



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

CASE SUMMARY

April 23, 2018

CASE NUMBER: RZ 18-02

REQUEST: Change in Conditions and Request for Variances

LOCATION: Near Pinehurst Road and Sycamore Drive, Snellville, Georgia

TAX PARCEL(S): 5071 006, 021, and 255

PRESENT ZONING: RS-150 (Single Family Residence) District

PROPOSED ZONING: RS-150 (Single-Family Residence) District

FUTURE LAND USE PLAN: Low-Density Residential

DEVELOPMENT/PROJECT: 29-Lot Single-Family Detached Residential Development

PROPERTY OWNER: Pinehurst, LLC
Milton, Georgia 30004

APPLICANT: PH1330, LLC
Alpharetta, Georgia 30005

CONTACT: Bill Schroeder
678-205-1330 or schroederholdings@gmail.com

RECOMMENDATION: Approval with Conditions



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

CASE ANALYSIS

April 23, 2018

TO: The Mayor Pro Tem and Council

MEETING DATE: April 23, 2018

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: RZ 18-02

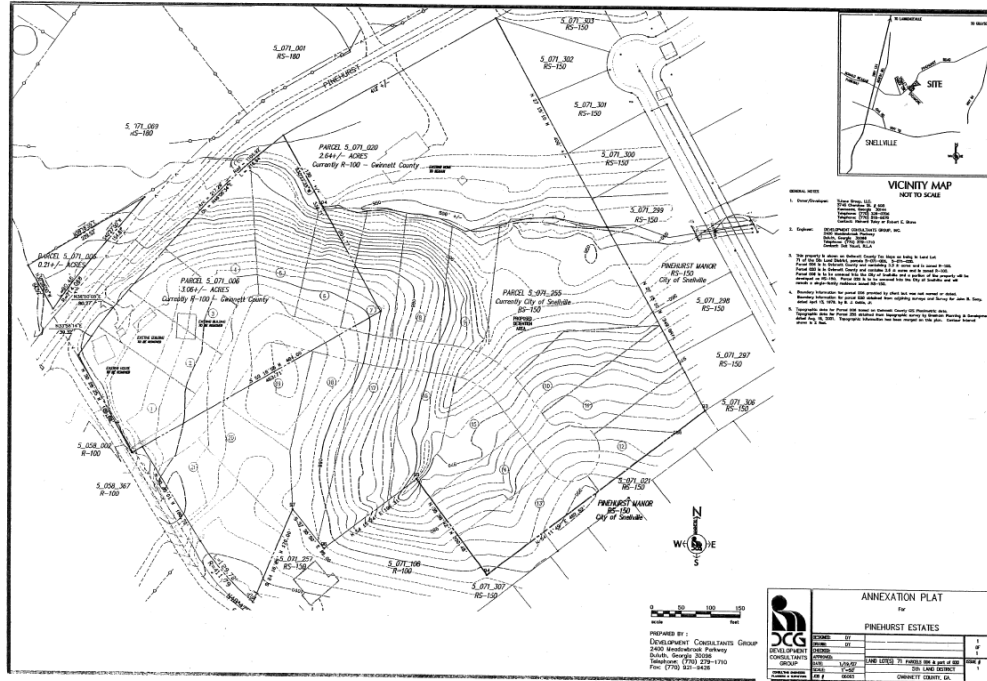
FINDINGS OF FACT:

The Department of Planning and Development has received an application from PH1330, LLC and Pinehurst, LLC represented by Bill Schroeder, requesting a change in conditions from the 2007 rezoning (#RZ 07-04 LUP 07-03 ANX 07-03) for an 11.61± acre vacant and wooded tract located near the intersection of Pinehurst Road and Sycamore Drive. The applicant intends to develop a 29-lot subdivision where they were previously approved for 21 homes with an entrance on Sycamore Drive. The applicant is also requesting variances from the space and size limits of the RS-150 zoning district and public improvement requirements along Sycamore Drive.

