

PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, APRIL 14, 2025

Present: Mayor Barbara Bender, Mayor Pro Tem Tod Warner, Council Members Norman A. Carter Jr., Kerry Hetherington, and Cristy Lenski. (Council Member Gretchen Schulz was absent.) Also present City Manager Matthew Pepper, Assistant City Manager Mercy Montgomery, City Attorney Tony Powell with Powell and Crowley, Captain Zach Spahr, Planning and Development Director Jason Thompson, Public Information Officer Brian Arrington, IT Administrator Erika Fleeman and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:33 p.m.

INVOCATION

Melvin Everson gave the invocation.

PLEDGE TO THE FLAG

City Attorney Powell led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2025-07 – Arbor Day

Mayor Bender read the proclamation into the record.

PRO 2025-09 – Arab American Month

Mayor Bender read the proclamation into the record and presented to Mike Sabbagh and other members of the Arab community.

Snellville Tourism and Trade Presentation

Kelly McAloon, Executive Director for STAT, recognized outgoing board member Melvin Everson for his service.

MINUTES

Approve the Minutes of the March 24, 2025 Meetings

Council Member Lenski made a motion to approve the minutes of the March 24, 2025 meetings, 2nd by Council Member Carter; voted 5 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

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COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

Council Member Lenski made a motion to approve the agenda as presented, 2nd by Mayor Pro Tem Warner; voted 5 in favor and 0 opposed, motion approved.

PUBLIC HEARING

Mayor Bender explained the public hearing procedures.

2nd Reading - RZ 25-01 (ORD 2025-03) – Consideration and Action on Application by Split Silk Properties, LLC, Representing Sinocoin Investment, LLC (property owner) Requesting: A) to Amend the Official Zoning Map From RS-30 (Single-Family Residential) District to R-TH (Townhouse Residential) District; And B) Request for Variances from the Snellville Unified Development Ordinance for a 67-Unit Single-Family (Attached) Townhome Development On A 17.44 +/- Acre Site with a Density of 3.84 Units Per Acre, Located Near the Intersection of U.S. Highway 78 (Athens Highway) and Rosebud Road, 3,000 Block Rosebud Road, Snellville, Georgia (Tax Parcel R5100 023)

Planning Director Thompson gave an overview of the application and explained the differences between the site plan dated 1-30-2025 and the one referenced in the ordinance for adoption dated 2-17-2025. He stated that the Planning Commission and Planning Department both recommend approval with requested variances and conditions:

Variances:

- A. UDO Sec. 202-6.7. (Building Setbacks): To reduce the 10-feet minimum front yard building setback to 8-feet.
- B. UDO Sec. 401-5.10.b. (Residential Curbing): To allow roll-back curbing in lieu of vertical curbing within the proposed townhome development on Lots 14-19. A 2.5-feet wide planter is required between the roll-back curbing and sidewalk.
- C. UDO Table 401-4.2. (Streetscape Table): To reduce the 5-feet minimum planter width to 2.5-feet between the sidewalk and (internal) streets.

Conditions:

- 1. The property shall be developed in general accordance with the rezoning site plan entitled "Snellville Townhomes, Rosebud Road, Snellville, GA 30078", dated 01-30-2025, revised 02-17-2025, stamped received FEB 18 2025, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after submitting a Change in Conditions application and receiving recommendations by the Planning Department and Planning Commission.
- 2. A Property Owner's Association shall be established for the continuous maintenance of all sidewalks, alleys, buffers, open space, landscaping, signage, stormwater detention, and recreation and clubhouse areas.
- 3. All alleys and stormwater management facilities shall be privately owned by the Property Owner's Association.

