

The City of Snellville
2342 Oak Road
Snellville, Georgia 30078
(770) 985-3500 • FAX (770) 985-3525



AGENDA

WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 11, 2022

Publication Date: April 7, 2022

TIME: 6:30 p.m.

DATE: April 11, 2022

PLACE: City Hall Conference Room 145

I. CALL TO ORDER

**II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING
AGENDA ITEMS**

III. REVIEW CORRESPONDENCE

IV. CITY ATTORNEY'S REPORT

V. DISCUSSION ITEMS

- a) Update of Ongoing Projects [Bender]

VI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

VII. ADJOURNMENT



AGENDA

PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 11, 2022

Publication Date: April 7, 2022

TIME: 7:30 p.m.
DATE: April 11, 2022
PLACE: Council Chambers

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE TO THE FLAG
- IV. CEREMONIAL MATTERS
STAT Service Award Presentation to Billy Franklin
- V. MINUTES
Approve the Minutes of the March 24, 2022 Special Called Meeting, March 28, 2022 Regular meetings, and March 29, 2022 Special Called Meeting
- VI. INVITED GUESTS
None
- VII. COMMITTEE / DEPARTMENT REPORTS
- VIII. APPROVAL OF THE AGENDA
- IX. PUBLIC HEARING
 - a) 2nd Reading - SUP 22-01 – Consideration and Recommendation on Application by RCG Snellville, LLC Requesting a Special Use Permit to Develop and Operate a Kidney Dialysis Facility for Davita Dialysis Center and Request for Variances From Sec. 205-1 Towne Center Overlay District Requirements of the Snellville Unified Development Ordinance for a Proposed 0.768 Acre Outparcel in the Snellville Oaks Shopping Center, Zoned BG (General Business) District and Located in the Towne Center Overlay District, 2135 E. Main Street, Snellville (p/o Tax Parcel 5038 174)

X. CONSENT AGENDA (Please see *Note)

XI. OLD BUSINESS

XII. NEW BUSINESS

- a) Mayor's Nomination and Council Confirmation of Anne Dowdall to Park and Recreation Board Post 2 with an Expiration Date of 6/30/2022 [Bender]
- b) Mayor's Nomination and Council Confirmation of Barbara Harris to Park and Recreation Board Post 3 with an Expiration Date of 6/30/2023 [Bender]

XIII. COUNCIL REPORTS

XIV. MAYOR'S REPORT

XV. PUBLIC COMMENTS

- Section 2-53

Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.

- Decorum

You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

XVII. ADJOURNMENT

*Note: Items on the Consent Agenda may be read by title only. Upon the request of any Council Member, any item may be removed from the Consent Agenda and placed on the Regular Agenda prior to the adoption of the Regular Agenda. The Consent Agenda, or the remainder thereof omitting the challenged items, shall be adopted by unanimous consent.

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
APRIL 11, 2022

April 11

Council Meeting

Monday, April 11, 2022

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

April 12

Board of Appeals Meeting - Canceled

Tuesday, April 12, 2022

7:00 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall

April 13

GGLeagues Spring Esports Registration Ends

Wednesday, April 13, 2022

Get more information by going to <https://app.ggleagues.com/organization/snellville> or call 770-985-3535

April 16

Snellville Winter Farmers' Market

Saturday, April 16, 2022

9:00 am to Noon

City Hall Parking Lot

April 17

Broadcast of 04/11/22 Council Meeting

Sunday, April 17, 2022

Watch the broadcast of the 04/11/2022 Council Meeting on Comcast Channel 25 at 6:30 pm

