



**CITY OF SNELLVILLE
DEPARTMENT OF PLANNING & DEVELOPMENT
MAYOR AND COUNCIL**

CASE SUMMARY

August 22, 2022

CASE NUMBER: RZ 22-04 LUP 22-04

REQUEST: Rezoning and Land Use Plan Amendment and Request for Variances

LOCATION: 2045-2075 E. Main Street, Snellville, Georgia

SIZE: 3.43± Acres

TAX PARCEL(s): 5059 248; 5059 485; 5059 486; and 5059 487

CURRENT ZONING: BG (General Business) District

REQUESTED ZONING: R-TH (Townhome Residential) District

CURRENT FUTURE LAND PLAN: Commercial Retail

REQUESTED FUTURE LAND USE PLAN: Medium-Density Residential

DEVELOPMENT/PROJECT: 27-Unit Single-family Townhome Community

PROPERTY OWNER: Larry Garner
Loganville, Georgia 30052

APPLICANT/CONTACT: Andy Lunsford
CKK Development Services, LLC
Lawrenceville, Georgia 30046
678-314-0466, Andy@ckkdev.com

RECOMMENDATION: Approval with Conditions



**CITY OF SNELLVILLE
DEPARTMENT OF PLANNING & DEVELOPMENT
MAYOR AND COUNCIL**

CASE ANALYSIS

August 22, 2022

TO: **The Mayor and Council**

PUBLIC HEARING DATE: August 22, 2022

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: **RZ 22-04 LUP 22-04**

FINDINGS OF FACT:

The Department of Planning and Development has received applications from CKK Development Services, LLC (applicant) and Larry Garner (property owner) requesting to amend the Future Land Use Map and Official Zoning Map, and request for variances from the Unified Development Ordinance for a small townhome development on a 3.43± acre site located at 2045-2075 E. Main Street, Snellville.

The applicant intends to develop the property and construct a 27-unit/lot single-family townhome community with open space having a total gross site density of 7.87 units per acre.

The townhomes are to contain a minimum of 1,800 sq. ft. in size with each unit containing a 2-car garage. Front elevations will consist primarily of brick, stacked stone, or shake with fiber cement siding accents. The sides and rear of the homes will include a 3-foot high brick or stacked stone water table, with the remainder being fiber cement siding.

BACKGROUND:

The 3.43± acre site is comprised of four (4) undeveloped parcels located at the northeast intersection of Hickory Station Drive and U.S. Highway 78 (E. Main Street) and directly adjacent to the Olde Hickory Village subdivision. The subject property is also adjacent to a vacant restaurant property, zoned BG (General Business) District to the west. Nearby properties include the many commercial uses commonly found along the U.S. Highway 78 commercial corridor.

The 3.43± acre site was originally rezoned in August 2000 from RS-180 (Single-family Residential) District and BN (Neighborhood Business) District to BG (General Business) District with conditions (case #RZ 00-06) for a 37,600 sq. ft. mixed office-commercial-retail project that was never developed.

In December 2015, a rezoning change in conditions (case #RZ 15-06) was approved for a 29,400 sq. ft. mixed medical office-daycare-retail project that again was never developed.

REQUEST:

