



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

**CASE SUMMARY**

**January 8, 2018**

**CASE NUMBER:** #RZ 17-12 CUP 17-04

**REQUEST:** Zoning Map Amendment; Request for Conditional Use Permit; and Variances from Snellville Code of Ordinances

**LOCATION:** 3400 Rosebud Road, Loganville, Georgia

**TAX PARCEL:** 5099 062

**PRESENT ZONING:** RS-180 (Single-Family Residence) District

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

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

**DEVELOPMENT/PROJECT:** 12.0± Acre Site with Existing Church Building, Manufactured Building and Related Parking

**APPLICANT:** South Gwinnett Baptist Church

**PROPERTY OWNER:** South Gwinnett Baptist Church, Inc.  
Loganville, Georgia 30052

**CONTACT:** Pastor Tim Owens  
(770) 978-2532 or [owen3328@bellsouth.net](mailto:owen3328@bellsouth.net)

**STAFF RECOMMENDATION:** Approval with Conditions



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

**CASE ANALYSIS**

**January 8, 2018**

**TO:** The Mayor Pro Tem and Council

**PUBLIC HEARING DATE:** January 8, 2018

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

**CASE NUMBER:** #RZ 17-12 CUP 17-04

**FINDINGS OF FACT:**

The Department of Planning and Development has received an application from South Gwinnett Baptist Church, located at 3400 Rosebud Road, Loganville requesting to amend the Official Zoning Map from RS-180 (Single-Family Residence) District to CI (Civic-Institutional) District and request for a Conditional Use Permit for an existing modular classroom building. The applicant is also requesting variances from the Buffer, Landscape, and Tree Ordinance, Development Regulations and Zoning Ordinance related to the existing conditions on the church campus.

The subject 12.0± acre property contains a 5,852± sq. ft. existing one-story building constructed in 1989, one modular building adjacent to the main building, and related parking and driveways. The property has been used as a church since 1990, and has also served as a Gwinnett County polling location for county, state and national elections for a number of years.

There are three properties adjacent to the subject parcel; one parcel to the north is zoned LM (Light Manufacturing), and serves as the main operations and manufacturing facility for TOMCO<sub>2</sub> Systems since 1979. The eastern and most of the southern edge of the property abut one large and one small parcel, both zoned RS-180, which are used as part of the Summit Chase golf course.

## **REQUEST:**

The request is to amend the Official Zoning Map of the City of Snellville from RS-180 (Single-Family Residential) District to CI (Civic-Institutional) District and to request variances from the Landscape, Buffer and Tree Ordinance, Snellville Development Regulations and Snellville Zoning Ordinance. The applicant is also requesting a Conditional Use Permit to continue using the adjacent portable building as classroom space, bringing it into compliance with current Snellville zoning regulations.

As part of the rezoning request the applicant is requesting the following variances:

1. From Article III, Section 19.73(f) of the Buffer, Landscape and Tree Ordinance relating to landscape strip requirement.
  - a. In lieu of the 10-foot front landscape strip along the entire frontage along Rosebud Road, allow the landscape plan presented in the attached plans submitted by Bullard Land Planning, dated 7-11-2017.
  - b. Variance from side landscape strip requirements along the south property line adjoining Summit Chase, to let it remain as-is.
  - c. Variance from landscape strip requirements along the north and eastern property lines to remain as undisturbed existing tree stands.
2. From Article III, Section 19.74 of the Buffer, Landscape and Tree Ordinance relating to parking islands to allow the parking lot and islands to remain as shown on attached rezoning plan.
3. From Article VII, Section 8.18 of the Zoning Ordinance relating to sidewalks and curb and gutter requirements to allow site to remain as shown on the attached plan.
4. From Section 6.5.6.2 of the Snellville Development Regulations to allow the existing site building exterior and site outdoor lighting to remain as-is.
5. From Section 9.7(3)(1) of the Snellville Zoning Ordinance to allow the existing parking lot to be located in front of the existing building.
6. Allow a general variance for the site to be approved in its current condition except for the items requested on this rezoning application.

## **STAFF ANALYSIS:**

The 2030 Comprehensive Plan Future Land Use Map designates this property as Public-Civic with the appropriate zoning district being the Civic-Institutional District. The Summit Chase properties are designated as Park-Recreation, and the remaining properties currently zoned LM are shown as Transportation/Communication/Utilities. The Future Development Map shows the property as being in the “Summit Chase” Character Area.

