

Tax ID: 7-320-017, 015, 015A, 015B, 016, 018, 018A, 019, 020, 021, 022, 024, 027, 030, 031, 035, 043 / 7-320A-001, 001A, 003, 004, 005, 007, 020, 024, 026

Total Number of Housing Units: 0

Proposed Housing: 0

Proposed Development: **Neighborhood retail/Commercial/Restaurant & Service Development**

Street Address if Known: **Georgia Highway 20 & Henry Bailey Avenue**

Population: **Unknown**

Acreage: **12.85 Acres**

ORDINANCE FOR ANNEXATION

THE COUNCIL OF THE CITY OF SUGAR HILL HEREBY ORDAINS:

WHEREAS, **GA 20 Ventures North, LLC** did on **November 8, 2004** apply to have lands annexed into the existing corporate limits of The City of Sugar Hill, Georgia; and

WHEREAS, it appears to the governing body of The City of Sugar Hill, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of The City of Sugar Hill, that the applicants represent not less than sixty percent (60%) of the owners and resident electors of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, public hearings were held on said application for annexation and on the proposed zoning of the area to be annexed on **November 15, 2004** and **February 14, 2005**; and

WHEREAS, prior to said public hearing the City of Sugar Hill, Georgia did prepare a report setting forth its plans to provide services to the area to be annexed as required by the Official Code of Georgia Annotated Section 36-36-35; and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the annexation of the area proposed to be annexed would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Sugar Hill, Georgia and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the proper zoning classification for the area proposed to be annexed is **General Business District (BG)**.

BE IT, THEREFORE, ordained that the following described lands be and the same hereby are, annexed to the existing corporate limits of the City of Sugar Hill, Georgia, and the same shall hereafter constitute a part of the lands within the corporate limits of the City of Sugar Hill, Georgia, to-wit:

All that tract or parcels of land lying and being in Land Lot **320 & 320A** of the 7th land district of Gwinnett County, Georgia and being more particularly described by Tax Parcels Identifications and marked as exhibits "A" attached hereto and made a part of this ordinance and incorporated herein by reference.

A plat of said property is attached hereto and made a part of this ordinance and incorporated herein by reference.

BE IT FURTHER ORDAINED that "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by adding to the official zoning map adopted by the Ordinance the area annexed by this Ordinance and by classifying that area as **General Business District (BG)** on said official zoning map.

THE COUNCIL FURTHER ORDAINS that "The Land Use Map" adopted as a part of the 1997 Comprehensive Plan is hereby amended by adding said property to the Land Use Map with a designation of **Commercial Use**.

BE IF FURTHER ORDAINED that the following conditions be applied as **Conditions of Zoning on said property:**

- **SEE ATTACHED CONDITIONS EXHIBIT "B"**

BE IT FURTHER ORDAINED that the Clerk of the City of Sugar Hill certify a copy hereof and file the same with the Department of Community Affairs and with the Gwinnett County governing authority , pursuant to the provisions of the Official Code of Georgia, Section 36-36-3.

IT IS SO ORDAINED, this 14 day of February, 2005.

Those Councilmembers voting in favor:

\_\_\_\_\_  
Mayor

[Signature]  
\_\_\_\_\_  
Council Member

[Signature]  
\_\_\_\_\_  
Council Member

[Signature]  
\_\_\_\_\_  
Council Member

[Signature]  
\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

Those Councilmembers voting in opposition:

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

ATTEST:

[Signature]  
\_\_\_\_\_  
City Clerk

Submitted to Mayor: February 16, 2005

Approved by Mayor, this 24 day of February 2005.

[Signature]  
\_\_\_\_\_  
Gary Pirkle, Mayor

AX-04-025  
REPORT OF SERVICES PROVIDED

The following services will be available, as indicated the property to be annexed.