April 20

Downtown Development Authority Meeting

Wednesday, April 20, 2022

4:00 pm to 5:00pm - City Hall Room 259, Second Floor

April 21

DAS & URA Joint Meeting

Thursday, April 21, 2022

4:00 pm to 5:00pm - City Hall Room 259, Second Floor

April 25

Council Meeting

Monday, April 25, 2022

6:30 pm Work Session – Conference Room 145, City Hall

7:30 pm Meeting - Council Chambers, City Hall



SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
THURSDAY, MARCH 24, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross, Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, City Clerk Melisa Arnold, Planning Director Jason Thompson, Zoning Administrator John Dennis, City Planner Josh Ferguson, Parks & Recreation Director Lisa Platt, and Captain John Tainter. Board Members from the Planning Commission (PC), Board of Appeals (BOA), Downtown Development Authority (DDA), Urban Redevelopment Authority (URA), Development Authority of Snellville (DAS), Parks & Recreation Advisory Board (PR), Personnel Advisory Board (PAB) and Snellville Tourism and Trade (STAT) were present as follows: Ann Sechrist – PC, Emmett Clower – DDA and BOA, Deborah Jones – BOA, DDA, URA, and DAS, Betty Ann Kumin – BOA, Norman Carter - PR, Dan Leclair – DDA, Lori Ann Spears – BOA, DAS, and URA, Kerry Hetherington – PC, Melvin Everson – URA, DAS, PAB, and STAT, Rafiq Ukani – DDA, Ann Sechrist – PC, Kelly McAloon – STAT, Jessica Manis – STAT, Kathy Emanuel – STAT, Kurt Schulz – STAT, and Alice Snipes – STAT.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:08 p.m. and introduced Dennis Conway, Parliamentarian.

Parliamentary Training Session – Dennis Conway

Mr. Conway conducted training on how to properly run a meeting according to Roberts Rules of Order and the City Code.

ADJOURNMENT

The meeting adjourned at 8:38 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



**WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, MARCH 28, 2022**

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Jay Crowley with Powell and Edwards Attorneys at Law, Chief Greg Perry, and Public Information Officer Brian Arrington. City Clerk Melisa Arnold was absent.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:30 p.m.

**REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA
ITEMS**

The agenda was reviewed and discussed. Discussion was held about SUP 22-01 and Mayor Bender explained that the applicant had requested that the public hearing be postponed until the April 11th meeting. In addition, Council member Warner requested that the Council table the public hearing for LUP 22-01 to allow the Council more time to discuss the implications of amending the future land use map. Consensus was to table both public hearings. Mayor Bender explained that the Thirteenth Amendment to the Master Development Agreement includes the most recent plat for the Grove Development.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

Attorney Ross reported on several nuisance issues.

DISCUSSION ITEMS

Presentation by Mosaic Artist Jennifer Freeman

Ms. Freeman presented her proposal for the mosaic at the Grove Development. During the discussion, Ms. Freeman explained that her fee to complete the mosaic is approximately \$45,000. This fee includes labor and materials. In addition, Ms. Freeman explained that her suppliers will increase the price of tiles between 5% – 15% by April 4. The Consensus was to provide Ms. Freeman with their preferred mosaic design before April 4.

Update of Ongoing Projects [Bender]

City Manager Sanders gave an update on the Towne Center progress and other ongoing projects.

EXECUTIVE SESSION

None

City of Snellville Administration Department

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WORK SESSION OF MAYOR AND COUNCIL
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ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council member Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:23 p.m.

Barbara Bender, Mayor

Matthew Pepper, Assistant City Manager



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, MARCH 28, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Greg Perry, Public Information Officer Brian Arrington, and IT Administrator Erika Fleeman. (City Clerk Melisa Arnold was absent).

CALL TO ORDER

Mayor Bender called the meeting to order at 7:31 p.m.

INVOCATION

Ms. Kelly McAloon gave the invocation.

PLEDGE TO THE FLAG

Mr. Jay Crowley led the Pledge of Allegiance.

CEREMONIAL MATTERS

Presentation by Gwinnett Eastside Chamber of Commerce to Mayor Bender

Mr. Derrick Wilson, President of the Greater Eastside Chamber of Commerce, along with Mr. Marc Hamm, Ms. Shana Hamm, and Mr. Donnie Houston presented Mayor Bender with the Chamber's Mayor of the Year Award.

MINUTES

Approve the Minutes of the March 14, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the March 14, 2022 meetings, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

Mr. D.A. Williams & Dr. Alexis Williams, South Gwinnett High School PTSA President & Vice President

Dr. Alexis Williams introduced the following members of the SGHS Student Body Presidency: Student Body President Achazia Adams, Student Body Vice-President Narjise Koko, and Faculty Advisor/Sponsor Ms. Carla Jordan.

COMMITTEE / DEPARTMENT REPORTS

None

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PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, MARCH 28, 2022
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APPROVAL OF THE AGENDA

Council Member Schulz made a motion to approve the agenda, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

2nd Reading - SUP 22-01 – Consideration and Recommendation on Application by RCG Snellville, LLC Requesting a Special Use Permit to Develop and Operate a Kidney Dialysis Facility for Davita Dialysis Center and Request for Variances From Sec. 205-1 Towne Center Overlay District Requirements of the Snellville Unified Development Ordinance for a Proposed 0.768 Acre Outparcel in the Snellville Oaks Shopping Center, Zoned BG (General Business) District and Located in the Towne Center Overlay District, 2135 E. Main Street, Snellville (p/o Tax Parcel 5038 174).

