STATE OF GEORGIA
CITY OF SNELLVILLE

ORDINANCE NO. 2020-03

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 18.5± ACRE TRACT OF LAND LOCATED IN LAND LOTS 26 AND 39 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 19-06

SIZE/LOCATION: 18.5± Acres at Oak Road, Clower Street, Wisteria Drive and North Road, Snellville

TAX PARCEL(s): R5026 256, 258, 275 and 277; R5039 009C, 013, 014, 036, 063, 190, 191 and 208

CURRENT ZONING MAP: OP (Office Professional District and BG (General Business) District

REQUESTED ZONING MAP AMENDMENT: TC-MU (Towne Center Mixed Use) District

OVERLAY DISTRICT: Towne Center Overlay District

2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP: Towne Center

DEVELOPMENT/PROJECT: Mixed-Use (Residential, Civic, and Commercial) Development known as The Grove at Snellville
PROPERTY OWNER(s): Downtown Development Authority of
Snellville, Snellville, Georgia 30078
AND
United States Postal Service
Mandan, North Dakota 58554

APPLICANT/CONTACT: David Brunner
MidCast Snellville, LLC
Cary, North Carolina 27511
919-302-8844 or dbrunner@castoinfo.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 18.5± acres of land located at Oak Road,
Clower Street, Wisteria Drive and North Road, Snellville, Georgia (Tax Parcels R5026
256, 258, 275 and 277; R5039 009C, 013, 014, 036, 063, 190, 191 and 208) for a mixed-
use development containing multi-family housing, commercial and civic uses, and public
open and greenspace to be known as The Grove at Towne Center; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to
grant variances from the Towne Center District regulations for blocks, parking and
loading, driveways, parking deck design, vehicle access, building design and materials,
storefront street design, building placement, and exterior lighting standards for the TC
(Towne Center) District of Article IX and parking space dimensions of Article XI of the
Zoning Ordinance; and,

WHEREAS, the subject parcels are located within the Towne Center Character
Area and have a Future Land Use Map designation of Town Center as approved by the
Mayor and council on February 11, 2019 and adoption of the City of Snellville 2040
Comprehensive Plan with predominate land uses for the Towne Center Character Area including public/civic, commercial/retail, office/professional, medium-density residential (4-8 units per acre), and high-density residential (8+ units per acre); and,

WHEREAS, the 18.5 acre project is contains two phases, with Phase 1 being on a 10-acre site bounded by North Road on the west, Oak Road on the south, Clower Street on the east, and Wisteria Drive on the north. Phase 2 is on an 8-acre site across Wisteria Drive from, and slightly east of, the first phase and is expected to contain mixed-residential housing types not to exceed 21.34 units per acre. The project intends to create a walkable community in downtown Snellville by providing employment, shopping, entertainment, and civic uses. The project proposes 429 multifamily residential units; 77,000 SF of commercial space (a mix of retail and office); a 17,000 SF market with an additional 17,000 SF of event space on the 2nd floor; 8,200 SF of restaurant space, a 22,500 SF library with an additional 22,500 SF of community/civic space on the 2nd floor; and a new town green. Streetscape improvements will include additional hardscaping, increased sidewalk widths, and additional parallel parking along Wisteria Drive, North Street, and Oak Road. Site access is proposed via driveways on all four surrounding roadways. The estimated build-out year for this project is 2023; and,

WHEREAS, the project is intended to serve as the first block of a revitalized downtown Snellville, and is the fruition of many years of work by city leaders and staff. It is referenced extensively in the City of Snellville 2040 Comprehensive Plan (adopted February 11, 2019), and is supported by a variety of policies and goals throughout the document, including:

a. “Implementation of the planned Towne Center is a high priority for community members and elected officials.”
b. “Focus on redeveloping a core, active block with a mix of uses and pedestrian-oriented design on the block between Wisteria Drive, North Road, Oak Road and Clower Street.”

c. Land Use Policy Goal LU-1: “Continue to pursue the development of the Towne Center.”

d. Land Use Policy Goal LU-1.1: “Encourage the design and development of spaces that support community interaction.”

e. Land Use Policy Goal LU-1.2: “Pursue projects that contribute to Snellville’s unique character.”

f. Land Use Policy Goal LU-1.3: “Promote mixed uses within the Towne Center.”

g. Land Use Policy Goal LU-3: “Support the development of live/work/play/learn communities.”

h. Land Use Policy LU-3.2: “Pursue density in targeted areas of the community.”

i. Land Use Policy LU-3.3: “Promote redevelopment opportunities of underused sites into mixed use projects.”

j. Land Use Policy LU-3.4: “Ensure access to green space in dense, high-activity areas of Snellville.”

k. Land Use Policy Goal LU-5.1: “Encourage mixed use.”

l. Land Use Policy Goal LU-5.2: “Promote the redevelopment of older, underused commercial sites.”

m. Land Use Policy Goal H-3.2: “Encourage the construction of high-quality townhomes and multifamily units in areas where higher density has been targeted.”

n. Economic Development Policy Goal ED-3: “Promote Towne Center as a hub for economic development activity.”

