

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 2.25± ACRE TRACT OF LAND LOCATED IN LAND LOT 26 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO REPEAL CONDITIONS OF ZONING; TO GRANT VARIANCES; TO ADD NEW CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 19-04

LOCATION: 2.25± Acre Tract of Land Located at 2338 Scenic Highway, Snellville, Georgia

TAX PARCEL: 5026 074

DEVELOPMENT/PROJECT: Pet Paradise Pet Kennel and Boarding Facility

PROPERTY OWNER: 2338 Scenic Highway, LLC
Atlanta, Georgia 30318

APPLICANT: American Pet Resort, LLC
Jacksonville, Florida 32207

CONTACT: Robert A. McCann, P.E.
Haines Gipson & Associates
770.491.7550 or bmccann@hainesgipson.com

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

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 2.25± acre tract of land located at 2338 Scenic Highway, Snellville, Georgia (Tax Parcel R5026 074) for a pet kennel and boarding facility; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant variances from the parking requirements and architectural design standards of the Zoning Ordinance; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to repeal conditions of zoning previously approved by the Mayor and Council for the subject property; and

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

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

Section 1. The 2.25± acre tract of land shown on the rezoning site plan, entitled “Pet Paradise”, signed, sealed and dated 6-10-2019 described and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, is hereby zoned BG (General Business) District for a pet kennel and boarding facility and more specifically for a Pet Paradise facility.

Section 2. Conditions 1-7 of rezoning case #07-19 approved 8-25-2008 by the Mayor and Council of the City of Snellville, Georgia and described in Ordinance No. 2008-15, attached hereto as Exhibit “B” and incorporated herein as reference are hereby repealed and instead, this action is subject to the attachment of the following new conditions (1-8):

CONDITIONS:

1. The property shall be developed according to the site plan entitled “Conceptual Site Plan” sealed and dated 6-10-2019 and Exterior Elevations A3.1, A3.2 and A3.3 dated 6-7-2019, with modifications permitted due to engineering restraints, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the zoning site plan or exterior elevation plans, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. #RZ 07-19 conditions (1-7) approved 8-25-2008 by the Mayor and Council by Ordinance No. 2008-15 are hereby repealed;
3. Signs higher than 15 feet or larger than 225 square feet are prohibited;
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;
5. The caretaker quarters and common area shall only be occupied by employees of the facility and related family members;
6. Only pervious concrete/asphalt pavement and/or permeable pavers shall be utilized for any portion of driveway that encroaches into the 75 foot impervious surface buffer;
7. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be submitted in writing for administrative approval with the Director of Planning and Development and/or City Manager. Substantial variances, as determined by the Planning and Development and/or City Manager, will require Mayor and Council approval; and

8. All elevations of the Day Camp building shall be faced in brick up to the gable roof overhang and in similar design to the portico above the covered entrance, as approved by the Planning Director.

Section 3. In conjunction with the zoning and change in conditions and subject to compliance with the requirements and conditions of Section 2, the Applicant is being granted by the Mayor and Council the following variances (1-5):

VARIANCES:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 24 parking spaces.
2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway.
3. Allow for variance to allow smooth-faced CMU on the side elevations.
4. Allow for variance to allow thin-brick veneer on side elevations.
5. Allow for variance to allow board and batten siding at the gables of the Day Camp building.

Section 4. The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any

discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 5. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 6. (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 7. 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 8. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 9. This Ordinance was adopted on _____, 2019. 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 August, 2019.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Roger Marmol, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT "A"

SITE DATA							
TENANT	BLDG. AREA (S.F.)	MIN. PARKING SPACES REQUIRED	MAX. PARKING SPACES ALLOWED	PARKING SPACES PROVIDED			SITE AREA
				NORMAL/COMPACT	HC	TOTAL	
PET PARADISE	14,265	TBD	TBD	22	2	24	2.25 ACRES +/-

NOTE: THE MINIMUM AND MAXIMUM PARKING REQUIREMENTS WILL BE COORDINATED WITH THE CITY OF SNELLVILLE DEPENDING ON THE TENANT CLASSIFICATION. GWINNETT COUNTY PARKING REQUIREMENTS FOR A "KENNEL" ARE 2 SPACES MINIMUM AND 10 SPACES MAXIMUM.

