

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, JULY 24, 2023

Publication Date: July 20, 2023

TIME: 6:30 p.m.  
DATE: July 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) Discussion About Request to Name a Previously Unnamed Section of a Local Creek to Nelson Williams Creek [Bender]
- c) Christmas Decoration Ad-Hoc Committee Report [Warner]
- d) Tree-Save Area in The Grove [Schulz]
- e) Establish a Sales Volume at Which Businesses Must Have Cameras at All Points of Entry [Schulz]
- f) Update on the Recycling Program [Warner]

## 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

FROM: City of Snellville

TO: U.S. Board on Geographic Names  
U.S. Geological Survey  
12201 Sunrise Valley Drive MS 523  
Reston, VA 20192-0523

RE: Request to Name a Previously Unnamed section of a local creek to Nelson Williams Creek.

The City of Snellville is requesting to name an unnamed section of a small creek after a very influential and humble member of our community who recently passed away. The City of Snellville would like to name the section of the creek Nelson Williams Creek. The location of the creek is noted on the enclosed maps.

The creek is located in Snellville, Georgia, zip code 30078. More specifically the creek section flows east between Wisteria Drive and Eastwood Drive. The creek backs up to what will become the city's Towne Center. The Grove at Towne Center, Phase 2 is adjacent to the creek as well as a long section of the city new greenway trail.

Mr. Williams' family was a primary land owner in the area of the creek and platted the Eastwood Subdivision sometime in the 1960s. Mr. Williams retained his original home in the subdivision and lived there with his wife up to his passing in 2018. Mr. Williams was very involved in the city of Snellville. Among serving the city in many ways, he was a member of the city's Downtown Development Authority since 1987. Mr. Williams also served Gwinnett as a volunteer. The city greatly misses him and his steady and even service.

As the city completes The Grove at Towne Center Snellville the city would like to look forward to honoring Mr. Williams in this manner, by naming the creek section near his house and near The Grove after him.

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



# AGENDA

---

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

Publication Date: July 20, 2023

TIME: 7:30 p.m.

DATE: July 24, 2023

PLACE: Council Chambers

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE TO THE FLAG**

**IV. CEREMONIAL MATTERS**

**V. MINUTES**

Approve the Minutes of the July 10, 2023 Meetings

**VI. INVITED GUESTS**

**VII. COMMITTEE / DEPARTMENT REPORTS**

**VIII. APPROVAL OF THE AGENDA**

**IX. PUBLIC HEARING**

- a) 2<sup>nd</sup> Reading - RZ 23-03 SUP 23-02 – Consideration and Recommendation on applications by Split Silk Properties, LLC (applicant) representing Highpoint Development (contract purchaser) and The Kroger Company (property owner) requesting: to amend the Official Zoning Map from BG (General Business) District to MU (Mixed-Use) District; and Special Use Permit and variances from the Unified Development Ordinance for a mixed-use development consisting of 300 stacked flat units, 28 single-family residential townhomes, and 51,000 sq. ft. of commercial/retail buildings on a 22.85± acre site located at the intersection of U.S. Hwy. 78 (Athens Hwy.) and Rosebud Rd., 1000 Hwy. 78, Snellville, Georgia (Tax Parcel 5100 065)

- b) 2<sup>nd</sup> Reading - RZ 23-04 – Consideration and Recommendation on application by B. H. Johnson, B. J. Longenecker, and L. J. Yates (property owners) requesting to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-15 (Single-family Residential) District to subdivide the existing 1.044± acre undeveloped property into two lots, 2625 Beverly Lane, Snellville, Georgia (Tax Parcel 5027 001B)

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

**XI. OLD BUSINESS**

**XII. NEW BUSINESS**

- a) Consideration and Action on Approval of RES 2023-12 – Adoption of the 2023 Millage Rate [Bender]  
b) Consideration and Action on Award of the Sidewalk Project for Skyland Drive/Pinehurst Road [Bender]  
c) Consideration and Action on Approval of an Amendment to the Waste Management Contract to Allow for a Rate Increase [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).

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL  
MONDAY, JULY 24, 2023  
PAGE THREE

- 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  
JULY 24, 2023

July 24

Council Meeting

Monday, July 24, 2023

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

7:30 pm Meeting - Council Chambers, City Hall

July 25

Planning Commission Meeting - Canceled

July 28

Pool Party @ Briscoe Park

Friday, July 28, 2023

6:30 pm – Briscoe Park Pool

July 29

Farmers' Market

Saturday, July 29, 2023

8:30 am to 12:30 pm – Towne Green

July 30

Broadcast of 7/24/23 Council Meeting

Sunday, July 30, 2023

Watch the broadcast of the 7/24/2023 Council Meeting on Comcast Channel 25 at 6:30 pm

August 1

Commerce Club Luncheon

Tuesday, August 1, 2023

12:00 pm – Community Room, City Hall

August 4

Food Truck Friday

Friday, August 4, 2023

4:00 pm – Towne Green

August 5

Farmers' Market

Saturday, August 5, 2023

8:30 am to 12:30 pm – Towne Green

August 8

Board of Appeals Meeting

Tuesday, August 8, 2023

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

7:30 pm Meeting - Council Chambers, City Hall

August 12

**Farmers' Market**

**Saturday, August 12, 2023**

**8:30 am to 12:30 pm – Towne Green**

**August 14**

**Council Meeting**

**Monday, August 14, 2023**

**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, JULY 10, 2023

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

Mayor Pro Tem Warner chaired the meeting since Mayor Bender was absent.

**CALL TO ORDER**

Mayor Pro Tem Warner called the meeting to order at 6:00 p.m.

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

The review was done at the end of the meeting.

**REVIEW CORRESPONDENCE**

There was no correspondence.

**CITY ATTORNEY'S REPORT**

There was no Attorney's report.

**DISCUSSION ITEMS**

Grove Presentation by Michael Kidd with Root Design [Warner]

City Manager Sanders said there were some additional funds available for improvements at The Grove and introduced Michael Kidd with Root Design.

Mr. Kidd presented several ideas to the Council. The consensus was to explore ideas such as a gateway to the Green area on the west side of the property, a covered area similar to a rideshare cover and some public art displays. One idea for a public art display was in the tree save area using a sculpture that has the words "The Grove". Mr. Kidd advised his company would work on these ideas.

Update of Ongoing Projects [Warner]

City Manager Sanders gave an update on the Towne Center progress, sidewalks, and sanitation. He said that Waste Management has asked for a rate increase and a change in their contract regarding the recycling.

**City of Snellville Administration Department**

WORK SESSION OF MAYOR AND COUNCIL  
MONDAY, JULY 10, 2023  
PAGE TWO

City Manager Sanders said that after discussions with them he recommends a 4% cost of living increase but no change in the contract. Consensus was to put it on the next agenda. Updates were also given on reopening of the recycling program sign up period, code enforcement issues, and the package sales review process.

Discussion about Recycling/Extra Trash Bin [Warner]

Council Member Warner explained how he would like to see the recycling program function. After discussion City Manager Sanders said he would have a policy draft prepared for review by the Council at the July 22, 2023 meeting.

Christmas Decoration Discussion [Warner]

Council Member Warner talked about a lease program available for Christmas decoration that would include installation, removal and storage of the decorations. He asked for volunteers for an ad-hoc committee to review ideas. After discussion the committee will be Council Members Destang, Lenski, Schulz, Public Works Director Craig Barton and STAT Director Kelly McAloon. They will meet and report at the July 22, 2023 work session.

Discussion on Business Code Enforcement Regulations [Destang]

Council Member Destang talked about a communication issue at a recent ribbon cutting and after discussion consensus was to revise the ribbon cutting policy to include a 48-hour notification period.