BACKGROUND:

The 11.61± acre tract was originally approved on 3-26-2007 by the Mayor and Council (RZ 07-04 LUP 07-03 ANX 07-03) for a 21-lot single-family detached subdivision with an entrance on Sycamore Drive. The original subdivision was planned and approved for a density of roughly 2.13 units per acre. The rezoning was approved with the following conditions:

1. The property shall be developed in general accordance with the submitted site plan dated 1/22/07 entitled "Annexation Plat for Pinehurst Estates" 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. Signs higher than 15 feet and larger than 225 square feet are prohibited;
3. 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;
4. Homes/Buildings shall be constructed of traditional design with brick, stone, and stucco, or any combination thereof on at least the front facade. The remaining sides shall be constructed of masonry siding and/or shakes/shingles. Accents on the front facade, such as gables and dormers shall be constructed of masonry siding and shakes/shingles;
5. Sidewalks and other right-of-way improvements required by the Development Regulations and Zoning Ordinance shall continue across parcel 5-071-020 and connect to the improvements for Pinehurst Manor, Phase One;
6. A no-access easement shall be provided on the rear of all lots abutting Pinehurst Road and Sycamore Drive. Said easement shall contain a five-foot (5') tall irrigated berm constructed at a 2:1 slope. The rear side of the berm facing the houses shall be planted with a combination of Leyland Cypress, Cryptomeria, Southern Magnolia, and Wax Myrtle planted fifteen feet (15') on-center and no less than six feet (6') tall at time of planting. The front side of the berm facing the street shall be planted with understory

deciduous ornamental trees spaced twenty-five feet (25') on-center; this side shall be underplanted with a combination of ornamental shrubs, perennials, ornamental grasses, and groundcover to achieve a 40% coverage, as defined in the Zoning Ordinance. Plant selections shall comply with the Zoning Ordinance and/or an alternative selection approved by the Director of Planning & Development; and

7. *Sycamore Drive shall be improved from Pinehurst Road to the back of proposed lot 21 in compliance with the City of Snellville Development Regulations and/or Gwinnett County Department of Transportation requirements.*

The property was later approved for a preliminary plat in 2008, but a permit was never issued nor was construction commenced.

The proposed single-family detached development would contain 29-lots, including three lots with sole access from Sycamore Drive. The remaining 26-lots would be accessed internally via a single development entrance off of Pinehurst Road.

REQUEST:

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

- To amend the Official Zoning Map of the City of Snellville and requesting a Change in Conditions from the 3-26-2007 approved rezoning (RZ 07-04 LUP 07-03 ANX 07-03), more specifically the removal of Conditions 1, 4, and 7 with a new modified set of conditions, as well as, additional conditions:
 1. *The property shall be developed in general accordance with the submitted site plan dated 1/22/07 entitled "Annexation Plat for Pinehurst Estates" 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.*
 4. *Homes/Buildings shall be constructed of traditional design with brick, stone, and stucco, or any combination thereof on at least the front facade. The remaining sides shall be constructed of masonry siding and/or shakes/shingles. Accents on the front facade, such as gables and dormers shall be constructed of masonry siding and shakes/shingles.*
 7. *Sycamore Drive shall be improved from Pinehurst Road to the back of proposed lot 21 in compliance with the City of Snellville Development Regulations and/or Gwinnett County Department of Transportation requirements.*
- Variances (1-6) from the City of Snellville Zoning Ordinance and variance (7) from the Development Regulations. The variances are outlined below:

1. Section 9.4(4)(1): Reduction in lot size from 15,000 to 7,800 sq. ft.
2. Section 9.4(4)(2): Reduction in minimum lot width from 80 feet to 55 feet at the building line.
3. Section 9.4(4)(4): Reduction in front yard and front yard setbacks from 40 feet from right-of-way line to 20 feet from right-of-way line.
4. Section 9.4(4)(5): Reduction of the minimum rear yard setback from 40 feet to 25 feet.
5. Section 9.4(4)(6): Reduction of the side yard setback from 10 feet to 5 feet.
6. Section 9.4(4)(8): Increase in the maximum ground coverage including accessory buildings from 25% to 65%.
7. Exemption from the public improvement requirements of the Snellville Development Regulation relating to a paved roadway, curb and gutter, and sidewalks for the properties (Lots 27-29) which abut Sycamore Drive.