SITE AND PARCEL INFORMATION

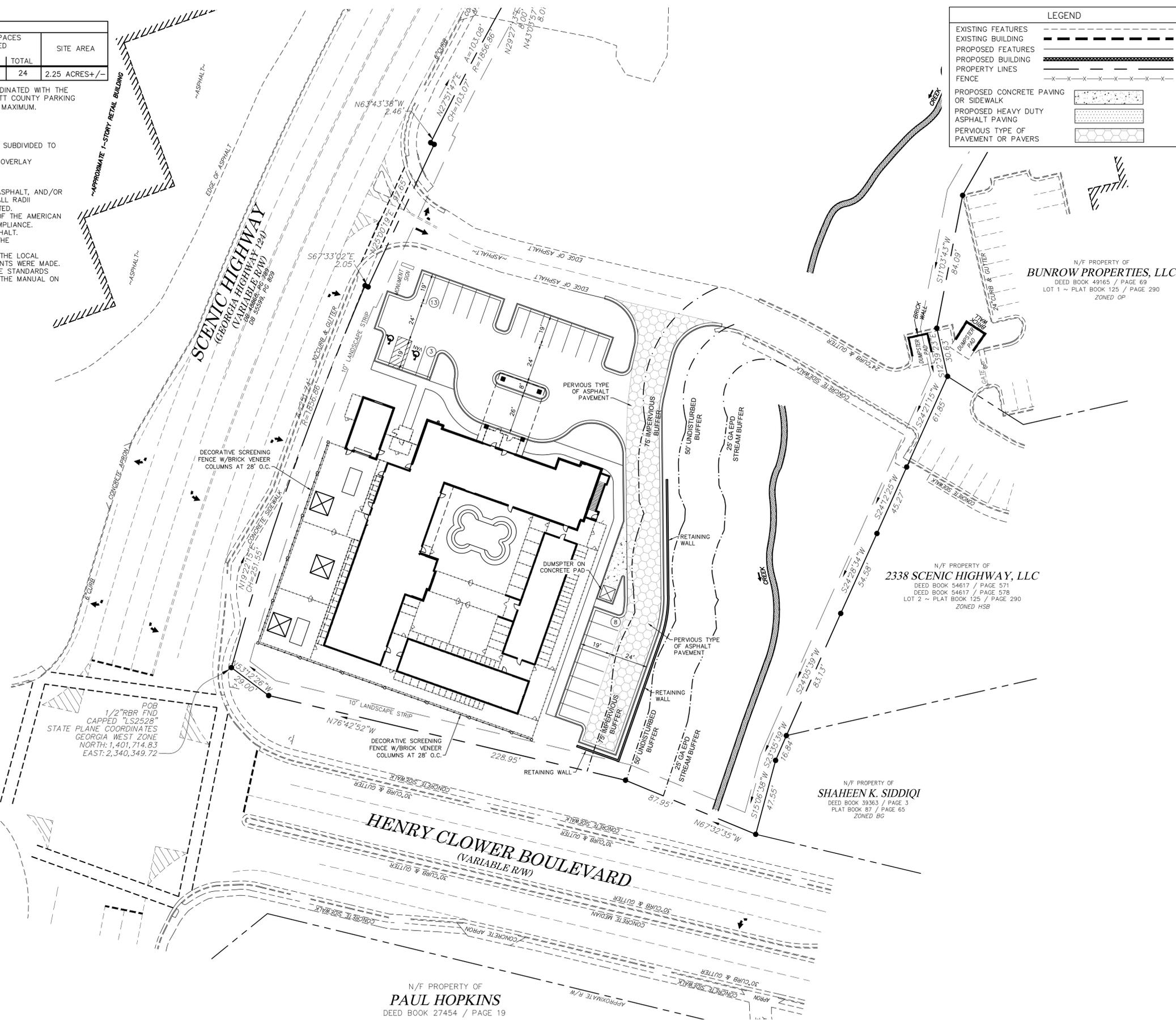
1. THE PARCEL NUMBER IS: 5026 074
2. THE SITE IS LOCATED IN LAND LOT No. 26 OF THE 5TH DISTRICT
3. THE TOTAL SITE AREA IS 4.3 ACRES BUT THE PET PARADISE SITE WILL BE SUBDIVIDED TO ONLY APPROXIMATELY 2.9 ACRES
4. THE CURRENT ZONING IS B-G (GENERAL BUSINESS) WITHIN THE CORRIDOR OVERLAY DISTRICT

