

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.08± ACRE TRACT OF LAND LOCATED IN LAND LOT 7 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2752 WEST 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: #RZ 20-03

SIZE: 5.08 Acres

LOCATION: 2752 W. Main Street, Snellville, Georgia

TAX PARCEL: R5007 018

CURRENT ZONING MAP: OP (Office Professional) District and BG (General Business) District

REQUESTED ZONING MAP AMENDMENT: OP (Office Professional) District and BG (General Business) District

DEVELOPMENT/PROJECT: 95-Room 5-Story Avid Hotel

PROPERTY OWNERS: Rita M. Shah and Khalid Javed
Snellville, Georgia 30039

APPLICANT/CONTACT: Khalid Javed
678-770-7068 or kjaved@bellsouth.net

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 5.08± acre tract of land located at 2752 W. Main Street, Snellville, Georgia (Tax Parcel R5007 018) 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 5.08± acre tract of land as shown on the site plan entitled “Proposed Re-Zoning Plan for 2752 West Main Street”, sealed, signed and dated 7-10-2020 (stamped received 9-17-2020) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended as follows: a) the 2.106± acre tract described by the legal description in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is changed from OP (Office-Professional) District and BG (General Business) District to OP (Office-Professional) District (only); b) the 2.974± acre tract described by the legal description in Exhibit “C”, a copy of which is attached hereto and incorporated herein by reference, is changed from OP (Office Professional) District and BG (General Business) District to BG (General Business) District (only); and c) to match the split-zoning lines as shown in Exhibit “D”, a copy of which is attached hereto and incorporated herein by reference. This action is subject to the attachment of the following conditions (1-4):

CONDITIONS:

1. Prior to the development of any portion of the 5.08± acre property, the applicant/property owner shall submit a Change in Conditions application which includes a development concept plan for review and recommendation by the Planning Department and Planning Commission for final consideration and public hearing with the Mayor and Council.
2. Prior to receiving an approved Site Development Permit by the Director of Planning and Development, the property owner shall obtain an approved and recorded Exemption Plat, approved by the Director of Planning and Development and recorded by the Gwinnett County Superior Court Clerk for the 5.08± acre property subdivided into one 2.974± acre parcel and a second 2.106± acre parcel as shown on the Proposed Rezoning Plan attached hereto as Exhibit “A”.
3. Signs higher than 15 feet or larger than 225 square feet are prohibited.
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.

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 the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

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

Section 7. This Ordinance was adopted on _____, 2021. 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 February, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Solange Destang, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

