



REZONING APPLICATION

RECEIVED

APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE GEORGIA **MAY 14 2024**

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3515 Fax 770.985.3551 www.snellville.org

DATE RECEIVED: _____

2380 WISTERIA DR #2400173
RZ 24-03 SUP 24-02
PARCEL- 5038 133

Applicant is: (check one)
 Owner's Agent
 Contract Purchaser
 Property Owner

Owner (if not the applicant): check here if there are additional property owners and attach additional sheets.

SPG Planners + Engineers

Name (please print)
1725 Electric Avenue, Unit 320
Address
Watkinsville, GA 30677
City, State, Zip Code
706-769-9515 N/A
Phone Number(s) Fax

Shifa Real Estate Investments LLC

Name (please print)
1654 Morningdale Circle NW
Address
Duluth, GA 30097
City, State, Zip Code
N/A N/A
Phone Number(s) Fax

Contact Person: Mick Kittle Phone: 706-714-3443 Fax: N/A
Cell Phone: 706-714-3443 E-mail: mick@onespg.com

Present Zoning District Classification: BG Requested/Proposed Zoning District Classification: TC-R

Present Future Land Use Map (FLUM) Designation: Towne Center Does the FLUM Require Amending? No Yes*

Proposed Use (Describe): Multifamily

Property Address/Location: 2380 Wisteria Drive District 10 Land Lot _____ Parcel(s) 5038 133

* If the requested zoning district is not consistent with the Future Land Use category on the current Future Land Use Map (FLUM) and identified in Table 2 – Future Land Use Categories and Corresponding Zoning Districts (pg. 53) of the Snellville 2040 Comprehensive Plan, applicant shall also be required to submit a Land Use Plan Amendment application and which is considered concurrent with the Rezoning application.

APPLICATION FEES:

- Less than one acre \$ 500
- 1 to 5 acres 560
- 5 to 10 acres 800
- 10 to 15 acres 1,050
- 15 to 20 acres 1,350
- Over 20 acres 1,900
- Public Notice Sign \$ 75 (single-sided) or \$125 (double-sided) per parcel, per road frontage
- Adjoining Property Owner Notice \$ 15 (per adjoining property X 2 public hearings)

**IF REQUESTING A CHANGE IN CONDITIONS OF ZONING FROM A PRIOR APPROVED REZONING CASE,
PLEASE SUBMIT USING THE CHANGE IN CONDITIONS APPLICATION**

Pursuant to Section 103-9.4.C.II. of the Snellville Unified Development Ordinance, a **written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters shall be included.** Please respond to the following standards in the space provided or attach additional sheets if necessary. **Simple yes/no answers or re-statement of the standard is not acceptable and shall be considered non-responsive.**

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Response: Rezoning this parcel from BG to TC-R will create an opportunity for a derelict restaurant site to align with the intent and purpose of the Towne Center District. Surrounding uses include a mix of new apartments, retail, and civic buildings. As a focal point for the City, the proposed Towne Center Flats will complement the adjacent architecture and add to the desired character of this district.

B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties.

Response: This rezoning proposal would have a positive impact to the adjacent property uses. Towne Center Flats would progress the much desired transformation of the Snellville Towne Center: extending the pedestrian corridor, enhancing the landscape, and defining the overall sense of place.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Response: The existing BG zoning allows for a variety of commercial and business uses that have economic potential. The site is surrounded by thousands of square feet of retail and office, yet there is a lack of housing. By providing an opportunity for dense housing, existing businesses would in turn have the potential for more customers and employees, ultimately providing economic value to the City.

D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: **Ex Streets:** Wisteria Drive is the main spine road through the TC-R district. The road was designed to anticipate growth, therefore suggesting it's capable of handling the impacts of this rezoning. **Transportation Facilities:** there is a regional bus stop and park and ride within walking distance to the site. **Schools:** Gwinnett County has a student to teacher ratio of 15.1:1, much lower than the suggested national average of 18:1.

E. Whether the zoning proposal is in conformity with the policy and intent of the Future Land Use Plan.

Response: The property lies within the Towne Center District and conforms with the intent of the Future Land Use Plan. Walkability, pedestrian connectivity, and access to nearby shops, restaurants, and offices would be accommodated by providing more living opportunities within the Towne Center District.