SITE PLAN NOTES:

1. ALL DIMENSIONS AND RADII ARE TO/FROM THE FACE OF CURB, EDGE OF ASPHALT, AND/OR THE OUTSIDE FACE OF THE BUILDING WALL UNLESS OTHERWISE STATED. ALL RADII DIMENSION ADJACENT TO PARKING SPACES ARE 3' UNLESS OTHERWISE NOTED.
2. ALL NEW CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF THE AMERICAN DISABILITIES ACT (A.D.A.). SEE ARCHITECTURAL DWGS. FOR STRUCTURE COMPLIANCE.
3. UNLESS OTHERWISE NOTED, ALL PAVEMENT IS TO BE STANDARD DUTY ASPHALT.
4. TYPICAL PAVEMENT SECTION FOR THE NEW PAVEMENTS ARE INCLUDED IN THE CONSTRUCTION DETAIL SHEETS.
5. ALL CONSTRUCTION TO CONFORM TO STANDARDS AND SPECIFICATIONS OF THE LOCAL PERMITTING JURISDICTION SPECIFICATIONS WHETHER OR NOT REVIEW COMMENTS WERE MADE.
6. ALL PAVEMENT MARKINGS, STRIPING, AND SIGNAGE SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE LOCAL JURISDICTION, THE STATE D.O.T., AND THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

LEGEND

- EXISTING FEATURES
- EXISTING BUILDING
- PROPOSED FEATURES
- PROPOSED BUILDING
- PROPERTY LINES
- FENCE
- PROPOSED CONCRETE PAVING OR SIDEWALK
- PROPOSED HEAVY DUTY ASPHALT PAVING
- PERVIOUS TYPE OF PAVEMENT OR PAVERS



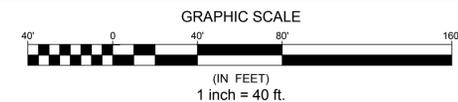
N/F PROPERTY OF
BUNROW PROPERTIES, LLC
DEED BOOK 49165 / PAGE 69
LOT 1 ~ PLAT BOOK 125 / PAGE 290
ZONED OP

N/F PROPERTY OF
2338 SCENIC HIGHWAY, LLC
DEED BOOK 54617 / PAGE 571
DEED BOOK 54617 / PAGE 578
LOT 2 ~ PLAT BOOK 125 / PAGE 290
ZONED HSB

N/F PROPERTY OF
SHAHEEN K. SIDDIQI
DEED BOOK 39363 / PAGE 3
PLAT BOOK 87 / PAGE 63
ZONED BG

N/F PROPERTY OF
PAUL HOPKINS
DEED BOOK 27454 / PAGE 19

CONCEPTUAL SITE PLAN



Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

THE LOCATION OF ALL UTILITIES (ABOVE OR BELOW GROUND) SHOWN ON THESE DRAWINGS ARE APPROXIMATE & WERE OBTAINED FROM OBSERVATIONS AT THE SITE AND/OR FROM THE UTILITY OWNERS. HANES GIPSON & ASSOC., INC. DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY OR HIS AGENT AND/OR THE CONTRACTOR TO DETERMINE EXACT LOCATIONS OF EXISTING UTILITIES (ABOVE OR BELOW GROUND) & TO NOTIFY UTILITY OWNERS BEFORE BEGINNING ANY CONSTRUCTION.

