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

AGENDA



WORK SESSION OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, APRIL 24, 2023

Publication Date: April 20, 2023

TIME:

6:30 p.m.

DATE:

April 24, 2023

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) Proposal to honor SPD with a statue, including possible location [Schulz]
- c) <u>Discussion of Multi-Family Uses in Single Family Residential Zoning Districts</u> [Warner]
- d) <u>Discussion About Pharrs Road Roundabout Landscaping [Schulz]</u>
- e) Discussion About Wall Along Highway 78 [Schulz]

VI. EXECUTIVE SESSION

An Executive Session may be called:

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

VII. ADJOURNMENT

AGENDA



PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, APRIL 24, 2023

Publication Date: April 20, 2023

TIME:

7:30 p.m.

DATE:

April 24, 2023

PLACE:

Council Chambers

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE TO THE FLAG
- IV. CEREMONIAL MATTERS
 - a) PRO 2023-07 National Arbor Day
 - b) PRO 2023-09 Arabic Heritage Month
- V. MINUTES

Approve the Minutes of the March 27, 2023 Meetings

VI. INVITED GUESTS

<u>None</u>

- VII. COMMITTEE / DEPARTMENT REPORTS
- VIII. APPROVAL OF THE AGENDA
 - IX. PUBLIC HEARING
 - a) 2nd Reading SUP 22-07 Consideration and Action on application by Brian Vu, ABN Investment Group, LLC (property owner) requesting a Special Use Permit and variances from the Unified Development Ordinance for a Drive-Thru Restaurant at the former Krystal restaurant location on the 0.775± acre property, zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville, Georgia (Tax Parcel 5026 240)

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL MONDAY, APRIL 24, 2023 PAGE TWO

- X. CONSENT AGENDA (Please see *Note)
- XI. OLD BUSINESS
- XII. NEW BUSINESS
 - a) Consideration and Action on Surplus of City Vehicles [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.

XI. 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).

XII. 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.

Commonly Used Acronyms for Planning and Development:

ANX – Annexation

BOA – Board of Appeals

CIC – Change in Conditions

CP – Comprehensive Plan

LUP - Land Use Plan

MSP – Master Sign Plan

RZ – Rezoning

SUP – Special Use Permit

UDO – Unified Development Ordinance

Commonly Used Acronyms for City Boards and Commission:

BOA – Board of Appeals

DAS – Development Authority of Snellville

DDA – Downtown Development Authority

STAT - Snellville Tourism and Trade

SYC – Snellville Youth Commission

URA – Urban Redevelopment Agency

For more information about each of these you can go online to the City Code: https://www.snellville.org/code-ordinances

CITY OF SNELLVILLE MEETINGS AND LOCAL EVENTS APRIL 24, 2023

April 24

Council Meeting

Monday, April 24, 2023 6:30 pm Work Session – Conference Room 145, City Hall 7:30 pm Meeting - Council Chambers, City Hall

April 25

Planning Commission Meeting

Tuesday, April 25, 2023 7:30 pm – City Hall Room 259, Second Floor

April 30

Broadcast of 4/24/23 Council Meeting

Sunday, April 30, 2023
Watch the broadcast of the 4/24/2023 Council Meeting on Comcast Channel 25 at 6:30 pm

May 2

Commerce Club

Tuesday, May 2, 2023 12 pm – City Hall Community Room

May 6

Extended Farmers' Market

Saturday, May 6, 2023 9:00 am to 12:00 pm City Hall Parking Lot

May 8

Council Meeting - Canceled

Monday, May 8, 2023 6:30 pm Work Session – Conference Room 145, City Hall 7:30 pm Meeting - Council Chambers, City Hall



CITY OF SNELLVILLE

Proclamation

PRO 2023-07 ARBOR DAY

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day to be

set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more

than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can be a solution to combating climate change by reducing the erosion

of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen,

and providing habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel

for our fires, and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of

business areas, and beautify our community, and

WHEREAS, trees — wherever they are planted — are a source of joy and spiritual

renewal.

THEREFORE, I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where

Everybody is PROUD to be Somebody, join with our City Council and the Citizens of Snellville to hereby proclaim the day of April 28, 2023 as the celebration of ARBOR DAY in the City of Snellville, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees

and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-

being of this and future generations.

Dated this 24th day of April 2023.