**EXECUTIVE SESSION**

None

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

The agendas items were reviewed and during the discussion of approval of the agenda City Attorney Crowley said there are moratoriums they feel need to be added, the first item will address the extension of the current moratorium on CBD stores which is set to expire on July 23<sup>rd</sup> and the second is a six-month moratorium on medical marijuana dispensaries so they can research the current code to make sure this use is addressed. The consensus of Council was to add the two moratorium resolutions, RES 2023-10 and RES 2023-11.

**ADJOURNMENT**

Council Member Emanuel made a motion to adjourn, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 7:17 p.m.

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, JULY 10, 2023

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

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

**CALL TO ORDER**

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

**INVOCATION**

Former Council Member Bobby Howard gave the invocation.

**PLEDGE TO THE FLAG**

Council Member Emanuel led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

None

**MINUTES**

Approve the Minutes of the June 12, 2023 Meetings

Council Member Emanuel made a motion to approve the minutes of the June 12, 2023 meetings, 2<sup>nd</sup> by Council Member Destang; voted 4 in favor and 1 abstention with Council Member Lenski abstaining because she was absent from that meeting, motion approved 5 in favor and 0 opposed. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.)

**INVITED GUESTS**

Mayor Pro Tem Warner introduced Britt Elementary Principal Melissa Madsen who spoke about the track and recess field at the school.

**COMMITTEE / DEPARTMENT REPORTS**

None

**City of Snellville Administration Department**

**APPROVAL OF THE AGENDA**

Council Member Lenski made a motion to approve the agenda with the addition of item "c" Consideration and Action on Approval of RES 2023-10 - Resolution To Provide For An Extension Of Time To Study The Changes Necessary To The Unified Development Ordinance Of The City Of Snellville Related To The Regulation Of "CBD Stores" and item "d" Consideration and Action on Approval of RES 2023-11 - Resolution To Provide For A Study Regarding The Changes Necessary To The Unified Development Ordinance Of The City Of Snellville Related To The Regulation Of Medical Cannabis Dispensaries, 2<sup>nd</sup> by Council Member Destang; voted 5 in favor and 0 opposed, motion approved.

**PUBLIC HEARING**

Provide Citizens the Opportunity to Submit Written and Oral Comments on the Proposed 2023 Millage Rate

Mayor Pro Tem Warner opened the floor to public comment and no one came forward so Mayor Pro Tem Warner closed public comment.

1st Reading - RZ 23-03 SUP 23-02 – Consideration and Recommendation on applications by Split Silk Properties, LLC (applicant) representing Highpoint Development (contract purchaser) and The Kroger Company (property owner) requesting: to amend the Official Zoning Map from BG (General Business) District to MU (Mixed-Use) District; and Special Use Permit and variances from the Unified Development Ordinance for a mixed-use development consisting of 300 stacked flat units, 28 single-family residential townhomes, and 51,000 sq. ft. of commercial/retail buildings on a 22.85± acre site located at the intersection of U.S. Hwy. 78 (Athens Hwy.) and Rosebud Rd., 1000 Hwy. 78, Snellville, Georgia (Tax Parcel 5100 065)

Council Member Schulz made a motion to waive the first reading and place on the July 24, 2023 agenda for the second reading, 2<sup>nd</sup> by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved.

1st Reading - RZ 23-04 – Consideration and Recommendation on application by B. H. Johnson, B. J. Longenecker, and L. J. Yates (property owners) requesting to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-15 (Single-family Residential) District to subdivide the existing 1.044± acre undeveloped property into two lots, 2625 Beverly Lane, Snellville, Georgia (Tax Parcel 5027 001B)

Council Member Emanuel made a motion to waive the first reading and place on the July 24, 2023 agenda for the second reading, 2<sup>nd</sup> by Council Member Destang; voted 5 in favor and 0 opposed, motion approved.

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

Consideration and Action on Approval of Contract for Construction of The Hall at The Grove [Warner]

Mayor Pro Tem Warner explained that this item was on the agenda in case there was an issue with the approval by the Downtown Development Authority. The DDA approved it with no changes therefore no action is necessary.

Consideration and Action on Approval of a Work Place Wellness Policy [Warner]

City Manager Sanders explained that the policy is part of a continued effort to benefit employee's health as well as allow the City to qualify for additional grant funding.

Council Member Emanuel made a motion to approve the Wellness Policy, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 0 opposed, motion approved.

Consideration and Action on Approval of RES 2023-10 - Resolution to Provide or an Extension of Time to Study the Changes Necessary to the Unified Development Ordinance of the City of Snellville Related to the Regulation of "CBD Stores"

Mayor Pro Tem Warner explained this would extend the current moratorium by six months to the date of January 23, 2024.

Council Member Schulz made a motion to approve RES 2023-10, extension of the moratorium on CDB stores to January 23, 2023, 2<sup>nd</sup> by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved. (A copy is attached to and made a part of these minutes.)

Consideration and Action on Approval of RES 2023-11 - Resolution to Provide for a Study Regarding the Changes Necessary to the Unified Development Ordinance of the City of Snellville Related to the Regulation of Medical Cannabis Dispensaries

Mayor Pro Tem Warner explained that with the recent legislative change that would allow dispensaries under certain guidelines this moratorium is needed to give the City time to review our Code to make sure there are provisions in place to address this type of business.

Council Member Lenski made a motion to approve RES 2023-11 to provide for a six-month moratorium to January 10, 2024 to study the changes necessary to the Unified Development Ordinance of the City of Snellville related to the regulation of medical cannabis dispensaries, 2<sup>nd</sup> by Council Member Emanuel; voted 5 in favor and 0 opposed, motion approved. (A copy is attached to and made a part of these minutes.)

**COUNCIL REPORTS**

Council Members Destang, Lenski, Schulz, and Emanuel each gave a report.

**MAYOR'S REPORT**

Mayor Pro Tem Warner gave a report.

**PUBLIC COMMENTS**

The following people spoke:

Kelly McAloon, 2916 Overwood Lane, Snellville.

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.

Denise Mitchell, Gwinnett County Tax Commissioner

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL  
MONDAY, JULY 10, 2023  
PAGE FOUR

Norman Carter, 2777 Nathaniel Way, Garyson.  
Catherine Hardrick, 2280 Buckley Trail, Snellville.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Council Member Emanuel made a motion to adjourn, 2<sup>nd</sup> by Council Member Destang; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 8:30 p.m.

Tod Warner, Mayor Pro Tem

Melisa Arnold, City Clerk



---

## **Agenda Item Summary**

---

**TO:** The Mayor and Council

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

**DATE:** July 24, 2023

**RE:** #RZ 23-03 SUP 23-02 – Highpoint Mixed-Use Development

**LOCATION:** 22.85± Acre Undeveloped Site at 1000 Athens Highway, Snellville, Georgia

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

---

Rezoning from BG (General Business) District to MU (Mixed-Use) District and special use permit for multi-family dwellings for a mixed-use development consisting of 300 multi-family apartments (mixed-use building type); 28 single-family attached townhomes (townhouse building type); and 51,000 sq. ft. of retail, commercial, office and amenity space.

**Financial Impact:** Site Development Permit fees; Building Permit fees; Real Property Taxes; and Occupational Tax License fees.

