



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

CASE SUMMARY

June 10, 2019

CASE NUMBER: #CUP 19-03

REQUEST: Conditional Use Permit and Request for Variances

LOCATION: 1520 Scenic Hwy, Snellville, Georgia

TAX PARCEL: 5073 003

PRESENT ZONING: BG (General Business) District

OVERLAY DISTRICT: None

DEVELOPMENT/PROJECT: 12-Station Sam's Club Fuel Center

PROPERTY OWNER(S): Sam's Real Estate Business Trust
2101 SE Simple Savings Drive
Bentonville, Arkansas 72716

APPLICANT/CONTACT: Keith Moore, PE
Bartlett, Tennessee 38133
901.384.0404 or keithmoore@carlsonconsulting.net

RECOMMENDATION: Approval with Conditions



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

**CASE ANALYSIS
June 10, 2019**

TO: The Mayor and Council

MEETING DATE: June 10, 2019

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #CUP 19-03

FINDINGS OF FACT:

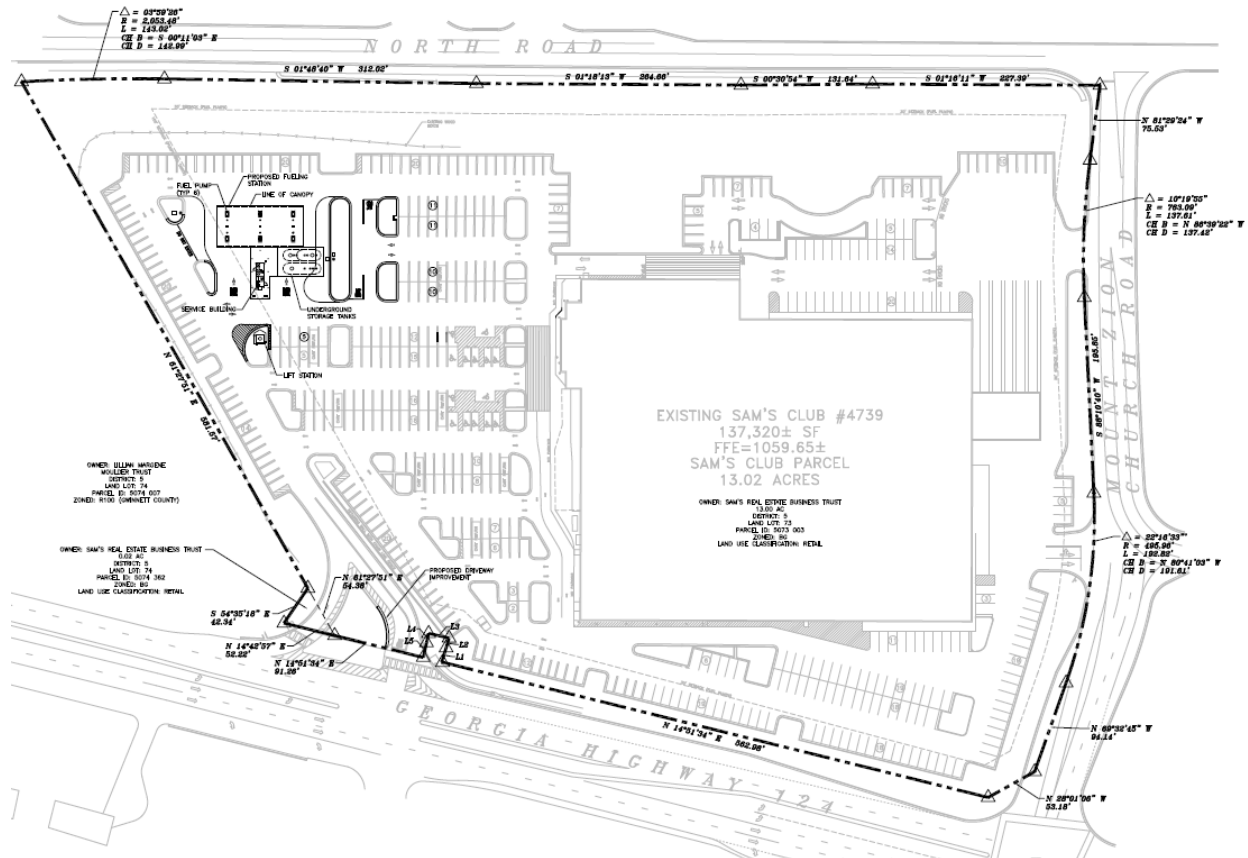
The Department of Planning and Development has received an application from Keith Moore of Carlson Consulting, representing Sam's Club Real Estate Business Trust, to request a Conditional Use Permit (CUP) and three (3) variances for Sam's Club #4739 located on a 13.02± acre tract at 1520 Scenic Highway, Snellville. The applicant intends to construct a 12 station, 6 pump fuel center in a 22,000± sq. ft. portion of the existing parking lot for use by Sam's Club patrons.