F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

Response: As cities aim to move away from automobile-oriented design and populations want more housing options, this is an excellent opportunity to keep the momentum of harmonious and orderly redevelopment of the Towne Center development in downtown Snellville.

**CONFLICT OF INTEREST CERTIFICATIONS
FOR REZONING APPLICATION**

The undersigned below, making application for Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

check here if there are additional applicants and attach additional "Conflict of Interest Certification" sheets.

W.M. Kittle, Jr. Digitally signed by W.M. Kittle, Jr.
DN: c=US, e=m02@spgplanners.com, o=SPG
Planners Group, LLC, ou=WM Kittle, Jr.
A Date: 2024.04.18 14:53:59-0403 April 18, 2024
Signature of Applicant Date

William M. Kittle, Jr., RLA, Senior Land Planner,
SPG Planners + Engineers
Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date

Type or Print Name and Title

Jennifer Carter 4/18/24
Signature of Notary Public Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the last two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

YES NO YOUR NAME: HUSEIN HAMIRANI, MANAGER

If the answer above is YES, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)

Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.

**CONFLICT OF INTEREST CERTIFICATIONS
FOR REZONING APPLICATION**

The undersigned below, making application for Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

Check here if there are additional applicants and attach additional "Conflict of Interest Certification" sheets.

W.M. Kittle, Jr. Digitally signed by W.M. Kittle, Jr.
DN: c=US, e=mick@smithplanninggroup.com, o="Smith
Planning Group, LLC", cn="W.M. Kittle, Jr."
Date: 2024.04.18 14:03:59-0400 **April 18, 2024**

Signature of Applicant Date

**William M. Kittle, Jr., RLA, Senior Land Planner,
SPG Planners + Engineers**

Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date

Type or Print Name and Title

Signature of Notary Public Date

Affix Notary Seal

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the last two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

YES NO YOUR NAME: HUSEIN HAMIRANI, MANAGER

If the answer above is YES, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)

Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.

MAY 14 2024

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

BK 55380 PG 0450

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

2017 SEP -6 PM 2:00

RICHARD ALEXANDER, CLERK

When Recorded Return To:
Heather Townsend
National Commercial Services
First American Title Insurance Company
Six Concourse Parkway, Ste 2000
Atlanta, GA 30328
File No NCS-788710-A

STATE OF GEORGIA

§
§
§
§

COUNTY OF GWINNETT

PT-61 # 067-2017-023181

GWINNETT CO GEORGIA

REAL ESTATE TRANSFER TAX

\$ 250.00

RICHARD T. ALEXANDER, JR CLERK OF
SUPERIOR COURT

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT. REALTY INCOME CORPORATION, a Maryland corporation ("Grantor"), for and in consideration of the sum of TEN DOLLARS (\$10) and other good and valuable consideration in hand paid to the undersigned by SHIFA REAL ESTATE INVESTMENTS, LLC, a Georgia limited liability company ("Grantee"), whose mailing address is 2500 Gadsen Walk NW, Duluth, GA 30097, the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL, CONVEY and CONFIRM unto Grantee that certain real property being more particularly described on Exhibit "A," attached hereto and made a part hereof for all purposes. together with all improvements and fixtures situated thereon (collectively, the "Property"), SUBJECT TO all real estate taxes not yet delinquent, covenants, conditions, restrictions, easements, rights of way and other matters of record; applicable laws, ordinances, statutes, orders, requirements and regulations to which the Property is subject, including, without limitation, all building, zoning and environmental laws and requirements; and any state of facts which a new or updated survey or physical inspection of the Property might disclose Further, this conveyance excepts all of the oil, gas and other minerals on, in, under or that may be produced from the Property and is subject to the rights of third parties, if any, to extract the same.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, hereditaments, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, and Grantor hereby agrees to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor but not otherwise


BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES AS TO THE PHYSICAL CONDITION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN

BK55380 PG0451

WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS, WHERE IS, WITH ALL FAULTS," AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE, BY ACCEPTANCE OF THIS LIMITED WARRANTY DEED, ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED), CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANYONE ELSE MAY CONDUCT THEREON, (iii) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND (iv) THE COMPLIANCE OF THE PROPERTY WITH APPLICABLE LAWS AND REGULATIONS.

