



AGENDA

WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, MAY 9, 2022

Publication Date: May 5, 2022

TIME: 6:30 p.m.

DATE: May 9, 2022

PLACE: City Hall Conference Room 145

- I. CALL TO ORDER**
- II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS**
- III. REVIEW CORRESPONDENCE**
- IV. CITY ATTORNEY'S REPORT**
- V. DISCUSSION ITEMS**
 - a) Update of Ongoing Projects [Bender]
 - b) Discussion of Flashing Sign Needed at Newton's Crest on 124 Northbound [Destang]
 - c) Faith-Based Classes at the Active Adult Center [Schulz]
 - d) Discussion of Meritage Development [Warner]
 - e) Unified Development Ordinance Update Items [Warner]
 - f) Discussion of Invocation Scheduling [Bender]
 - g) Special Purpose Local Option Sales Tax (SPLOST) Update [Bender]

VI. EXECUTIVE SESSION

An Executive Session may be called:

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

VII. ADJOURNMENT



AGENDA

PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, MAY 9, 2022

Publication Date: May 5, 2022

TIME: 7:30 p.m.

DATE: May 9, 2022

PLACE: Council Chambers

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE TO THE FLAG
- IV. CEREMONIAL MATTERS
Recognition of Annual Professional Municipal Clerks Week
- V. MINUTES
Approve the Minutes of the April 25, 2022 Minutes and the April 27, 2022 Special Called Meeting
- VI. INVITED GUESTS
None
- VII. COMMITTEE / DEPARTMENT REPORTS
- VIII. APPROVAL OF THE AGENDA
- IX. PUBLIC HEARING
 - a) 1st Reading - CIC 22-01 - Application by Devechio Capital, LLC (Property Owner) for a Change in Conditions from the 9-22-2003 Approved Rezoning (Case #RZ 03-09) to Remove Condition #3 that Limits Use of the Property to Only a Lawn Equipment Sales/Service Facility with Outdoor Storage, to Allow Office Use of the Property for the 1.1 Acre Property, Zoned HSB (Highway Service Business) District, 1721 Athens Highway, Grayson, Georgia (Tax Parcel R5069 269)

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL
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- b) 1st Reading - RZ 22-03 LUP 22-03 SUP 22-04 - Applications from Manor Lake Development, LLC (Applicant) and Ridgecliff, LLC (Property Owner) requesting: a) to amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District and RO (Residential for Older Persons) District to CI (Civic Institutional) District and RO (Residential for Older Persons) District; b) to Amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail and Public Civic to Medium-Density Residential and Public Civic; c) a Special Use Permit for a Retirement Community (Continuing Care) Development; and d) Request for Variance from the Buffer Requirements for a Senior Oriented Retirement Community Consisting of 32 Independent Living Cottage/Villas Comprised of Eight (8) Single-Story Cottage/Villa Buildings and 87-Unit/Bed One-Story Assisted Living and Memory Care Facility with Associated Parking and Outside Amenity Area Serving Both the Assisted Living Facility and Villas on a 13.28± Acre Site Located at the Intersection of South Crestview Drive and Athens Highway, 1600 and 1642 Highway 78, Snellville, Georgia (Tax Parcels 5069 011 and 5069 282)

X. CONSENT AGENDA (Please see *Note)

XI. OLD BUSINESS

XII. NEW BUSINESS

- a) Consideration and Action on Nuisance Abatement of Dollar General Located at 989 Athens Hwy, Loganville [Bender]
b) Consideration and Action on Nuisance Abatement of Dollar Tree Located at 1997 Scenic Highway N, Snellville [Bender]

XIII. COUNCIL REPORTS

XIV. MAYOR'S REPORT

XV. PUBLIC COMMENTS

- Section 2-53
Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.
- Decorum
You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

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

XVII. ADJOURNMENT

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

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
MAY 9, 2022

May 9

Council Meeting

Monday, May 9, 2022

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

7:30 pm Meeting - Council Chambers, City Hall

May 10

Board of Appeals Meeting - CANCELED

Tuesday, May 10, 2022

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

7:30 pm Meeting - Council Chambers, City Hall

May 15

Broadcast of 05/09/22 Council Meeting

Sunday, May 15, 2022

Watch the broadcast of the 05/09/2022 Council Meeting on Comcast Channel 25 at 6:30 pm

May 18

Downtown Development Meeting

Wednesday, May 18, 2022

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

May 19

DAS & URA Joint Meeting

Thursday, May 19, 2022

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

May 20

Pool Party @ Briscoe Park

Friday, May 20, 2022

6:00 pm to 8:00 pm

Briscoe Park Pool

May 21

Snellville Winter Farmers' Market

Saturday, May 21, 2022

9:00 am to Noon

City Hall Parking Lot

May 23

Council Meeting

Monday, May 23, 2022

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

7:30 pm Meeting - Council Chambers, City Hall



WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 25, 2022

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

CALL TO ORDER

Mayor Bender called the meeting to order at 6:31 p.m.

REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

The agendas were reviewed and discussed. Council Member Lenski advised that Kelli Sheffield will be present as an invited guest from SGHS PTSA.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

Attorney Ross gave an update on the Quality of Life Court and several nuisance cases. He said they will be adding the Dollar General located on Highway 78 at Rosebud Road to the next agenda as a nuisance case.

DISCUSSION ITEMS

Continuing Sanitation/Recycling Discussion with Steve Edwards [Bender]

Steve Edwards with Waste Management gave a presentation on the current state of Sanitation and Recycling. He talked about the large increase in the cost of doing business and about the possible implementation of user fees to offset costs.

Update of Ongoing Projects [Bender]

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

Discussion was held about the naming of the apartments in the Grove.

Discussion was held about the presentation by Randy DuTeau with Sports Strategies. After a brief discussion consensus was to allow Kelly McAloon to move forward with the proposed sports marketing study.

Discussion was held about STAT submitting one application for a Special Use Permit to allow alcohol at all events on the Green. Consensus was to allow the one application.

City of Snellville Administration Department

WORK SESSION OF MAYOR AND COUNCIL
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EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:24 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 25, 2022

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

CALL TO ORDER

Mayor Bender called the meeting to order at 7:30 p.m.

INVOCATION

Rev. Dr. Quincy Brown, Senior Pastor of Snellville United Methodist Church gave the invocation.

PLEDGE TO THE FLAG

Council Member Warner led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2022-04 – Arab American Heritage Month

Mayor Bender read the proclamation into the record and presented it to Wally Yazbak, and Mike and Rita Sabbagh.

MINUTES

Approve the Minutes of the April 11, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the April 11th meetings, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

Ms. Kelli Sheffield was present for the South Gwinnett High School PTSA and spoke about the InnerMe Pageant Scholarship program.