Mayor Bender advised that the applicant requested an extension.

Mayor Pro Tem Emanuel made a motion to table this item until the April 11, 2022 meeting, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. (A copy of SUP 22-01 is attached to and made a part of these minutes).

2nd Reading - LUP 22-01 – Consideration and Recommendation on a Proposed Amendment to the Snellville 2040 Comprehensive Plan Future Land Use Map for the 23.61± Acre Parcel 5100 065 and 18.04± Acre Parcel 5100 023 from Commercial Retail to Highway 78 East Activity Node

Council Member Warner made a motion table this item until the August 22, 2022 meeting, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved. (A copy of LUP 22-01 is attached to and made a part of these minutes).

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Approval of the Thirteenth Amendment to the Master Development Agreement [Bender]

Mayor Bender explained the reasoning for the proposed amendment.

Council Member Lenski made a motion to approve the Thirteenth Amendment to the Master Development Agreement, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

Council Members Destang, Warner, Lenski, Schulz, and Mayor Pro Tem Emanuel each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
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PUBLIC COMENTS

The following people spoke:

Shahara Ruth, 2683 Newtons Crest Circle, Snellville

Sharon Stephenson, 2826 Tyler Dewayne Court, Snellville

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:08 p.m.

Barbara Bender, Mayor

Matthew Pepper, Assistant City Manager



SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
TUESDAY, MARCH 29, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Jay Crowley with Powell and Edwards Attorneys at Law, Chief Greg Perry, and Parks and Recreation Director Lisa Platt. (City Clerk Melisa Arnold was absent).

CALL TO ORDER

Mayor Bender called the meeting to order at 6:00 p.m.

NEW BUSINESS

Presentation about Sports Tournaments [Bender]

Randy DuTeau, with Sports Strategies, discussed with the Mayor and Council his sports management consulting business.

Discussion of Future SPLOST Funds [Warner]

Mr. Sanders presented to the Mayor and Council a report on the status on available funds from the 2014 SPLOST and 2017 SPLOST. During the presentation, Mr. Sanders explained that he estimated that the funds from both 2014 SPLOST and 2017 SPLOST would be spent by the end of FY 2023.

The Mayor and Council discussed the upcoming referendum for the 2023 SPLOST. If passed, the city would collect approximately \$28 million dollars in revenue. Mr. Sanders stated that the city's department heads will update their 5-year capital projects list to share with the Mayor and Council.

Update and Discussion of the Towne Center Budget [Bender]

Mr. Sanders presented to the Mayor and Council a report on the status of the budget for the Towne Center project. During the presentation, Mr. Sanders explained that the city is still awaiting cost information on the following items: the site work on the Grove, the construction of the Hall (market building), and the redesign and buildout of the second floor of the Library. The Mayor and Council also discussed the importance of developing an accurate operating budget for the Grove development before committing to additional capital improvements.

The Mayor and Council reached a consensus on the pattern (nature) for the mosaic bench for the Grove Development. Mr. Sanders will share the Council's choice with the artist.

City of Snellville Administration Department

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SPECIAL CALLED MEETING OF MAYOR AND COUNCIL
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Discussion of American Rescue Plan Act Funds [Bender]

Mr. Sanders presented to the Mayor and Council a breakdown of potential uses for the funds the city received from the American Rescue Plan Act (ARPA). Mr. Sanders explained that the National League of Cities is reporting that the U.S. Congress is considering clawing back the second tranche of ARPA funding. The Mayor and Council reached a consensus to plan to pay for projects with ARPA funds that the city has already received.

To determine the amount of ARPA funds to allocate for sidewalk projects, the Mayor and Council discussed the ongoing survey and design work currently taking place for the sidewalk project on Pinehurst Road and Skyland Drive. Mr. Sanders will work with the engineer on the project to develop a cost estimate for the project.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:00 p.m.

Barbara Bender, Mayor

Matthew Pepper, Assistant City Manager

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: April 11, 2021

RE: #SUP 22-01

REQUEST: Special Use Permit and Request for Variances for a 1-Story 8,200 sq. ft. Kidney Dialysis Center and Associated Parking
0.768± Acre Site at 2135 E. Main Street, Snellville, Georgia

STATUS: Case Continuation

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes; and Occupational Taxes

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting and Recommendation: January 25, 2022 (Approval with Conditions)

Mayor and Council Meetings: February 14, 2022 (1st Reading)
February 28, 2022 (2nd Reading and Public Hearing)
March 28, 2022 (Tabled from Feb 28th Public Hearing)

Action Requested: Consideration, Public Hearing and Action

Draft Ordinance: Attached

Continuation of the case tabled March 28th by request of the applicant. Revised colored Davita Dialysis preliminary building elevations received March 30th and revised site plan received March 31st.

