



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

**CASE SUMMARY**

**July 24, 2017**

**CASE NUMBER:** #RZ 17-09

**REQUEST:** Zoning Map Amendment and Request for Variances from Snellville Code of Ordinances

**LOCATION:** 2686 and 3176 Springdale Road, Snellville

**PARCEL:** 5029 274 and 257

**PRESENT ZONING:** OP (Office Professional) District and LM (Light Manufacturing) District

**PROPOSED ZONING:** CI (Civic-Institutional) District

**FUTURE LAND USE MAP:** Public-Civic

**DEVELOPMENT/PROJECT:** 8,100± SF Existing Building for a House of Worship and Related Accessory Uses

**APPLICANT:** New Bethel Deliverance and Empowerment Ministries, Inc., Lilburn, Georgia

**PROPERTY OWNER:** Development Authority of Snellville & The City of Snellville  
Snellville, Georgia 30078

**CONTACT:** Carleen Hepburn  
678.639.1500 or [mark.a.hepburn@staint-gobain.com](mailto:mark.a.hepburn@staint-gobain.com)

**STAFF RECOMMENDATION:** Approval with Conditions



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

**CASE ANALYSIS**

**July 24, 2017**

**TO:** The Mayor and Council

**MEETING DATE:** July 24, 2017

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

**CASE NUMBER:** #RZ 17-09

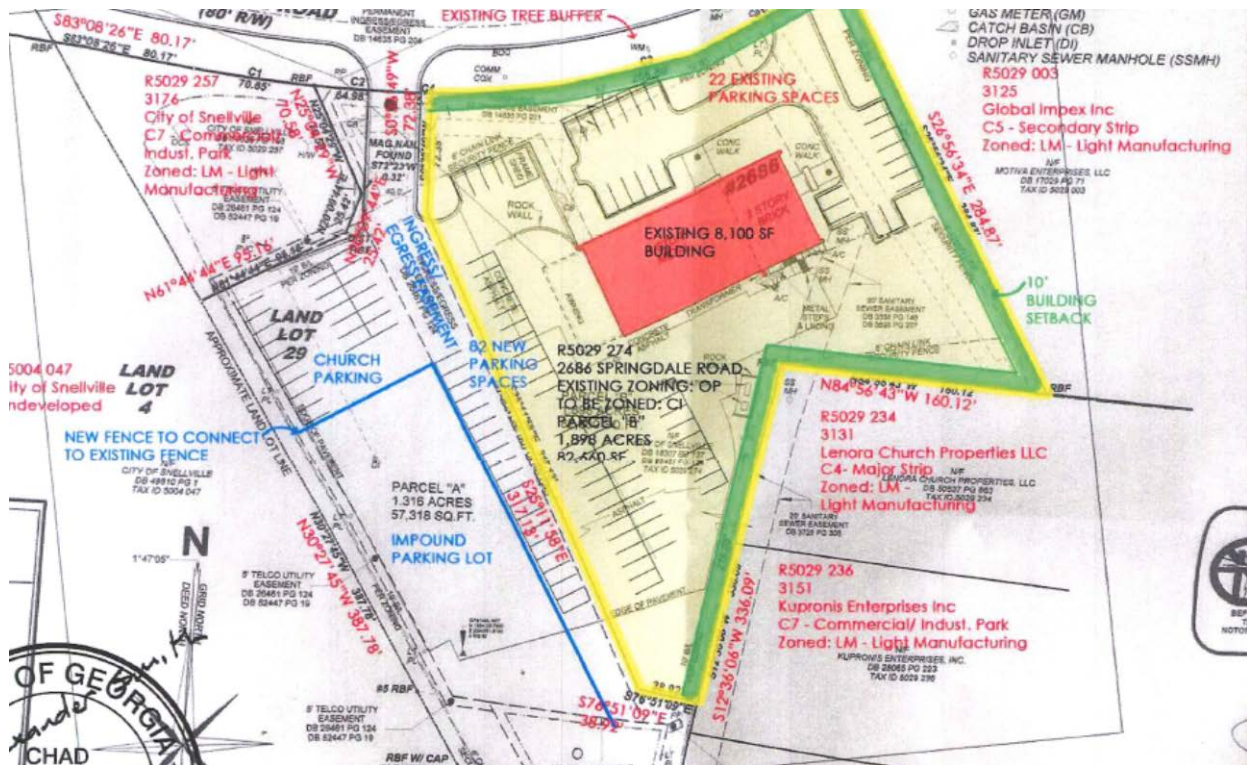
**FINDINGS OF FACT:**

The Department of Planning and Development has received an application from New Bethel Deliverance and Empowerment Ministries, Inc. requesting to amend the Official Zoning Map from OP (Office Professional) District and LM (Light Manufacturing) District to CI (Civic-Institutional) District and to request for variances from the Zoning Ordinance, Buffer and Landscape Ordinances and Development Regulations to operate a House of Worship/Place of Worship and related accessory uses at the former Snellville Public Safety property, located at 2886 Springdale Road, Snellville.