Melisa Arnold, City Clerk

Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Solange Destang, Council Member

Dave Emanuel, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member



CITY OF SNELLVILLE

Proclamation

PRO 2023-09

ARAB AMERICAN HERITAGE MONTH APRIL 2023

- WHEREAS, National Arab American Heritage Month is observed throughout the United States each April; and
- WHEREAS, for more than a century, Arab Americans have been making valuable contributions to virtually every aspect of American society, including medicine, law, business, technology, government, and culture; and
- WHEREAS, since migrating to America, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends; and
- WHEREAS, they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that has added strength to our nation; and
- WHEREAS, the Arab American community joins all Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; and
- WHEREAS, Georgia takes great pride in the diversity of people, cultures, and traditions represented by its residents; and
- WHEREAS, Georgia is enriched by the significant and lasting contributions of its residents of Arab American heritage.

THEREFORE, I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where Everybody is PROUD to be Somebody, do hereby join with our City Council and the citizens of Snellville to hereby commend the innumerable contributions of Arab Americans and proclaim April 2023 as Arab American Heritage Month.

Proclaimed this 24th day of April 2023.



Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Solange Destang, Council Member

Dave Emanuel, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk



WORK SESSION OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, MARCH 27, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. 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, Planning and Development Director Jason Thompson, Police Chief Greg Perry, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:36 p.m.

REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA ITEMS

During review of the agenda, Mayor Bender said that the applicant for SUP 22-07 Bubble Tea has asked for a postponement.

REVIEW CORRESPONDENCE

Mayor Bender advised she would be meeting with the new CEO of Piedmont Eastside Medical Center if anyone would like to attend.

CITY ATTORNEY'S REPORT

Attorney Ross said he would need an Executive Session.

DISCUSSION ITEMS

Update of Ongoing Projects [Bender]

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

<u>Discussion of Multifamily uses in SFR (Single Family Residential) Zoning Districts [Warner]</u> Mayor Pro Tem Warner talked about a discussion he had with a realtor about creating a City ordinance information sheet that can be submitted to the Georgia Association of Realtors for approval and inclusion in contracts for properties purchased within the City limits. He discussed meeting with staff to create the document.

EXECUTIVE SESSION

Mayor Bender read the closed meeting notice into the record as follows:

• 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).

City of Snellville Administration Department

WORK SESSION OF MAYOR AND COUNCIL MONDAY, MARCH 27, 2023 PAGE TWO

Upon a motion by Council Member Emanuel, 2nd by Council Member Schulz, the meeting was closed, with all Council Members and the Mayor present and voting in favor.

The meeting was closed at 7:03 p.m.

The meeting reconvened at 7:12 p.m.

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:12 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, MARCH 27, 2023

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Solange Destang, Dave Emanuel, Cristy Lenski, and Gretchen Schulz. 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, Police Chief Greg Perry, and City Clerk Melisa Arnold. (IT Administrator Erika Fleeman was absent.)

CALL TO ORDER

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

INVOCATION

Laura Drake from the Southeast Gwinnett Cooperative Ministry gave the invocation.

PLEDGE TO THE FLAG

Council Member Destang led the Pledge of Allegiance.

CEREMONIAL MATTERS

None

MINUTES

Approve the Minutes of the March 4, 2023 Work Retreat and the March 13, 2023 Meetings Council Member Emanuel made a motion to approve the minutes of the March 4, 2023 Work Retreat and the March 13, 2023 meetings with one correction, the addition of the Georgia Municipal report to the March 4th Work Retreat minutes, 2nd by Council Member Destang; voted 6 in favor and 0 opposed.

INVITED GUESTS

<u>Laura Drake with the SouthEast CoOp.</u>
Ms. Drake spoke about the needs of the CoOp.

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the agenda of the March 27th meeting, 2nd by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL MONDAY, MARCH 27, 2023
PAGE TWO

PUBLIC HEARING

2nd Reading - SUP 22-07 — Consideration and Action on application by Brian Vu, ABN Investment Group, LLC (property owner) requesting a Special Use Permit and variances from the Unified Development Ordinance for a Drive-Thru Restaurant at the former Krystal restaurant location on the 0.775± acre property, zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville, Georgia (Tax Parcel 5026 240)

Mayor Bender advised that the applicant has asked for a postponement to the April 24, 2023 meeting.

Council Member Schulz made a motion to table SUP 22-07 to the April 24, 2023 meeting, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

None

COUNCIL REPORTS

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

MAYOR'S REPORT

None

PUBLIC COMMENTS

The following people came forward to speak: Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville. Kurt Schulz, 2027 Tanglewood Drive, Snellville. Melvin Everson, 1725 Winding Creek Circle, Snellville. Jerry Murphy, 1979 Harbour Oaks Drive, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member 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

Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director

Department of Planning and Development

DATE: April 24, 2023

RE: #SUP 22-07 – Bubble Tea & Deli Drive-Thru

0.77± Acres at 2484 E. Main Street, Snellville

STATUS: Public Hearing (2nd Reading)

Case Continuation from Mar 27th Council Meeting

Application requesting a Special Use Permit and variances from the UDO for a drive-thru lane and window for a proposed Banh Mi Bubble Tea & Deli on a 0.77± acre parcel (former Krystal restaurant location), zoned BG (General Business) District and located in the Towne Center Overlay District, 2484 E. Main Street, Snellville.