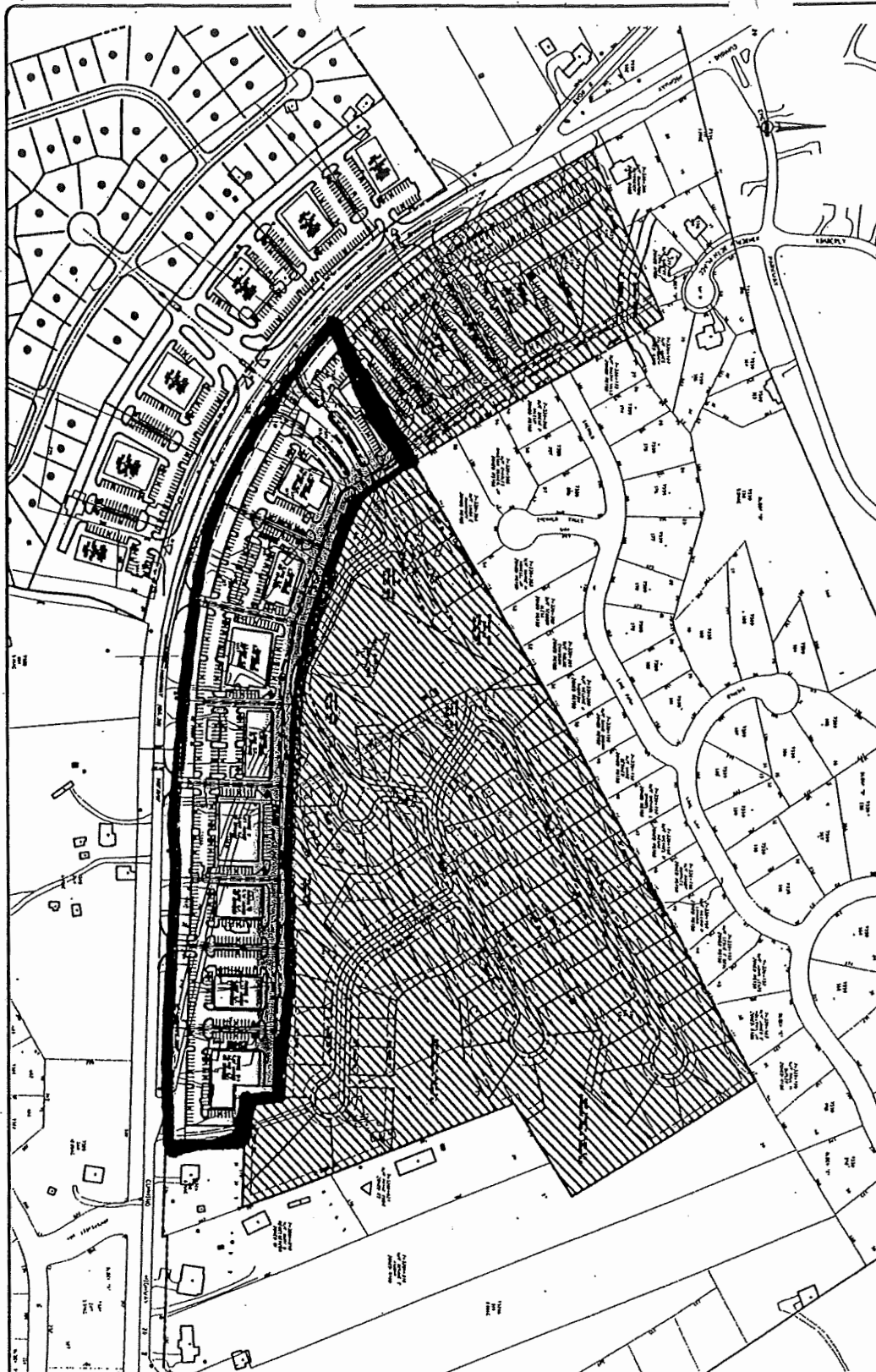
- X Fire and police protection are presently provided to the residents of the City of Sugar Hill by Gwinnett County. Thus, the proposed Annexation would not affect or cause any interruption in police or fire Protection in the area to be annexed.
  
- X Street Maintenance is presently provided by the City of Sugar Hill for the areas within the corporate boundaries of the municipality. Street Maintenance is provided to the city streets as needed in accordance with Financial capabilities and other planning consideration. The City Foresees no difficulty in providing street maintenance service to the area to be annexed. The services would begin upon the date of Annexation. No increased street maintenance in the area to be annexed is foreseeable in the immediate future. The area is presently served by County roads that are adequately maintained. Any new streets developed in the area to be annexed would be required to be subject to the same Maintenance requirements as streets developed in areas presently within the city limits.
  
- X Garbage Collection is presently provided by the City of Sugar Hill for the areas within the corporate boundaries of the municipality. Garbage Collection is provided once per week. The City foresees no difficulty in providing garbage collection to the area to be annexed. The services would begin upon the date of the annexation. Garbage collection would be made available to any resident of the area to be annexed by adding the area to a regular collection route.
  
- X Gas Service will be available at the property to be annexed. Gas Mains for new developments on the property shall be installed by the Developer. Tap-Ons for individual services lines and meters are paid for at the time the building permit is purchased.
  
- X Water and Sewer service are presently provided to the residents of the City of Sugar Hill by Gwinnett County. Thus, the proposed annexation would not affect or cause any interruption in Water or Sewer service in the area to be annexed.

