



LAND USE PLAN AMENDMENT APPLICATION

APPLICATION TO AMEND THE LAND USE PLAN OF SNELLVILLE, GEORGIA
RECEIVED

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3514 Fax 770.985.3551

APR 11 2017

1642 ATHENS HWY #1700152
REZONING APP- RZ 17-06; LUP 17-04
PARCEL- 5069 011 & 5069 017
THE VILLAS AT CRESTVIEW

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT
www.snellville.org

Applicant: is the (check one) Owner's Agent
 Contract Purchaser
 Property Owner
Split Silk Properties, LLC - Jeff Timler

Owner (if not the applicant): check here if there are additional property owners and attach additional sheets.
Ridge Cliff LLC.

Name (please print)
PO Box 1725
Address
Loganville, GA 30052
City, State, Zip Code
678-336-7063
Phone Number(s) Fax

Name (please print)
4983 Rabbit Farm Road
Address
Loganville, GA 30052
City, State, Zip Code
770-352-4835
Phone Number(s) Fax

Contact Person: Jeff Timler Phone: 678-772-0202 Fax: 678-336-7063
Cell Phone: 678-772-0202 E-mail: splitsilkproperties@gmail.com

Current Future Land Use Map Designation: Commercial & Retail, Medium Density Residential
Proposed Future Land Use Map Designation: Commercial & Retail, Medium Density Residential, Public/Institutional
Proposed Use(s): Commercial Retail, Office, Senior Housing
Property Address/Location: 1642 Athens Highway, Grayson, GA 30017 District 5 Land Lot 69 Parcel(s) 11 & 17

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 and public notice sign fees. Make checks payable to *City of Snellville*;
- ✓ Letter of Intent explaining the request for the amendment to the Land Use Plan 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 land use for the parcel(s);
- ✓ Analysis of impact of the proposed land use change pursuant to Section 15.2(3)(e) of Snellville Zoning Ordinance. (Attachment A);
- ✓ Applicant's and/or Owner's Certification (Attachment B);
- ✓ A current legal description of the parcel(s) being considered for the land use amendment. 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 (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;
- ✓ Map showing all land uses immediately adjacent to the subject property under the existing land use plan;
- ✓ 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) Land Use Plan Amendment application including Attachments A and B); (b) Letter of Intent; and (c) Map showing all land uses immediately adjacent to the subject property under the existing land use plan. In addition, one (1) unbound application (original) bearing original signatures and all other required documents. 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 Land Use Plan Amendment application (and all supporting documents) in .pdf file format;

Land Use Plan Amendment Application
Attachment A

Pursuant to Section 15.2(2)(g) of the Snellville Zoning Ordinance, a **written, documented analysis of the impact of the proposed land use change 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 proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby properties;

Response: Yes. The proposed zoning , site plan, and requested variances will allow a quality mixed use development. Nearby uses are mostly commercial and medium density residential that are consistent with the proposed development.

2. Whether the proposed land use change will adversely affect the existing uses or usability of adjacent or nearby property;

Response: No, The one adjacent property currently zoned Office Institutional and has a future land use of medium density which is consistent with our proposed use.

3. Whether the proposed land use change will result in uses which will or could cause an excessive or burdensome uses of existing streets, transportation facilities, utilities, or schools; and

Response: The proposed senior housing will be marketed and restricted towards seniors and retirees with little to no burden on existing streets, transportation, utilities, or schools.
The anticipated retail use should thrive off of the existing traffic and generate few trips and no impact to utilities or schools.

4. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or disapproval of the proposed land use change.

Response: The City and Council has made senior-targeted developments a goal and policy initiative, especially in the commercial corridor in which the property lies. This area is in need of a mixed use zoning district that will be a catalyst for future quality developments.

LAN USE PLAN AMENDMENT 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

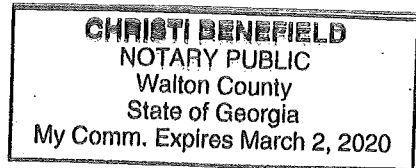
The undersigned below, or as attached, is authorized to make this application. The undersigned is aware that, should this request be denied by City Council, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

[Signature] 4/10/2017
Signature of Applicant Date

Jeff Timler - Split Silk Properties LLC
Type or Print Name and Title

Notary Seal

[Signature] 4-10-17
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.

[Signature] 3/10/17
Signature of Owner Date

DAVID K. HEARMAN
Type or Print Name and Title
RIDGECREEK LLC.

