



# AGENDA

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WORK SESSION  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 22, 2022

Publication Date: August 18, 2022

TIME: 6:30 p.m.

DATE: August 22, 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) Training Opportunities Overview with Freddie Broome from Georgia Municipal Association [Destang/Bender]
- b) Update of Ongoing Projects [Bender]
- c) Update on Senior Center Activities [Warner]
- d) Review of Draft Intergovernmental Agreement with Gwinnett County for Utility and Roadway Improvements [Bender]

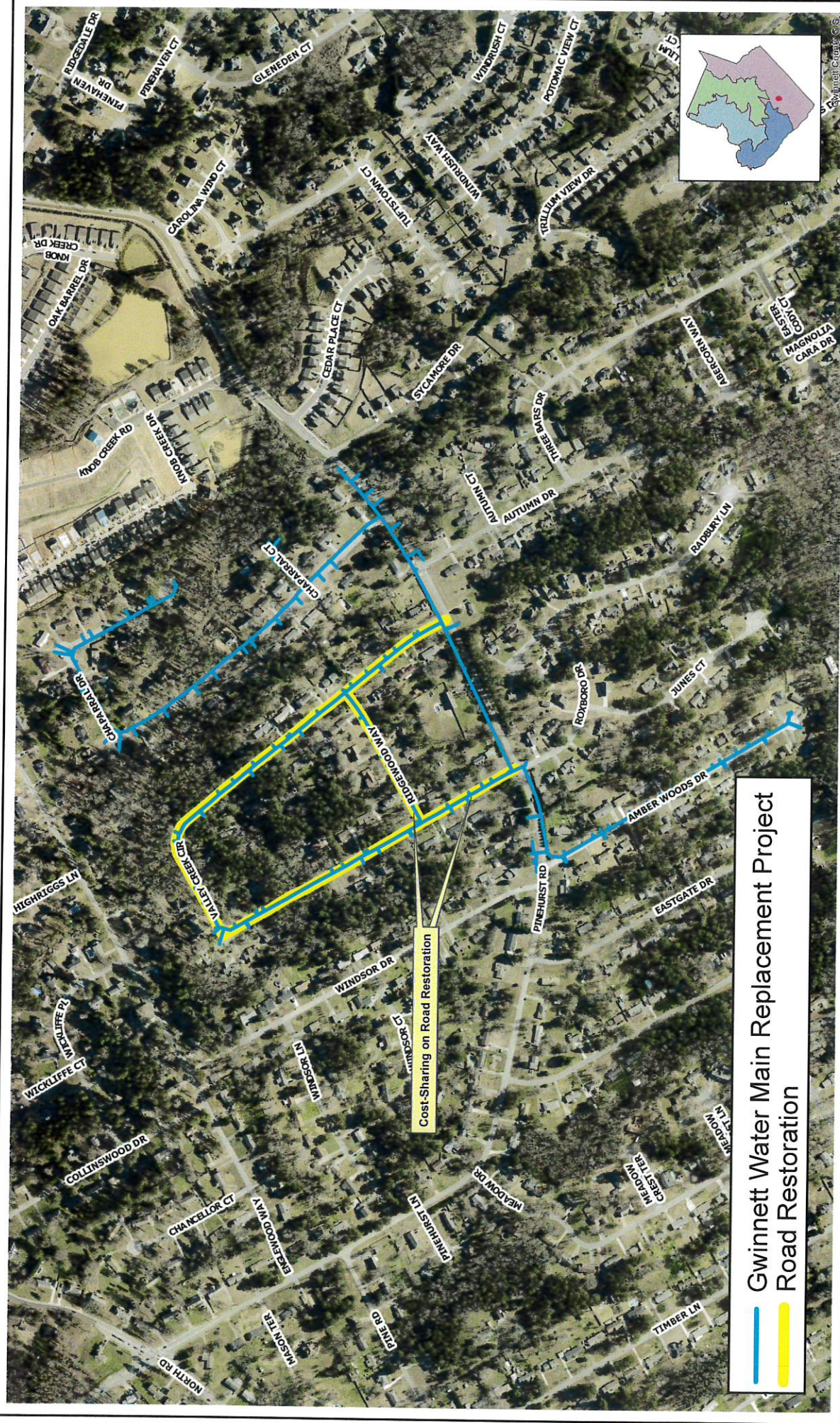
**VI. EXECUTIVE SESSION**

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**







**INTERGOVERNMENTAL AGREEMENT BETWEEN  
GWINNETT COUNTY, GWINNETT COUNTY WATER AND SEWERAGE  
AUTHORITY AND THE CITY OF SNELLVILLE FOR  
IMPLEMENTATION OF THE PINEHURST ROAD WATER  
IMPROVEMENT PROJECT**

STATE OF GEORGIA

CITY OF SNELLVILLE

COUNTY OF GWINNETT

THIS INTERGOVERNMENTAL AGREEMENT (this “Agreement”) is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between GWINNETT COUNTY, GEORGIA, a political subdivision of the State of Georgia, acting by and through its duly elected Board of Commissioners (hereinafter referred to as "Gwinnett County"), the GWINNETT COUNTY WATER & SEWERAGE AUTHORITY, a body corporate and politic and a political subdivision of the State of Georgia, acting by and through its duly appointed governing authority (hereinafter referred to as the “WSA”), and the CITY OF SNELLVILLE, GEORGIA, a municipal corporation of the State of Georgia, acting by and through its duly elected Mayor and Council (hereinafter referred to as "Snellville"). Gwinnett County and the WSA are collectively and sometimes individually referred to herein as “Gwinnett”. Gwinnett County, the WSA and Snellville may be referred to herein collectively as the “Parties” or individually as a “Party”.

## **RECITALS**

WHEREAS, Gwinnett County operates and maintains the water facilities and appurtenances owned by the WSA to provide water and sewer services to the public for compensation within Gwinnett County, including the municipal limits of the City of Snellville; and

WHEREAS, Gwinnett has a planned water main improvement project known as the Pinehurst Water Main Replacement project (hereinafter the "Water Project") the limits of which are depicted in Exhibit "A" attached hereto; and

WHEREAS, the Water Project involves the replacement of 12,500 linear feet of 6-inch PVC watermain with 8-inch ductile iron watermain under pavement of multiple streets off of Pinehurst Road; and

WHEREAS, the Water Project includes water main improvements and roadway restoration along Valley Creek Circle and Ridgewood Way; and

WHEREAS, it has been determined that the existing roadway sub-base is below standard for Valley Creek Circle and Ridgewood Way; and

WHEREAS, Snellville desires to partner with Gwinnett for the implementation of the Water Project to improve the roadway sub-base for Valley Creek Circle and Ridgewood Way also depicted in Exhibit "A"; and

WHEREAS, the Parties desire to partner and work together in good faith for the implementation of the Water Project.



## **TERMS AND CONDITIONS**

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, terms, and agreements contained herein and for other good and valuable mutual consideration, the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed by and among the Parties as follows:

### **1. Recitals.**

The above Recitals are true, correct and form a material part of this Agreement.

### **2. Term of Agreement and Termination.**

The term of this Agreement shall begin on the day and date hereinabove written and shall extend thereafter for a period of fifty (50) years.

### **3. Obligations of Gwinnett.**

- a) Gwinnett shall replace the road sub-base for approximately four thousand five hundred (4,500) linear feet of the entire street area of Valley Creek Circle and Ridgewood Way included in the Water Project, the limits of which are depicted in Exhibit "A".
- b) Gwinnett County shall bid, award a contract to a contractor, and administer the contract to completion for the implementation of the Water Project.

### **4. Obligations of Snellville.**

- a) Snellville shall pay to Gwinnett the bid amount for roadway base and asphalt replacement beyond what is needed for replacement of the water mains along Valley Creek Circle and Ridgewood Way currently estimated as follows:

The amount of One Hundred Twelve Thousand and Five Hundred Dollars (\$112,500.00) for 2,250 Tons of GAB roadway sub-base and the amount of Fifty-Eight Thousand Dollars (\$58,000.00) for 500 Tons of Asphalt for a total payment of One Hundred Seventy Thousand and Five Hundred Dollars (\$170,500.00) within thirty (30) days of completion of the Water Project currently scheduled for the end of 2023.

Actual bid pricing may differ from the estimate and project completion shall be defined as final payment to the contractor and issuance of close-out paperwork.

Snellville's contribution shall be limited to Two Hundred Thousand Dollars (\$200,000.00).

**5. Reservation of Rights.**

Gwinnett reserves the right to utilize all real estate rights acquired for the Water Project for any and all purposes not inconsistent with the property rights herein obtained.

**6. Remedies.**

- a) In the event of a breach or attempted or threatened breach of the provisions of this instrument, the Parties agree that the remedies at law available to enforce this instrument are inadequate, and therefore, the provisions of this instrument may be enforced by a mandatory or prohibitory injunction or decree of specific performance upon the application of the Party which is enforcing the provision.
- b) The remedies herein are in addition to and not in lieu of any other remedies available under applicable law.

**7. Entire Agreement.**

This Agreement constitutes the entire agreement between Snellville and Gwinnett County and the WSA with respect to the subject matter hereof and supersedes all prior agreements, understandings, discussions, negotiations, and undertakings, whether written or oral, and there are no inducements, representations, warranties or understandings that do not appear within the terms and provisions of this Agreement.

**8. Severability.**

It is understood and agreed by and between the Parties that if any condition or provision contained in this Agreement is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other such condition or provision herein contained, provided, however, that invalidity of any such condition or provision does not materially prejudice either Gwinnett County, the WSA or Snellville with respect to its respective rights and obligations contained in the remaining valid conditions or provisions of this Agreement.

**9. Successors and Assigns.**

The provisions of this Agreement shall bind and inure to the benefit of the Parties and their respective representatives, successors, and permitted assigns.



**10. Evidence.**

The Parties agree that if Gwinnett County or the WSA is sued in subsequent litigation concerning the Water Project, including, but not limited to, the acquisition of easements or other property interests or the construction of any of the subject facilities and appurtenances, this Agreement may be introduced into evidence.

**11. Attorneys' Fees.**

Each Party shall bear its own costs, expenses and claims to attorneys' fees incurred or arising out of this Agreement or the Water Project.

**12. Controlling Law, Venue.**

This Agreement was made and shall be performed in Gwinnett County, Georgia, and shall be construed and interpreted under the laws of the State of Georgia. Venue to enforce this Agreement shall be solely in the Superior Court of Gwinnett County, Georgia, and all defenses to venue are waived.

**13. Further Assurances.**

The Parties will sign any additional papers, documents and other assurances, and take all acts that are reasonably necessary to carry out the intent of this Agreement.

**14. Construction.**

This Agreement has been jointly negotiated and drafted. This Agreement shall be construed as a whole according to its fair meaning. The language of this Agreement shall not be constructed for or against any Party.

**15. Legal Advice.**

In entering into this Agreement, the Parties acknowledge that their legal rights are affected by this Agreement and that they have sought and obtained the legal advice of their attorneys. Each Party has made such an investigation of the law and the facts pertaining to this Agreement and of all other matter pertaining thereto as it or they deem necessary. They further represent that the terms of this Agreement have been completely read by them and that all terms are fully understood and voluntarily accepted by them.

**16. Amendment of Agreement.**

Only a writing signed by each of the Parties may modify this Agreement.

**17. Authority.**

The signature of a representative of any Party to this Agreement is a warranty that the representative has authority to sign this Agreement and to bind any and all principals to the terms and conditions hereof.

**18. Headings.**

The headings of the paragraphs contained herein are intended for reference purposes only and shall not be used to interpret the terms and conditions contained herein or the rights granted hereby.

**19. Time.**

Time is of the essence with respect to all duties and obligations set forth in this Agreement.

**20. Notice.**

- (a) Any notice, request, direction, consent, approval, or other communication required or permitted under this Agreement must be in writing and provided to Snellville at its address set forth below:

City of Snellville  
City Manager  
2342 Oak Road  
Snellville, Georgia 30078  
(770) 476-3434

- (b) Any notice, request, direction, consent, approval, or other communication required or permitted under this Agreement must be in writing and provided to Gwinnett County at its address set forth below:

Gwinnett County Administrator  
Gwinnett Justice and Administration Center  
75 Langley Drive  
Lawrenceville, Georgia 30046



With a copy to:

Gwinnett County Attorney  
Gwinnett Justice and Administration Center  
75 Langley Drive  
Lawrenceville, Georgia 30046

- (c) Any notice, request, direction, consent, approval, or other communication required or permitted under this Agreement must be in writing and provided to the WSA at its address set forth below:

Chairman  
Gwinnett County Water and Sewerage Authority  
684 Winder Highway  
Lawrenceville, Georgia 30045

With a copy to:

Director  
Department of Water Resources  
684 Winder Highway  
Lawrenceville, Georgia 30045

- (d) Notice via email is acceptable only as an additional method of notice to either regular or certified mail, statutory overnight mail, or hand-delivery.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized officials, have caused this Agreement to be executed in two counterparts, each to be considered as an original, by their authorized representative the day and date herein above written.

CITY OF SNELLVILLE, GEORGIA

By: \_\_\_\_\_  
Barbara Bender, Mayor

Signed, sealed and delivered in the  
presence of:

ATTEST:

\_\_\_\_\_  
Unofficial witness

\_\_\_\_\_  
City Clerk

(City Seal)

DRAFT



Signed, sealed and delivered in the presence of:

GWINNETT COUNTY, GEORGIA

\_\_\_\_\_  
Unofficial witness

\_\_\_\_\_  
Nicole L. Hendrickson  
CHAIRWOMAN  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Notary Public

ATTEST:

[Notarial seal]

\_\_\_\_\_  
County Clerk

(County Seal)

Approved as to Form:

\_\_\_\_\_  
Senior Assistant County Attorney

DRAFT

GWINNETT COUNTY WATER &  
SEWERAGE AUTHORITY

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Chairman

ATTEST:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

Secretary

Signed, sealed and delivered in the  
presence of:

NOTARY:

\_\_\_\_\_  
Unofficial witness

\_\_\_\_\_  
[Notarial seal]

Approved as to Form:

\_\_\_\_\_  
Attorney





# AGENDA

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PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 22, 2022

Publication Date: August 18, 2022

TIME: 7:30 p.m.

