



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 22, 2022

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz and Tod Warner. Also present City Manager Butch Sanders, Assistant City Manager Matthew Pepper, City Attorney Chuck Ross and Assistant City Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Planning and Development Director Jason Thompson, Chief Greg Perry, IT Administrator Erika Fleeman, Public Information Officer Brian Arrington, and City Clerk Melisa Arnold.

**CALL TO ORDER**

Mayor Bender called the meeting to order at 7:36 p.m.

**INVOCATION**

Catherine Hardrick gave the invocation.

**PLEDGE TO THE FLAG**

Girl Scout Troop 16222 led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

Freddie Broome--Director of Equity and Inclusion for the Georgia Municipal Association, (GMA) presented Council Member Warner with his Certificate of Recognition for his Council training hours with GMA.

**MINUTES**

Approve the Minutes of the August 2, 2022 Special Called Meeting and the August 8, 2022 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the August 2, 2022 Special Called Meeting and the August 8, 2022 Meetings, 2<sup>nd</sup> by Council Member Schulz; voted 5 in favor and 1 abstention with Council Member Lenski abstaining. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.) Motion approved.

**INVITED GUESTS**

None

**COMMITTEE / DEPARTMENT REPORTS**

None

**City of Snellville Administration Department**

**APPROVAL OF THE AGENDA**

Council Member Destang made a motion to approve the August 22, 2022 agenda, 2<sup>nd</sup> by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

**PUBLIC HEARING**

2<sup>nd</sup> Reading - LUP 22-01 – Consideration and Recommendation on a Proposed Amendment to the Snellville 2040 Comprehensive Plan Future Land Use Map for the 23.61± Acre Parcel 5100 065 and 18.04± Acre Parcel 5100 023 from Commercial Retail to Highway 78 East Activity Node

Planning Director Thompson gave an overview of the application and advised that the recommendation is for approval. He explained that it is to amend the 2040 Comprehensive Plan to make this area more consistent with the Town Center. Council asked Mr. Thompson questions about the application.

Mayor Bender explained that this is a City generated application and opened the floor to public comment. No one came forward so Mayor Bender closed public comment.

Council Member Lenski made a motion to approve LUP 22-01, 2<sup>nd</sup> by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2022-05 – a copy is attached to and made a part of this record.)

2<sup>nd</sup> Reading - RZ 22-04 LUP 22-04 – Consideration and Action on Applications by CKK Development Services LLC (applicant) and Larry Garner (property owner) Requesting: a) to Amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to R-TH (Townhome Residential) District; b) to Amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Commercial Retail to Medium-Density Residential; c) and Request for Variances from the Small Residential Building Standards; Minimum Building Setbacks, and Sidewalk and Planter Strip Requirements for a 27-Unit/Lot Townhome Development on a 3.43± Acre Site Located Adjacent to the Olde Hickory Village Subdivision, 2045-2055-2065-2075 E. Main Street, Snellville, Georgia (Tax Parcels 5059 248, 5059 485, 5059 486, and 5059 487)

Planning Director Thompson gave an overview of the application. He read the variances that are being requested and the conditions into the record as follows:

**VARIANCES:**

1. Variance from UDO Sec. 201-3.3.E.1. (Small Residential Building Standards) to allow the combined area of the front building façade area to exceed more than 40% for windows and doors.
2. Variance from UDO Sec. 201-3.3.E.2. (Small Residential Building Standards) to not require a front porch or stoop.
3. Variance from UDO Table 401-4.2. (Streetscapes Required) to allow the existing 5-foot wide sidewalk and 2-foot wide planter strip to remain 'as-is' within the E. Main Street public right-of-way.

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4. Variance from UDO Sec. 202-6.6. (Dimensional Standards) to reduce the 50 feet minimum site setback (along streets) to 40 feet where abutting U.S. Highway 78.

