



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, JULY 24, 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 with Powell and Edwards Attorneys at Law, Planning and Development Director Jason Thompson, IT Administrator Erika Fleeman, Public Information Officer Brian Arrington, and Captain Zach Spahr (Chief Greg Perry and City Clerk Melisa Arnold were absent).

CALL TO ORDER

Mayor Bender called the meeting to order at 7:33 p.m.

INVOCATION

Chaplain Jackie Turner gave the invocation.

PLEDGE TO THE FLAG

Council Member Destang led the Pledge of Allegiance.

CEREMONIAL MATTERS

None

MINUTES

Approve the Minutes of the July 10, 2023 Meetings

Council Member Destang made a motion to approve the minutes of the July 10, 2023 meetings, 2nd by Mayor Pro Tem Warner; voted six (6) in favor and zero (0) opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the July 24, 2023 agenda, 2nd by Council Member Emanuel; voted six (6) in favor and zero (0) opposed, motion approved.

City of Snellville Administration Department

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

PUBLIC HEARING

2nd 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)

Mayor Pro Tem Warner made a motion to table the item until the August 14, 2023 meeting, 2nd by Council Destang; voted six (6) in favor and zero (0) opposed, motion approved.

2nd 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)

Planning Director Thompson gave an overview of the application and stated that the Planning Department and the Planning Commission recommend approval with conditions.

Representing the Applicant, Bobby Bullard, came forward to speak about the application and answered questions for the Mayor and Council.

Mayor Bender opened the floor to public comment and the following people came forward: Barry Wiggs, 2210 Stockton Walk Lane, Snellville asked about the square footage requirements for a single-family residence located in the RS-15 zoning designation.

Council Member Warner made a motion to approve RZ 23-04 with staff and Planning Commission recommended conditions, 2nd by Council Member Emanuel; voted six (6) in favor and zero (0) opposed, motion approved. (A copy of ORD 2023-10 is attached to and made a part of these minutes.)

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Approval of RES 2023-12 – Adoption of the 2023 Millage Rate [Bender]

Mayor Bender stated that a millage rate for 4.00 mills is recommended to balance the Fiscal Year 2024 budget.

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Council member Schulz made a motion to approve RES 2023-12, 2nd by Council Member Emanuel; voted six (6) in favor and zero (0) opposed, motion approved. (A copy of RES 2023-12 is attached to and made a part of these minutes.)

Consideration and Action on Award of the Sidewalk Project for Skyland Drive/Pinehurst Road [Bender]

Mayor Pro Tem Warner made a motion to approve and award the contract to Backbone Infrastructure in the amount of \$2,248,879.60 (paid with American Rescue Plan Act (ARPA) funds and a contribution from Gwinnett County), 2nd by Council Member Emanuel; voted six (6) in favor and zero (0) opposed, motion approved.

Consideration and Action on Approval of an Amendment to the Waste Management Contract to Allow for a Rate Increase [Bender]

The amended contract includes a 4% Cost-Of-Living Adjustment (COLA) for all commercial services and language that reflects the recent change in the City's residential recycling program.

Council Member Lenski made a motion to authorize Mayor Bender to sign the amended contract with Waste Management after review by the City Attorney, 2nd by Council Member Schulz; voted six (6) in favor and zero (0) opposed, motion approved.

COUNCIL REPORTS

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

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people came forward to speak:

Kelly McAloon, 2916 Overwood Lane, Snellville.

Norman Carter, 2777 Nathaniel Way, Grayson.


Catherine Hardrick, 2280 Buckley Trail, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted six (6) in favor and zero (0) opposed, motion approved. The meeting adjourned at 8:24 p.m.


Barbara Bender, Mayor


Matthew Pepper, Assistant City Manager

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 5TH 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.

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

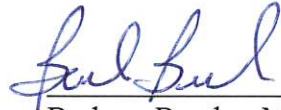
Section 5. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

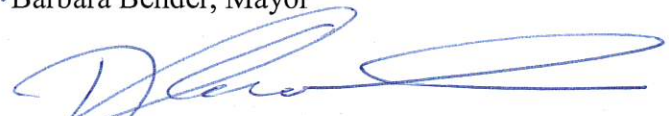
Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

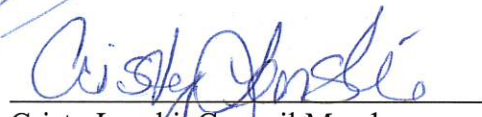
Section 7. This Ordinance was adopted on July _____, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

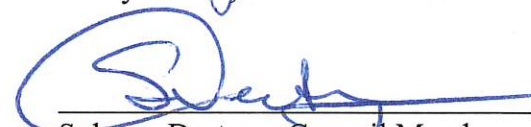
[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this 24 day of July, 2023.