The subject 3.561± acre property includes the 3.22± acre developed parcel containing an 8,100± sq. ft. existing one-story office building constructed in 1987 and several small storage buildings/accessory structures, a commercial telecommunications tower at the extreme southern edge of the property, and related parking lot. The 0.34± acre parcel contains the stormwater detention facility, located in the northwest corner of the property,

The property was originally developed for a utilities company and then purchased in 1999 by the City of Snellville for use as the City's Public Safety building for the Snellville Police Department until 2011 when the Snellville Police Department moved into their new building and

location on Clower Street, Snellville. Although the parking lot continues to be used by the City, the building has remained vacant since 2011.



The zoning of the properties adjacent to the subject property to the north and northwest are RM (Multi-Family Residential) District, to the west and southwest are R-100 (County Low-Density Residential), while the properties to the west and southwest are in the LM (Light Manufacturing) District.

**REQUEST:**

The request is to amend the Official Zoning Map of the City of Snellville for a House of Worship/Place of Worship and accessory uses:

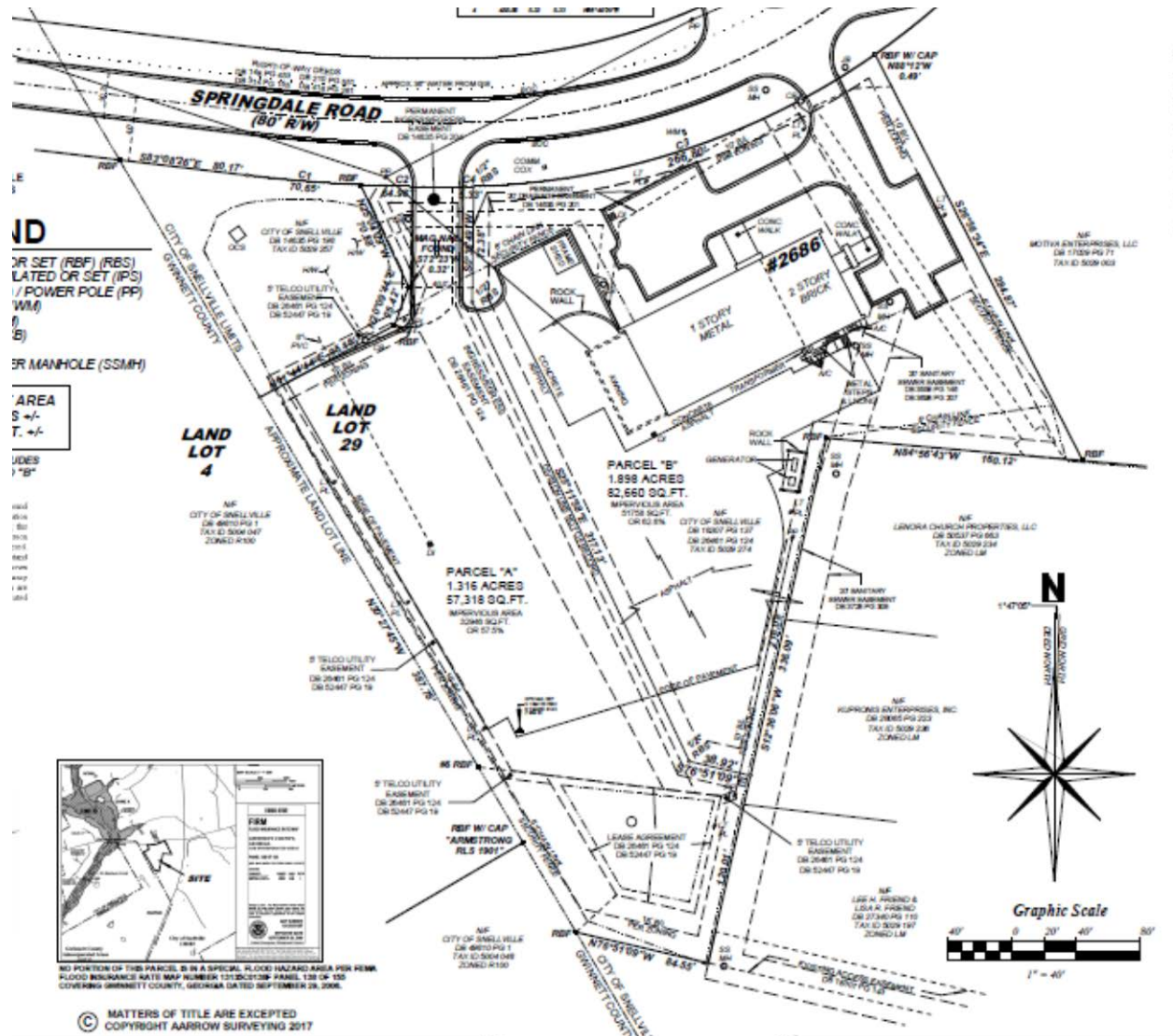
- OP (Office Professional) District to CI (Civic-Institutional) District for the 3.22± acre parcel (Parcel #5029 274); and
- LM (Light-Manufacturing) District to CI (Civic-Institutional) District for the 0.34± acre parcel (Parcel #5029 257).