DATE: August 22, 2022

PLACE: Council Chambers

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE TO THE FLAG
- IV. CEREMONIAL MATTERS
- V. MINUTES  
Approve the Minutes of the August 2, 2022 Special Called Meeting and the August 8, 2022 Meetings
- VI. INVITED GUESTS
- VII. COMMITTEE / DEPARTMENT REPORTS
- VIII. APPROVAL OF THE AGENDA
- IX. PUBLIC HEARING
  - a) 2<sup>nd</sup> 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

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL  
MONDAY, AUGUST 22, 2022  
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- b) 2<sup>nd</sup> Reading - RZ 22-04 LUP 22-04 – Consideration and Action on Applications by CKK Development Services LLC (applicant) and Larry Garner (property owner) Requesting: a) to Amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to R-TH (Townhome Residential) District; b) to Amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential; c) and Request for Variances from the Small Residential Building Standards; Minimum Building Setbacks, and Sidewalk and Planter Strip Requirements for a 27-Unit/Lot Townhome Development on a 3.43± Acre Site Located Adjacent to the Olde Hickory Village Subdivision, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248, 5059 485, 5059 486, and 5059 487)
- c) 2<sup>nd</sup> Reading – RZ 22-07 LUP 22-06 – Consideration and Recommendation on applications by Century Communities of Georgia, LLC (applicant) and Hazel L. Lee and Brenda G. Lee (property owners) requesting: a) to amend the 2040 Comprehensive Plan Future Land Use Map from Medium-Density Residential to Low-Density Residential; b) to amend the Official Zoning Map from RS-15 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 98-lot single-family (detached) residential subdivision on a 25.052± acre site having a gross density of 3.91 units per acre, located at 1689 and 1725 Rockdale Circle, Snellville, Georgia (Tax Parcels 5060 008 and 5060 023)

X. **CONSENT AGENDA** (Please see \*Note)

XI. **OLD BUSINESS**

XII. **NEW BUSINESS**  
None

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.



REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL  
MONDAY, AUGUST 22, 2022  
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- 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  
AUGUST 22, 2022

August 22

Council Meeting

Monday, August 22, 2022

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

7:30 pm Meeting - Council Chambers, City Hall

August 23

Planning Commission Meeting - Canceled

Tuesday, August 23, 2022

7:30 pm Meeting - Council Chambers, City Hall

August 27

Snellville Farmers' Market

Saturday, August 27, 2022

8:30 am to 12:30 pm

Towne Green

August 28

Broadcast of 08/22/22 Council Meeting

Sunday, August 22, 2022

Watch the broadcast of the 08/22/2022 Council Meeting on Comcast Channel 25 at 6:30 pm

September 2

Food Truck Friday

Friday, September 2, 2022

4:00 pm to 8:00 pm

Towne Green

September 3

Snellville Farmers' Market

Saturday, September 3, 2022

8:30 am to 12:30 pm

Towne Green

September 5

Labor Day

Monday, September 5, 2022

8:00 am to 5:00 pm

All City offices will be closed in observance of Labor Day and will reopen on Tuesday, September 6, 2022 at 8:00 am.

Emergency services will operate normally.

September 10

Snellville Farmers' Market

Saturday, September 10, 2022

8:30 am to 12:30 pm

Towne Green



**September 10**

**Taste Of Snellville**

**Saturday, September 10, 2022**

**4:00 pm to 8:00 pm**

**Towne Green**

**September 12**

**Council Meeting**

**Monday, September 12 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  
TUESDAY, AUGUST 2, 2022

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

**CALL TO ORDER**

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

Discussion About Holding a Referendum to Allow the City to Issue Licenses for the Package Sale of Distilled Spirits [Bender]

Mayor and Council discussed a draft ordinance that would address the issuance of licenses. Several of the items discussed were the location and number of stores that would be allowed, distance from residential areas, the minimum size of the store and whether it should be free standing or in a shopping center, how the selection process for the licenses should be handled, and the maximum business hours allowed. After discussion City Attorney Crowley advised he would update the draft ordinance based on the discussed items.

Discussion about the Unified Development Ordinance [Schulz]

Planning Director Thompson reviewed changes to the Manor Creek Site plan. After discussion by Mayor and Council consensus was to add this item to the August 8<sup>th</sup> agenda under the consent agenda. Further discussion was held about zoning changes and Planning Director Thompson suggested addressing these under the upcoming 2040 Comprehensive Plan Update that is due in 2023.

Discussion about Build to Rent Single Family Homes [Warner]

Mayor and Council discussed having Home Owner's Associations or Property Owner's Associations for the subdivisions. After discussion consensus was to have the City Attorneys draft a zoning class for Build to Rent subdivisions.

Discussion about Single Family Rentals by the Room [Warner]

City Attorney Ross advised our current code covering Rooming/Boarding houses may help address this issue. After discussion Attorney Ross said a letter could be sent to companies that advertise rooms for rent letting them know a business license is needed. Council talked about possibly hiring part time help in Quality of Life to research what homes are renting by the room.

**City of Snellville Administration Department**



SPECIAL CALLED MEETING OF MAYOR AND COUNCIL  
TUESDAY, AUGUST 2, 2022  
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Consideration and Action on Approval of the Lease Agreement with Thrive, LLC [Bender]

Mayor Bender explained that approval of the lease is not needed as the Downtown Development Authority will do that. She just asked Council if they are in agreement with the terms of the lease. After discussion Council Member Warner made a motion that terms of the agreements are acceptable, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved.

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 7:57 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



WORK SESSION  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 8, 2022

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

Mayor Bender was absent so Mayor Pro Tem Emanuel chaired the meeting.

**CALL TO ORDER**

Mayor Pro Tem Emanuel called the meeting to order at 6:30 p.m.

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

The agendas were reviewed and discussed.

**REVIEW CORRESPONDENCE**

None

**CITY ATTORNEY'S REPORT**

(Report was given after item "a" under the discussion items.)

**DISCUSSION ITEMS**

Update of Ongoing Projects [Bender]

City Manager Sanders reported on the Towne Center as well as several other projects.

City Attorney Ross handed out a draft sign ordinance for the Towne Center Mixed Use District (TC-MU) and discussed it with Council. Also discussed were rental neighborhoods, an email Mayor Bender received about package store licensing, and the broken gate at Snellville Pavilion being handled by Qualify of Life Officer Greene.

Discussion About Mayor and Council Georgia Municipal Association Training Opportunities [Destang]

Council Member Destang talked about a discussion she had with Mayor Bender about Diversity, Equity and Inclusion training. Freddie Broome with Georgia Municipal Association will be at the next work session to go over the training options available. City Manager Sanders handed out an outline of one of Mr. Broome's classes.

**City of Snellville Administration Department**

WORK SESSION OF MAYOR AND COUNCIL  
MONDAY, AUGUST 8, 2022  
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**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Council Member Schulz made a motion to adjourn, 2<sup>nd</sup> by Council Member Warner; voted 4 in favor and 0 opposed, motion approved. The meeting adjourned at 6:55 p.m.

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 8, 2022

Present: Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Gretchen Schulz, and Tod Warner. (Mayor Barbara Bender and Council Member Cristy Lenski were absent.) Also present: City Manager Butch Sanders, 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, IT Administrator Erika Fleeman and City Clerk Melisa Arnold. (Assistant City Manager Matthew Pepper was absent.)

Since Mayor Bender was absent, Mayor Pro Tem Emanuel chaired the meeting.

**CALL TO ORDER**

Mayor Pro Tem Emanuel called the meeting to order at 7:30 p.m.

**INVOCATION**

Kenya Bland gave the invocation.

**PLEDGE TO THE FLAG**

Landon Bland led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

None

**MINUTES**

Approve the Minutes of the July 25, 2022 Regular and Special Called Meetings

Council Member Destang made a motion to approve the minutes of the July 25, 2022 Regular and Special Called Meetings, 2<sup>nd</sup> by Council Member Warner; voted 4 in favor and 0 opposed, motion approved.

**INVITED GUESTS**

Kenya Bland - Guiding Young Minds, Corp

Kenya and Austin Bland spoke about the Guiding Young Minds program.

**COMMITTEE / DEPARTMENT REPORTS**

None

**APPROVAL OF THE AGENDA**

Council Member Schulz made a motion to approve the agenda, 2<sup>nd</sup> by Council Member Warner; Voted 4 in favor and 0 opposed, motion approved.

**City of Snellville Administration Department**



PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL  
MONDAY, AUGUST 8, 2022  
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**PUBLIC HEARING**

None

**CONSENT AGENDA**

Approval of Substantial Changes to Manor Lake Assisted Living Facility Site Plan - RZ 22-03 LUP 22-03 SUP 22-04 - Applications from Manor Lake Development, LLC (applicant) and Ridgecliff, LLC (property owner)

There were no objections so the consent agenda was approved 4 in favor and 0 opposed.

**OLD BUSINESS**

None

**NEW BUSINESS**

Consideration and Action on Approval of RES 2022-08 - Resolution Calling for a Referendum to Submit to the Electors of the City of Snellville, Georgia, the Question of Whether the City of Snellville, Georgia, Shall be Authorized to Permit and Regulate the Package Sale of Distilled Spirits Within the City, Pursuant to O.C.G.A. § 3-4-41 [Bender]

Mayor Pro Tem Emanuel explained that this resolution allows for the referendum to be put on a ballot in November so the citizens can vote.

Council Member Schulz made a motion to approve RES 2022-08, 2<sup>nd</sup> by Council Member Warner; voted 3 in favor and 1 opposed with Council Member Destang casting the opposing vote, motion approved.

**COUNCIL REPORTS**

Council Members Destang, Warner, and Schulz each gave a report.

**MAYOR'S REPORT**

Mayor Pro Tem Emanuel gave a report.

**PUBLIC COMMENTS**

None

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Council Member Schulz made a motion to adjourn, 2<sup>nd</sup> by Council Member Destang; voted 4 in favor and 0 opposed, motion approved. The meeting adjourned at 7:47 p.m.

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

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## Agenda Item Summary

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**TO:** The Mayor and Council

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**DATE:** August 22, 2022

**RE:** #LUP 22-01 – Land Use Plan Amendment to the Snellville 2040 Comprehensive Plan Future Land Use Map (“FLUM”)

**STATUS:** Public Hearing (2<sup>nd</sup> Reading)

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Case continued from the March 28, 2022 Mayor and Council regular meeting.

City initiated proposed amendment to the Snellville 2040 Comprehensive Plan Future Land Use Map, adopted 2-11-2019, to amend two undeveloped parcels of land located near the intersection of U.S. Hwy. 78/Athens Hwy. and Rosebud Road, Snellville as follows:

Parcel No.	Acres	Current Zoning	Current FLUM	Proposed FLUM
R5100 065	23.61±	BG (General Business) District	Commercial Retail	Highway 78 East Activity Center/Node
R5100 023	18.04±	RS-30 (Single-family Residence) District	Commercial Retail	Highway 78 East Activity Center/Node

Both parcels are located in the Highway 78 East Character Area on the Snellville 2040 Comprehensive Plan Future Development Map. The current zoning of each parcel will remain unchanged.

The Highway 78 East Character Area is one of the least developed within the City and the two subject parcels represent almost 42 acres of prime property that will help provide an opportunity to encourage clustered, connected mixed-use development at the eastern node of the Highway 78 East Activity Node while allowing a mixture of land uses, similar to the Towne Center, but at a smaller scale, including retail, civic, office, residential, and recreation in a walkable environment.

The MU (Mixed-Use) District was created as a new zoning district with the 2020 adoption of the City’s Unified Development Ordinance (“UDO”) to help guide development within the activity nodes.

