



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, MAY 22, 2023

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

CALL TO ORDER

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

INVOCATION

Catherine Hardrick gave the invocation.

PLEDGE TO THE FLAG

Myla Stevens led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2023-10 – National Poppy Day

Mayor Bender read the proclamation into the record and presented it to Ms. Marguerite Agee and members of the American Legion Auxiliary 232 and American Legion Post 232.

Run the Reagan Presentation

The Run the Reagan Board presented members of the South Gwinnett School Cluster with a donation.

MINUTES

Approve the Minutes of the May 8, 2023 Meetings

Council Member Destang made a motion to approve the minutes of the May 8, 2023 meetings, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

Dr. Alexis Williams – South Gwinnett High School

Dr. Alexis Williams and Mr. Derrick A. Williams, SGHS PTSO Scholarship Program Directors, introduced the winners of the Inner Me Beauty Pageant and Distinguished Gentlemen, Ms. Myla Stevens and Mr. John Mayorga, and recognized the other members of the Royal Court.

City of Snellville Administration Department

COMMITTEE / DEPARTMENT REPORTS

Park and Recreation Advisory Board – Norman Carter

Mr. Carter gave an update on the recent software changes that increased efficiency at the Park and Senior Center as well as the programs being offered this year.

Downtown Development Authority – Don Britt

Mayor Bender postponed this to the June 12, 2023 meeting.

Snellville Youth Commission - Narjise Koko & Winta Mamo

Narjise Koko & Winta Mamo talked about the SYC's activities over the last year and then were recognized by Council Member Lenski for their service.

Natalie Van Brown recognized the outgoing SYC Seniors.

APPROVAL OF THE AGENDA

Council Member Emanuel made a motion to approve the agenda of the May 22, 2023 meeting, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

Provide Citizens the Opportunity to Submit Written and Oral Comments on the Proposed Operating Budget of the City of Snellville for Fiscal Year 2023-2024

Assistant City Manager Pepper gave an overview of the FY 2024 budget.

Mayor Bender opened up the floor to public comment and the following person came forward:

Catherine Hardrick, 2280 Buckley Trail, Snellville asked about the ARPA funds.

No one else came forward so Mayor Bender closed the floor for public comment and explained how the ARPA funds were being budgeted for FY 2024.

2nd Reading - SUP 23-01 – Consideration and Recommendation on application by AGN Glass LLC (applicant) and Xiao Lu (property owner) for a Special Use Permit to operate a glass repair and replacement shop (d/b/a Auto Glass Now) under the 'Vehicle Repair, Minor' use category of Article 6 Chapter 200 of the Snellville Unified Development Ordinance on the 0.449± acre property, zoned BG (General Business) District and located in the Towne Center Overlay District, 2564 W. Main Street, Snellville, Georgia (Tax Parcel 5026 082A)

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

Applicant Chris Cruse, Senior Construction Manager, Auto Glass Now, Charlotte, North Carolina came forward and stated they are excited to open a new location in Snellville.

There were no questions from the Mayor and Council.

Mayor Bender opened the floor to public comment:

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville spoke in favor of the application.

No one else came forward so Mayor Bender closed the floor to public comment.

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MONDAY, MAY 22, 2023
PAGE THREE

Council Member Emanuel made a motion to approve SUP 23-01 with the conditions listed in ORD 2023-05 as well as the addition of the following three conditions:

1. No outdoor storage, either vehicles or materials, at any time
2. Property owner must provide interparcel access to all adjacent properties at such time that each adjacent property is developed.
3. At the same time as the first adjacent property is developed, the property owner must bring landscaping for the property up to the current downtown overlay standards.

The motion was seconded by Mayor Pro Tem Warner

Mayor Bender asked the applicant Mr. Cruse if he accepted the three conditions and he stated he agreed.

The motion was voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2023-05 is attached to and made a part of these minutes.)

1st Reading - UDO 23-02 – Consideration and Action on amendments to the text of The Unified Development Ordinance (“UDO”) for the City of Snellville, Georgia to be consistent with the updated Zoning Procedures Act as passed by the Georgia General Assembly for the administrative and Board of Appeals review of variances and waivers of the UDO, as follows: Article 3 (Administration) of Chapter 100; Article 5 (Special and Overlay Districts), Article 6 (Use Provisions) and Article 7 (Site Development) of Chapter 200; and Article 1 (Streets and Public Improvements) of Chapter 400

Planning Director Thompson explained that this amendment is necessary due to a new state law regarding how administrative variances are handled that will go into effect on July 1, 2023. He advised that to comply with the new law, the variances would go before the Board of Appeals.