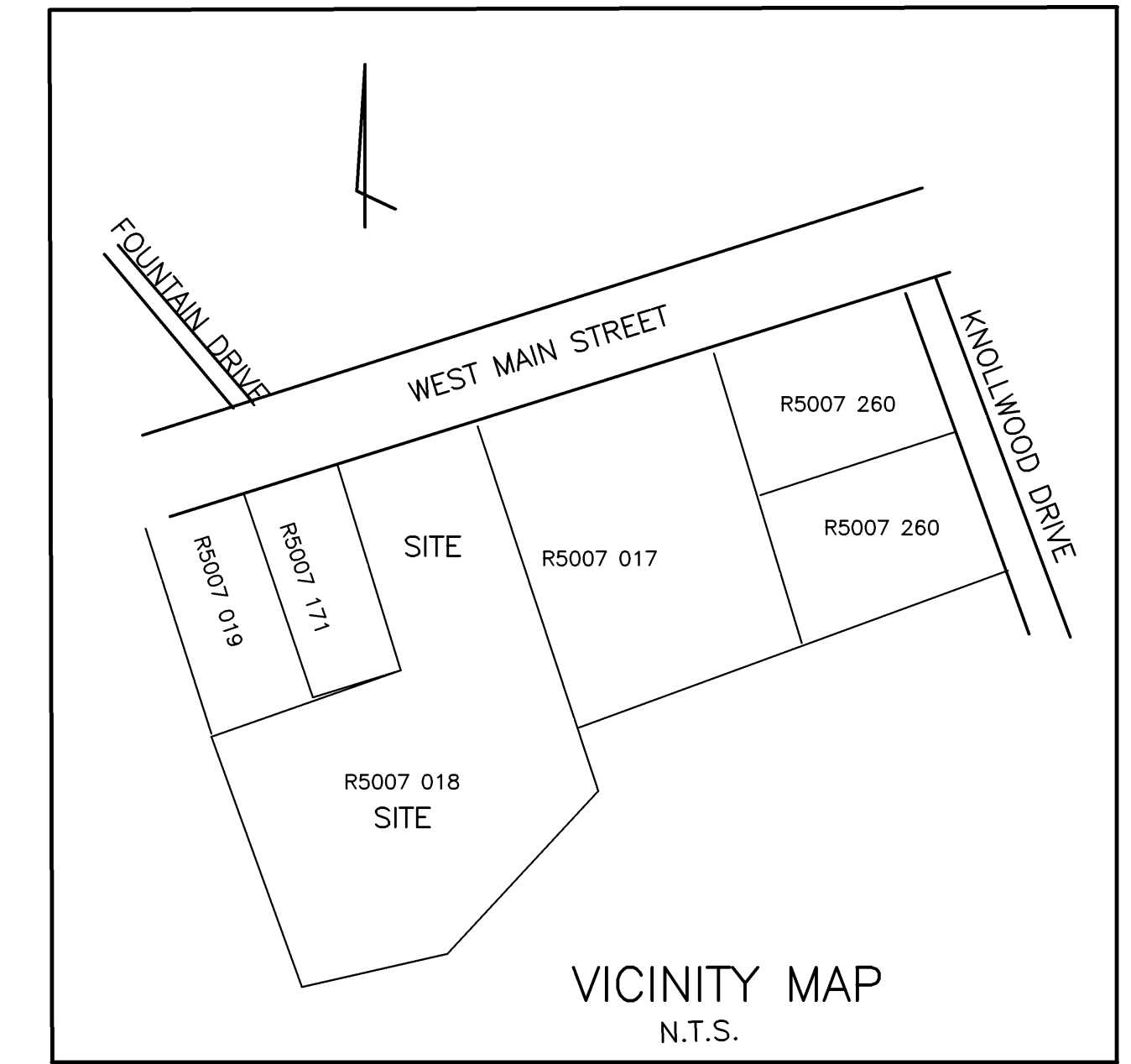
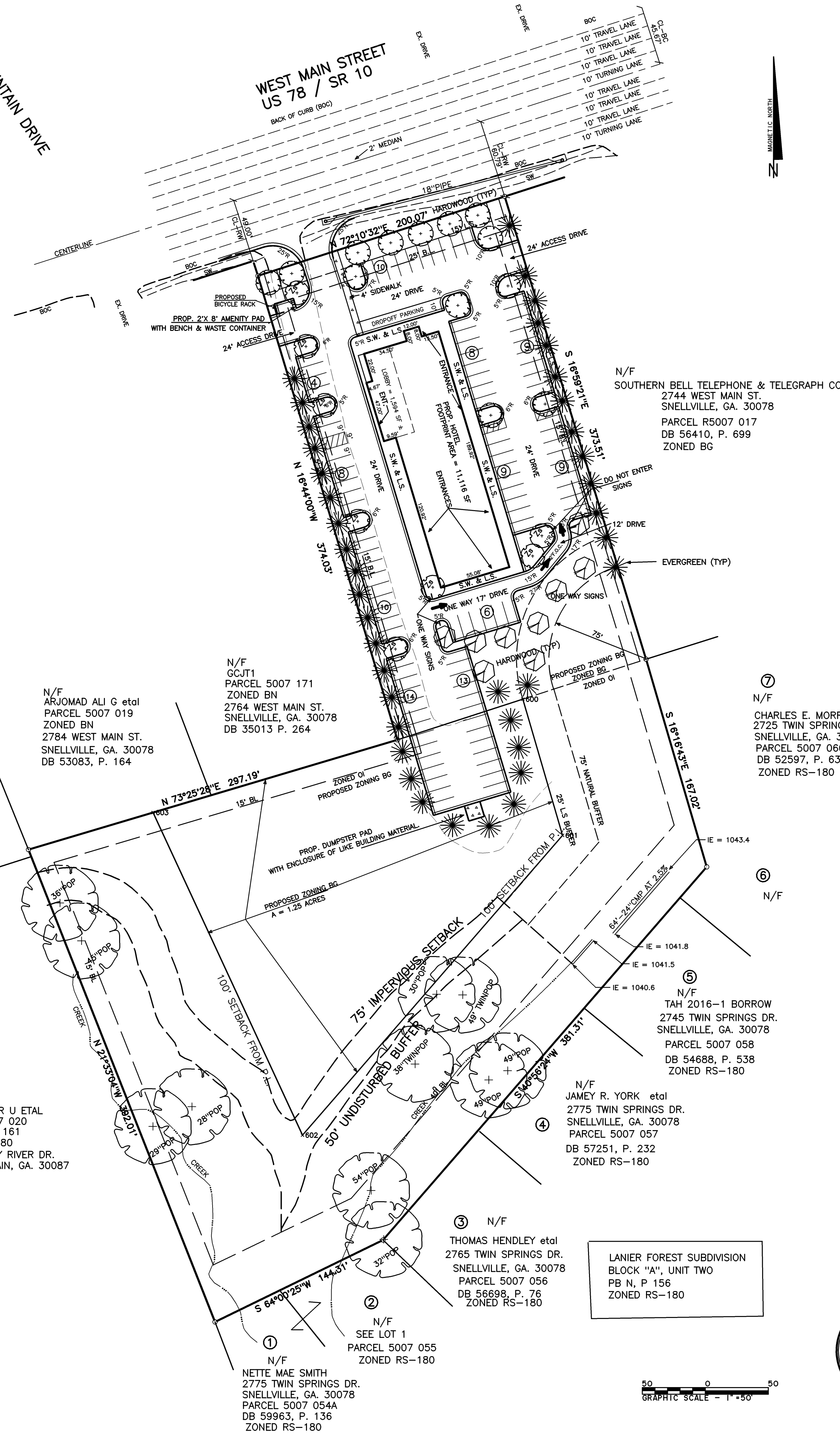
Tod Warner, Council Member