EXECUTED this 28th day of AUGUST, 2017

Witnesses:



First Witness

URSULA PERRONE

Printed Name of First Witness



Second Witness

CHRISTY ANDERSON


Printed Name of Second Witness

GRANTOR

REALTY INCOME CORPORATION,
a Maryland corporation

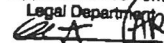
By: 

Name: Michael J. Platter
Title: Executive Vice President,
General Counsel

By: 

Name: Neil Abraham
Title: Executive Vice President and
Chief Investment Officer

Address: 11995 El Camino Real
San Diego, CA 92130
Attn: Legal Department

Approved As To Form
Legal Department


BK55380 PG0452

Attached to and made a part of:

Limited Warranty Deed

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of CALIFORNIA)
County of SAN DIEGO)

On AUGUST 28, 2017 before me, SUSAN BUSCH, NOTARY PUBLIC,, personally appeared

MICHAEL R PFEIFFER & NEIL ABRAHAM who signed the above-referenced Instrument in my presence and who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within

Instrument, and acknowledged to me that he/she/they executed the same in his/ her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature Susan Busch (Seal)
Name: SUSAN BUSCH



BK 55380 PG 0453

EXHIBIT "A"
LEGAL DESCRIPTION OF REAL PROPERTY

LOCATION: 2380 Wistena Drive
Snellville, Georgia 30078

A portion of these tracts or parcels of land lying and being in Land Lot 39 of the 5th District, Gwinnett County, Georgia as shown on surveys as recorded in Plat Book 32, page 174-A and Plat Book 40, page 205 of the public records of Gwinnett County, Georgia, being more particularly described as follows:

BEGIN at a rebar marking the most northerly corner of said Plat Book 40, page 205; thence along said Plat Book 40, page 205 the following courses: South 48°03'56" East a distance of 74.00 feet to a rebar; thence South 58°17'18" West a distance of 391.00 feet to a to a rebar; thence South 31°42'43" East a distance of 15.00 feet to a rebar; thence South 58°17'27" West a distance of 36.54 feet to a rebar on the northwesterly line of said Plat Book 32, page 174-A; thence South 37°56'36" East along said Plat Book 32, page 174-A a distance of 293.92 feet to a rebar; thence South 52°03'28" West along said Plat Book 32, page 174-A a distance of 228.87 feet to a nail in pavement on the northeasterly right-of-way line of Wisteria Drive; thence North 37°56'36" West along said right-of-way line a distance of 318.91 feet to a nail in sidewalk on the southeasterly line of said Plat Book 40, page 205; thence North 38°22'08" West a distance of 71.48 feet to a rebar on the northwesterly line of said Plat Book 40, page 205; thence along said Plat Book 40, page 205 the following courses: North 58°17'18" East a distance of 260.55 feet to a rebar; thence North 31°42'42" West a distance of 15.00 feet to a rebar; thence North 58°17'18" East a distance of 384.67 feet to the POINT OF BEGINNING.

TOGETHER WITH easement rights contained in Declaration of Reciprocal Easements and Restrictive Covenants by Wisteria Associates, dated April 23, 1984, filed April 24, 1984, recorded in Deed Book 2769, page 40, Gwinnett County records; as amended by First Amendment dated September 5, 1984, filed February 15, 1985, recorded in Deed Book 2976, page 328, aforesaid records; as further amended by Second Amendment dated October 31, 1986, filed August 21, 1987, recorded in Deed Book 4495, page 143, aforesaid records.

BK55380 PG0454

information to: 201708080295
American Title, Inc.
2475 Palm Bay Rd NE Ste 230
Palm Bay, FL 32905
After recording return recording

I
GEORGIA INTANGIBLE TAX PAID
144.00
RICHARD T. ALEXANDER, JR.
SUPERIOR COURT GWINNETT
COUNTY, GEORGIA

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA
2017 SEP -6 PM 2:00
RICHARD ALEXANDER, CLERK

[Space Above This Line For Recording Data]

Reference: 20172133200033

Account: XXX-XXX-XXX0793-1998

HOME EQUITY LINE OF CREDIT
SECURITY DEED
(Securing Future Advances)

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined elsewhere in this document. Certain rules regarding the usage of words used in this document are also provided in Section 14.