CAUTION-NOTE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. GA. LAW REQUIRES THE CONTRACTOR TO CALL THE UTILITY PROTECTION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE THE RELOCATION OF ALL THE UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

HANES GIPSON & ASSOCIATES
CONSULTING ENGINEERS
CIVIL & STRUCTURAL SERVICES
1550 NORTH BROWER ROAD, SUITE 100
SNELLVILLE, GA 30045
PHONE: (770) 491-7650
FAX: (770) 491-7750



PET PARADISE
SCENIC HWY (GA ROUTE 124) AT HENRY CLOWER BLVD
SNELLVILLE, GEORGIA

NO.	BY	DATE	DESCRIPTION

DRAWN BY RAM	CHECKED BY RCL
DATE 6/10/19	
SHEET TITLE RE-ZONING SITE PLAN	
SHEET NUMBER RZ1.0	

LEGAL DESCRIPTION; TRACT #1

All that tract or parcel of land lying and being in Land Lot 26 of the 5th Land District, City of Snellville, Gwinnett County, Georgia, said tract or parcel of land being more fully shown and designated as "Future Development Tract #1" on a plat of survey prepared by Valentino & Associates, Inc. (Job #27016; Drawing/File #27016), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1/2" iron pin set at the northwesterly corner of the mitered intersection of the southeasterly right-of-way line of Scenic Highway (A.K.A. State Route #124; variable width public r/w) and the northerly right-of-way line of Henry Clower Boulevard (variable width public r/w);

THENCE proceeding along said southeasterly right-of-way line of Scenic Highway, along a curve to the right having a radius of 1856.86 feet for an arc length of 267.00 feet, being subtended by a chord of North 19 degrees 49 minutes 50 seconds East for a distance of 266.77 feet to a 1/2" iron pin set;

THENCE departing said southeasterly right-of-way line of Scenic Highway, South 66 degrees 00 minutes 54 seconds East a distance of 28.70 feet to a 1/2" iron pin set;

THENCE North 23 degrees 59 minutes 06 seconds East a distance of 14.40 feet to a 1/2" iron pin set;

THENCE South 75 degrees 57 minutes 28 seconds East a distance of 188.89 feet to a 1/2" iron pin set;

THENCE South 60 degrees 20 minutes 19 seconds East a distance of 131.24 feet to a 1/2" iron pin set;

THENCE South 28 degrees 55 minutes 43 seconds West a distance of 17.21 feet to a 1/2" iron pin set;

THENCE South 59 degrees 35 minutes 37 seconds East a distance of 11.18 feet to a 1/2" iron pin set;

THENCE South 24 degrees 26 minutes 13 seconds West a distance of 43.03 feet to a 1/2" iron pin set;

THENCE South 24 degrees 42 minutes 22 seconds West a distance of 54.58 feet to a 1/2" iron pin set;

THENCE South 24 degrees 19 minutes 27 seconds West a distance of 83.13 feet to a 1-1/4" steel rod found;

THENCE South 23 degrees 49 minutes 27 seconds West a distance of 16.84 feet to a 3/4" open top pipe found;

THENCE South 15 degrees 20 minutes 26 seconds West a distance of 47.55 feet to a 1/2" rebar found on the aforesaid northerly right-of-way line of Henry Clower Boulevard;

THENCE proceeding northwesterly along said right-of-way line of Henry Clower Boulevard North 67 degrees 21 minutes 13 seconds West a distance of 88.15 feet to a 1/2" iron pin set;

THENCE North 76 degrees 29 minutes 32 seconds West a distance of 228.76 feet to a 1/2" iron pin set at the southeasterly corner of the mitered intersection with the aforesaid southeasterly right-of-way line of Scenic Highway;

THENCE along the miter North 52 degrees 58 minutes 59 seconds West a distance of 29.00 feet to a 1/2" iron pin set on the southeasterly right-of-way line of Scenic Highway, said 1/2" iron pin set being the POINT OF BEGINNING.