BACKGROUND:

The 13.02± acre property is the northernmost property in the City on the east side of Scenic Highway. The property contains a 137,320± sq. ft. split-face block retail center building, covered loading area and associated parking.

City of Snellville Properties: There are many adjacent properties; to the south and west along Scenic Highway are commercial properties zoned BG (General Business) District. Mt. Zion Baptist Church of Snellville is directly across the street, and is zoned RS-180 (Single-Family Residence) District.

County Properties: All adjacent county parcels to the north and east of the subject property are zoned R-100 (Single-Family Residential) District. The largest parcel, to the east, contains Pharrs Elementary School along with a few residential dwellings. To the north is one residential property and a large, wooded lot.



The proposed site plan, submitted by the applicant.

VARIANCE REQUEST:

As part of the application submittal, the applicant is requesting three (3) variances from the Snellville Zoning Ordinance. The variances are outlined below:

1. Section 7.7, Table II – Allowable Building Materials: Request to be allowed to use split-face CMU block on all walls of the building to match the existing Sam’s Club building.
2. Section 11.3 – Minimum and Maximum Off-Street Parking and Loading Requirements: Request for variance to allow the overall development to be parked at 1 space per 300 square feet of gross floor area.

3. Section 12.8 – Electronic Message Boards: Request to be allowed to use an Electronic Message Board as part of the fuel station canopy.

STAFF ANALYSIS:

Similar to the Kroger Fuel Center that was recently approved by Mayor and Council, Sam’s Club is proposing to redevelop a portion of their existing parking lot for use as a fuel center for Sam’s Club members. The model is similar to that of Costco, in that only Sam’s Club members may utilize the fuel center.

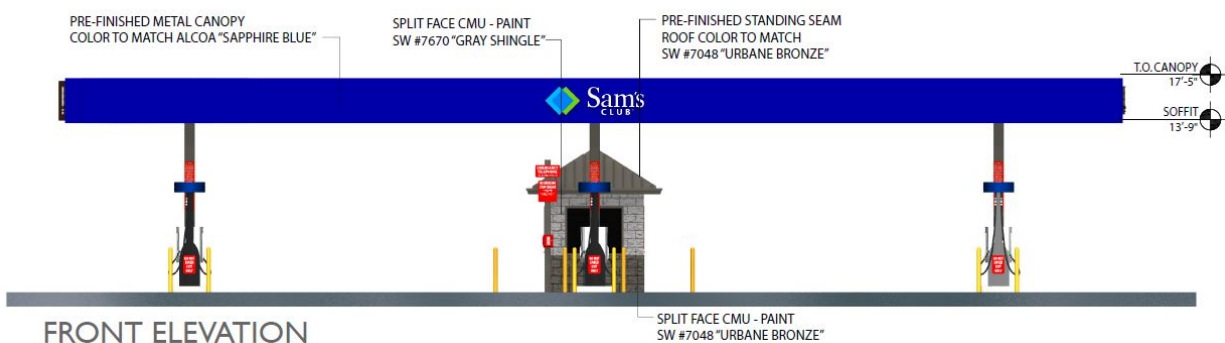
In accordance with Section 9.10(3)(7) of the Zoning Ordinance, *Gas Stations* may be permitted, provided the applicant for a such a business is granted a Conditional Use Permit by the Mayor and Council after receiving recommendations from the Planning and Development Department and Planning Commission, and after a public hearing, subject to the following provisions of Section 9.10(3)(7):

- a. Fuel pumps shall not be closer than 30 feet from right-of-way;
- b. Fuel pumps and gas storage tanks shall be set back at least 100 feet from any residential district; and
- c. Canopy design shall conform to the specifications indicated in the Architectural Design Standards.

