



# REZONING APPLICATION



APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE GEORGIA

**City of Snellville**  
**Planning & Development Department**  
2342 Oak Road, 2<sup>nd</sup> Floor  
Snellville, GA 30078  
Phone 770.985.3514 Fax 770.985.3551 [www.snellville.org](http://www.snellville.org)

DATE RECEIVED:  
TREE LANE- SENIOR LIFESTYLE  
#1600408 **RZ 16-04; LUP 16-01**  
PARCEL- 5041 105

<b>Applicant</b> is: (check one)	Owner's Agent	<b>Owner</b> (if not the applicant): <input type="checkbox"/> check here if there are additional property owners and attach additional sheets.
Senior Lifestyle Corporation and Griffin Fine Living	Contract Purchaser X Property Owner	SLV Georgia 1, LLC
Name (please print) c/o Andersen, Tate & Carr, PC 1960 Satellite Blvd., Suite 4000		Name (please print) c/o Andersen, Tate & Carr, PC 1960 Satellite Blvd., Suite 4000
Address Duluth, GA 30097		Address Duluth, GA 30097
City, State, Zip Code (770) 822-0900 (770) 236-9702		City, State, Zip Code (770) 822-0900 (770) 236-9702
Phone Number(s) Fax		Phone Number(s) Fax

Contact Person: Marian C. Adeimy, Andersen, Tate & Carr, PC Phone: (770) 822-0900 Fax: (770) 236-9702  
 Cell Phone: (678) 518-6855 E-mail: madeimy@atclawfirm.com

Present Zoning Classification(s): RS-150  
 Proposed Zoning Classification(s): R-HOP (62) CC with conditions  
 Proposed Use: Senior living, assisted living, memory care, independent living, senior villas and medical office  
 Property Address/Location: Tree Lane and New Hampton Drive, Snellville, Ga District 5th Land Lot 41 & 56 Parcel(s) R5041 105

**At a minimum, the following items are required with submittal of this application. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

- √ Pre-submittal appointment shall be requested and completed a minimum of five (5) business days prior to Application deadline to ensure application is complete, accurate, and includes all required attachments/exhibits and required signatures;
- √ Payment of the appropriate application, public notice sign, and adjoining property owner notification fees;
- √ Letter of Intent explaining the request for rezoning and what is proposed;
- √ The names, addresses, and original signatures of the owners of the subject parcel(s) and their agents, if any;
- √ The present and proposed zoning district for the parcel(s). Include listing of ALL permitted uses in requested Zoning District;
- √ Analysis of impact of the proposed rezoning pursuant to Section 15.2(3)(e) of Snellville Zoning Ordinance. (Attachment A);
- √ Applicant's and/or Owner's Certification (Attachment B);
- √ Conflict of Interest Certification and Disclosure of Campaign Contributions (Attachment C);
- √ A current legal description of the parcel(s) to be rezoned. If the parcel proposed for amendment includes multiple parcels, provide a separate legal description for each individual parcel, together with a composite legal description for all parcels;
- √ Verification from county Tax Assessor that all property taxes have been paid and account is current (for all parcels subject to this application). Applicant to obtain confirmation of taxes paid using original Verification Sheet (attached);
- √ A Certificate of Title or Warranty Deed (for all parcels subject to this application);
- √ Map indicating the subject parcel(s) and the adjoining parcel(s), identified by property owner(s) name and tax parcel number;
- √ Thirty (30) copies and one (1) original of the proposed Site and Concept Plan, and one (1) 11" x 17" (or smaller) reduction of the plan, drawn to scale, showing: (a) north arrow; (b) district, land lot(s) and parcel number(s); (c) the dimensions with bearing and distance; (d) acreage; (e) location of the tract(s), (f) the present zoning and land use classification of all adjacent parcels, (g) the proposed location of structures, driveways, parking and loading areas; (h) and the location and extent of required buffer areas. Site and Concept Plan shall be prepared by an architect, engineer, landscape architect, or land surveyor whose Georgia state registration is current and valid. Site plan must be stamped and sealed by one of the four above-mentioned professionals no more than six (6) months prior to the date of submittal;
- √ Thirty (30) stapled or bound copies of: (a) Rezoning application (page 1 only and any additional sheets if there are additional property owners); (b) Analysis of impact of the proposed rezoning (Attachment A); (c) Certifications (Attachments B and C); (d) Letter of Intent; and (e), Architectural building renderings and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents. All documents must be folded to 8-1/2" x 11"; and
- √ A CD-ROM containing a digital file of: (a) site plan in .pdf and .dwg file formats, (b) legal description(s) in .pdf file format, and (c) completed and signed Rezoning application (and all supporting documents) in .pdf file format;