**WHEREAS**, the TC-MU (Towne Center Mixed-Use) District is an appropriate zoning district for properties with the Towne Center Future Land Use designation; and,
WHEREAS, the project is in an existing Livable Centers Initiative (LCI) area and meets the Development of Regional Impact (DRI) threshold, requiring regional review and recommendations by the Atlanta Regional Commission (ARC) and Georgia Regional Transportation Authority (GRTA); and,

WHEREAS, DRI #3033 was reviewed by ARC and GRTA, with each agency providing recommendations on the proposed project; 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 10.3± acre tract of land identified as Phase 1 and the 8.2± acre tract of land identified as Phase 2 on the boundary survey dated 11-11-2019 and titled “The Grove @ Snellville” and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby rezoned from OP (Office Professional) District and BG (General Business) District to TC-MU (Towne Center Mixed Use) District for the twelve tax parcels as follows:

<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Street Address</th>
<th>Owner</th>
<th>Prior Zoning</th>
<th>APPROVED Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>R5029 227</td>
<td>2250 Oak Road</td>
<td>USPS</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 014</td>
<td>2250 Oak Road</td>
<td>USPS</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5026 256</td>
<td>2260 Oak Road</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5026 258</td>
<td>2270 Oak Road</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5026 275</td>
<td>2280 Oak Road</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 208</td>
<td>2395 Clower Street</td>
<td>DDA</td>
<td>OP</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 190</td>
<td>2385 Clower Street</td>
<td>DDA</td>
<td>OP</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 036</td>
<td>2285 Wisteria Drive</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 191</td>
<td>2285 Wisteria Drive</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 063</td>
<td>2265 Wisteria Drive</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
<tr>
<td>R5039 013</td>
<td>2245 Wisteria Drive</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
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<tr>
<td>R5039 009C</td>
<td>2306 Wisteria Drive</td>
<td>DDA</td>
<td>BG</td>
<td>TC-MU</td>
</tr>
</tbody>
</table>
This action is subject to the attachment of the following approved variances and approved conditions (1-5):

**VARIANCES:**

1. Section 9.23.H.2: Maximum Block Perimeter Length for TC-MU. To increase the maximum block length from 2,100 feet to 2,800 feet.

2. Section 9.23.N.1: Parking and Loading Requirements. (a) Residential parking requirement to be a minimum of one space per dwelling unit, with no additional loading requirement. (b) Commercial space (any use not civic or residential) to be parked at a minimum of 1 space per 200 gross square feet.

3. Section 11.2.A.1: Parking Space Dimensions. To allow a reduction from 9’ x 18’ spaces to allow 9’ x 17’ spaces in the proposed parking deck where structural columns are located.

4. Section 9.23.O.2: Driveways. To allow three (3) driveways on Clower Street per the site plan.

5. Section 9.23.P: Design of Parking Structure. (a) To allow cars and ramps to be visible over the screen wall as shown on the elevation labeled North Elevation (North Road and South Elevation (Street “A”) to maintain the open-air design, not all areas inside the deck will be fully screened (ex. Cars, ramps, lighting, etc. will be only partially screened). (b) Structured parking façade will be designed with elements/materials of the surrounding building and will have horizontal features as shown on the elevation labeled North Elevation (North Road and South Elevation (Street “A”).

6. Section 9.23.Q: Loading. To allow loading for the residential uses and library along North Road and Wisteria Drive, as shown on the “Overall Site Concept Plan,” dated November 12, 2019.

7. Section 9.23.V.5.e: Awning/Canopy. (a) To allow for no minimum depth for awnings. (b) To allow for awnings to be made of canvas, other woven fabric, metal, wood, glass or other composite material.

8. Section 9.23.V.6.b: General Architectural Standards/Building Materials. (iii.a.) To allow simulated and/or face brick veneer on precast and retaining/slab wall. (iv.a) To allow shopfronts to have wood accent on the front and rear of the building and painted CMU on front and rear of building when integrated into the overall design of the building to create an accent feature, but may not be the prominent material on the façade. (iv.a) To allow the residential building to have painted CMU as accent material. (iv.b) To
remove the restrictions set forth on the Exterior Color Palette as this would limit the allowable colors and number of colors for the project.

9. Section 9.23.V.6.c: Exterior Color Palette. To remove the restrictions set forth on the Exterior Color Palette as this would limit the allowable colors and number of colors for the project.

10. Section 9.23.V.6.c: Building Façade. (v.) To allow flexibility in window sizing and spacing. (vi.) To allow no recess minimums for windowpanes on all buildings types and floor levels. (vii.) To allow flexibility in window types where windows may be true or simulated divided lights or be one-over-one lights but not required where fixed panel, transom, storefront, curtain wall or other window types would be used to match to the architectural design.

11. Section 9.23.V.6.d: Massing. (i.) To allow flexibility in wall massing and corresponding wall projections and recesses to maintain the design elements of having projections and recesses but within a criterion that is consistent with high density design for commercial and residential buildings.

12. Section 9.23.X.13: Specific Use Standard. (d) To allow a minimum dwelling unit size of at least 600 square feet in floor area. (f) To allow a variance where it states “Variance requests may only be approved when the applicant demonstrates that all Towne Center flat buildings are located within 1,000 feet of at least 15,000 square feet of existing commercial space.

13. Section 9.23.Y: Storefront Street Requirements. (2) To allow curb cuts and driveways to be permitted as located on “Overall Site Concept Plan” dated November 12, 2019. (4) To allow no building type restrictions for buildings abutting a storefront street.

14. Section 9.24.D: Towne Center Mixed Use District Building Placement. (a) To allow the front yard to be reduced to less than 5 feet in nine (9) locations (five (5) locations along Wisteria Drive, two (2) locations along North Road and two (2) along Oak Road.) (b) To allow all setbacks as it relates to subdividing shall be controlled by the overall site plan, where there may be cases where no rear setback could exist due to building being adjacent to one another (i.e. where the parking deck is adjacent to the stacked flats; this is two (2) buildings with different owners and are adjacent with no setback).

15. Section 6.5.6 of the Development Regulations – Permanent String Lighting: (c) To allow use of permanent overhead (clear or white) string lighting or use in outdoor seating areas associated with restaurants and outdoor amenity areas associated with the uses within the development. The lights will only be allowed to be placed overhead, whether in addition to a trellis or with separate supports. Amenity areas are considered to be pool and outdoor gathering areas. Outdoor seating for restaurants includes patio areas and designated
outside seating, whether or not fencing is provided. (d) To allow use of temporary string lighting in seasonal outdoor sales areas. These areas will include tree lots, pumpkin patches or other sales areas that are onsite for sixty (60) days or less annually.