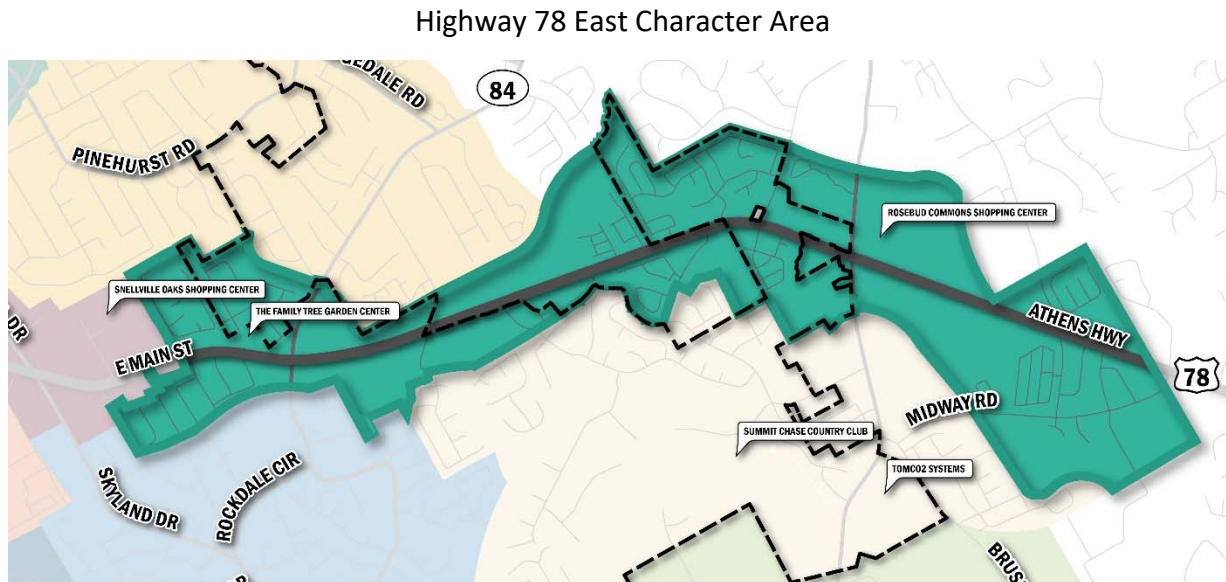
The applicant is requesting to rezone the 3.43± acre site from BG (General Business) District to R-TH (Townhome Residential) District and amend the 2040 Comprehensive Plan Future Land Use Map (FLUM) from Commercial Retail to Medium-Density Residential for the development of 27-unit/lot residential townhomes, with a gross density of 7.87 units per acre with 46,121 sq. ft. (1.06 acres) of open space.

The applicant is also requesting several variances from the Unified Development Ordinance as follows:

- A. Variance from Sec. 202-6.6. (Dimensional Standards) to reduce the 40 feet minimum site setback (not along streets) to 30 feet where abutting Olde Hickory Village to the north.
- B. Variance from Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
- C. Variance from Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a front porch or stoop.
- D. Variance from Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain 'as-is' within the E. Main Street public right-of-way.

SNELLVILLE 2040 COMPREHENSIVE PLAN RECOMMENDATION:

The subject property is located at the western boundary of the *Highway 78 East Character Area* (shown in green below).



Existing Character Description

The Highway 78 East character area is one of the least developed within Snellville, consisting mostly of isolated retail uses and undeveloped parcels. There are several new residential developments off the highway, including townhomes and single-family homes on smaller lots. Farther east, undeveloped, wooded lots next to the highway make for a more scenic drive. There are fewer individual curb cuts along this portion of the highway because of shared driveway access and large undeveloped tracts.

Many segments are missing sidewalks. This portion of US 78 is one of the few major roads in Snellville that has not already been developed as strip commercial, and there is an opportunity to encourage clustered, connected development at key intersections while preserving some frontage as undeveloped land or residential development.

Predominate Land Uses

The predominate land uses include commercial/retail, low-density residential, medium-density residential, and undeveloped land.

Vision

The vision for the character area is *'a corridor with high developed activity nodes, containing a mixture of uses with a pedestrian scale and infrastructure to support walking and*

bicycling. The high school is a major center of activity within the character area. Open green space or low-density residential land uses will frame the space around the nodes, which are envisioned at the intersections of US 78 with Grayson Parkway and Rosebud Road.'

Key Implementation Strategies

- Create new zoning designation for areas within specified activity nodes. This should permit a mixture of land uses, similar to the Towne Center, but at a smaller scale. A connected street grid network with small blocks and wide pedestrian walkways should be required as properties are redeveloped. Streets should include landscaping, pedestrian-scale lighting, and street furniture. Public gathering areas should be encouraged. Buildings should be limited to no more than three stories and should include facade variation and fenestration. Parking should be located to the rear or side of buildings.
- Prohibit retail and encourage residential development in areas located between activity nodes.
- Construct gateway feature along US 78 to signify entrance into the city.
- Control and limit access points to US 78.
- Require inter-parcel access between developments and parallel access roads where possible.
- Implement the planned greenway route along US 78

LAND USE PLAN AMENDMENT ANALYSIS:

The applicant proposes to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential, which is a *Considered* future land use category for the requested R-TH zoning as shown in the table below.