**Financial Impact:**                      **None (immediate)**  
**Development and permit fees; and occupational**  
**and alcoholic beverage annual license fees (long-**  
**term)**

**Planning Department**  
**Recommendation:**                      **Approval**

**Planning Commission**  
**Meeting Date**  
**(Recommendation):**                      **January 25, 2022 (Table to Feb 22 2022)**  
**February 22, 2022 (Approval)**

**Mayor and Council**  
**Meetings:**                                      **March 14, 2022 (1<sup>st</sup> Reading)**  
**March 28, 2022 (Table to Aug 22 2022)**

**Action Requested:**                      **Consideration, Public Hearing and Action**

**Draft Ordinance:**                      **Attached**

**Case Documents (website link):**

- [Snellville Future Development Map \(adopted 2-11-2019\)](#)
- [Highway 78 East Character Area \(adopted 2-11-2019\)](#)
- [MU \(Mixed-Use\) District \(adopted 10-26-2020\)](#)
- [1-25-2022 Memorandum to Planning Commission \(12-27-2021\)](#)
- [Proposed Future Land Use Map Amendment \(1-13-2022\)](#)
- [#LUP 22-01 Land Use Plan Amendment Application \(1-19-2022\)](#)
- [Official Jan 25 2022 Planning Commission Regular Meeting Minutes \(2-23-2022\)](#)
- [Jan 25 2022 Planning Commission Case Report \(1-28-2022\)](#)
- [Official Feb 22 2022 Planning Commission Regular Meeting Minutes \(2-23-2022\)](#)
- [Feb 22 2022 Planning Commission Case Report \(2-23-2022\)](#)
- [12-14-2015 Mayor and Council Approved Ordinance No. 2015-20 \(7-29-2022\)](#)
- [12-14-2015 Mayor and Council Approved \(11-17-2015\) Rezoning Site Plan and \(10-27-2015\) Conceptual Building Renderings \(7-29-2022\)](#)

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2022-05**

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 18.04± ACRE TRACT AND 23.61± ACRE TRACT OF LAND LOCATED IN LAND LOT 100 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**CASE NUMBER:**

#LUP 22-01

**PROPERTY OWNER  
18.04± ACRE TRACT  
(R5100 023):**

Sinocoin Investment, LLC  
3500 Lenox Road NE Ste 1500  
Atlanta, Georgia 30326

**PROPERTY OWNER  
23.61± ACRE TRACT  
(R5100 065):**

The Kroger Co.  
1014 Vine Street  
Cincinnati, Ohio 45202

**LOCATION:**

Intersection of Rosebud Road and  
Athens Highway, Loganville, Georgia

**APPLICANT/CONTACT;**

Jason Thompson, Director  
Department of Planning and Development  
City of Snellville, Georgia  
770-985-3518 or [JThompson@snellville.org](mailto:JThompson@snellville.org)

**DEVELOPMENT/PROJECT:**

Undeveloped Land



**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 the 2040 Comprehensive Plan Future Land Use Map as it applies to the 18.04± acre tract of undeveloped land located in the 3100 Block Rosebud Road (Tax Parcel R5100 023) and the 23.61± acre tract of undeveloped land located at 1000 Athens Highway (Tax Parcel R5100 065); and

**WHEREAS**, the subject undeveloped property is located in the Highway 78 East Character Area on the Snellville 2040 Comprehensive Plan Future Development Map; and

**WHEREAS**, the Highway 78 East Character Area is one of the least developed within the City and the two subject parcels represent almost 42 acres of prime property that will help provide an opportunity to encourage clustered, connected mixed-use development at the eastern node of the Highway 78 East Activity Center/Node while allowing a mixture of land uses, similar to the Towne Center, but at a smaller scale, including retail, civic, office, residential, and recreation in a walkable environment; and

**WHEREAS**, the MU (Mixed-Use) District was created as a new zoning district with the 2020 adoption of the City's Unified Development Ordinance ("UDO") to help guide development within the activity centers/nodes; and

**WHEREAS**, the current zoning of each subject parcel is to remain unchanged until such time that a new rezoning application is received and approved by the Mayor and Council; 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 future land use designation of the 18.04± acre tract of land shown on the Gwinnett County GIS Parcel Map printed 1-19-2022 entitled “18.04± Acres in 3100 Block Rosebud Road, Sinocoin Investment LLC, Tax Parcel R5100 023”, described and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, and the future land use designation for the 23.61± acre tract of land shown on the Gwinnett county GIS Parcel Map printed 1-19-2022 entitled “23.61± Acres at 1000 Athens Hwy., The Kroger Co., Tax Parcel R5100 065” described and shown on Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is hereby changed from Commercial Retail to Highway 78 East Activity Center/Node.

This change in the future land use, as shown on the future land use plan Exhibit “C”, a copy of which is attached hereto and incorporated herein by reference is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this

Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

**Section 2.** All prior conditions of zoning that are attached to Parcel R5101 023 and/or Parcel R5101 065 remain in full-force and effect.

**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 March \_\_\_\_\_, 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 March, 2022.

\_\_\_\_\_  
Barbara Bender, Mayor

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Mayor Pro Tem

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

\_\_\_\_\_  
Solange Destang, Council Member

*APPROVED AS TO FORM:*

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

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

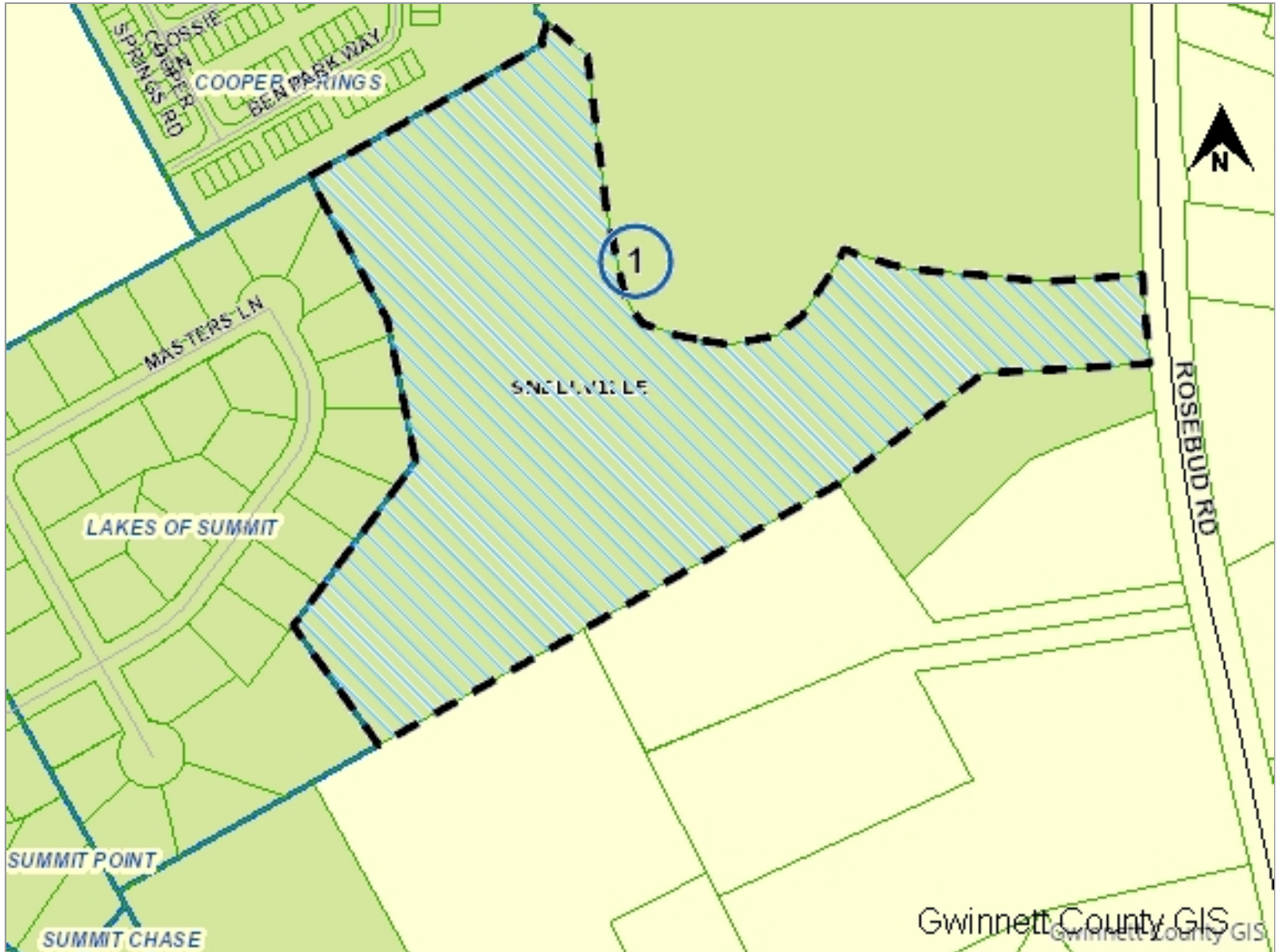
\_\_\_\_\_  
Gretchen Schulz, Council Member

\_\_\_\_\_  
Tod Warner, Council Member

EXHIBIT “A”

DRAFT

18.04 +/- ACRES IN 3100 BLK  
ROSEBUD ROAD - SINOCOIN  
INVESTMENT LLC  
TAX PARCEL R5100 023



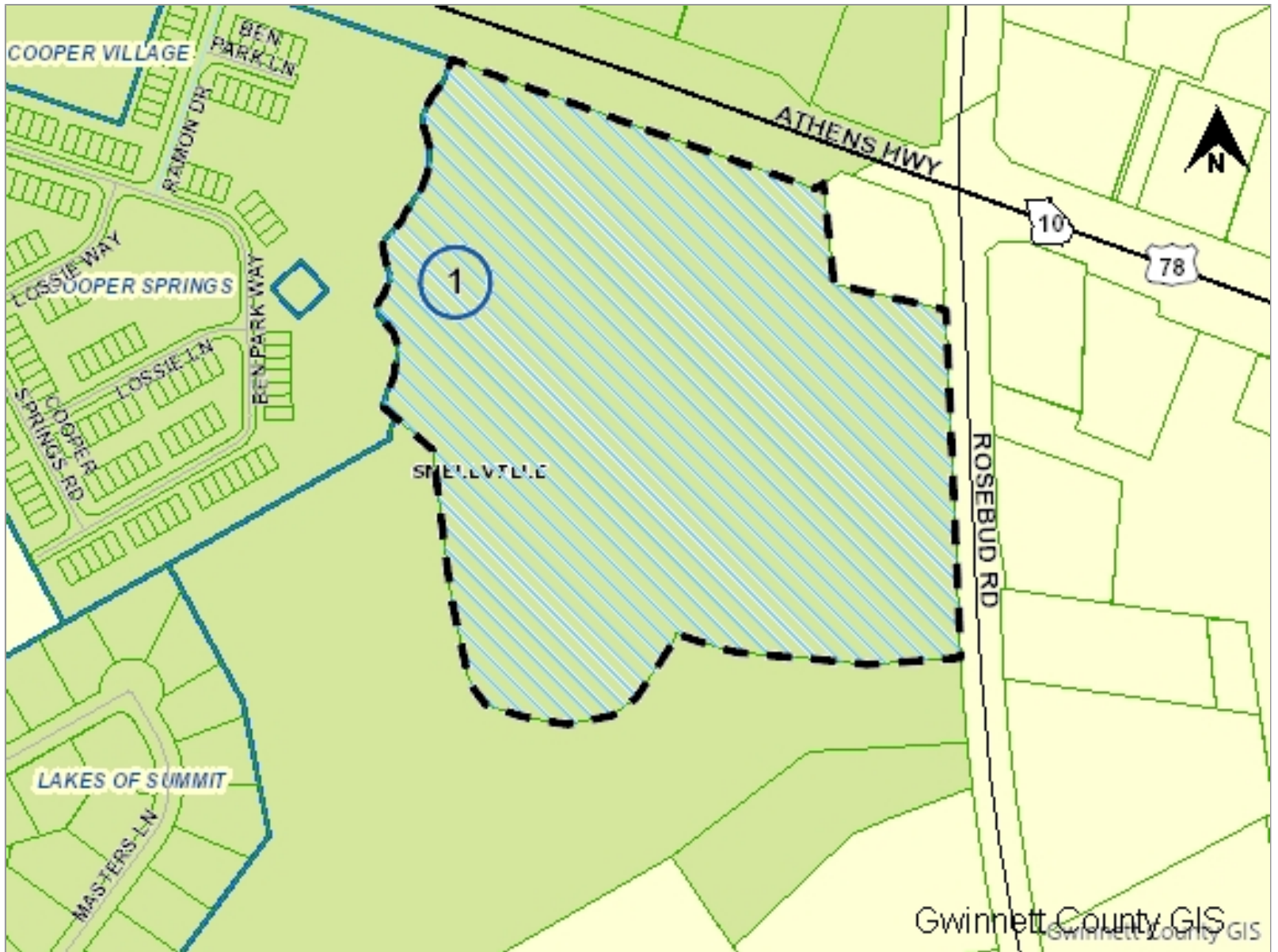
Powered by **Rolta OnPoint™**



EXHIBIT “B”

