



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

**CASE SUMMARY**

**August 14, 2017**

**CASE NUMBER:** #LUP 17-05 RZ 17-10

**REQUEST:** Official Zoning Map and Land Use Plan Amendments and Request for Variances

**LOCATION:** 2151 Fountain Drive, Snellville, Georgia

**PARCEL:** District 5, Land Lot 7, Parcel 174

**CURRENT ZONING:** OP (Office Professional) District

**PROPOSED ZONING:** BG (General Business) District

**OVERLAY DISTRICT:** Corridor Overlay District

**CURRENT FUTURE LAND USE PLAN:** Office-Professional

**REQUESTED FUTURE LAND USE PLAN AMENDMENT:** Commercial-Retail

**DEVELOPMENT/PROJECT:** Existing 2.68± Acre Office Development

**APPLICANT/PROPERTY OWNER:** Wayne Bartlett  
Bartlett Family Winder LLC  
Winder, Georgia 30680

**CONTACT:** David Smith  
770-307-6165 or [hdavids@live.com](mailto:hdavids@live.com)

**RECOMMENDATION:** Approval with Conditions



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

**CASE ANALYSIS**

**August 14, 2017**

**TO:** The Mayor and Council

**MEETING DATE:** August 14, 2017

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**CASE NUMBER:** #LUP 17-05 RZ 17-10

**FINDINGS OF FACT:**

The Department of Planning and Development has received applications from Wayne Bartlett, Bartlett Family Winder, LLC, to amend the Official Zoning Map and 2030 Future Land Use Map for the 2.68± acre property located on Fountain Drive across the street from Eastside Medical Center South Campus along W. Main Street (US Highway 78), Snellville. The applicant intends to market the property to expand the allowable uses including limited retail and service-oriented uses.

The property was originally developed in 1980 as a master-planned office development containing a total of 23,266 sq. ft. of medical office buildings (two 8,197 sq. ft. buildings and one 6,872 sq. ft. building) with related parking and has since served as office space for a variety of tenants.

As part of the application submittal, the applicant is requesting:

- To amend the 2030 Future Land Use Map of the City of Snellville from Office-Professional to Commercial-Retail;



On May 12, 2015, the Board of Appeals conducted a public hearing and approved the following variances with conditions (1-9):

1. Allow variances from Corridor Overlay District requirements relating to:
  - a. Providing a four-foot sidewalk
  - b. Providing a two-foot by eight-foot pad every 300 linear feet on sidewalk for decorative benches, bicycle racks, and trash receptacles.
  - c. Providing decorative light fixtures / poles throughout parking area.
  - d. Providing sidewalk lights.
  - e. Locating buildings close to and oriented toward public right-of-way with the majority of parking to the sides and rear.
2. Exceed the maximum number of parking spaces (Section 11.3 of Article XI of the Zoning Ordinance. See site information block on site plan for detailed numbers on existing spaces.
3. Allow for variance from Article XII, Sign Ordinance related to the existing monument-style signage on the property. Per section 12.4 (B)(5), base does not meet require two feet in height. Existing base is 0.8 feet.
4. Allow for variance from Article XI, Parking and Loading Requirements, interior driveways shall be a minimum of 24 feet in width. Existing drives range from 16.9' to 20.7'.
5. Allow for variance from the Landscape Ordinance relating to landscape strip restrictions. To allow for encroachment by existing parking lot along southeastern property line. Amount of encroachment is listed under site information and shown on plans.
6. Allow for variance from the Landscape Ordinance relating to landscape strip requirements to allow existing sanity sewer easement to remain in 5-foot rear landscape strip.
7. Allow for variance from Article VII, Accessory Uses and Structures requiring accessory structures to be placed in the rear yard. To allow future dumpster pad and enclosure to be place in the front yard of proposed Tract 1.
8. Allow for variance from Article XII, Sign Ordinance to allow small directional signs to be place in proposed parking islands shown on plans.
9. Allow a general variance for the site to be approved in its current condition except for the items requested on the variance plan and application.