EXHIBIT "A"

In my opinion this property is not in a flood hazard area as per F.I.R.M Flood Hazard Map of Gwinnett County, Georgia
 Community Panel Number 13135C 0128B
 Effective Date 09/29/2006
 Revision Date

FOUNTAIN DRIVE

WEST MAIN STREET
 US 78 / SR 10



VICINITY MAP
 N.T.S.

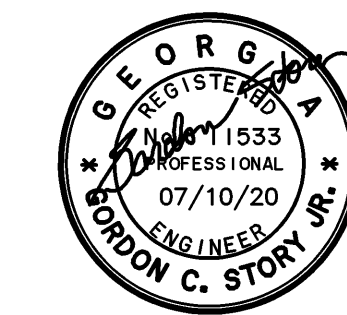
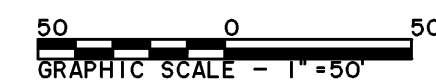
GENERAL NOTES:

- 1.) REFERENCE BOUNDARY SURVEY: SURVEY FOR MANSUR ENGINEERING, INC. DATED 6/23/2019.
- 2.) PROPERTY PRESENTLY SPLIT ZONED BG AND OI (BG = 1.724 ACS., OI = 3.356 ACS.) SEE NOTE 24
- 3.) PROPERTY AREA = 5.080 ACRES
- 4.) PROPOSED LOT COVERAGE = 1.26 ACS IMP / 5.080 ACS X 100 = 24.8% (MAX. = 90%)
- 5.) PROPOSED USE - HOTEL
- 6.) THERE ARE STATE WATERS ON THIS PROPERTY.
- 7.) TAX PARCEL NO. R5007 018
- 8.) BUILDING DIMENSIONS ARE APPROXIMATE. HEIGHT = 80' MAXIMUM
- 9.) MINIMUM ROOF PITCH 4:12
- 10.) ALL PARKING SPACES ARE 9'W X 19'L
- 11.) PROPOSED 100 PARKING SPACES
- 12.) SETBACKS: FRONT - 25'
 SIDE - 15'
 BACK - 15', 40' IF ADJACENT TO RESIDENTIAL
- 13.) LANDSCAPE BUFFERS: FRONT - 15'
 SIDE - 5'
 REAR - 40'
- 14.) THERE ARE PROPOSED 95 DWELLING UNITS.
- 15.) PROPOSED ZONING BG
- 16.) MINIMUM ROOM SIZE IS 300 SF.
- 17.) DECORATIVE STREET LIGHTS WILL BE PROVIDED
- 18.) DECORATIVE PEDESTRIAN LIGHTS WILL BE PROVIDED
- 19.) PARKING LOT LIGHTING USING DECORATIVE LIGHT POLES AND FIXTURES WILL BE PROVIDED.
- 20.) THE EXTERIOR BUILDING MATERIAL SHALL MEET CITY CODES.
- 21.) THE COLOR OF THE EXTERIOR BUILDING SHALL MEET CITY CODES.
- 22.) THE BUILDING SHALL COMPLY WITH ART. VII, MOTELS, HOTELS, AND EXTENDED-STAY HOTELS.
- 23.) THE EXISTING PYLON SIGN AT THE ENTRANCE SHALL BE REMOVED.
- 24.) AN ADDITIONAL 1.25 ACRES OF OI TO BE REZONED BG.