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- 4. 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 Property Owner's Association documents prior to the release of any certificates of occupancy.
- 5. A six (6) foot high shadowbox wood privacy fence, or other fence type mutually agreed upon by the developer and adjacent property owners (Parcel 5100 022, 5100 047, and 5100 016) shall be installed along the southern property line unless waived in writing by the property owner(s) of these parcels.
- 6. A minimum six (6) feet wide sidewalk and minimum five (5) feet wide planter is required where the development is adjacent to Rosebud Road, an Urban Minor Arterial Street per the Gwinnett County Road Classification Map.
- 7. Rear-entry driveway length shall be a minimum of twenty-two (22) feet, measured from garage door to alley pavement edge. Front entry driveway length shall be a minimum of twenty-two (22) feet, measured from garage door to sidewalk.
- 8. The stormwater management ponds located at the southwestern portion of the site shall be designed as a wet extended detention facility, unless topographic, bedrock, or other preventive measures are present that require a dry pond.
- 9. Except for the cul-de-sac street, cross streets connecting to alleys shall have a minimum width of nineteen (19) feet measured back-of-curb.
- 10. All buildings shall have twenty (20) feet minimum separation between principal buildings.
- 11. 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.
- 12. Signs higher than 15 feet or larger than 225 square feet are prohibited.
- 13. Except as otherwise stated in the approved variances and conditions, townhomes shall be developed and constructed in accordance with the UDO provisions in effect prior to the 3-10-2025 approved text amendment #8.

Planning Director Thompson answered questions from the Council.

Jeff Timler, Split Silk Properties, P.O. Box 1725, Loganville, was present representing the applicant. He spoke about the application and said they agreed to the variances and conditions.

Mayor Bender opened the floor for public comment for those in favor and the following people came forward:

Denise Buchanan, 1355 Summit Chase Drive, Snellville, had questions about traffic. Megan Palich, 3224 Brooks Drive, Snellville stated she thought it was appropriate development but had some concerns.

No one else came forward so Mayor Bender closed public comment for those in favor and opened the floor to those in opposition:

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Kit Vinsick, 1310 Summit Chase Drive, Snellville advised she was not for or against the development but had questions about stormwater runoff.

Cat Hardrick, 2280 Buckley Trail, Snellville spoke about concerns regarding the development.

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

Jeff Timler, Split Silk Properties came forward and addressed the concerns raised during the public hearing.

Mayor Pro Tem Warner made a motion to approve RZ 25-01 with variances and conditions as referenced in ORD 2025-03, 2nd by Council Member Lenski.

Mayor and Council spoke about the application.

The motion was voted 5 in favor and 0 opposed, motion approved. (A copy of ORD 2025-03 is attached to and made a part of these minutes.)

1st Reading - RZ 25-03 LUP 25-01 - Consideration and Action on applications by The Revive Land Group, LLC (applicant) and Chris Dusik (property owner) and Soren S. Thomas Living Trust (property owner) requesting: a) to amend the Snellville 2045 Future Land Use Map from Residential -Low Density to Residential -Medium Density; b) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RX (Mixed Residential) District; and c) variance from UDO Sec. 201-1.6(D)(1) to increase the front yard area used for driveways from 35% to 67% for townhomes and 40% for single-family detached homes. The proposed project is for a single-family residential community consisting of 28 single-family (detached) homes and 42 single-family (attached) townhomes on a 15.149± acre site with a gross density of 4.62 units per acre, 2587 and 2597 Lenora Church Road, Snellville, Georgia (Tax Parcels 5027 001 and 5027 001E)

Council Member Lenski recused herself due to the fact that her property abuts the development. She left the Chambers at 8:23 p.m.

Mayor Pro Tem Warner made a motion to waive the first reading and place on the April 28, 2025 agenda for the 2nd reading and public hearing, 2nd by Council Member Carter; voted 4 in favor and 0 opposed, motion approved.

Council Member Lenski returned to the Chambers at 8:24 p.m.

CONSENT AGENDA

None

OLD BUSINESS

None

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NEW BUSINESS

Consideration and Action on an Intergovernmental Agreement (IGA) with Gwinnett County for the Sewer Extension Project [Bender]

Mayor Bender explained that the City will contribute \$1.4 million of designated SPLOST funds to the sewer expansion project.

Council Member Lenski made a motion to approve the IGA with Gwinnett County, 2nd by Council Member Hetherington; voted 5 in favor and 0 opposed, motion approved.

Consideration and Action on RES 2025-07 - Waiving Building Permit Fees and Land Disturbance Fees For 16.96 Acres Located at Henry Clower Boulevard, Pine Street, and Church Street, Snellville, Georgia [Bender]

Mayor Bender explained that these fees are being waived as part of the sewer expansion project. The developer was going to install a 12-inch pipe but the City needed an 18-inch pipe so the fees are being waived to help cover the cost for the difference.

Council Member Hetherington made a motion to approve RES 2025-07, 2nd by Council Member Carter; voted 5 in favor and 0 opposed, motion approved. (A copy of RES 2025-07 is attached to and made a part of these minutes.)