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Schulz made a motion to approve the agenda of the April 25 meeting, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

City of Snellville Administration Department

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, APRIL 25, 2022
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PUBLIC HEARING

None

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on RES 2022-03 - Adopting a Program for Approved Electronic or Digital Signature in Lieu of Written "Wet" Signature [Bender]

City Manager Sanders explained that this would allow for more efficiency in signing documents but would not include internal documents such as resolutions and ordinances that need to be signed by Mayor and Council.

Council Member Lenski made a motion to approve RES 2022-03, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2022-03 is attached to and made a part of these minutes.)

Consideration and Action on RES 2022-04 - Resolution Designating the Eligible Use Category for the First Tranche of Local Fiscal Recovery Funds Through the American Rescue Plan Act (ARPA) [Bender]

Mayor Bender explained this resolution is very broad and they are working on projects such as sidewalks to use the funds. The resolution is to make sure we are completing all the required steps for reporting.

Council Member Destang made a motion to approve RES 2022-04, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2022-04 is attached to and made a part of these minutes.)

Consideration and Action on RES 2022-05 – Authorizing Membership in the Georgia Interlocal Risk Management Agency (Girma) and Approving the Intergovernmental Contract [Bender]

Mayor Bender explained the City has been using a private insurance company and we are going back to the insurance through the Georgia Municipal Association.

Mayor Pro Tem Emanuel made a motion to approve RES 2022-05, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. (A copy of RES 2022-05 is attached to and made a part of these minutes.)

Consideration and Action on Surplus of City Police Vehicles and Equipment [Bender]

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

The following vehicles will be surplus:

1. Police Unit 148 - 2007 GMC Sierra 1500 2GTEC13V071132216
2. Police Unit 170 - 2008 Dodge Charger 2B3KA43H78H227418
3. Police Unit 188 - 2011 Dodge Charger 2B3CL1CT5BH579244
4. Police Unit 189 - 2011 Dodge Charger 2B3CL1CT3BH579243

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
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COUNCIL REPORTS

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

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people came forward and spoke:

Kathy Emanuel, 1313 Temple Johnson Road, Loganville.

Wally Yazbak, Buckhead, Ga.

Mike Sabbagh, Snellville, Ga.

Kurt Schulz, 2027 Tanglewood Drive, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:04 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
WEDNESDAY, APRIL 27, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, City Attorney Chuck Ross with Powell and Edwards Attorneys at Law, Planning and Development Director Jason Thompson, Zoning Administrator John Dennis, City Planner Josh Ferguson, Chief Greg Perry, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:01 p.m.

City Manager Sanders explained the reason for the meeting and introduced Planning Director Jason Thompson.

Zoning Category Review and Discussion

Planning Director Thompson reviewed four activity nodes where developers have expressed an interest to build: the Chatham property on Oak Road, Snellville Oaks, Highway 78 at Grayson Parkway and Highway 78 at Rosebud Road. Discussion centered on the overall mixed use development guidelines which are recommended under current adopted policies and how Mayor and Council would like to add additional direction. Consensus was they would be in favor of mixed use development that included different types of housing (owner-occupied townhomes/condominiums/single family in addition to multi-family apartments) along with the necessary commercial/retail outlets that could lead to a reduction in vehicle trips and traffic. A higher quality of development was emphasized.

Discussion was also held on various types of allowed zoning uses which abut residential districts. Consensus was that M&C would review and cite what they see as the most problematical uses and then staff and City Attorney would look at potential ways to reduce those negative impacts on the surrounding neighborhoods.

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:13 p.m.

Barbara Bender, Mayor

Melisa Arnold City Clerk

City of Snellville Administration Department

2342 Oak Road Snellville, GA 30078 770-985-3500 770-985-3525 Fax www.snellville.org



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: May 9, 2022

CASE NO.: #CIC 22-01

STATUS: 1st Reading

Application for a change in conditions from the 9-22-2003 approved rezoning (case #RZ 03-09) to allow an office use in the existing building on the 1.10± acre property at 1721 Athens Highway, through removal or modification of Condition #3 that restricts use of the property to only a lawn equipment sales/service facility with outdoor storage.

Financial Impact: Minimal - Occupational Taxes

**Planning Department
Recommendation:** Approval with Conditions

**Planning Commission
Meeting Date and
Recommendation:** April 26, 2022 (Approval)

**Mayor and Council
Meetings:** May 9, 2022 (1st Reading)
May 23, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinance: Attached

Case Documents (website link):

- [Letter of Intent \(3-15-2022\)](#)
- [#CIC 22-01 Change in Conditions Application \(3-15-2022\)](#)
- [9-22-2003 Mayor and Council Regular Meeting and Public Hearing Minutes \(3-15-2022\)](#)
- [Property Photo \(3-15-2022\)](#)
- [As-Built Survey \(12-18-2021\)](#)

1.10± Acre Property at 1721 Athens Hwy., Grayson, Georgia
Case #CIC 22-01
May 9, 2022
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- April 26 2022 Planning Department Case Summary & Analysis (3-30-2022)
- *Unofficial* April 26, 2022 Planning Commission Regular Meeting Minutes (4-28-2022)
- April 26 2022 Planning Commission Case Report (4-28-2022)
- May 9 2022 Planning Department Case Summary & Analysis with Planning Commission Report (4-28-2022)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-06

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.10± ACRE TRACT OF LAND LOCATED IN LAND LOT 69 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1721 ATHENS HIGHWAY, GRAYSON, GEORGIA; TO REPEAL CONDITIONS AFFECTING THE PROPERTY; TO KEEP CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#CIC 22-01
REQUEST:	Rezoning Change in Conditions
LOCATION:	1721 Athens Highway, Grayson, Georgia
SIZE:	1.10± Acres
TAX PARCEL:	5069 267
CURRENT ZONING:	HSB (Highway Service Business) District
CURRENT FUTURE LAND PLAN:	Office Professional
DEVELOPMENT/PROJECT:	Existing Building and Site for Office Use
PROPERTY OWNER:	Devechio Capital, LLC Ball Ground, Georgia 30107
APPLICANT/CONTACT:	Jordan Edwards, Esq. The Galloway Law Group, LLC Atlanta, Georgia 30319 404-965-3682 or Jordan@glawgp.com

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

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 1.10± acre tract of land located at 1721 Athens Highway, Grayson, Georgia (Tax Parcel R5069 267) and repeal certain conditions of zoning that are attached to the property and which were approved by the Mayor and Council for the City of Snellville, Georgia; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to keep and maintain in full force and effect certain conditions of zoning that are attached to the property and which were approved by the Mayor and Council for the City of Snellville, Georgia; 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 1.10± acre tract of land as shown on the as-built survey entitled “As-Built Survey Prepared for: Devehio Capital, LLC”, dated 12-18-2021 (stamped received 3-15-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby zoned HSB (Highway Service Business) District.