CONDITIONS:

1. The property shall be developed according to the proposed site plan entitled “Overall Site Concept Plan”, sealed and dated 11-12-2019 and exhibits in the “Drawing Package” stamped received 11-21-2019, attached hereto and incorporated herein by reference as Exhibit “B” with modifications permitted due to engineering restraints, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations;

2. Continuation of a ten (10) foot wide sidewalk shall be required along all road frontages along public rights-of-way, including Wisteria Drive, Clower Street, and Oak Road. North Road shall be allowed a six (6) foot wide sidewalk;

3. Removal from Towne Center Overlay District: The subject parcels shall be removed from the Towne Center Overlay District, and instead be governed solely by the regulations in Section 9.23 of the Zoning Ordinance for the Towne Center Districts and Section 9.24 of the Zoning Ordinance for the Towne Center Mixed-Use District, less any approved variances from Section 9.23 and 9.24;

4. Minor Revisions of Approved Plans: The Director of Planning and Development may administratively approve changes to buildings and site elements that do not alter the character and/or nature of the Development. Changes may include changes in facade design and building footprints or building location such that these changes do not represent a change in the overall character and intent of the approved site plan. The Planning Director may also administratively approve variations in the location and/or type of a permitted use within the Development. Substantial variances, as determined by the Planning Director and/or City Manager, will require Mayor and Council approval;

5. Changes to Proposed Uses: The Site Plan provides for a variety of uses. While the Site Plan contemplates specific uses, the ultimate development of the project must be able to respond to market conditions over the development period. The approved Development is permitted modifications to the type, size and location of each use with the approval of the Director of Planning and Development provided that the approved changes do not exceed overall intensities provided for this Development, or exceed by more than 10 percent the total trip generation provided for in the project Traffic Impact Analysis (TIA) except as provided for within, and that the requested change does not exceed the authority granted to the Planning Director; and
6. The applicant shall implement the required Improvements to Serve the DRI, as identified in Section 1 General Conditions of Approval and Roadway Improvement Conditions in GRTA Notice of Decision dated 1-6-2020 for DRI #3033 The Grove at Towne Center, attached hereto and incorporated herein by reference as Exhibit “C” and per Georgia Department of Transportation and/or Gwinnett County Department of Transportation approval.

**Section 2.** 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 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4.** (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 5. 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 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 7. This Ordinance was adopted on January 27, 2020. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]
ORDAINED this 27th day of January, 2020.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk
Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solang Destang, Council Member

Anthony O. L. Powell, City Attorney
Gretchen Schulz, Council Member
Powell & Edwards, Attorneys at Law, P.C.

Tod Warner, Council Member
EXHIBIT “A”
LEGAL
DESCRIPTION
PACKAGE
Legal Description
Both Post Office Parcels

All that tract or parcel of land lying and being in Land Lot 26 and Land Lot 39 of the 5th District, Gwinnett County, Georgia, and within the City of Snellville, Georgia, containing approximately 3.4986 acres and being shown as Tract 1 or that certain survey entitled “Boundary & Topographic Survey for Clark Patterson Lee (Snellville Towne Center)”, prepared by TerraMark Land Surveying, Inc., bearing the seal and certification of William C. Wohlford, Jr., Georgia Registered Land Surveyor No. 2577, dated ___________, being more particularly described as follows:

BEGIN at a point located at the intersection of the southeasterly right-of-way line of North Road (having an apparent variable right-of-way) and the northeasterly right-of-way line of Oak Road (having an apparent variable right-of-way), said point being the TRUE POINT OF BEGINNING; from said TRUE POINT OF BEGINNING, run thence along the southeasterly right-of-way line of North Road North 34 degrees 27 minutes 08 seconds East a distance of 184.49 feet to a point; continue thence along said right-of-way line of North Road and following the arc of a curve to the left an arc distance of 182.72 feet to a point (said arc having a radius of 2,306.83 feet and being subtended by a chord bearing North 32 degrees 29 minutes 03 seconds East a distance of 182.67 feet to a point; continue thence along said right-of-way line of North Road South 29 degrees 38 minutes 47 seconds East a distance of 6.18 feet to a point; continue thence along said right-of-way line of North Road North 30 degrees 42 minutes 52 seconds East a distance of 153.96 feet to a point located at the intersection of the southeasterly right-of-way line of North Road and the southwesterly right-of-way line of Wisteria Drive (having an apparent variable right-of-way); run thence along said southwesterly right-of-way line of Wisteria Drive South 58 degrees 14 minutes 28 seconds East a distance of 230.81 feet to a point; continue thence along said right-of-way line of Wisteria Drive and following the arc of a curve to the left an arc distance of 147.41 feet to a point (said arc having a radius of 1,061.87 feet and being subtended by a chord bearing South 52 degrees 52 minutes 09 seconds East a distance of 147.30 feet); continue thence along said right-of-way line of Wisteria Drive South 59 degrees 09 minutes 16 seconds West a distance of 16.86 feet to a point; thence leaving said right-of-way line of Wisteria Drive, run thence South 60 degrees 30 minutes 01 second West a distance of 191.78 feet to a point marked by a three-quarter inch open top pipe found; run thence South 60 degrees 25 minutes 47 seconds West a distance of 119.04 feet to a point marked by a one-inch open top pipe found; run thence South 20 degrees 49 minutes 56 seconds West a distance of 164.82 feet to a point located on the northeasterly right-of-way line of Oak Road; run thence along said northeasterly right-of-way line of Oak Road and following the arc of a curve to the left an arc distance of 102.60 feet (said arc having a radius of 189.15 feet and being subtended by a chord bearing North 84 degrees 34 minutes 44 seconds West a distance of 101.35 feet); continue thence along said right-of-way line of Oak Road and following the arc of a curve to the right an arc distance of 152.50 feet to a point (said arc having a radius of 160.99 feet and being subtended by a chord bearing North 72 degrees 58 minutes 48 seconds West a distance of 146.86 feet to a point; continue thence along said right-of-way line of Oak Road North 46 degrees 00 minutes 07 seconds West a distance of 58.30 feet to a point located at the intersection of the southeasterly right-of-way line of North Road and northeasterly right-of-way line of Oak Road, said point being the TRUE POINT OF BEGINNING.
EXHIBIT "A"

