

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND THE LAND USE PLAN OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**CASE NO.:** #LUP 16-01

**PROPERTY OWNER:** SLV Georgia 1, LLC  
680 5<sup>th</sup> Avenue Fl 25  
New York, New York 10019-5431

**APPLICANTS:** Senior Lifestyle Corporation and Griffin Fine Living  
Duluth, Georgia 30097

**REQUESTED LAND  
USE PLAN  
AMENDMENT:** Low-Density Residential to Public/Civic

**LOCATION:** Near Tree Lane and New Hampton Drive, Snellville

**SIZE:** 0.95± acres

**MAP NUMBER:** R5041 105

**PROPOSED  
DEVELOPMENT:** 201 Unit Mixed Senior Housing Development

**WHEREAS**, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to modify the designated land use of certain property located within the City; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance.

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

**Section 1.** The future land use of the property described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, is hereby amended from **Low-Density Residential** to **Public/Civic**. This change in future land use is to be noted on the City of Snellville Land Use Plan as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use plan map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville Land Use Plan approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville Land Use Plan approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Snellville Land Use Plan approved by the Mayor and Council.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** Penalties in effect for violations of the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

**Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

**Section 6.** The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

**ORDAINED** this \_\_\_\_\_ day of November, 2016.

\_\_\_\_\_  
Tom Witts, Mayor

\_\_\_\_\_  
Barbara Bender, Mayor Pro Tem

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Council Member

\_\_\_\_\_  
Melisa Arnold, City Clerk

\_\_\_\_\_  
Bobby Howard, Council Member

*APPROVED AS TO FORM:*

\_\_\_\_\_  
Cristy Lenski, Council Member

\_\_\_\_\_  
Anthony O. L. Powell, City Attorney  
Webb, Tanner & Powell, P.C.

\_\_\_\_\_  
Roger Marmol, Council Member

EXHIBIT "A"

DRAFT

**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.