Said tract or parcel of land contains 2.243 acres or 97,720 square feet, and is intended to be a portion of the same tracts of land that were previously conveyed in Deed Book 50255, Page 318 and Deed Book 50620, Page 331, Gwinnett County Georgia Records, and is also shown as "Future Development" parcel, per Plat Book 125, Page 290, aforesaid records.

EXHIBIT "B"

1 STATE OF GEORGIA
2 CITY OF SNELLVILLE

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4 **ORDINANCE NO. 2008-15**

5 AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF
6 SNELLVILLE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO
7 REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE;
8 AND FOR OTHER PURPOSES.

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

11 **WHEREAS**, the governing authority of the City of Snellville, Georgia desires to
12 modify the zoning designation of certain property located within the City; and,

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

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

17 **Section 1.** The property described in Exhibit "A," a copy of which is attached
18 hereto and incorporated herein by reference, is hereby rezoned to General Business (BG);
19 such rezoning to be noted on the City of Snellville Official Zoning Map approved by
20 Mayor and Council as soon as reasonably possible following adoption of this Ordinance
21 by the Zoning Administrator along with an editorial note on the City of Snellville Official
22 Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this
23 Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on

24 the City of Snellville Official Zoning Map approved by Mayor and Council, this
25 Ordinance shall govern over the City of Snellville Official Zoning Map approved by
26 Mayor and Council to the extent of any discrepancy between this Ordinance and the City
27 of Snellville Official Zoning Map approved by Mayor and Council.

28 The rezoning shall be subject to the following condition:

- 29 1. The property shall be developed in general accordance with the submitted site plan
30 entitled "The Boulevards Shops & Offices at Scenic, LLC" dated June 5, 2008 and
31 prepared by Edwards Engineering, Inc. with modifications to meet State, County
32 and City regulations. Substantial variation from the concept plan, as determined by
33 the Director of Planning and Development, will required Mayor and Council
34 approval;
- 35 2. Parking within the City-required buffer zone shall be constructed of a pervious
36 material, as approved by the Department of Planning & Development;
- 37 3. All detention structures must be located outside the required buffers and setbacks;
- 38 4. All proposed mitigation strategies as described, and approved by the Snellville
39 Board of Appeals on November 13, 2007, within the Edwards Engineering, Inc.
40 Stream Buffer Reduction analysis dated October 14, 2007 (received October 15,
41 2007) shall be implemented into the development as prescribed with modifications
42 to meet State, County and City regulations;
- 43 5. New signs higher than 15 feet and larger than 225 square feet are prohibited;
- 44 6. Uses involving adult entertainment, including any sale or display of adult
45 magazines, books, or videos and as further defined by the Adult Entertainment
46 Ordinance in effect on the date this condition is imposed, are prohibited; and

47 7. Applicant shall be required to clean up the property and remove all demolition
48 debris, tires, etc. within 30-days after demolition.

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

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

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

62 (c) In the event that any phrase, clause, sentence, paragraph or section of this
63 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or
64 otherwise unenforceable by the valid judgment or decree of any court of competent
65 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
66 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
67 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,
68 clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent

69 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
70 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

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

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

76 **Section 6.** This Ordinance was adopted on *August 25, 2008*, the effective date
77 of this Ordinance shall be the date of adoption unless otherwise stated herein.

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[SIGNATURES APPEAR ON FOLLOWING PAGE]

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ORDAINED this 25 day of August, 2008.