DRAFT

23.61 +/- ACRES AT 1000 ATHENS  
HWY - THE KROGER CO  
TAX PARCEL R5100 065



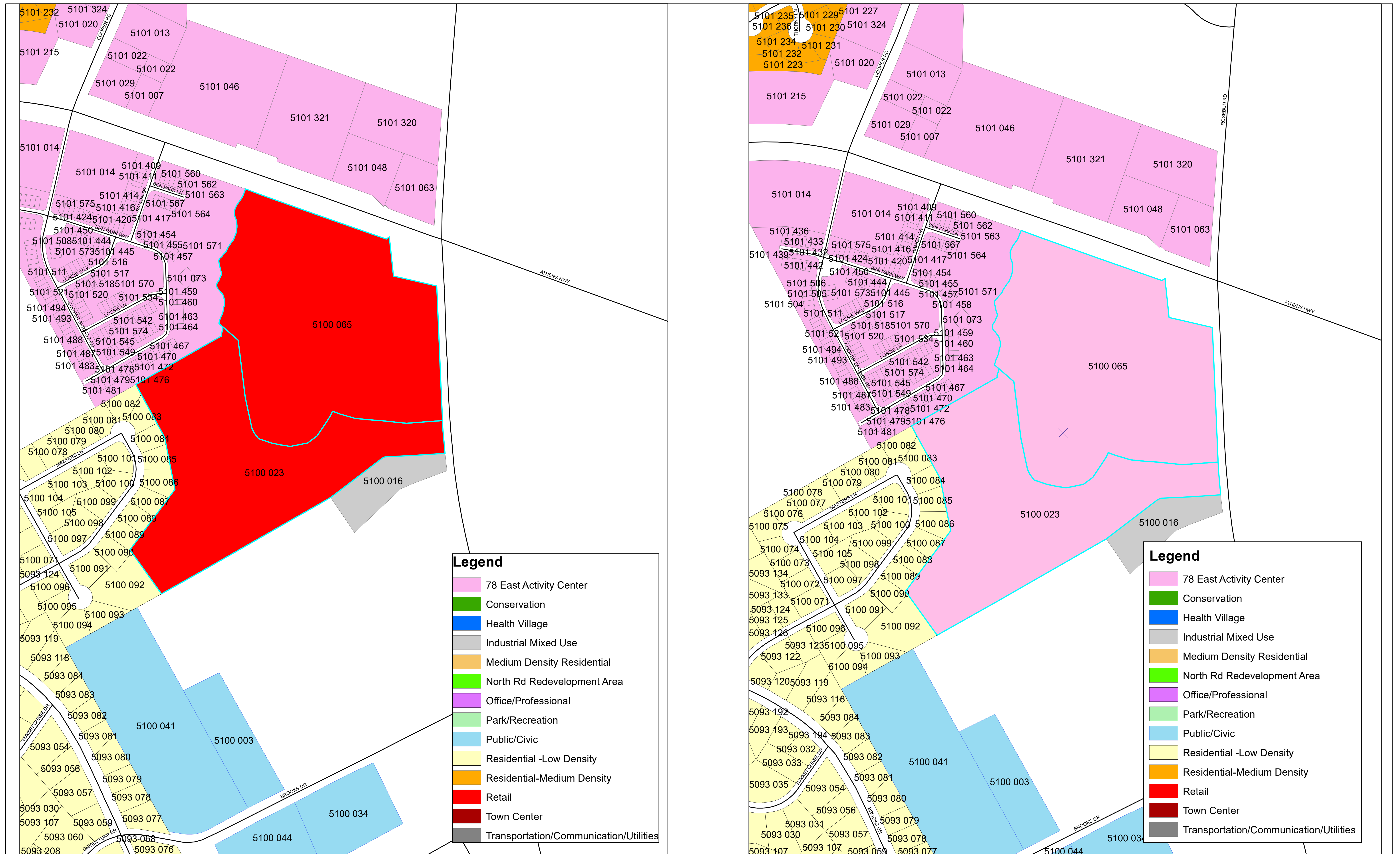
Map Printed On 2022-01-19 09:14

EXHIBIT “C”

DRAFT



LUP 22-01







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## **Agenda Item Summary**

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**TO:** The Mayor and Council

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**DATE:** August 22, 2022

**CASE NO.:** #RZ 22-04 LUP 22-04

**STATUS:** Public Hearing (2<sup>nd</sup> Reading)

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Applications requesting to amend the Future Land Use Map and Official Zoning Map, and request for variances from the Small Residential Building Standards and Streetscape Requirements of the Unified Development Ordinance for a 27-unit/lot single-family (attached) townhome development on a 3.43± acre tract adjacent to the Olde Hickory Village subdivision at the intersection of Hickory Station Drive and U.S. Highway 78 (E. Main Street).

**Financial Impact:** Site Development and Building Permit Fees; Real Property Taxes; and Stormwater Utility Fees

**Planning Department  
Recommendation:** Approval with Conditions

**Planning Commission  
Meeting Date and  
Recommendation:** May 24, 2022 (Approval with Conditions)

**Mayor and Council  
Meetings:** June 13, 2022 (1<sup>st</sup> Reading)  
July 11, 2022 (2<sup>nd</sup> Reading – Tabled to Aug 22<sup>nd</sup>)

**Action Requested:** Consideration, Public Hearing and Action

**Draft Ordinances:** Attached

**Case Documents (website link):**

- [Letter of Intent \(4-7-2022\)](#)
- [#RZ 22-04 Application \(4-7-2022\)](#)
- [#LUP 22-04 Application \(4-7-2022\)](#)
- [Application Supplemental Documents \(4-7-2022\)](#)



3.43± Acre Property at 2045-2075 E. Main Street, Snellville, Georgia  
Case #RZ 22-04 LUP 22-04  
August 22, 2022  
Page... 2

- 3-16-2022 Boundary Survey (4-7-2022)
- 3-16-2022 Rezoning Site Plan (4-7-2022)
- Exterior Building Elevations (4-7-2022)
- May 24 2022 Planning Department Case Summary & Analysis (5-11-2022)
- *Official* May 24, 2022 Planning Commission Regular Meeting Minutes (6-29-2022)
- May 24 2022 Planning Commission Case Report (6-1-2022)
- Jun 13 2022 Planning Department Case Summary & Analysis with Planning Commission Report (6-1-2022)
- Jul 11 2022 Planning Department Case Summary & Analysis with Planning Commission Report (6-20-2022)
- 6-5-2022 Revised Rezoning Site Plan (7-6-2022)
- Aug 22 2022 Planning Department Case Summary & Analysis with Planning Commission Report (8-15-2022)

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2022-11**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 3.43± ACRE TRACT OF LAND LOCATED IN LAND LOT 59 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2045-2055-2065-2075 E. MAIN STREET, SNELLVILLE, 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.

<b>CASE NUMBER:</b>	#RZ 22-04
<b>PROPERTY OWNER:</b>	Larry Garner Loganville, Georgia 30052
<b>LOCATION:</b>	2045-2055-2065-2075 E. Main Street, Snellville, Georgia 30078
<b>TAX PARCELS:</b>	R5059 248; R5059 485; R5059 486; and R5059 487
<b>APPLICANT/CONTACT:</b>	Andy Lunsford CKK Development Services, LLC Lawrenceville, Georgia 30046 678-314-0466 or <a href="mailto:Andy@ckkdev.com">Andy@ckkdev.com</a>
<b>DEVELOPMENT/PROJECT:</b>	27-Unit Single-Family (Attached) Townhome Development

**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 3.43± acre tract of undeveloped land

located at the intersection of U.S. Highway 78 (E. Main Street) and Hickory Station Drive, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248; 5059 485; 5059 486; and 5059 487) for a 27-unit single-family (detached) townhome development; and,

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to grant variances from the Small Residential Building Standards of Article 1 Chapter 200 and the Required Streetscapes of Article 1 Chapter 400 of the Snellville Unified Development Ordinance; and,

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to repeal conditions of zoning and approved variances from the 12-14-2015 Mayor and Council approved rezoning for case no. RZ 15-06 (Ordinance No. 2015-17); 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 Official Zoning Map for the City of Snellville, Georgia for the 3.43± acre tract of land described and shown on the boundary survey “C.K.K. Development 2045, 2055, 2065 & 3075 East Main Street”, sealed and dated 3-16-2022 (stamped received 4-7-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from BG (General Business) District to R-TH (Townhome Residential) District.

**Section 2.** All variances and conditions that are applicable to the 3.43± acre property and previously approved on 12-14-2015 by the Mayor and Council for rezoning

case #RZ 15-06 (Ordinance No. 2015-17) are hereby repealed and instead, this action is subject to the attachment of the following approved variances (1-4) and new conditions (1-10):

VARIANCES:

1. Variance from UDO Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
2. Variance from UDO Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a front porch or stoop.
3. Variance from UDO Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain 'as-is' within the E. Main Street public right-of-way.
4. Variance from UDO Sec. 202-6.6. (Dimensional Standards) to reduce the 50 feet minimum site setback (along streets) to 40 feet where abutting U.S. Highway 78.

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled "C.K.K. Development", dated 6-5-2022 (stamped received 7-6-2022) in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner's Association shall be established for the continual maintenance of open space; landscaping; walls, columns and fencing; signage; mailbox kiosk; and parking areas.
3. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the 600± feet of existing solid brick

wall and columns located along the northern property line. The wall and columns to remain in its place 'as-is' and protected during construction.

6. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the existing solid brick Olde Hickory Village subdivision sign located at the southwestern corner of the property. The sign to remain in its place 'as-is' and protected during construction.
7. The existing 5-foot wide sidewalk and 2-foot wide planter strip where adjacent to U.S. Highway 78 (E. Main Street) shall continue easterly to the property line where abutting Parcel 5059 233.
8. All project access improvements or modifications made within the Hickory Station Drive right-of-way shall be reviewed and approved by the City Engineer and completed at the sole cost and expense of the developer.
9. All townhome driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
10. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

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

**Section 5.** (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 6.** Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 7.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

**Section 8.** This Ordinance was adopted on August \_\_\_\_\_, 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 August, 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.

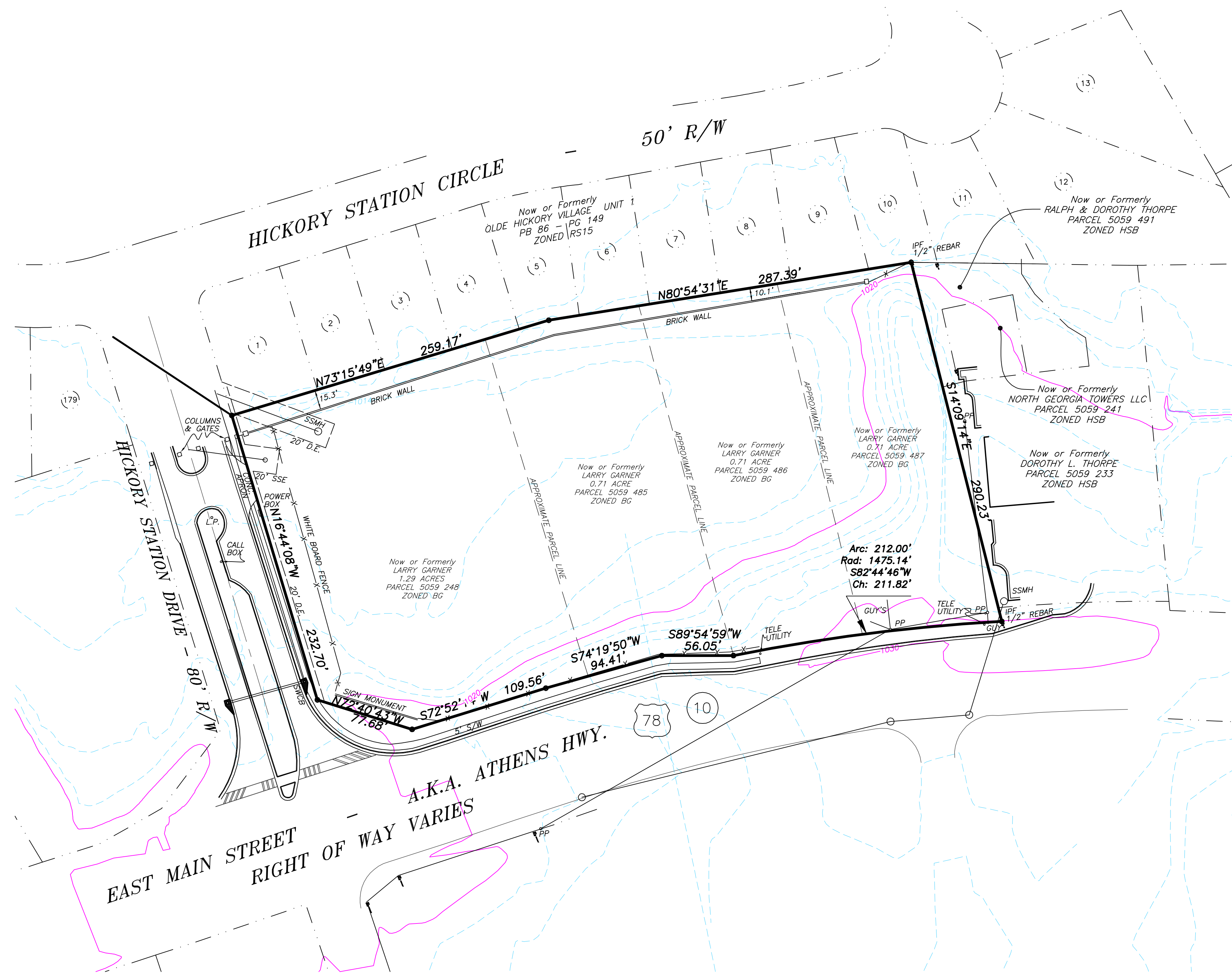
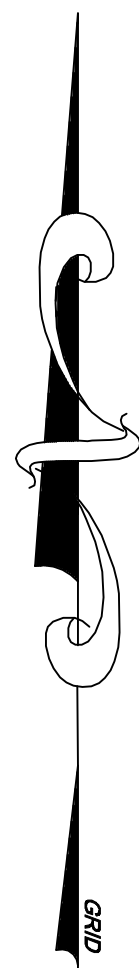
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Gretchen Schulz, Council Member

\_\_\_\_\_  
Tod Warner, Council Member

EXHIBIT “A”