<u>Consideration and Action on Surplus of Police Department Vehicle [Bender]</u>
Council Member Lenski made a motion to approve the surplus, 2nd by Mayor Pro Tem Warner.

Mayor Bender advised the vehicle will be listed for sale on Govdeals.

The motion was voted 5 in favor and 0 opposed, motion approved.

Police Unit 220 – 2016 Dodge Charger – VIN 2C3CDXAG4GH319255 will be surplused.

COUNCIL REPORTS

Council Member Carter, Hetherington, Lenski, and Mayor Pro Tem Warner each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

The following people came forward to speak:

Katherine Morgan, 1630 Timberline Trace, Snellville.

Ann LaFavor, 3235 Satellite Blvd, Duluth.

John Andrus, 1291 Green Turf Drive, Snellville.

Kevin Lutick, 1545 Summit Chase Drive, Snellville.

Pat Port, 1247 Summit Chase Drive, Snellville.

Gloria Bienstock, 3398 Summit Turf Lane, Snellville.

Ken Dial, Zermatt Way, Snellville.

Ken Morgan, 1630 Timberline Trace, Snellville.

Wilfred St. Hillaire, 1620 Timberline Trace, Snellville.

Robin Brainard, 1555 Timberline Trace, Snellville.

Ross Lee, 3297 Classic Drive, Snellville.

Barbara Aho Wehner, 1391 Summit Chase Drive, Snellville.

Mila Volo, 3251 Garmon Drive, Snellville.

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Bob Brainard, 1555 Timberline Trace, Snellville.
Bradley Smith, 1319 Summit Chase Drive, Snellville.
David Impicciatore, 1410 Summit Chase Drive, Snellville.
Tammy Robinson, 1016 Masters Lane, Snellville.
Danielle Thaxton, 1560 Timberline Trace, Snellville.
Lonny Dykema, 1197 Summit Chase Drive, Snellville.
Megan Palich, 3224 Brooks Court, Snellville.
Julie Reese, 1343 Summit Chase Drive, Snellville.
Kit Vinsick, 1410 Summit Chase Drive, Snellville.
Kit Vinsick, 1410 Summit Chase Drive, Snellville.
Cat Hardrick, 2280 Buckely Trail, Snellville.
James Doppelheuer, 1371 Green Turf Drive, Snellville.
Shannon Doppelheuer, 1371 Green Turf Drive, Snellville.
Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville.

EXECUTIVE SESSION

None

ADJOURNMENT

Council Member Hetherington made a motion to adjourn, 2nd by Council Member Carter; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 10:37 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2025-03

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 17.44± ACRE TRACT OF LAND LOCATED IN LAND LOTS 100 AND 101 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3,100 BLOCK ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO GRANT VARIANCES; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 25-01

LOCATION: 3,100 Block Rosebud Road, Snellville, GA

SIZE: $17.44 \pm \text{Acres}$

TAX PARCEL: R5100 023

REQUESTED ZONING: R-TH (Townhome Residential) District

DEVELOPMENT/PROJECT: 65-Unit Single Family (Attached)

Townhome Development

APPLICANT/PROPERTY OWNER: Sinocoin Investment, LLC

Atlanta, Georgia 30326

CONTACT: Jeff Timler

Split Silk Properties, LLC

Loganville, Georgia 30052

678-772-0202

SplitSilkProperties@gmail.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 17.44± acre tract of land located in 3,100 Block of Rosebud Road, Snellville, Georgia (Tax Parcel R5100 023) for a 65-unit single-family (attached) townhome development; and

WHEREAS, the R-TH (Residential Townhome) District is one of several zoning districts deemed appropriate for the property's *Highway 78 East Activity Center/Node* future land use map designation on the 2045 Comprehensive Plan Future Land Use Map for the City of Snellville, Georgia; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant variances from Article 2 of Chapter 200 and Article 1 of Chapter 400 of the Snellville Unified Development Ordinance; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 17.44± acre tract of land described and shown on the rezoning site plan entitled "Snellville Townhomes, Rosebud Road, Snellville, GA 30078" dated 01-30-2025, revised 02-17-2025, stamped received FEB 18 2025 in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed from RS-30 (Single-family Residential) District to R-TH (Townhome Residential) District, subject to the attachment of the following enumerated variances and conditions:

VARIANCES:

- A. UDO Sec. 202-6.7. (Building Setbacks): To reduce the 10-feet minimum front yard building setback to 8-feet.
- B. UDO Sec. 401-5.10.b. (Residential Curbing): To allow roll-back curbing in lieu of vertical curbing within the proposed townhome development on Lots 14-19. A 2.5-feet wide planter is required between the roll-back curbing and sidewalk.
- C. UDO Table 401-4.2. (Streetscape Table): To reduce the 5-feet minimum planter width to 2.5-feet between the sidewalk and (internal) streets.