**Planning Department Recommendation:** Approval with Conditions

**Planning Commission Meeting and Recommendation:** June 27, 2023 (Approval with Conditions)

**Mayor and Council Meetings:** July 10, 2023 (1<sup>st</sup> Reading)  
July 24, 2023 (2<sup>nd</sup> Reading and Public Hearing)

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

**Draft Ordinances:** Attached

**Case Documents (website link):**

- [Letter of Intent \(5-17-2023\)](#)

22.85± Acre Undeveloped Site at 1000 Athens Highway, Snellville, Georgia  
Case #RZ 23-03 SUP 23-02  
July 24, 2023  
Page... 2

- #RZ 23-03 Rezoning Application (5-17-2023)
- #SUP 23-02 Special Use Permit Application (5-17-2023)
- Application Supplements (5-17-2023)
- Property Boundary Survey (5-17-2023)
- Stacked Flats Floor Plan (5-17-2023)
- Mixed-Use Rendering (5-17-2023)
- Townhouse Rendering (5-17-2023)
- Highpoint Project Photos (5-17-2023)
- Highpoint Mixed-Use Projects (5-17-2023)
- 3-27-2023 Traffic Impact Study (5-17-2023)
- 3-31-2023 Trip Generation Comparison (5-17-2023)
- 5-16-2023 Rezoning Site Plan (5-17-2023)
- Sample Townhouse Elevations (6-13-2023)
- 6-27-2023 Planning Department Case Summary & Analysis (6-26-2023)
- *Unofficial* 6-27-2023 Planning Commission Regular Meeting Minutes (6-29-2023)
- 6-27-2023 Planning Commission Report (6-28-2023)
- 7-10-2023 Planning Department Case Summary & Analysis with Planning Commission Report (6-28-2023)
- 7-17-2023 Amended Letter of Intent (7-17-2023)
- 7-24-2023 Planning Department Case Summary & Analysis with Planning Commission Report and Recommendations on Requests in Amended Letter of Intent(7-18-2024)



**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2023-08**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 22.85± ACRE TRACT OF LAND LOCATED IN LAND LOT 100 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1000 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.

<b>CASE NUMBER:</b>	#RZ 23-03
<b>LOCATION:</b>	1000 Athens Highway, Snellville, Georgia
<b>SIZE:</b>	22.85± Acres
<b>TAX PARCEL:</b>	5100 065
<b>REQUESTED ZONING:</b>	MU (Mixed-Use) District
<b>DEVELOPMENT/PROJECT:</b>	Mixed-Use Development consisting of 300 Multi-family Units; 28 Single- family Townhome Units; and 51,000 SF Retail, Commercial, Office and Amenity Space
<b>APPLICANT:</b>	Highpoint Development Partners GA, LLC Atlanta, Georgia 30309 c/o Jeff Timler, Split Silk Properties, LLC 678-772-0202
<b>PROPERTY OWNER:</b>	The Kroger Co. Cincinnati, Ohio 45202

**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 22.85± acre tract of land located at 1000 Athens Highway, Snellville, Georgia (Tax Parcel 5100 065) for a Mixed-Use Development consisting of 300 Multi-family Units; 28 Single-family Townhome Units; and 51,000 SF Retail, Commercial, Office and Amenity Space; and

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to grant variances from Article 1 of Chapter 400 of the Snellville Unified Development Ordinance; and

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to repeal variances and conditions of zoning from the 12-14-2015 Mayor and Council approved rezoning (case #RZ 15-06) and Ordinance No. 2015-20; 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 22.85± acre tract of land described and shown on the rezoning site plan entitled “Highpoint – Zoning Plan, Snellville, Georgia” sealed and dated 5-16-2023 (stamped received 5-17-2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from BG (General Business) District to MU

(Mixed-Use) District, subject to the attachment of the following enumerated variances and conditions:

VARIANCES:

1. Approval of variance/waiver from Sec. 401-3.4.C (Stub-out Streets) for the adjacent property to the west (Parcel 5101 571).
2. Approval of variance/waiver from Sec. 401-3.4.H (Inter-parcel Access) for the adjacent property to the west (Parcel 5101 571).
3. Approval of variance from Sec. 203-4.8 (Dimensional Standards) to increase the total maximum site density to not exceed fifteen (15) units per acre.
4. Approval of variance from Sec. 203-4.2.B.1 (Mixed-Use Requirement) to reduce the 25% minimum total floor area requirement for non-residential uses to 18%.
5. Approval of variance from Table 401-5.2 (Minimum Widths for New Streets and Project Access Improvements) to reduce the twenty-seven (27) feet pavement width (30 feet including curb and gutter) requirement to twenty-one (21) feet pavement width (24 including curb and gutter).
6. Approval of variance from Sec. 401-5.10.B (Residential Curbing) to allow roll-back curbs in front of the townhome units.

CONDITIONS:

1. The property shall be developed in general accordance with the rezoning site plan entitled “Highpoint - Zoning Plan, Snellville, Georgia”, dated 5-16-2023 (stamped received 5-17-2023), 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 submitting a Change in Conditions application and receiving recommendations by the Planning Department and Planning Commission.
2. The total site density for all dwelling units shall not exceed fifteen (15) units per acre maximum.
  3. Two (2) car garages shall be required for the fee-simple single-family attached townhomes. Driveway length shall be a minimum of twenty-two (22) feet behind the sidewalk.
  4. Solid waste dumpsters for the multi-family and commercial buildings shall be located at least 250 feet from the nearest townhome building.
  5. A minimum four (4) to six (6) feet wide mulched greenway path shall be provided within the 150 feet impervious setback and extending from Highway 78 to the proposed wet detention pond.
  6. [Reserved].
  7. The fee-simple townhomes shall not be subject to the requirements in Sec. 203-4.2.B.2. (Mixed-Use Requirement).
  7. [Reserved].
  8. The stormwater management facility located at the southern portion of the site shall be designed as a wet extended detention facility, unless topographic, bedrock, or other preventive measures are present that require a dry pond.
  9. 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.

10. Signs higher than 15 feet or larger than 225 square feet are prohibited.

**Section 2.** All conditions of zoning and approved variances as attached to the subject property from the 12-14-2015 Mayor and Council approved rezoning and Ordinance No. 2015-20 (case #RZ 15-05) are hereby repealed.

**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 \_\_\_\_\_, 2023. 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 \_\_\_\_\_, 2023.

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

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Council Member

\_\_\_\_\_  
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, Mayor Pro Tem



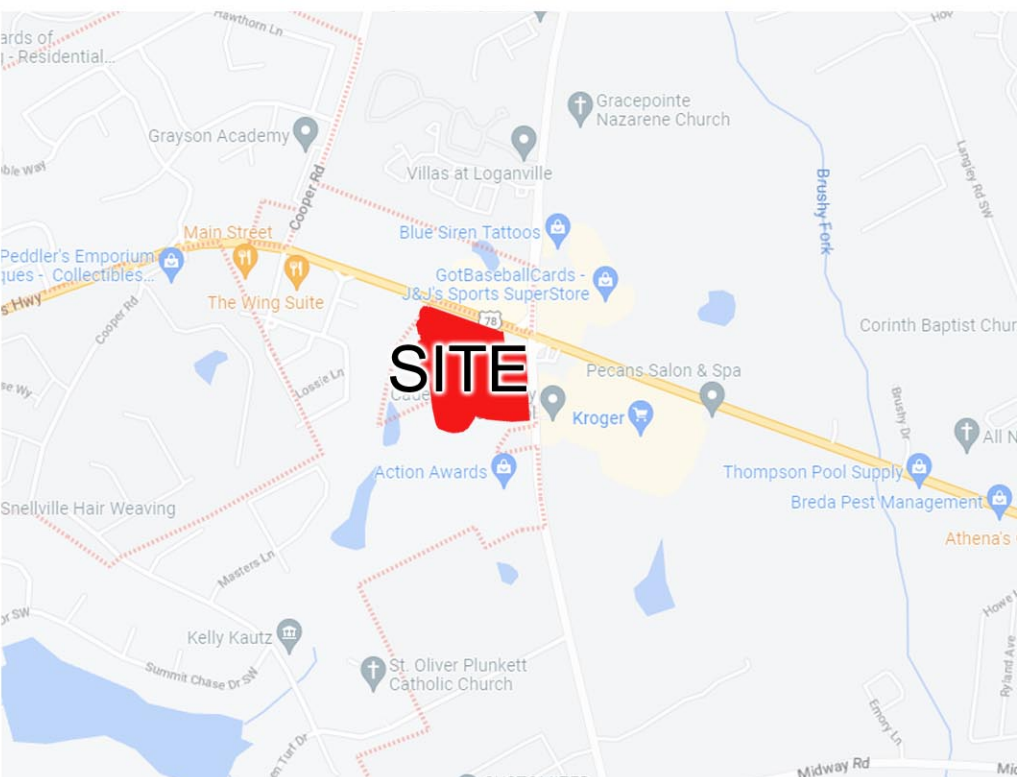
EXHIBIT "A"