Survey Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 26 of the 5th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a ½ inch rebar found on the northerly right-of-way of Oak Road (60' R/W), said ½ inch rebar found being 3'2.42 feet easterly from its intersection with the easterly right-of-way of North Road (a.k.a. Old Snellville-Lawrenceville Road, R/W varies); thence departing said right-of-way of Oak Road North 18 degrees 43 minutes 30 seconds East a distance of 165.19 feet to a 1 inch crimped top pipe found; thence North 58 degrees 20 minutes 40 seconds East a distance of 118.89 feet to a ½ inch rebar set on the easterly line of Land Lot 26; thence along said Land Lot Line South 32 degrees 19 minutes 00 seconds East a distance of 219.23 feet to a ½ inch rebar found; thence South 58 degrees 05 minutes 41 seconds West a distance of 205.18 feet to a ½ inch rebar found on said right-of-way of Oak Road; thence along said right-of-way along a curve to the left an arc distance of 125.00 feet (being subtended by a chord distance of 122.73 feet, a bearing of North 52 degrees 24 minutes 27 seconds West and a 188.94 foot radius) to said ½ inch rebar found and the POINT OF BEGINNING. Said tract containing 1.02 acres as shown on survey prepared by Pearson & Associates, Inc., William W. DeLoach, Georgia Registered Land Surveyor No. 1711, dated December 21, 2004, last revised January 28, 2005.

All that tract or parcel of land lying and being in Land Lot 28 of the 5 Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at a point 45 feet left of and opposite Station 102+06.80 on the construction centerline of Oak Road on Georgia Highway Project No. 87P-008-00(993); running thence S 20°59'18" W a distance of 5.00 feet to a point 40.00 feet left of and opposite station 102+06.80 on said construction centerline laid out for OAK RD.; thence S 21°03'03" W a distance of 2.60 feet to a point 37.40 feet left of and opposite station 102+06.84 on said construction centerline laid out for OAK RD.; thence southeasterly 125.148 feet along the arc of a curve (said curve having a radius of 187.597 feet and a chord distance of 122.840 feet on a bearing of S 50°07'37" E) to the point 40.64 feet left of and opposite station 103+07.87 on said construction centerline laid out for OAK RD.; thence N 60°20'17" E a distance of 4.38 feet to a point 45.00 feet left of and opposite station 103+07.88 on said construction centerline laid out for OAK RD.; thence N 31°47'15" W a distance of 7.26 feet to a point 45.60 feet left of and opposite station 103+07.57 on said construction centerline laid out for OAK RD.; thence northwesterly 121.911 feet along the arc of a curve (said curve having a radius of 185.000 feet and a chord distance of 119.835 feet on a bearing of N 49°44'00" W) back to the point of beginning. Containing 0.817 acres more or less.
Exhibit A

All that tract or parcel of land lying and being in Land Lot 26 of the 5th Land District of Gwinnett County, Georgia and being approximately 0.52 acres and known as 2270 Oak Road, Snellville, Georgia and being more particularly described as follows.

TO FIND THE TRUE POINT OF BEGINNING, commence at the intersection of the centerline of Clover Street and the northwesterly right of way line of Oak Road (60 Feet Right of Way); running thence northwesterly along said right of way line of Oak Road a distance of 363.30 feet to the TRUE POINT OF BEGINNING, with the TRUE POINT OF BEGINNING thus established, running thence along a bearing North 31 degrees 54 minutes 00 seconds West a distance of 110.00 feet to a point; running thence along a bearing North 57 degrees 51 minutes 25 seconds East a distance of 205.19 feet to a point, running thence along a bearing South 32 degrees 42 minutes 14 seconds East a distance of 109.98 feet to a point, running thence along a bearing South 57 degrees 51 minutes 04 seconds West a distance of 236.73 feet to the TRUE POINT OF BEGINNING, containing 0.52 acres, as shown on Plat of survey dated June 1984 prepared for David J. Ellis by Quada-Tech Inc. and certified by Kenneth C. Sims, GRLS #1783, said plat being incorporated herein by reference for a more complete description.

LESS AND EXCEPT that portion of the property conveyed to the City of Snellville by Right of Way Deed from Steven then Quach in favor of City of Snellville dated 01/13/12 filed 01/18/12 recorded in Deed Book 5/123, page 220 Gwinnett County Georgia records.
All that tract or parcel of land lying and being in Land Lot 26 of the 5th District of Gwinnett County, Georgia, being 0.669 acres as shown on a plat of survey prepared for Gerald Rawlin by Sunbelt Engineering & Surveying, Inc., Russell L. Shreeve, Jr., Georgia Registered Land Surveyor No. 2157, dated March 24, 1987, and being more particularly described as follows:

BEGIN at an iron pin located on the northeasterly right of way of Oak Road (60-foot right of way) a distance of 190.14 feet from the intersection of the right of way of Clover Street (50-foot right of way); run thence north 58°04'08" east a distance of 177.89 feet to an iron pin; run thence north 31°30'46" west a distance of 20.80 feet to an iron pin; run thence north 50°36'41" east a distance of 30.06 feet to an iron pin; run thence north 32°28'52" west a distance of 120.42 feet to an iron pin; run thence south 57°46'32" west a distance of 205.63 feet to an iron pin located on the northeasterly right of way of Oak Road (60-foot right of way); run thence along the northeasterly right of way of Oak Road south 31°54'20" east a distance of 143.26 feet to an iron pin located on the northeasterly right of way of Oak Road and the POINT OF BEGINNING.

