

PUBLIC HEARING & REGULAR BUSINESS MEETING OF MAYOR AND COUNCIL CITY OF SNELLVILLE, GEORGIA MONDAY, APRIL 28, 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 Jay Crowley with Powell and Crowley, Police Chief Greg Perry, Planning and Development Director Jason Thompson, Public Information Officer Brian Arrington, and IT Administrator Erika Fleeman. (City Clerk Melisa Arnold was absent.)

CALL TO ORDER

Mayor Bender called the meeting to order at 7:30 p.m.

INVOCATION

Bobby Howard gave the invocation.

PLEDGE TO THE FLAG

Brian Arrington led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2025-10 – In Honor of the Gwinnett Chapter of the National Society Sons of the American Revolution

Mayor Bender read the proclamation into the record and presented it to member of the National Society Sons of the American Revolution.

MINUTES

Approve the Minutes of the April 14, 2025 Meetings

Mayor Pro Tem Warner made a motion to approve the minutes of the April 14, 2025 meetings, 2nd by Council Member Carter; voted 5 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

APPROVAL OF THE AGENDA

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

City of Snellville Administration Department

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PUBLIC HEARING

2nd 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 7:42 p.m.

Planning Director Thompson gave an overview of the application. He advised that the Planning Department recommend approval of the Rezoning (RZ), the Land Use Plan (LUP) and the one requested variance.

Shane Lanham, Mahaffey Pickens Tucker, 1550 North Brown Rd., Lawrenceville, was present representing applicant and he spoke about the proposed development. Mr. Neville Allison with Revive Land Group, 3500 Lenox Road, Atlanta, also participated in providing an overview of the project. Both Mr. Lanham and Mr. Allison answered questions from Mayor and Council related to planned deceleration lane, access to the area for trash trucks, and placement of the water detention pond.

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

Chris Dusik, 2587 Lenora Church Road, Snellville stated that he thought this is an appropriate use for the property.

Megan Palich, 3224 Brooks Court, Snellville stated she was neutral and spoke about the application.

No one else came forward so Mayor Bender closed the floor for those in favor and opened the floor for those in opposition.

Applicant requested Megan Palich's comments (totaling 9 minutes) be counted toward total time allotted for opposition given the content of the remarks. City Attorney indicated this was appropriate and that the remaining time allotted for opposition was six (6) minutes.

Suzanne Krieger, 2612 Lake Street, Snellville stated that she does not believe this meets the character of the existing neighborhoods.

Time for the opposition expired so Mayor Bender closed public comment.

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Shane Lanham, Mahaffey Pickens Tucker, and Neville Allison, Revive Land Group came forward and addressed the concerns raised during the public hearing.

Mayor Pro Tem Warner asked applicant about including extra conditions regarding buffers and Homeowner's Association covenants.

Mayor Pro Tem Warner made a motion to approve RZ 25-03 and LUP 25-01 with the conditions provided in the staff report and the addition of the following:

- 6. Any garage shall not be converted to any other use such as an additional living room or bedroom.
- 7. No home shall be altered after the issuance of the Certificate of Occupancy as to add any bedrooms or bathrooms without getting proper permitting and approval from the City of Snellville.
- 8. A landscaping plan shall be reviewed and approved by Director of Planning and Development to include 15-foot planted buffer with a 3-foot berm is to be installed between the project and all existing residential parcels 5027-044, 5006-141, 5006-142, 5006-143, 5006-144, 5006-097, 5006-098, 5027-069, 5027-070, 5027-071, 5027-082,5027-083, and 5027-084.
- 9. Installation of a deceleration lane on Lenora Church Road is required per Gwinnett County DOT approval.
- 10. A landscaping plan to include detention pond screening with evergreen plantings along Lenora Church Road is to be approved by the Planning and Development Director and installed.
- 11. Lots 43, 53, and 54 are to be removed from the site plan to accommodate large vehicles and prevent requirement for backing in order to navigate for service (such as refuse collection) without triggering auditory backing indicators on vehicles.

The applicant indicated agreement with proposed conditions but requested to bring back a new site plan to address the issue in Condition 11 with reconfiguration of "hammerhead" paved areas for vehicle navigation. Mayor Pro Tem Warner indicated openness to a new plan that addresses need for no required backing of large vehicles.

After further discussion Mayor Pro Tem Warner made a motion to withdrawn the motion to approve and substituted with a motion to table until the May 12, 2025 meeting, 2nd by Council Member Hetherington; approved 4 in favor and 0 opposed.

The Public Hearing has been completed and the item is postponed until May 12, 2025.

Council Member Lenski returned to the Chambers at 8:46 p.m.

Mayor Bender called for a break and announced the meeting would reconvene at 8:52 p.m.

Mayor Bender reconvened the meeting at 8:56 p.m.