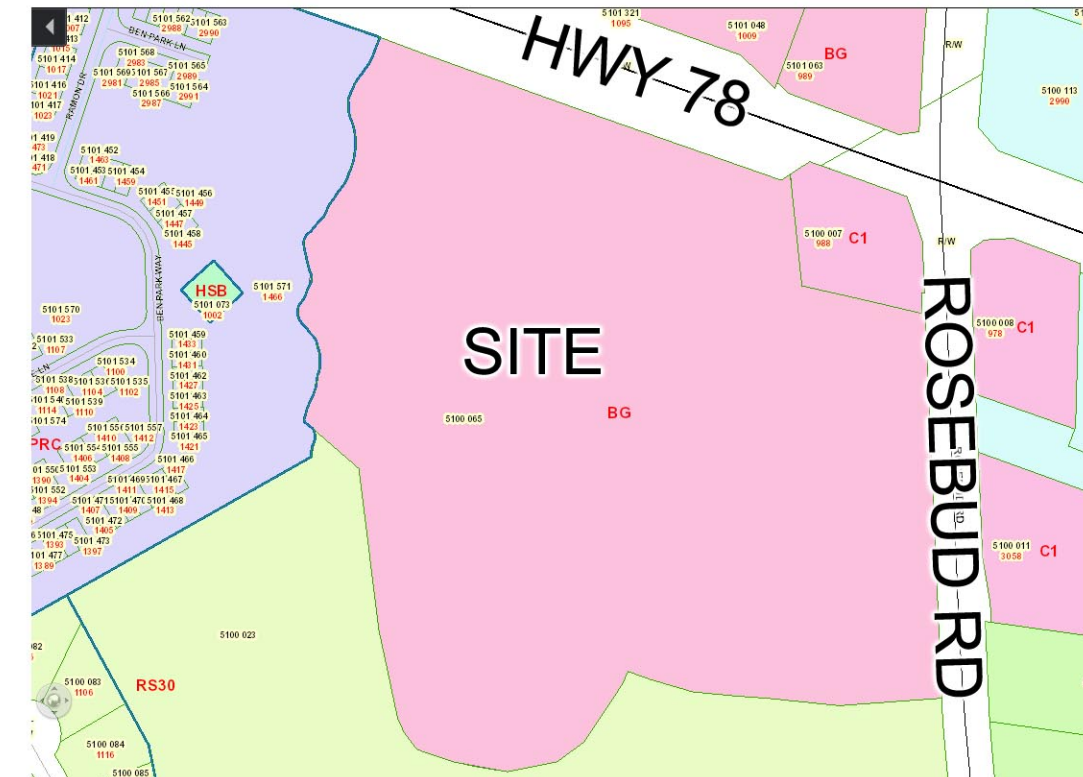
Multi-family mixed use



Retail mixed use



LOCATION MAP



ZONING MAP

Site Plan Specifications																
Parcel	Use	s.f.	Acres	Total s.f.	Units	Bldgs	Footprint s.f.	Floors	Building s.f.	Building Height	Spaces Prov. <sup>1</sup>	Spaces Req.	Note	Open Space	Open Space %	Lot Coverage
A.1	Retail (first level)	122689	2.8	21000		2	10500	1	10500	24'	132	42	1/500 s.f. required <sup>2</sup>	41392	34%	21000
A.2	Office (second level)	0	0.0	6000		2	1500	1	1500	24'	22	12	1/500 s.f. required	NA	NA	NA
A.3	Outparcel	43773	1.0	4500		1	4500	1	4500	15'	59	33	1/150 s.f. required	13412	31%	4500
A.4	Outparcel	33149	0.8	2500		1	2500	1	2500	15'	36	33	1/150 s.f. required	12858	39%	2500
Subtotal				34000												
B	Multi-Family <sup>3</sup>	691864	15.9	285000	300	1	87000	3 to 4		45'	450	300	1.5 space/unit	429821	62%	90333
B.1	M.F. amenity space (first level)			7000			7000	1			14	14				
B.2	Commercial/Non-residential (first level)			10000	10		1000	1	10000		10	10				
C	Townhome	103070	2.4	67200	28	5				30'	38	35	1 per unit + 1 per 4	34424	33%	34000
Totals		994545	22.8	403200										531907	53%	
Total non-residential s.f. parcels A-C				51000												

<sup>1</sup>25% compact allowed

<sup>2</sup>1/150 for restaurant including outdoor dining areas in excess of 25% of floor area

<sup>3</sup>Building is not yet fully designed; 300 units are proposed at an average unit size of approximately 950 s.f..

**Variance 1:**

In compliance with the MU district requirement of 25% nonresidential uses, the original project site plan indicated 71k sf of non-residential space, which included 20k sf of office buildings along Rosebud Road. However, Highpoint received feedback from the city suggesting a fee simple component be included along Rosebud Road, rather than the office use. The Applicant adjusted the site to meet the request, thus proposing 51k sf of non-residential uses (see Table 1). This change requires a variance from Section 203-4.2 B. 1 to reduce the nonresidential uses from 25% to 18%.

**Variance 2:**

Applicant is requesting a variance from 203-4.2 B.2 that would move the requirement for 10k sf of nonresidential space to receive a Certificate of Occupancy (CO) prior to receiving a CO for more than 100 dwelling units. Instead, applicant proposes that this requirement is a condition to receiving the Final CO for the residential component of the site. For avoidance of doubt, the applicant can receive a Temporary CO on all residential units, but must receive a CO for 10k sf of nonresidential space prior to the Final CO. This allows the applicant to select the best commercial tenants for the property regardless of external considerations.

**Variance 3:**

Applicant is seeking a variance from Section 401-3.4 (C & H) Vehicular Access. Applicant proposes to include stub out streets to the north parcel only, and not the west and south parcels.

**Special Use Permit:**

Section 206.2 allows multifamily dwellings with a special use permit. This permit will ensure a great mixed-use component where residents may live, work and play.



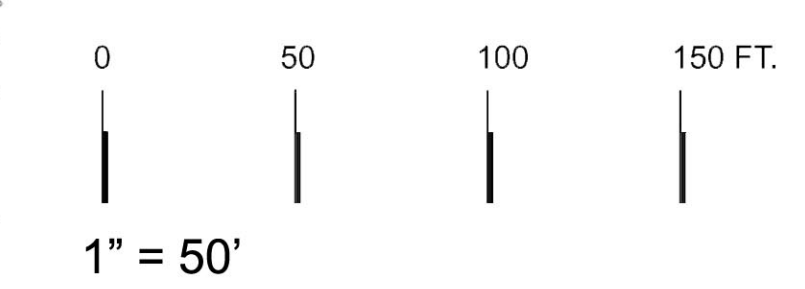
**Table 1**

**The Enclave at Rosebud Non-Residential Uses**

Retail (first level)	21,000
Office (second level)	6,000
Outparcel	4,500
Outparcel	2,500
M.F. Amenity Space (1st Floor of M.F. building)	7,000
Commercial/Non-residential (1st Floor M.F. building)	10,000
<b>total</b>	<b>51,000</b>



DATE	RELEASE	REV.