Less and except:

Beginning at a point 45 feet left of and opposite Station 104+17.75 on the construction centerline of Oak Road on Georgia Highway Project No. STP-006-00(593), running thence S 60°21'43" W a distance of 8.95 feet to a point 35.05 feet left of and opposite station 104+17.41 on said construction centerline laid out for OAK RD; thence S 29°19'46" E a distance of 143.70 feet to a point 30.15 feet left of and opposite station 105+60.18 on said construction centerline laid out for OAK RD; thence N 60°30'42" E a distance of 10.00 feet to a point; 40.15 feet left of and opposite station 106+60.32 on said construction centerline laid out for OAK RD; thence N 29°44'43" W a distance of 143.75 feet back to the point of beginning Containing 0.031 acres more or less.
EXHIBIT A

TO

DEED TO SECURE DEBT AND SECURITY AGREEMENT

All that tract or parcel of land lying and being in Land Lot 39, 5th District, Gwinnett County, Georgia, being 0.474 acres according to plat of survey by Quadra-Tech, Inc. dated January 25, 1985 and being more particularly described as follows:

To find the Point of Beginning, begin at the intersection of the centerline of Wisteria Drive and the northwestern right of way of Clower Street; run thence southwest along the northwestern right of Clower Street 222.30 feet to an iron pin which is the Point of Beginning; run thence south 45 degrees 35 minutes 19 seconds west 127.02 feet to an iron pin; run thence north 36 degrees 58 minutes 47 seconds west 182.17 feet to an iron pin; run thence north 50 degrees 46 minutes 23 seconds east 107.48 feet to an iron pin; run thence south 43 degrees 12 minutes 29 seconds east 170.97 feet to an iron pin which is the Point of Beginning.
That tract or parcel of land lying and being in Land 26 and 39, 5th District, Gwinnett County, Georgia, 0.498 acres according to plat of survey by Quadra- Inc. dated January 25, 1985 and being more particularly described as follows:

Beginning at a point on the Northwest right of way line over Street located 349.32 feet as measured along said line from the center line of Wisteria Drive; thence South 45 degrees 35 minutes 19 seconds West 97.02 feet to a point; run thence North 32 degrees 00 minutes 36 seconds West 5.10 feet to a point; run thence South 45 degrees 41 minutes 30 seconds West 30.00 feet to a point; run thence North 31 degrees 30 minutes 46 seconds West 190.14 feet to a point; run thence North 50 degrees 49 minutes 01 seconds East 29.93 feet to a point; run thence North 50 degrees 46 minutes 23 seconds East 77.55 feet to a point; thence South 36 degrees 58 minutes 47 seconds East 7 feet to the point of beginning.

Less and except:

All that tract or parcel of land lying and being in Land Lot 39 of the 5 Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at a point 40 feet left of and opposite Station 53+45.49 on the construction centerline of Clower Street on Georgia Highway Project No. STP-006-00(993); running thence S 47°28'08" W a distance of 93.24 feet to a point; 40.00 feet left of and opposite station 52+52.25 on said construction centerline laid out for CLOWER ST.; thence southwesterly 33.240 feet along the arc of a curve (said curve having a radius of 710.000 feet and a chord distance of 33.237 feet on a bearing of S 48°48'38" W) to the point; 40.00 feet left of and opposite station 52+17.14 on said construction centerline laid out for CLOWER ST.; 40.00 feet left of and opposite station 52+16.02 on said construction centerline laid out for CLOWER ST.; thence S 28°10'02" E a distance of 5.71 feet to a point 34.39 feet left of and opposite station 52+16.02 on said construction centerline laid out for CLOWER ST.; thence N 48°41'18" E a distance of 30.00 feet to a point on said construction centerline laid out for CLOWER ST.; thence S 29°45'44" E a distance of 5.10 feet to a point on said construction centerline laid out for CLOWER ST.; thence N 48°48'03" E a distance of 97.41 feet to a point 28.97 feet left of and opposite station 53+43.86 on said construction centerline laid out for CLOWER ST.; thence N 34°45'49" W a distance of 11.13 feet back to the point of beginning. Containing 0.028 acres more or less.
EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 39 of the 5th Land District, Gwinnett County, Georgia, and being Lot 14 of the subdivision of the S. C. Williams Estate as shown on plat recorded at Plat Book “E”, Page 74, Gwinnett County Records, being particularly described as follows:

BEGINNING at a point on the southwesterly side of a public road known as Wisteria Drive, located 422 feet southeasterly, as measured along the southwesterly side of Wisteria Drive from the point at which the southwesterly side of Wisteria Drive, if extended, would intersect the center line of the Old Lawrenceville-Snellville Road, said beginning point also being a common corner between Lots 13 and 14 of said subdivision; run thence southwesterly along the southeasterly line of Lot 13 205 feet, more or less, to a point on the original line common to Land Lots 26 and 39 of the 5th District; run thence South 30 1/2 East along said land lot line 259 feet; run thence northwesterly along the southeasterly side of Wisteria Drive 340 feet, more or less, to a point on the southwesterly side of Wisteria Drive; run thence northwesterly along the southwesterly side of Wisteria Drive 286 feet to the place or point of beginning.

The above property is described particularly according to plat of E. Z. Huff, Surveyor, dated July 10, 1950, and is the same tract conveyed from O. P. Williams to Harold P. Williams by warranty deed dated December 18, 1957, recorded in Deed Book 139, Page 95, Gwinnett County Records.