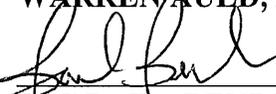
CITY OF SNELLVILLE, GEORGIA



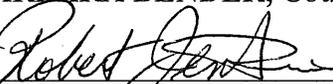
JERRY OBERHOLTZER, Mayor



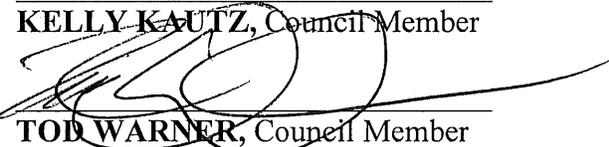
WARREN AULD, Mayor Pro-Tem



BARBARA BENDER, Council Member

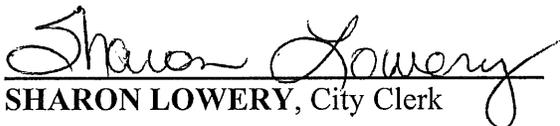


ROBERT JENKINS, Council Member

KELLY KAUTZ, Council Member


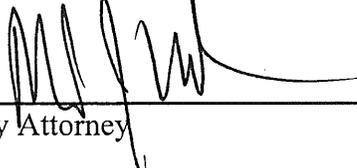
TOD WARNER, Council Member

ATTEST:



SHARON LOWERY, City Clerk

APPROVED AS TO FORM:



City Attorney

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 26 of the 5th Land District, City of Snellville, Gwinnett County, Georgia, said tract or parcel of land being more fully shown and designed as Tract 4 on a plat of survey prepared by Valentino and Associates, Inc., (Job # 27016; Drawing # 27016), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

