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DEC 02 2014

www.JohnsCreekGA.gov
678-512-3200 ~ (fax) 678-512-3303

City of Johns Creek
Planning & Zoning

12000 Findley Road, Suite 400, Johns Creek, GA 30097

RZ-15 003

LAND USE PETITION CHECKLIST & APPLICATION FORM REZONING, USE PERMIT & CONCURRENT VARIANCE

INSTRUCTIONS

A properly completed application and fees are due at the time of submittal. The submittal deadline is the first Tuesday of each month. **An incomplete application will not be accepted.** Original signatures are required for the Application.

APPLICATION MATERIALS

REQUIRED ITEMS	NUMBER OF COPIES	CHECK <input checked="" type="checkbox"/>
Provide one (1) a digital copy of <u>all</u> submitted materials.	• One (1) CD in .JPEG, .TIFF, .PDF or .DOC format ✓	<input type="checkbox"/>
Pre-Application Meeting Form	• One (1) Copy	<input type="checkbox"/>
Site Plan with Legal Description ; (See Page 14 for Requirements)	• Ten (10) Full-Size Site Plan Copies ✓ • One (1) 8 ½" x 11" Site Plan ✓ • One (1) 8 ½" x 11" Legal Description ✓	<input checked="" type="checkbox"/>
Building Elevations (Attached Residential & Non-Residential)	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Letter of Intent	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Zoning Impact Analysis Form	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Environmental Site Analysis Form	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Disclosure Form	• One (1) Copy ✓	<input checked="" type="checkbox"/>
Public Participation Plan & Report—¼ Mile List	• One (1) Copy	<input checked="" type="checkbox"/>
Applicant Acknowledgement Form	To be Completed at Time of Submittal	<input checked="" type="checkbox"/>
THE FOLLOWING ITEMS MAY BE REQUIRED		
Traffic Impact Study	• Three (3) Copies	<input type="checkbox"/>
Metropolitan River Protection	• Three (3) Copies	<input type="checkbox"/>
MARTA Corridor Area Plan Review	• Three (3) Copies	<input type="checkbox"/>
Development of Regional Impact Review Form	• Three (3) Copies	<input type="checkbox"/>
Environmental Impact Report	• Three (3) Copies	<input type="checkbox"/>
Noise Study Report	• Three (3) Copies	<input type="checkbox"/>



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Planning & Zoning

PRE-APPLICATION FORM

REZONING, USE PERMIT(S) AND CONCURRENT VARIANCE(S)

RZ-15 003

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Division by calling (678) 512 – 3200. This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

Applicant: Darrell Vaughn

Site Address: 9435 Nesbitt Ferry Road Parcel Size: B.6ac

Proposal Description: rezoning to O&I for the construction of a Personal Care Facility

Existing Zoning Designation and Case Number: AG-1

Proposed Zoning Designation: O&I

Comprehensive Land Use Map Designation: _____

Planner: [Signature] Date: 12/2/14
meeting held in September 2014

Community Development

REZONING/SUP/CHANGE IN CONDITIONS
APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Cornerstone Design & Dev, Inc</u>	NAME: <u>Green Implantation Group, LLC</u>
ADDRESS: <u>196 Simonton Road, SE</u>	ADDRESS: <u>1104 Lynmoor Drive</u>
CITY: <u>Lawrenceville, GA 30046</u>	CITY: <u>Atlanta</u>
STATE: <u>Georgia</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30319</u>
PHONE: <u>404-501-4267</u>	PHONE: <u>404-388-5871</u>
CONTACT PERSON: <u>Darrell Vaughn</u> PHONE: <u>404-501-4267</u>	
CONTACT'S E-MAIL: <u>kmv.darrell@bellsouth.net</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): AG1 REQUESTED ZONING DISTRICT: O&I

LAND DISTRICT(S): 12 LAND LOT(S): 820 ACREAGE: 8.6

ADDRESS OF PROPERTY: 9425 Nesbitt Ferry Road

PROPOSED DEVELOPMENT: Personal Care Facility

CONCURRENT VARIANCES: none

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>8</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>146,933</u>
Density: _____	Density: <u>39.11% coverage</u>

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RZ-15 0031

City of Johns Creek
Planning & Zoning

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.