LESS AND EXCEPT property described in the following:


LEGAL DESCRIPTION

All that tract or parcel of land lying and being located in Land Lot 39 of the 5th District, City of Snellville, Gwinnett County, Georgia containing Tract 1 (8.60 acres) and Tract 2 (2.13 acres), for a total of 10.73 acres according to a ALTA/ACSM Survey for Spokintown Corporation, Chicago Title Insurance Company, and Bank of North Georgia, prepared by Harklena and Associates, by Donald W. Harklena (Georgia Registered Land Surveyor No. 1578), dated March 17, 2004, as revised September 14, 2004, and being more particularly described according to said survey as follows.

BEGINNING at a point located at the intersection of the northwesterly right of way line of Clower Street (50’R/W) with the southwesterly right of way line of Wisteria Drive (60’R/W), run thence along the aforesaid right of way line of Clower Street South 46 degrees 19 minutes 35 seconds West a distance of 200.98 feet to a point; leaving the aforesaid right of way line, run thence North 42 degrees 16 minutes 18 seconds West a distance of 111.49 feet to a point; run thence North 42 degrees 48 minutes 55 seconds West a distance of 64.30 feet to a point; run thence South 49 degrees 58 minutes 29 seconds West a distance of 184.66 feet to a point located on the Land Lot line common to Land Lots 39 and 26; run thence along the aforesaid Land Lot line, North 32 degrees 08 minutes 11 seconds West a distance of 192.19 feet to a point; leaving the aforesaid Land Lot line, run thence North 58 degrees 10 minutes 35 seconds East a distance of 328.41 feet to a point located on the aforesaid right of way line of Wisteria Drive; run thence along the aforesaid right of way line, along the arc of a curve a distance of 149.92 feet to a point, said arc having a radius of 708.18 feet and being subtended by a chord bearing and distance of South 49 degrees 51 minutes 39 seconds East 145.66 feet; continuing along the aforesaid right of way line, run thence North 49 degrees 58 minutes 29 seconds East a distance of 9.61 feet to a point; continuing along the aforesaid right of way line, run thence South 41 degrees 40 minutes 24 seconds East a distance of 49.45 feet to a point; run thence South 42 degrees 45 minutes 00 seconds East a distance of 115.53 feet to a point located at the intersection of the southwesterly right of way line of Wisteria Drive with the northwesterly right of way line of Clower Street, said point being the point of BEGINNING.
PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lot 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at concrete right of way monument found on the Northeasterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way) said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,304.588; East: 2,342,506.089; thence, leaving the said Point of Beginning and the said line of Wisteria Drive and running with the property now or formerly owned by Timothy L. Stewart, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 11173, Page 315

1. North 57° 08' 00" East, 566.80 feet to a ¾ inch rod found; thence, running with the lines of a subdivision entitled, "N.L. Williams Subdivision, Block A, Unit 1", as recorded among the aforesaid Land Records in Plat Book H, Page 105,
2. South 44° 37' 23" East, 65.20 feet to a ¼ inch open top pipe found; thence,
3. South 45° 32' 47" East, 150.03 feet; thence,
4. South 45° 31' 16" East, 300.00 feet; thence,
5. South 45° 32' 07" East, 149.16 feet to a ½ inch open top pipe found; thence, running with the property now or formerly owned by Wisteria Place Owner's Association, Inc., as described in a deed recorded among the aforesaid Land Records in Deed Book 47825, Page 890
6. South 58° 56' 14" West, 595.66 feet to a point on the aforesaid line of Wisteria Drive; thence, running with the said line of Wisteria Drive
7. North 39° 41' 34" West, 141.41 feet; thence,
8. North 39° 41' 34" West, 28.58 feet; thence,
9. 114.79 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of North 38° 22' 53" West, 101.26 feet to a concrete right of way monument found; thence,
10. North 39° 00' 05" West, 117.66 feet to a concrete right of way monument found; thence,
11. North 41° 51' 57" West, 4.51 feet to a concrete right of way monument found; thence,
12. 158.60 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 46° 29' 30" West, 158.34 feet to a concrete right of way monument found; thence,
13. 82.46 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 55° 30' 06" West, 82.42 feet to a concrete right of way monument found (leaning); thence,
14. North 56° 41' 47" West, 9.52 feet to the Point of Beginning, containing 357,680 square feet or 8.2112 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.
PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lots 26 & 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at the point of intersection of the Northeasterly Right-of-Way Line of Oak Road (an apparent variable width right of way), and the Southeasterly Right-of-Way Line of North Road (an apparent variable width right of way), said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,139.932; East: 2,341,657.634; thence, leaving the said Point of Beginning and running with the said line of North Road