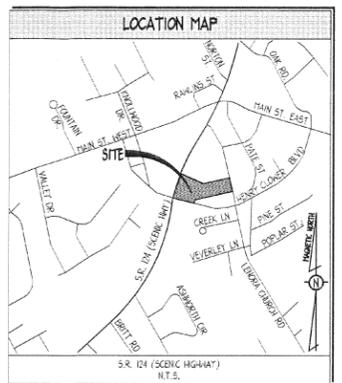
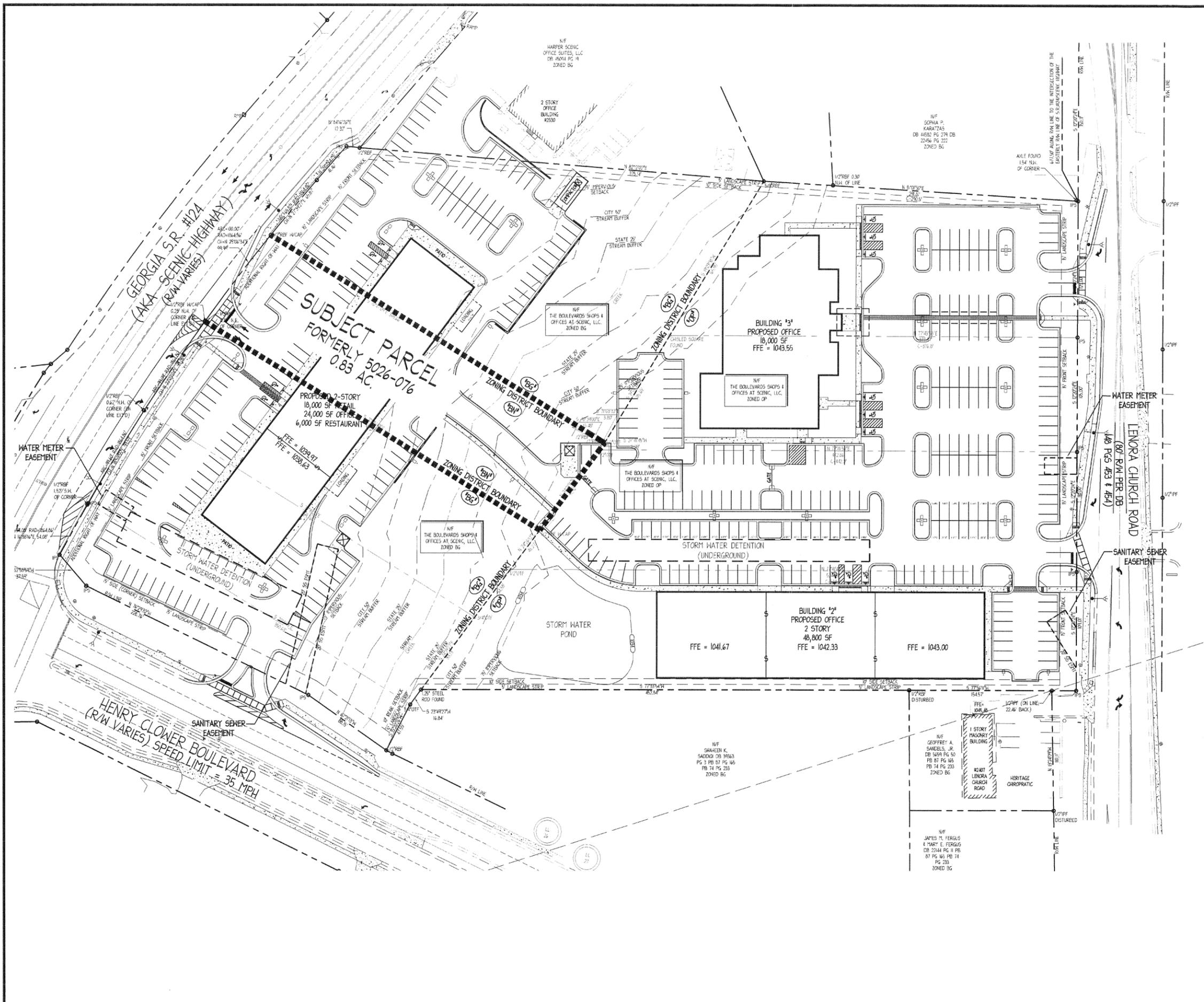
BEGINNING at a ½" iron pin set at the northerly miter corner of the intersection of the easterly right-of-way of S.R. 124 (AKA Scenic Highway; r/w varies) and the northerly right-of-way line of Henry Clower Boulevard (r/w varies).

THENCE proceeding along said easterly right-of-way line of S.R. 124 the following courses and distances: Along a curve to the right having a radius of 1864.86 feet for an arc distances of 54.08 feet (said arch being subtended by a chord of North 16 degrees 38 minutes 16 seconds East for a distance of 54.08 feet) to an ½" iron pin set; THENCE along a curve to the right having a radius of 1864.86 feet for an arc distance of 99.60 feet (said arc being subtended by a chord of North 18 degrees 59 minutes 55 seconds East for a distance of 99.59 feet) to a ½" iron pin set; THENCE along a curve to the right having a radius of 1864.86 feet for an arch distance of 99.09 feet (said arc being subtended by a chord of North 22 degrees 03 minutes 04 seconds East for a distance of 99.08 feet) to a ½" iron pin set, said ½" iron pin set being the TRUE POINT OF BEGINNING.

THENCE continuing along said easterly right-of-way line o S.R. 124 along a curve to the right having a radius of 1864.86 feet for an arc distance of 100.00 feet (said arc being subtended by a chord or North 25 degrees 06 minutes 34 seconds East for a distance of 99.99 feet) to a ½" rebar with cap found; THENCE departing said easterly right-of-way line of S.R. 124 South 70 degrees 47 minutes 09 seconds East for a distance of 345.66 feet to a ½" rebar found; THENCE South 70 degrees 39 minutes 00 seconds East for a distance of 13.48 feet to a ½" rebar found; THENCE South 71 degrees 03 minutes 32 seconds East for a distance of 3.80 feet to a ½" open-top pipe found; THENCE South 24 degrees 41 minutes 45 seconds West for a distance of 8.09 feet to a ½" open-top pipe found; THENCE South 24 degrees 21 minutes 16 seconds West for a distance of 91.90 feet to a ½" rebar with cap found; THENCE North 70 degrees 45 minutes 49 seconds West for a distance of 364.20 feet to a ½" iron pin set on the easterly right-of-way line of S.R. 124, said ½" iron pin set being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.832 acres or 36,228 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 46250, Page 299, Gwinnett County Georgia Records.