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CONSENT AGENDA

None

OLD BUSINESS

RZ 24-04 LUP 24-02 — Consideration and Action on applications by KJ Luxury Homes, LLC (applicant) and Summit Chase Country Club, Inc. (property owner) requesting: a) to amend the Snellville 2045 Future Land Use Map from Park/Residential to Residential—Low Density; and, b) amend the Official Zoning Map from RS-30 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 150-lot single-family detached subdivision and 19.66± acres of open space including country club style tennis courts, swimming pool, clubhouse and other amenities for residents to enjoy on a 95.386± acre vacant, unused golf course and country club site with a gross density of 1.57 lots per acre, situated along Green Turf Drive and Classic Drive, 3197 Classic Drive, Snellville, Georgia (Tax Parcel 5093 106)

Mayor Bender explained that the Public Hearing was completed at the meeting held on March 24, 2025 and that they will now take up the original motion on the table to approve LUP 24-02 and RZ 24-04 with conditions.

Council Member Lenski amended her original motion to approve RZ 24-04 LUP 24-02 referencing ORD 2025-10 with conditions read into the record on March 24, 2025 and to include an additional eighth condition related to potential use of an earlier site plan:

8. If the restrictive covenants described on Book 2814, Page 588 of the Gwinnett County Property Records relating to Lots 55 and 56 identified on Plat Book 26, Page 164, recorded on July 2, 1984 is released by the Summit Chase Home Owners' Association, the Applicant may come back for approval by Mayor and Council to approve that the Property may be developed in accordance with the conceptual rezoning site plan entitled "Master Plan for Summit Chase West", dated 1-30-2025, (stamped received January 31, 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. However, if the Applicant comes back for approval of 1-30-2025, (stamped received January 31, 2025) plan, the applicant Lots 32 through 42 and the accompanying street shall not be developed, and may redraw the plan to not exceed 126 Lots.

Council Member Hetherington, who seconded the original motion, indicated her agreement with the amended motion including the new condition (#8).

The applicant confirmed no objection to the new condition.

Mayor Pro Tem Warner requested Councilmember Lenski consider amending her motion to also include conditions:

9. Any garage shall not be converted to any other use such as an additional living room or bedroom.

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10. No home shall be altered after issuance of a Certificate of Occupancy as to add any bedrooms or bathrooms without getting proper permitting and approval from the City of Snellville.

Council Member Lenski indicated her desire to amend her motion to include these additional conditions. Council Member Hetherington indicated her 2nd with addition of the new conditions (#9 and #10).

The applicant confirmed no objection to the new conditions.

Mayor Bender spoke about the legal process and steps involved in a development application that is submitted to the City.

The motion to approve with new conditions #8, #9, and #10 was voted 4 in favor and 1 abstention with Mayor Pro Tem Warner abstaining; motion was approved 5 in favor and 0 opposed. (Per Article II, Division 1, Section 2-47 of the Code of Ordinances, an abstention shall be counted as an affirmative vote.) (A copy of ORD 2025-09 and ORD 2025-10 are attached to and made a part of these minutes.)

NEW BUSINESS

Consideration and Action on Surplus of City Police Facilities Equipment [Bender]
Council Member Hetherington made a motion to approve the surplus. 2nd by Council Member Carter. Voted 5 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

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

MAYOR'S REPORT

None.

PUBLIC COMMENTS

The following people came forward to speak:

Megan Palich, 3224 Brooks Court, Snellville. Kit Vinsick, 1410 Summit Chase Drive, Snellville. Richelle Brown, 2225 Wisteria Drive, Snellville. Tricia Rawlins, 2088 Harbour Oaks Drive, Snellville. Cat Hardrick, 2280 Buckley Trail, Snellville.

EXECUTIVE SESSION

None

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ADJOURNMENT

Mayor Pro Tem Warner made a motion to adjourn, 2nd by Council Member Hetherington; voted 5 in favor and 0 opposed, motion approved. The meeting adjourned at 9:55 p.m.

Barbara Bender, Mayor

Mercy Montgomery, Assistant City Manager

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE 2025-09

AN ORDINANCE TO GRANT THE APPLICATION TO AMEND THE SNELLVILLE 2045 FUTURE LAND USE MAP FROM PARK/RECREATIONAL TO RESIDENTIAL –LOW DENSITY ON A 95.386± ACRE VACANT, UNUSED GOLF COURSE AND COUNTRY CLUB SITE SITUATED ALONG GREEN TURF DRIVE AND CLASSIC DRIVE, 3197 CLASSIC DRIVE, SNELLVILLE, GEORGIA (TAX PARCEL 5093 106).

CASE NUMBER: # LUP 24-02

APPLICANT/PROPERTY OWNER: KJ Luxury Homes, LLC (applicant) and

Summit Chase Country Club, Inc. (property

owner)

LOCATION: Along Green Turf Drive and Classic Drive,

3197 Classic Drive, Snellville, Georgia

TAX PARCEL: R5093 106

DEVELOPMENT/PROJECT: Summitt Chase Property

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

WHEREAS, a public hearing was held before the Mayor and Council on March 24, 2025, where Mayor and Council tabled the final vote until the April 28, 2025 meeting.