Both of these designations speak to the City's desire to maintain this area as relatively quiet and scenic, either undeveloped or developed with recreation or low-intensity uses in mind. Thus, the property remaining in use as a place of worship and accessory uses is in character with the future vision for the area. The approval of the change in zoning would actually realize the goal of the Comprehensive Plan in having this property officially become space for a Public-Institutional use.

The Conditional Use Permit is another piece meant to assist the church in bringing the portable building and classroom space into compliance with current zoning regulations without necessitating costly expansion to the existing main fellowship building. It will not cause a burden on existing infrastructure and services, and will instead, like the other components of the application, bring an existing use more fully into compliance with current regulations.

### **VARIANCE ANALYSIS:**

The theme of the requested variances is recognition of the existing, longstanding use of the property as a church/place of worship and a desire to remain as such, while also acknowledging a responsibility to improve the property and bringing it more into compliance with current zoning regulations and the correct zoning classification.

Implementation strategies found in the 2030 Comprehensive Plan for the Summit Chase Character Area include the preservation of "greenspace and wooded areas" and the "maintenance or upgrading of existing properties." A few of the variances seem in line with these goals, especially the proposal to keep the portions of the property that are wooded as such rather than creating landscaped buffers.

The variances relating to the landscape strip and parking lot planter island requirements are meant to preclude the church from having to drastically change the layout of the site and instead maintain the existing parking lot and driveway configuration. As an alternative to these requirements, the church has submitted a landscape plan that includes the planting of seven Willow Oak trees along the front of the property near the entry/exit drive along with various shrubs. Requiring the relocation of the parking lot would unnecessarily burden the congregation and require extensive reworking of the site. The request is reasonable.

Given the somewhat remote location of the church property and approximate one-thousand (1,000) feet of frontage on Rosebud Road, requiring the installation of sidewalks, curb and gutter, and stormwater infrastructure would not be prudent at this time.

The request for variance regarding the existing site and exterior lighting seems reasonable. The intent of the requirement that all lighting fixtures be "cut-off and down directional" is meant to keep excess illumination levels from flooding onto adjacent properties and structures and thereby becoming an annoyance and pollutant. A cursory glance at the site shows that there are no other buildings near the existing structures, on or off the property. It is also shielded on two sides by a wooded area. Thus, this variance seems reasonable.

Current regulations dictate one parking space per six (6) seats for churches. The church has eighty-four (84) seats, meaning they need at least fourteen (14) spaces to meet the code. The

submitted plans claim the church currently has eighty-two (82) spaces, meaning they are comfortably over-parked from a regulatory standpoint.

**STAFF RECOMMENDATION:**

In conclusion, the Department of Planning and Development recommends **Approval** of the request to amend the Official Zoning Map from RS-180 (Single-Family Residential) District to CI (Civic-Institutional) District for a Place of Worship and related accessory uses and **Approval** of the request for a Conditional Use Permit for the existing modular classroom building with the following **Conditions**:

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 7-11-2017, and stamped received 10-5-2017 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. Installation of trees and shrubbery as shown on the submitted conceptual rezoning site plan, sealed and dated 7-11-2017 shall be completed within three (3) months from the date of rezoning approval;
3. Installation of any new exterior building or site lighting or upgrades to any existing building or site lighting shall comply with the City's exterior lighting standards and require an approved permit;
4. In the event that the subject property is vacated by South Gwinnett Baptist Church, the Conditional Use Permit will become null and void;
5. The Church shall provide to the City within thirty (30) days from the date of rezoning approval, a Certificate of Occupancy certificate issued by the Gwinnett County Fire Marshal's Office within the past six (6) months for both the main sanctuary building and accessory modular classroom building;
6. Installation of a six-foot wide sidewalk and grassed/landscape strip of not less than four-feet separating sidewalk and back of curb; curb and gutter; and related stormwater infrastructure shall be required along the entire length of Rosebud Road and triggered when any building improvement or re-development with a total value in excess of the Gwinnett County Tax Assessor's 100% appraised value of the existing improvements; and
7. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited. Any new sign(s) shall conform to the sign ordinance and require an approved sign permit prior to installation.