Table 2. Future Land Use Categories and Corresponding Zoning Districts (as amended 2-28-2022)

		Future Land Use Category**									
Zoning District*		Low Density Residential	Medium Density Residential	Commercial Retail	Office/Professional	Industrial Mixed-Use	Public/Institutional	Health Village	Towne Center Mixed Use	Hwy. 78 East Activity Node	North Rd. Redevelopment Area
		A = Appropriate C = Considered Blank = Not Appropriate									
	RS-30: Single-family Residential District	A									
	RS-15: Single-family Residential District	A									
	RS-5: Single-family Residential District	A	C					C			
	R-DU: Duplex Residential District		A								
	R-TH: Townhouse Residential District		C					A	A	A	A
	RM: Multifamily Residential District							C	C	C	C
	RX: Mixed Residential District		C								
	RO: Residential for Older Persons District	A	C					C	A		

The Medium-Density Residential future land use category is described as single-family residential areas with 4 to 8 units per acre. The proposed townhome project consisting of 27-units/lots is 7.87 units per acre (27 units divided by 3.43 acres) and less than the 8-unit maximum allowed for the Medium-Density Residential future land use category.

Compliance with 2040 Comprehensive Plan

In the Snellville 2040 Comprehensive Plan, the following Land Use and Housing *Goals* provide support for the proposed development:

- Goal LU-5: Strongly discourage the development of additional strip commercial uses.
- Goal H-2: Ensure housing stock remains affordable.
- Goal H-3: Encourage the development of a diversity of housing types.

And, the following Land Use, Housing, and Economic Development *Policies* provide additional support for the proposed development:

- LU-2.1: Encourage compatible uses, both residential and commercial, and the utilization of transitional zones and buffers between residential and non-residential development.
- H-2.1: Promote Snellville as an affordable alternative to intown housing.
- H-2.2: Encourage the construction of housing types that appeal to young families.
- H-2.3: Pursue more options for quality workforce housing.
- H-2.4: Support the development of housing that is within the financial reach of households on fixed incomes.
- ED-6.3: Ensure attractive, affordable housing is available for younger households.

R-TH – TOWNHOME RESIDENTIAL DISTRICT REGULATIONS:

PURPOSE: This zoning district is intended exclusively for single-family attached dwelling units, villas and customary accessory uses and structures. R-TH districts are located where public water supply and sewerage facilities are available and where there is a direct access to collector streets, major streets or State routes.

Sec. 202-6. of Article 2 of Chapter 200 of the UDO contain the R-TH District regulations including the following: Use Provisions; Architectural Standards; Site Development Standards; Dimensional Standards; Building Placement; Bulk and Mass; and R-TH Design Standards.

The applicant/developer shall be required to meet these requirements, except where concurrent variances are approved at time of zoning approval. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

REZONING SITE PLAN ANALYSIS:

The submitted rezoning site plan shows the entire 3.43± acre site and adjacent properties. There is a proposed fifty foot (50') right-of-way/street which connects to Hickory Station Drive that serves as the sole public street for the gated Olde Hickory Village residential subdivision. The proposed new street terminates with a cul-de-sac located at the eastern property line, where seven (7) guest or overflow parking spaces are also shown.

The 27-unit/lot site contains four (4) buildings, one of which, located on the northern portion of the site and adjacent to Lots 1-5 Block A Olde Hickory Village, contains eight (8) townhome units with the second building just to the east and adjacent to Lots 6-9 Block A Olde Hickory Village containing seven (7) townhome units. The remaining two buildings are located at the southern portion of the site, each containing six (6) townhome units.

The site contains five (5) open space areas ranging in size from 2,905 sq. ft. to 21,060 sq. ft. for a total of 46,121 sq. ft. (1.06 acres) being established as open space, exceeding the twenty-percent (20%) minimum open space requirement by 16,239 sq. ft. Open Space #4 which is centrally located between the two 6-unit buildings contains a mail kiosk.

There is a notation on the site plan that stormwater detention for the site will be provided using the existing detention pond for the Olde Hickory Village subdivision. Stormwater capacity availability will be confirmed by the City Engineer during site development plan review and in accordance with the City's stormwater management regulations in Article 4 of Chapter 400 of the Unified Development Ordinance.

The site plan shows modification of the Hickory Station Drive center median, where the OHV guest call box is located, for vehicle egress from the proposed development onto Highway 78. The proposed modification will need to be thoroughly evaluated by the City Engineer to ensure no sight distance issues or conflict with the call box location and operation.

There is a fifty (50) foot front setback and landscape strip adjacent to Highway 78 and Hickory Station Drive. In accordance with the R-TH design criteria, the landscape strip shall be planted per the landscape regulations in Sec. 207-3 and shall include a decorative fence or wall and an entrance monument. Fencing is to be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns, spaced no more than 30 feet on-center.