TOTAL AREA: 3.43 ACRES

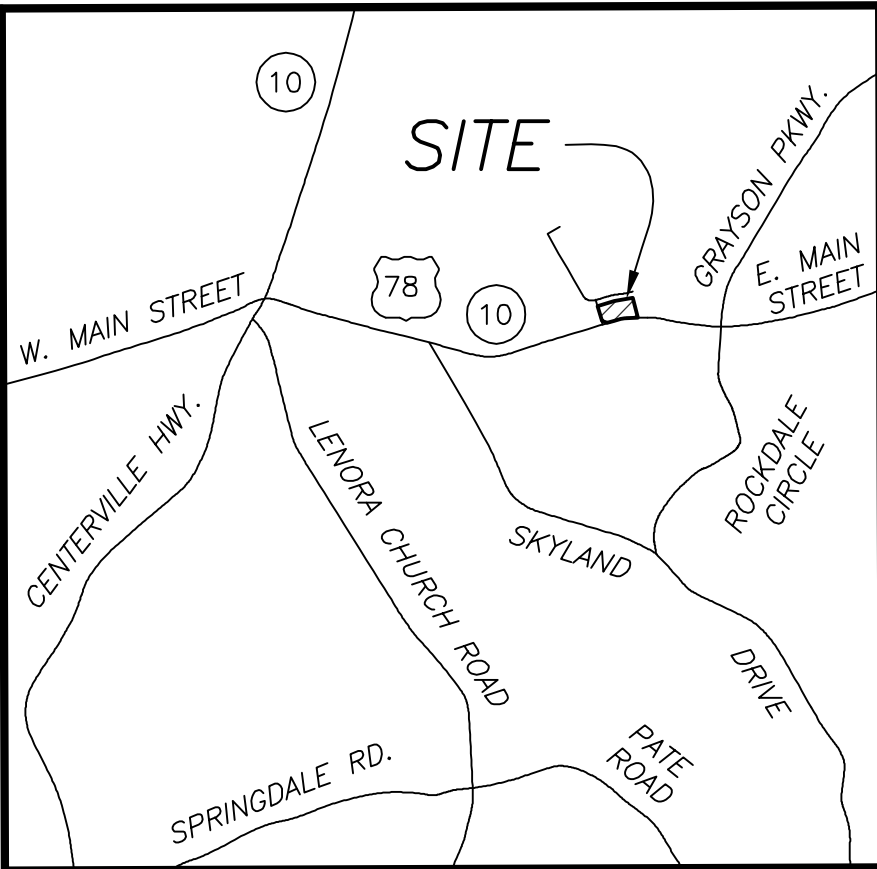
- LEGEND :
- POB POINT OF BEGINNING
  - LLI LAND LOT LINE
  - R/W RIGHT OF WAY
  - N/F NOW OR FORMERLY
  - CTF CRIMP TOP FOUND
  - RBF REBAR FOUND
  - OTF OPEN TOP FOUND
  - RBS REBAR SET
  - CMP CORRUGATED METAL PIPE
  - RCP REINFORCED CONCRETE PIPE
  - DIP DUCTILE IRON PIPE
  - PVC POLYVINYLCHLORIDE PIPE
  - SWCB SINGLE WING CATCH BASIN
  - DWCB DOUBLE WING CATCH BASIN
  - CI CURB INLET
  - DI DROP INLET
  - OCS OUTLET CONTROL SYSTEM
  - JB JUNCTION BOX
  - FES FLARED END SECTION
  - HW HEAD WALL
  - WI WIER INLET
  - SSMH SANITARY SEWER MANHOLE
  - CO CLEAN OUT
  - INV INVERT
  - OHP- OVERHEAD POWER LINE
  - OTL- OVERHEAD TELEPHONE LINE
  - UT- UNDERGROUND TELEPHONE LINE
  - EO ELECTRIC OUTLET
  - UP UTILITY POLE
  - P- UNDERGROUND POWER LINE
  - GW GUIDE WIRE
  - PP POWER POLE
  - L/P LIGHT POLE
  - C/I/T CABLE/INTERNET/TELEPHONE
  - FH FIRE HYDRANT
  - W- WATER LINE
  - WM WATER METER
  - WV WATER VALVE
  - VM VAYLE MARKER
  - SI SIGN POST
  - BL BUILDING LINE
  - CL CENTERLINE
  - EP EDGE OF PAVEMENT
  - \* SP SAMPLING POINT
  - MP MONITORING POINT
  - SL WETLANDS
  - SL STREET LIGHT



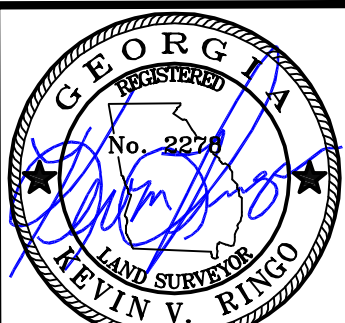
THE PROPERTY HEREON LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

03-16-22  
DATE

KEVIN V. RINGO - PLS NO. 2278



VICINITY MAP  
N.T.S.



G.S.W.C.C.  
LEVEL II - 0000083063  
EXPIRES 02/27/2024

CONSULTANTS  
SURVEYORS  
ENGINEERS  
PLANNERS  
**RINGO  
ABERNATHY  
& ASSOCIATES**  
174 DACULA ROAD - DACULA, GA 30019  
Phone (770) 962-8456

COUNTY/CITY:	GWINNETT/SNELLVILLE
LAND LOT(S)/DISTRICT:	59/5th
PARCEL(S):	248, 485, 486 & 487
DATE:	03/15/2022
SCALE:	1" = 50'
JOB NO.:	21099

BOUNDARY SURVEY FOR:  
**C.K.K. DEVELOPMENT**  
2045, 2055, 2065 & 2075 EAST MAIN STREET

REVISIONS	NO.	DATE

SHEET  
**1**  
1 OF 1

SURVEY NOTATION:  
THIS SURVEY WAS RUN USING A GEOMAX ZOOM 90 ROBATIC TOTAL STATION EDM UNIT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 61,106 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 685,582 FEET.

REFERENCE MATERIAL:  
FINAL PLAT OF OLD HICKORY VILLAGE, PHASE 1, PREPARED BY MAYES, SUDDERTH & ETHEREDGE, INC. DATED 08-29-00 AND RECORDED IN PLAT BOOK 89, PAGE 271.  
FINAL PLAT FOR DOTTIE THORPE, PREPARED BY SCI DEVELOPMENT SERVICES DATED 12-16-16 AND RECORDED IN PLAT BOOK 138, PAGE 275.



KNOW WHAT'S BELOW. CALL BEFORE YOU DIG  
IF YOU DIG GEORGIA ... CALL FIRST!

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM VARIOUS UTILITY COMPANIES, VARIOUS GOVERNMENTAL AGENCIES, AND ABOVE GROUND OBSERVATION. THE SURVEYOR AND/OR ENGINEER MAKE NO CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION, OR ADDITIONAL UTILITIES MAY BE UNCOVERED UPON EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.

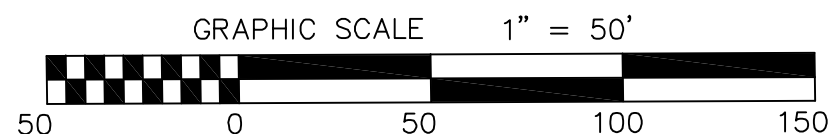
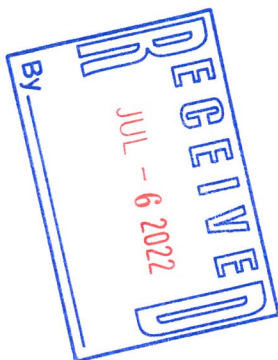
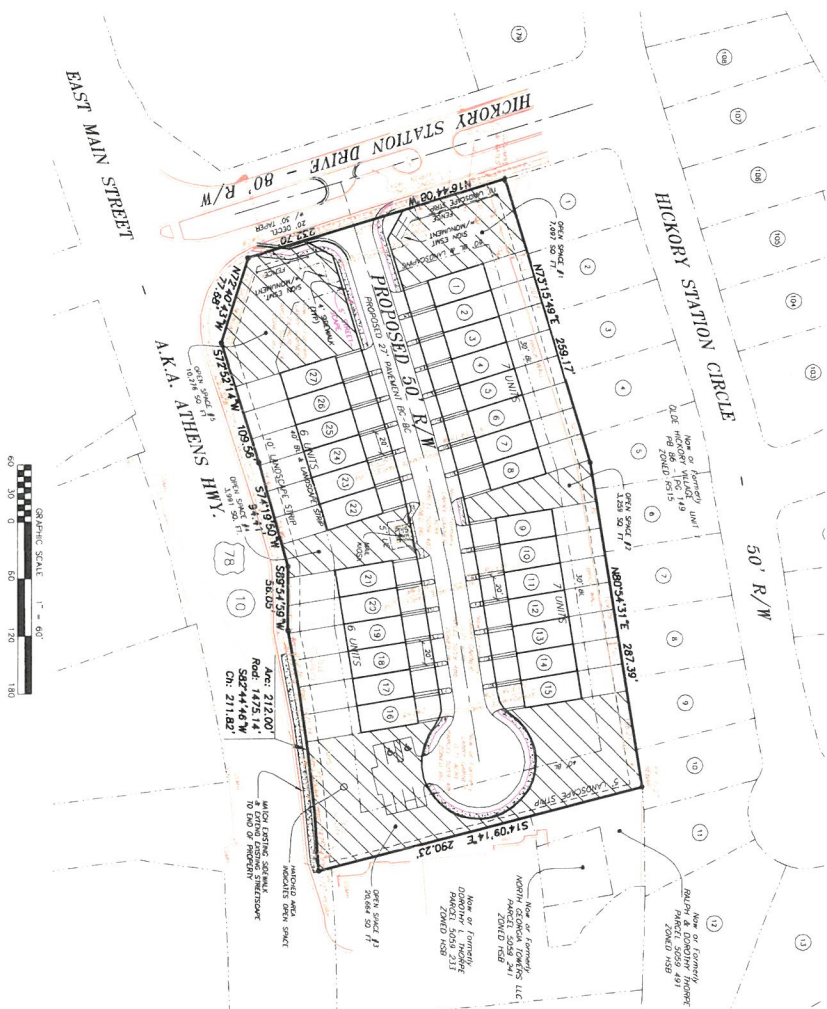




EXHIBIT “B”

- 

NOTE:  
DETENTION TO BE PROVIDED IN THE EXISTING  
DETENTION POND FOR OLDE HICKORY S/D.



2.0" 2.0" 2.0" 2.0" 2.0" 2.0" 2.0" 2.0" 2.0" 2.0"

12.0" 12.0"

TYPICAL LAYOUT

1000 BOARD FEET OF RELATED FLOOR SLABS

GEORGIA  
 DEPARTMENT OF REVENUE  
 No. 2278  
 STATE OF GEORGIA  
 DEPARTMENT OF REVENUE  
 15-6-87

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2022-12**

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 3.43± ACRE TRACT OF LAND LOCATED IN LAND LOT 59 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 2045-2055-2065-2075 E. MAIN STREET, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

<b>CASE NUMBER:</b>	#LUP 22-04
<b>PROPERTY OWNER:</b>	Larry Garner Loganville, Georgia 30052
<b>LOCATION:</b>	2045-2055-2065-2075 E. Main Street, Snellville, Georgia 30078
<b>TAX PARCELS:</b>	R5059 248; R5059 485; R5059 486; and R5059 487
<b>APPLICANT/CONTACT:</b>	Andy Lunsford CKK Development Services, LLC Lawrenceville, Georgia 30046 678-314-0466 or <a href="mailto:Andy@ckkdev.com">Andy@ckkdev.com</a>
<b>DEVELOPMENT/PROJECT:</b>	27-Unit Single-Family (Attached) Townhome Development

**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 the 2040 Comprehensive Plan Future Land Use Map as it applies to the 3.43± acre tract of undeveloped land located at the intersection of U.S. Highway 78 (E. Main Street) and Hickory Station Drive, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248; 5059 485; 5059 486; and 5059 487) for a 27-unit single-family (detached) townhome development; and,

**WHEREAS**, the subject undeveloped property is located on the western boundary of the Highway 78 East Character Area of the Snellville 2040 Comprehensive Plan Future Development Map; and,

**WHEREAS**, the Medium-Density Residential future land use category is a *Considered* future land use category for the R-TH (Townhome Residential) zoning district; 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 future land use designation of the 3.43± acre tract of land described and shown on the boundary survey “C.K.K. Development 2045, 2055, 2065 & 3075 East Main Street”, sealed and dated 3-16-2022 (stamped received 4-7-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from Commercial Retail to Medium-Density Residential.

This change in the future land use is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the

Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

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

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

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

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

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

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

**Section 6.** This Ordinance was adopted on August \_\_\_\_\_, 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 August, 2022.

