



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

CASE SUMMARY

August 26, 2019

CASE NUMBER: #RZ 19-04

REQUEST: Change-in-Conditions, Request for Variances

LOCATION: 2338 Scenic Hwy, Snellville, Georgia

TAX PARCEL: 5026 074

PRESENT ZONING: BG (General Business) District

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

OVERLAY DISTRICT: Corridor Overlay District

FUTURE LAND USE PLAN: **Town Center**

DEVELOPMENT/PROJECT: **Pet Kennel and Boarding Facility**

PROPERTY OWNER(S): 2338 Scenic Highway, LLC
Atlanta, Georgia 30318

APPLICANT: American Pet Resort, LLC
Jacksonville, Florida 32207

CONTACT: Robert A McCann, P.E.
Haines Gipson & Associates
770.491.7550 or bmccann@hainesgipson.com

RECOMMENDATION: **Approval with Conditions**



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

**CASE ANALYSIS
August 26, 2019**

TO: The Mayor and Council

MEETING DATE: August 26, 2019

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #RZ 19-04

FINDINGS OF FACT:

The Department of Planning and Development has received an application from American Pet Resort, LLC, represented by Robert McCann, P.E. of Haines Gipson & Associates requesting a change-in-conditions and variances for a 2.25± acre tract located at 2338 Scenic Highway, Snellville. The applicant intends to build a pet resort and boarding facility on the currently vacant property, known as Pet Paradise.

BACKGROUND:

The 2.25± acre tract is situated on the southeast corner of Scenic Highway and Henry Clower Boulevard. It is in the Corridor Overlay District and designated as Town Center on the Snellville 2040 Comprehensive Plan Future Land Use Map.

The property is bordered on two sides by major roadways, Scenic Highway to the west and Henry Clower Boulevard to the south. To the north is a commercial property zoned BG. To the east are three commercial properties, zoned (north to south) OP, HSB and BG. Across Scenic Highway and Henry Clower Boulevard are properties currently zoned BG. There is an intermittent or wet-weather stream on the eastern edge of the property, which forms the boundary between the subject parcel and the parcels to the east.

The entire parcel at 2338 Scenic Highway is currently 4.3± acres. The applicant's intent is to cut the southern portion of the parcel off from the rest, and use that 2.25± acre site for Pet Paradise. The property is currently vacant, save for a small parking lot paved at some point in the past, as well as an access drive bisecting the property serving the self-storage facility to the east.

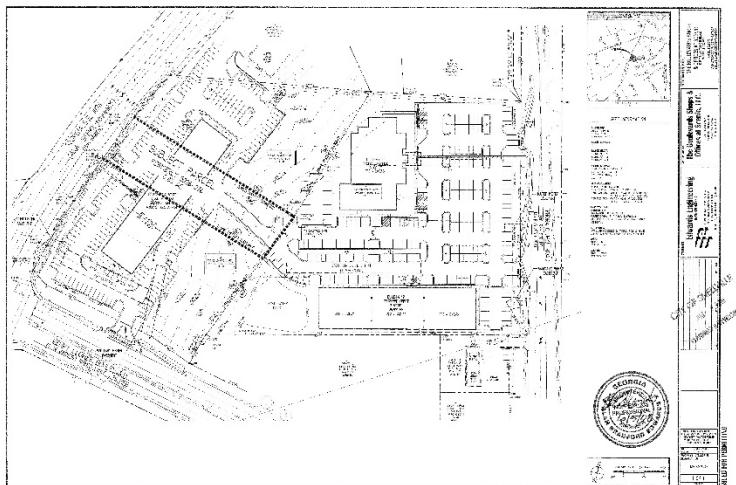
The subject property was originally rezoned in January 2008 as part of zoning case #RZ 07-19. It was originally intended as part of a larger development known as "The Boulevards Shoppes & Offices at Scenic" which would have included both this site and a few of the neighboring parcels. That development never materialized; some of the parcels have since been rezoned and developed for other uses, though this site has remained vacant.

REQUEST:

As part of the application submittal, the applicant is requesting a rezoning with conditions, more commonly referred to as a Change-in-Conditions. As part of the original 2008 rezoning, seven (7) conditions of zoning were approved for the property, outlined below. The applicant is requesting that these conditions be removed.