Section 2. The attachment of condition number three (3) for rezoning case #RZ 03-09 approved 9-22-2003 by the Mayor and Council which states “*The approved zoning is for the use of a lawn equipment sales/service facility with outdoor storage only. Any future change in use on this property shall require Mayor and Council approval*” is hereby repealed.

Section 3. The following conditions number one (1), two (2) and four (4) for rezoning case #RZ 03-09 approved 9-22-2003 by the Mayor and Council remain in full-force and effect:

1. Signs higher than 15 feet and larger than 225 square feet are prohibited.
2. No outdoor loudspeakers shall be allowed.
4. All outdoor storage shall be located to the rear of the building. All storage and/or equipment shall be screened with a six-foot (6') high minimum opaque fence.

Section 4. 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 5. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 6. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are

or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

Section 7. Penalties in effect for violations of the 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 8. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 9. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of May, 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”

**AS-BUILT SURVEY PREPARED
FOR: DEVECHIO CAPITAL, LLC**
TAX PARCEL ID: R5069 267
ZONING DISTRICT: HSB
TOTAL AREA:
46,912 SQ. FT.
1.077 ACRES

THIS BLOCK RESERVED FOR THE
CLERK OF SUPERIOR COURT

LEGEND

- Iron Pin Found
- △ Computed Point
- (P) Platted Bearing / Distance
- (S) Surveyed / Actual
- B.S.L. Building Setback Line
- D.E. Drainage Easement
- S.S.E. Sanitary Sewer Easement
- RB Rebar
- ▲ Pad Mounted Transformer
- ⊗ Light Pole
- Concrete
- SS Sanitary Sewer
- 8' Wood Fence
- 6' Wood Fence

FLOOD STATEMENT:

THE SUBJECT PROPERTY IS NOT LOCATED IN A FEDERALLY DESIGNATED SPECIAL FLOOD HAZARD AREA PER FEMA F.I.R.M. 13135C0130F, EFFECTIVE 09/29/2006.

NOTES / REFERENCES:

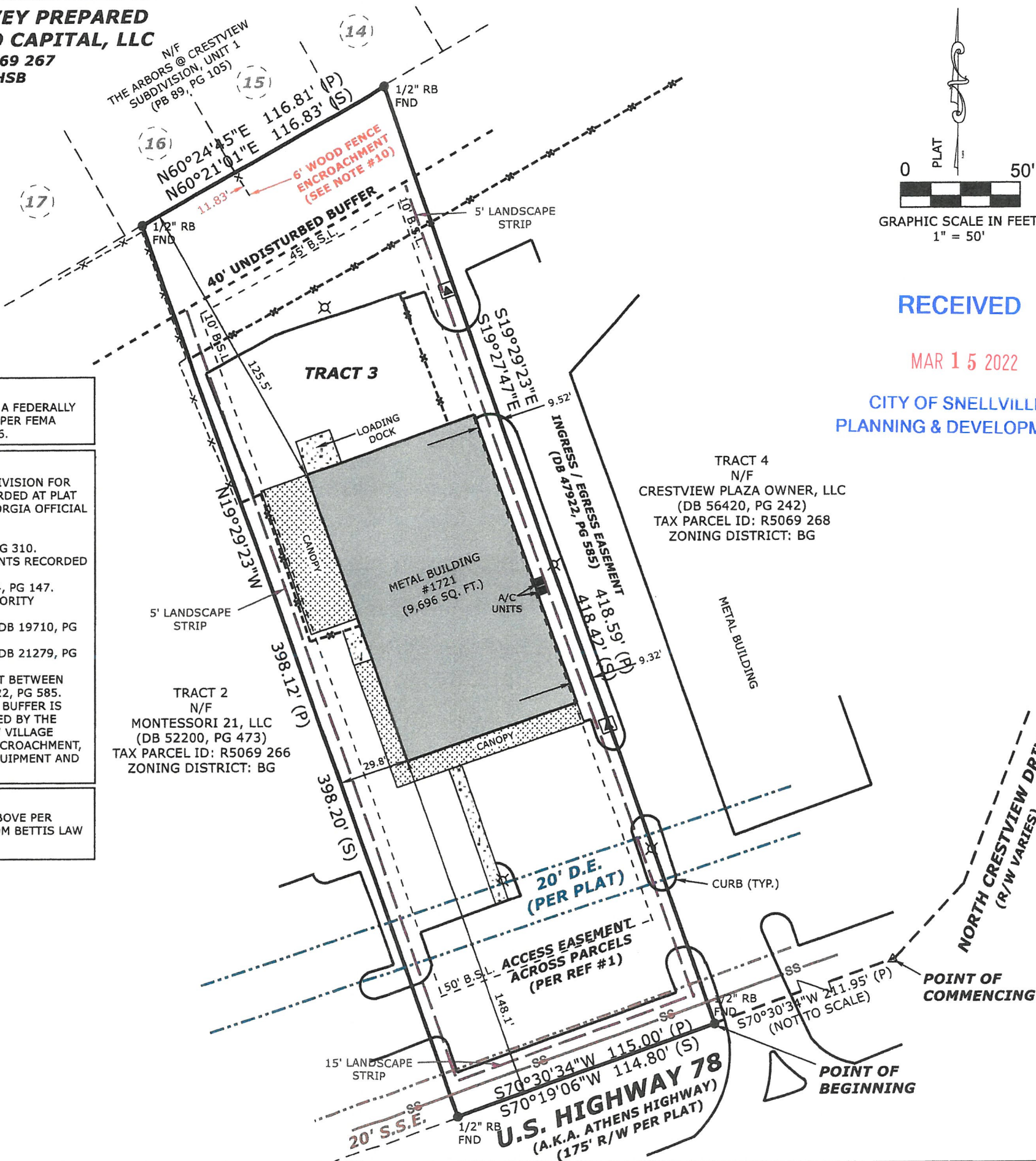
1. FINAL PLAT ENTITLED "COMMERCIAL SUBDIVISION FOR DIVERSIFIED DEVELOPMENTCO., INC.", RECORDED AT PLAT BOOK 87, PAGE 163, GWINNETT COUNTY, GEORGIA OFFICIAL RECORDS.
2. PLAT BOOK 82, PAGE 64.
3. GDOT R/W DEED RECORDED IN DB 2320, PG 310.
4. DRAINAGE AND DETENTION POND EASEMENTS RECORDED IN DB 19064, PG 139.
5. SEWER EASEMENT RECORDED IN DB 19064, PG 147.
6. GWINNETT COUNTY WATER & SEWER AUTHORITY EASEMENT RECORDED IN DB 19223, PG 209.
7. WATER / SEWER EASEMENT RECORDED IN DB 19710, PG 207.
8. WATER / SEWER EASEMENT RECORDED IN DB 21279, PG 241.
9. EASEMENT AND RIGHT-OF-WAY AGREEMENT BETWEEN TRACT 3 AND TRACT 4 RECORDED IN DB 47922, PG 585.
10. THE AREA WITHIN THE 40' UNDISTURBED BUFFER IS CURRENTLY BEING OCCUPIED AND MAINTAINED BY THE ADJACENT PROPERTY OWNERS IN CRESTVIEW VILLAGE SUBDIVISION. THIS INCLUDES THE FENCE ENCROACHMENT, AS WELL AS A TRAMPOLINE, PLAYGROUND EQUIPMENT AND LANDSCAPE.