- (A) "Security Instrument" means this document, which is dated August 25, 2017, together with all Riders to this document.
- (B) "Borrower" is CHAD W. LUTTRELL, MARRIED. Borrower is the grantor under this Security Instrument
- (C) "Lender" is Wells Fargo Bank, N.A. Lender is a national bank organized and existing under the laws of the United States. Lender's address is 101 North Phillips Avenue, Sioux Falls, SD 57104. Lender is the grantee under this Security Instrument
- (D) "Debt Instrument" means the loan agreement or other credit instrument signed by Borrower and dated August 25, 2017. The Debt Instrument states that Borrower owes Lender, or may owe Lender, an amount that may vary from time to time up to a maximum principal sum outstanding at any one time of, FORTY SEVEN THOUSAND SEVEN HUNDRED SEVENTY FIVE AND 00/100THS Dollars (U.S \$47,775.00) plus interest. Borrower has promised to pay this debt in Periodic Payments and to pay the debt in full not later than seven (7) calendar days after September 25, 2017

0083645

48
5



Snellville, GA
 2342 Oak Rd
 Snellville, GA 30078
 (770) 985-3508

2023 Property Tax Bill

Parcel ID	Tax District	Bill #
R5038 133	10 - City of Snellville	005535
Property Owner/Location/Description		Taxable Value
SHIFA REAL ESTATE INVESTMENTS LLC 2380 WISTERIA DR		202,320
		Fair Market Value
		505,800
Levies	Taxable Value	- Exemptions = Net Assessment X Tax Rate = Net Tax
City of Snellville	202,320	0 = 202,320 4.0000000000 = \$809.28
2023 STORMWATER		\$1,086.43

Exemptions:

Tax Bills are not automatically sent to mortgage companies; therefore, if your taxes are paid through escrow, please forward this bill to your mortgage company.

All taxes and stormwater fees that are delinquent and paid after December 15, 2023 are subject to interest and penalties as allowed by law. FIFA costs are applied to delinquent property taxes after March 15, 2024.

The City will accept partial payments as long as the balance is paid in full by December 15th.

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO DETERMINE PAYOFF AMOUNT.

Current Year Tax	\$1,895.71
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$1,895.71
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	12/15/2023



Snellville, GA
 2342 Oak Rd
 Snellville, GA 30078

**Make check or money order payable to: City of Snellville*
**Write the Tax Parcel ID Number on your check*
**Full payment must be made by the due date*
**Mailed payments will be posted using the official postmark date*
**Taxes may be paid online by visiting www.snellville.org*
**Convenience fees may apply to all credit/debit card payments*

Parcel ID: R5038 133
 Amount Due: \$0.00
 Bill#: 005535
 Due Date: 12/15/2023

AMOUNT PAID

SHIFA REAL ESTATE INVESTMENTS LLC
 1654 MORNINGDALE CIR
 DULUTH, GA 30097-5261

Snellville, GA
 2342 Oak Rd
 Snellville, GA 30078

MAY 14 2024

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

Attention Customers: Tag renewal kiosks and online motor vehicle services will be unavailable from 1:30-7:30 p.m Saturday, Apr. 20 due to scheduled statewide maintenance.



ACCOUNT DETAIL

[View/Pay Your Taxes / Account Detail](#)

Tax Account

Pay Now

Mailing Address:

SHIFA REAL ESTATE INVESTMENTS LLC
1654 MORNINGDALE CIR
DULUTH, GA 30097-5261

[✉ Change Mailing Address](#)

SITUS:

2380 WISTERIA DR

Tax District:

SNELLVILLE

No payment due for this account.

Parcel ID	Property Type	Last Update
R5038 133	Real Property	4/17/2024 8:12:32 PM

Legal Description

WISTERIA DRIVE



Print Tax Bill

[Click here to view and print your 2023 tax bill.*](#)

* Bill as of August 15, 2023. For current amount due see information below.



Tax Bills

Note: Email tax@gwinnettcountry.com to request other years.

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2023	\$6,494.46	\$6,553.70	\$0.00	\$0.00	10/15/2023	\$0.00
2022	\$6,494.46	\$6,494.46	\$0.00	\$0.00	11/1/2022	\$0.00
2021	\$6,636.09	\$6,998.35	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$8,695.20	\$9,689.34	\$0.00	\$0.00	3/1/2021	\$0.00
2019	\$11,682.27	\$12,067.95	\$0.00	\$0.00	1/1/2020	\$0.00
2018	\$7,669.94	\$7,669.94	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$7,720.59	\$7,720.59	\$0.00	\$0.00	10/15/2017	\$0.00
2016	\$7,436.77	\$7,436.77	\$0.00	\$0.00	10/15/2016	\$0.00
Total						\$0.00