The following review comments are provided by the City Engineer:

1. The proposed curb cut location will displace the call box serving Olde Hickory Village and proposed traffic flow appears to create conflict with the gated community circulation.
2. There is concern with the sight distance from proposed curb cut for inbound traffic from east along decel lane. They need to keep the sight triangle clear the current monument signage, as well as vegetation is obstructing view shed. This is to be measured from

where driver would be able to see around wall and vegetation or have obstructions removed/relocated.

3. They need to clearly show the call box, gates, etc. for the adjacent property.
4. Existing monument sign appears to be on the property to be rezoned. They need to demonstrate how that will be handled.
5. They claim storm water management is to be provided by adjacent property pond. They need to provide documentation of access rights to do so as well as capacity of storm system.

BUILDING ELEVATIONS ANALYSIS:

The applicant provided conceptual exterior building elevations for the front, sides and rear for a typical 24' x 50' front-entry townhome building. The Applicant's Letter of Intent describes the front façade consisting primarily of brick, stacked stone, or shake with fiber cement siding accents. The sides and rear of the townhomes will feature a three (3) feet high brick or stacked stone water table, with the remainder being fiber cement siding.

CONCURRENT VARIANCE ANALYSIS:

Included in the application submittal is a request for four (4) variances from Chapter 200 and 400 of the Unified Development Ordinance as follows:

- A. Variance from Sec. 202-6.6. (Dimensional Standards) to reduce the 40 feet minimum site setback (not along streets) to 30 feet where abutting Olde Hickory Village to the north.

Variance Analysis: The applicant is requesting to reduce the forty (40) feet site setback to a thirty (30) foot rear building setback where adjacent to Lots 1-10 Block A Olde Hickory Village. Although there is a six (6) feet high solid brick wall that will separate the two developments, the ten (10) foot reduction will provide building separations averaging fifty (50) feet between the single-family detached homes in OHV and the townhomes.



The applicant contends that the variance is *'necessary because of the limited depth of the property. Without the variance, the project would only have one row of homes (approximately 14 units), thus making the project not feasible.'*

Recommendation: The Planning Department recommends *denial* of the variance request.

- B. Variance from Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.

Variance Analysis: The applicant is requesting to allow more than 40% of the front building façade area for windows and doors. This is a requirement of the Small Residential Building Standards that is difficult to achieve for a townhome product that is twenty-four (24) feet wide with much of the first floor front façade area covered by a sixteen (16) feet wide garage door for a two-car garage.

Recommendation: The Planning Department recommends *approval* of the variance request.

- C. Variance from Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a front porch or stoop.

Variance Analysis: The UDO describes a ‘front porch’ as follows: “a raised structure attached to a building, forming a covered pedestrian entrance to a doorway.” And, a ‘stoop’ is described as follows: “a small raised platform that serves as a pedestrian entrance to a building.” Except for rear-entry and three-story townhomes, front-entry two-story townhomes are customarily built on a concrete slab that is at the same grade as the garage, with no raised step-up at the doorway entrance.

Recommendation: The Planning Department recommends *approval* of the variance request; however, it is recommended that the townhomes be designed to contain a covered entry/porch to provide some protection from the sun and weather.

- D. Variance from Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain ‘as-is’ within the E. Main Street public right-of-way.

Variance Analysis: The UDO requires sidewalks and planter strips where adjacent to roadways classified as Major Arterial (Highway 78) to be a minimum width of six (6) feet and five (5) feet, respectively. Allowing the existing five (5) feet wide sidewalk and two (2) feet wide planter strip to remain is reasonable. Continuation of the sidewalk and planter strip along the southeasterly portion of the development is a requirement.

Recommendation: The Planning Department recommends *approval* of the variance request.

CONCLUSION AND STAFF RECOMMENDATION:

In conclusion, the requested future land use plan amendment and rezoning are supported by the 2019 adopted Snellville 2040 Comprehensive Plan. The addition of a single-family

residential attached (townhome) development will create just another housing option to the City's abundance of single-family detached homes.