Pursuant to Section 15.2(3)(e) of the Snellville Zoning Ordinance, a **written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters shall be included.** Please respond to the following standards in the space provided or attach additional sheets if necessary. **Simple yes/no answers or re-statement of the questions are not acceptable.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Response: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.

Response: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Response: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan.

Response: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. 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 zoning proposal.

Response: See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REZONING APPLICANTS' RESPONSE AND STANDARDS**  
**GOVERNING THE EXERCISE OF THE ZONING POWER**  
**(RS-150 to RHOP-62 (CC))**

**1. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTIES.**

Yes. The proposed rezoning, land use amendment, and related zoning application for change in conditions, site plan and related variances all propose a quality, senior development, for which the property is already zoned, to accommodate a variety of senior living and medical needs. The property is identified as being appropriate for senior uses, and is located in a transitional area between low density residential properties in unincorporated Gwinnett County and commercial/retail and hospital uses along S.R. 124 within the City of Snellville. As such, the proposed use is suitable and provides an appropriate transition in view of adjacent and nearby properties.

**2. WHETHER THE ZONING PROPOSAL WOULD ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.**

No. The property is uniquely situated adjacent to Eastside Hospital with direct access for future senior residents, filling a need for this type of housing within the City of Snellville. The plan is less dense than the original development for which this property was approved, and there will be no adverse impact on the use or usability of adjacent or nearby property.

**3. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL AS REASONABLE ECONOMIC USE AS CURRENTLY ZONED.**

No. The current zoning plan was approved for a specific development which is no longer economically feasible, in addition to the change in zoning and development of the adjacent subdivision, and the proposed site plan, uses, and variances are necessary in order to allow for any reasonable economic under the current zoning.

**4. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS.**

No. The proposed housing mix will be marketed to seniors and retirees with little to no burden on existing streets, transportation, utilities or schools. Utilities are existing and will be maintained and improved where required, including the active detention pond and future amenity already serving the subject property.

**5. WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN.**

Yes. The Land Use Plan contemplates senior residential and medical office uses for this site. As such, this zoning request is precisely the type of use recognized by the City as appropriate for the subject property.

**6. 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 ZONING PROPOSAL.**

Yes. In further support of the requested rezoning, not only has the property has remained vacant for over ten (10) years under the current site plan, but like the development proposed, the City and Council have made senior-targeted developments a goal and a policy initiative for the City of Snellville, especially in the character areas and commercial corridor in which the property lies.

**REZONING CERTIFICATIONS**

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below, or as attached, is authorized to make this application. The undersigned is aware that, should this request be denied by City Council, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

Mary 8/2016  
Signature of Applicant Date

Marian C. Adeimy, Attorney for Senior Lifestyle Corporation and Griffin Fine Living  
Type or Print Name and Title

[Signature] 8/2/2016  
Signature of Notary Public Date



OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that, should this request be denied by City Council, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

Mary 8/2016  
Signature of Owner Date

Marian C. Adeimy, Attorney  
Type or Print Name and Title

[Signature] 8/2/2016  
Signature of Notary Public Date

Notary Seal



**CONFLICT OF INTEREST CERTIFICATIONS FOR ZONING ACTIONS**

The undersigned below, making application for rezoning or a Conditional Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

Check here if there are additional property owners and attach additional "Conflict of Interest Certification" sheets.