The case was to be considered by the Mayor and Council at the Mar 27th public hearing, but was postponed to Apr 24th by request of the applicant.

Financial Impact: Building Permit Fees and Occupational Tax License

Fees

Planning Department

Recommendation: Approval with Conditions

Planning Commission

Meeting Date and

Recommendation: January 24, 2023 (Approval with Conditions)

Mayor and Council

Meetings: February 13, 2023 (1st Reading)

February 27, 2023 (2nd Reading) March 27, 2023 (Public Hearing) April 24, 2023 (Public Hearing)

Action Requested: Consideration, Public Hearing and Action

Draft Ordinance: Attached

0.77± Acre Property at 2484 E. Main Street, Snellville, Georgia Case #SUP 22-07 April 24, 2023 Page... 2

Case Documents (website link):

- Letter of Intent (10-11-2022)
- #SUP 22-07 Special Use Permit Application (10-11-2022)
- 1-10-2013 Property Survey (10-11-2022)
- 10-10-2022 Site Plan (10-11-2022)
- 11-15-2022 Planning Department Case Summary & Analysis (10-21-2022)
- Official November 15, 2022 Planning Commission Specially Called Meeting Minutes (11-18-2022)
- 11-15-2022 Planning Commission Case Report (11-16-2022)
- 11-28-2022 Planning Department Case Summary & Analysis with Planning Commission Report (11-16-2022)
- 1-15-2023 Letter of Intent Addendum (1-17-2023)
- 1-16-2023 Revised Site Plan with Proposed Interior & Exterior Renovations (1-17-2023)
- 1-24-2023 Planning Department Case Summary & Analysis (1-18-2023)
- Unofficial 1-24-2023 Planning Commission Regular Meeting Minutes (1-25-2023)
- 1-24-2023 Planning Commission Case Report (1-25-2023)
- 2-13-2023 Planning Department Case Summary & Analysis with Planning Commission Report (1-25-2023)
- 2-27-2023 Planning Department Case Summary & Analysis with Planning Commission Report (2-14-2023)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2023-01

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 0.77± ACRE TRACT OF LAND LOCATED IN LAND LOT 26 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2484 E. MAIN STREET, SNELLVILLE, GEORGIA; TO GRANT A SPECIAL USE PERMIT; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #SUP 22-07

APPLICANT/PROPERTY OWNER: Brian Vu, Member

ABN Investment Group, LLC Snellville, Georgia 30078

LOCATION: 2484 E. Main Street, Snellville, Georgia

(the "Property")

TAX PARCEL: R5026 240

DEVELOPMENT/PROJECT: Banh Mi Bubble Tea & Deli with

Drive-Thru

CONTACT: Maya Radovic

Radovic Permits, LLC

404-717-4795 or radovicpermits@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 amend its official zoning map as it applies to the 0.77± acre tract of land located at 2484 E. Main Street, Snellville, Georgia (Tax Parcel R5026 240) and grant the requested special use permit for a drive-thru lane and window; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant variances from Article 1, Article 5, and Article 6 of Chapter 200 of the Snellville Unified Development Ordinance; and,

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

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

Section 1. For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby granted for the use of a drive-thru lane and window for a Banh Mi Bubble Tea & Deli on the 0.77± acre tract of land located at 2484 E. Main Street, Snellville, Georgia (Tax Parcel R5026 240), described and shown on the ALTA survey entitled "Krystal, 2484 Highway 78, Gwinnett County, Snellville, Georgia", sealed and dated 1-10-2013 (stamped received 10-11-2022) in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference, subject to the attachment of the following enumerated variances and conditions: VARIANCES:

1. Approval of variance from Sec. 201-4.2.C (Exterior Wall Finish Materials) to increase the 30% maximum amount of hard-coat stucco allowed on the front

elevation to 62% and to allow paining of the existing brick on all elevations.

2. Approval of variance from Sec. 205-1.6.B.2 (Minimum Building Height) to reduce the 24-feet minimum building height to 17-feet to allow for the removal of the existing metal wall panels and replacement by stucco panels to provide screening of the rooftop mechanical units.

