

REZONING/SUP/CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Charles F. Palmer, on behalf of Emory Johns Creek Hospital</u>	NAME: <u>TMC Atlanta, LLC</u>
ADDRESS: <u>600 Peachtree Street, NE, Suite 3000</u>	ADDRESS: <u>3704 Pacific Ave Suite 200</u>
CITY: <u>Atlanta GA 30303</u>	CITY: <u>Virginia Beach</u>
STATE: <u>Georgia</u> ZIP: <u>30308</u>	STATE: <u>Virginia</u> ZIP: <u>23451</u>
PHONE: <u>(404) 885-3402</u>	PHONE: _____
CONTACT PERSON: <u>Chuck Palmer</u> PHONE: <u>(404) 885-3402</u>	
CONTACT'S E-MAIL: <u>charles.palmer@troutman.com</u>	

☐☐☐

APPLICANT IS THE:

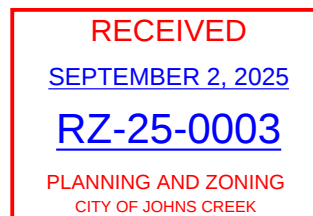
OWNER'S AGENT

PROPERTY OWNER

CONTRACT PURCHASER **X**

PRESENT ZONING DISTRICTS(S): O-I REQUESTED ZONING DISTRICT: O-I
DISTRICT/SECTION: 1/1 LAND LOT(S): 355, 376 ACREAGE: 7.69
ADDRESS OF PROPERTY: 12050 Findley Rd - Parcel #11 098003760247
PROPOSED DEVELOPMENT: Group Residence/Shelter for a Residential Wellness and Recovery Center
CONCURRENT VARIANCES: N/A

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: _____	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>35,361</u>
Density: _____	Density: <u>4,598.31 sq. ft. per acre</u>

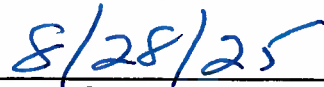


APPLICANT'S CERTIFICATION

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.



Signature of Applicant



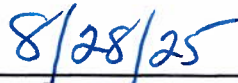
Date

Charles F. Palmer, on behalf of Emory Johns Creek Hospital

Type or Print Name and Title



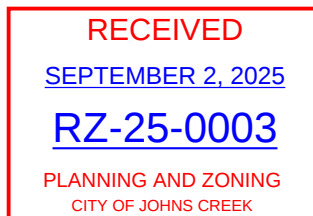
Signature of Notary Public



Date



Notary Seal



PROPERTY OWNER'S CERTIFICATION

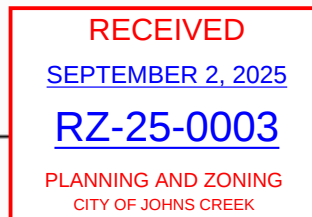
I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Johns Creek, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning, Use Permit, & Concurrent Variance in request of the items indicated below.

I, TMC Atlanta, LLC, authorize, Charles F. Palmer,
(Property Owner) (Applicant)
to file for RZ, at 12050 Findley Rd - Parcel #11 098003760247
(RZ, SUP, CV) (Address)
on this date August 29th, 2025
(Month) (Day)

- I understand 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.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Johns Creek Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

TMC ATLANTA, LLC

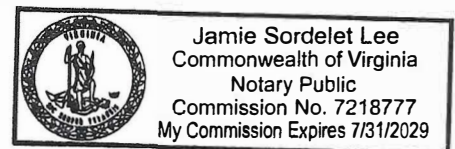
[Signature]
Signature of Property Owner



8/26/2025
Date

KEVIN A. DIBONA MANAGER
Type or Print Name and Title

[Signature] 8/25/25
Signature of Notary Public Date



Notary Seal

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 use is allowed by the O-I zoning district under the Group/Residence Shelter use. The proposed rezoning will remove the condition that currently restricts the property to a memory care facility.

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

No. The proposed use of a residential wellness and recovery center is consistent with the Emory Johns Creek Hospital which is to the northwest of the property. The other properties to the north and to the east are also zoned O-I which is consistent with the subject property. The property to the west is vacant.

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

The existing conditions limit the use of the property to a memory care facility only. The current conditions hinder Emory's ability to provide a growing need for residential wellness and recovery center.

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?

The proposed residential wellness and recovery center will not cause an excessive or burdensome impact to streets and transportation facilities. The site is designed to adequately accommodate patient, visitor, and staff transportation needs. The proposal will have no impact on schools.

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

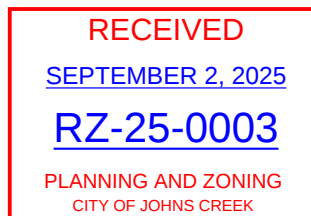
The proposed use, which will retain the underlying O-I zoning, is consistent with the employment center and commercial/office policies provided in the Tech Park and Commercial-Office character areas contemplated in the City's Comprehensive Plan.

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?

Based on the proximity of Emory Johns Creek Hospital to the site and the increased need for residential wellness and recovery center, the rezoning for a change of conditions is appropriate to meet this need in appropriately suited location.

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?

The proposed residential wellness and recovery center is not environmentally adverse. To the contrary, such a facility will benefit and serve the citizens of Johns Creek.