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled "C.K.K. Development", dated 6-5-2022 (stamped received 7-6-2022) in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner's Association shall be established for the continual maintenance of open space; landscaping; walls, columns and fencing; signage; mailbox kiosk; and parking areas.
3. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents and covenants prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the 600± feet of existing solid brick wall and columns located along the northern property line. The wall and columns to remain in its place 'as-is' and protected during construction.
6. An access and maintenance easement shall be established and granted to the Olde Hickory Village Homeowner's Association for the existing solid brick Olde Hickory Village subdivision sign located at the southwestern corner of the property. The sign to remain in its place 'as-is' and protected during construction.
7. The existing 5-foot wide sidewalk and 2-foot wide planter strip where adjacent to U.S. Highway 78 (E. Main Street) shall continue easterly to the property line where abutting  
Parcel 5059 233.
8. All project access improvements or modifications made within the Hickory Station Drive right-of-way shall be reviewed and approved by the City Engineer and completed at the sole cost and expense of the developer.

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9. All townhome driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
10. Unless approved as a concurrent variance at time of zoning approval, variances are to be considered by the Snellville Board of Zoning Appeals, unless authority is granted by the UDO to the Director of Planning and Development for Administrative Variance consideration and approval.

Mr. Thompson said that the recommendation is for approval and answered questions of the Mayor and Council.

Applicant Duncan Corley with CKK Development, 270 N. Clayton St., Lawrenceville, was present and spoke about the application. He advised they have been working with the H.O.A. for around a year on this project and they have come to an agreement with the site plan.

Mayor Bender opened the floor to public comments and the following people come forward:

Marvin Pastel, Attorney for Olde Hickory Village H.O.A., 3490 Piedmont Rd., Suite 800, Atlanta, spoke in favor of the application and reviewed the general rules listed on the site plan that the H.O.A. were in favor.

Larry Garner, 2885 Atkinson Road, Loganville, spoke in favor as the property owner.

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville, expressed concern about the ability of buses and emergency vehicles getting in and out of the street.

Daisy Russell, 2052 Wickerwood Way, Snellville, expressed concerns about the number of units being proposed and adequate parking.

No one else came forward so Mayor Bender closed public comment.

Council Member Warner made a motion to table until the September 12, 2022 meeting to have time to review the site plan with the 31 General Rules, 2<sup>nd</sup> by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

Mayor Bender advised that the public hearing has been held on this application so it will only be on the September 12<sup>th</sup> agenda for a vote.

2<sup>nd</sup> Reading – RZ 22-07 LUP 22-06 – Consideration and Recommendation on applications by Century Communities of Georgia, LLC (applicant) and Hazel L. Lee and Brenda G. Lee (property owners) requesting: a) to amend the 2040 Comprehensive Plan Future Land Use Map from Medium-Density Residential to Low-Density Residential; b) to amend the Official Zoning Map from RS-15 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 98-lot single-family (detached) residential subdivision on a 25.052± acre site having a gross density of 3.91 units per acre, located at 1689 and 1725 Rockdale Circle, Snellville, Georgia (Tax Parcels 5060 008 and 5060 023)

Planning Director Thompson gave an overview of the application. He advised that it's a less intensive zoning and the 2040 Comprehensive Plan is supportive of low density residential uses within that area. Mr. Thompson said there are no requested variances and he read an additional condition from Century Communities into the record; All detention ponds shall be screened from the view of Rockdale Circle with a six (6) foot wooden fence, a staggered row of evergreen trees ten (10) feet apart placed twenty (20) foot on center and a row of deciduous trees placed forty (40) feet apart with additional staggered rows of evergreen shrubs four (4) feet apart between the deciduous trees. He read the remaining conditions into the record as follows:

1. The property shall be developed in accordance with the rezoning site plan entitled "Zoning Plan Rockdale Circle Tract", dated 8-3-2022 (stamped received 8-5-2022) in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development and the City Manager will require Mayor and Council approval.
2. A Home Owner's Association shall be established for the continual maintenance of open space; common areas; stormwater detention areas; and any structures which may be located within any open space/common areas, including but not limited to: landscaping, retaining walls, columns, fencing, entrance signage, etc.
3. The development and single-family lots are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the lots may be used as non-owner occupied (rental) units. This condition must be incorporated into the Home Owner's Association documents and recorded prior to the release of any certificates of occupancy.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. A sidewalk and planter strip shall be constructed in accordance with UDO Table 401-4.2 (Streetscapes required) where the development is adjacent to Rockdale Circle, and at the sole cost and expense of the developer.