3. Approval of variance from Sec. 206-8.9.G (Drive-Thrus) to allow the drive-thru window and lane to be located between the building and closest public street (Civic Drive).

CONDITIONS:

- 1. The property shall be developed in accordance with the submitted site plan shown on Sheet A1.3 and exterior building elevations shown on Sheet A2.1 entitled "Special Use Permit Drive-Thru for Banh Mi Bubble Tea & Deli, 2484 Main St., Snellville, GA 30078", sealed and dated 1-16-2023 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 site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after receiving recommendations by the Planning Department and Planning Commission.
- 2. The existing nonconforming pylon sign located between the entry and exit drives on U.S. Highway 78, shall be removed before issuance of any Certificate of Occupancy or Occupational Tax Certificate (Business License). New signage shall comply with the requirements of Sec. 207-6 (Signs) of Chapter 200 of the Snellville Unified development Ordinance.
- 3. New signs higher than 15 feet or larger than 225 sq. ft. in area are prohibited.
- 4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
- 5. Drive-thru screening shall comply with UDO. Sec. 206-8.9.G.

 All interior and exterior building renovations and site renovation work shall require approved building and site development permits before commencement of any work.

Section 2. The special use permit shall expire after twelve (12) months from date of approval unless a certificate of occupancy or occupational tax license has been approved for the special use. The Director of Planning and Development may extend authorization for an additional period of six (6) months for reasons such as health, financial, or administrative problems incurred by the applicant during the permit period. The director must make a finding that the delay is justified by circumstances beyond the applicant's control, and that the six-month extension can reasonably be expected to remedy the circumstances.

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

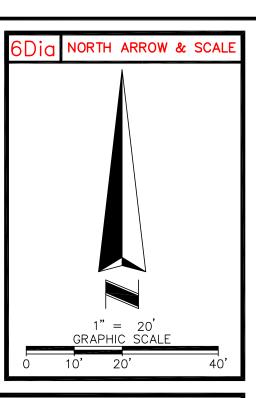
Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

| | Barbara Bender, Mayor |
|---|---------------------------------|
| ATTEST: | Tod Warner, Mayor Pro Tem |
| Melisa Arnold, City Clerk | Solange Destang, Council Member |
| APPROVED AS TO FORM: | Dave Emanuel, Council Member |
| W. Charles Ross, City Attorney Powell & Edwards, P.C. | Cristy Lenski, Council Member |
| | Gretchen Schulz, Council Member |

ORDAINED this ____ day of _______, 2023.

EXHIBIT "A"



URVEYOR OBSERVED POSSIBLE ENCROACHMENTS

CONCRETE SIDEWALK ENCROACHES ONTO PROPERTY BY NO MORE THAN 2.6'

_OOD_INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 130102 0129 F (MAP NO. 13135C0129F), WHICH BEARS AN EFFECTIVE DATE OF 09/29/2006, AND IS NO IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE TH 0.2% ANNUAL CHANCE FLOODPLAIN.

6Dib LEGEND & ABBREVIATIONS

| בו | | 17 (110 | |
|--------|--------------------------|-------------|----------------------------|
| SQ.FT. | SQUARE FEET | LSA | LANDSCAPE AREA |
| | CONCRETE SURFACE (CONC.) | © © | SANITARY MANHOLE |
| | NO PARKING AREA | | GREASE MANHOLE |
| گ | HANDICAP PARKING SPACE | ⊕ | UTILITY POLE GUY ANCHOR |
| PS | PARKING SPACE(S) | \Diamond | LIGHT POLE |
| WM | WATER METER | | SIGN |
| CO | CLEAN OUT | • | BOLLARD |
| Ļ | ARC LENGTH | | DRAIN GRATE |
| R | RADIUS | | BIO III OIO IIE |
| CB | CHORD BEARING | | |
| С | CHORD LENGTH | | |
| OH | OVERHANG | | |
| BW | BRICK WALL | 0 | FOUND 5/8" IRON PIPE |
| OHU | OVERHEAD UTILITY LINE | • | NO IDENTIFICATION |
| POB | POINT OF BEGINNING | | |
| (C) | CALCULATED DATA | | (UNLESS NOTED OTHERWIS |
| (D) | DEED DATA | | |