0.768± Acre Site at 2135 E. Main Street, Snellville, Georgia
Case #SUP 22-01
April 11, 2022
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Case Documents (website link):

- Letter of Intent & Variances (12-10-2021)
- SUP 22-01 Application (12-10-2021)
- Parcel D As-Built Survey Preliminary Plat (12-7-2021)
- Sample Colored Elevations (12-3-2021)
- Proposed Site Plan (12-9-2021)
- Proposed Site Plan Aerial (12-9-2021)
- Jan 25 2022 Planning Department Case Summary & Analysis (1-18-2022)
- 1-21-2022 Revised Aerial Site Plan (1-21-2022)
- *Official* Jan 25 2022 Planning Commission Regular Meeting Minutes (1-28-2022)
- Jan 25 2022 Planning Commission Case Report (1-28-2022)
- 12-3-2021 Revised Colored Building Elevations (3-30-2022)
- 2-22-2022 Revised Site Plan (3-31-2022)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-01

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 0.768± ACRE TRACT OF LAND LOCATED IN LAND LOT 38 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2135 EAST MAIN STREET, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; 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:	#SUP 22-01
PROPERTY OWNER:	RCG-Snellville, LLC Atlanta, Georgia 30305
LOCATION:	p/o 2135 E. Main Street, Snellville, Georgia (the “Property”)
TAX PARCEL:	R5038 174
DEVELOPMENT/PROJECT:	Kidney Dialysis Center
APPLICANT/CONTACT:	Wesley Padgett RCG Ventures, LLC Atlanta, Georgia 30305 404-816-5454 or WesleyP@rcgventures.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 0.768± acre tract of land located at 2135

E. Main Street, Snellville, Georgia (Tax Parcel R5038 174) and grant the requested special use permit to operate a kidney dialysis center; 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. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby granted for the development and use of a kidney dialysis center on the 0.768± acre tract of land located at 2135 E. Main Street, Snellville, Georgia (Tax Parcel R5038 174), described and shown on the zoning site plan entitled “Site Development Plans for RCG Ventures”, dated 2-22-2022 (stamped received 3-31-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, subject to the following enumerated variances and conditions:

VARIANCES:

- (a) Approval of variance from UDO Sec. 205-1.6.B.6 to increase the ten (10) feet maximum front yard building setback requirement of ‘shopfront’ building types to fifteen (15) feet.
- (b) Approval of variance from UDO Sec. 201-2.10 to remove the requirement that ‘shopfront’ building types must provide a building entrance facing the street every 75 feet along with associated six (6) foot wide sidewalk/walkway.

CONDITIONS:

1. The property shall be developed in accordance with the submitted zoning site plan entitled “Site Development Plans for RCG Ventures”, dated 2-22-2022 (stamped received 3-31-2022) and colored building elevations dated 12-3-2021 (stamped received 3-30-2022), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
2. Applicant shall be required to continue the streetscape requirements along the private street to the overall shopping center as shown on the submitted site plan with additional landscaping as required by the Unified Development Ordinance.
3. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
4. Inter-parcel access to be provided to the adjacent parcel to the north (R5038 187) as shown on the submitted site plan. Said connection and improvements to be completed prior to issuance of the certificate of occupancy. Inter-parcel access to the adjacent property to the east (R5038 182) is not required.
5. The applicant shall remove the existing non-conforming freestanding pylon sign within twelve (12) following issuance of a certificate of occupancy for the kidney dialysis center.

6. 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.
7. New signs higher than 15 feet or larger than 225 sq. ft. in area are prohibited.
8. In the event that the subject property is not leased, or purchased, or occupied by DaVita Snellville Dialysis within eighteen (18) months from the date of Mayor and Council approval, or if the property is occupied and later vacated by DaVita Snellville Dialysis the Special Use Permit will become null and void.
9. The approved zoning conditions and variances shall be referenced on any recorded plat, including subdivision plat provided to any buyer or lessee.

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

Section 3. 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 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. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted on _____, 2022. 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 _____, 2022.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