1. North 34° 27' 08" East, 184.49 feet; thence,
2. 182.72 feet along the arc of a curve deflecting to the left, having a radius of 2,306.83 feet and a chord bearing and distance of North 32° 29' 03" East, 182.67 feet; thence,
3. South 29° 38' 47" East, 6.18 feet; thence,
4. North 30° 42' 52" East, 153.96 feet to a point of intersection with the Southwesterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way); thence, running with the said line of Wisteria Drive
5. South 58° 14' 23" East, 401.94 feet; thence,
6. South 61° 09' 27" West, 15.52 feet to a ½ inch rebar found; thence,
7. South 59° 09' 13" East, 206.67 feet to a concrete right of way monument found; thence,
8. South 33° 08' 23" West, 10.51 feet; thence,
9. South 57° 26' 49" East, 31.11 feet to a concrete right of way monument found; thence,
10. 46.90 feet along the arc of a curve deflecting to the right, having a radius of 824.00 feet and a chord bearing and distance of South 55° 26' 36" East, 46.89 feet to a concrete right of way monument found; thence,
11. 165.77 feet along the arc of a curve deflecting to the right, having a radius of 824.00 feet and a chord bearing and distance of South 48° 02' 42" East, 165.49 feet; thence,
12. South 40° 56' 03" East, 117.77 feet to a concrete right of way monument found; thence,
13. 21.48 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of South 06° 40' 59" West, 21.38 feet to a concrete right of way monument found on the Northwesterly Right-of-Way Line of Clower Street (an apparent variable width right of way); thence, running with the said line of Clower Street
14. South 47° 22' 54" West, 168.02 feet; thence,
15. South 47° 22' 54" West, 121.64 feet; thence,
16. South 47° 42' 43" West, 97.36 feet; thence,
17. 33.28 feet along the arc of a curve deflecting to the right, having a radius of 710.00 feet and a chord bearing and distance of South 48° 50' 47" West, 33.28 feet; thence, leaving the aforesaid line of Clower Street and running with the property now or formerly owned by Kikasha Properties 8, LLC, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 51789, Page 75
18. North 29° 10' 12" West, 163.56 feet to a 1 inch open top pipe found; thence,
19. South 60° 19' 54" West, 168.30 feet to a point on the aforesaid line of Oak Road; thence, running with the said line of Oak Road
20. North 29° 36' 36" West, 144.74 feet; thence,
21. North 31° 49' 23" West, 110.08 feet; thence,
22. North 32° 22' 21" West, 7.18 feet; thence,
23. 121.43 feet along the arc of a curve deflecting to the left, having a radius of 195.00 feet and a chord bearing and distance of North 49° 39' 45" West, 119.48 feet; thence,
24. South 20° 49' 53" West, 7.52 feet; thence,
25. 102.60 feet along the arc of a curve deflecting to the left, having a radius of 189.15 feet and a chord bearing and distance of North 84° 34' 44" West, 101.35 feet; thence,
26. 152.50 feet along the arc of a curve deflecting to the right, having a radius of 160.99 feet and a chord bearing and distance of North 72° 58' 48" West, 146.86 feet; thence,
27. North 46° 00' 07" West, 58.30 feet to the point of beginning, containing 438,544 square feet or 10.0676 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

And

Being all that tract or parcel of land lying and being in Land Lot 39, 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

Beginning for the same at concrete right of way monument found on the Northeasterly Right-of-Way Line of Wisteria Drive (an apparent variable width right of way) said point being at State Plane Coordinate (Georgia West Zone) of North: 1,404,304.588; East: 2,342,506.089; thence, leaving the said Point of Beginning and the said line of Wisteria Drive and running with the property now or formerly owned by Timothy L. Stewart, as described in a deed recorded among the Land Records of Gwinnett County, Georgia in Deed Book 11173, Page 315

1. North 57° 08' 00" East, 566.80 feet to a ¾ inch rod found; thence, running with the lines of a subdivision entitled, "N.L. Williams Subdivision, Block A, Unit 1", as recorded among the aforesaid Land Records in Plat Book H, Page 105,
2. South 44° 37' 23" East, 85.20 feet to a ¾ inch open top pipe found; thence,
3. South 45° 32' 47" East, 150.03 feet; thence,
4. South 45° 31' 16" East, 300.00 feet; thence,
5. South 45° 32' 07" East, 149.16 feet to a ½ inch open top pipe found; thence, running with the property now or formerly owned by Wisteria Place Owner's Association, Inc., as described in a deed recorded among the aforesaid Land Records in Deed Book 47825, Page 890
6. South 58° 56' 14" West, 595.66 feet to a point on the aforesaid line of Wisteria Drive; thence, running with the said line of Wisteria Drive
7. North 39° 41' 34" West, 141.41 feet; thence,
8. North 39° 41' 34" West, 28.58 feet; thence,
9. 114.79 feet along the arc of a curve deflecting to the left, having a radius of 67.00 feet and a chord bearing and distance of North 38° 22' 53" West, 101.26 feet to a concrete right of way monument found; thence,
10. North 39° 00' 05" West, 117.66 feet to a concrete right of way monument found; thence,
11. North 41° 51' 57" West, 4.51 feet to a concrete right of way monument found; thence,
12. 158.60 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 46° 29' 30" West, 158.34 feet to a concrete right of way monument found; thence,
13. 82.46 feet along the arc of a curve deflecting to the left, having a radius of 800.00 feet and a chord bearing and distance of North 55° 30' 06" West, 82.42 feet to a concrete right of way monument found (leaning); thence,
14. North 56° 41' 47" West, 9.52 feet to the Point of Beginning, containing 357,680 square feet or 8.2112 acres of land, more or less.
DRAWING PACKAGE
CIVIC OPEN SPACE

PHASE 1 (10 AC) + PHASE 2 (8 AC) = 18 ACRES
10% OF SITE AREA REQUIRED AS CIVIC OPEN SPACE = 1.8 AC
OPEN SPACE AREAS

A = 35,330 SF
B = 7,080 SF
C = 14,605 SF
D = 6,030 SF
E = 12,330 SF

TOTAL = 96,235 SF (1.8 AC)

1.8 ACRES ARE BEING PROVIDED AS CIVIC OPEN SPACE IN PHASE 1 WHICH MEETS THE CIVIC OPEN SPACE REQUIREMENTS OF 1.8 ACRES FOR BOTH PHASE 1 AND PHASE 2.

THE GROVE AT TOWNE CENTER
SHELBYVILLE, GEORGIA

MIDCART

SMALLWOOD
THESE FLOOR PLANS ARE SCHEMATIC ONLY AND ARE SUBJECT TO CHANGE DURING SUBSEQUEINT PHASES OF DESIGN DEVELOPMENT

GARDEN LEVEL FLOOR PLAN

THE GROVE
MULTIFAMILY RESIDENTIAL PARKING DECK
LEVEL 6

SMALLWOOD
SECOND LEVEL FLOOR PLAN

THESE FLOOR PLANS ARE SCHEMATIC ONLY AND ARE SUBJECT TO CHANGE DURING SUBSEQUENT PHASES OF DESIGN DEVELOPMENT
THIRD LEVEL FLOOR PLAN

THESE FLOOR PLANS ARE SCHEMATIC ONLY AND ARE SUBJECT TO CHANGE DURING SUBSEQUENT PHASES OF DESIGN DEVELOPMENT
FOURTH LEVEL FLOOR PLAN