| 22 ZONING INFO | RMATI | NC | | |
|--|----------|--------|-------|--|
| ITEM | REQUIRED | OBSE | RVED | |
| PERMITTED USE | BG | СОММЕ | RCIAL | PRELIMINARY |
| MINIMUM LOT AREA (SQ.FT.) | NONE | 37,746 | | ZONING INFORMATION SHOWN HEREON WAS PROVIDED BY INSURED, INFORMATION WAS NOT OBTAINED BY ASM, INC. |
| MINIMUM FRONTAGE | NONE | 150.0' | | |
| MINIMUM LOT WIDTH | NONE | 150.0' | | |
| MAX BUILDING COVERAGE | 90% | 5% | | CONTACT: MASSEY CONSULTING GROUP |
| MAX BUILDING HEIGHT | 80' | 12.4' | | SITE # 15840 |
| MINIMUM SETBACKS | | | | DATE OF REPORT: 08/23/12 |
| FRONT | 25' | 47.8' | | PHONE/FAX |
| SIDE/SIDE ON STREET | 10'/35' | 46 | .6' | (866) 786-7153 (866) 786-7154 |
| REAR | 15' | 103.5 | | (000) 700 7101 |
| PARKING REQUIREMENTS | 1 SPACE/ | 3 SEA | TS, P | LUS 1/FULLTIME EMPLOYEE |
| NOTES: ZONED BG, GENERAL BUSINESS DISTRICT | | | | |

RECORDED SETBACKS/RESTRICTIONS

NONE PROVIDED TO THIS SURVEYOR

- WARRANTY DEED FROM TERRA 22 LTD., TO THE KRYSTAL COMPANY, A TENNESSEE CORPORATION, DATED OCTOBER 21, 1981, FILED OCTOBER 2 1981 AND RECORDED IN DEED BOOK 2271, PAGE 174, GWINNETT COUNTY GEORGIA RECORDS. (ADJACENT TO SUBJECT PROPERTY, AS SHOWN)
- TERMS AND CONDITIONS OF THAT EASEMENT BETWEEN TERRA 22 LTD AND THE BRAND BANKING COMPANY, DATED OCTOBER 21, 1981, FILED ON OCTOBER 21, 1981 AND RECORDED AT DEED BOOK 2271, PAGE 205, GWINNETT COUNTY, GEORGIA RECORDS. (ADJACENT TO SUBJECT PROPERTY, AS SHOWN)
- DRIVES CROSSING SUBJECT PROPERTY AND SUBJECT PROPERTY BOUNDARIES POSSIBLY GIVING RISE TO RIGHTS, OR CLAIMS OF RIGHTS, O OTHERS AS DISCLOSED BY THAT CERTAIN PLAT OF SURVEY ENTITLED "SURVEY FOR DOUGLAS L. WILKERSON". PREPARED BY HANNON, MEEKS & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED JULY 22, 1977, RECORDED AT PLAT BOOK 6, PAGE 157 B, GWINNETT COUNTY, GEORGIA RECORDS. (DOES NOT AFFECT)

ALTA/ACSM LAND TITLE SURVEY IDENTIFICATION TABLE 7b "TABLE A" BUILDING AREA CONTIGUITY STATEMENT

| 3 "TABLE A" FLOOD INFORMATION 4 "TABLE A" LAND AREA 5Biii ACCESS TO PROPERTY 5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENT | 2 | "TABLE A" PROPERTY ADDRESS |
|---|----|---|
| 5Biii ACCESS TO PROPERTY | 3 | "TABLE A" FLOOD INFORMATION |
| | 4 | "TABLE A" LAND AREA |
| 5Ciii SURVEYOR OBSERVED POSSIBLE ENCROACHMENT | 5B | ACCESS TO PROPERTY |
| | 5C | SURVEYOR OBSERVED POSSIBLE ENCROACHMENT |

Ei SCHEDULE "B" ITEMS

RESTRICTIONS PROVIDED BY

X TITLE INFORMATION Bi TITLE DESCRIPTION ▼ BEARING BASIS ia NORTH ARROW & SCALE LEGEND & ABBREVIATIONS VICINITY MAP /i TYPE OF SURVEY