RZ 07-19 Conditions (approved 8-25-2008)

- 1. The property shall be developed in general accordance with the submitted site plan entitled "The Boulevards Shops & Offices at Scenic, LLC" dated June 5, 2008 and prepared by Edwards Engineering, Inc. with modifications to meet 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. Parking with the City-required buffer zone shall be constructed of a pervious*



material, as approved by the Department of Planning & Development;

3. *All detention structures must be located outside the required buffers and setbacks;*
4. *All proposed mitigation strategies as describe, and approved by the Snellville Board of Appeals on November 13, 2007, within the Edwards Engineering, Inc. Stream Buffer Reduction analysis dated October 14, 2007 (received October 15, 2007) shall be implemented into the development as prescribed with modifications to meet State, County and City regulations;*
5. *New signs higher than 15 feet and larger than 225 square feet are prohibited;*
6. *Uses involving adult entertainment, including and sale or display of adult magazines, books or videos and as further defined by the Adult Entertainment Ordinance in effect of the date this condition is imposed, are prohibited; and,*
7. *Applicant shall be required to clean up the property and remove all demolition debris, tires, etc. within 30-days after demolition.*

Applicant Requested Variances

The applicant is also requesting five (5) variances, which are outlined below:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 18¹ parking spaces.

Section 7.7, Table 1; Architectural Design Standards, Allowable Materials:

2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway. The proposed elevations are within the 25% allowance for the side and rear.
3. Allow for variance to allow smooth-faced CMU on the side elevations. The proposed site plan shows that these will be screened from view by outdoor dog runs.
4. Allow for variance to allow thin-brick veneer on side elevations.
5. Allow for variance to allow board and batten siding on all elevations of the Day Camp building.

¹ A variance was requested for 18 parking spaces in the Letter of Intent; however, the correct number of parking spaces is 24 spaces as reflected on the Zoning Site Plan.

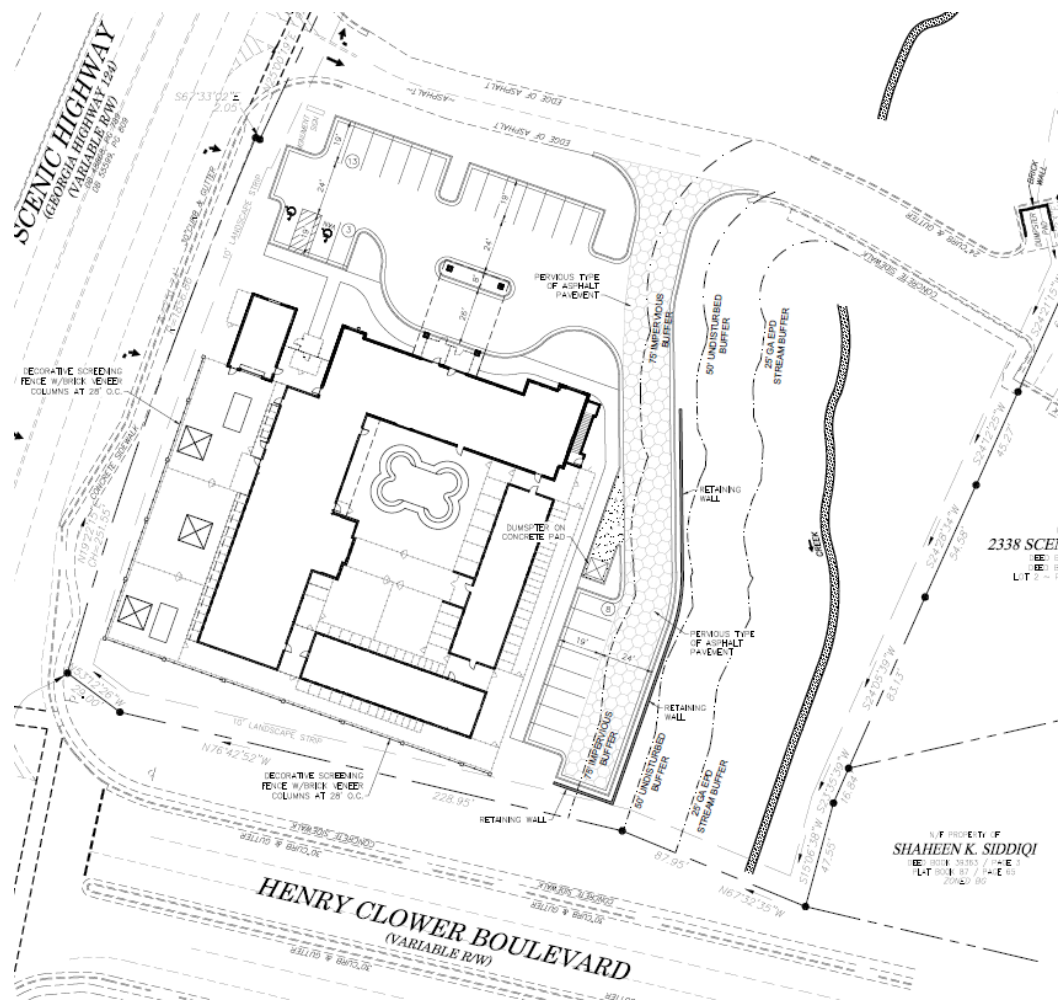
CHANGE-IN-CONDITIONS ANALYSIS:

The applicant is requesting that the existing conditions “be amended so as to allow the development of a Pet Paradise dog kennel and boarding facility in accordance with the site plan dated May 29, 2019” and revised June 10, 2019.

Conditions 1 and 4 were placed in reference to the old “Boulevards” site plan, which is no longer viable; therefore, these conditions are no longer relevant and recommended for removal. The other five conditions (2-3, 5-7) are more general, and still used today in largely the same format. These conditions are still largely relevant, and are recommended to be carried over in the form of new conditions. To simplify things, the Planning Department recommends the repeal of all original seven (7) conditions from the 2008 approved rezoning and instead, recommending seven (7) new conditions as presented in the Staff Recommendation on page eight.

SITE PLAN ANALYSIS:

The proposed site plan is included below:



The proposed site plan, submitted by the applicant.

The proposed site plan consists of multiple smaller buildings clustered around a central courtyard / play area with a pool. Along the exterior of the property along Scenic Hwy there are multiple “dog runs” on the outside of the building. These are to allow for outdoor exercise for dogs being boarded at the facility.

Associated parking for guests and visitors is on the northern edge of the property, along with the main entrance. Employee parking will be located on the southeastern portion of the property. A portion of the proposed driveway to the employee parking area and approximately 275 feet of retaining wall will encroach into the 75-foot impervious surface buffer adjacent to the stream; to mitigate this, the applicant intends to use pervious type of asphalt material for the driveway.

Stream Buffer Encroachment Variance Approval

On 11-13-2007 the Snellville Board of Appeals approved a stream buffer variance for the “Boulevards” development to allow encroachment into the 50-foot stream buffer of approximately 9,866 sq. ft. and approximately 17,326 sq. ft. of encroachment into the 75-foot impervious surface buffer. The Pet Paradise site has been designed to not require encroachment into the 50-foot stream buffer, while reducing the encroachment into the 75-foot impervious surface buffer by 29.26% to 5,070 sq. ft. to allow for the main driveway and retaining wall.

Since the amount of encroachment is substantially less than what was approved in 2007, no further review by the Board of Appeals is necessary and no additional steam buffer variance consideration is required at this time. The original five conditions from the 11-13-2007 Board of Appeals meeting shall remain in full force and effect.

BUILDING FLOOR PLAN AND ELEVATIONS REVIEW:

The applicant submitted a proposed floor plan showing the layout of the pet kennel and boarding facility including the locations of: the main lobby and reception area; office and breakroom; cattery; wash and grooming area; veterinary exam, treatment and procedure rooms; pet ‘suites’; day camp community room; tiny dog ‘suites’ and indoor play area; and outdoor play and exercise areas including a pool and two splash areas.

A second floor which is located above the office and breakroom area will contain a small apartment containing a common area and caretaker quarters. The facility will contain 149 pet ‘suites’ in various sizes and have a total building area of 13,782 sq. ft.

The building elevations show the use of brick veneer as the primary exterior material with board and batten cement siding to be used on the accessory Day Camp building with minor elements of the material to be used as an accent material on each of the elevations. Painted smooth-faced CMU will be used on the rear and side elevations and which will be screened from view by the outdoor dog runs that will be enclosed by a 36” high brick base with columns and 7’-4” high decorative aluminum picket fence on the exterior with separate chain-link dog

barrier fence on the interior. The roof of the buildings will contain an asphalt architectural shingled pitched roof.

VARIANCE ANALYSIS:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 24² parking spaces.

The Zoning Ordinance does not prescribe a specific requirement for pet kennel and boarding facilities. Based on the operations of other existing Pet Paradise sites, the applicant believes they will need around 24 spaces to accommodate both employees and visitors to the site. The majority of the parking will be temporary as clients and guests drop off or pickup their pets. Only employees will need full-day parking, which is accounted for in the proposed site plan. This variance is recommended for approval.