**May 12, 2015 Board of Appeals Approved Conditions:**

1. The property shall be developed in general accordance with the submitted site plan, entitled "Variance Plan For Gateway Venture Partners LLC" sealed and dated 4-6-

- 2015, with modifications to meet conditions of zoning or State, County, and City regulations;
2. Granting variance approval shall not supersede or negate the provisions of Article V, Non-Conforming Uses of the Snellville Zoning Ordinance;
  3. All new signs and new construction including redevelopment of any Tract (or parcel) shall meet all City codes and regulations in effect at time of permitting including the Substantial Building Permit requirements of the Landscape Ordinance;
  4. The applicant must record easement agreements for Tracts 1, 2 and 3 relating to shared parking, ingress/egress, and stormwater conveyance and management;
  5. The applicant must submit a subdivision plat for review and approval by the Planning Director, said plat shall be recorded at Gwinnett County;
  6. Tract 2 (Building #200) shall be required to enter into an agreement with either the property owner of Tract 1 or Tract 3 to share in the use of the existing solid waste dumpster or be allowed to add an additional dumpster pad, dumpster and enclosure;
  7. For consistency, the existing landscaping islands located on Tract 1 and Tract 3 shall be re-planted with similar plant materials as used in the proposed new landscaping islands including three-inch caliper or larger trees;
  8. The existing dumpster enclosure must be planted with an evergreen buffer, 6-8 feet minimum height at time of planting to shield the dumpster from view of the travelling public as approved by the Director of Planning and Development; and
  9. Prior to release of any Certificate of Occupancy, the existing monument sign shall be repaired or replaced to be more visually and aesthetically appealing sign for review and approval by the City prior to the installation of any new sign.