SURVEYOR'S CERTIFICATE

7c "TABLE A" BUILDING HEIGHT 8 SURVEYOR'S NOTES 9 TABLE A" PARKING SPACES

TABLE A" ADJOINING OWNERS 14 "TABLE A" INTERSECTING STREET "TABLE A" EARTH MOVING NOTE

TABLE A" DUMP, SUMP OR LANDFILL NOTE "TABLE A" ZONING INFORMATION OWNER: BRAND BANKING CO APN: R5026-055 ALTERNATE APN: 5-026-055 TRACT NO. 3 PLAT BOOK 16, PAGE 253 OWNER: THE KRYSTAL COMPANY DEED BOOK 2271, PAGE 174 APN: R5026-240 ALTERNATE APN: 5-026-240 OWNER: BRAND BANKING CO TRACT 1 & 2 PLAT BOOK 16, PAGE 253 ALTERNATE APN: 5-026-055 <u>GENERAL NOTES :</u> DATE REVISIONS 1" = 20' 8/27/12 | CLIENTS COMMENTS (1) FIELD TRAVERSE CLOSURE - 1:27,342 - ADJUSTED BY COMPASS RULE DRAWN BY/FIELD CREW: 8/29/12 | REMOVE EXCEPTION #11 (2) PLAT CLOSURE - 1:300,000+ 8/30/12 | GEORGIA NOTES APPROVED BY: (3) INSTRUMENT USED - LIETZ SET-4 TOTAL STATION 9/5/12 | CORRECT CERTIFICATION DRAWING FILE NAME: 9/20/12 | CLIENTS COMMENTS 1200904 - 2484 HWY 78 (4) NO ATTEMPT WAS MADE TO DETERMINE WETLANDS OR OTHER ENVIRONMENTAL ISSUES SNELLVILLE, GA.DWG 1/10/13 | CERTIFICATION

ITLE DESCRIPTION AND SCHEDULE B ITEMS HEREON ARE FROM. CHICAGO TITLE INSURANCE COMPANY NBU# 14120419 (15-23), HAVING AF FFECTIVE DATE OF JULY 26, 2012.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH DISTRICT, CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA, CONTAINING 0.7725 ACRES AS SHOWN ON TOPOGRAPHIC SURVEY FOR THE KRYSTAL COMPANY BY HANNON, MEEKS & BAGWELL, SURVEYORS & ENGINEERS, INC., DATED AUGUST 20, 1981 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SHEET 1 OF 1

BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 78 AND THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE (BEING A 60-FOOT RIGHT-OF-WAY) AND RUNNING THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CIVIC DRIVE SOUTH 19 DEGREES 04 MINUTES 50 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT; THENCE NORTH 7 DEGREES 34 MINUTES 25 SECONDS WEST A DISTANCE OF 150.00 FEET TO A POINT; THENCE NORTH 19 DEGREES 05 MINUTES 00 SECONDS EAST A DISTANCE OF 225.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 78; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO, 78 AND FOLLOWING A CURVE TO THE LEFT, HAVING A RADIUS OF 2894.789 FEET AND A CHORD OF SOUTH 71 DEGREES 34 MINUTES 25 SECONDS EAST 149.98 FEET, AN ARC DISTANCE OF 150.00 FEET TO A POINT, BEING THE PLACE OR POINT OF

APPURTENANT EASEMENT AREA NO. 1:

TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN REAL ESTATE CREATED BY VIRTUE OF EASEMENT CONTAINED IN THAT CERTAIN WARRANTY DEED FROM TERRA 22 LTD., TO THE KRYSTAL COMPANY, A TENNESSEE CORPORATION, DATED OCTOBER 21, 1981, FILED OCTOBER 21,1981 AND RECORDED IN DEED BOOK 2271, PAGE 174, GWINNETT COUNTY, GEORGIA RECORDS.

APPURTENANT EASEMENT AREA NO. 2:

TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN REAL ESTATE CREATED BY VIRTUE OF EASEMENT BETWEEN TERRA 22 LTD AND THE BRAND BANKING COMPANY, DATED OCTOBER 21, 1981, FILED ON OCTOBER 21, 1981 AND RECORDED AT DEED BOOK 2271, PAGE 205, GWINNETT COUNTY, GEORGIA

NO UNDERGROUND UTILITIES ARE SHOWN ON THIS SURVEY, ONLY ABOVE GROUND VISIBLE EVIDENCE OF UTILITIES ARE SHOWN. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDES, AND ENCROACHMENTS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON. 3. THIS SURVEY MEETS OR EXCEEDS THE SURVEY STANDARDS/STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2011 ALTA/ACSM SURVEY REQUIREMENTS.

34,746± SQUARE FEET 0.775± ACRES

BEARING BASIS

BEARINGS SHOWN HEREON ARE BASED ON WESTERLY RIGHT OF WAY LINE OF CIVIC ROAD BEING S19°04'50"W PER PLAT BOOK 16, PAGE 253.

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON SUBJECT PROPERTY.

REGULAR=55 HANDICAP=2

CESS TO PROPERTY

THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO E MAIN STREET (U.S. HIGHWAY 78 AND CIVIC DRIVE, DEDICATED PUBLIC STREETS OR HIGHWAYS.