**LEGAL DESCRIPTION  
for  
COMMERCIAL PROPERTY**

All that tract or parcel of land lying and being in Land Lot 320 of the 7th District, City of Sugarhill, Gwinnett County, Georgia and being more particularly described as follows:

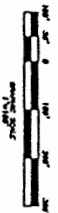
Beginning at a point, said point being the **POINT OF BEGINNING** thence N60°12'45"E, a distance of 73.72 feet; thence N58°52'06"E, a distance of 170.86 feet; thence N57°52'10"E, a distance of 90.60 feet; thence N60°33'40"E, a distance of 47.79 feet; thence S29°30'53"E, a distance of 193.08 feet; thence S69°25'49"E, a distance of 325.78 feet; thence S81°14'05"E, a distance of 71.93 feet; thence S62°54'42"E, a distance of 28.12 feet; thence S27°05'18"W, a distance of 5.38 feet; to the point of curve of a non tangent curve to the left, having a radius of 150.00 feet with an arc distance of 115.07 feet, S89°15'49"E with a distance of 112.26 feet; thence S88°21'09"E, a distance of 937.81 feet; thence S01°38'51"W, a distance of 98.12 feet; thence S88°02'35"E, a distance of 96.18 feet; thence S09°18'41"E, a distance of 59.23 feet; thence S08°01'03"E, a distance of 48.57 feet; thence S03°47'40"E, a distance of 49.59 feet; thence S02°01'47"E, a distance of 33.63 feet; thence N88°53'38"W, a distance of 254.83 feet; thence N88°24'46"W, a distance of 561.46 feet; thence N88°00'34"W, a distance of 244.55 feet; to the point of curve of a non tangent curve to the right, having a radius of 1,375.85 feet with an arc distance of 1,034.61 feet, N66°22'46"W with a distance of 1,010.41 feet back to the **POINT OF BEGINNING**.

**Said property containing 559,812 square feet or 12.85 acres.**



CONDITION 1 50' BUFFER  
 CONDITION 19 30' BLDG SETBACK

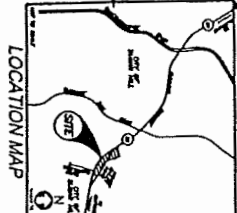
25' 1' 230'



Symbol	Description
[Hatched Box]	Project Site
[Thick Black Line]	Proposed Building Footprint
[Thin Black Line]	Property Boundary
[Dotted Line]	Setback Line
[Circle]	Well
[Triangle]	Survey Point
[Star]	Corner

**NOTES**

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. THE PROPOSED BUILDING FOOTPRINT IS SHOWN WITH A THICK BLACK LINE.
3. THE PROJECT SITE IS SHOWN WITH A HATCHED PATTERN.
4. THE PROPERTY BOUNDARY IS SHOWN WITH A THIN BLACK LINE.
5. THE 50' BUFFER IS SHOWN WITH A DOTTED LINE.
6. THE 30' BLDG SETBACK IS SHOWN WITH A DOTTED LINE.
7. ALL DISTANCES ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
8. THE PROPOSED BUILDING FOOTPRINT IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
9. THE PROJECT SITE IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
10. THE PROPERTY BOUNDARY IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
11. THE 50' BUFFER IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.
12. THE 30' BLDG SETBACK IS SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT.



PROJECT NO.	GA 20 VENTURES NORTH, LLC
DATE	11/15/2011
SCALE	AS SHOWN
PROJECT NAME	BELLGIO II
PROJECT ADDRESS	11111 BELLGIO BLVD, ATLANTA, GA 30338
PROJECT OWNER	GA 20 VENTURES NORTH, LLC
PROJECT CONTACT	11111 BELLGIO BLVD, ATLANTA, GA 30338
PROJECT PHONE	404.525.1111
PROJECT FAX	404.525.1111
PROJECT EMAIL	11111@bellgio.com
PROJECT WEBSITE	www.bellgio.com
PROJECT PLAN	REZ-2
PROJECT SHEET	1