CHANGE IN CONDITIONS ANALYSIS:

Condition 1: The recent site plan configuration consists of 26 lots situated on a single street with a cul-de-sac, with an egress/ingress point located on Pinehurst Road. There are 3 additional lots with sole access to Sycamore Drive. The 2007 approved site plan featured an entrance on Sycamore Drive that many were not in favor of. The applicant contends that having the entrance on Pinehurst Road will be better for existing and future residents of the area.



In an effort to help the existing and new residents on Sycamore Drive exiting their street and entering Pinehurst Road, the applicant is proposing to work with Gwinnett D.O.T. and coordinate the installation of an advanced LED 'VEHICLE APPROACHING' warning sign. This request is reasonable.

Condition 4: The removal of Condition 4 deals directly with the architectural components of the residential dwellings. Sample elevations provided by the applicant show the use of brick, stone, and other masonry products, and the applicant has agreed to utilize brick, stone, or masonry siding in the construction of the homes with a proposed condition that is similar in style with Condition 4. This request is reasonable.

Condition 7: The applicant requests the removal of this Condition because Sycamore Drive remains unpaved, with no curb or gutter improvements and no sidewalks. Visuals aside, requiring the applicant to install these improvements for one portion of one side of the street while leaving the rest unimproved would likely be unhelpful in the long run, especially for curb and gutter improvements. Typically these improvements are installed all at once, rather than piecemeal, and along both sides of the roadway. It should also be noted that the three proposed lots on Sycamore Drive will not be part of the larger development, and will instead be reserved for development at a later time by individual builders with access on Sycamore Drive. This request is reasonable.

VARIANCE ANALYSIS:

The applicant is also requesting certain variances from the requirements of the Snellville Zoning Ordinance and Snellville Development Regulations to allow development of the property as depicted on the submitted lot layout plan.

The following Variances (1-6) are specific to the reduction of the space limits and setback requirements for the RS-150 zoning district:

1. Sec. 9.4(4)(1), Minimum Lot Area: Reduction in the minimum lot size from 15,000 sq. ft. to 7,800 sq. ft.

This request is consistent with variances granted for other neighborhoods zoned RS-150 in the City, including Shadowbrook, Olde Hickory Village, and Stockton Walk. The size is also consistent with other subdivisions in the City, including Woodberry, Carrington, Preserve at Briscoe, and Governors Walk, which all have an average lot size of 5,000 to 6,000 sq. ft., with lot sizes as small as 4,400 sq. ft. are common in the Preserve at Briscoe. The request is reasonable.

2. Sec. 9.4(4)(2), Minimum Lot Width: Reduction in minimum lot width from 80 feet to 55 feet at the building line.

This request corresponds to the request to reduce the lot size and is reasonable and consistent with similar variances that have been approved in the past for these smaller lot size type developments, some of which having reduced lot widths of 50 feet at the building line.

3. Sec. 9.4(4)(4), Minimum Front Yard: Reduction in front yard and front yard setback from 40 feet from right-of-way line to 20 feet from right-of-way line.

This request corresponds to the request to reduce the lot size and is reasonable and consistent with similar variances that have been approved in the past for these smaller lot size type developments. The request is reasonable.

4. Sec. 9.4(4)(5): Minimum Rear Yard: Reduction of the minimum rear yard setback from 40 feet to 25 feet.

This request corresponds to the request to reduce the lot size and is reasonable and consistent with similar variances that have been approved in the past for these smaller lot size type developments. The request is reasonable.

5. Sec. 9.4(4)(6): Minimum Side Yard: Reduction of the side yard setback from 10 feet to 5 feet.

This request corresponds to the request to reduce the lot size and is reasonable and consistent with similar variances that have been approved in the past for these smaller lot size type developments. The request is reasonable, provided a minimum 10 feet separation exists between structures.

6. Sec. 9.4(4)(8): Maximum Ground Coverage Including Accessory Structures: Increase in the maximum ground coverage including accessory buildings from 25% to 65%.