\_\_\_\_\_  
Barbara Bender, Mayor

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Mayor Pro Tem

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

\_\_\_\_\_  
Solange Destang, Council Member

*APPROVED AS TO FORM:*

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

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

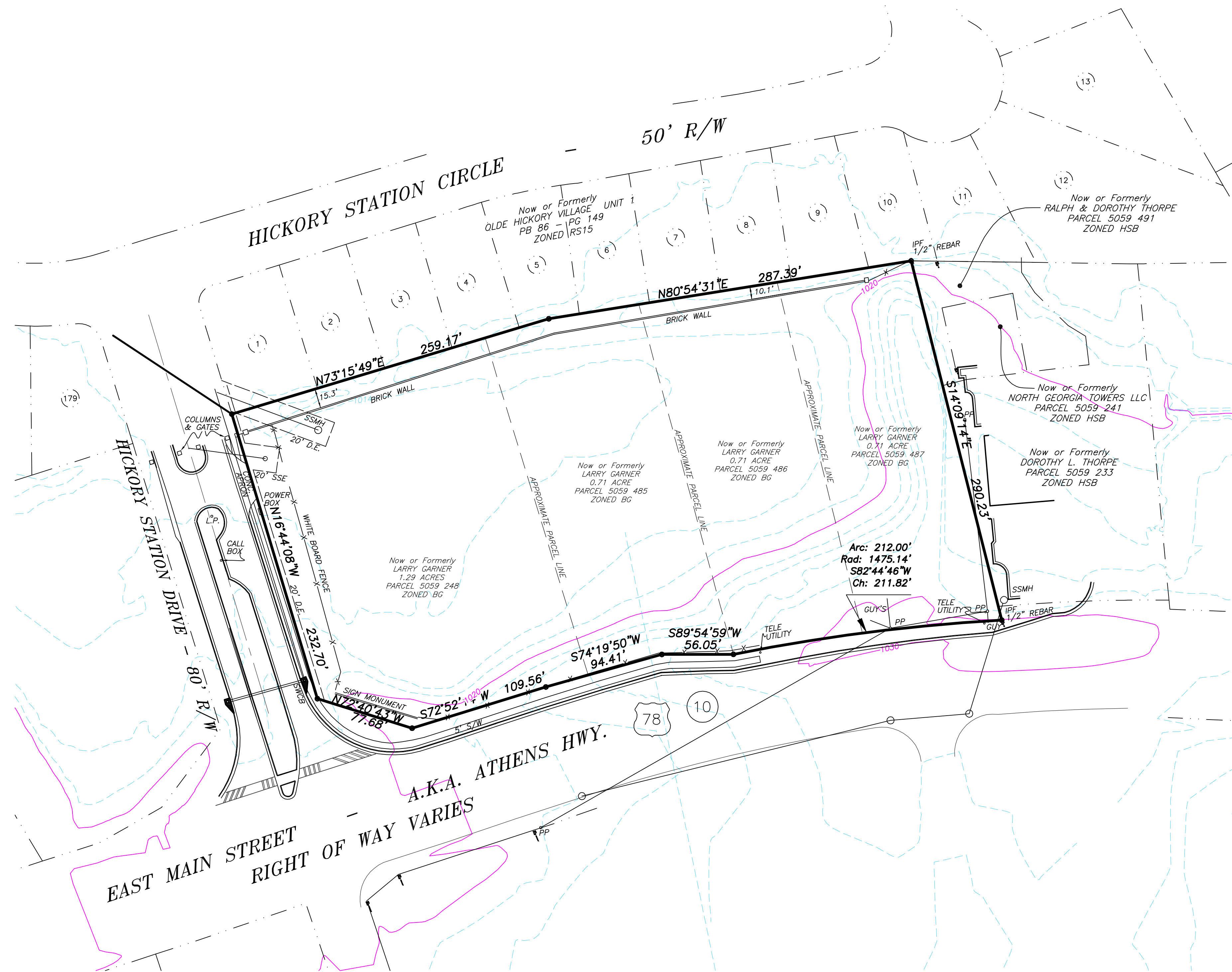
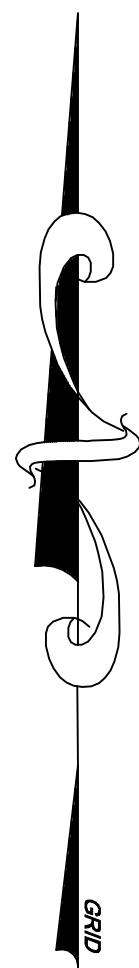
\_\_\_\_\_  
Gretchen Schulz, Council Member

\_\_\_\_\_  
Tod Warner, Council Member

EXHIBIT “A”

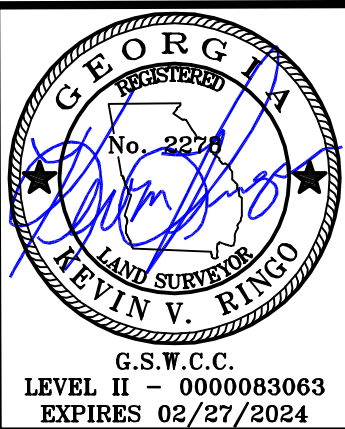
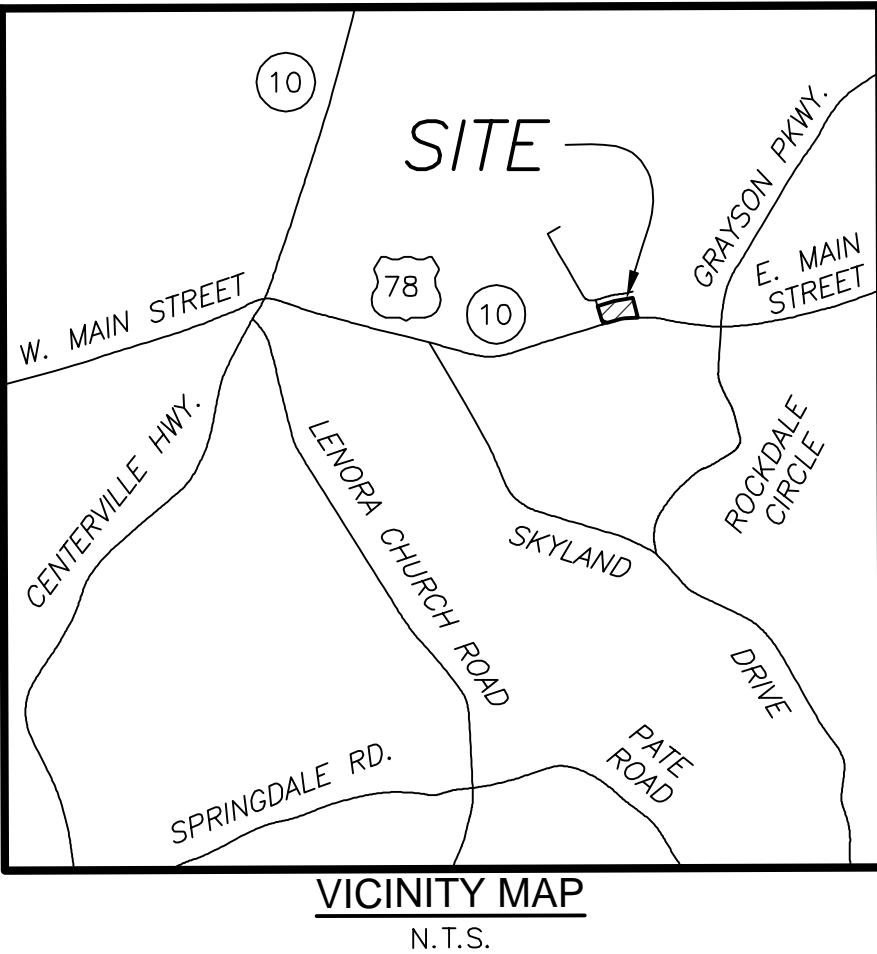
TOTAL AREA: 3.43 ACRES

- LEGEND :
- POB POINT OF BEGINNING
  - LLI LAND LOT LINE
  - R/W RIGHT OF WAY
  - N/F NOW OR FORMERLY
  - CTF CRIMP TOP FOUND
  - RBF REBAR FOUND
  - OTF OPEN TOP FOUND
  - RBS REBAR SET
  - CMP CORRUGATED METAL PIPE
  - RCP REINFORCED CONCRETE PIPE
  - DIP DUCTILE IRON PIPE
  - PVC POLYVINYLCHLORIDE PIPE
  - SWCB SINGLE WING CATCH BASIN
  - DWCB DOUBLE WING CATCH BASIN
  - CI CURB INLET
  - DI DROP INLET
  - OCS OUTLET CONTROL SYSTEM
  - JB JUNCTION BOX
  - FES FLARED END SECTION
  - HW HEAD WALL
  - WI WIER INLET
  - SSMH SANITARY SEWER MANHOLE
  - CO CLEAN OUT
  - INV INVERT
  - OHP- OVERHEAD POWER LINE
  - OTL- OVERHEAD TELEPHONE LINE
  - UT- UNDERGROUND TELEPHONE LINE
  - EO ELECTRIC OUTLET
  - UP UTILITY POLE
  - P- UNDERGROUND POWER LINE
  - GW GUIDE WIRE
  - PP POWER POLE
  - L/P LIGHT POLE
  - C/I/T CABLE/INTERNET/TELEPHONE
  - FH FIRE HYDRANT
  - W- WATER LINE
  - WM WATER METER
  - WV WATER VALVE
  - VM VAYLE MARKER
  - SI SIGN POST
  - BL BUILDING LINE
  - CL CENTERLINE
  - EP EDGE OF PAVEMENT
  - \* SP SAMPLING POINT
  - MP MONITORING POINT
  - SL WETLANDS
  - SL STREET LIGHT



THE PROPERTY HEREON LIES COMPLETELY WITHIN A JURISDICTION WHICH DOES NOT REVIEW OR APPROVE ANY PLATS OR THIS TYPE OF PLAT PRIOR TO RECORDING. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

KEVIN V. RINGO - PLS NO. 2278 03-16-22 DATE



CONSULTANTS  
SURVEYORS  
ENGINEERS  
PLANNERS  
**RINGO  
ABERNATHY  
& ASSOCIATES**  
174 DACULA ROAD - DACULA, GA 30019  
Phone (770) 962-8456

COUNTY/CITY:	GWINNETT/SNELLVILLE
LAND LOT(S)/DISTRICT:	59/5th
PARCEL(S):	248, 485, 486 & 487
DATE:	03/15/2022
SCALE:	1" = 50'
JOB NO.:	21099

BOUNDARY SURVEY FOR:  
**C.K.K. DEVELOPMENT**  
2045, 2055, 2065 & 2075 EAST MAIN STREET

SURVEY NOTATION:  
THIS SURVEY WAS RUN USING A GEOMAX ZOOM 90 ROBATIC TOTAL STATION EDM UNIT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 61,106 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

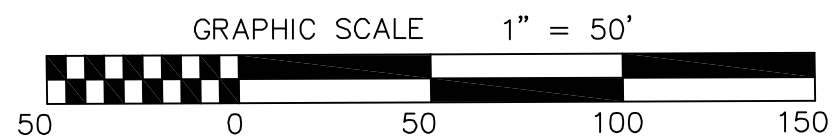
THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 685,582 FEET.

REFERENCE MATERIAL:  
FINAL PLAT OF OLD HICKORY VILLAGE, PHASE 1, PREPARED BY MAYES, SUDDERTH & ETHEREDGE, INC. DATED 08-29-00 AND RECORDED IN PLAT BOOK 89, PAGE 271.  
FINAL PLAT FOR DOTTIE THORPE, PREPARED BY SCI DEVELOPMENT SERVICES DATED 12-16-16 AND RECORDED IN PLAT BOOK 138, PAGE 275.



KNOW WHAT'S BELOW. CALL BEFORE YOU DIG  
IF YOU DIG GEORGIA ... CALL FIRST!

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM VARIOUS UTILITY COMPANIES, VARIOUS GOVERNMENTAL AGENCIES, AND ABOVE GROUND OBSERVATION. THE SURVEYOR AND/OR ENGINEER MAKE NO CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION, OR ADDITIONAL UTILITIES MAY BE UNCOVERED UPON EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.



REVISIONS	NO.	DATE

SHEET  
**1**  
1 OF 1

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## **Agenda Item Summary**

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**TO:** The Mayor and Council

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**DATE:** August 22, 2022

**RE:** #RZ 22-07 LUP 22-06 – Century Communities of Georgia, LLC  
25.052± Acres at 1689 and 1725 Rockdale Circle, Snellville

**STATUS:** Public Hearing (2<sup>nd</sup> Reading)

---

Applications requesting to rezone the 25.052± acre site from RS-15 (Single-family residential) District to RS-5 (Single-family Residential) District and amend the 2040 Comprehensive Plan Future Land Use Map (FLUM) from Medium-Density Residential to Low-Density Residential for a 90-lot single-family (detached) subdivision.

**Financial Impact:** Site Development and Building Permit Fees; Real Property Taxes; and Stormwater Utility Fees

**Planning Department Recommendation:** #LUP 22-06 (Approval)  
#RZ 22-07 (Approval with Conditions)

**Planning Commission Meeting Date:** June 28, 2022

**Planning Commission Recommendation:** #LUP 22-06 (Denial)  
#RZ 22-07 (No Action Taken)

**Mayor and Council Meetings:** July 11, 2022 (1<sup>st</sup> Reading)  
July 25, 2022 (2<sup>nd</sup> Reading)

**Action Requested:** Consideration, Public Hearing and Action

**Draft Ordinances:** Attached

25.052± Acre Property at 1689 and 1725 Rockdale Circle, Snellville, Georgia  
Case #RZ 22-07 LUP 22-06  
August 22, 2022  
Page... 2

**Case Documents (website link):**

- Letter of Intent (5-17-2022)
- #LUP 22-06 Land Use Plan Amendment Application (5-17-2022)
- #RZ 22-07 Rezoning Application (5-17-2022)
- Application Supplemental Documents (5-17-2022)
- Elevations & Floor Plan - Greenfield (5-17-2022)
- Elevations & Floor Plan - Harding (5-17-2022)
- Elevations & Floor Plan - Jordan (5-17-2022)
- Elevations & Floor Plan - Sinclair (5-17-2022)
- Property Boundary Survey (4-1-2022)
- Rezoning Site Plan (4-4-2022)
- 6-11-2007 Mayor and Council Minutes for Prior Rezoning (6-8-2022)
- June 28 2022 Planning Department Case Summary & Analysis (6-15-2022)
- *Official* June 28, 2022 Planning Commission Regular Meeting Minutes (7-27-2022)
- June 28 2022 Planning Commission Case Report (7-1-2022)
- July 11 2022 Planning Department Case Summary & Analysis with Planning Commission Report (7-1-2022)
- July 25 2022 Planning Department Case Summary & Analysis with Planning Commission Report (7-20-2022)
- 7-20-2022 Request to Table Mayor and Council Public Hearing (7-20-2022)
- 8-3-2022 Revised Rezoning Site Plan (8-8-2022)
- Aug 22 2022 Planning Department Case Summary & Analysis with Planning Commission Report (8-8-2022)



**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2022-15**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 25.052± ACRE TRACT OF LAND LOCATED IN LAND LOT 60 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 1689 AND 1725 ROCKDALE CIRCLE, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

<b>CASE NUMBER:</b>	#RZ 22-07
<b>PROPERTY OWNERS:</b>	Ms. Brenda Glasgow Lee and Mrs. Hazel L. Lee Snellville, Georgia 30078
<b>LOCATION:</b>	1689 and 1725 Rockdale Circle, Snellville, Georgia 30078
<b>TAX PARCELS:</b>	R5060 023 and R5060 008
<b>APPLICANT/CONTACT:</b>	Century Communities of Georgia, LLC Norcross, Georgia 30071 Attn: Dakota Carruthers 470-880-5874 <a href="mailto:Dakota.Carruthers@centurycommunities.com">Dakota.Carruthers@centurycommunities.com</a>
<b>DEVELOPMENT/PROJECT:</b>	90-Lot Single-Family (Detached) Residential Subdivision

**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 25.052± acre tract of land located at 1689 Rockdale Circle (Tax Parcel 5060 023) and 1725 Rockdale Circle (Tax Parcel 5060 008), Snellville, Georgia for a 90-lot single-family (detached) residential subdivision; and,



**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to repeal conditions of zoning from the 6-11-2007 Mayor and Council approved rezoning for case no. RZ 05-04 as applicable to only the 25.052± acre tract of the larger 40.30± acre site; 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 Official Zoning Map for the City of Snellville, Georgia for the 25.052± acre tract of land described and shown on the boundary survey “Century Communities of Georgia, LLC”, sealed and dated 4-1-2022 (stamped received 5-17-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from RS-15 (Single-family Residential) District to RS-5 (Single-family Residential) District.