2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway. The proposed elevations are within the 25% allowance for the side and rear.

The “front” of the building does not actually face a public ROW, but rather the access drive on the northern edge of the property that connects Scenic Highway to the indoor self-storage facility. The Planning Department recommends approval.

3. Allow for variance to allow smooth-faced CMU on the side elevations. The proposed site plan shows that these will be screened from view by outdoor dog runs.

As stated by the applicant, the sides of the buildings will be largely obscured from public view by the dog runs on the exterior of the building. In addition, the applicant has also agreed to further screen the sides with decorative fencing and landscaping. Although only allowed on rear elevations, the Planning Department recommends approval.

4. Allow for variance to allow thin brick veneer on side elevations beginning at 6 feet above finished floor to top of the wall/roof line.

The applicant is proposing to match the thin brick veneer to the brick used on other parts of the building and apply this course above the painted CMU block up to the top of the wall/roof line. This variance is recommended for approval.

5. Allow for variance to allow board and batten siding on all elevations of the Day Camp building.

² A variance was requested for 18 parking spaces in the Letter of Intent; however, the correct number of parking spaces is 24 spaces as reflected on the Zoning Site Plan.

The day camp building is a small structure located on the northwest portion of the site, next to the main entrance. It is physically separate from the main building, and connected in the rear to the dog runs. Given its separate function from the main kennel, the applicant wishes to differentiate it visually. Although this material type is not allowed on the front building elevation and restricted on the side and rear building elevations to not exceed 25%, this variance is recommended for approval.

STAFF RECOMMENDATION:

In conclusion, the Department of Planning and Development recommends **Approval** of the rezoning and change-in-conditions with the following recommended **Conditions**:

1. The property shall be developed according to the site plan entitled “Conceptual Site Plan” sealed and dated 6-10-2019 and Exterior Elevations A3.1, A3.2 and A3.3 dated 6-7-2019, with modifications permitted due to engineering restraints, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan or exterior elevation plans, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. #RZ 07-19 conditions (1-7) approved 8-25-2008 by the Mayor and Council by Ordinance No. 2008-15 are hereby repealed;
3. Signs higher than 15 feet or larger than 225 square feet are prohibited;
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;
5. The caretaker quarters and common area shall only be occupied by employees of the facility and related family members;
6. Only pervious concrete/asphalt pavement and/or permeable pavers shall be utilized for any portion of driveway that encroaches into the 75 foot impervious surface buffer; 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 the rezoning and change-in-conditions for the property, the following variances (1-5) are recommended for **Approval**:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 24³ parking spaces.
2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway. The proposed elevations are within the 25% allowance for the side and rear.
3. Allow for variance to allow smooth-faced CMU on the side elevations. The proposed site plan shows that these will be screened from view by outdoor dog runs.
4. Allow for variance to allow thin-brick veneer on side elevations.
5. Allow for variance to allow board and batten siding on all elevations of the Day Camp building.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public meeting on the subject application at the July 23, 2019 Regular Meeting of the City of Snellville Planning Commission. By a unanimous vote of 6-0, the Planning Commission recommends **Approval** of the rezoning and change-in-conditions with the following recommended **Conditions**:

1. The property shall be developed according to the site plan entitled "Conceptual Site Plan" sealed and dated 6-10-2019 and Exterior Elevations A3.1, A3.2 and A3.3 dated 6-7-2019, with modifications permitted due to engineering restraints, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan or exterior elevation plans, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. #RZ 07-19 conditions (1-7) approved 8-25-2008 by the Mayor and Council by Ordinance No. 2008-15 are hereby repealed;
3. Signs higher than 15 feet or larger than 225 square feet are prohibited;
4. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;
5. The caretaker quarters and common area shall only be occupied by employees of the facility and related family members;

³ A variance was requested for 18 parking spaces in the Letter of Intent; however, the correct number of parking spaces is 24 spaces as reflected on the Zoning Site Plan.

6. Only pervious concrete/asphalt pavement and/or permeable pavers shall be utilized for any portion of driveway that encroaches into the 75 foot impervious surface buffer;
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; and
8. All elevations of the Day Camp building shall be faced in brick up to the gable roof overhang and in similar design to the portico above the covered entrance, as approved by the Planning Director.