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:

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Section 1. For reasons stated in the public hearing, the council hereby grants the application to amend the Snellville 2045 Future Land Use Map for Tax Parcel 5093 106 from Park/ Recreational to Residential Low Density.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3. The changes in zoning classification is 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 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

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

Section 6. This Ordinance was adopted on April 28, 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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Barbara Bender, Mayor

ATTEST:

Melisa Arnold, City Clerk

Mercy Montgomery, Asst-City Myr.

APPROVED AS TO FORM:

John J. Crowley, City Attorney Powell & Crowley, LLP Tod Warner, Mayor Pro Tem

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Kerry Hetherington, Council Member

Nørman Carter, Council Member

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE 2025-10

AN ORDINANCE TO GRANT THE APPLICATION AMEND THE OFFICIAL ZONING MAP FROM RS-30 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO RS-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT FOR A 126-LOT SINGLE-FAMILY (DETACHED) SUBDIVISION AND 26.50± ACRES OF OPEN SPACE INCLUDING COUNTRY CLUB STYLE TENNIS COURTS, SWIMMING POOL, CLUBHOUSE AND OTHER AMENITIES FOR RESIDENTS TO ENJOY ON A 95.386± ACRE VACANT, UNUSED GOLF COURSE AND COUNTRY CLUB SITE WITH A GROSS DENSITY OF 1.57 LOTS PER ACRE, SITUATED ALONG GREEN TURF DRIVE AND CLASSIC DRIVE, 3197 CLASSIC DRIVE, SNELLVILLE, GEORGIA (TAX PARCEL 5093 106).

CASE NUMBER:

#RZ 24-04

APPLICANT/PROPERTY OWNER:

KJ Luxury Homes, LLC (applicant) and

Summit Chase Country Club, Inc. (property

owner)

LOCATION:

Along Green Turf Drive and Classic Drive,

3197 Classic Drive, Snellville, Georgia

TAX PARCEL:

R5093 106

DEVELOPMENT/PROJECT:

Summitt Chase Property

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

WHEREAS, a public hearing was held before the Mayor and Council on March 24, 2025, where Mayor and Council tabled the final vote until the April 28, 2025 meeting.

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

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IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE

CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. For reasons stated in the public hearing, the council hereby grants the application to amend the Official Zoning Map for Tax Parcel 5093 106 from RS-30 to RS-5 with the following conditions:

- 1. The property shall be developed in accordance with the conceptual rezoning site plan entitled "Master Plan for Summit Chase West", dated 3-18-2025, (stamped received March 20, 2025),) in Exhibit "A", 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 conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.
- 2. Building setbacks are as follows: front yard = 40 ft.; Rear yard = 30 ft.; side (interior) yard = 10 ft.; and side (street) yard = 25 ft. Maximum lot coverage = 45%.
- 3. All driveways shall be a minimum of twenty-two (22) feet in length, measured from the front of the garage door to the edge of the sidewalk closest to the dwelling, and shall be wide enough to accommodate the parallel parking of two vehicles.
- 4. Developer to provide an emergency access gate at the connection point to the Green Turf Drive cul-de-sac for the sole use by emergency first responders.
- 5. All blasting activities shall be in accordance with The Georgia Blasting Standards Act. Before blasting work begins, a blasting notification plan must be reviewed and approved by the Planning and Development Department. Said plan shall include signage, email notification, and any other notification deemed necessary.
- 6. 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.
- 7. Signs higher than 15 feet and larger than 225 sq. ft. in the area are prohibited.
- 8. If the restrictive covenants described on Book 2814, Page 588 of the Gwinnett County Property Records relating to Lots 55 and 56 identified on Plat Book 26, Page 164, recorded on July 2, 1984 is released by the Summit Chase Home Owners' Association, the Applicant may come back for approval by Mayor and Council to approve that the Property may be developed in accordance with the conceptual rezoning site plan entitled "Master Plan for Summit Chase West", dated 1-30-2025, (stamped received January 31, 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. However, if the Applicant comes back for approval of 1-30-2025, (stamped received January 31, 2025) plan, the applicant Lots 32 through 42 and the accompanying street shall not be developed, and may redraw the plan to not exceed 126 Lots.

- 9. Any garage shall not be converted to any other use such as an additional living room or bedroom.
- 10. No home shall be altered after construction as to add any bedrooms or bathrooms without getting proper permitting and approval from the City of Snellville.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3. The changes in zoning classification is 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 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

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

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

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Barbara Bender, Mayor

ATTEST:

Tod Warner, Mayor Pro Tem

Allisa Arnold, City Clerk

Melisa Arnold, City Clerk

Melisa Arnold, City Clerk

Cristy Lenski Council Member

APPROVED AS TO FORM:

Gretchen Schulz, Council Member

Kerry Hetherington, Council Member

Warner, Mayor Pro Tem

Cristy Lenski Council Member

What Present

Gretchen Schulz, Council Member

Warner, Mayor Pro Tem

Cristy Lenski Council Member

EXHIBIT "A"

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