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6. All dwelling driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parking of two vehicles.
7. In addition to the twenty-percent (20%) open space requirement of UDO Sec. 401-2-1, at least six-percent (6%) of the site's gross land area must be provided for recreational use in accordance with UDO Sec. 401-2.2.
8. Non-substantial variances, as determined by the Director of Planning and Development and City Manager for the design, development, or zoning requirements of the Snellville Unified Development Ordinance, must be submitted in writing for Administrative Variance approval consideration by the Director of Planning and Development.

And the new condition:

9. All detention ponds shall be screened from the view of Rockdale Circle with a six (6) foot wooden fence, a staggered row of evergreen trees ten (10) feet apart placed twenty (20) foot on center and a row of deciduous trees placed forty (40) feet apart with additional staggered rows of evergreen shrubs four (4) feet apart between the deciduous trees.

Mr. Thompson answered questions of the Mayor and Council.

Attorney Shaun Adams with Parker Poe Adams & Bernstein, 1075 Peachtree Street, Atlanta, was present on behalf of the applicant, Century Communities of Georgia. He spoke about the proposed development. Engineer John Murder with Travis Pruitt & Associates, Norcross spoke about the change in the access point off Rockdale Circle.

Mayor and Council asked questions of Mr. Adams.

Ms. Dakota Carruthers with Century Communities came forward and spoke about the proposed elevations and storm water issue at another development. During the discussion the developer agreed to changes suggested by the Council in the architecture of the proposed elevations and to look at the feasibility of underground detention ponds.

Mayor Bender opened the floor to public comment and the following people came forward:

Gail Bobbit, 2151 Alamo Court, Snellville, spoke in opposition.

Catherine Hardrick -- 2280 Buckley Trail, Snellville, spoke in opposition.

Glen Bush, 1740 Rockdale Circle, Snellville, expressed concern and asked about building less units.

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Pete Dechadenedes, 1930 Meadowchase Circle, Snellville, spoke about the need for sidewalks in the area.

No one else came forward so Mayor Bender closed public comment.

Attorney Adams came forward and clarified concerns.

Council Member Warner made a motion to approve LUP 22-06, 2<sup>nd</sup> by Council Member Schulz. Council Member Schulz clarified this is a density change and does not affect the rezoning request. The motion was voted 6 in favor and 0 opposed, motion approved. (Reference ORD 2022-16- a copy is attached to and made a part of this record.)

Council Member Warner made a motion to approve RZ 22-07 with 12 conditions, motion died for lack of a second.

Council Member Schulz made a motion to deny RZ 22-07, 2<sup>nd</sup> by Mayor Pro Tem Emanuel.

Mayor Bender asked Shaun Adams, legal representative for the applicant, if they would like to withdraw and he responded that they would withdraw.

Council Member Schulz made a motion to accept the withdrawal request, 2<sup>nd</sup> by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**COUNCIL REPORTS**

Council Members Destang, Warner, Lenski, Schulz and Mayor Pro Tem Emanuel each gave a report.

**MAYOR'S REPORT**

Mayor Bender gave a report.

**PUBLIC COMMENTS**

Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.  
Shahara Ruth, 2683 Newtons Crest Circle, Snellville.  
Catherine Hardrick, 2280 Buckley Trail, Snellville.

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**EXECUTIVE SESSION**

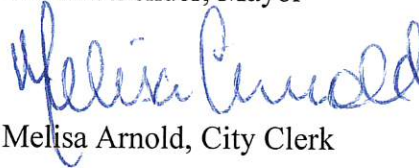
None

**ADJOURNMENT**

Mayor Pro Tem Emanuel made a motion to adjourn, 2<sup>nd</sup> by Council Member Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 9:36 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk