Site Plan dated September 21, 2020.
- Coordinate with Gwinnett County to determine if a right turn deceleration lane is appropriate. Install the right turn deceleration lane if determined appropriate by Gwinnett County. Consideration should be given to: 1) potential impacts to wastewater infrastructure; and 2) if the bus stop is relocated adjacent to the DRI, the location of the right turn deceleration lane could impact Gwinnett County Transit's ability to access the stop since transit operators are not allowed to stop in turn lanes.

At this time, the Executive Director's decision is scheduled for issuance by August 12, 2021. Please contact me if you have any questions.

GRTA Review by:
Andrew Spiliotis
Transportation Planner

cc:

Jon West, DCA
Zane Grennell, DCA
Andrew Smith, ARC
Marquitrice Mangum, ARC
Aries Little, ARC
Katie Perumbeti, ARC
Cain Williamson, GRTA/ATL
Andrew Spiliotis, GRTA
Tom Sever, Gwinnett DOT

Matthew Dickison, Gwinnett County
Tai Yi, Gwinnett County
Alicia McElheney, Gwinnett County
Lorain Campagne, Gwinnett County
Tyler Richards, Gwinnett County
Kirk Gagnard, Gwinnett County Transit
Karen Winger, Gwinnett County Transit
Joellen Wilson, City of Lilburn
Jenny Simpkins, City of Lilburn

Alex Hofelich, Gwinnett DOT
Michael Johnson, Gwinnett DOT
Lewis Cooksey, Gwinnett County DOT
Vince Edwards, Gwinnett County DOT
Ashley Nichols, Gwinnett County
Catherine Long, Gwinnett County
Karim Solleen, Gwinnett County
Terri Drabnek, Gwinnett County
Cyndi Sloan, Gwinnett County
David Schlifka, Gwinnett County
James Pugsley, Gwinnett County

Tracy Rye, City of Norcross
Jason Dykes, GDOT
Shane Giles, GDOT
Jonathan Peevy, GDOT
Khano Aranbayeva, King David Community Center
Anatoliy Iskhahov, King David Community Center
Chanan Moshe, CHM Consultants
Chris Maddox, Southeastern Engineering, Inc.
Stephen Holland, Holland Architects
Scott Kuperberg, Kuperberg Law Group

Exhibit G: Maps

[attached]