E. Darrell Vaughn 12-2-14
Signature of Applicant Date
Cornerstone Design & Development, Inc president

E. Darrell Vaughn
Type or Print Name and Title

Sherry L. Keen 12-2-14 Notary Seal
Signature of Notary Public Date exp. 3/30/18



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City of Johns Creek
Planning & Zoning

RZ-15 003*

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, STATES UNDER OATH THAT THEY ARE THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE CITY COUNCIL.



12/2/14

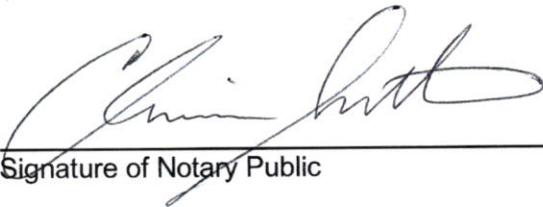
Signature of Property Owner

Date

Green Implementation Group, LLC

Arvidy Yankov *Owner*

Type or Print Name and Title



12/02/14

Signature of Notary Public

Date



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Planning & Zoning

RZ-15 003

ZONING IMPACT ANALYSIS FORM

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?

yes, the proposed facility will be a low impact residential facility

2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

no

3. Does the property to be rezoned have a reasonable economic use as currently zoned?

no, due to suburban nature of the area AG is not a viable use

4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

no, there will be minimal in and out traffic and no impact on local schools

5. Is the zoning proposal in conformity with the policies and intent of the land use plan?

yes

6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal?

there is a need for this type of facility within this area.

7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of Johns Creek?

no

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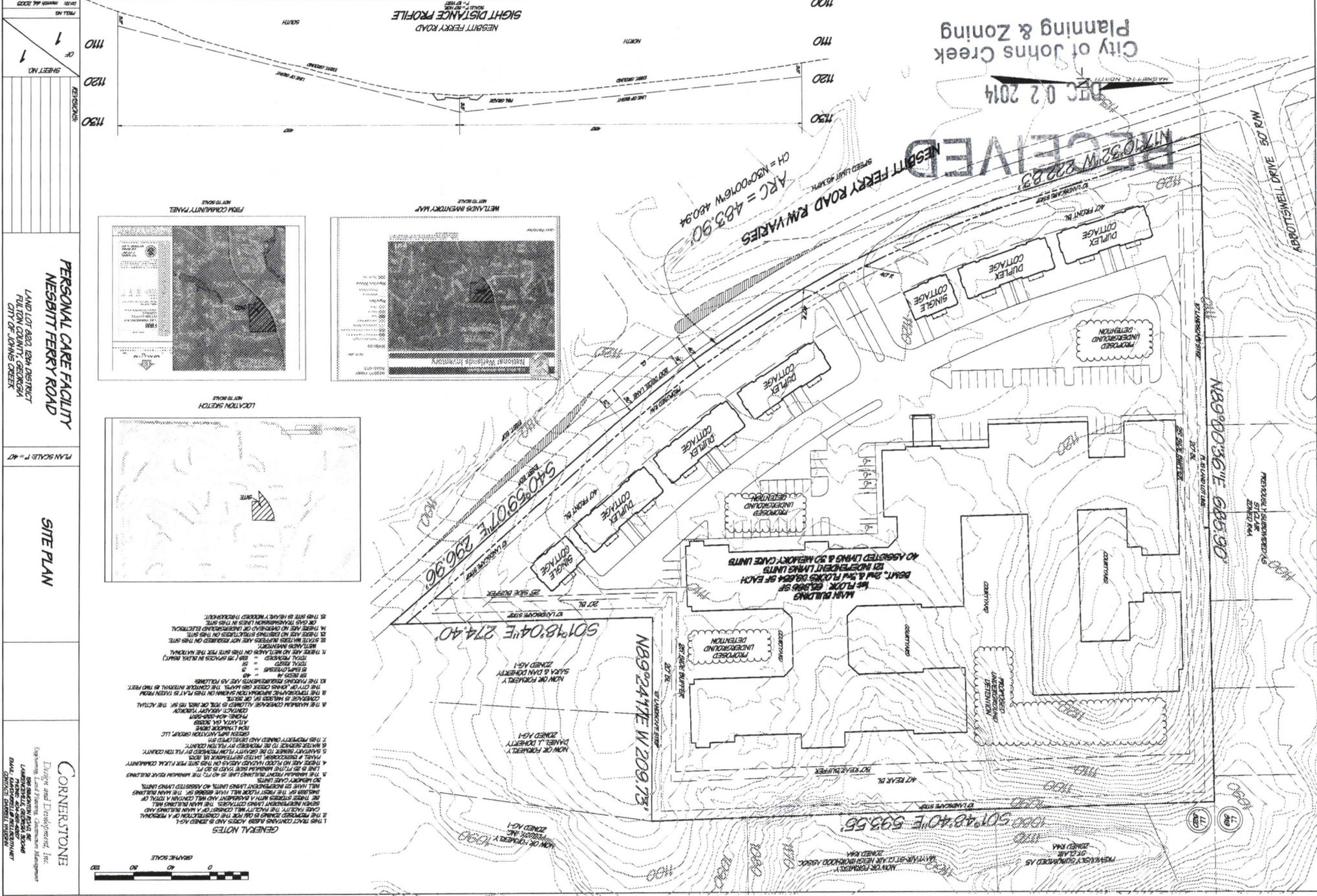
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MAY 03 2014