The fuel pumps are located more than 110 feet from the 9.16± acre Molder property to the north and more than 190 feet from the Pharrs Elementary School property (240± feet from the school building) while the two underground fuel storage tanks are located more than 150 feet from the Molder property and more than 230 feet from the Pharrs Elementary School property (350± feet from the school building). Both the fuel pumps and fuel storage tanks are more than 130 feet from the North Road right-of-way.

The 3,600 sq. ft. drive under canopy will have a flat roof with factory formed facing of sheet metal painted to match the Sam’s Club “Sapphire Blue” color scheme.

A 192 sq. ft. service building kiosk will be clad in split-face CMU and painted bronze and gray to match the existing retail center building.



Approximately 65 parking spaces will be removed to accommodate the fuel center site and new parking lot planter islands, bringing the total parking to 452 spaces or 1 space per 304 sq. ft. of gross floor area. Based on 137,512 sq. ft. of gross floor area of the existing retail center and new service building kiosk, the City's parking regulations require one space per 250 sq. ft. (minimum) or 550 total parking spaces. The applicant is requesting a variance to reduce the minimum required parking by 98 spaces.

The fuel center site will add several new landscape planter islands that will provide for the planting of trees and mixture of evergreen and low accent shrubs.

VARIANCE ANALYSIS:

Analysis of each of the requested variances with the Planning Departments recommendation is provided below:

1. Section 7.7, Table II – Allowable Building Materials: Request to be allowed to use split-face CMU block on all walls of the service building kiosk to match the existing Sam's Club building.

Under the current Architectural Design Standards that were adopted in June 2002, split-face CMU block is not allowed as an exterior building material on the front or side elevations of buildings in the BG district and only allowed on the rear elevation of buildings greater than 10,000 sq. ft. in gross area, provided the rear elevation does not face a residential property or public street.

Since the existing 137,320 sq. ft. Sam's Club building was constructed in 2001, it is considered legal nonconforming to the current code and is grandfathered. However, any *new* construction would require compliance with the current code. The service building kiosk would be considered new construction; therefore, required to meet the current Architectural Design Standards requiring something other than split-face CMU block on each of the building elevations.

The applicant is requesting the variance to use split-face block in order to match the existing building. This request is reasonable and recommended for approval.

2. Section 11.3 – Minimum and Maximum Off-Street Parking and Loading Requirements: Request for variance to allow the overall development to be parked at 1 space per 300 square feet of gross floor area.

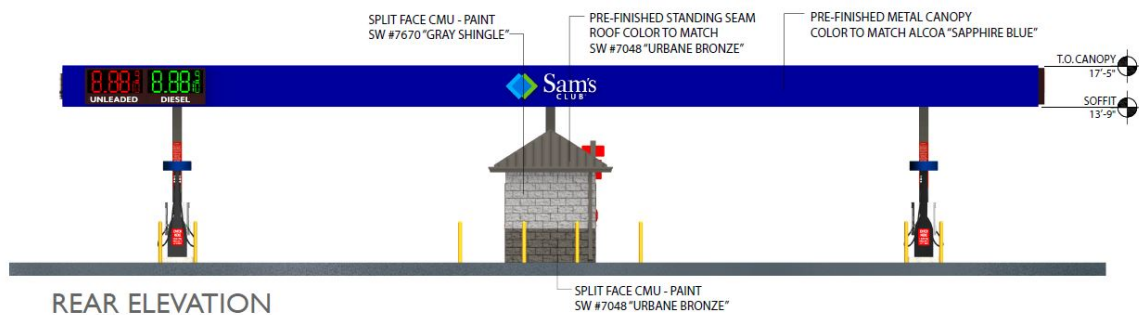
The current code requires that gas stations be parked at 3 spaces for each grease rack or similar facility, plus one space for each attendant. For retail stores or planned shopping centers greater than 15,000 sq. ft., the code requires 1 space per 250 sq. ft. of gross floor area (minimum) or 550 total spaces. The site currently has approximately 517 parking spaces, 33 spaces less than the current minimum code requirement. With the

proposed redevelopment of the site to accommodate the fuel center, 65 parking spaces will be removed, bringing the total site parking to 452 spaces, 98 spaces less than the 550 total minimum number of parking spaces required by the code.