TREE TRAIL PKWY

TECH DR

SINGLETON RD

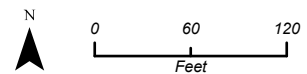
SANTA ANNA DR

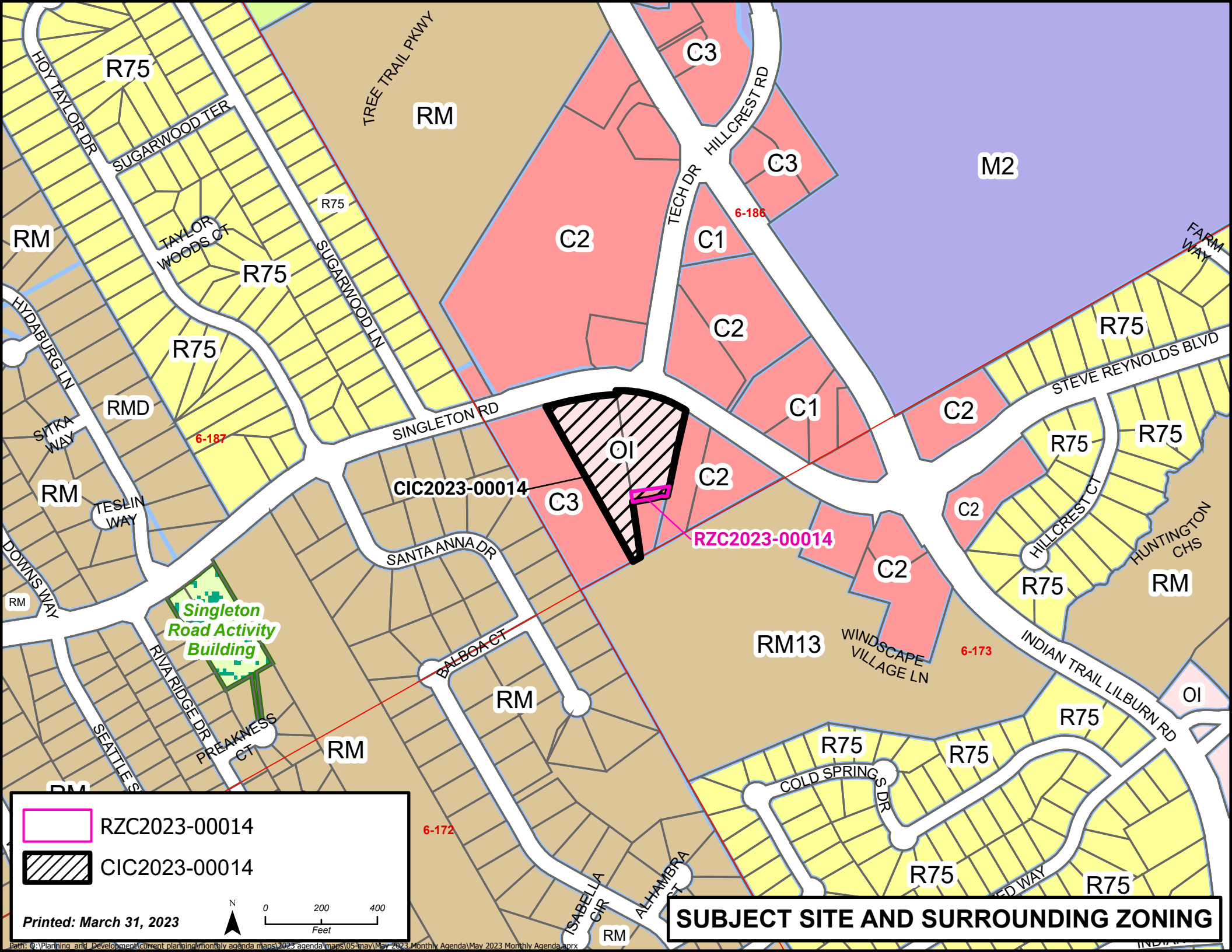
WINDSCAPE VILLAGE LN

RZC2023-00014

CIC2023-00014

Printed: March 31, 2023





- RZC2023-00014
- CIC2023-00014

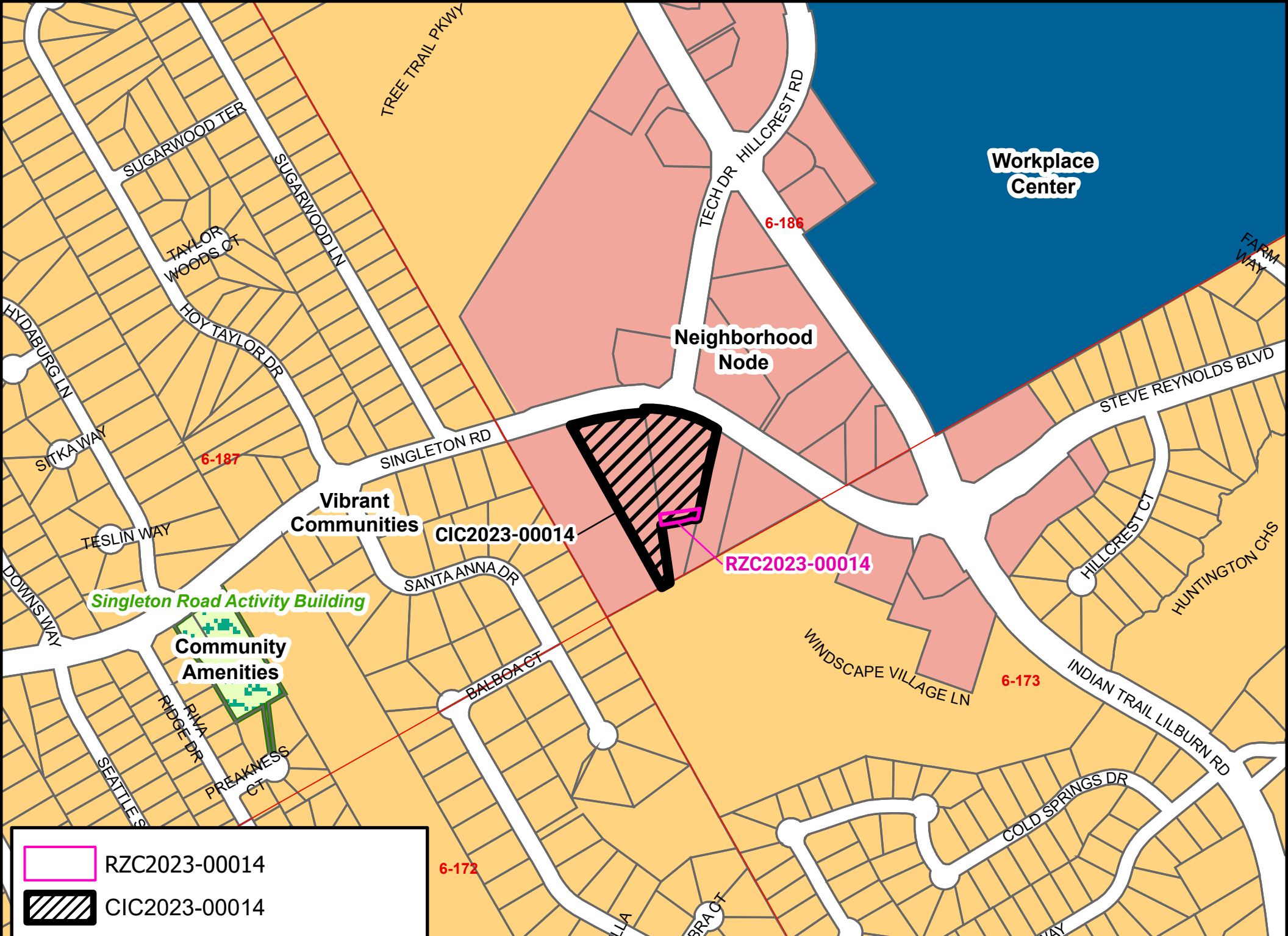
Printed: March 31, 2023



N

0
200
400

 Feet

SUBJECT SITE AND SURROUNDING ZONING



-  RZC2023-00014
-  CIC2023-00014

Printed: March 31, 2023