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 CALL US FIRST 1-800-282-7411

CAUTION:
 The utilities shown are shown for the contractors convenience only. There may be other utilities not shown on these plans. The engineer assumes no responsibility for the locations of underground utilities, and it shall be the contractors responsibility to verify the locations of all utilities shown as well as those not shown within the work limits. All damage made to existing utilities by the contractor shall be the responsibility of the contractor.



GORDON STORY, PE, RLS CIVIL ENGINEER • LAND SURVEYOR LEVEL II CERTIFIED DESIGN PROFESSIONAL 2608 RICKETSON ROAD WARRENTON, GA. 30808 MOBILE PHONE: 678-656-3832 EMAIL: gtruestory@aol.com	LAND LOT 7 DISTRICT 5 GWINNETT COUNTY DATE: 08/27/20 JOB: 1914ZON5 DISK: # 19GSA	PROPOSED RE-ZONING PLAN FOR: 2752 WEST MAIN STREET SNELLVILLE, GA. PARCEL R5007 018
	REVISIONS:	
	SHEET OF 1	

EXHIBIT "B"

TOTAL TRACT ZONED OP

PROPERTY LINE DESCRIPTION - TOTAL TRACT
2752 Main Street NW, Snellville Georgia, 30078 Gwinnett
County, tax parcel number R5007 018

All that tract or parcel lying and being in Land Lot 5
of the 7th Land District, Gwinnett County Georgia, Cates G.M.D.
Georgia Malitia, District 408 being more particularly described
as follows;

To find the "TRUE POINT OF BEGINNING", commence from the
intersection if extended of the easterly Right of Way of Valley Drive
a 50 foot Right Of Way with the southerly Right Of Way
U.S.Hwy 78 aka Georgia State Route S.R. 10 a variable Right-Of-Way;
Thence 874.74 feet(869.72 feet per Deed Book 56410 Page 0071)
along the southerly Right Of Way U.S. 78 aka S.R. 10 to a Point.
said Point being point SVXG480 (Parcel 1 Required R/W KC2001)
State of Georgia Department Of Transportation Project Number
CSSTP-0006-00(439) sheet 693 of 704, RIGHT OF WAY PLANS
Sheet 24 Page 32 (station 11+63.56 49.00 feet right) per centerline
stationing as shown on State of Georgia Department Of Transportation
Project Number CSSTP-0006-00(439) sheet 46 of 704, Mainline Plan
SR10/US 78 Drawing Number 13-001; Thence South 16 degrees 44
minutes 00 seconds East for a distance of 12.00 feet along the
westerly property line said tax parcel R5007 018 to a point on the south
right of way of U.S. Hwy. 78;