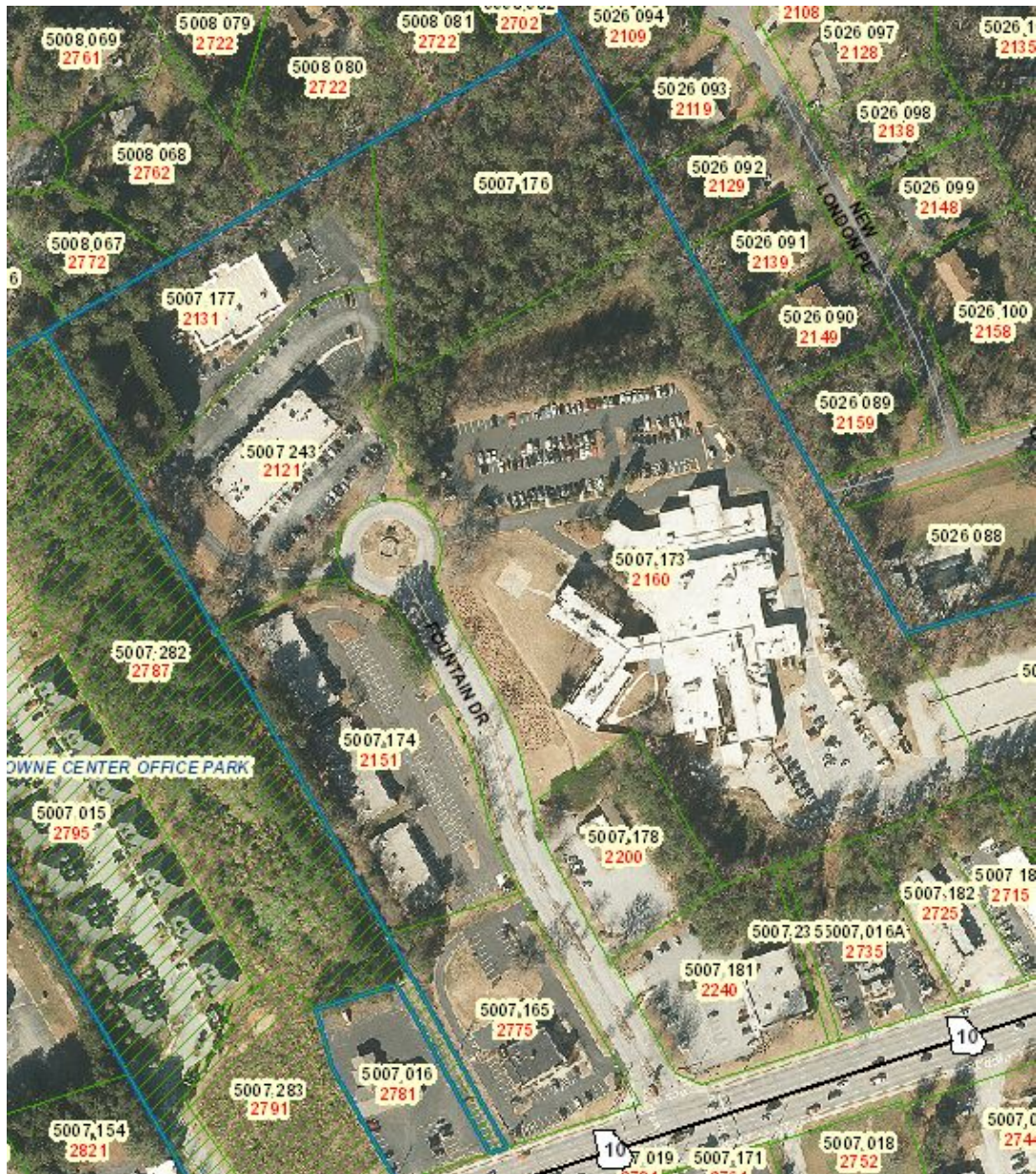
**STAFF ANALYSIS:**

The properties abutting Fountain Drive are zoned OP (Office Professional) and include a variety of medical and dental offices and related businesses, adult day care facility, and the Eastside Medical Center South Campus.

A PNC Bank branch and Kaiser Permanente medical office, both zoned BG (General Business) District are located opposite each other where Fountain Drive intersects W. Main Street (U.S. Highway 78).

On the following page is the aerial parcel map showing the subject and area properties along Fountain Drive.

The wider range of uses allowed under the BG zoning district is cited by the applicant as a tactic to increase the long-term viability of the property in the real estate market by allowing for a greater variety of uses to occupy the center.



The property currently contains 121 onsite parking spaces and exceeds the minimum number of parking spaces for retail use by 27 spaces (calculated as one space per 250 sq. ft. of retail space:  $23,266 \text{ SF} / 250 = 94$  parking spaces minimum).

The 2030 Comprehensive Plan Character Areas Map has the property split between the Brookwood District character area and the Highway 78 West character area. However, the only access to the property is via U.S. Highway 78, so consideration should be given to the vision for that character area rather than the Brookwood District character area, specifically the focus on

commercial and retail land uses rather than residential. Likewise, the Future Land Use Map shows a concentration of retail and commercial uses along the U.S. Highway 78 corridor, with office and other professional uses being more concentrated in and around the Towne Center area.

## **CONCLUSION:**

The Future Land Use Map amendment from Office-Professional to Commercial-Retail and Official Zoning Map amendment from OP (Office Professional) District to BG (General Business) District is appropriate given the plethora of neighboring commercial businesses, zoned BG, located along the U.S. Highway 78 commercial corridor. However, because the property is not directly located on U.S. Highway 78 with direct exposure to the 45,000± annual average daily traffic (AADT), the property location may only be suitable to those commercial-retail users that do not rely heavily on having direct exposure to the travelling public.

In conclusion, the Department of Planning and Development recommends **Approval** of the request to amend the 2030 Future Land Use Map designation from Office-Professional to Commercial-Retail and to amend the Official Zoning Map from OP (Office Professional) District to BG (General Business) District for the 2.68± acre parcel located at 2151 Fountain Drive, and allowing the same **Variations** as approved by the Board of Appeals at the May 12, 2015 public hearing (Case #BOA 15-03) with the following **Conditions**:

1. The property shall be developed in general accordance with the submitted site plan, entitled “Rezoning and Change in Land Use Plan for Bartlett family Winder, LLC” sealed and dated 6-12-2017, with modifications to meet conditions of zoning or State, County, and City regulations;
2. Conditions (1-9) approved on 5-12-2015 by the Board of Appeals, attached hereto and incorporated herein for reference as Exhibit “A” for the future subdivision of the property into Tracts 1-3 shall remain in full force and effect;
3. Granting variance approval shall not supersede or negate the provisions of Article V, Non-Conforming Uses of the Snellville Zoning Ordinance;
4. All new signs and new construction including redevelopment of any Tract (or parcel) shall meet all City codes and regulations in effect at time of permitting including the Substantial Building Permit requirements of the Landscape Ordinance;
5. The property owner shall submit site and landscape plans for the three (3) planter island improvements and the future dumpster pad and enclosure as shown on the “Rezoning and Change of Land Use Plan for Bartlett Family Winder, LLC” sealed and dated 6-12-2017 to the Director of Planning and Development for review and approval. Said improvements must be completed within six (6) months of Mayor and Council rezoning approval;
6. To maintain consistency with all planter islands (existing and new), the two (2) existing parking lot planter islands located at the terminus of the center parking area

shall be re-planted with similar plant materials (species and size) as used in the three (3) new planter islands. Trees planted shall be three-inch caliper or larger trees; and

7. The existing dumpster enclosure must be planted with an evergreen buffer, 6-8 feet minimum height at time of planting to shield the dumpster from view of the travelling public as approved by the Director of Planning and Development.