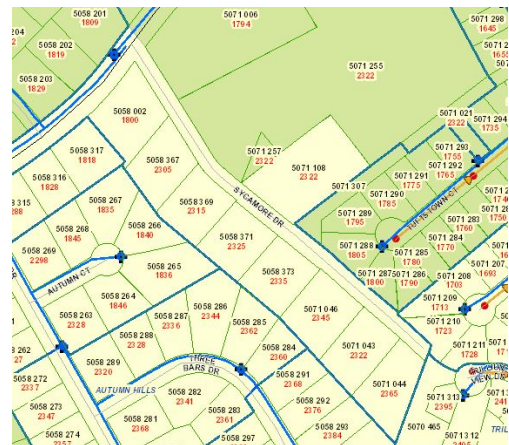
This request corresponds to the request to reduce the lot size and is reasonable and consistent with similar variances that have been approved in the past for these smaller lot size type developments. The request is reasonable and shall include all accessory structures (storage buildings, swimming pools, etc.)

Variance 7 is specific to the public improvement requirements of the Snellville Development Regulations for Lots 26-29 which abut Sycamore Drive:

7. Exemption from the public improvement requirements of the Snellville Development Regulation relating to: a) a paved roadway; b) curb and gutter; and c) sidewalks for lots abutting Sycamore Drive.

Sycamore Drive serves as the boundary which separates the City of Snellville municipal limits from unincorporated Gwinnett County, with the area to the northeast being in the City and area to the south and southeast located in unincorporated Gwinnett County.

Sycamore Drive is an unpaved, County maintained street with no curbing, gutter or sidewalk improvements. Requiring this work to be done for just a few lots on one side of the street while the remainder of the street remains unimproved would be ill-advised; the street needs to be improved all at once if it is to be improved at all. This exemption shall also apply to underground utilities, water system, fire hydrants, and stormwater detention facilities.



ARCHITECTURAL DESIGN REQUIREMENTS:

Prior to issuance of a Site Development Permit for the project, the developer shall submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by the Director of Planning & Development. At a minimum, the "Plan Book" shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved "Plan Book."

All corner lots (Lots 1 and 26) abutting an external street shall be designated as "High Visibility Lots" and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view.

SITE PLAN ANALYSIS:

The proposed site plan has been designed to add an additional 8 lots to the approved 21-lot development formerly known as Pinehurst Estates. The new design allows for a main entrance on Pinehurst Road with three (3) standalone lots on Sycamore Drive. There is a stream buffer located on the northern portion of the site impacting Lots 1-8 and a proposed stormwater management area. The applicant has shown the proper buffer zones and setbacks on the concept plan.

STAFF RECOMMENDATION:

In conclusion, the Department of Planning and Development recommends **Approval** of the request to amend the Official Zoning Map to repeal Conditions 1-7 from the 3-26-2007 approved rezoning (RZ 07-04 LUP 07-03 ANX 07-03) for the 11.61± acre tract shown on the Rezoning Site Plan, entitled "Proposed Subdivision Pinehurst Rd. and Sycamore Dr.", sealed and signed 2-12-2018 with the following new **Conditions**:

1. The property shall be developed according to the rezoning site plan entitled "Proposed Subdivision Pinehurst Rd. and Sycamore Dr.," sealed and signed 2-12-2018 with modifications permitted due to engineering restrains, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning plan, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. Single-family detached dwellings shall not exceed a density of 2.55 units per acre;
3. The minimum heated floor area per dwelling shall be 1,800 sq. ft.;
4. All dwellings shall have a minimum two-car, enclosed garage;

5. The subdivision entrance feature/sign shall include a brick or stone base with associated landscaping. The final design shall require an approved landscape permit and approved sign permit from the Director Planning and Development;
6. All utilities shall be placed underground for Lots 1-26;
7. Stormwater detention facility(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height;
8. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited;
9. All homes shall be constructed of traditional design in general accordance with the sample building elevations submitted with the rezoning application, with primary treatments of brick, stone, and stucco, or any combination thereof on at least the front façade. The remaining sides shall be constructed of the same and/or masonry siding and/or shakes/shingles. Accents on the front façade, such as gables and dormers, shall be constructed of masonry siding and/or shakes/shingles. Building elevations shall be submitted for review of the Director of Planning and Development in the form of a "Plan Book" in accordance with Section 9.2(4), Design Criteria for All Residential Districts. Architectural styles will be varied in order to create a more appealing streetscape;
10. All corner lots (Lots 1 and 26) abutting an external street shall be designed as "High Visibility Lots" and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view;
11. Sidewalks and other right-of-way improvements required by the Development Regulations and Zoning Ordinance shall be provided along the entire frontage of the development along Pinehurst Road and continue across Parcel 5071 006 and shall be allowed in, at, or near the stream that crosses that parcel subject to approval by the Director of Planning and Development;
12. The developer/builder shall coordinate with Gwinnett County D.O.T. the installation of an advanced LED "VEHICLE APPROACHING" warning sign where Sycamore Drive connects to Pinehurst Road;
13. A no-access easement shall be provided on the side and rear of all lots abutting Pinehurst Road and Sycamore Drive;
14. A mandatory homeowner's association shall be formed for the open space and single-family lots, excluding Lots 27-29, and be responsible for maintenance of all common areas/stormwater detention facilities, street frontage landscaping where the development abuts Pinehurst Road, and entrance signage;
15. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and Development for Lots 1-8 prior to issuance of a building permit;