THENCE South 16 degrees 44 minutes 00 seconds East for a
distance of 374.03 feet to a point;
THENCE South 73 degrees 25 minutes 28 seconds West for a
distance of 196.81 feet to the "TRUE POINT OF BEGONNING":
THENCE South 73 degrees 25 minutes 28 seconds for a
distance of 297.19 feet to a point;
THENCE South 21 degrees 33 minutes 04 seconds East for a
distance of 392.01 feet to a point;
Thence North 64 degrees 00 minutes 25 seconds East for a
distance of 144.31 feet to a point;
THENCE North 40 degrees 56 minutes 24 seconds East for a
distance of 381.31 feet to a point;
THENCE North 16 degrees 16 minutes 43 seconds West for a
distance of 167.02 feet to a point;
THENCE South 72 degrees 02 minutes 09 seconds West for a
distance of 199.00 feet to a point;
THENCE South 16 degrees 15 minutes 22 seconds East for a
distance of 109.54 feet to a point;
THENCE South 40 degrees 56 minutes 24 seconds West for a
distance of 306.36 feet to a point;
THENCE North 24 degrees 50 minutes 55 seconds West for a
distance of 274.46 feet to a point;
THENCE North 73 degrees 25 minutes 28 seconds East for a
distance of 196.81 feet to the "TRUE POINT OF BEGINNING."

Said tract contains 2.106 acres more or less.

EXHIBIT "C"

TOTAL TRACT ZONED BG

PROPERTY LINE DESCRIPTION - TOTAL TRACT
2752 Main Street NW, Snellville Georgia, 30078 Gwinnett
County, tax parcel number R5007 018

All that tract or parcel lying and being in Land Lot 5
of the 7th Land District, Gwinnett County Georgia, Cates G.M.D.
Georgia Malitia District 408 being more particularly described
as follows;

To find the "TRUE POINT OF BEGINNING", commence from the
intersection if extended of the easterly Right of Way of Valley Drive
a 50 foot Right Of Way with the southerly Right Of Way
U.S.Hwy 78 aka Georgia State Route S.R. 10 a variable Right-Of-Way;
Thence 874.74 feet(869.72 feet per Deed Book 56410 Page 0071)
along the southerly Right Of Way U.S. 78 aka S.R. 10 to a Point.
said Point being point SVXG480 (Parcel 1 Required R/W KC2001)
State of Georgia Department Of Transportation Project Number
CSSTP-0006-00(439) sheet 693 of 704, RIGHT OF WAY PLANS
Sheet 24 Page 32 (station 11+63.56 49.00 feet right) per centerline
stationing as shown on State of Georgia Department Of Transportation
Project Number CSSTP-0006-00(439) sheet 46 of 704, Mainline Plan
SR10/US 78 Drawing Number 13-001; Thence South 16 degrees 44
minutes 00 seconds East for a distance of 12.00 feet along the
westerly property line said tax parcel R5007 018 to the
"TRUE POINT OF BEGINNING";

Said point being on the south right of way of U.S.78;

THENCE South 73 degrees 25 minutes 28 seconds West for a
distance of 196.81 feet to a point;

THENCE South 24 degrees 50 minutes 55 seconds East for a
distance of 274.46 feet to a point;

THENCE North 40 degrees 56 minutes 24 seconds East for a
distance of 306.36 feet to a point;

THENCE North 16 degrees 15 minutes 22 seconds West for a
distance of 109.54 feet to a point;

THENCE North 72 degrees 02 minutes 09 seconds East for a
distance of 100.00 feet to a point;

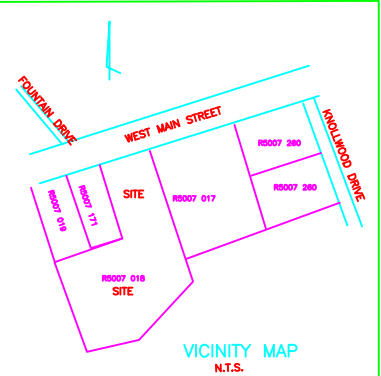
THENCE North 16 degrees 59 minutes 21 seconds West for a
distance of 373.51 feet to a point on the south right of way
of U.S.Hwy. 78;

Thence along said right of way South 72 degrees 10 minutes
32 seconds West for a distance of 200.07 feet to the "TRUE
POINT OF BEGINNING."

Said property contains 2.974 acres more or less.