Council Member Schulz made a motion to waive the first reading and place it on the June 12, 2023 meeting for the second reading, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA (Please see *Note)

Consideration and Action on Adoption of Proposed Amendments to the City’s Personnel Rules and Regulations Needed to Reflect Changes in Applicable Federal and State Law, as Well as to Align Policy with the City Charter [Bender]

Mayor Bender explained this change would bring the Regulations in line with the City’s Charter. Council Member Emanuel made a motion to approve the Consent Agenda, 2nd by Mayor Pro Tem Warner; voted 6 in favor and 0 opposed, agenda stands approved.

OLD BUSINESS

None

NEW BUSINESS

1st Reading – ORD 2023-06 – Adoption of the Fiscal Year 2023-2024 Budget for Each Fund of the City of Snellville, Georgia, Appropriating the Amounts Shown in Each Budget as Expenditures/Expenses, Adopting the Several Items of Revenue Anticipations, and Prohibiting Expenditures or Expenses from Exceeding the Actual Funding Available [Bender]

Council Member Emanuel made a motion to waive the first reading and place it on the June 12, 2023 Meeting for the second reading, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved.

1st Reading - ORD 2023-07 – An Ordinance to Amend the Code of Ordinances of Snellville, Georgia, Chapter 2, Article IV – Boards And Commissions; To Repeal The Conflicting Ordinance Division 5, on Order to Conform to the City of Snellville’s Status as an At-Will Employer as Mandated by the City’s Charter [Bender]

Council Member Emanuel made a motion to waive the first reading and place it on the June 12, 2023 Meeting for the second reading, 2nd by Council Member Destang voted 6 in favor and 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 citizens came forward to speak:

Catherine Hardrick, 2280 Buckley Trail, Snellville.

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.

Barry Wiggs, 2210 Stockton Walk Lane, Snellville.

EXECUTIVE SESSION

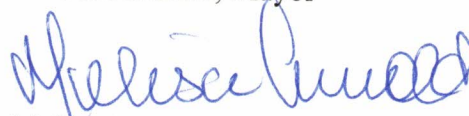
None

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 8:52 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk

STATE OF GEORGIA
CITY OF SNELLVILLE

ORDINANCE NO. 2023-05

AN ORDINANCE TO GRANT A SPECIAL USE PERMIT FOR AN AUTO GLASS REPAIR AND REPLACEMENT FACILITY AT 2564 W. MAIN STREET, 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: #SUP 23-01

APPLICANT: AGN Glass, LLC (d/b/a Auto Glass Now)
Charlotte, North Carolina 28202

PROPERTY OWNER: Xiao Lu, CEO
Stockbridge 91 Property, LLC
East Point, Georgia 30344

LOCATION: 2564 W. Main Street, Snellville, Georgia
(the "Property")

TAX PARCEL: R5026 082A

DEVELOPMENT/PROJECT: Auto Glass Repair and Replacement Facility

CONTACT: Jeannette Lucas, Project Manager
AGN Glass, LLC
707-377-8855
AutoGlassBusinessLicense@drivenbrands.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 grant the requested special use permit for an auto glass repair and replacement facility located at 2564 W. Main Street, Snellville, Georgia (Tax Parcel R5026 082A) and;

WHEREAS, the property is zoned BG (General Business) District where the *Vehicle Repair, Minor*, use category, including glass repair and replacement, as a specific use, is allowed as a special use when approved by the City Council; and

WHEREAS, the property is located in the TCO (Towne Center Overlay) District where *Vehicle Repair, Minor*, use category, including glass repair and replacement, as a specific use, 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 granted for an auto glass repair and replacement facility to AGN Glass, LLC d/b/a Auto Glass Now on the 0.449± acre tract of land located at 2564 W. Main Street, Snellville, Georgia (Tax Parcel R5026 082A), described and shown on the boundary survey entitled “Map of Boundary Survey, AEI Job #471206, 2564 Main Street West, Gwinnett County, Snellville, Georgia 30078”, sealed and dated 11-11-2022 (stamped received March 6, 2023) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, subject to the attachment of the following enumerated conditions:

CONDITIONS:

1. All building and ground signage shall comply with the current sign regulations and shall require an approved sign(s) permit before installation of any signage.

2. Any outstanding/open code violations on the property shall be brought into full compliance as approved by the Quality-of-Life Unit with any outstanding fines to be paid before issuance of the Occupational Tax Certificate (business license) and business opening to the public.
3. No outdoor storage, either vehicles or materials, at any time.
4. Property owner must provide interparcel access to all adjacent properties at such time that each adjacent property is redeveloped.
5. At the same time as the first adjacent property is developed, the property owner must bring landscaping for the property up to the current Towne Center Overlay District standards within a reasonable amount of time.

Section 2. The special use permit shall expire and become null and void one (1) year 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 term of the special use permit shall be for one (1) year and shall automatically be extended yearly until such time that there is a change in specific use, change in business ownership, or closure of the business, at which time the special use permit shall immediately become null and void. Any successive of the Property shall be

in accordance with the Use Provisions of Article 6 of Chapter 200 of the Unified Development Ordinance for the City of Snellville, Georgia.