ARC = 483.90'
CH = N50°00'16"W 480.94'



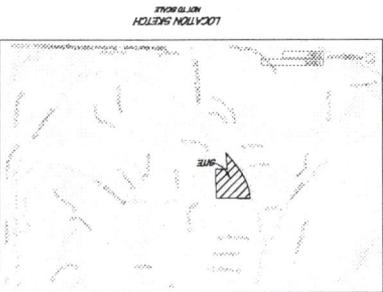
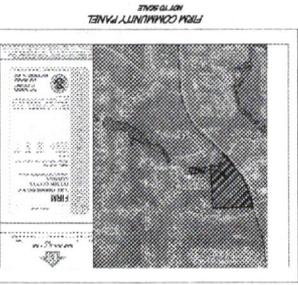
DATE	APPROVAL	DATE
11/13/14	11/13/14	11/13/14
SHEET NO. 1		
OF 1		

PERSONAL CARE FACILITY
NESBITT FERRY ROAD
LAND LOT 992 124 DISTRICT
FLITTON COUNTY, GEORGIA
CITY OF JOHNS CREEK

PERSONAL CARE FACILITY
NESBITT FERRY ROAD
LAND LOT 992 124 DISTRICT
FLITTON COUNTY, GEORGIA
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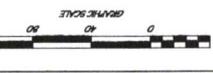
PLAN SCALE: 1" = 40'

CORNERSTONE
Design and Development, Inc.
2500 Johns Creek Parkway, Suite 100
Johns Creek, Georgia 30152
TEL: 770.429.8800
WWW.CORNERSTONEDESIGN.COM



GENERAL NOTES

1. THE PROJECT CONTAINS 6889 SQUARE FEET AND IS ZONED AS RZ-15 (RESIDENTIAL SINGLE-FAMILY).
2. THE PROPOSED ZONING IS FOR THE CONSTRUCTION OF A PERSONAL CARE FACILITY.
3. THE MAIN BUILDING WILL BE 1.5 STORIES HIGH AND WILL BE USED FOR RESIDENTIAL PURPOSES.
4. THE PROPOSED DETENTION STRUCTURE IS TO BE CONSTRUCTED UNDERGROUND AND WILL BE USED FOR STORMWATER MANAGEMENT.
5. THE PROPOSED COTTAGES ARE TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.
6. THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.
7. THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.
8. THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.
9. THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.
10. THE PROPOSED DRIVEWAY IS TO BE CONSTRUCTED ON THE PERIPHERY OF THE SITE.