TITLE OPINION:

1. EASEMENTS AND RECORDS REFERENCED ABOVE PER PRELIMINARY TITLE COMMITMENT LETTER FROM BETTIS LAW GROUP, LLC DATED DECEMBER 1, 2021.

LAND LOT: 69
DISTRICT: 5TH
COUNTY: GWINNETT
CITY OF SNELLVILLE
PROPERTY ADDRESS:
1721 ATHENS HWY
GRAYSON, GA 30017
DATE(S) OF FIELD WORK: 12/15/2021
DATE OF DRAWING: 12/17/2021
REV. 12/18/2021 (ADD P.O.B.)
SURVEY #: 21-1336
SURVEY PREPARED FOR:
DEVECHIO CAPITAL, LLC
LEGAL DESCRIPTION:
TRACT 3, COMMERCIAL SUBDIVISION FOR DIVERSIFIED DEVELOPMENTCO., INC., PER PLAT BOOK 87, PAGE 163, GWINNETT COUNTY, GEORGIA OFFICIAL RECORDS.

EQUIPMENT USED: LEICA TS02 POWER, NOMAD 900
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 28,025 FEET, AND AN ANGULAR ERROR OF 05' PER ANGLE POINT. ADJUSTMENT FOR CLOSURE WAS BY THE COMPASS RULE.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 204,340 FEET.



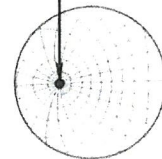
RECEIVED

MAR 15 2022

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT



ACCURATE
SURVEYING AND
PLANNING, INC.



4955 BLOOMING CT.
CUMMING, GA 30028
OFFICE (770) 888-9880 CELL (678) 595-0994
WWW.ASP-GA.COM EMAIL: TONY@ASP-GA.COM
GEORGIA REGISTERED LAND SURVEYING FIRM #1128

SURVEYOR'S CERTIFICATE:

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, 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. SECTION 15-6-67.

Anthony P. Faila
12-18-21

ANTHONY P. FAILA, GA RLS #3258
DATE
GSWCC LEVEL II CERTIFIED DESIGN PROFESSIONAL #64608



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: May 9, 2022

CASE NO.: #RZ 22-03 LUP 22-03 SUP 22-04

STATUS: 1st Reading

Applications from Manor Lake Development, LLC requesting: to amend the Snellville 2040 Comprehensive Plan Future Land Use Map; to amend the Official Zoning Map; a special use permit for a retirement community (continuing care); and variance from the buffer requirements for a 70,000 sq. ft. one-story 87-unit/bed assisted living with memory care facility and 32-unit independent living cottages in 8-villa buildings on a 13.28± acre site located at the intersection of S. Crestview Drive and Athens Highway, Snellville.

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

Planning Department Recommendation: Approval with Conditions

Planning Commission Meeting Date and Recommendation: April 26, 2022 (Approval)

Mayor and Council Meetings: May 9, 2022 (1st Reading)
May 23, 2022 (2nd Reading and Public Hearing)

Action Requested: Consideration and Waive the 1st Reading

Draft Ordinances: Attached

13.28± Acre Site at the Intersection of S. Crestview Drive and Athens Hwy., Snellville
Case #RZ 22-03 LUP 22-03 SUP 22-04
May 9, 2022
Page... 2

Case Documents (website link):

- Letter of Intent (3-15-2022)
- #RZ 22-03 Application (3-15-2022)
- #LUP 22-03 Application (3-15-2022)
- #SUP 22-04 Application (3-15-2022)
- Supplement Documents (3-15-2022)
- RZ Boundary Exhibit (3-15-2022)
- LUP Boundary Exhibit (3-15-2022)
- Rezoning Site Plan (2-28-2022)
- Assisted Living Facility Floor Plan (3-15-2022)
- Assisted Living Facility Elevations (North-East-West-South) (3-15-2022)
- Independent Living Cottages/Villas Floor Plan (3-15-2022)
- Independent Living Cottages/Villas Elevations (Front-Left-Right-Rear) (3-15-2022)
- Clubhouse Floor Plan (3-15-2022)
- Clubhouse Elevations (Front-Left-Right-Rear) (3-15-2022)
- LUP Ordinance No. 2017-14 (7-10-2017)
- RZ Ordinance No. 2017-15 (7-10-2017)
- April 26 2022 Planning Department Case Summary & Analysis (3-30-2022)
- *Unofficial* April 26, 2022 Planning Commission Regular Meeting Minutes (4-28-2022)
- April 26 2022 Planning Commission Case Report (4-28-2022)
- May 9 2022 Planning Department Case Summary & Analysis with Planning Commission Report (4-28-2022)

EXHIBIT A

Parcel	Acres (+/-)	Physical Address	Future Land Use Map		Zoning Map		Proposed Uses
			Current	Proposed	Current	Proposed	
R5069 011 (Tract 1)	2.33	1642 Highway 78	Commercial Retail	Public-Civic	BG (General Business)	CI (Civic Institutional)	Assisted Living Facility and Associated Parking and Amenities
R5069 011 (Tract 2)	0.59	1642 Highway 78	Commercial Retail	Medium Density Residential	BG (General Business)	RO (Residential for Older Persons)	Independent Living Cottages and Associated Parking and Amenities
R5069 282 (Tract 3)	5.35	1600 Highway 78	Public Civic	Public-Civic	RO (Residential for Older Persons)	CI (Civic Institutional)	Assisted Living Facility and Associated Parking and Amenities
R5069 282 (Tract 4)	5.01	1600 Highway 78	Public Civic	Medium Density Residential	RO (Residential for Older Persons)	RO (Residential for Older Persons)	Independent Living Cottages and Associated Parking and Amenities

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-07

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 13.28± ACRE TRACT OF LAND LOCATED IN LAND LOT 69 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1600 AND 1642 ATHENS HIGHWAY, 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.