# Highpoint - Zoning Plan

Snellville, Georgia

May 16, 2023

LANDSCAPE ARCHITECTURE | DESIGN + PLANNING



**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2023-09**

AN ORDINANCE TO GRANT A SPECIAL USE PERMIT ON A 22.85± ACRE TRACT OF LAND LOCATED IN LAND LOT 100 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA, LOCATED AT 1000 ATHENS HIGHWAY, SNELLVILLE, GEORGIA FOR A MIXED-USE BUILDING TYPE WITH MULTIPLE-FAMILY DWELLING UNITS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**CASE NUMBER:** #SUP 23-02

**LOCATION:** 1000 Athens Highway, Snellville, Georgia

**TAX PARCEL:** 5100 065

**DEVELOPMENT/PROJECT:** Mixed-Use Building Type with 300 Multi-family Units

**APPLICANT:** Highpoint Development Partners GA, LLC  
Atlanta, Georgia 30309  
c/o Jeff Timler, Split Silk Properties, LLC  
678-772-0202

**PROPERTY OWNER:** The Kroger Co.  
Cincinnati, Ohio 45202

**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 and grant the requested special use permit for the development and use of a mixed-use building type with multi-family dwelling units as part of a 22.85± acre mixed-use

development located at 1000 Athens Highway, Snellville, Georgia (Tax Parcel R5100 065); and

**WHEREAS**, the property is zoned MU (Mixed-Use) District where *Multiple-Family Dwelling*, defined as three or more dwelling units in a single building that does not meet the definition of single-family attached dwelling not within a TC District, is allowed as a special use when approved by the City Council; and,

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

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

**Section 1.** For reasons stated in the public hearing and recommendations of the Planning Department and Planning Commission, a special use permit is hereby approved and granted for the development and use of a mixed-use building type with multi-family dwelling units on a 22.85± acre mixed-use development site located at 1000 Athens Highway, Snellville, Georgia (Tax Parcel R5100 065), described and shown on the rezoning site plan entitled “Highpoint – Zoning Plan, Snellville, Georgia” sealed and dated 5-16-2023 (stamped received 5-17-2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference.

**Section 2.** The special use permit shall expire and become null and void three (3) years from the date of approval unless occupancy of the approved special use has occurred on the premises. 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, provided

application for such extension is submitted in writing at least forty-five (45) days prior to the original expiration date. The director must make the 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.

**Section 6.** This Ordinance was adopted on \_\_\_\_\_, 2023. 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 \_\_\_\_\_, 2023.

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

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Council Member

\_\_\_\_\_  
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, Mayor Pro Tem

EXHIBIT "A"

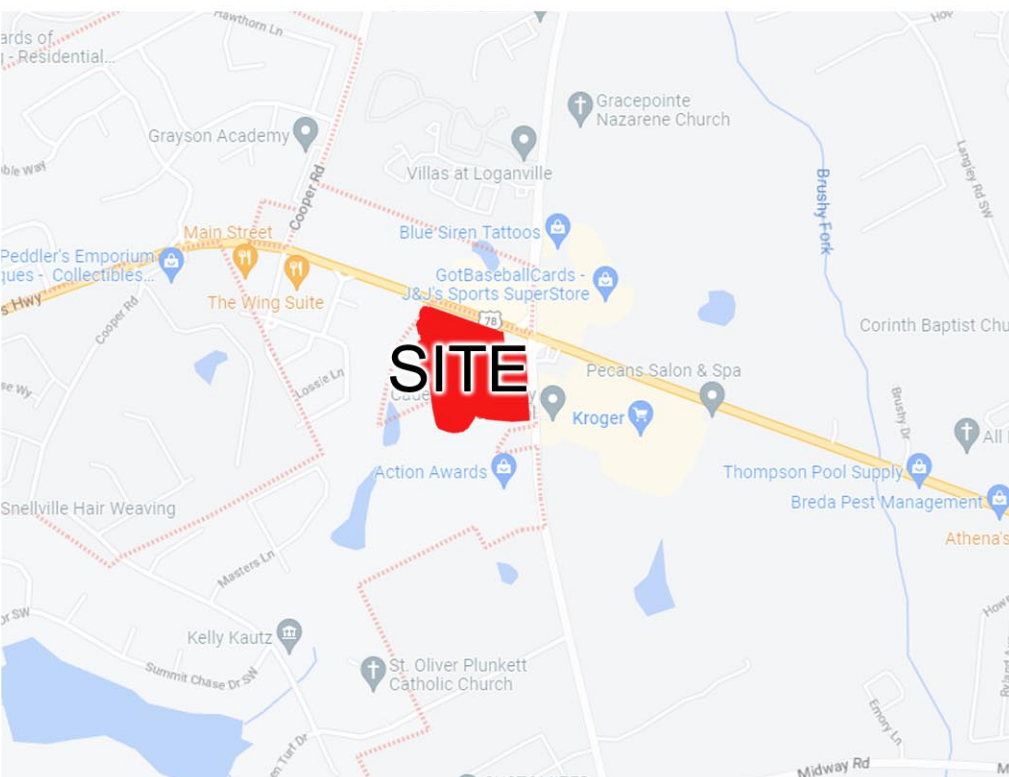




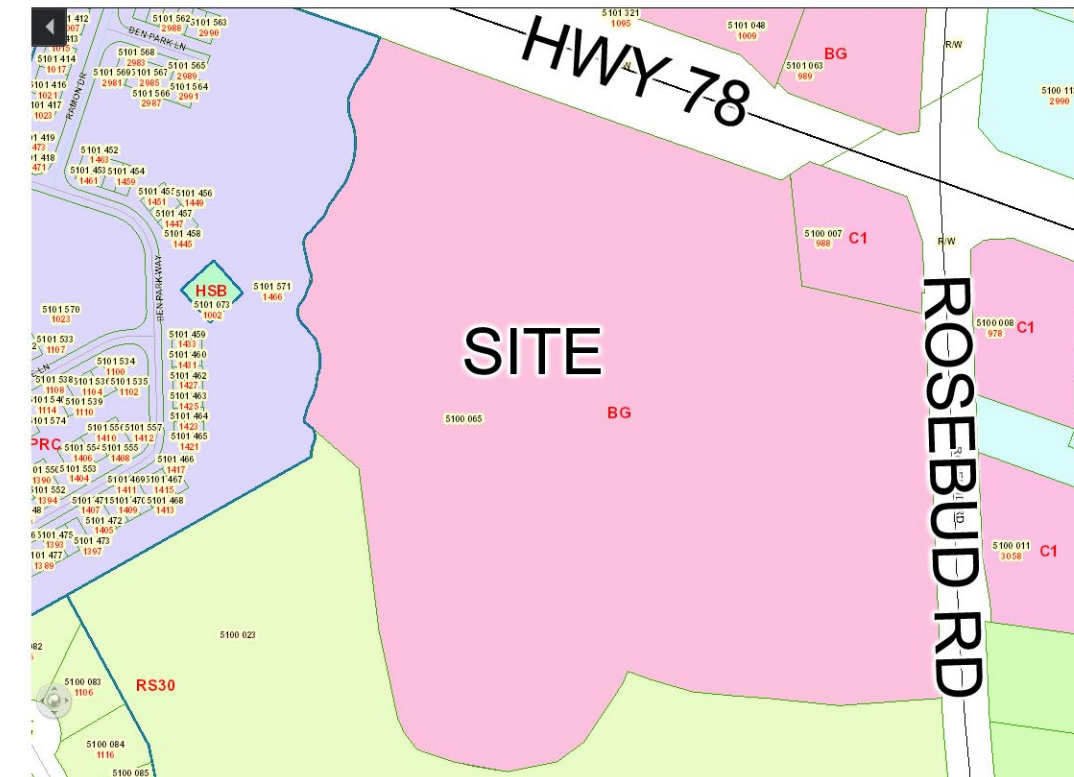
Multi-family mixed use



Retail mixed use



LOCATION MAP



ZONING MAP

Site Plan Specifications																
Parcel	Use	s.f.	Acres	Total s.f.	Units	Bldgs.	Footprint s.f.	Floors	Building s.f.	Building Height	Spaces Prov. <sup>1</sup>	Spaces Req.	Note	Open Space	Open Space %	Lot Coverage
A.1	Retail (first level)	122689	2.8	21000		2	10500	1	10500	24'	132	42	1/500 s.f. required <sup>2</sup>	41392	34%	21000
A.2	Office (second level)	0	0.0	6000		2	1500	1	1500	24'	22	12	1/500 s.f. required	NA	NA	NA
A.3	Outparcel	43773	1.0	4500		1	4500	1	4500	15'	59	33	1/150 s.f. required	13412	31%	4500
A.4	Outparcel	33149	0.8	2500		1	2500	1	2500	15'	36	33	1/150 s.f. required	12858	39%	2500
Subtotal				34000												
B	Multi-Family <sup>3</sup>	691864	15.9	285000	300	1	87000	3 to 4		45'	450	300	1.5 space/unit	429821	62%	90333
B.1	M.F. amenity space (first level)			7000			7000	1			14	14				
B.2	Commercial/Non-residential (first level)			10000	10		1000	1	10000		10	10				
C	Townhome	103070	2.4	67200	28	5				30'	38	35	1 per unit + 1 per 4	34424	33%	34000
Totals		994545	22.8	403200										531907	53%	
Total non-residential s.f. parcels A-C				51000												