Legal Description

All that tract or parcel of land lying and being in Land Lot 820, 12th District, Fulton County, Georgia, City of Johns Creek and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Nesbitt Ferry Road, said right-of-way being thirty feet from the centerline of Nesbitt Ferry Road, and the southern line of Land Lot 820, 12th District, Fulton County, Georgia and running thence along said land lot line on a bearing of N 89⁰⁰'36" E a distance of 685.90 feet to a point; running thence on a bearing of S 01⁴⁸'40" E a distance of 593.55 feet to a point; running thence on a bearing of N 89²⁴'17" W a distance of 209.73 feet to a point; running thence on a bearing of S 01¹⁸'04" E a distance of 274.40 feet to a point on the eastern right-of-way of Nesbitt Ferry Road; running thence along said right-of-way on a bearing of N 40⁵⁹'07" W a distance of 296.96 feet to a point; running thence along said right-of-way an arc distance of 483.90 feet, said arc being defined by a chord having a bearing of N 30⁰⁰'16" W and a distance of 480.94 feet, to a point; running thence on a bearing of N 17¹⁰'32" W a distance of 222.83 feet to the Point of Beginning.

Said tract containing 8.629 acres.

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Nesbitt Ferry Rezoning
Personal Care Facility
Letter of Intent

It is the intent of Green Implantation Group to construct a personal care facility at 9435 Nesbitt Ferry Road. The facility will consist of one main building and seven cottage units.

The main building will be three stories with a basement and contain a total of 244,928 square feet. The first story will be 65,966 square feet. The basement, second story, and third story will have 59,564 square feet each. There will be 121 independent living, 40 assisted living, and 30 memory care units in the main building. This will require approximately fifteen employees on site. Seventy-four parking spaces will be provided for the main building.

The cottages will consist of five duplex units and two single units. The cottages will have enclosed one car garages and each unit will be approximately 1825 square feet.

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Nesbitt Ferry Rezoning
Personal Care Facility
Environmental Site Analysis

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Conformance with Comprehensive Plan

This site lies within the Newtown District and is accord with the Comprehensive Plan by providing a context sensitive infill low impact residential use.

Environmental Impact

The site is currently undeveloped, but has been used a inorganic landfill in the past. An Environmental Assessment conducted by United Technologies, Inc can be provided to show the extent and depth of the landfill area. The owner intents to completely remove the landfill material and import suitable material onto the site as part of the development process.

The property is bounded on the north an east by a R4A residential neighborhood. However, the majority of the subdivision on the eastern boundary is a low lying portion of the subdivision recreational area.

The southeastern portion is bounded by three large AG-1 tracts.

The opposite side of Nesbitt Ferry Road to the west lies within the city limits of Roswell and is primarily single family subdivisions.

A review of the National Wetlands Inventory Map indicates that there are no wetlands on this site.

A review of the Federal Emergency Management Agency website indicates that there are no floodplain areas on this site.

There are also no streams on this site.

There is a substantial slope along the rear property line adjacent to the Mayfair-St Clair Neighborhood Association property. This slope will be removed in conjunction with the removal of the landfill material. The replacement slope will meet all City, County, and State requirements for slope, vegetation, and erosion control measures.

The site is primarily heavily wooded with pines and underbrush.

There are no endangered wildlife species on this site.

Due to filling of the site for the landfill, any historical or archeological sites which may have existed have been destroyed.

Nesbitt Ferry Rezoning
Personal Care Facility
Environmental Site Analysis

Project Implementation Measures

As mentioned previously, the only environmentally sensitive area impacted by this project will be the slope along the rear property line. This area will be replaced to meet all City, County, and State requirements for slope, vegetation, and erosion controls.