CASE NUMBER:	#RZ 22-03
PROPERTY OWNER:	Ridgecliff, LLC Loganville, Georgia 30052
LOCATION:	Intersection of U.S. Hwy. 78 and South Crestview Drive, 1600 and 1642 Athens Highway, Snellville, Georgia 30078
TAX PARCELS:	R5069 011 (partial) and R5069 282 (partial)
APPLICANT/CONTACT:	Manor Lake Development, LLC Waleska, Georgia 30183 c/o Jeff Timler, Split Silk Properties, LLC 678-439-1776 or splitsilkproperties@gmail.com
DEVELOPMENT/PROJECT:	Assisted Living Facility with Independent Living Cottages/Villas for Retirement Community (Continuing Care)

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 13.28± acre tract of undeveloped land

located at the intersection of U.S. Highway 78 (Athens Highway) and South Crestview Drive, 1600 and 1642 Athens Highway, Snellville, Georgia (Tax Parcels R5069 011 and R5069 282) for a one-story, 70,000 sq. ft. assisted living facility with associated parking and independent living cottages/villas for a retirement community (continuing care) development; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant a variance from the buffer requirements of Sec. 207-2.B. Buffers and Screening of Article 7 of Chapter 200 of the Snellville Unified Development Ordinance; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to repeal conditions of zoning from the 7-10-2017 Mayor and Council approved rezoning for case no. RZ 17-06 LUP 17-04; 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 13.28± acre tract of land described and shown on the rezoning site plan entitled “Site Plan Manor Lake Facility, Snellville, Gwinnett County, Georgia”, sealed and dated 2-28-2022 (stamped received 3-17-2022), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended as follows: a) the 2.33± acre Tract 1 (parcel 5069 011) is changed from BG (General Business) District to CI (Civic Institutional) District; b) the 0.59± acre Tract 2 (parcel 5069 011) is changed from BG (General Business) District to CI (Civic Institutional) District; c) the 5.35± acre Tract 3

(parcel 5069 282) is changed from RO (Residential for Older Persons) District to CI (Civic Institutional) District; and d) the 5.01± acre Tract 4 (parcel 5069 282) remains unchanged as presently zoned RO (Residential for Older Persons) District.

The 7.679± acre tract of real property zoned CI (Civic Institutional) District is described in the legal description Exhibit “C”, a copy of which is attached hereto and incorporated herein by reference.

The 5.601± acre tract of real property zoned RO (Residential for Older Persons) District is described in the legal description Exhibit “D”, a copy of which is attached hereto and incorporated herein by reference.

Section 2. All variances and conditions that are applicable to the 13.28± acre property and previously approved on 7-10-2017 by the Mayor and Council for rezoning case #RZ 17-06 LUP 17-04 are hereby repealed and instead, this action is subject to the attachment of the following approved variance (1) and new conditions (1-10):

VARIANCE:

1. Variance from UDO Sec. 207-2.B. to reduce the forty (40) foot undisturbed buffer to zero (0) feet where the CI zoned portion of the assisted living facility development abuts the adjacent RO zoned Gladstone Landing (55+) townhomes to the east (parcel R5069 350C).

CONDITIONS:

1. All variances and conditions applicable to the subject property and previously approved on 7-10-2017 by the Mayor and Council for case #RZ 17-06 LUP 17-04 are hereby repealed.

2. The property shall be developed in general accordance with the zoning site plan entitled “Site Plan Manor Lake Facility, Snellville, Gwinnett County, Georgia”, sealed and dated 2-28-2022 (stamped received 3-17-2022), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
3. The assisted living building; independent living cottages; and clubhouse shall be constructed in general accordance with the submitted conceptual exterior building elevations and colors (stamped received 3-15-2022), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual elevations, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
4. The portion of the property zoned RO, shall meet all zoning requirements in UDO Sec. 202-9. (RO Residential for Older Persons) District, including: Use Provisions; Building Types; Architectural Standards; Site Development Standards; RO Design Standards; Accessibility Standards; Mandatory Homeowner/Property Owner Association; and Covenants and Restrictions. Unless approved as a concurrent variance at time of zoning approval, variances 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.

5. All cottage/villa 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 one vehicle.
6. All internal streets, drives and stormwater infrastructure shall be privately owned and maintained.
7. Inter-parcel access and connectivity to the existing inter-parcel access stub located in the northeast corner (off Slick Stone Drive) of the adjacent Gladstone Landing townhome development shall be completed before release of the first certificate of occupancy.
8. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
9. Signs higher than 15 feet or larger than 225 square feet are prohibited.
10. Property owner to maintain responsibility for maintaining the fence where adjacent to Gladstone Landing.

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 May _____, 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 May, 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

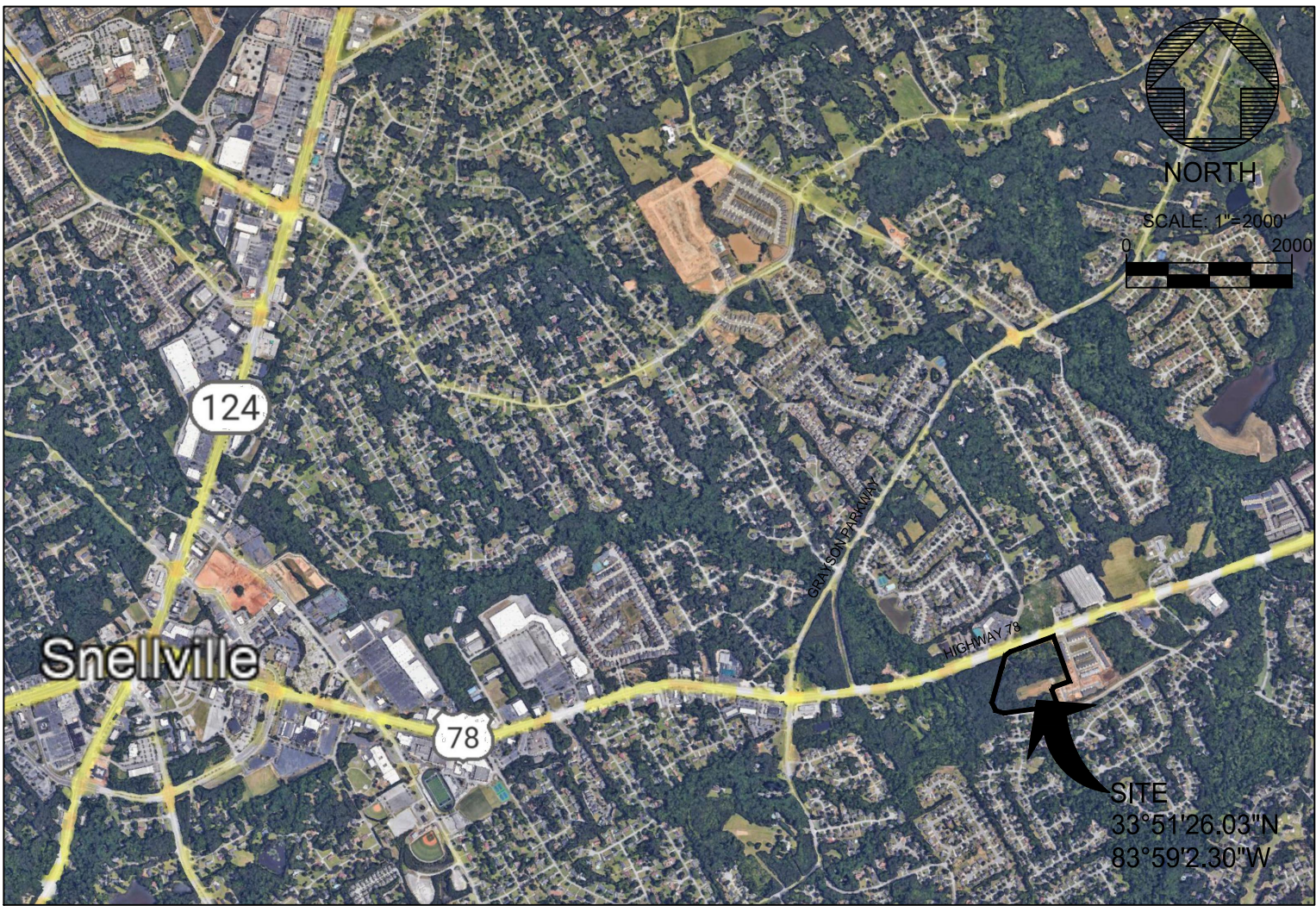
EXHIBIT “A”