In conjunction with the rezoning and change-in-conditions for the property, the following variances (1-5) are recommended for **Approval**:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 24⁴ parking spaces.
2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway. The proposed elevations are within the 25% allowance for the side and rear.
3. Allow for variance to allow smooth-faced CMU on the side elevations. The proposed site plan shows that these will be screened from view by outdoor dog runs.
4. Allow for variance to allow thin-brick veneer on side elevations.
5. Allow for variance to allow board and batten siding on all elevations of the Day Camp building.⁵

Site Plan Revision:

On August 16th the applicant submitted a revised site plan (sealed, signed and dated 8-14-2019) with the site being rotated ninety degrees counter clockwise so that the main building entrance is oriented facing Scenic Highway with twelve of the twenty-four total parking spaces located

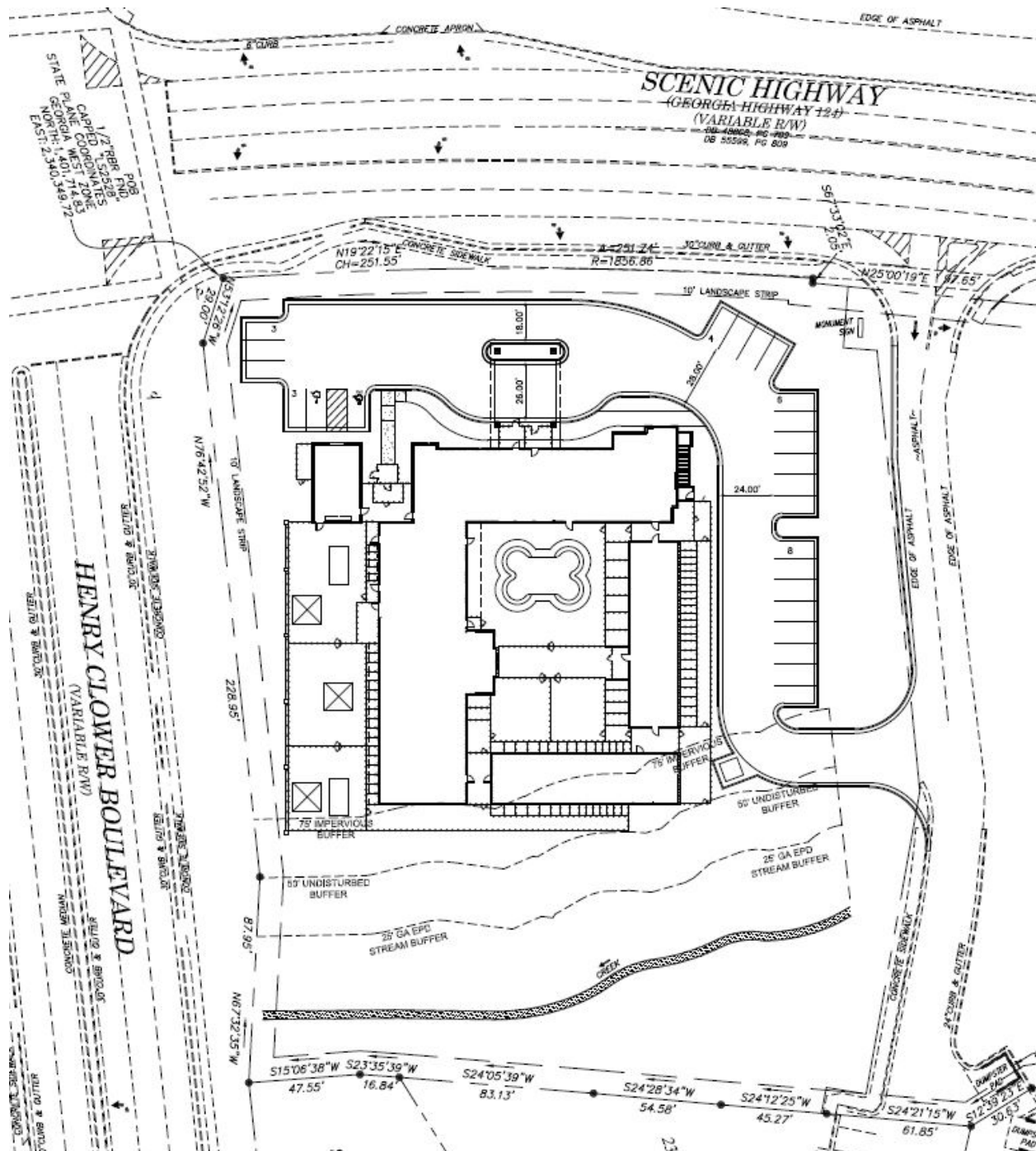
⁴ A variance was requested for 18 parking spaces in the Letter of Intent; however, the correct number of parking spaces is 24 spaces as reflected on the Zoning Site Plan.