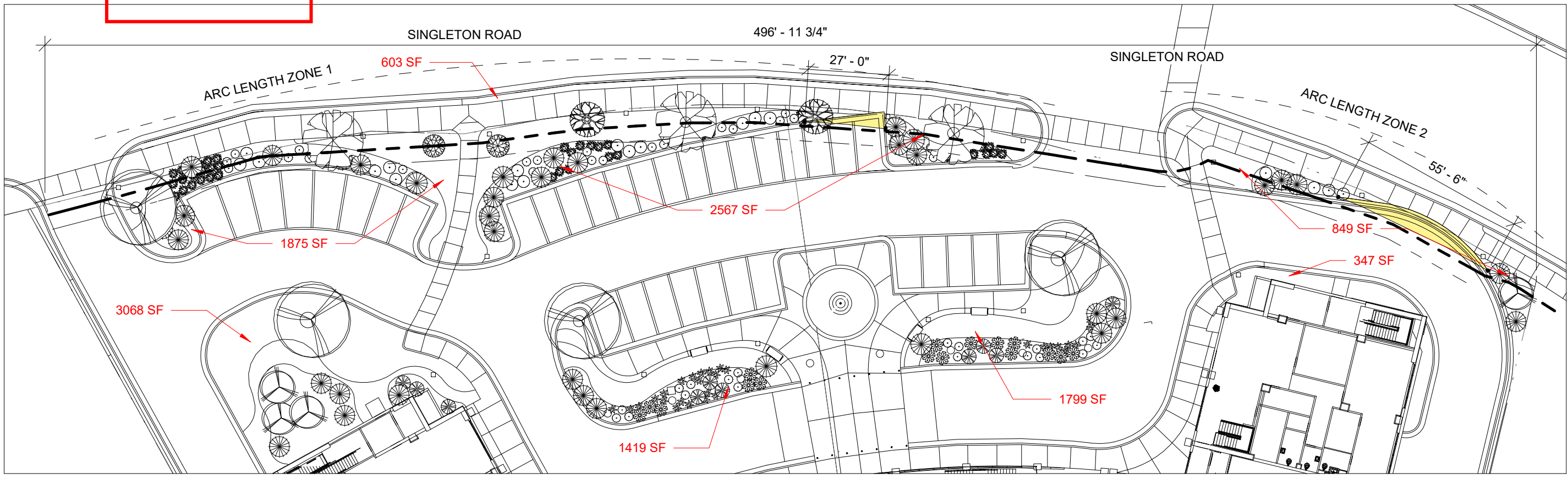
2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit H:
Landscape Strip Exhibit Presented at the May 2, 2023 Planning Commission Public Hearing**

[attached]

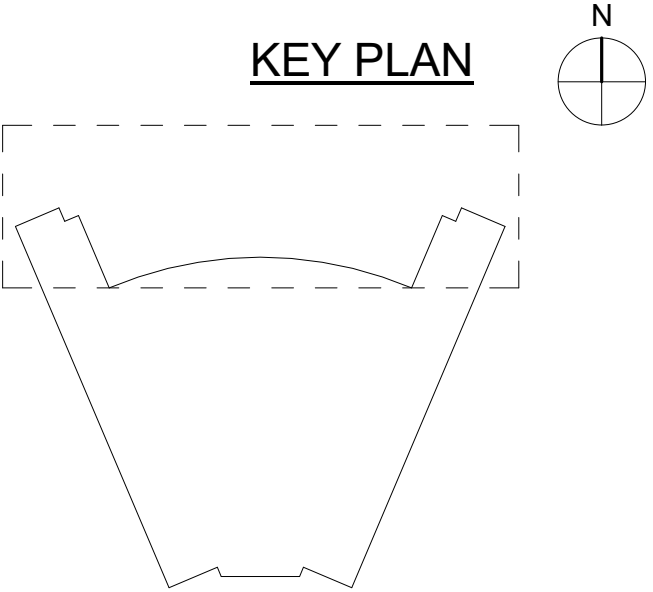
GWINNETT COUNTY
 PLANNING AND DEVELOPMENT
RECEIVED
 5.2.2023

SET BACK EXHIBIT



LANDSCAPE BUFFER ZONE	
ZONE 1 - ARC LENGTH	320' X 5' = 1600 SF 320' X 10' = 3200 SF
ZONE 2 - ARC LENGTH	136' X 5' = 680 SF 136' X 10' = 1360 SF
5' LANDSCAPE BUFFER AREA = 1600 SF + 680 SF = 2280 SF	
10' LANDSCAPE BUFFER AREA = 3200 SF + 1360 SF = 4560 SF	
LANDSCAPE BUFFER AREA PROVIDED 1875 SF + 2567 SF + 849 SF = 5291 SF	

LEGEND	
PROPERTY LINE	--- · · · · ·
5' SET BACK	— — — — —
10' SET BACK	- - - - -
5' BUFFER ZONE	▨ ▨ ▨ ▨ ▨
AREA OF ENCROACHMENT	■



KING DAVID TOWERS

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05/02/2023