## **PLANNING COMMISSION REPORTS:**

### July 25, 2017 Regular Meeting

The Planning Commission held a duly advertised public meeting on the subject application at the July 25, 2017 Regular Meeting of the City of Snellville Planning Commission. By a vote of 4-0, the Planning Commission postponed action on the case until August 1, 2017 at 7:30 p.m.

### August 1, 2017 Specially Called Meeting

The Planning Commission held a public hearing on the subject application at the August 1, 2017 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, by a vote of 4-1, the Planning Commission recommended **Approval** of #LUP 17-05, amendment to the 2030 Future Land Use Plan from Office/Professional to Commercial/ Retail; and by a vote of 4-0 with 1 abstention, recommended **Approval** of #RZ 17-10, amendment to the Official Zoning Map from OP (Office/Professional) District to BG (General Business) District with the following **Conditions**:

1. The property shall be developed in general accordance with the submitted site plan, entitled “Rezoning and Change in Land Use Plan for Bartlett family Winder, LLC” sealed and dated 6-12-2017, with modifications 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 will require Mayor and Council approval;
2. Conditions (1-9) approved on 5-12-2015 by the Board of Appeals, attached hereto and incorporated herein for reference as Exhibit “A” for the future subdivision of the property into Tracts 1-3 shall remain in full force and effect;
3. Granting variance approval shall not supersede or negate the provisions of Article V, Non-Conforming Uses of the Snellville Zoning Ordinance;
4. All new signs and new construction including redevelopment of any Tract (or parcel) shall meet all City codes and regulations in effect at time of permitting including the Substantial Building Permit requirements of the Landscape Ordinance;
5. The property owner shall submit site and landscape plans for the three (3) planter island improvements and the future dumpster pad and enclosure as shown on the “Rezoning and Change of Land Use Plan for Bartlett Family Winder, LLC” sealed



and dated 6-12-2017 to the Director of Planning and Development for review and approval. Said improvements must be completed within six (6) months of Mayor and Council rezoning approval;

6. To maintain consistency with all planter islands (existing and new), the two (2) existing parking lot planter islands located at the terminus of the center parking area shall be re-planted with similar plant materials (species and size) as used in the three (3) new planter islands. Trees planted shall be three-inch caliper or larger trees; and
7. The existing dumpster enclosure must be planted with an evergreen buffer, 6-8 feet minimum height at time of planting to shield the dumpster from view of the travelling public as approved by the Director of Planning and Development.

In conjunction with the land use plan and zoning map amendment approval, the following Variances (1-9) approved on 5-12-2015 by the Board of Appeals are recommended for **Approval:**

1. The property shall be developed in general accordance with the submitted site plan, entitled "Variance Plan For Gateway Venture Partners LLC" sealed and dated 4-6-2015, with modifications to meet conditions of zoning or State, County, and City regulations.
2. Granting variance approval shall not supersede or negate the provisions of Article V, Non-Conforming Uses of the Snellville Zoning Ordinance.
3. All new signs and new construction including redevelopment of any Tract (or parcel) shall meet all City codes and regulations in effect at time of permitting including the Substantial Building Permit requirements of the Landscape Ordinance.
4. The applicant must record easement agreements for Tracts 1, 2 and 3 relating to shared parking, ingress/egress, and stormwater conveyance and management.
5. The applicant must submit a subdivision plat for review and approval by the Planning Director, said plat shall be recorded at Gwinnett County.
6. Tract 2 (Building #200) shall be required to enter into an agreement with either the property owner of Tract 1 or Tract 3 to share in the use of the existing solid waste dumpster or be allowed to add an additional dumpster pad, dumpster and enclosure.
7. For consistency, the existing landscaping islands located on Tract 1 and Tract 3 shall be re-planted with similar plant materials as used in the proposed new landscaping islands including three-inch caliper or larger trees.
8. The existing dumpster enclosure must be planted with an evergreen buffer, 6-8 feet minimum height at time of planting to shield the dumpster from view of the travelling public as approved by the Director of Planning and Development.

9. Prior to release of any Certificate of Occupancy, the existing monument sign shall be repaired or replaced to be more visually and aesthetically appealing sign for review and approval by the City prior to the installation of any new sign.