As part of the rezoning request the applicant is requesting variances from the setback and buffer requirements, landscaping requirements, sign ordinance, lighting ordinance, and any other requirements that would allow the property and building to be used “as-is”.

**STAFF ANALYSIS:**

The City of Snellville 2030 Comprehensive Plan Future Land Use Map designates this portion of Lenora Church Road as Public-Civic. The proposed rezoning request to CI (Civic-Institutional) District is in conformance with the zoning districts permitted under the Public-Civic land use designation. Moreover, this portion of Lenora Church Road has become an area that contains similar civic and non-profit uses like Snellville Church of Christ, T.W. Briscoe Park, Gwinnett County Tag Office and Fire Station #12, Masonic Lodge #99, Scepter Senior Living Center of Snellville, and Rejoice the Word Church currently under development.

The main property (parcel 5029 274) will be subdivided in the immediate future with the City maintaining ownership of the 1.316± acre tract (Parcel “A”) to allow for access to the existing telecommunications tower in the rear of the property and impound lot to be used by the Snellville Police Department. The detention facility (parcel 5029 257) will remain under City ownership. The 1.899± acre tract (Parcel “B”) will convey to the Church upon closing of the real estate transaction the appropriate easements will be recorded as part of the property sale transaction. A draft of the exemption plat is provided below.



The applicant has submitted plans for a house of worship/place of worship with a projected seat count of 500 seats at buildout. The application has complied with the City's parking regulations requiring one parking space per six seats in the main sanctuary, or 84 parking spaces minimum. The Church property (Parcel "B") has 65 parking spaces, with an additional 40 parking spaces on the City property that will be available to the Church via an Ingress/Egress and Parking Easement.

As per the City's 2030 Comprehensive Plan, Section 4-13, Vision for the Future for the Lenora Church Road character area is described as "*A vibrant family oriented community with a civic focus. Increased pedestrian and bicycle connectivity between the neighborhoods and schools, parks, library, and other civic uses.*" The proposed Church will be harmonious with these uses.

### **VARIANCE ANALYSIS:**

As part of the rezoning request the applicant is requesting variances from the setback and buffer requirements, landscaping requirements, sign ordinance, lighting ordinance, and any other requirements that would prohibit the property and building to be used "as-is" in its current form.

The property (Parcel "B") is conforming with regard to the building setbacks and buffer requirements. Parcel "A" which is to remain as a City owned property, does need a variance from the 40 foot buffer requirement where adjacent to the 2.17± acre undeveloped residential property (Parcel 5004 047) and 1.85± acre undeveloped residential property (Parcel 5004 048), both of which are owned by the City and located in the unincorporated area of the County.

The remaining variances relating to the landscape and tree ordinance requirements and exterior lighting regulations are either existing conditions due to the thirty (30) year age of the property, or which will be created upon subdivision of the property into the two parcels (Parcel "A" and "B").

For the most part the property is in good condition, except for the lack of planter islands in the rear parking area. Installation of the required planter islands would create an adverse impact to the need for parking for the Church. The applicant has expressed a desire for future new signage on the building or monument sign by the roadway; both of which will require compliance with the City's Sign Ordinance and approved sign permits.

Finally, due to the age, use, and cost of bringing the property into full compliance with all current codes and regulations, the applicant is also requesting a variance to allow the use of the site in its current 'as-is' condition including any site lighting that does not meet current code. This request is reasonable given the age and good condition of the property.