<sup>1</sup>25% compact allowed

<sup>2</sup>1/150 for restaurant including outdoor dining areas in excess of 25% of floor area

<sup>3</sup>Building is not yet fully designed; 300 units are proposed at an average unit size of approximately 950 s.f..

**Variance 1:**

In compliance with the MU district requirement of 25% nonresidential uses, the original project site plan indicated 71k sf of non-residential space, which included 20k sf of office buildings along Rosebud Road. However, Highpoint received feedback from the city suggesting a fee simple component be included along Rosebud Road, rather than the office use. The Applicant adjusted the site to meet the request, thus proposing 51k sf of non-residential uses (see Table 1). This change requires a variance from Section 203-4.2 B. 1 to reduce the nonresidential uses from 25% to 18%.

**Variance 2:**

Applicant is requesting a variance from 203-4.2 B.2 that would move the requirement for 10k sf of nonresidential space to receive a Certificate of Occupancy (CO) prior to receiving a CO for more than 100 dwelling units. Instead, applicant proposes that this requirement is a condition to receiving the Final CO for the residential component of the site. For avoidance of doubt, the applicant can receive a Temporary CO on all residential units, but must receive a CO for 10k sf of nonresidential space prior to the Final CO. This allows the applicant to select the best commercial tenants for the property regardless of external considerations.

**Variance 3:**

Applicant is seeking a variance from Section 401-3.4 (C & H) Vehicular Access. Applicant proposes to include stub out streets to the north parcel only, and not the west and south parcels.

**Special Use Permit:**

Section 206.2 allows multifamily dwellings with a special use permit. This permit will ensure a great mixed-use component where residents may live, work and play.

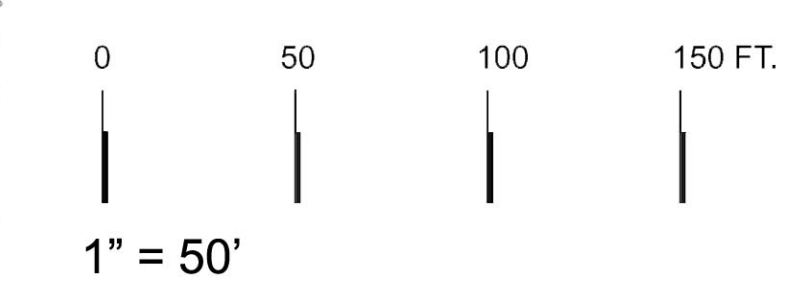


**Table 1**

The Enclave at Rosebud Non-Residential Uses		
Retail (first level)		21,000
Office (second level)		6,000
Outparcel		4,500
Outparcel		2,500
M.F. Amenity Space (1st Floor of M.F. building)		7,000
Commercial/Non-residential (1st Floor M.F. building)		10,000
<b>total</b>		<b>51,000</b>



DATE	RELEASE	REV.



# Highpoint - Zoning Plan

Snellville, Georgia

May 16, 2023

LANDSCAPE ARCHITECTURE | DESIGN + PLANNING





---

## **Agenda Item Summary**

---

**TO:** The Mayor and Council

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

**DATE:** July 24, 2023

**RE:** #RZ 23-04

**LOCATION:** 1.044± Acre Lot at 2625 Beverly Lane, Snellville, Georgia

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

---

Rezoning of the 1.044± acre undeveloped lot from RS-30 (Single-family Residential) District to RS-15 (Single-family Residential) District to subdivide the one lot and create two (2) buildable single-family lots for development under the RS-15 District regulations.

**Financial Impact:** Building Permit fees; and Real Property Taxes

**Planning Department Recommendation:** Approval with Conditions

**Planning Commission Meeting and Recommendation:** June 27, 2023 (Approval with Conditions)

**Mayor and Council Meetings:** July 10, 2023 (1<sup>st</sup> Reading)  
July 24, 2023 (2<sup>nd</sup> Reading and Public Hearing)

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

**Draft Ordinance:** Attached

**Case Documents (website link):**

- Letter of Intent (5-22-2023)
- #RZ 23-04 Rezoning Application (5-22-2023)
- 4-4-2023 Rezoning Site Plan (5-22-2023)
- 6-27-2023 Planning Department Case Summary & Analysis (6-13-2023)

1.044± Acre Lot at 2625 Beverly Lane, Snellville, Georgia  
Case #RZ 23-04  
July 24, 2023  
Page... 2

- *Unofficial* 6-27-2023 Planning Commission Regular Meeting Minutes (6-29-2023)
- 6-27-2023 Planning Commission Case Report (6-28-2023)
- 7-10-2023 Planning Department Case Summary & Analysis with Planning Commission Report (6-28-2023)
- 7-24-2023 Planning Department Case Summary & Analysis with Planning Commission Report (7-17-2023)

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. 2023-10**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.044± ACRE TRACT OF LAND LOCATED IN LAND LOT 27 OF THE 5<sup>TH</sup> LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2625 BEVERLY LANE, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

<b>CASE NUMBER:</b>	#RZ 23-04
<b>LOCATION:</b>	2625 Beverly Lane, Snellville, Georgia
<b>SIZE:</b>	1.044± Acres
<b>TAX PARCEL:</b>	5027 001B
<b>REQUESTED ZONING:</b>	RS-15 (Single-family Residential) District
<b>DEVELOPMENT/PROJECT:</b>	Subdivide the existing lot into two (2) buildable single-family lots for development under the RS-15 District regulations
<b>APPLICANT/PROPERTY OWNER:</b>	B. H. Johnson and B.J. Longenecker and L.J. Yates Athens, Georgia 30605

**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 1.044± acre undeveloped tract of land

located at 2625 Beverly Lane, Snellville, Georgia (Tax Parcel 5027 001B) to subdivide the existing lot into two (2) buildable single-family lots for development under the RS-15 District regulations; 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 1.044± acre tract of land described and shown on the property survey entitled “Rezoning Plan for 2625 Beverly Lane Parcel 5/027/001B, Snellville, GA 30078” sealed and dated 5-22-2023 (stamped received May 22, 2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from RS-30 (Single-family Residential) District to RS-15 (Single-family Residential) District, subject to the attachment of the following enumerated conditions:

**CONDITIONS:**

1. The property owner shall submit a Minor Subdivision Exemption Plat in accordance with Sec. 103-5.1. of the Snellville Unified Development Ordinance to the Department of Planning and Development for review and approval and provide a copy of the recorded plat prior to filing any application with the City for a building permit.
2. Development of the property shall comply with the RS-15 District regulations and any other regulations for the development and construction of a single-family detached dwelling.

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

**Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

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

**Section 5.** Penalties in effect for violations of 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 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

**Section 7.** This Ordinance was adopted on July \_\_\_\_\_, 2023. 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 July, 2023.