In conjunction with the rezoning approval and recommended conditions (1-7), the following variances are recommended for **Approval**:

1. Variance from Article III, Section 19.73(f) of the Landscape Ordinance relating to landscape strip requirement.
  - a. In lieu of the 10-foot front landscape strip along the entire frontage along Rosebud Road, allow the landscape plan presented in the attached plans submitted by Bullard Land Planning, dated 7-11-2017.
  - b. Allow variance from side landscape strip requirements along the south property line adjoining Summit Chase, to let it remain as-is.
  - c. Allow variance from landscape strip requirements along the north and eastern property lines to remain as undisturbed existing tree stands.
2. Variance from Section 19.74 of the Landscape Ordinance relating to the parking lot planter island requirement.
3. Variance from Article VII, Section 8.18 of the Zoning Ordinance relating to sidewalks and curb and gutter requirements to allow site to remain as shown on the attached plan.
4. Variance from Section 6.5.6.2 of the Development Regulations to allow the existing site building exterior and site outdoor lighting.
5. Variance from Section 9.7(3)(1) of the Zoning Ordinance to allow the existing parking lot to be located in front of the existing building.
6. Allow a general variance for the site to be approved in its current condition except for the items requested on this rezoning application.

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

The Planning Commission held a duly advertised public meeting on the subject application at the November 28, 2017 Regular Meeting of the City of Snellville Planning Commission. By a unanimous vote of 5-0, the Planning Commission recommended **Approval** of the request to amend the Official Zoning Map from RS-180 (Single-Family Residential) District to CI (Civic-Institutional) District for a Place of Worship and related accessory uses and recommended **Approval** of the request for a Conditional Use Permit for the existing modular classroom building with the following recommended **Conditions**:

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 7-11-2017, and stamped received 10-5-2017 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. Installation of trees and shrubbery as shown on the submitted conceptual rezoning site plan, sealed and dated 7-11-2017 shall be completed within three (3) months from the date of rezoning approval;
3. Installation of any new exterior building or site lighting or upgrades to any existing building or site lighting shall comply with the City's exterior lighting standards and require an approved permit;
4. In the event that the subject property is vacated by South Gwinnett Baptist Church, the Conditional Use Permit will become null and void;
5. The Church shall provide to the City within thirty (30) days from the date of rezoning approval, a Certificate of Occupancy certificate issued by the Gwinnett County Fire Marshal's Office within the past six (6) months for both the main sanctuary building and accessory modular classroom building;
6. Installation of a six-foot wide sidewalk and grassed/landscape strip of not less than four-feet separating sidewalk and back of curb; curb and gutter; and related stormwater infrastructure shall be required along the entire length of Rosebud Road and triggered when any building improvement or re-development with a total value in excess of the Gwinnett County Tax Assessor's 100% appraised value of the existing improvements; and
7. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited. Any new sign(s) shall conform to the sign ordinance and require an approved sign permit prior to installation.

In conjunction with the rezoning and Conditional Use Permit recommendations of approval and conditions (1-7), the following variances are recommended for **Approval**:

1. Variance from Article III, Section 19.73(f) of the Landscape Ordinance relating to landscape strip requirement.
  - a. In lieu of the 10-foot front landscape strip along the entire frontage along Rosebud Road, allow the landscape plan presented in the attached plans submitted by Bullard Land Planning, dated 7-11-2017.
  - b. Allow variance from side landscape strip requirements along the south property line adjoining Summit Chase, to let it remain as-is.
  - c. Allow variance from landscape strip requirements along the north and eastern property lines to remain as undisturbed existing tree stands.
2. Variance from Section 19.74 of the Landscape Ordinance relating to the parking lot planter island requirement.

3. Variance from Article VII, Section 8.18 of the Zoning Ordinance relating to sidewalks and curb and gutter requirements to allow site to remain as shown on the attached plan.
4. Variance from Section 6.5.6.2 of the Development Regulations to allow the existing site building exterior and site outdoor lighting.
5. Variance from Section 9.7(3)(1) of the Zoning Ordinance to allow the existing parking lot to be located in front of the existing building.
6. Allow a general variance for the site to be approved in its current condition except for the items requested on this rezoning application.