



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 26, 2021

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, City Attorney Chuck Ross and Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Roy Whitehead, Assistant Chief Greg Perry, Public Information Officer Brian Arrington, Economic Development Manager Eric Van Otteren and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:52 p.m.

INVOCATION

Kelly McAloon gave the invocation.

PLEDGE TO THE FLAG

Council Member Destang led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2021-07 - Arbor Day

Mayor Bender read the proclamation into the record.

MINUTES

Approve the Minutes of the April 2, 2021 Special Called Meeting and the April 12, 2021 Meetings

Mayor Pro Tem Emanuel made a motion to approve the minutes of the April 2, 2021 Special Called Meeting and the April 12, 2021 Meetings, 2nd by Council Member Schulz; voted 6 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 of the April 26th meeting, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

City of Snellville Administration Department

PUBLIC HEARING

2nd Reading - RZ 20-04 LUP 20-03 – Consideration and Recommendation on applications by Meritage Homes of Georgia (applicant) and Crawford F. Juhan, Jr. (property owner) and Edjen Finance, LLC (property owner) requesting to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Office-Professional and Low-Density Residential to Medium-Density Residential; Official Zoning Map amendment from OP (Office Professional) District and BG (General Business) District to R-TH (Single-family Residential Townhome) District and request for variance from the front-load garage setback requirement for a 101-unit townhome development on a 14.724± acre site having a density of 6.859 units per acre, located at 2465 Scenic Highway S, Snellville, Georgia (Tax Parcels 5006 002 and 5006 003)

Planning Director Thompson reviewed the history of the case, including the fact that it has been tabled twice and the public hearing was held on this item on February 22, 2021. He reviewed the changes on the recent site plan dated April 19, 2021 as well as landscaping plans on Highway 124.

Council Member Lenski made a motion to deny LUP 20-03, motion died for lack of a second.

Council Member Warner made a motion to approve LUP 20-03 with reference to ORD 2021-05, 2nd by Council Member Schulz; voted 5 in favor and 1 opposed with Council Member Lenski casting the opposing vote, motion approved. (A copy of ORD 2021-05 is attached to and made a part of these minutes.)

Council Member Warner made a motion to approve RZ 20-04 with reference to ORD 2021-04, 2nd by Mayor Pro Tem Emanuel. (A copy of ORD 2021-04 is attached to and made a part of these minutes.)

Council Members spoke about the project.

The motion was voted 5 in favor and 1 opposed with Council Member Lenski casting the opposing vote, motion approved.

2nd Reading - CIC 21-01 – Consideration and Recommendation on application by Concept Engineering Services (applicant) and Rejoice in The Word Church International Ministry, Inc. (property owner) requesting a change in conditions from #RZ 07-01 (approved 2-26-2007) to allow 95 onsite parking spaces to be constructed between the street and 8,000 SF proposed religious assembly building on a 5.47± acre site, zoned CI (Civic Institutional) District, located at 3079 Lenora Church Road, Snellville, Georgia (Tax Parcel 5029 090)

Planning Director Thompson gave an overview the application and advised the Planning Department recommended approval and answered questions of the Council.

The applicant, Emanuel Abua, with Concept Engineering, was present and spoke about the application.

Council asked questions about the site plan.

Derek Johnson, Douglasville, was present with the applicant and spoke about the topography of the site and answered questions from the Council.

Mayor Bender opened the floor to public comment and no one came forward. Public comment was closed.

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Council Member Warner made a motion to approve CIC 21-01 with reference to ORD 2021-09 with additional condition 6 – Additional buffers would be added along the areas adjacent to residential properties to be reviewed and approved by the Planning Director; 2nd by Council Member Lenski.

Mayor Bender asked Mr. Abua if he accepted the conditions and he indicated his approval. The motion was voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2021-09 is attached to and made a part of these minutes.)

2nd Reading - RZ 21-02 LUP 21-02 – Consideration and Action on applications by Patrick Mallory Companies (applicant) and Summit Chase Country Club, Inc. (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Park-Recreation to Low-Density Residential; 2) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District; and 3) variances from the RO District regulations and General Architectural and Small Building Standards for 21-lot single-family (detached) residential lots on a 5.58± acre site and located at the intersection of Rosebud Road and Temple Johnson Road, Snellville, Georgia (Tax Parcel 5094 327). The subject property is to be incorporated into the adjoining 75.29 acre site, zoned RO (Residential for Older Persons) District for a combined 274-lot age-restricted single-family detached residential community

Planning Director Thompson gave an overview of the application.

The applicant, John Gaskin of Patrick Malloy Companies, LLC, 4770 So Atlanta Rd, Suite 100, Atlanta, GA 30339, was present and spoke about the application and answered questions of Council.

Council Member Warner asked the applicant about the addition of another condition regarding the buffer. The applicant agreed to a new condition 18.

Mayor Bender opened the floor to public comment and no one came forward. Public comment was closed.

Council Member Warner made a motion to approve LUP 21-02 with reference to ORD 2021-11, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed; motion approved. (A copy of ORD 2021-11 is attached to and made a part of these minutes.)