THE GROVE
MULTIFAMILY RESIDENTIAL DEVELOPMENT
ENLIVENING GEORGIA
THESE FLOOR PLANS ARE SCHEMATIC ONLY AND ARE SUBJECT TO CHANGE DURING SUBSEQUENT PHASES OF DESIGN DEVELOPMENT

FIFTH LEVEL FLOOR PLAN

THE GROVE
MULTI-FAMILY RESIDENCES
SPRING OAKS
SHELBYVILLE, GEORGETA
TRACT 2

1. TREE PROTECTION PLAN

LOCATION: The Town Center @ Smallwood, Tract 2, Stream Buffer (PTI Vegetation Buffer)

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NOTE: Measurements are in feet (ft).
EXHIBIT “C”
To: Doug Hooker, ARC  
(via electronic mail)  
Bob Voyles, GRTA  
Dick Anderson, GRTA  
Kathryn Zickert, GRTA  
Sharon Mason, GRTA  
Sonny Deriso, GRTA

To: City of Snellville  
(via electronic mail and certified mail)  
Roger White, MidCity Real Estate Partners

From: Christopher Tomlinson, GRTA Executive Director

Copy: Jon West, DCA  
(via electronic mail)  
Annie Gillespie, SRTA/GRTA  
Parker Martin, SRTA/GRTA  
Andrew Smith, ARC  
Greg Giuffrida, ARC  
Eric Van Otteren, City of Snellville  
Jason Thompson, City of Snellville  
John Dennis, City of Snellville  
Jason Dykes, GDOT District 1  
Shane Giles, GDOT District 1  
Jonathan Peevy, GDOT District 1  
Daniel Piotrowski, Gwinnett County  
Michael Johnson, Gwinnett County  
James Pugsley, Gwinnett County  
Alex Hofelich, Gwinnett County  
Tom Sever, Gwinnett County  
David Brunner, Casto  
Kirk Demetrops, MidCity  
Rob Jacquette, Wolverton  
Jim Brooks, Evermore CID

Date: January 6, 2020

Re: DRI 3933 The Grove at Towne Center
Notice of Decision for Request for Expedited Review of DRI 3033 The Grove at Towne Center

The purpose of this notice is to inform MidCity Real Estate Partners (the Applicant), City of Snellville (the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA’s decision regarding DRI 3033 The Grove at Towne Center (the DRI Plan of Development). GRTA has completed a non-expedited Review for the DRI Plan of Development pursuant to sections 3-101 and 3-103A of the Procedures and Principles for GRTA Development of Regional Impact Review and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Sections 3-101 and 3-103 A. The DRI Plan of Development as proposed is approved subject to conditions, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless the local government has issued a permit for the construction of any part of the proposed DRI Plan of Development prior to the end of the ten-year period.

The notice of decision is based on a review of the applicant’s DRI review package received by GRTA on December 17, 2019. The review package includes: (1) the site development plan (Site Plan) with a date of December 10, 2019 titled “The Grove @ Snellville” prepared by Wolverton, the transportation analysis dated December 2019 prepared by Wolverton received by GRTA on December 17, 2019.

Pursuant to Section 2-501 of the Procedures and Principles for GRTA Development of Regional Impact Review, the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) working days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Part 5 of the Procedures and Principles for GRTA Development of Regional Impact Review, available from GRTA. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will hear the appeal at its March 2020 meeting.

Christopher Tomlinson
Executive Director
Georgia Regional Transportation Authority
Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities
  • Provide pedestrian connectivity between all buildings and uses.

Roadway Improvement Conditions to GRTA Notice of Decision:

SR 124 at Wisteria Drive
  • Install a traffic signal, if and when warranted, and per GDOT approval.

Wisteria Drive at North Road
  • Maintain or construct a westbound left turn lane with adequate vehicle storage.

Wisteria Drive at Clower Street
  • Replace the existing stop control with a mini round-a-bout.

Oak Road at Clower Street
  • Convert the intersection to an All-Way Stop Control intersection or install a mini round-a-bout.

Oak Road at North Road
  • Convert North Road to two-way traffic. The North Road southbound approach shall have one left turn lane and one right turn lane. The North Road northbound approach shall have one through lane.

Oak Road at proposed Street A
  • Convert the intersection to an All-Way Stop Control intersection. Provide crosswalks at the intersection or in a more appropriate mid-block location, if needed, given adjacent driveway locations.
Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.
- All of the “Site Access Improvements as Conditions to GRTA Notice of Decision” set forth in Attachment A are satisfied.
Attachment C – Required Improvements to Serve the DRI

Pursuant to Section 1-201.R. of the Procedures and Principles for GRTA Development of Regional Impact Review, a “Required Improvement means a land transportation service [def. in Section 1-201.N] or access [def. in Section 1-201.A.] improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

Section 1:

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian, Bicycle and Transit Facilities

• Provide pedestrian connectivity between all buildings and uses.

Roadway Improvement Conditions to GRTA Notice of Decision:

SR 124 at Wisteria Drive

• Install a traffic signal, if and when warranted, and per GDOT approval.

Wisteria Drive at North Road

• Maintain or construct a westbound left turn lane with adequate vehicle storage.

Wisteria Drive at Clower Street

• Replace the existing stop control with a mini round-a-bout.

Oak Road at Clower Street

• Convert the intersection to an All-Way Stop Control intersection or install a mini round-a-bout.

Oak Road at North Road

• Convert North Road to two-way traffic. The North Road southbound approach shall have one left turn lane and one right turn lane. The North Road northbound approach shall have one through lane.

Oak Road at proposed Street A

• Convert the intersection to an All-Way Stop Control intersection. Provide crosswalks at the intersection or in a more appropriate mid-block location, if needed, given adjacent driveway locations.

Section 2: N/A