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

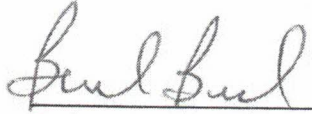
allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

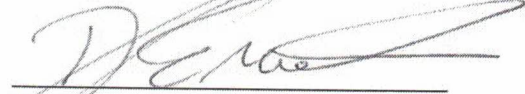
Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. This Ordinance was adopted on May 22, 2023. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.


[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

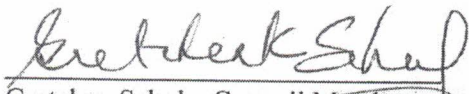
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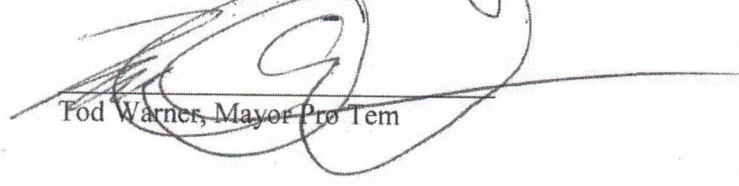

Barbara Bender, Mayor


Dave Emanuel, Council Member

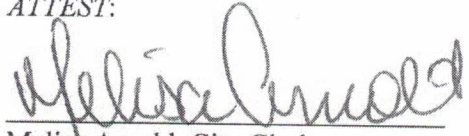

Cristy Lenski, Council Member


Solange Destang, Council Member


Gretchen Schulz, Council Member


Tod Warner, Mayor Pro Tem

ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:

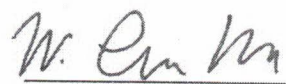

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

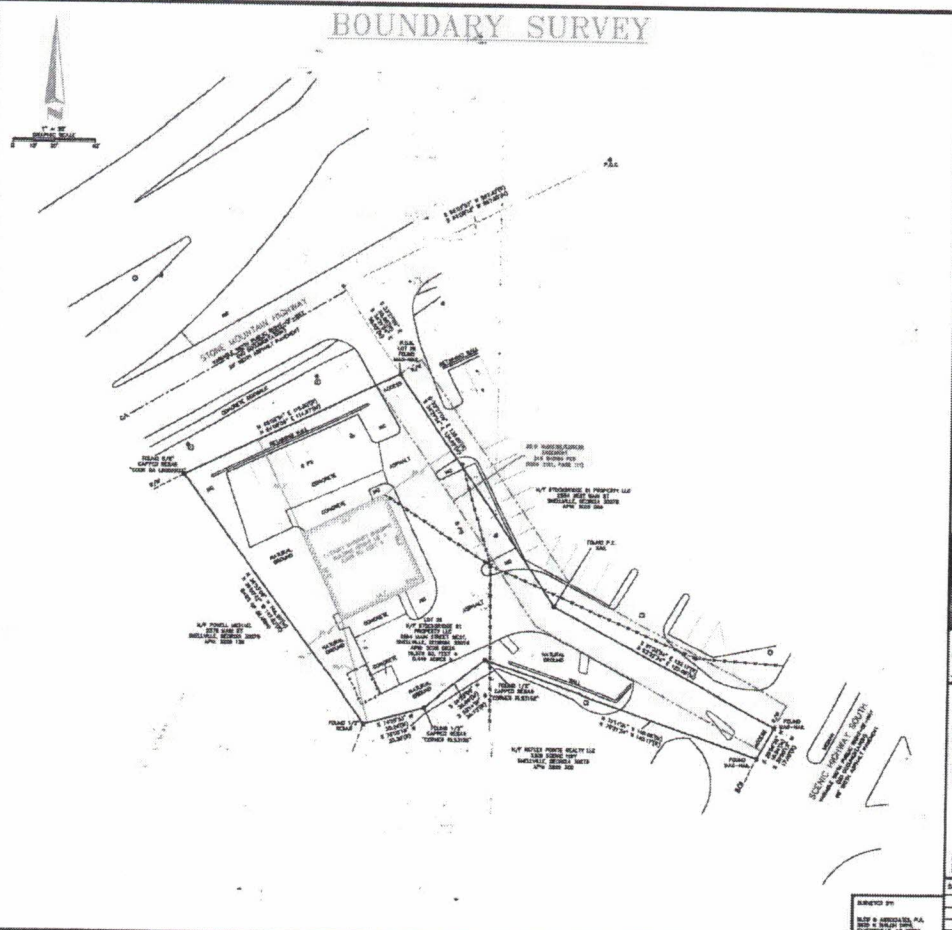
EXHIBIT "A"

BOUNDARY SURVEY

LEGAL DESCRIPTION

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LEGEND

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