Barbara Bender, Mayor


Dave Emanuel, Council Member



Cristy Lenski, Council Member

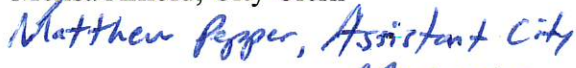

Solange Destang, Council Member


Gretchen Schulz, Council Member


Tod Warner, Mayor Pro Tem

ATTEST:


Melisa Arnold, City Clerk


Matthew Pepper, Assistant City Manager

APPROVED AS TO FORM:



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

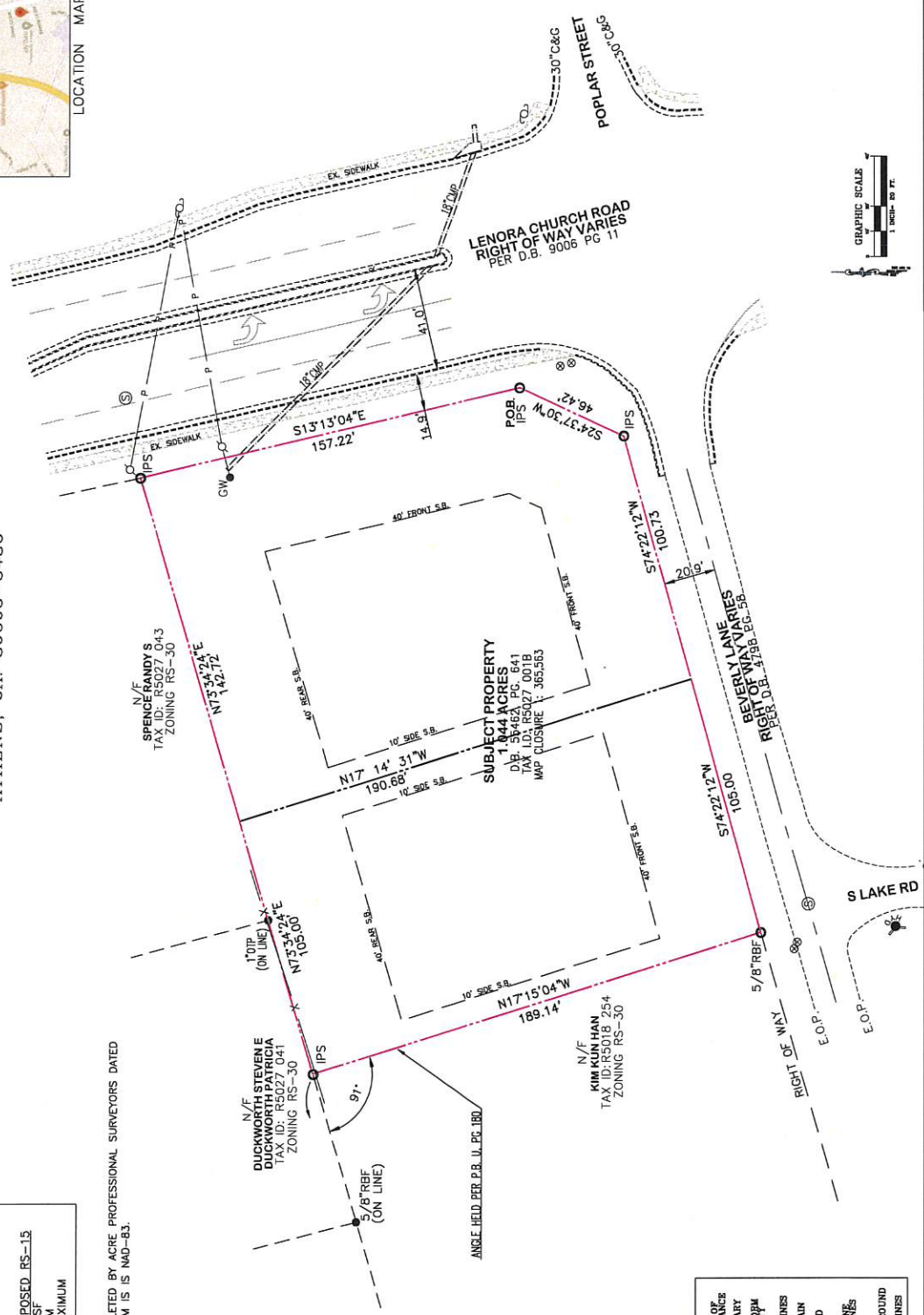
EXHIBIT "A"

SITE INFORMATION:
 OVERALL ACRES: 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 LOT AREA - 10,000 SQ. FT.
 MINIMUM LOT WIDTH - 80 FEET MINIMUM
 LOT COVERAGE - 45% MAXIMUM

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

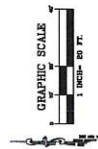


GENERAL NOTES:
 1) BOUNDARY SURVEY COMPLETED BY ACRE PROFESSIONAL SURVEYORS DATED 03/29/23. REFERENCE DATUM IS NAD-83.



GRAPHIC LEGEND

| | |
|-------------|--------------------------|
| --- | BOUNDARY |
| - - - - | EX. FENCE |
| - x - x - | EX. SEWER LINES |
| - s - s - | EX. FORCE MAIN |
| - P - P - | EX. OVERHEAD POWER LINES |
| - FO - FO - | EX. CABLE TRENCHES |
| - UP - UP - | EX. UNDEVELOPED GROUND |
| - W - W - | EX. WATER LINES |





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 4.00 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

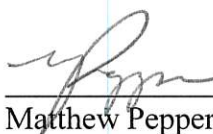
WHEREAS, the City has conducted public hearings to receive comments from citizens on the proposed budget and rates.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SNELLVILLE hereby ordains and resolves that the millage rate of 4.00 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 24th day of July 2023.





ATTEST:

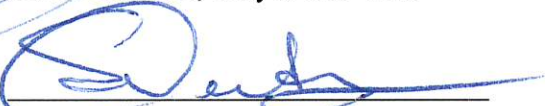

Matthew Pepper, Assistant City Manager

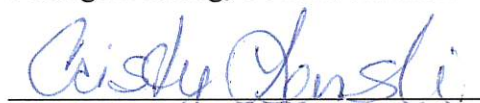
APPROVED AS TO FORM:


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


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