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

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Council Member

\_\_\_\_\_  
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, Mayor Pro Tem



EXHIBIT "A"

**SITE INFORMATION:**  
**OVERALL ACREAGE:** 1.044 ACRES

**REZONING REQUESTED**  
 CURRENT ZONING - RS-30  
 REQUESTED ZONING - RS-15

**SETBACKS FOR PROPOSED RS-15**  
 FRONT - 40'  
 SIDE (INTERIOR) - 10'  
 SIDE (STREET) - 35'  
 REAR - 40'

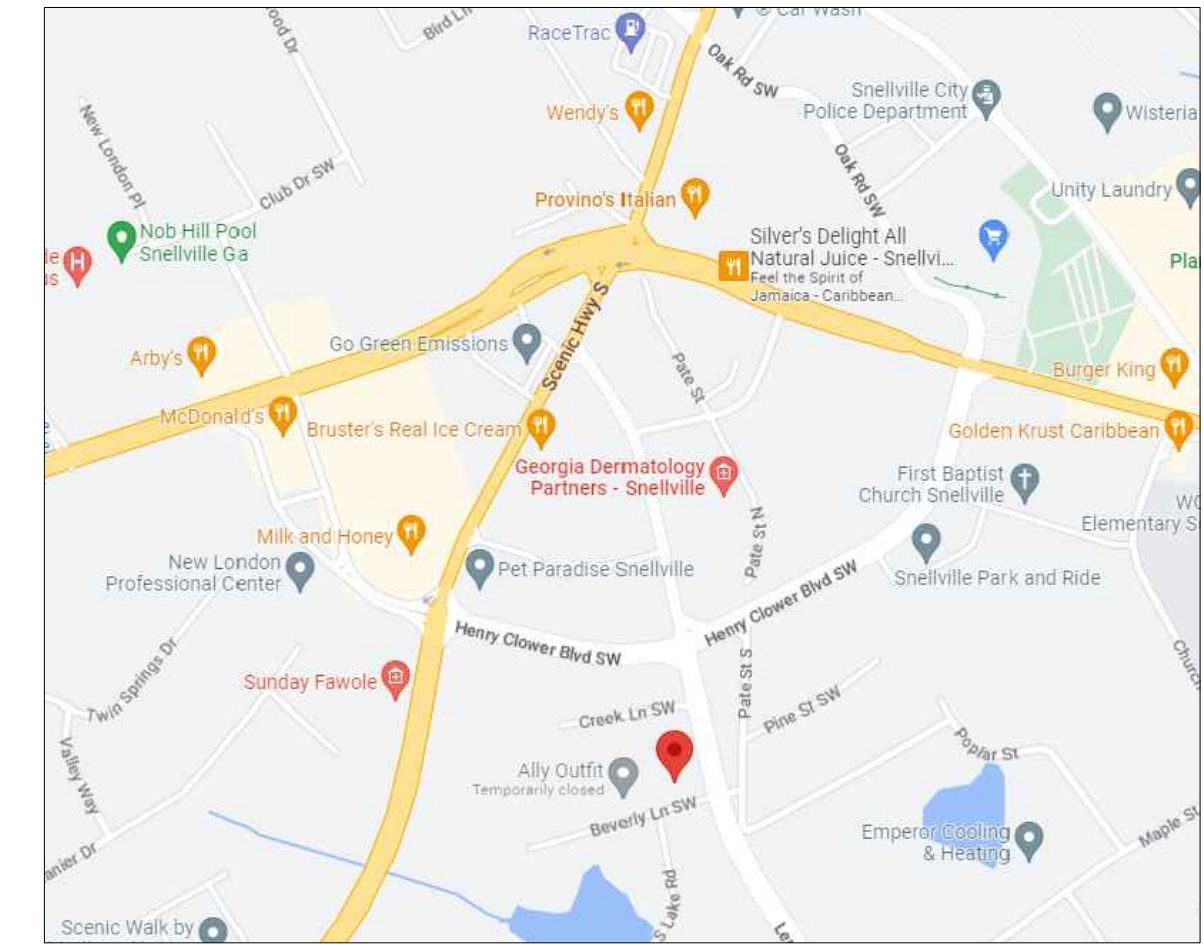
**SITE STANDARDS FOR PROPOSED RS-15**  
 MINIMUM AREA - 15,000 SF  
 WIDTH - 80 FEET MINIMUM  
 LOT COVERAGE - 45% MAXIMUM

**GENERAL NOTES:**

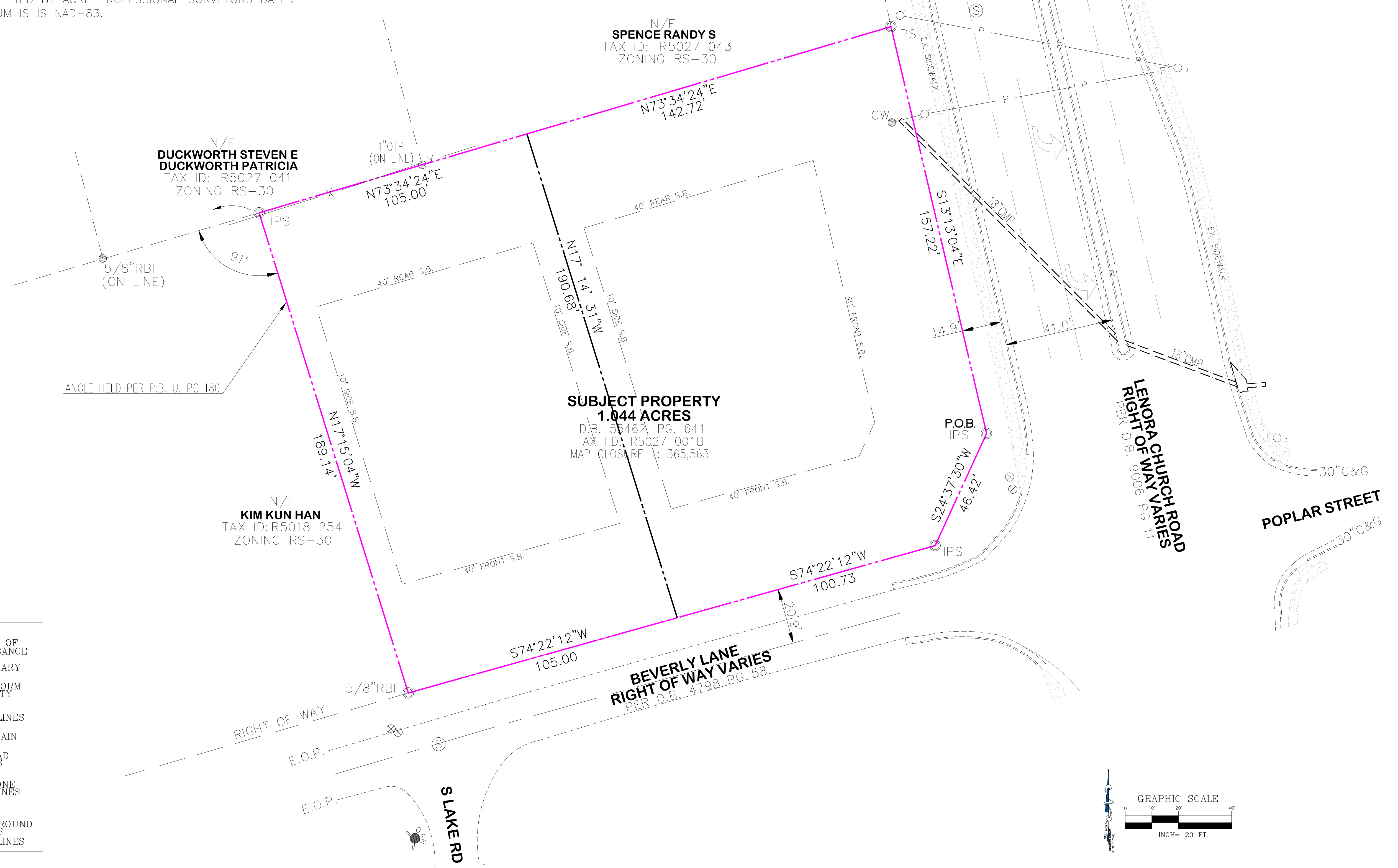
1) BOUNDARY SURVEY COMPLETED BY ACRE PROFESSIONAL SURVEYORS DATED 03/29/23. REFERENCE DATUM IS IS NAD-83.