Given the location of the proposed fuel center in an existing parking lot, it seems unnecessary to require their parking to be calculated separately. Likewise, the overabundance of parking on the site in general, much of which is underutilized as is, means that a loss of 65 spaces does not warrant concern. The department recommends approval.

3. Section 12.8 – Electronic Message Boards: Request to be allowed to use an Electronic Message Board as part of the fuel station canopy.

On April 22, 2019 the Mayor and Council approved an amendment to the City’s Sign Ordinance to allow electronic message board (EMB) signs as an element of fuel canopy signage. Therefore, no variance is required provided the EMB signage does not exceed 100% of the allowable sign area for fuel canopy signs which cannot exceed 15% of the face area of the canopy on which the sign is located, or roughly 48 sq. ft. of signage on the east and west canopy elevations (each).



STAFF RECOMMENDATION:

The Department of Planning and Development recommends **Approval** of the request for a Conditional Use Permit for 12-Station Fuel Center with the following **Conditions**:

1. The property shall be developed according to the proposed site plan entitled "Overall Site Plan Sam’s Club #4739-501" dated 4-8-2019 and stamped received 4-11-2019 and colored fuel center renderings entitled "6 Stack Fuel Station #4739 Snellville, GA" dated 4-8-2019 and stamped received 4-11-2019 with modifications permitted due to engineering restrains, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations;
2. Fuel canopy support columns shall be clad in CMU and painted to match the Service Building kiosk;

3. Service building kiosk rooftop units (RTU) shall be screened on all sides from public view;
4. New parking lot planter islands shall be planted in accordance with the Landscape and Tree Ordinance;
5. New signs higher than 15 feet or larger than 225 square feet are prohibited;
6. 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; and
7. 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.

In conjunction with Conditional Use Permit approval, the Department of Planning and Development recommends **Approval** of the following variances:

1. Variance from Section 7.7, Table II – Allowable Building Materials to allow use of split-face CMU block on all elevations of the service building kiosk.
2. Variance from Section 11.3 – Minimum and Maximum Off-Street Parking and Loading Requirements to allow the reduction from 550 total number of parking spaces (minimum) to 452 total site parking spaces.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public meeting on the subject application at the May 28, 2019 Regular Meeting of the City of Snellville Planning Commission. By a unanimous vote of 6-0, the Planning Commission recommends **Approval** of the request to amend the Official Zoning Map of the City of Snellville for a Conditional Use Permit for a 12 Station Fuel Center with the following **Conditions**:

1. The property shall be developed according to the proposed site plan entitled “Overall Site Plan Sam’s Club #4739-501” dated 4-8-2019 and stamped received 4-11-2019 and colored fuel center renderings entitled “6 Stack Fuel Station #4739 Snellville, GA” dated 4-8-2019 and stamped received 4-11-2019 with modifications

permitted due to engineering restrains, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations;

2. Fuel canopy support columns shall be clad in CMU and painted to match the Service Building kiosk;
3. Service building kiosk rooftop units (RTU) shall be screened on all sides from public view;
4. New parking lot planter islands shall be planted in accordance with the Landscape and Tree Ordinance;
5. New signs higher than 15 feet or larger than 225 square feet are prohibited;
6. 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; and
7. 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.

In conjunction with Conditional Use Permit approval, the Planning Commission recommends **Approval** of the following variances:

1. Variance from Section 7.7, Table II – Allowable Building Materials to allow use of split-face CMU block on all elevations of the service building kiosk.
2. Variance from Section 11.3 – Minimum and Maximum Off-Street Parking and Loading Requirements to allow the reduction from 550 total number of parking spaces (minimum) to 452 total site parking spaces.

FUEL CENTER RENDERING UPDATE:

On 6-3-2019 the applicant submitted a revised Fuel Center colored rendering showing the canopy columns clad with CMU per recommended Condition #2. The draft ordinance has been revised accordingly.