⁵ With the Planning Commission's recommended addition of Condition #8, Variance #5 should be amended to read: "Allow for variance to allow board and batten siding at the gables of the Day Camp building."

between the building and Scenic Highway with the remaining twelve spaces located on the side and adjacent to the driveway serving the development.

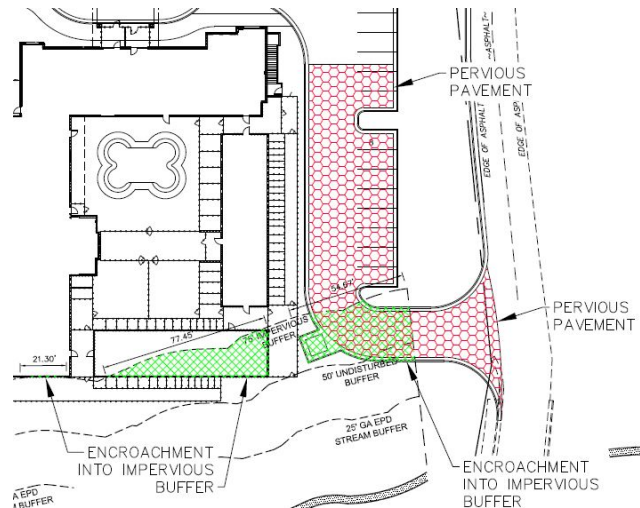
A portion of the kennel building; dumpster and enclosure; and portion of the access drive will encroach into the 75 foot impervious buffer. A corner of the perimeter safety fencing will encroach into the 50 foot undisturbed stream buffer. There is no encroachment into the 25 foot Georgia EPD Stream Buffer.

8-14-2019 Revised Site Plan



On August 21st the applicant submitted a “Buffer Encroachment Exhibit” in an effort to compensate and mitigate encroachment into the 75 foot impervious surface buffer and 50 foot undisturbed City stream buffer.

To compensate and mitigate encroachment into 2,026 sq. ft. of the buffers, the applicant is proposing to provide 5,983 sq. ft. of pervious pavement in the driveway and parking area as shown in red on the “Buffer Encroachment Exhibit” in the graphic to the right.



The proposed compensation and mitigation plan represents almost three times the area of encroachment into the impervious buffer.

The stormwater management concept is to install an underground detention/infiltration system under the front parking lot area. The surface stormwater runoff would be collected by drain inlets in the parking lot area and piped to the underground storage pipe system. The outlet pipe from the underground storage system would be routed along the south side of the site and discharge into the existing stream.

With the re-orientation of the site layout and proposed “Buffer Encroachment Exhibit”, the following conditions and variances are recommended:

CONDITIONS:

1. The property shall be developed according to the site plan entitled “Pet Paradise” sealed and dated 8-14-2019 and Exterior Elevations A3.1, A3.2 and A3.3 dated 6-7-2019, with modifications permitted due to engineering restraints, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations. Substantial variation from the zoning site plan or exterior elevation plans, as determined by the Director of Planning and Development will require Mayor and Council approval;
2. #RZ 07-19 conditions (1-7) approved 8-25-2008 by the Mayor and Council by Ordinance No. 2008-15 are hereby repealed;
3. No encroachment into the 50 foot stream buffer greater than that previously approved under BOA 07-05 shall be permitted;
4. Signs higher than 15 feet or larger than 225 square feet are prohibited;
5. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;

6. The caretaker quarters and common area shall only be occupied by employees of the facility and related family members;
7. To compensate and mitigate encroachment into the 75 foot impervious surface buffer, pervious pavement shall only be used in the drive and parking lot area as per the "Buffer Encroachment Exhibit" dated 8-21-2019 and shown in Exhibit "C";
8. 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
9. All elevations of the Day Camp building shall be faced in brick up to the gable roof overhang and in similar design to the portico above the covered entrance, as approved by the Planning Director.

VARIANCES:

1. Variance from Article XI, Section 11.3 of the Zoning Ordinance regarding Parking and Loading Requirements to allow the Pet Paradise site to have a total of 24 parking spaces.
2. Allow for variation on the front elevation to allow board and batten siding at the gable over the main entryway.
3. Allow for variance to allow smooth-faced CMU on the side elevations.
4. Allow for variance to allow thin-brick veneer on side elevations.
5. Allow for variance to allow board and batten siding at the gables of the Day Camp building.