EXHIBIT "D"

In my opinion this property is not in a flood hazard area as per F.I.R.M Flood Hazard Map @Winnett County, Georgia
 Community Panel Number 13135C 0128B
 Effective Date 09/29/2006
 Revision Date



THENCE South 72 degrees 28 minutes 28 seconds West for a distance of 198.81 feet to a point;
 THENCE South 24 degrees 00 minutes 00 seconds East for a distance of 274.08 feet to a point;
 THENCE North 40 degrees 00 minutes 24 seconds West for a distance of 262.25 feet to a point;
 THENCE North 10 degrees 00 minutes 00 seconds West for a distance of 198.25 feet to a point;
 THENCE North 72 degrees 00 minutes 00 seconds East for a distance of 198.25 feet to a point;
 THENCE North 10 degrees 00 minutes 21 seconds West for a distance of 273.81 feet to a point on the south right of way of U.S. Hwy. 78.
 Thence along said right of way South 72 degrees 10 minutes 22 seconds East for a distance of 203.07 feet to the "TRUE POINT OF BEGINNING."
 Said property contains 2.874 acres more or less.

PROPERTY LINE DESCRIPTION - TOTAL WIDTH
 2763 Main Street NE, Snellville Georgia, 30078
 County tax parcel number: 00002 010

All that tract or parcel being and being in Land Lot 8 of the 7th Land District, DeKalb County Georgia, China 0.823, Georgia Statute Booked 428 being more particularly described as follows:

To find the "TRUE POINT OF BEGINNING", measured from the Intersection of a line of the south right of Way of Valley Drive a 20 foot Right Of Way with the south right of Way of U.S. Highway 78 see Georgia Statute Book 428, to a certain Right-Of-Way known as 2744 West Main Street, per Deed Book 28410 Page 0071 along the south right of Way of U.S. Hwy. 78 see L&P to a point, and from said point S89°00'00" (South 89°) bearing S 74° N (S20°00') along the center of the road to the point of beginning.

THENCE South 72 degrees 28 minutes 28 seconds West for a distance of 198.81 feet to a point;
 THENCE South 24 degrees 00 minutes 00 seconds East for a distance of 274.08 feet to a point;
 THENCE North 40 degrees 00 minutes 24 seconds West for a distance of 262.25 feet to a point;
 THENCE North 10 degrees 00 minutes 00 seconds West for a distance of 198.25 feet to a point;
 THENCE North 72 degrees 00 minutes 00 seconds East for a distance of 198.25 feet to a point;
 THENCE North 10 degrees 00 minutes 21 seconds West for a distance of 273.81 feet to a point on the south right of way of U.S. Hwy. 78.
 Thence along said right of way South 72 degrees 10 minutes 22 seconds East for a distance of 203.07 feet to the "TRUE POINT OF BEGINNING."
 Said property contains 2.874 acres more or less.

N/F
 SOUTHERN BELL TELEPHONE & TELEGRAPH CO.
 2744 WEST MAIN ST.
 SNELLVILLE, GA. 30078
 PARCEL R5007 017
 DB 58410, P. 099
 ZONED BG

PROPOSED ZONING BG

- 1.) REFERENCE BOUNDARY SURVEY FOR MINOR ENGINEERS, INC. DATED 4/23/2016.
- 2.) PROPERTY HERETOFORE SPLIT ZONED BG AND OP (BG = 1.724 ACRES, OP = 0.389 ACRES) SEE NOTE 24
- 3.) PROPERTY AREA = 0.808 ACRES
- 4.) PROPOSED LOT COVERING BG = 1.724 ACRES (1.38 IMP / 1.724 = 79.1% AND OP = 1.25 ACRES (0.607IMP/1.25 = 70.8%
- 5.) PROPOSED USE -- HOTEL
- 6.) THERE ARE STATE SPACES ON THIS PROPERTY.
- 7.) THE PERIODS FOR R5007 017
- 8.) BUILDING DIMENSIONS ARE APPROXIMATE HEIGHT = 40' MAXIMUM
- 9.) MINIMUM ROAD WIDTH 40'
- 10.) ALL PARKING SPACES ARE 9'6" X 19'
- 11.) PROPOSED BY PARKING SPACES
- 12.) SIDEWALK WIDTH = 5'
- 13.) LANDSCAPE BUFFER FROM "R" SIDE = 10'
- 14.) THERE ARE PROPOSED 40 DRILLING LIMITS.
- 15.) PROPOSED ZONING BG
- 16.) MINIMUM ROAD SIDE IS 300 SF.
- 17.) DISCRETE STREET LIGHTS WILL BE PROVIDED
- 18.) DISCRETE FENCEPOST LIGHTS WILL BE PROVIDED
- 19.) PARKING LOT LIGHTING LIGHTS DISCRETE LIGHT POLES AND FIXTURES WILL BE PROVIDED.
- 20.) THE EXTERIOR BUILDING MATERIAL SHALL BEET CITY CODES.
- 21.) THE COLOR OF THE EXTERIOR BUILDING SHALL BEET CITY CODES.
- 22.) THE BUILDING SHALL COMPLY WITH ARE. VS. HOTELS, HOTELS, AND EXTENDED-STAY HOTELS.
- 23.) THE EXTERIOR PAVEMENT SHALL BEET CITY CODES.
- 24.) ALL APPROXIMATE 1.25 ACRES OF A TO BE RECEIVED INC.