Storm water detention and water quality measures will be installed to protect the downstream properties and meet State and Federal water quality standards. In addition, the removal of the landfill material should also enhance downstream water quality

This project will not have an negative impact on the City and County infrastructures. The existing sanitary sewer system, water distribution system.

A deceleration lane and additional right-of-way will be provided by this development. A meeting with the City of Roswell Department of Transportation indicated that they see no issues with this development.

Buffers will be provided in accordance with the City zoning ordinance.

This facility will be a low impact noise facility and all onsite lighting will be directed inward.

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RZ-15 003

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

1. **CIRCLE ONE:** **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)
 In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

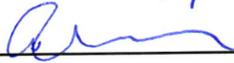
2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
			RZ-15-003 <div style="font-size: 2em; font-weight: bold; opacity: 0.5;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; opacity: 0.5;">DEC 02 2014</div> <div style="font-size: 1em; font-weight: bold; opacity: 0.5;">City of Johns Creek Planning & Zoning</div>

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Arkady Yabukov
 Signature:  Date: 12-2-14

Nesbitt Ferry Rezoning
Personal Care Facility
Public Participation Plan

The owner will notify all parties provided by the City through return receipt mail, and any other methods requires if no response is received.

A community meeting will be scheduled in cooperation of the Johns Creek Community Association at their convenience no later than twenty days prior to the Planning Commission Meeting.

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12000 Findley Road, Johns Creek, GA 30097

APPLICANT'S ACKNOWLEDGEMENT FORM

The applicant's attendance is required during the following public hearings:

Planning Commission Date: 3/3/15

Mayor & Council Date: 3/16/15

Pursuant to Article 28.3 Public Hearing and Notice Requirements of the Johns Creek Zoning Ordinance, the applicant in a rezoning, zoning modification, special use permit or variance requiring a public hearing must post a public notice sign on the subject property at least 20 days prior to the first public hearing by 8:30 a.m.

The applicant shall pick up the sign at:

Compelling Signs

1901 Montreal Road
Tucker, Georgia 30084
Phone: (678) 580-2452
Fax: 678-580-0934
Hours of Operation: Monday-Friday 9:00 a.m. - 5:00 p.m.

The applicant hereby certifies that they understand they must pick up the appropriate public hearing sign from Compelling Signs and post it correctly on the subject property no less than 20 days and no more than 45 days prior to the first public hearing. On the required date of posting, please take a digital photograph of the posted sign and e-mail the date-stamped photo to Marie.Janvier@johnscreekga.gov. This photograph is necessary for public record. Further the applicant certifies that the sign will be maintained in such a way that the sign is clearly visible from the right-of-way while on the property and that the applicant is responsible for reposting the sign, should it fall down or become obscured. Additionally, the applicant understands that attendance is required during the above listed public hearings.

E. Darrell Vaughn E. Darrell Vaughn 12-2-14
Applicant's Printed Name and Signature Date

RZ-15-003
Case Number

2/10/15 - 2/14/15
Deadline date for sign posting by applicant Deadline date for 300 ft mailing by applicant

Sign Posting Instruction: Signs must be posted with the sign face facing the road right-of-way. Signs must be clearly visible from the right-of-way and free of obstruction. Signs must be securely fastened to posts driven into the ground and must be independent of other structures. Signs shall not be posted on trees, utility poles, or other similar objects. Failure to comply with these regulations may result in the application being withdrawn.

City of Johns Creek
*** CUSTOMER RECEIPT ***

Batch ID: JHNCMNJ 12/02/14 01 Receipt no: 2799

Year	Number	Type	SvcCd	Description	Amount
2014	170	PZ		PLANNING/ZONING PAYMENTS	\$1500.00

RZ-15-003 FEES

Tender detail

CK Ref#:	1160	\$1500.00
Total tendered:		\$1500.00
Total payment:		\$1500.00

Trans date: 12/02/14 Time: 15:15:27

*** THANK YOU FOR YOUR PAYMENT ***