CONDITIONS:

- 1. The property shall be developed in general accordance with the rezoning site plan entitled "Snellville Townhomes, Rosebud Road, Snellville, GA 30078", dated 01-30-2025, revised 02-17-2025, stamped received FEB 18 2025, with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval, after submitting a Change in Conditions application and receiving recommendations by the Planning Department and Planning Commission.
- 2. A Property Owner's Association shall be established for the continuous maintenance of all sidewalks, alleys, buffers, open space, landscaping, signage, stormwater detention, and recreation and clubhouse areas.
- 3. All alleys and stormwater management facilities shall be privately owned by the Property Owner's Association.
- 4. 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 Property Owner's Association documents prior to the release of any certificates of occupancy.
- 5. A six (6) foot high shadowbox wood privacy fence, or other fence type mutually agreed upon by the developer and adjacent property owners (Parcel 5100 022, 5100 047, and 5100 016) shall be installed along the southern property line unless waived in writing by the property owner(s) of these parcels.
- 6. A minimum six (6) feet wide sidewalk and minimum five (5) feet wide planter is required where the development is adjacent to Rosebud Road, an Urban Minor Arterial Street per the Gwinnett County Road Classification Map.
- 7. Rear-entry driveway length shall be a minimum of twenty-two (22) feet, measured from garage door to alley pavement edge. Front entry driveway length shall be a minimum of twenty-two (22) feet, measured from garage door to sidewalk.

- 8. The stormwater management ponds located at the southwestern portion of the site shall be designed as a wet extended detention facility, unless topographic, bedrock, or other preventive measures are present that require a dry pond.
- 9. Except for the cul-de-sac street, cross streets connecting to alleys shall have a minimum width of nineteen (19) feet measured back-of-curb.
- 10. All buildings shall have twenty (20) feet minimum separation between principal buildings.
- 11. 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.
- 12. Signs higher than 15 feet or larger than 225 square feet are prohibited.
- 13. Except as otherwise stated in the approved variances and conditions, townhomes shall be developed and constructed in accordance with the UDO provisions in effect prior to the 3-10-2025 approved text amendment #8.

Section 2. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

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- Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
- Section 5. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance

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shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 7. This Ordinance was adopted on April 14, 2025. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

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ATTEST:

Melisa Arnold, City Clerk

APPROVED AS TO FORM:

Jay Crowley, City Attorney Powell & Crowley, LLP Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Norman A. Carter, Council Member