Notary Seal

[Signature] 4/10/17
Signature of Notary Public Date

Jeffrey Dale Timler
Notary Public
Gwinnett County, Georgia
My Commission Expires 6/6/2019

EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 69 of the 5th District of Gwinnett County, Georgia and being more particularly described as follows, to-wit:

BEGINNING at a right-of-way monument located at the corner formed by the intersection of the Southeasterly side of U.S. Highway 78 (a/k/a Athens Highway) (variable right-of-way) with the Southeasterly side of the right-of-way of South Crestview Drive (60-foot right-of-way) at the northern-most miter of the corner of said South Crestview Drive; thence run North 70 degrees 26 minutes 28 seconds East, along the Southeasterly side of the right-of-way of U.S. Highway 78, 120.00 feet to a point; thence, continue running North 70 degrees 26 minutes 28 seconds East along the Southeasterly side of U.S. Highway 78, 880.14 feet to a right-of-way monument located on the Southwesterly line of property now or formerly owned by Mrs. Delores Hilton; thence, leave the right-of-way of U.S. Highway 78, and run South 32 degrees 01 minutes 56 seconds East along the Southwesterly line of said Hilton property, 771.76 feet to a point located on the Northwesterly side of the right-of-way of the aforementioned South Crestview Drive; thence, run in a Southwesterly, Northwesterly, and Northeasterly direction, along the Northwesterly, Northeasterly and Southeasterly sides of the right-of-way of said South Crestview Drive and following the curvature thereof the following courses and distances, to-wit: South 61 degrees 54 minutes 19 seconds West, 21.79 feet, South 55 degrees 13 minutes 21 seconds West, 168.65 feet, Southwesterly along the arc of a curve an arc distance of 97.39 feet (which said arc has a radius of 1,141.84 feet and is subtended by a chord bearing South 57 degrees 39 minutes 57 seconds West, a distance of 97.36 feet), South 60 degrees 06 minutes 32 seconds West, 110.99 feet, Southwesterly along the arc of a curve an arc distance of 313.90 feet (which said arc has a radius of 811.91 feet and is subtended by a chord bearing South 71 degrees 20 minutes 08 seconds West, a distance of 311.95 feet), South 82 degrees 15 minutes 33 seconds West, 810.17 feet, North 71 degrees 38 minutes 22 seconds West, 99.34 feet, North 26 degrees 01 minutes 29 seconds West, 106.25 feet, North 15 degrees 54 minutes 39 seconds East, 449.67 feet, North 15 degrees 49 minutes 40 seconds East, 145.12 feet, and North 54 degrees 29 minutes 49 seconds East, 74.74 feet to the POINT OF BEGINNING, being a 24.733-acre tract of land, the foregoing description of which is made in accordance with a plat of survey for South Crestview, LLC as prepared by SCI Development Services, John A. Steerman, GRLS No. 2576, dated 6/14/07.

After Recording Return to:

W. Michael Strickland, Esq.
76 West Candler Street
Winder, Georgia 30680

LIMITED WARRANTY DEED

THIS INDENTURE, made effective as of the 27th day of March, 2017, between RES-GA LJJ, LLC, a Georgia limited liability company ("**Grantor**"), whose address is c/o Rialto Capital, 6 Concourse Parkway, Suite 1600, Atlanta, Georgia 30328, in favor of RIDGECLIFF LLC, a Georgia limited liability company ("**Grantee**"), whose address is 14983 Rabbit Farm Road, Loganville, Georgia 30052.

WITNESSETH THAT:

Grantor, for and in consideration of the sum of Ten and No/100 U.S. Dollars (\$10.00), lawful money of the United States of America, to it in hand paid by Grantee, at or before the unsealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee and its successors and assigns forever, the parcel of land, with the building and improvements thereon erected, situate, lying and being in the County of **Gwinnett**, State of Georgia, and more particularly described on **Exhibit A** attached hereto and incorporated herein by reference (the "**Property**").

Subject however, to:

- (a) Real property taxes and assessments for the year 2017 and thereafter;
- (b) Zoning and other regulatory laws and ordinances affecting the Property;
- (c) Matters that would be disclosed by an accurate survey;
- (d) Rights of tenants in possession;
- (e) Any plat affecting the Property; and
- (f) Easements, rights of way, limitations, conditions, covenants, restrictions, and other matters of record.

TOGETHER with all singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor hereby specially warrants the title to the Property and, subject to the matters set forth above, will defend the same against the lawful claims of any persons claiming by, through or under Grantor, but against none other.

[signatures on following page]

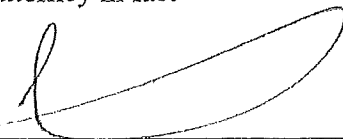
IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first above written.


RES-GA LJY, LLC, a Georgia limited liability company

By: MULTIBANK 2009-1 RES-ADC VENTURE, LLC, a Delaware limited liability company, Its Sole Member

By: RL RES 2009-1 INVESTMENTS, LLC, a Delaware limited liability company, Its Manager

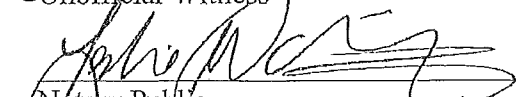
By: RIALTO CAPITAL ADVISORS, LLC, a Delaware limited liability company, as its attorney in fact

By:  (Seal)
Name: Bradley Kentor, Authorized Signatory
Title: Authorized Signatory

By:  (Seal)
Name: Aaron Davis, Authorized Signatory
Title: Authorized Signatory

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public
My commission expires: 9/18/17

