City of Snellville
Planning Commission

PLANNING COMMISSION REPORT
December 1, 2015

CASE NUMBER:	**#ANX 15-02 LUP 15-04 RZ 15-05 CUP 15-06**
REQUEST:	**Annexation, Land Use and Zoning Map Amendment and Conditional Use Permit and Requested Variances from the Snellville Code of Ordinances**
LOCATION:	1000 Athens Highway, Snellville, Georgia
PARCEL DATA INCLUDING PRESENT AND REQUESTED LAND USE AND ZONING:	See Exhibit "A"
PROPERTY SIZE:	±22.84 Acres
DEVELOPMENT/PROJECT:	**Kroger Marketplace with Accessory Fuel Center and Two Outparcels**
APPLICANT:	Arahn Hawkins Kroger Atlanta Real Estate The Kroger Company Atlanta, Georgia 30345
PROPERTY OWNER:	Sinocoin Investment LLC Johns Creek, Georgia 30097

The Planning Commission held a duly advertised public hearing on the subject applications at the December 1, 2015 Specially Called Meeting of the City of Snellville Planning Commission. For the purposes of promoting health, safety, morals, convenience, order, prosperity, aesthetics, or the general welfare of the City of Snellville, the Planning Commission voted:

- Unanimously (6-0) to recommend **APPROVAL** of the application to amend the Land Use Plan to Retail for Parcels 5100 005, 5100 006, 5100 023, 5100 059, and 5100 065;

- Unanimously (6-0) to recommend **APPROVAL** of the application to amend the Official Zoning Map to BG (General Business) District for Parcels 5100 005, 5100 006, 5100 023, 5100 059, and 5100 065 and amending the Corridor Overlay District boundary to include these parcels; and

- Unanimously (6-0) to recommend **APPROVAL** of the application for a Conditional Use Permit for the accessory 9-pump fuel center.

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

1. The property shall be developed in general accordance with the submitted preliminary site plan dated 11-17-2015 entitled "Rezoning Site Plan – Kroger GA-743", stamped and received 11-17-2015 and architectural building renderings dated 10-27-2015 entitled "Kroger GA743", stamped and received 10-28-2015, with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, including the development of concept plans for the designated out parcels, as determined by the Director of Planning and Development, will require Mayor and Council approval;

2. Subject to review and approval by Gwinnett D.O.T. and Georgia D.O.T., the traffic mitigation plan presented in Section 7.3 of the Traffic Impact Study by A&R Engineering, dated 11-12-2015, shall be implemented and funded by the developer at the time of site development. All other access and right-of-way improvements required by Gwinnett D.O.T. and/or Georgia D.O.T. shall be funded and completed by the developer prior to receiving any Certificate of Occupancy;

3. The applicant shall explore providing inter-parcel vehicular access to the neighboring residential Cooper Springs townhome community to the west (Parcel #5100 571) and provide to the City a feasibility study for said connectivity. At a minimum, a pedestrian network shall be installed, with said plans reviewed and approved by the City Engineer and Director of Planning and Development;

4. Buildings located on outparcels shall be constructed of the same primary building material on the front façade of the Kroger Marketplace building;

5. The Corridor Overlay District requirements shall apply to all parcels associated with the proposed development;

6. The retaining walls located adjacent to US Highway 78 and Outlot #2 and parcel #5100 007 shall be designed, on both sides, with stone or brick veneer or architectural split-face concrete block as approved by the Director of Planning and Development;

7. Six (6) feet wide sidewalks shall be provided adjacent to and along US Highway 78 and Rosebud Road, including Outlots #1 and #2, and Parcel 5100 023;

8. Until such time as Outlots #1 and #2 are developed, they shall be cleared and seeded (or sod placed) with regular lawn maintenance provided during the growing season;

9. Any trees removed for the development and construction of the Future Expansion Area shall be preserved and replanted onsite. If not feasible, the quantity of replacement trees shall be calculated by multiplying the number of removed trees (by diameter) times the units assigned in Table A (Credit for Existing Trees) of Article 111, Landscape Ordinance of Chapter 19, Buffer, Landscape and Tree Ordinance, with said number of units either being replanted onsite or payment made to the City's tree bank. Replanted trees or newly planted trees shall be subject to the bonding requirements of Section 19-81 of the Landscape Ordinance;