16. Lots 1-26 must connect to sanitary sewer. Lots 27-29 shall also connect to sanitary sewer where gravity flow is available and upon approval by Gwinnett County Water Resources; otherwise, an approved permit for an onsite septic system from the Gwinnett County Department of Environmental Health shall be provided upon application for a building permit;
17. A roughly 150.50 foot long by 50.00 foot wide area of common open space shall be provided where the southeast boundary of Lot 13 abuts Tuftstown Court, with said common space beginning at the Tuftstown Court right-of-way as depicted on the Proposed Site Layout Plan, signed and sealed 2-12-2018. The builder/developer shall provide access to said common space for the use and enjoyment of subdivision residents. A decorative-style fence (wrought-iron, picket, split-rail, etc.), no higher than 4 feet tall shall be allowed to be erected within said common space. No accessory structures shall be allowed in said common space except as approved by the Director of Planning and Development;
18. The developer/builder shall be exempt from the public access (street) improvements, curb and gutter, and sidewalk improvements required by the City of Snellville Development Regulations for the property that abuts Sycamore Drive (Lots 27-29). However, the developer/builder shall comply with Gwinnett County D.O.T. regulations for driveway access to Sycamore Drive, a Gwinnett County maintained gravel roadway;
19. Unless granted variance approval by the Snellville Board of Appeals, no accessory structure shall be allowed to encroach within the 25-foot impervious surface setback or 50-foot undisturbed stream buffer;
20. 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; and
21. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.

This action is subject to the attachment of the following approved variances (1-7):

1. Reduction in lot size from 15,000 sq. ft. to 7,800 sq. ft.
2. Reduction in minimum lot width at building line from 80 feet to 55 feet.
3. Reduction in front yard building setback from 40 feet from right-of-way line to 20 feet.
4. Reduction in the rear yard building setback from 40 feet to 25 feet.
5. Reduction in the side yard building setback from 10 feet to 5 feet, with a minimum of 10 feet separation between structures.
6. Increase in the maximum ground coverage including accessory buildings from 25 percent to 65 percent.

7. Exemption from the public improvement requirements of the Snellville Development Regulations relating to a paved roadway, curb and gutter, and sidewalks for the properties (Lots 27-29) which abut Sycamore Drive.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public meeting on the subject application at the March 27, 2018 Regular Meeting of the City of Snellville Planning Commission. By a unanimous vote of 4-0, the Planning Commission recommends **Approval** of the request to amend the Official Zoning Map to repeal Conditions 1-7 from the 3-26-2007 approved rezoning (RZ 07-04 LUP 07-03 ANX 07-03) for the 11.61± acre tract shown on the Rezoning Site Plan, entitled "Proposed Subdivision Pinehurst Rd. and Sycamore Dr.", sealed and signed 2-12-2018 with the following new **Conditions (1-22)**:

1. The property shall be developed according to the rezoning site plan entitled "Proposed Subdivision Pinehurst Rd. and Sycamore Dr.," sealed and signed 2-12-2018 with modifications permitted due to engineering restrains, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning plan, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. Single-family detached dwellings shall not exceed a density of 2.55 units per acre;
3. The minimum heated floor area per dwelling shall be 1,800 sq. ft.;
4. All dwellings shall have a minimum two-car, enclosed garage;
5. The subdivision entrance feature/sign shall include a brick or stone base with associated landscaping. The final design shall require an approved landscape permit and approved sign permit from the Director Planning and Development;
6. All utilities shall be placed underground for Lots 1-26;
7. Stormwater detention facility(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height;
8. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited;
9. All homes shall be constructed of traditional design in general accordance with the sample building elevations submitted with the rezoning application, with primary treatments of brick, stone, and stucco, or any combination thereof on at least the front façade. The remaining sides shall be constructed of the same and/or masonry siding and/or shakes/shingles. Accents on the front façade, such as gables and dormers, shall be constructed of masonry siding and/or shakes/shingles. Building