In conclusion, the Department of Planning and Development recommends the following actions:

- A. **Approval** of LUP 22-04, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential.
- B. **Approval** of RZ 22-04, application to amend the City of Snellville Official Zoning Map from BG (General Business) District to R-TH (Townhome Residential) District.
- C. **Approval** of variance from Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
- D. **Approval** of variance from Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain 'as-is' within the E. Main Street public right-of-way.
- E. **Approval** of variance from Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a raised front porch or raised stoop.
- F. **Denial** of variance from Sec. 202-6.6. (Dimensional Standards) to reduce the 40 feet minimum site setback (not along streets) to 30 feet where abutting Olde Hickory Village to the north.

The recommendations above are subject to the attachment of the following recommended **Conditions:**

- 1. The property shall be developed in accordance with the rezoning site plan entitled "C.K.K. Development", dated 3-16-2022 (stamped received 4-7-2022), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
- 2. A Home Owner's Association shall be established for the continual maintenance of open space; landscaping; walls, columns and fencing; signage; mailbox kiosk; and parking areas.
- 3. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition

must be incorporated into the Home Owner's Association documents prior to the release of any certificates of occupancy.

4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the 600± feet of existing solid brick wall and columns located along the northern property line. The wall and columns to remain in its place 'as-is' and protected during construction.
6. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the existing solid brick Olde Hickory Village subdivision sign located at the southwestern corner of the property. The sign to remain in its place 'as-is' and protected during construction.
7. The existing 5-foot wide sidewalk and 2-foot wide planter strip where adjacent to U.S. Highway 78 (E. Main Street) shall continue easterly to the property line where abutting Parcel 5059 233.
8. All project access improvements or modifications made within the Hickory Station Drive right-of-way shall be reviewed and approved by the City Engineer and completed at the sole cost and expense of the developer.
9. All townhome driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
10. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public hearing on the rezoning and land use plan amendment applications at the May 24, 2022 Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of four (4) to zero (0), the Planning Commission recommended **Approval of #LUP 22-04**, application to amend the 2040 Snellville Comprehensive Plan Future Land Use Map (FLUM) from Commercial Retail to Medium-Density Residential.

And, by a unanimous vote of four (4) to zero (0), the Planning Commission recommended:

- A. **Approval** of #RZ 22-04, application to amend the Official Zoning Map for the City of Snellville from BG (General Business) District to R-TH (Townhome Residential) District.
- B. **Approval** of variance from UDO Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
- C. **Approval** of variance from UDO Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain ‘as-is’ within the E. Main Street public right-of-way.
- D. **Approval** of variance from UDO Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a raised front porch or raised stoop.
- E. **Denial** of variance from UDO Sec. 202-6.6. (Dimensional Standards) to reduce the 40 feet minimum site setback (not along streets) to 30 feet where abutting Olde Hickory Village to the north.

These recommendations are subject to the attachment of the following recommended **Conditions:**

1. The property shall be developed in accordance with the rezoning site plan entitled “C.K.K. Development”, dated 3-16-2022 (stamped received 4-7-2022), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner’s Association shall be established for the continual maintenance of open space; landscaping; walls, columns and fencing; signage; mailbox kiosk; and parking areas.
3. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner’s Association documents prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner’s Association for the 600± feet of existing solid brick wall

and columns located along the northern property line. The wall and columns to remain in its place 'as-is' and protected during construction.

6. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the existing solid brick Olde Hickory Village subdivision sign located at the southwestern corner of the property. The sign to remain in its place 'as-is' and protected during construction.
7. The existing 5-foot wide sidewalk and 2-foot wide planter strip where adjacent to U.S. Highway 78 (E. Main Street) shall continue easterly to the property line where abutting Parcel 5059 233.
8. All project access improvements or modifications made within the Hickory Station Drive right-of-way shall be reviewed and approved by the City Engineer and completed at the sole cost and expense of the developer.
9. All townhome driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
10. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

UPDATE BASED ON 6-5-2022 REVISED REZONING PLAN:

On July 6th the Planning Department received a revised rezoning site, dated 6-5-2022 (stamped Received 7-6-2022), that shows the townhome building site shifted and moved ten (10) feet to the South, increasing the site setback to forty (40) feet while keeping the thirty (30) feet building setback the same where abutting the lots in Olde Hickory Village to the North. This site shift, has reduced the minimum fifty (50) feet site setback to forty (40) feet where the site abuts U.S. Highway 78.

Variance from UDO Sec. 202-6.6. (Dimensional Standards) to reduce the 50 feet minimum site setback (along streets) to 40 feet where abutting U.S. Highway 78 is required and recommended for **Approval**.