**BELLGIO II**  
 for  
**GA 20 VENTURES NORTH, LLC**



**hyle**

ARCHITECTS

11111 BELLGIO BLVD  
 SUITE 1000  
 ATLANTA, GA 30338  
 404.525.1111

**AX-04-025**  
**Exhibit "B"**  
**Conditions of Zoning**

**Approval of Annexation**

**Approval of Rezoning to BG (General Business) with the following conditions:**

1. Reduced required 75 foot buffer between the proposed BG, RS-100 / PRD zoning tracts, and abutting residential properties to 25 feet. Provide dense landscape buffer between commercial and residential uses. Where vegetation is not providing a visual screening provide vegetation with a material of six foot high at the time of planting with a capacity to grow to at least fifteen feet at the time of maturity. The plans prepared by a registered landscape architect must be submitted to the Director, Planning and Development, for approval with the preliminary plans.
2. With the Preliminary Plat, the developer will provide a "traffic study" to determine transportation and traffic impact on Hwy. 20 and the proposed development. Traffic study must incorporate coordination and installation of traffic lights proposed and approved for GA 20 Venture / Bellagio Estate I. Any and all recommended improvements must be completed by the developer. The study must be conducted and signed by a registered traffic engineer and submitted to the Director of Planning and Development for approval.
3. In off-street parking lots, landscaped islands consisting of a minimum area of 75 square feet per island shall be provided per every 15 double row parking spaces. Landscape islands shall be planted with at least one tree not less than six (6) feet in height at the time of planting and shall be suitable to this region.
4. All trash dumpsters shall be screened by an enclosure using the same exterior building material and color scheme as the adjacent principal buildings. Pickup shall be limited between the hours of 8:00 a.m. to 8:00 p.m.
5. No outdoor storage of any materials associated with the commercial use shall be permitted on site.
6. Outdoor lighting should be of a sodium type, contained in cut-off type luminaries and shall be directed in towards the property so as not to reflect into adjacent residential properties. Security lights on the walls must be installed at the lowest possible height. The plans showing location and type must be submitted to the Director, Planning and Development, for approval with the preliminary plans.

7. Following uses shall be prohibited:
  - a. Auto repair shops.
  - b. Funeral homes and mausoleums
  - c. Equipment rental
  - d. Car washes
  - e. Group and congregate personal care homes
  - f. Lodges, fraternal, and social organizations
  - g. Mobile buildings (except temporary during construction)
  - h. Mortuaries and cemeteries
  - i. Hotels and motels
  - j. Nurseries providing lawn and garden supplies and plants
  - k. Parking lots and parking garages
  - l. Public buildings and land uses
  - m. Research and testing facilities
  - n. Video game stores Exclusive (exception of up to two video games where principal business is other than video games)
  - o. Utility offices
  - p. Mini-warehouse storage facilities
  - q. Contractors' offices
  - r. Moving van and truck rentals
  - s. Transportation terminal for passengers
  - t. Mobile home or mobile building leasing or sales lots (new or use)
  - u. Convenience store
  - v. Automobile service station, gas station, and oil change establishments
  - w. No loud speaker type systems, two-way / intercom devices for business only.
  - x. No fast food restaurants
8. A monument "Sign" design plan compatible with the commercial architectural facades is required. The intent is to reduce the number of signs, clutter of signs, and discourage different (non-complimentary to each other) designs for signs at the development. Ground signs shall be built with stucco, stone and/or brick. Submit a "Sign Plan" for the whole development showing locations, sign type/design, color schemes etc. to the Director, Planning and Development, for approval prior to obtaining building permits.
9. The applicant shall obtain an approval letter from Gwinnett/State DOT for the project and submit with the Preliminary Plans.
10. The applicant shall obtain abandonment clearance from Gwinnett County for Benefield Road and Old Cumming Road/Henry Bailey Road prior to approval of Preliminary Plans.

11. The Parking Plan should use as much landscaping as possible. The intent is to reduce impervious surface / number of parking spaces with a design to compliment the adjoining parking lots for the various projected businesses. Such plans must show more open/green space with landscaping. Plans showing wider landscaped open spaces between paved road surface and sidewalks shall be encouraged. Plans must be submitted with preliminary plans for approval to the Director, Planning and Development.
12. Must provide a tree preservation plan showing preserving trees to the maximum possible extent prior to obtaining permits for grading and clearing. Existing trees along the property lines must be preserved to the maximum possible extent. In the event, if vegetation is not sufficient or providing a visual screen, then those areas must be vegetated with similar or complimentary tree species. The Tree Preservation Plan and Landscape Plans prepared by a registered landscape architect must be submitted to the Director, Planning and Development, for approval.
13. No clearing, grubbing, and/or grading permits shall be issued prior to approval of Preliminary Plans.
14. The preliminary plat and final plat shall be based upon the approved zoning plat approved by the Mayor and City Council.
15. The main entrance from Hwy. 20 shall be completed prior to recording of the residential final plat or commercial final plat, whichever comes first.
16. Install eight feet high vinyl coated chain link fence or other approved material with vegetation along the proposed detention pond(s). Plans showing location, material must be submitted to the Director, Planning and Development, for approval with the Preliminary Plans.
17. Provide a landscaped island extended beyond the first entrance / turn to the commercial section west of the main entrance.
18. The entrances between commercial parcels 1 & 2, 5 & 6, and 7 & 8 must be right-in right-out.
19. Storm water runoff shall be self contained so that no storm water flow above and beyond the existing flow will be allowed to runoff onto adjoining properties.
20. All approved conditions must be deeded and recorded on the Final Plat.