- elevations shall be submitted for review of the Director of Planning and Development in the form of a "Plan Book" in accordance with Section 9.2(4), Design Criteria for All Residential Districts. Architectural styles will be varied in order to create a more appealing streetscape;
10. All corner lots (Lots 1 and 26) abutting an external street shall be designed as "High Visibility Lots" and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view;
 11. Sidewalks and other right-of-way improvements required by the Development Regulations and Zoning Ordinance shall be provided along the entire frontage of the development along Pinehurst Road and continue across Parcel 5071 006 and shall be allowed in, at, or near the stream that crosses that parcel subject to approval by the Director of Planning and Development;
 12. The developer/builder shall coordinate with Gwinnett County D.O.T. the installation of an advanced LED "VEHICLE APPROACHING" warning sign where Sycamore Drive connects to Pinehurst Road;
 13. A no-access easement shall be provided on the side and rear of all lots abutting Pinehurst Road and Sycamore Drive;
 14. A mandatory homeowner's association shall be formed for the open space and single-family lots, excluding Lots 27-29, and be responsible for maintenance of all common areas/stormwater detention facilities, street frontage landscaping where the development abuts Pinehurst Road, and entrance signage;
 15. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and Development for Lots 1-8 prior to issuance of a building permit;
 16. Lots 1-26 must connect to sanitary sewer. Lots 27-29 shall also connect to sanitary sewer where gravity flow is available and upon approval by Gwinnett County Water Resources; otherwise, an approved permit for an onsite septic system from the Gwinnett County Department of Environmental Health shall be provided upon application for a building permit;
 17. A roughly 150.50 foot long by 50.00 foot wide area of common open space shall be provided where the southeast boundary of Lot 13 abuts Tuftstown Court, with said common space beginning at the Tuftstown Court right-of-way as depicted on the Proposed Site Layout Plan, signed and sealed 2-12-2018. The builder/developer shall provide access to said common space for the use and enjoyment of subdivision residents. A decorative-style fence (wrought-iron, picket, split-rail, etc.), no higher than 4 feet tall shall be allowed to be erected within said common space. No

accessory structures shall be allowed in said common space except as approved by the Director of Planning and Development;

18. The developer/builder shall be exempt from the public access (street) improvements, curb and gutter, and sidewalk improvements required by the City of Snellville Development Regulations for the property that abuts Sycamore Drive (Lots 27-29). However, the developer/builder shall comply with Gwinnett County D.O.T. regulations for driveway access to Sycamore Drive, a Gwinnett County maintained gravel roadway;
19. Unless granted variance approval by the Snellville Board of Appeals, no accessory structure shall be allowed to encroach within the 25-foot impervious surface setback or 50-foot undisturbed stream buffer;
20. 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;
21. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers; and
22. (Lot 29 only). All roofed accessory structures shall be setback a minimum of twenty-five (25) feet from the property line where abutting parcels R5071 108 and R5071 257 to the southeast.

This action is subject to the attachment of the following approved variances (1-7):

1. Reduction in lot size from 15,000 sq. ft. to 7,800 sq. ft.
2. Reduction in minimum lot width at building line from 80 feet to 55 feet.
3. Reduction in front yard building setback from 40 feet from right-of-way line to 20 feet.
4. Reduction in the rear yard building setback from 40 feet to 25 feet.
5. Reduction in the side yard building setback from 10 feet to 5 feet, with a minimum of 10 feet separation between structures.
6. Increase in the maximum ground coverage including accessory buildings from 25 percent to 65 percent.
7. Exemption from the public improvement requirements of the Snellville Development Regulations relating to a paved roadway, curb and gutter, and sidewalks for the properties (Lots 27-29) which abut Sycamore Drive.