

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LAND USE PLAN FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR TRACTS 2-3 OF A PARCEL OF LAND LOCATED IN LAND LOT 69 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA AT THE INTERSECTION OF U.S. HIGHWAY 78 (ATHENS HIGHWAY) AND SOUTH CRESTVIEW DRIVE, SNELLVILLE, GEORGIA 30078, TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 17-04

PROPERTY OWNER: Danny Herrmann, Ridgecliff, LLC
Loganville, Georgia 30052

APPLICANT/CONTACT: Jeff Timler, Split Silk Properties, LLC
Loganville, Georgia 30052
678-772-0202 or splitsilkproperties@gmail.com

**REQUESTED
LAND USE PLAN
AMENDMENT:** See Exhibits “A” and “B”

LOCATION: 12.28± Acres at U.S. Highway 78 (Athens Highway) and South Crestview Drive, Snellville, Georgia

TAX PARCEL: 5069 017

DEVELOPMENT/PROJECT: The Villas @ Crestview – Commercial & Retail; Senior Living; Independent & Assisted Living 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” and shown on Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is hereby amended as follows: (a) from Medium-Density Residential to Commercial/Retail for the 1.92± acre Tract 2; and from Medium-Density Residential to Public/Institutional for the 10.36± acre Tract 3, of Tax Parcel 5069 017. 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. This Ordinance was adopted on _____, 2017. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of July, 2017.

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"

Parcel	Acres (+/-)	Physical Address	Land Use		Proposed Uses
			Current	Proposed	
R5069 017 (Tract 2)	1.92	1642 Athens Highway	Medium Density Residential	Commercial/Retail	2 - 9,600 SF Office/Medical Bldgs and Parking
R5069 017 (Tract 3)	10.36	1642 Athens Highway	Medium Density Residential	Public/Institutional	225 Independent Living Units 55 Assisted Living Units 24 Memory Care Units 227 Parking Spaces

EXHIBIT "B"