SITE INFORMATION

BUILDING USE:
 OFFICE 40,800 SF
 RETAIL 8,000 SF
 RESTAURANT 6,000 SF

BUILDING COVERAGE:
 17%

BUILDING HEIGHT:
 BUILDING *1* - 2'
 BUILDING *2* - 20'
 BUILDING *3* - 14'

BUILDING SETBACKS:
 FRONT (S.R. 124 & LENORA) = 15'
 SIDE (INTERIOR END) = 10'
 SIDE (CORNER END) = 10'
 REAR = 10'

AREA CALCULATIONS:
 SITE 393,775 SF, 9.0 ACRES
 PERVIOUS AREA: 21,792 SF, 5.00 ACRES (5.4%)
 IMPERVIOUS AREA: 371,983 SF, 8.48 ACRES (8.8%)
 OFFSITE = 4,302 SF, 0.10 ACRES (0.1%)
 DISTURBED AREA: 346,481 SF, 7.92 ACRES
 OFFSITE = 44,376 SF, 1.02 ACRES

LANDLOTS: 26 & 27
DISTRICT: 5th
JURISDICTION: CITY OF SNELLVILLE
CURRENT ZONING: BG (GENERAL BUSINESS), BN (NEIGHBORHOOD BUSINESS), AND RS50 (SINGLE FAMILY RESIDENTIAL)

SITE LIGHTING:
 SITE LIGHTING DESIGNED BY OTHERS. POLE LOCATIONS ARE APPROXIMATE AND SHOWN FOR INFORMATION ONLY.

ZONING:
 CURRENT - BN
 PROPOSED - BG

LAND USE:
 CURRENT - VACANT
 PROPOSED - RETAIL

GEORGIA REGISTERED PROFESSIONAL ENGINEER
 No. 42031235
 6/15/08
BRADFORD EDWARDS

GRAPHIC SCALE (in feet) 1"=40'
 0' 20' 40' 80'

DATE: 06/05/2008
SCALE: 1" = 40'
DWG NAME: 071192 BASE
DRAWN BY: I CD

ZONING PLAN

1 OF 1
 SHEET NO.

DEVELOPMENT PLANS FOR:
THE BOULEVARDS SHOPS & OFFICES AT SCENIC
 2348 S.E. 124 (SCENIC HIGHWAY)
 SNELLVILLE, GEORGIA
 PARCEL 5026-076
 LAND LOTS 26 & 27, 5th DISTRICT, CITY OF SNELLVILLE, DUNWIDDY COUNTY, GEORGIA

DEVELOPER/OWNER:
The Boulevards Shops & Offices at Scenic, LLC.
 2339 SCENIC HIGHWAY
 SNELLVILLE, GEORGIA 30078
 PHONE: (404) 213-4476
 FAX: (770) 393-8833

CIVIL ENGINEER:
Edwards Engineering INCORPORATED
 PERIMETER PLACE BUSINESS PARK
 3990 FLOWERS ROAD, SUITE 500
 ATLANTA, GEORGIA 30386
 PHONE: (678) 905-5000, FAX: (678) 905-5011

CITY OF SNELLVILLE
 JUN 9 2008
 PLANNING & DEVELOPMENT

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT EXPRESSED WRITTEN PERMISSION OF THE ENGINEER IS PROHIBITED.

ISSUED FOR PERMITTING