DISCLOSURE REPORT FORM

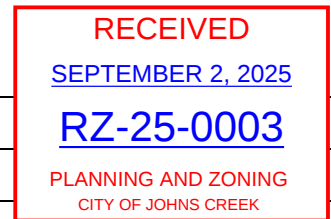
WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING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

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) Sara Lu

Signature: Sara Lu Date: 8/28/2025

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.

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RECEIVED
SEPTEMBER 2, 2025
RZ-25-0003
PLANNING AND ZONING
CITY OF JOHNS CREEK

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Name (print)- Charles F. Palmer

Signature: [Signature] Date: 9/2/25

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.

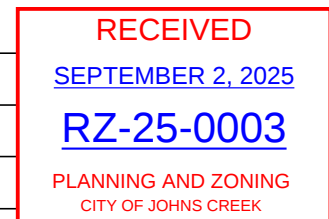
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Name (print) Joshua Gregory

Signature: Joshua Gregory

Date: 9/2/2025

DISCLOSURE REPORT FORM

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Name (print) Kevin Dibona
Signature: Kevin Dibona Date: 9/2/2025

PUBLIC PARTICIPATION PLAN

1. The City of Johns Creek will notify all property owners within a quarter mile of the site. What other groups do you intend to contact?

Emory Johns Creek Hospital is the largest proximate institutional use and has been contacted. The Simpson Org who owns the building adjacent to the East, Ebix to the North and The Standard Club to the South will be contacted directly as well.

2. How do plan to contact any interested parties, either before making application or after the city Public Participation Meeting, regarding the rezoning/use permit application?

If there are other interested parties beyond those contacted by the City, Emory would contact these parties in writing or by phone.

3. In addition to the City of Johns Creek Public Participation Meeting, do you plan to provide any other opportunities for discussion with interested parties before the PC and M&CC hearings?

If there is interest in an additional public participation meeting following the City of Johns Creek Public Participation Meeting, Emory would consider holding such meeting at the Emory Johns Creek Hospital.

4. What is your schedule for completing the Public Participation Plan?

Emory anticipates that the City of Johns Creek Public Participation Meeting would be held one-month post-filing (in October). ~~If an additional public participation meeting is needed, it would be scheduled 6-8 weeks following the City's meeting, and earlier if~~ needed to ensure compliance with the application process.





EMORY

October 15, 2025

Ruchi Agarwal
Planning & Zoning Manager
City of Johns Creek, GA

Dear Ms. Agarwal:

Attached please find Emory's Public Participation Report related to its Public Participation Meeting of October 9, 2025. If you have any questions, please do not hesitate to contact me.

Many thanks for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "David C. Payne".

David C. Payne
Associate Vice President
Planning and Engagement
Emory University

PUBLIC PARTICIPATION REPORT

From Emory – October 15, 2025

(Due no later than seven (7) calendar days after the
Public Participation Meeting)

1. Other than the property owners included in the quarter mile mailing that was provided by the City of Johns Creek, list any other groups that you notified of the requested rezoning/use permit:

Emory and its designees contacted all of the abutting property owners regarding the October 9, 2025 hearing and plans.

Please see the attached list of contacts.

2. Other than the City of Johns Creek Public Participation Meeting, what other meetings did you hold regarding this petition (include date, time and meeting location)?

None prior to the Public Participation Hearing; however, Emory would be willing to meet with any individuals who express an interest and have provided Emory and operator contact information to those who attended the Public Participation Hearing.

3. What issues and concerns were expressed at the meetings?

No issues or concerns were expressed with Emory's direct outreach prior to the hearing. Site security was the primary point of concern at the City's Public Participation Hearing.

4. What are the applicant's responses to the issues and concerns that were expressed at the meetings?

Based on the concerns at the Public Participation Hearing, fencing around the facility will be added. Emory will contact the Findley Road neighbor from the hearing to discuss the type and location of fencing.

5. Please attach copies of sign-in sheets from meetings as well as meeting announcements, i.e., notices, flyers, letters, and any other documentation which supports the opportunity for public input.

Please see attached.

**Additional Outreach by Emory to Its Adjacent Neighbors
Regarding its October 9, 2025 Public Hearing**

The Standard Club

6230 Abbotts Bridge Road, Johns Creek, GA 30097

(this property is immediately south of 12050 Findley Road)

Scott Mahr, General Manager

Scott.mahr@standardclub.org

Chuck Palmer, counsel for applicant, contacted by phone and email on Sept. 10

The Simpson Organization

Regarding their property at: 12000 Findley Road, Johns Creek, GA 30097

(this property is immediately east of 12050 Findley Road)

Clayton Gunter, Director of Leasing

Clayton@simpsonorg.com

Josh Gregory, broker for applicant, contacted by phone and email on Sept. 10

Ebix, Inc.

1 Ebix Way, Johns Creek, GA 30097

(this property is immediately north of 12050 Findley Road)

Rahul Raina

Corporate VP and Business Unit Head

Rahul.raina@ebix.com

Josh Gregory, broker for applicant, contacted by phone (voicemail) and email on Sept. 15

Emory Johns Creek Hospital (the applicant)

(this property is immediately to the west of 12050 Findley Road)