**Section 2.** All conditions that are applicable to the 25.052± acre property and previously approved on 6-11-2007 by the Mayor and Council for rezoning case #RZ 05-04 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 in accordance with the rezoning site plan entitled “Zoning Plan Rockdale Circle Tract”, dated 8-3-2022 (stamped received 8-5-2022) in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.

2. A Home Owner's Association shall be established for the continual maintenance of open space; common areas; stormwater detention areas; and any structures which may be located within any open space/common areas, including but not limited to: landscaping, retaining walls, columns, fencing, entrance signage, etc.
3. The development and single-family lots are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the lots may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents and recorded prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. A sidewalk and planter strip shall be constructed in accordance with UDO Table 401-4.2 (Streetscapes required) where the development is adjacent to Rockdale Circle, and at the sole cost and expense of the developer.
6. All dwelling driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
7. In addition to the twenty-percent (20%) open space requirement of UDO Sec. 401-2-1, at least six-percent (6%) of the site's gross land area must be provided for recreational use in accordance with UDO Sec. 401-2.2.
8. Non-substantial variances, as determined by the Director of Planning and Development and City Manager for the design, development, or zoning requirements of the Snellville Unified Development Ordinance, must be submitted in writing for Administrative Variance approval consideration by the Director of Planning and Development.

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

**Section 5.** (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 6.** Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 7.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

**Section 8.** This Ordinance was adopted on August \_\_\_\_\_, 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 August, 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”



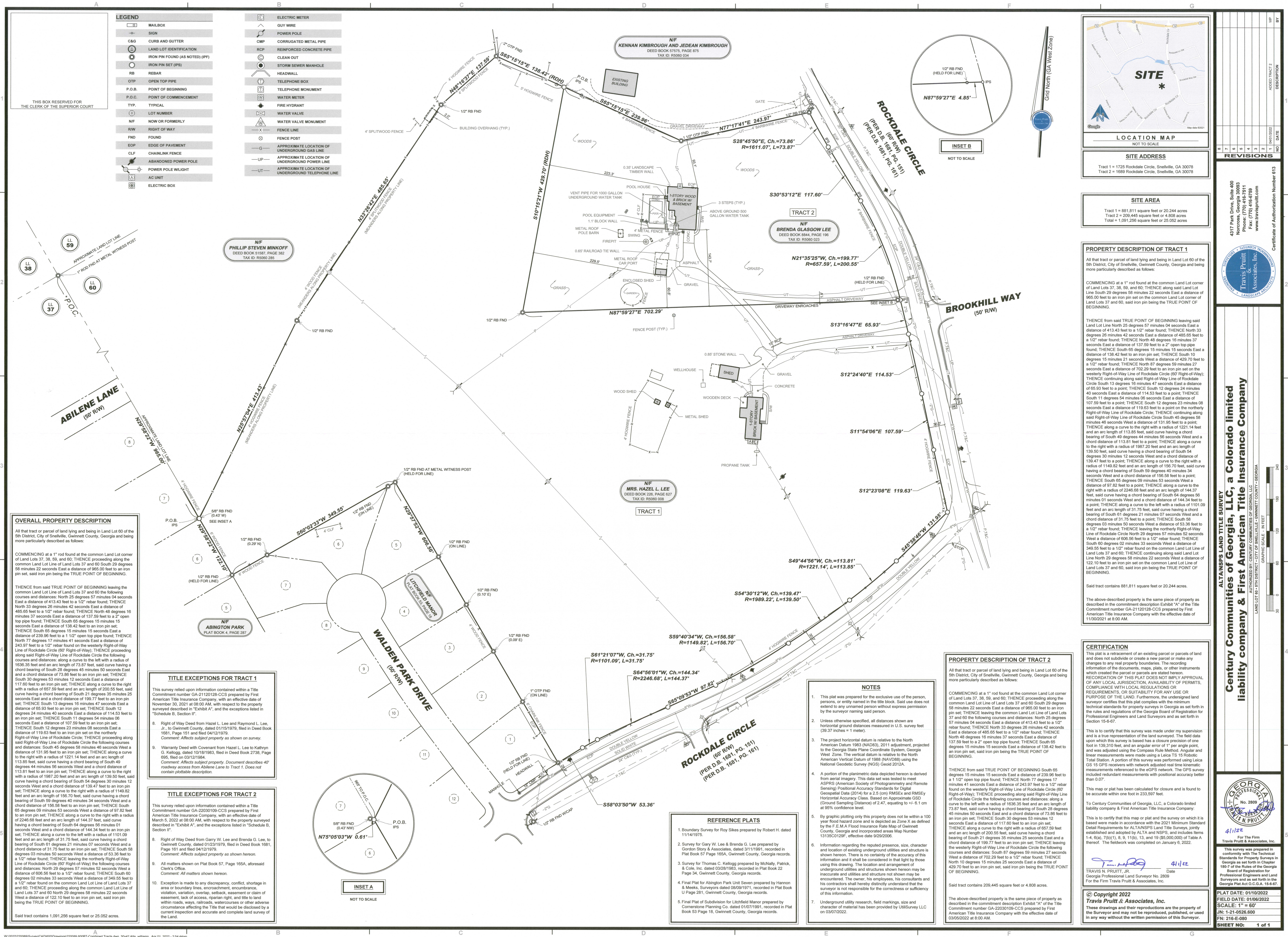




EXHIBIT “B”



SURVEY NOTES:

1.

This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2.

Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3.

The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, Georgia West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 2012A.
4.

A portion of the planimetric data depicted hereon is derived from aerial imagery. This data set was tested to meet ASPRS (American Society of Photogrammetry and Remote Sensing) Positional Accuracy Standards for Digital Geospatial Data (2014) for a 2.5 (cm) RMSE<sub>x</sub> and RMSE<sub>y</sub> Horizontal Accuracy Class. Based on Approximate GSD (Ground Sampling Distance) of 2.47, equating to +/- 6.1 cm at 95% confidence level.
5.

By graphic plotting only this property does not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Gwinnett County, Georgia and incorporated areas Map Number 13135C0129F, effective date 9/29/2006.
6.

Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.
7.

Underground utility research, field markings, size and character of material has been provided by Utilisurey, LLC on 3/7/2022.
8.

The survey shown hereon was prepared without benefit of any abstract of title; therefore, Travis N. Pruitt, Jr. and Travis Pruitt & Associates, Inc. make no guarantees or representations regarding information shown hereon pertaining to easements, Rights-of-Way, setback lines, agreements, reservations, and other similar matters.

REFERENCE DOCUMENTS:

- REFERENCE PLATS

1. Boundary Survey for Roy Sikes prepared by Robert H. dated 11/14/1975.

2. Survey for Gary W. Lee & Brenda G. Lee prepared by Gordon Story & Associates, dated 3/11/1991, recorded in Plat Book 57 Page 165A, Gwinnett County, Georgia records.

3. Survey for Thomas C. Kellogg prepared by McNally, Patrick, & Cole, Inc. dated 03/28/1983, recorded in Plat Book 22 Page 34, Gwinnett County, Georgia records.

4. Final Plat for Abington Park Unit Seven prepared by Hannon & Meeks, Surveyors dated 08/09/1971, recorded in Plat Book U Page 281, Gwinnett County, Georgia records.

5. Final Plat of Subdivision for Litchfield Manor prepared by Cornerstone Planning Co. dated 01/07/1991, recorded in Plat Book 53 Page 18, Gwinnett County, Georgia records.

TITLE EXCEPTIONS

- This survey relied upon information contained within a Title Commitment number GA-21120128-CCS prepared by First American Title Insurance Company, with an effective date of November 30, 2021 at 08:00 AM, with respect to the property surveyed described in "Exhibit A", and the exceptions listed in "Schedule B, Section 1".
8.

Right of Way Deed from Hazel L. Lee and Raymond L. Lee, Jr., to Gwinnett County, dated 01/15/1979, filed in Deed Book 1681, Page 151 and filed 04/12/1979.  
*Comment: Affects subject property as shown on survey.*

9.

Warranty Deed with Covenant from Hazel L. Lee to Kathryn G. Kellogg, dated 10/18/1983, filed in Deed Book 2738, Page 695, filed on 03/12/1984.  
*Comment: Affects subject property. Does not contain plottable description.*

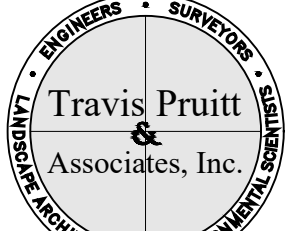
OWNER/DEVELOPER

Century Communities

Jackson Stephens

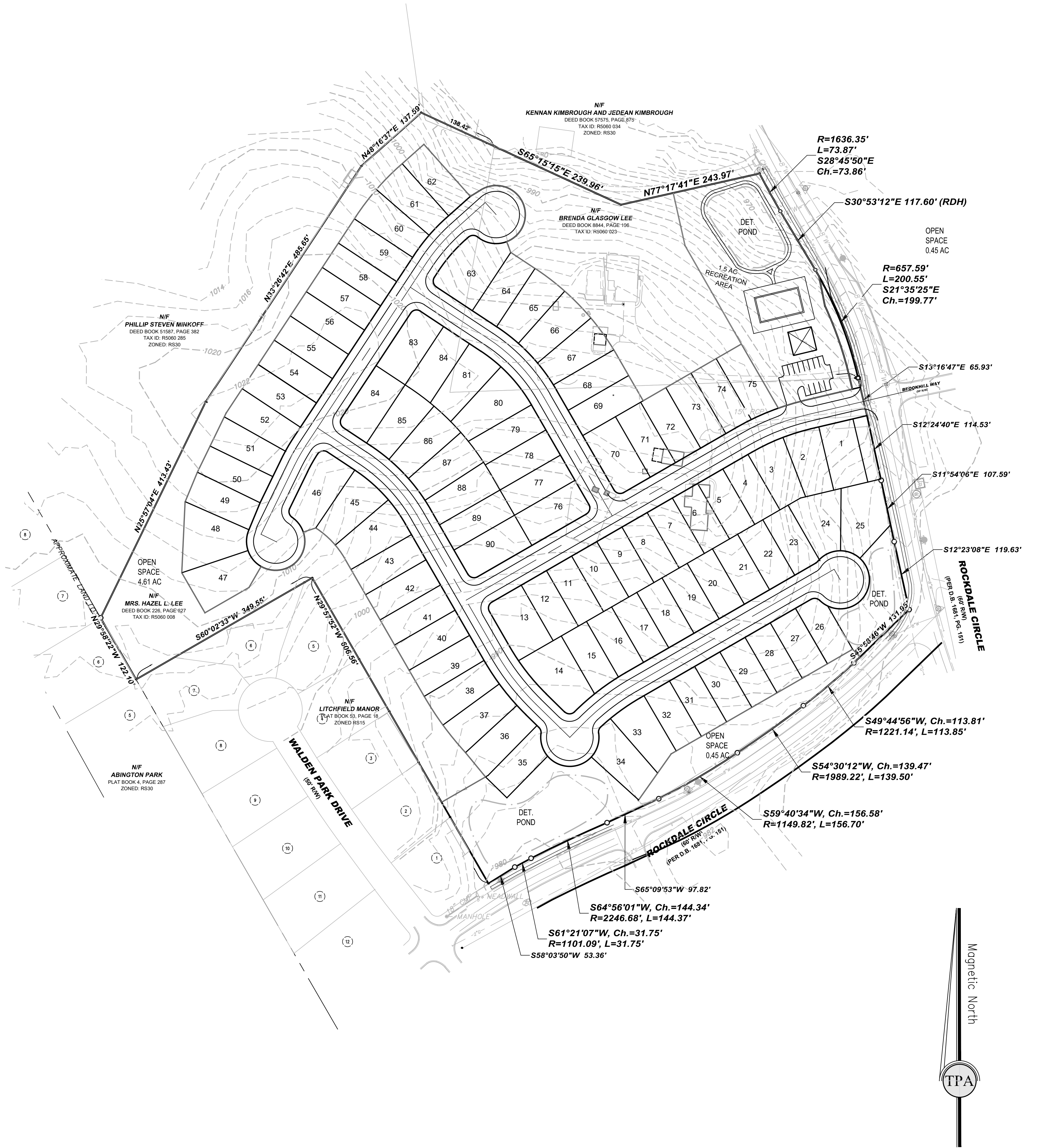
3091 Governors Drive  
Suite 200  
Norcross, GA 30071