Council Member Warner made a motion to approve RZ 21-02 with reference to ORD 2021-10 and the addition of condition 18, 1.1 acres as shown on the site plan will remain as natural as existing with the exception of additional plantings as required by ordinances of the City of Snellville as administered by the Director of Planning and Development, 2nd by Council Member Destang.

Applicant, Mr. Gaskin indicated he accepted the conditions as stated.

Council Member Warner spoke about the project.

The motion was voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2021-10 is attached to and made a part of these minutes.)

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2nd Reading - RZ 21-03 LUP 21-03 – Consideration and Action on applications by Roger Fisher (applicant) and Oak Road, LLC (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Office-Professional to Medium-Density Residential; 2) to amend the Official Zoning Map from OP (Office Professional) District to RS-5 (Single-family Residential) District; and 3) variance from the Small Building Standards and required garage setback from the front elevation for a 5-lot single-family (detached) residential development on a 1.17± acre site located at 1736 Oak Road, Snellville, Georgia (Tax Parcel 5024 075)

Planning Director Thompson gave an overview of the application. He advised they recommended approval of RZ 21-03 and LUP 21-03.

Mr. Roger Fisher, with Fisher Allen Group, was present representing applicant Oak Road LLC. He spoke about the project and answered questions of the Council.

Mayor Bender opened the floor to public comment. No one came forward in support of the project and the following people came forward in opposition:
Doug Harlow, 1653 Stonegate Way, Snellville.

Jerry Oberholtzer, 1855 Pennistone Way, Snellville.

Wayne Conover, 1544 Hollylake Circle, Snellville.

Dan Miller, 1590 Hollylake Circle, Snellville.

Heather Gunn, 1673 Stonegate Way, Snellville.

Marybeth Peters, 1643 Stonegate Way, Snellville.

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

Applicant representative, Mr. Fisher, came forward to address some of the concerns about the project.

Council Member Schulz made a motion to deny LUP 21-03, 2nd by Council Member Destang.

Mayor Bender asked Mr. Fisher if he would like to withdraw the application and he indicated he would like to move forward.

The motion was voted 6 in favor and 0 opposed, motion approved.

Council Member Schulz made a motion to deny RZ 21-03, 2nd by Council Member Lenski.

Mayor and Council spoke about the application.

The motion was voted 6 in favor and 0 opposed, motion approved.

Mayor Bender called a recess at 9:29 p.m.

The meeting reconvened at 9:35 p.m.

2nd Reading - ANX 21-01 RZ 21-04 LUP 21-04 – Consideration and Action on applications by TOMCO2 Systems Company (applicant) and Stephen & Walter Moon (property owners) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map to Industrial Mixed-Use; and 2) to amend the Official Zoning Map to LM (Light Manufacturing) District for a 2.7± site located at 3320 Brushy Fork Road, Loganville for expansion of the TOMCO2 System facility and development of an office building with associated parking, (Tax Parcel 5099 003)

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Planning Director Thompson gave an overview of the application. He advised that the Planning Department recommends approval of all except to zoning to an OP (Office/Professional) zoning as opposed to an LM (Light Manufacturing) as OP is more compatible with the proposed use. Shane Lanham, with Mahaffey Pickens Tucker, LLP, 1550 North Brown Rd., Suite 125, Lawrenceville, was present representing the applicant. He spoke about the application and advised they had no objection to changing to the OP zoning and they accepted the conditions listed in the ordinances. He then answered questions of Council.

Mayor Bender opened the floor to public comment and no one came forward. Public comment was closed.

Council Member Lenski made a motion to approve ANX 21-01 with reference to ORD 2021-14, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2021-14 is attached to and made a part of these minutes.)

Council Member Lenski made a motion to approve LUP 21-04 with reference to ORD 2021-16, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2021-16 is attached to and made a part of these minutes.)

Council Member Lenski made a motion to approve RZ 21-04 with reference to ORD 2021-15 with a change in condition 1 to read, "The property shall be developed in accordance with the conceptual site plan entitled "TOMCO2 Office Building", sealed and dated 4-9-2021 (stamped received 4-9-2021), 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" and a condition that shall read "Move the proposed building forward to be no more than twenty (20) feet from Brushy Fork Road as approved by the Director of Planning and Development" and condition 8 stating that building be designed with residential architectural features to be reviewed and approved by the Planning Director, 2nd by Mayor Pro Tem Emanuel.

Mayor Bender asked the applicant, Shane Lanham, if he approved the conditions and he indicated that he was in approval.

The motion was voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2021-15 is attached to and made a part of these minutes.)

CONSENT AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

Consideration and Action on Approval of Gwinnett County Water Metering Device and Access Easement for the Library and Business Building [Bender]

Mayor Bender advised the Downtown Development Authority acted on this item so Council does not need to take action.

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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

None

EXECUTIVE SESSION

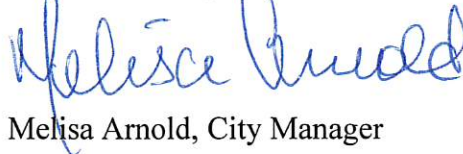
None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 10:10 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Manager