**REZONING PLAN FOR:**  
**2625 BEVERLY LANE**  
 PARCEL 5/027/001B  
 2625 BEVERLY LANE/SNELLVILLE, GA. 30078

**OWNER: BENNY JOHNSON**  
 210 APPLEBY DR APT 113  
 ATHENS, GA. 30605-5486

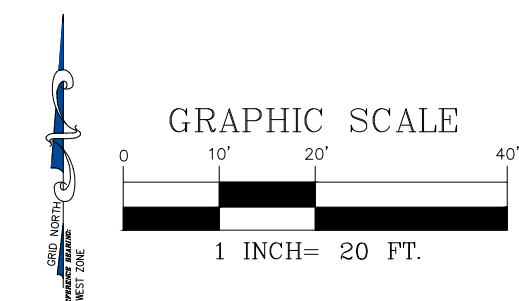


LOCATION MAP-N.T.S.



**GRAPHIC LEGEND**

	LIMITS OF DISTURBANCE
	BOUNDARY
	EX STORM UTILITY
	EX FENCE
	EX SEWER LINES
	EX FORCE MAIN
	EX OVERHEAD POWER LINES
	EX TELEPHONE OR CABLE LINES
	EX UNDERGROUND POWER LINES
	EX WATER LINES



**REVISION LOG:**

NO.	DATE	REMARKS

**PROJECT NAME & ADDRESS**  
 2625 BEVERLY LANE  
 SNELVILLE, GA. 30078

**BULLARD LAND PLANNING**  
 3790 CANNONWOLDE DR.  
 SNELVILLE, GEORGIA 30039  
 CONTACT: BOBBY BULLARD  
 (678) 344-1293 ~ (770) 978-8857 FAX  
 bpbobby@bellsouth.net

**PROFESSIONAL SEALS**



SCALE: AS SHOWN

JOB NUMBER:  
23-2125

DATE:  
04-04-23

SHEET TITLE:  
REZONING PLAN FOR:  
2625 BEVERLY LANE

SHEET NUMBER:  
R1



CITY OF SNELLVILLE  
**Resolution**

RES 2023-12

**Adoption of the 2023 Millage Rate**

**WHEREAS,** Georgia law and the City Code of Ordinances require the City to adopt a balanced budget for its operations; and

**WHEREAS,** through public hearings, the City staff, Mayor and City Council have drafted such a budget to comply with the requirements of State law; and

**WHEREAS,** the adoption of that budget required the passage of a millage rate sufficient to allow for the collection of taxes necessary to cover the cost of operating the City government according to the budget; and

**WHEREAS,** the Mayor and Council find it necessary and desirable to establish certain millage rates for properties in Gwinnett County in fairness to the taxpayers of the City and in compliance with State law; and

**WHEREAS,** the tax rate of \_\_\_\_\_ per \$1,000 of assessed valuation for City of Snellville taxpayers in Gwinnett County is required for the raising of sufficient revenues to support municipal operations and meeting the requirements of State law for establishing rates; and

**WHEREAS,** notices required by law have been published in the legal organ of the City of Snellville; and

**WHEREAS,** the City has conducted public hearings to receive comments from citizens on the proposed budget and rates.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF SNELLVILLE** hereby ordains and resolves that the millage rate of \_\_\_\_\_ per \$1,000 of assessed valuation for City of Snellville taxpayers in Gwinnett County enumerated above is approved and ordained for fiscal year 2023-2024.

**RESOLVED** this 24<sup>th</sup> day of July 2023.



ATTEST:

\_\_\_\_\_  
Matthew Pepper, Assistant City Manager

*APPROVED AS TO FORM:*

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

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

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

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

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

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

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

**CITY OF SNELLVILLE**  
**2023 TAX DIGEST & MILLAGE RATE**  
**COMPUTATIONS**

**Current** Estimated 40% Digest = \$1,390,000,000

**One Mill = \$1,390,000**

**(NOTE: 2022 Mill = \$1,280,000)**

\*\*\*\*\*

**Current Millage = 4.00**

**Potential Income = \$5,560,000\***

\*\*\*\*\*

**Roll Back Millage = 3.61**

**Estimated Income = \$5,017,900**

\*\*\*\*\*

**Budgeted Income = \$5,300,000**

**Staff Recommendation = Maintain 4.00 Mills**

**\*Income will actually be less after all appeals and County adjustments are subtracted.**

**(7-5-2023)**



---

## **Agenda Item Summary**

---

**Date:** July 24, 2023

**Prepared by:** Butch Sanders

### **Agenda Item: Sidewalk Contract**

**Background:** This contract is for construction of the Skyland and Pinehurst sidewalks with all drainage and utility work included. Backbone Infrastructure, LLC was the second low bidder and became lowest when the low bidder could not get bonded. They have been fully vetted and are a GDOT qualified contractor. The work will be completed within 365 days.

**Financial Impact:** \$2,248,879.60 to be paid from ARPA funds with County support of \$800,000.00.

**Recommendation:** Accept and **APPROVE** the contract with Backbone Infrastructure, LLC for this work.

**Action requested:** **VOTE** to approve the contract so work can commence

**Attachments:** Pricing schedule from bid.



**"SKYLAND AND PINEHURST SIDEWALK INSTALLATION"**

BIDS DUE: June 19<sup>th</sup>, 2023; 3:30 PM

BID OPENING: June 19<sup>th</sup>, 2023; 3:35 PM

BIDDER	Addendum (2) - Response to Questions (3) (yes/no)	Instructions to Bidder form completed (yes/no)	General Conditions Completed (yes/no)	Determination of Responsibility (yes/no)	Bid Bond (yes/no)	CONTRACTOR AFFIDAVIT & AGREEMENT E-VERIFY (yes/no)	SUBCONTRACTOR AFFIDAVIT & AGREEMENT E-VERIFY (yes/no)	Drug Free Workplace (yes/no)	Public Benefit Affidavit (yes/no)	References & Subcontractor form (yes/no)	Non-Collusion Affidavit (yes/no)	Bid Form & Completed Bid Schedule of Items (yes/no)	BID AMOUNT
Ohmshiro Construction	Y	Y	(F2/condition) N	Y	Y	<del>Y</del>	N	Y	Y	Y	Y	Y	2,598,758.40
Summit Construction & Development	Response to questions absent N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2,550,774.50
Sol Construction, LLC	Y	Y	No F2/condition N	Y	Y	Y	Y	Y	Y	Y	Y	Y	2,437,737.90
Backbone Infrastructure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	2,248,879.60
The Dickerson Group, Inc	Response to questions absent N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	2,522,768.50
Construction 57 Incorporated	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	1,749,952.50

**NOTE:** Apparent Low Bidder is: Construction 57, Inc.

Not official until unit prices & extended costs & bonding capacity are verified.

*Jan Kaiser*

---

**AGENDA ITEM SUMMARY**

---



**Date: July 24, 2023**

**Prepared by: Butch Sanders**

**Agenda Item: Waste Management Contract Amendment(s)**

**Background: Per our previous Work Session discussion, staff is recommending approval of a 4% COLA for the contract's non-residential services and approval of language changes which correctly describes our new Household Recycling program.**

**Financial Impact: \$64,152.00 additional commercial cost. Plan is to make this a pass through to all customers on their September bill that goes out in October.**

**Recommendation: Review and Approve the COLA and contract amendments**

**Action requested: VOTE to approve the 4% COLA and contract changes**

**Attachments: None. Contract language will be available on Monday from WM.**