LEGAL DESCRIPTIONS

Crestview Village Tract 1 Re-zoning - Legal Description
A parcel of land lying in Lot 48 of the 4th District, Gwinnett County, Georgia and being more particularly described as follows:
Begin at a point on the southerly right-of-way of U.S. Hwy. 78 (A.K.A. Athens Highway) (Variable right-of-way), said point also being the northern corner common to Tract 2 & Tract 3 of that subdivision recorded in Plat Book 140, Page 113, Gwinnett County Records; Thence leaving said right-of-way, run South 19 Degrees 14 Minutes 34 Seconds East for a distance of 256.70 feet to a point; Thence run South 70 Degrees 40 Minutes 14 Seconds West for a distance of 204.02 feet to a point; Thence run South 20 Degrees 40 Minutes 14 Seconds West for a distance of 42.43 feet to a point; Thence run North 20 Degrees 58 Minutes 41 Seconds West for a distance of 68.81 feet to a point; Thence run South 82 Degrees 52 Minutes 25 Seconds West for a distance of 201.11 feet to a point; Thence run South 52 Degrees 24 Minutes 17 Seconds West for a distance of 201.84 feet to a point; Thence run North 71 Degrees 58 Minutes 27 Seconds West for a distance of 158.77 feet to a point; Thence run on the southeasterly right-of-way of South Crestview Drive (Apparent 60' R/W), Thence run North 13 Degrees 53 Minutes 13 Seconds East along said right-of-way for a distance of 147.02 feet to a found concrete right-of-way monument being the southerly interior corner between said southeasterly right-of-way and the aforementioned southerly right-of-way (U.S. Hwy. 78), Thence run North 54 Degrees 13 Minutes 45 Seconds East along said interior right-of-way for a distance of 164.63 feet to a found concrete right-of-way being the northerly interior corner of said right-of-way; Thence leaving said interior right-of-way, run North 70 Degrees 35 Minutes 00 Seconds East along said right-of-way of U.S. Hwy. 78 for a distance of 118.09 feet to a found 1/2 inch rebar; Thence run North 70 Degrees 25 Seconds 25 Minutes East along said right-of-way for a distance of 435.15 feet to the POINT OF BEGINNING.
Said Parcel Contains 334.489 square feet, or 7.679 acres.

Crestview Village Tract 2 Re-zoning - Legal Description
A parcel of land lying in Lot 48 of the 4th District, Gwinnett County, Georgia and being more particularly described as follows:
Commence at a point on the southerly right-of-way of U.S. Hwy. 78 (A.K.A. Athens Highway) (Variable right-of-way), said point also being the northern corner common to Tract 2 & Tract 3 of that subdivision recorded in Plat Book 140, Page 113, Gwinnett County Records; Thence leaving said right-of-way, run South 19 Degrees 14 Minutes 34 Seconds East for a distance of 256.70 feet to a point; Thence run South 70 Degrees 40 Minutes 14 Seconds West for a distance of 204.02 feet to a point; Thence run South 20 Degrees 40 Minutes 14 Seconds West for a distance of 42.43 feet to the POINT OF BEGINNING of the parcel herein described; Thence run South 20 Degrees 58 Minutes 41 Seconds East for a distance of 68.81 feet to a point; Thence run North 20 Degrees 52 Minutes 25 Seconds West for a distance of 201.11 feet to a point; Thence run South 52 Degrees 24 Minutes 17 Seconds West for a distance of 201.84 feet to a point; Thence run North 71 Degrees 58 Minutes 27 Seconds West for a distance of 158.77 feet to a point; Thence run on the southeasterly right-of-way of South Crestview Drive (Apparent 60' R/W), Thence run North 13 Degrees 53 Minutes 13 Seconds East along said right-of-way for a distance of 147.02 feet to a point; Thence leaving said right-of-way, run North 54 Degrees 13 Minutes 45 Seconds East along said interior right-of-way for a distance of 164.63 feet to a point; Thence run North 70 Degrees 35 Minutes 00 Seconds East along said right-of-way of U.S. Hwy. 78 for a distance of 118.09 feet to a found 1/2 inch rebar; Thence run North 70 Degrees 25 Seconds 25 Minutes East along said right-of-way for a distance of 435.15 feet to the POINT OF BEGINNING.
Said parcel contains 343.993 square feet, or 7.801 acres.



SITE VICINITY MAP

PROJECT INFORMATION

TOTAL SITE AREA:	13.28 AC.
EXISTING ZONING:	BG - 2.92 AC (26,500 SF TOTAL) R-HOP(62) - 10.36 AC (304 UNITS, 3-STORY)
PROPOSED ZONING:	RO & CI - 13.28 ACRES 87 UNITS (71% REDUCTION) RO - 5.601 AC CI - 7.679 AC

SITE DATA

TRACT 1	7.679 ACRES	PROPOSED ZONING CI
TRACT 2	5.601 ACRES	PROPOSED ZONING RO

TOTAL DISTURBED ACREAGE:	±13.28 AC.
LOTS PROPOSED:	2 LOTS
LARGE LOT (MOTHER SHIP) ≥ 9,500 SF.):	1 LOT
VILLA LOT (SINGLE STORY RENTAL UNITS)	1 LOT

OPEN SPACE	
OPEN SPACE REQUIRED:	25.0% (3.32 ACRES or 144,619 sq. ft.)
OPEN SPACE PROVIDED:	25.4% (3.37 ACRES or 146,900 sq. ft.)