CONTACT  
ph. 470-880-5817  
Jackson.Stephens@centurycommunities.com



4317 Park Drive, Suite 400  
Norcross, Georgia 30093  
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PROPERTY DESCRIPTION

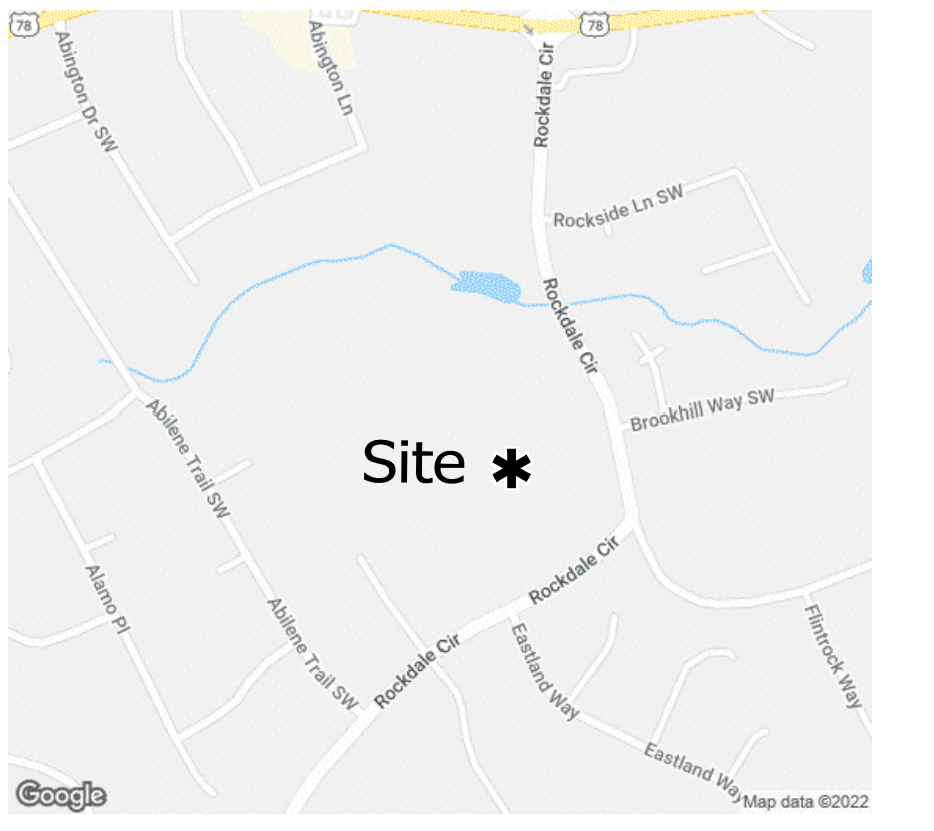
All that tract or parcel of land lying and being in Land Lot 60 of the 5th District, City of Snellville, Gwinnett County, Georgia and being more particularly described as follows:

COMMENCING at a 1" rod found at the common Land Lot corner of Land Lots 37, 38, 59, and 60; THENCE proceeding along the common Land Lot Line of Land Lots 37 and 60 South 29 degrees 58 minutes 22 seconds East a distance of 965.00 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING leaving the common Land Lot Line of Land Lots 37 and 60 the following courses and distances: North 25 degrees 57 minutes 04 seconds East a distance of 413.43 feet to a 1/2" rebar found; THENCE North 33 degrees 26 minutes 42 seconds East a distance of 485.65 feet to a 1/2" rebar found; THENCE North 48 degrees 16 minutes 37 seconds East a distance of 137.59 feet to a 2" open top pipe found; THENCE South 65 degrees 15 minutes 15 seconds East a distance of 138.42 feet to an iron pin set; THENCE South 65 degrees 15 minutes 15 seconds East a distance of 239.96 feet to a 1 1/2" open top pipe found; THENCE North 77 degrees 17 minutes 41 seconds East a distance of 243.97 feet to a 1/2" rebar found on the westerly Right-of-Way Line of Rockdale Circle (60' Right-of-Way); THENCE proceeding along said Right-of-Way Line of Rockdale Circle the following courses and distances: along a curve to the left with a radius of 1636.35 feet and an arc length of 73.87 feet, said curve having a chord bearing of South 28 degrees 45 minutes 50 seconds East and a chord distance of 73.86 feet to an iron pin set; THENCE South 30 degrees 53 minutes 12 seconds East a distance of 117.60 feet to an iron pin set; THENCE along a curve to the right with a radius of 657.59 feet and an arc length of 200.55 feet, said curve having a chord bearing of South 21 degrees 35 minutes 25 seconds East and a chord distance of 199.77 feet to an iron pin set; THENCE South 13 degrees 16 minutes 47 seconds East a distance of 65.93 feet to an iron pin set; THENCE South 12 degrees 24 minutes 40 seconds East a distance of 114.53 feet to an iron pin set; THENCE South 11 degrees 54 minutes 06 seconds East a distance of 107.59 feet to an iron pin set; THENCE South 12 degrees 23 minutes 08 seconds East a distance of 119.63 feet to an iron pin set on the northerly Right-of-Way Line of Rockdale Circle; THENCE proceeding along said Right-of-Way Line of Rockdale Circle the following courses and distances: South 45 degrees 58 minutes 46 seconds West a distance of 131.95 feet to an iron pin set; THENCE along a curve to the right with a radius of 1221.14 feet and an arc length of 113.85 feet, said curve having a chord bearing of South 49 degrees 44 minutes 56 seconds West and a chord distance of 113.81 feet to an iron pin set; THENCE along a curve to the right with a radius of 1987.20 feet and an arc length of 139.50 feet, said curve having a chord bearing of South 54 degrees 30 minutes 12 seconds West and a chord distance of 139.47 feet to an iron pin set; THENCE along a curve to the right with a radius of 113.85 feet, said curve having a chord bearing of South 49 degrees 44 minutes 56 seconds West and a chord distance of 156.58 feet to an iron pin set; THENCE South 65 degrees 09 minutes 53 seconds West a distance of 97.82 feet to an iron pin set; THENCE along a curve to the right with a radius of 2246.68 feet and an arc length of 144.37 feet, said curve having a chord bearing of South 64 degrees 56 minutes 01 seconds West and a chord distance of 144.34 feet to an iron pin set; THENCE along a curve to the left with a radius of 1101.09 feet and an arc length of 31.75 feet, said curve having a chord bearing of South 61 degrees 21 minutes 07 seconds West and a chord distance of 31.75 feet to an iron pin set; THENCE South 58 degrees 03 minutes 50 seconds West a distance of 53.36 feet to a 1/2" rebar found; THENCE leaving the northerly Right-of-Way Line of Rockdale Circle (60' Right-of-Way) the following courses and distances: North 29 degrees 57 minutes 52 seconds West a distance of 606.56 feet to a 1/2" rebar found; THENCE South 60 degrees 02 minutes 33 seconds West a distance of 349.55 feet to a 1/2" rebar found on the common Land Lot Line of Land Lots 37 and 60; THENCE proceeding along the common Land Lot Line of Land Lots 37 and 60 North 29 degrees 58 minutes 22 seconds East a distance of 122.10 feet to an iron pin set, said iron pin being the TRUE POINT OF BEGINNING.

Said tract contains 1,091,256 square feet or 25.052 acres.

LOT CHART (SQ. FT.)		47	7,726
1	6,732	48	8,784
2	6,320	49	6,280
3	6,380	50	6,000
4	5,500	51	6,281
5	5,500	52	6,367
6	5,500	53	6,000
7	5,500	54	6,000
8	5,500	55	6,000
9	5,500	56	6,000
10	5,500	57	6,000
11	5,500	58	6,000
12	5,500	59	6,000
13	7,659	60	6,629
14	8,926	61	6,620
15	5,603	62	6,000
16	5,501	63	9,582
17	5,500	64	6,000
18	5,500	65	6,688
19	5,500	66	6,701
20	5,500	67	6,843
21	5,500	68	6,093
22	5,500	69	6,000
23	5,493	70	7,769
24	7,139	71	6,000
25	8,635	72	6,000
26	5,345	73	6,000
27	5,500	74	6,007
28	5,500	75	6,172
29	5,500	76	7,169
30	5,500	77	6,000
31	5,500	78	6,000
32	5,500	79	6,091
33	6,870	80	8,244
34	7,491	81	7,189
35	5,588	82	6,408
36	6,371	83	7,169
37	6,542	84	7,169
38	6,428	85	6,551
39	6,093	86	6,701
40	6,000	87	6,701
41	6,000	88	6,262
42	6,000	89	6,000
43	6,000	90	7,169
44	7,312		
45	7,325	Average Lot Size	6,341
46	8,083		



Site \*

VICINITY MAP  
not to scale

SITE DATA:

TOTAL SITE AREA	25.052 ACRES
PROJECT SITE AREA	25.052 ACRES
OPEN SPACE REQUIRED	20%

FLOODPLAIN (APPROXIMATE)	0
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ZONING

EXISTING ZONING	RS-15
PROPOSED ZONING	RS-5
ZONING JURISDICTION	CITY OF SNELLVILLE

DEVELOPMENT TYPE

TOTAL UNITS	90
TOTAL DENSITY	3.59 U/A

DEVELOPMENT STANDARDS

MAXIMUM BUILDING HEIGHT	35'
FRONT YARD	20 FEET
REAR YARD	15 FEET
SIDE YARD (INTERIOR)	5 FEET
SIDE YARD (STREET)	15 FEET
MINIMUM BUILDING SEPARATION	10 FEET
MINIMUM LOT SIZE	5,000 SF
MINIMUM FRONTAGE	50 FEET
MAXIMUM DENSITY	NA
MAXIMUM LOT COVERAGE	60%

BUFFERS	
SIDE/REAR	NONE
FRONT	NONE

PARKING	
REQUIRED	1 PER UNIT
GARAGE	2 x 90 = 190

TOTAL PROVIDED	190
----------------	-----

OPEN SPACE

REQUIRED OPEN SPACE	5.0 ACRES (20%)
PROPOSED OPEN SPACE	5.0 ACRES

RECREATION AREA

PROPOSED RECREATION AREA	1.5 ACRES
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NOTES

- SPEED LIMIT OF ROCKDALE CIRCLE IS 35 MPH.
- ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR GWINNETT COUNTY 13135C0129F, EFFECTIVE DATE SEPTEMBER 29, 2009, THE PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD ZONE "A" (AREAS OF 100 YEAR FLOOD).
- WATERS OF THE STATED ARE WITHIN 200' OF THIS PROPERTY.
- THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
- GWINNETT COUNTY FIRE DEPARTMENT SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
- WATER SERVICE SHALL BE PROVIDED BY GWINNETT COUNTY. EXISTING WATER SERVICE WILL BE USED
- SANITARY SEWER SERVICE WILL BE PROVIDED BY GWINNETT COUNTY. EXISTING SEWER WILL BE TAPPED ON SITE.
- THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

NO VARIANCES AT THIS TIME.

ZONING PLAN

Rockdale Circle Tract

1725 Rockdale Circle

City of Snellville, Georgia



For The Firm  
Travis Pruitt  
&  
Associates, Inc.

DATE:	08-03-2022
SCALE:	1" = 100'
CN:	210501_CP11
LSV:	
JN:	
FN:	



**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2022-16**

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 25.052± ACRE TRACT OF LAND LOCATED IN LAND LOT 60 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 1689 AND 1725 ROCKDALE CIRCLE, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

<b>CASE NUMBER:</b>	#LUP 22-06
<b>PROPERTY OWNERS:</b>	Ms. Brenda Glasgow Lee and Mrs. Hazel L. Lee Snellville, Georgia 30078
<b>LOCATION:</b>	1689 and 1725 Rockdale Circle, Snellville, Georgia 30078
<b>TAX PARCELS:</b>	R5060 023 and R5060 008
<b>APPLICANT/CONTACT:</b>	Century Communities of Georgia, LLC Norcross, Georgia 30071 Attn: Dakota Carruthers 470-880-5874 <a href="mailto:Dakota.Carruthers@centurycommunities.com">Dakota.Carruthers@centurycommunities.com</a>
<b>DEVELOPMENT/PROJECT:</b>	90-Lot Single-Family (Detached) Residential Subdivision

**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 the 2040 Comprehensive Plan Future Land Use Map as it applies to the 25.052± acre tract of land located at 1689 Rockdale Circle (Tax Parcel 5060 023) and 1725

Rockdale Circle (Tax Parcel 5060 008), Snellville, Georgia for a 90-lot single-family (detached) residential subdivision; and,

**WHEREAS**, the subject property is located in the north central portion of the Skyland Character Area of the Snellville 2040 Comprehensive Plan Future Development Map; and,

**WHEREAS**, the Low-Density Residential future land use category is an *Appropriate* future land use category for the RS-5 (Single-family Residential) zoning district; 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 future land use designation of the 25.052± acre tract of land described and shown on the boundary survey “Century Communities of Georgia, LLC”, sealed and dated 4-1-2022 (stamped received 5-17-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from Medium-Density Residential to Low-Density Residential.

This change in the future land use is to be noted on the City of Snellville 2040 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on

the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

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

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

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

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not



render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

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

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

**Section 6.** This Ordinance was adopted on August \_\_\_\_\_, 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 August, 2022.

\_\_\_\_\_  
Barbara Bender, Mayor

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Mayor Pro Tem

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

\_\_\_\_\_  
Solange Destang, Council Member

*APPROVED AS TO FORM:*

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

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

\_\_\_\_\_  
Gretchen Schulz, Council Member

\_\_\_\_\_  
Tod Warner, Council Member

EXHIBIT “A”