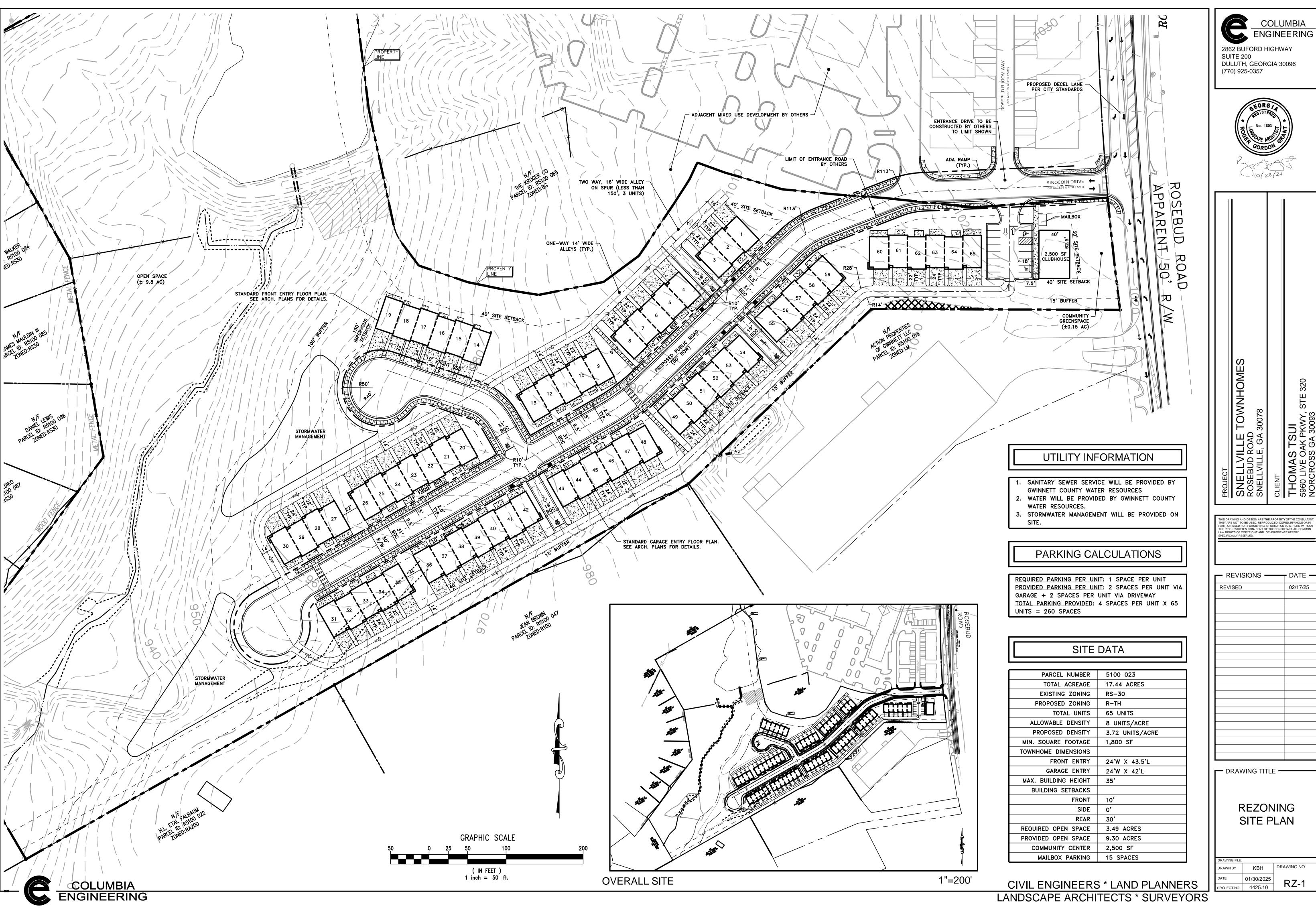
Kerry Hetherington, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

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REVISIONS -	T DATE -
REVISED	02/17/25
- DRAWING TITLE	

STATE OF GEORGIA COUNTY OF GWINNETT

RES NO. 2025-07

RESOLUTION BY CITY OF SNELLVILLE, GEORGIA WAIVING BUILDING PERMIT FEES AND LAND DISTURBANCE FEES FOR 16.96 ACRES LOCATED AT HENRY CLOWER BOULEVARD, PINE STREET, AND CHURCH STREET, SNELLVILLE, GEORGIA

WHEREAS, AARIS Holdings, LLC obtained a Special Use Permit to develop a 300 Unit Multi-Family Development;

WHEREAS, ARRIS Holdings, LLC, in its development of the property, is make significant improvements to the Sewer line, which will benefit the sewer system in the City of Snellville beyond just the benefit to ARRIS's property;

WHEREAS, the City of Snellville desires to accept these significant improvements to the sewer system in lieu of permit fees for building permits and land disturbance permits.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Snellville, Georgia hereby waive the building permit fees and land disturbance fees for ARRIS Holdings, LLC for the development of approximately 16.96 acres located at Henry Clower Boulevard, Pine Street, and Church Street, Snellville, Georgia.

BE IT FURTHER RESOLVED, that this Resolution shall become effective upon its approval by the Mayor and Council of the City of Snellville, Georgia.

PASSED AND RESOLVED this 14th day of April, 2025.

[Signatures of following Page]

ATTEST:

Melisa Arnold, City Clerk

APPROVED AS TO FORM:

Anthony O.L. Powell, City Attorney

Powell & Crowley, LLP

Barbara Bender, Mayor

Tod Warner, Mayor Pro Tem

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Kerry Hetherington, Council Member

Norman Carter, Council Member