PARKING CALCULATIONS:	
VILLAS (SINGLE FAMILY ATTACHED)	
REQUIRED: 1 SPACE/UNIT + 1 SPACE/4 UNITS	32 UNITS = 40 SPACES
PROPOSED: 1 CAR GARAGE & 1 CAR IN DRIVE	2 SPACES/UNIT = 64 SPACES
AUX. PARKING = 38 SPACES	
TOTAL PARKING = 102 SPACES	

ASSISTED LIVING (CONTINUING CARE FACILITY)	
REQUIRED: 0.5 SPACE/1 BEDROOMS OR BEDS	87 UNITS/BEDS = 44 SPACES
PROPOSED: 91 SPACES (1.0 SPACES/BED)	



MANOR LAKE - ASSISTED LIVING FACILITY



MANOR LAKE - INDEPENDENT LIVING COTTAGE



MANOR LAKE - CLUBHOUSE

FLOODPLAIN INFORMATION:
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL No. 13135 C 0130 F, DATED SEPTEMBER 29, 2006.



EXHIBIT "B"
DELIBERATELY OMITTED
EXHIBIT "C"

EXHIBIT "C"

Manor Lake Snellville Rezoning CI District– Legal Description

A parcel of land lying in Land Lot 69 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

Begin at a point on the southerly right-of-way of U.S. Hwy. 78 (A.K.A. Athens Highway)(Variable right-of-way), said point also being the northern corner common to Tract 2 & Tract 3 of that subdivision recorded in Plat Book 140, Page 113, Gwinnett County Records; Thence leaving said right-of-way, run South 19 Degrees 34 Minute 34 Seconds East for a distance of 576.70 feet to a point; Thence run South 70 Degrees 40 Minutes 16 Seconds West for a distance of 204.00 feet to a point; Thence run South 25 Degrees 40 Minutes 16 Seconds West for a distance of 42.43 feet to a point; Thence run North 20 Degrees 58 Minutes 41 Seconds West for a distance of 68.81 Feet to a point; Thence run South 82 Degrees 52 Minutes 20 Seconds West for a distance of 209.11 feet to a point; Thence run South 82 Degrees 24 Minutes 17 Seconds West for a distance of 118.34 feet to a point; Thence run North 35 Degrees 55 Minutes 18 Seconds West for a distance of 201.84 feet to a point; Thence run North 73 Degrees 48 Minutes 27 Seconds West for a distance of 156.77 feet to a point lying on the southeasterly right-of-way of South Crestview Drive (Apparent 60' right-of-way); Thence run North 15 Degrees 50 Minutes 59 Seconds East along said right-of-way for a distance of 50.85 feet to a found 1/2 inch rebar; Thence run North 15 Degrees 56 Minutes 08 Seconds East along said right-of-way for a distance of 147.02 feet to a found concrete right-of-way monument being the southerly mitered corner between said easterly right-of-way and the aforementioned southerly right-of-way of U.S. Hwy. 78; Thence run North 54 Degrees 13 Minutes 40 Seconds East along said mitered right-of-way for a distance of 74.63 feet to a found concrete right-of-way being the northerly mitered corner of said right-of-way; Thence leaving said mitered right-of-way, run North 70 Degrees 25 Minutes 00 Seconds East along said right-of-way of U.S. Hwy. 78 for a distance of 118.09 feet to a found 1/2 inch rebar; Thence run North 70 Degrees 25 Seconds 25 Minutes East along said right-of-way for a distance of 435.15 feet to the POINT OF BEGINNING.

Said Parcel Contains 334,489 square feet, or 7.679 acres.

EXHIBIT “D”

Manor Lake Snellville Rezoning RO District– Legal Description
EXHIBIT “D”

A parcel of land lying in Land Lot 69 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

Commence at a point on the southerly right-of-way of U.S. Hwy. 78 (A.K.A. Athens Highway)(Variable right-of-way), said point also being the northern corner common to Tract 2 & Tract 3 of that subdivision recorded in Plat Book 140, Page 113, Gwinnett County Records; Thence leaving said right-of-way, run South 19 Degrees 34 Minute 34 Seconds East for a distance of 576.70 feet to a point; Thence run South 70 Degrees 40 Minutes 16 Seconds West for a distance of 204.00 feet to a point; Thence run South 25 Degrees 40 Minutes 16 Seconds West for a distance of 42.43 feet to the POINT OF BEGINNING of the parcel herein described; Thence run South 20 Degrees 58 Minutes 41 Seconds East for a distance of 202.15 feet to a point lying on the northerly right-of-way of South Crestview Drive (Apparent 60' right-of-way); Thence run South 82 Degrees 14 Minutes 31 Seconds West along said right-of-way for a distance of 664.53 feet to a point; Thence run North 71 Degrees 39 Minutes 24 Seconds West along said right-of-way for a distance of 99.34 feet to a point; Thence run North 26 Degrees 02 Minutes 31 Seconds West along said right-of-way for a distance of 106.25 feet to a point; Thence run North 15 Degrees 53 Minutes 15 Seconds East along said right-of-way for a distance of 396.72 feet to a point; Thence leaving said right of way run South 73 Degrees 48 Minutes 27 Seconds East for a distance of 156.77 feet to a point; Thence run South 35 Degrees 55 Minutes 18 Seconds East for a distance of 201.84 feet to a point; Thence run North 82 Degrees 24 Minutes 17 Seconds East for a distance of 118.34 feet to a point; Thence run North 82 Degrees 52 Minutes 20 Seconds East for a distance of 209.11 feet to a point; Thence run South 20 Degrees 58 Minutes 41 Seconds East for a distance of 68.81 feet to the POINT OF BEGINNING.

Said parcel containing 243,993 square feet, or 5.601 acres.

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-08

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 13.28± ACRE TRACT OF LAND LOCATED IN LAND LOT 69 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; 1600 AND 1642 ATHENS HIGHWAY, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 22-03

PROPERTY OWNER: Ridgecliff, LLC
Loganville, Georgia 30052

LOCATION: Intersection of U.S. Hwy. 78 and South
Crestview Drive, 1600 and 1642 Athens
Highway, Snellville, Georgia 30078

TAX PARCELS: R5069 011 (partial) and R5069 282 (partial)

APPLICANT/CONTACT: Manor Lake Development, LLC
Waleska, Georgia 30183
c/o Jeff Timler, Split Silk Properties, LLC
678-439-1776 or splitsilkproperties@gmail.com

DEVELOPMENT/PROJECT: Assisted Living Facility with Independent
Living Cottages/Villas for Retirement
Community (Continuing Care)

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 13.28± acre tract of undeveloped land located at the intersection of U.S. Highway 78 (Athens Highway) and South Crestview Drive, 1600 and 1642 Athens Highway, Snellville, Georgia (Tax Parcels 5069 011 and 5069 282); 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 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 13.28± acre tract of land described and shown on the rezoning site plan entitled “Site Plan Manor Lake Facility, Snellville, Gwinnett County, Georgia”, sealed and dated 2-28-2022 (stamped received 3-17-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended as follows: a) the 2.33± acre Tract 1 (parcel 5069 011) is changed from Commercial Retail to Public-Civic; b) the 0.59± acre Tract 2 (parcel 5069 011) is changed from Commercial Retail to Medium-Density Residential; c) the 5.01± acre Tract 4 (parcel 5069 282) is changed from Public Civic to Medium Density Residential; and d) the 5.35± acre Tract 3 (parcel 5069 282) future land use map designation remains unchanged as Public Civic.

This change in the future land use, as shown on the future land use plan Exhibit “B”, 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. 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 May _____, 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 May, 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

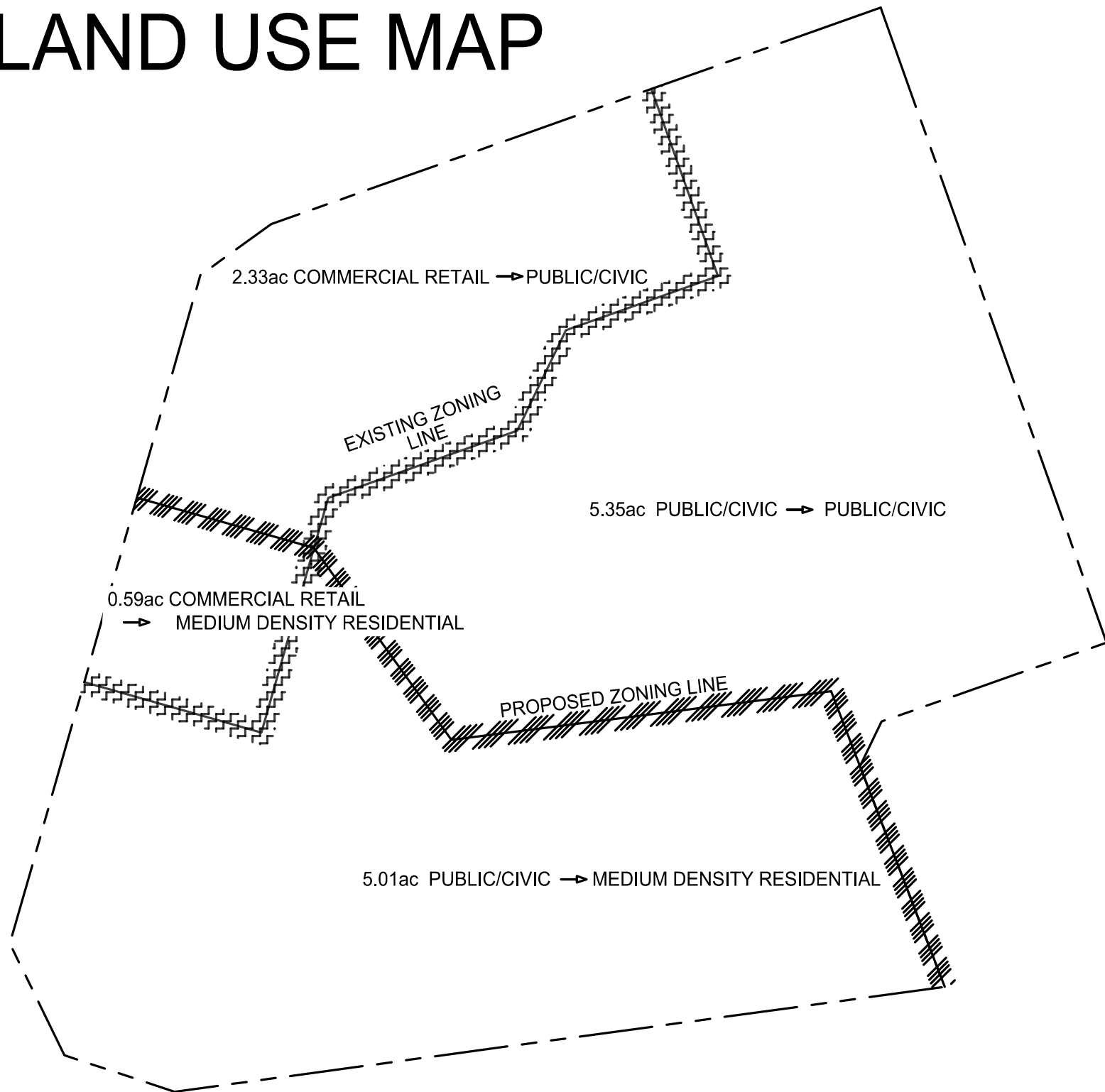
EXHIBIT “A”

DRAFT

EXHIBIT “B”

DRAFT

LAND USE MAP



STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2022-09

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.60± ACRE TRACT OF LAND LOCATED IN LAND LOT 69 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AT THE INTERSECTION OF SOUTH CRESTVIEW DRIVE AND ATHENS HIGHWAY, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#SUP 22-04
PROPERTY OWNER:	Ridgecliff, LLC Loganville, Georgia 30052
LOCATION:	Intersection of U.S. Hwy. 78 and South Crestview Drive, 1600 and 1642 Athens Highway, Snellville, Georgia 30078
TAX PARCELS:	R5069 011 (partial) and R5069 282 (partial)
REQUESTED SPECIAL USE:	Retirement Community (Continuing Care)
APPLICANT/CONTACT:	Manor Lake Development, LLC Waleska, Georgia 30183 c/o Jeff Timler, Split Silk Properties, LLC 678-439-1776 or splitsilkproperties@gmail.com

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

WHEREAS, the governing authority of the City of Snellville, Georgia desires to approve SUP 22-04, special use permit for a retirement community (continuing care); and,

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

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

Section 1. For reasons stated in the public hearing and recommendations by the Planning Department and Planning Commission, a special use permit is hereby approved for Manor lake Development, LLC to develop and operate a retirement community (continuing care) on the 5.60± acre tract of land located at the intersection of South Crestview Drive and U.S. Highway 78 (Athens Highway), 1600 and 1642 Athens Highway, Snellville, Georgia (part-of Tax Parcel R5069 011 and part-of R5069 282), described and shown on the zoning site plan entitled “Site Plan Manor Lake Facility, Snellville, Gwinnett County, Georgia”, sealed and dated 2-28-2022 (stamped received 3-17-2022) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference.

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

Section 3. The changes in zoning classification 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. (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 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 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on _____, 2022. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of May, 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”

