

RECOMMENDED CONDITIONS ONLY

CASE: #ANX 15-02 LUP 15-04 RZ 15-05 CUP 15-06

**ANNEXATION, LAND USE PLAN AND ZONING MAP AMENDMENT, CONDITIONAL USE PERMIT
AND REQUEST FOR VARIANCES**

The Kroger Company – 1000 Athens Highway, Snellville

Department of Planning and Development Recommended Conditions	Planning Commission Recommended Conditions Called Meeting Date: 12-01-2015
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;	1. SAME;
2. All of the suggested traffic mitigation improvements shall be implemented and funded by the developer. Any identified improvements shall be reviewed and approved by the Georgia Department of Transportation (US Highway 78) and Gwinnett County Department of Transportation (Rosebud Road) with said improvements incorporated into the site development plans for implementation;	2. SAME;
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;	3. SAME;
4. Buildings located on outparcels shall be constructed of the same primary building material on the front façade of the Kroger Marketplace building;	4. SAME;
5. The Corridor Overlay District requirements shall apply to all parcels associated with the proposed development;	5. SAME;

**Department of Planning and Development
Recommended Conditions**

**Planning Commission Recommended Conditions
Called Meeting Date: 12-01-2015**

<p>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;</p>	<p>6. SAME;</p>
<p>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;</p>	<p>7. SAME;</p>
<p>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;</p>	<p>8. SAME;</p>
<p>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;</p>	<p>9. SAME;</p>
<p>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;</p>	<p>10. SAME;</p>
<p>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;</p>	<p>11. SAME;</p>
<p>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;</p>	<p>12. SAME;</p>

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**Planning Commission Recommended Conditions
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<p>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;</p>	<p>13. SAME;</p>
<p>14. Signs higher than 15 feet and larger than 225 square feet are prohibited;</p>	<p>14. SAME;</p>
<p>15. No outdoor loudspeakers shall be allowed, except two-way speakers commonly used in approved drive-thru locations;</p>	<p>15. SAME;</p>
<p>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;</p>	<p>16. SAME;</p>
<p>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</p>	<p>17. SAME; and</p>
<p>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.</p>	<p>18. SAME</p>