Mary                      9/1/16  
Signature of Applicant                      Date

Mary                      9/1/16  
Signature of Owner                      Date

Marian C. Adeimy, Attorney  
Type or Print Name and Title

Marian C. Adeimy, Attorney  
Type or Print Name and Title

Nickole L Baker                      9/1/2016  
Signature of Notary Public                      Date



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the last four (4) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

As to Applicant (circle one):  YES     NO                      As to Property Owner (circle one):  YES     NO

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

Name of Government Official:	Contributions or Descriptions of Gifts (List all which aggregate to \$250.00 or more):	Date when Contribution or Gift was made within last four-years:
<u>Mayor Tom Witts</u>	<u>\$500.00 (by Andersen, Tate &amp; Carr, PC)</u>	<u>August 19, 2015</u>
<u>Mayor Tom Witts</u>	<u>\$500.00 (by Terry Russell, Front Door Communities)</u>	<u>August 19, 2015</u>
_____	_____	_____

Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.



# ACCOUNT DETAIL



[View/Pay Your Taxes / Account Detail](#)

## Tax Account

**Mailing Address:**  
SLV GEORGIA 1 LLC  
680 5TH AVE FL 25  
NEW YORK, NY 10019-5431

[Change Mailing Address](#)

**SITUS:**  
0 HAMILTON DR

**Tax District:**  
SNELLVILLE

Parcel ID	Property Type	Last Update
R5041 105	Real Property	9/8/2016 9:08:56 AM

### Legal Description

TR 2 HAMILTON DRIVE

## Tax Bills

Note: Four years of tax information is available online. Email [tax@gwinnettcountry.com](mailto:tax@gwinnettcountry.com) to request other years.

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2016	\$11,446.81	\$0.00	\$0.00	\$0.00	10/15/2016	\$11,446.81
2015	\$11,584.53	\$11,584.53	\$0.00	\$0.00	10/15/2015	\$0.00
2014	\$11,661.44	\$11,661.44	\$0.00	\$0.00	10/1/2014	\$0.00



**LEGAL DESCRIPTION**  
**RS-150**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 41 & 56 of the 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence from a point at the intersection of the Northeastern Right-of-Way line of Tree Lane and the Southwestern Right-of-Way line of New Hampton Dr (Right-of-Way Varies);

Thence leaving the Northeastern Right-of-Way line of Tree Lane North 42 degrees 38 minutes 27 seconds East a distance of 1,819.07 feet to a point and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established; thence North 29 degrees 59 minutes 41 seconds West a distance of 49.51 feet to a point; thence North 59 degrees 59 minutes 14 seconds East a distance of 610.00 feet to a point; thence South 29 degrees 15 minutes 56 seconds East a distance of 207.55 feet to a point; thence South 76 degrees 13 minutes 10 seconds East a distance of 264.14 feet to a point; thence South 19 degrees 24 minutes 33 seconds West a distance of 25.39 feet to a point; thence North 76 degrees 11 minutes 32 seconds West a distance of 250.69 feet to a point; thence 30.52 feet along an arc of a curve to the right, said curve having a radius of 25.00 feet and a chord bearing and distance of North 63 degrees 13 minutes 13 seconds West 28.66 feet to a point; thence North 29 degrees 13 minutes 34 seconds West a distance of 159.32 feet to a point; thence South 60 degrees 01 minutes 02 seconds West a distance of 409.27 feet to a point; thence South 59 degrees 59 minutes 47 seconds West a distance of 66.90 feet to a point; thence South 60 degrees 09 minutes 38 seconds West a distance of 81.75 feet to a point; thence South 60 degrees 00 minutes 19 seconds West a distance of 26.37 feet to a point to a point and the TRUE POINT OF BEGINNING.

Said tract containing 0.95 acres.