LEARTH MOVING NOTE

THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

DUMP, SUMP OR LANDFILL NOTE

THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP

Bvii|CONTIGUITY STATEMENT

THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GORES OR OVERLAPS.

MAP: 18/18/2012.

3191 MAGUIRE BLVD., SUITE 200

ORLANDO, FL 32803

FAX: (407) 426-9741

PHONE: (407) 426-7979

O: AR CAPITAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY. ARC KLSNVGA001, LLC, A DELAWARE LIMITED LIABILITY COMPANY, CHICAGO TITLE INSURANCE COMPANY, WELLS FARGO BANK, N.A., ITS SUCCESSORS AND ASSIGNS:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11(a), 12, 13, 14, 16, 18, 21 AND 22 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/16/2012. DATE OF PLAT OR

Carl Hourson 1/10/13

REGISTERED SURVEYOR: CARL S. COURSON PROFESSIONAL LAND SURVEYOR NO.: 2272 STATE OF GEORGIA PROJECT NO.: 1200904 SURVEY PREPARED BY: AMERICAN SURVEYING AND MAPPING, INC.



EXHIBIT "B"

PROPERTY DETAILS:

PROPERTY ID.... ..R5026 240 ...336106 ALTERNATE ID.. ...2484 MAIN ST ADDRESS.... ...FAST FOOD PROPERTY CLASS.. NEIGHBORHOOD. ...9310 SNELLVILLE DEEDED ACRES.. ...0.7700

LEASE SPACE... ...1,933 SF

SCOPE OF WORK:

SPECIAL USE PERMIT DRIVE-THRU FOR BANH MI BUBBLE TEA & RESTAURANT: • RENOVATE EXISTING DRIVE-THRU TO MEET 206.2 ALLOWED USE TABLE

THIS PROJECT CONSISTS OF RESURFACING THE PARKING, ADD NEW LANDSCAPE, EXTERIOR

BUILDING ELEVATIONS RENOVATIONS & INTERIOR RENOVATIONS. SCOPE OF WORK WILL INCLUDE THE FOLLOWING:

EXTERIOR RENOVATION:

- RESURFACE EXISTING PARKING LOT AND MAINTAIN AS REQUIRED
- REPAIR EXISTING CRACKS @ PARKING LOT AS REQUIRED RE-STRIPE PER NEW ARCHITECTURAL SITE PLAN
- REPLACING PARKING LOT LIGHTING BULBS @ LIGHT FIXTURES
- ADDING NEW DOORS AT DUMPSTER ENCLOUSURE
- EXTERIOR OF BUILDING TO BE REBRANDED AND REDESIGN AS SHOWN ON THESE DOCUMENTS
- INSTALLATION OF NEW LANDSCAPE PER THESE DOCUEMENTS

INTERIOR BUILDING RENOVATION:

- RENOVATING RESTROOM WITH ASSOCIATED PLUMBING FIXTURE AND ACCESSORIES TO MEET ADA STANDARDS
- RENOVATING THE RESTAURANT KITCHEN SPACE
- RENOVATING AND REDESIGN OF THE SEATING AND RECEPTION AREA PRESURE WASH AND PAINT EXTERIOR ELEVATIONS OF BUILDING
- MECHANICAL, ELECTRICALA AND PLUMBING (TO BE BROUGH UP TO CODE)
- OCCUPANCY GROUP CLASSIFICATION:

2018 IBC ASSEMBY GROUP - A-2 LSC ASSEMBLY

NUMBER OF STORIES: EXISTING: ⊠ 1 STORY HEIGHT OF THE STRUCTURE: **12.4 FEET** RENOVATION/ALTERATION MODIFICATION: **EXISTING YES** INTERIOR:YES EXTERIOR:**YES** TYPE OF CONSTRUCTION:

SPRINKLERED:

COMMON PATH OF TRAVEL: 75' MAXIMUM MAXIMUM TRAVEL DISTANCE: PER NFPA: 250'-0" DEAD END CORRIDOR: 50" MAXIMUM



PLANNING • ARCHITECTURE • INTERIORS KITCHEN & BATH DESIGN • RESIDENTIAL + COMMERCIAL 2545 PLEASANTDALE RD. SUITE 2F ATLANTA, GA 30340 INFO@ATLANTADIMENSIONSDESIGNS.COM

VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF THIS



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SHEET NAME

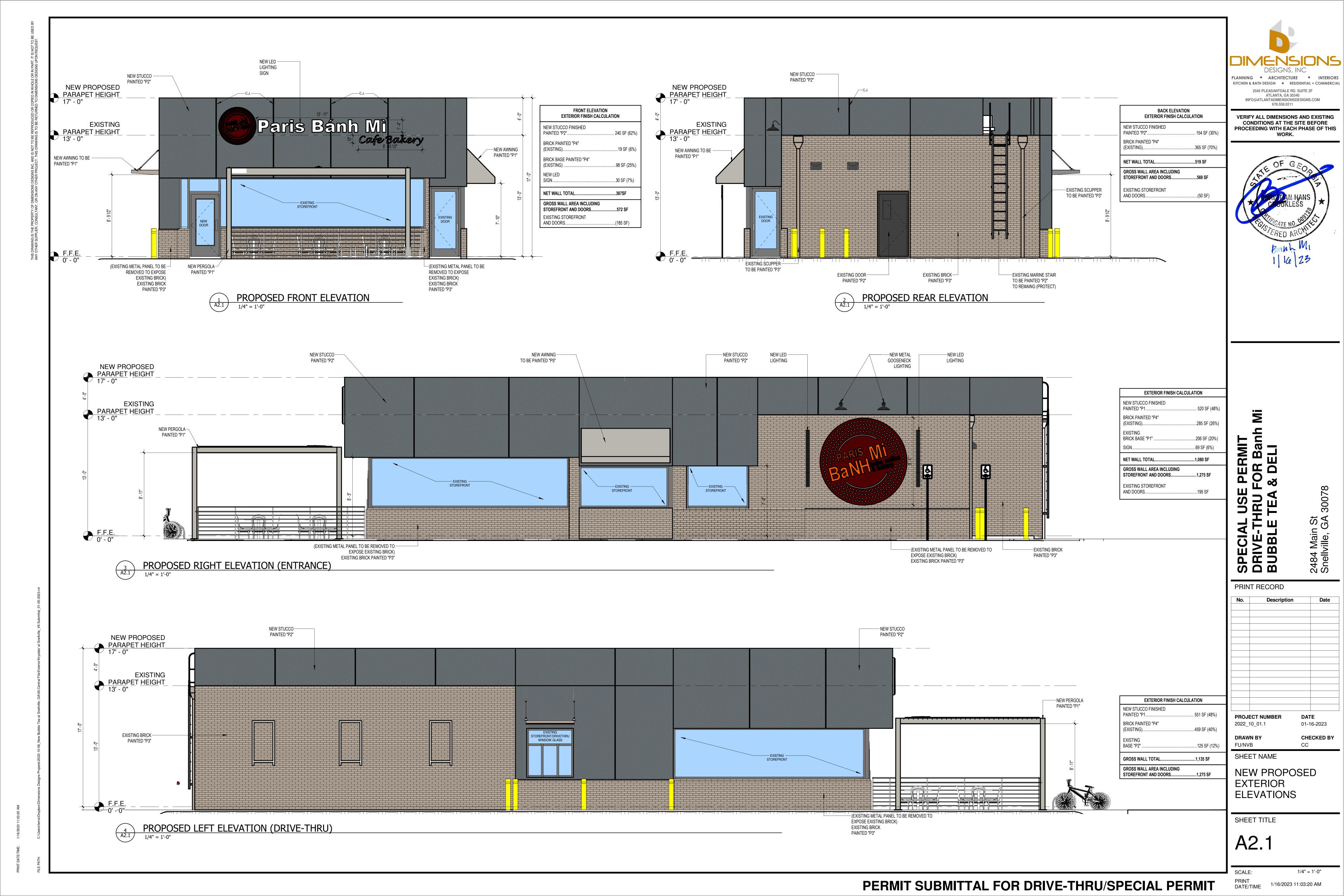
NEW PROPOSED ARCHITECTURAL SITE PLAN

SHEET TITLE

FU/NVB

A1.3

PRINT DATE/TIME 1/16/2023 3:37:00 PM



Agenda Item Summary



Date: April 24, 2023

Prepared by: Butch Sanders, City Manager

Agenda item:

Consideration and Action on Surplus of City Vehicles

- 1. Public Works Vehicle 2001 Ford F150 Vin# 1FTZX17251KC44779
- 2. Police Unit-165 2008 Chevrolet Impala Vin# 2G1WS553689181460

Background:

These vehicles have high mileage and multiple mechanical issues that exceed the value of the vehicle. The City will dispose of these by selling them on GovDeals.

Financial Impact:

There is a small cost to list the items on GovDeals, but that is recouped in the sale.

Recommendation:

Approve the surplus of the vehicles and equipment for disposal.

Action requested:

Motion and affirmative vote to approve the listed vehicles and equipment for surplus.

Attachments:

• None