### **STAFF RECOMMENDATION:**

In conclusion, the Department of Planning and Development recommends **Approval** of the request to amend the Official Zoning Map: a) from OP (Office Professional) District to CI (Civic-Institutional) District for parcel 5029 274 and b) from LM (Light Manufacturing) District to CI (Civic-Institutional) District for parcel 5029 257 with the following **Conditions**:

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 5-10-2017, and stamped received 5-17-2017 with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, as determined by the Director of Planning and Development, will require Mayor and Council approval;
2. Any new construction, signage, exterior lighting on the 1.899± acre tract (Parcel “B”) shall comply with City ordinances and regulations and require an approved permit;
3. Any improvements made to the property as part of any initial building permit issued within the first twenty-four (24) months from the date of rezoning approval shall not trigger a Substantial Building Permit. However, after the first twenty-four (24) months from the date of rezoning approval, future improvements or re-development with a total value in excess of the Gwinnett County Tax Assessor’s 100% assessed value of the existing improvements will be subject to the requirements of a substantial building permit and applicable Zoning and Development Regulations;
4. Any additional non-substantial variance(s) as determined by the Director of Planning and Development 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 for this project;
5. An exemption plat shall be recorded prior to the release of any Certificate of Occupancy;
6. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited; and
7. 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.

In conjunction with the rezoning approval, the Department of Planning and Development recommends **Approval** of the following Variances:

- a. Section 19-32, Buffer Strips of Chapter 19 of the City Code to reduce the 40 feet required landscape buffer to zero (0) feet where the property abuts Parcels 5004 047 and 048 along the eastern property line.
- b. Section 19-73, Landscape Strips of Chapter 19 of the City Code for non-conformities created upon subdivision of the property into Parcels “A” and “B”.
- c. Section 19-74, Planter Islands of Chapter 19 of the City Code for the existing conditions in the rear parking area and non-conformities created upon subdivision of the property into Parcels “A” and “B”.

- d. Section 6.5.6(b)(2), Non-Residential Lighting Standards of Article 5 of the Development Regulations for the existing non-conforming exterior building and parking lot lighting.
- e. General variance for the building and site to be approved in its current “as-is” condition.

#### **PLANNING COMMISSION REPORT:**

The Planning Commission held a duly advertised public hearing on the subject application at the June 27, 2017 Regular 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 an unanimous vote of 5-0, recommended **Approval** to amend the Official Zoning Map from: OP (Office Professional) District to CI (Civic-Institutional) District for the 3.22± acre parcel (Parcel #5029 274); and LM (Light-Manufacturing) District to CI (Civic-Institutional) District for the 0.34± acre parcel (Parcel #5029 257) District with the following **Conditions**:

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 5-10-2017, and stamped received 5-17-2017 with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, as determined by the Director of Planning and Development, will require Mayor and Council approval;
2. Any new construction, signage, exterior lighting on the 1.899± acre tract (Parcel “B”) shall comply with City ordinances and regulations and require an approved permit;
3. Any improvements made to the property as part of any initial building permit issued within the first twenty-four (24) months from the date of rezoning approval shall not trigger a Substantial Building Permit. However, after the first twenty-four (24) months from the date of rezoning approval, future improvements or re-development with a total value in excess of the Gwinnett County Tax Assessor’s 100% assessed value of the existing improvements will be subject to the requirements of a substantial building permit and applicable Zoning and Development Regulations;
4. Any additional non-substantial variance(s) as determined by the Director of Planning and Development 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 for this project;
5. An exemption plat shall be recorded prior to the release of any Certificate of Occupancy;
6. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited; and

7. 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.

As part of the rezoning approval, the Planning Commission recommended **Approval** of the following variances:

1. Section 19-32, Buffer Strips of Chapter 19 of the City Code to reduce the 40 feet required landscape buffer to zero (0) feet where the property abuts Parcels 5004 047 and 048 along the eastern property line.
2. Section 19-73, Landscape Strips of Chapter 19 of the City Code for non-conformities created upon subdivision of the property into Parcels “A” and “B”.
3. Section 19-74, Planter Islands of Chapter 19 of the City Code for the existing conditions in the rear parking area and non-conformities created upon subdivision of the property into Parcels “A” and “B”.
4. Section 6.5.6(b)(2), Non-Residential Lighting Standards of Article 5 of the Development Regulations for the existing non-conforming exterior building and parking lot lighting.
5. General variance for the building and site to be approved in its current “as-is” condition.