N/F
 EPS RETAIL & COMMERCIAL
 PARCEL 5007 167
 2780 WEST MAIN ST.
 SNELLVILLE, GA. 30078
 ZONED BN
 DB 25395, P. 242

N/F
 GCUT1
 PARCEL 5007 171
 ZONED BN
 2784 WEST MAIN ST.
 SNELLVILLE, GA. 30078
 DB 35013, P. 204

N/F
 CHARLES E. MORRIS, III et al
 2725 TWIN SPRINGS DR.
 SNELLVILLE, GA. 30078
 PARCEL 5007 060
 DB 52597, P. 631
 ZONED RS-180

N/F
 YAH 2016-1 BORROW
 2748 TWIN SPRINGS DR.
 SNELLVILLE, GA. 30078
 PARCEL 5007 058
 DB 54888, P. 536
 ZONED RS-180

N/F
 JAMEY R. YORK et al
 2775 TWIN SPRINGS DR.
 SNELLVILLE, GA. 30078
 PARCEL 5007 057
 DB 57251, P. 252
 ZONED RS-180

N/F
 THOMAS HENDLEY et al
 2765 TWIN SPRINGS DR.
 SNELLVILLE, GA. 30078
 PARCEL 5007 056
 DB 54894, P. 75
 ZONED RS-180

LANIER FOREST SUBDIVISION
 BLOCK "A", UNIT TWO
 PB N, P. 156
 ZONED RS-180

N/F
 ZAMANI QAMAR U ETAL
 PARCEL 5007 020
 DB 8150, P. 181
 ZONED RS-180
 5290 GAULEY RIVER DR.
 STL. MOUNTAIN, GA. 30087

N/F
 SEE LOT 1
 PARCEL 5007 055
 ZONED RS-180

N/F
 NETTE MAE SMITH
 2775 TWIN SPRINGS DR.
 SNELLVILLE, GA. 30078
 PARCEL 5007 054A
 DB 55963, P. 156
 ZONED RS-180



GORDON STORY, PE, RLS
 CIVIL ENGINEER * LAND SURVEYOR
 LEVEL 4 LICENSED SENIOR PROFESSIONAL
 2008 RICKETSON ROAD
 WAREHOUSTON, GA. 30086
 MOBILE PHONE: 678-656-3832
 EMAIL: gstory@gsd.com

LAND LOT: 7
 DISTRICT: 7
 COUNTY: ...
 DATE: 09/22/20
 JOB#: 18145998
 DISK#: # 18284

PROPOSED ZONING FOR HOTEL
 2752 WEST MAIN STREET
 SNELLVILLE, GEORGIA
 PARCEL R5007 018

REVISIONS:
 SHEET OF

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 CALL US FIRST 1-800-282-7411

DISCLAIMER
 The utilities shown are shown for the contractor's convenience only. There may be other utilities not shown on these plans. The engineer assumes no responsibility for the location of underground utilities, and it shall be the contractor's responsibility to verify the location of all utilities shown, as well as those not shown, at the work site. All damage made to existing utilities by the contractor shall be the responsibility of the contractor.