10. In consideration and support of variance #1, signage for Outlot #2 shall be provided on the Kroger monument sign (only), with no monument sign being allowed for Outlot #2. However, should the applicant choose to not exercise variance #1, each of the three (3) lots would be allowed monument signage in accordance with the City's Sign Ordinance;

11. In consideration and support of variance #2, retaining wall signage shall not exceed 10% of the total wall façade area containing signage, provided the signage is solely designed to identify the shopping center name or Kroger Marketplace store. Retaining wall signage shall be restricted to the use of illuminated reverse channel letter construction signage or non-internally illuminated raised stud-mounted metal letters and graphics off the wall with external illumination. All other signage, including fuel price signs and 'Shops' signage shall be prohibited on the retaining wall;

12. In consideration and support of variance #3, should the plantings in the buffer be removed as part of any new development, the rooftop mechanical units will

need to be screened to the satisfaction of the Director of Planning and Development;

13. In consideration and support of variance #5, a tree and landscaping plan for plantings within the 60 feet buffer in the rear shall be provided for review and approval by the Director of Planning and Development;

14. Signs higher than 15 feet and larger than 225 square feet are prohibited;

15. No outdoor loudspeakers shall be allowed, except two-way speakers commonly used in approved drive-thru locations;
16. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;

17. If a site development plan or preliminary plat has not been submitted to the Department of Planning and Development within twelve (12) months of the date of approval of the rezoning application, the zoning shall revert back to RS-180 (Single-family Residence) District for all parcels subject to the rezoning application; and

18. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be submitted in writing for administrative approval with the Director of Planning and Development and/or City Manager. Substantial variances, as determined by the Planning and Development and/or City Manager, will require Mayor and Council approval (or Board of Appeals approval if so designated in any condition above.

In conjunction with the land use plan and zoning map amendment and request for a Conditional Use Permit, the following Variances (1-3) and (5-6) are recommended for approval:

1. Request to increase the maximum allowable monument sign area from 112 sq. ft. to 200 sq. ft. for the monument sign on Rosebud Road frontage, subject to Condition #10 above.

2. Request to add signage on the face of a proposed retaining wall located along US Highway 78, subject to Condition #11 above.

3. Request to not screen the rooftop mechanical units at the rear of the building, subject to Condition #12 above.

5. Request to allow new trees to be planted within zoning buffers, and for said trees to count towards the overall site tree density, subject to Condition #13 above.

6. Request to allow use of painted concrete block on south (rear) and west side building elevations as shown on the submitted architectural renderings, dated 10-27-2015.

The following requested variance is recommended for denial:

4. Variance to eliminate the requirement for providing inter-parcel vehicle access points to the Foster-Brooks property (parcel #5100 007).

Exhibit "A"

Parcel	Physical Address	City/County	ZONING		LANDUSE		CONDITIONAL USE
			Current	Requested	Current	Requested	
R5100-065	1000 Athen Hwy. Loganville, GA 30052	City-South County-North	RS180/RA200 RES./RES.-AGRI.	BG(General Business)	Corridor Mix Use / 78 East Act. Node	Commercial Retail	Fuel Station
R5100-023	Rosebud Rd. Snellville, GA 30078	City	RS180 - RESIDENTIAL	BG(General Business)	78 East Act. Node	Commercial Retail	
R5100-005	3047 Rosebud Rd. Loganville, GA 30052	County	R100 - RESIDENTIAL	BG(General Business)	Corridor Mix Use	Commercial Retail	
R5100-059	3041 Rosebud Rd. Loganville, GA 30052	City	RS180 - RESIDENTIAL	BG(General Business)	78 East Act. Node	Commercial Retail	
R5100-006	3035 Rosebud Rd. Loganville, GA 30052	County	C1 - NBRHOOD BUS. DIST.	BG(General Business)	Corridor Mix Use	Commercial Retail	

Highlighted parcels are requesting to be annexed into City of Snellville.

RECEIVED
SEP 15 2015
CITY OF SNELLVILLE
PLANNING & DEVELOPMENT