



PUBLIC HEARING & REGULAR BUSINESS MEETING  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, AUGUST 14, 2023

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

**CALL TO ORDER**

Mayor Bender called the meeting to order at 7:38 p.m.

**INVOCATION**

Chaplain Elizabeth Hendrick with Christ Church gave the invocation.

**PLEDGE TO THE FLAG**

Council Member Emanuel led the Pledge of Allegiance.

**CEREMONIAL MATTERS**

None

**MINUTES**

Approve the Minutes of the July 24, 2023 Special Called Meetings and Regular Meetings  
Council Member Emanuel made a motion to approve the minutes of the July 24, 2023 Special Called Meetings and Regular Meeting, 2<sup>nd</sup> by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

**INVITED GUESTS**

None

**COMMITTEE / DEPARTMENT REPORTS**

None

**APPROVAL OF THE AGENDA**

Council Member Schulz made a motion to approve the agenda of the August 14, 2023 meeting, 2<sup>nd</sup> by Council Member Emanuel; voted 6 in favor and 0 opposed, motion approved.

**City of Snellville Administration Department**

**PUBLIC HEARING**

Public Hearing on the 5-Year Update to the Snellville 2040 Comprehensive Plan, Adopted on 2-11-2019

Mayor Bender recognized Mr. Jim Summerbell with Jacobs who gave a brief overview of the process for the 5-year update to the 2040 Comprehensive Plan and explained how the public can get involved.

Mayor Bender opened the floor for public comment: Catherine Hardrick, 2280 Buckley Trail, Snellville asked how the stakeholders for the project were chosen.

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

Mr. Summerbell spoke about the process for choosing stakeholders.

2<sup>nd</sup> Reading - RZ 23-03 SUP 23-02 – Consideration and Recommendation on applications by Split Silk Properties, LLC (applicant) representing Highpoint Development (contract purchaser) and The Kroger Company (property owner) requesting: to amend the Official Zoning Map from BG (General Business) District to MU (Mixed-Use) District; and Special Use Permit and variances from the Unified Development Ordinance for a mixed-use development consisting of 300 stacked flat units, 28 single-family residential townhomes, and 51,000 sq. ft. of commercial/retail buildings on a 22.85± acre site located at the intersection of U.S. Hwy. 78 (Athens Hwy.) and Rosebud Rd., 1000 Hwy. 78, Snellville, Georgia (Tax Parcel 5100 065)

Planning Director Thompson gave an overview of the application. He advised that the development meets the 2040 Comprehensive Plan. He advised there were some changes to the ordinance for RZ 23-03 and reviewed the variances and conditions. He noted a correction to variance number 5, a change in condition number 4 and the addition of conditions 12 and 13.

Mayor and Council asked questions about the application.

Jeff Timler, Split Silk Properties was present representing the applicant, Highpoint Development. After discussion, Applicant Charles Moore with Highpoint Development, 1776 Peachtree Street also came forward and spoke. He and Mr. Timler said they were amenable to the variances and conditions. Mr. Timler answered questions of Mayor and Council.

Mayor Bender opened the floor to public comment for those in favor and no one came forward.

Mayor Bender asked anyone in opposition to come forward to speak.

Hartley Faulbaum, 3278 Brooks Drive came forward. He said he was not necessarily opposed to the development but expressed concern about the exit onto Rosebud Road.

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

Jeff Timler and Charles Moore both came forward to address the traffic concerns. They advised they are in discussions with adjacent property owners about alternatives.

Mayor Bender spoke about a meeting with Gwinnett County where they discussed potential developments and the traffic impact they would have on the intersections.

Council Member Lenski made a motion to approve RZ 23-03 with recommended variances 1 through 6 with an amendment to number 5 to read as follows; Approval of variance from Table 401-5.2 (Minimum Widths for New Streets and Project Access Improvements) to reduce the twenty-seven (27) feet pavement width (30 feet including curb and gutter) requirement to twenty-four (24) feet pavement width (27 feet including curb and gutter) also including staff recommended conditions 1 through 11 with the addition of 12 and 13 to read as follows:

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12 - Applicant will place signs prohibiting on street parking and signage directing visitors to the overflow parking to the north. Pavement width shall be 24' and 27' total to back of roll back curb and 13 - Any stormwater management facility that is located within 75' of a public right of way shall be screened with an opaque fence and heavily landscaped with evergreen trees and/or shrubs as approved by the Planning Director.

Mayor Pro Tem Warner seconded the motion, voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2023-08 is attached to and made a part of these minutes.)

Approved variances from ORD 2023-08 as follows:

1. Approval of variance/waiver from Sec. 401-3.4.C (Stub-out Streets) for the adjacent property to the west (Parcel 5101 571).
2. Approval of variance/waiver from Sec. 401-3.4.H (Inter-parcel Access) for the adjacent property to the west (Parcel 5101 571).
3. Approval of variance from Sec. 203-4.8 (Dimensional Standards) to increase the total maximum site density to not exceed fifteen (15) units per acre.
4. Approval of variance from Sec. 203-4.2.B.1 (Mixed-Use Requirement) to reduce the 25% minimum total floor area requirement for non-residential uses to 18%.
5. Approval of variance from Table 401-5.2 (Minimum Widths for New Streets and Project Access Improvements) to reduce the twenty-seven (27) feet pavement width (30 feet including curb and gutter) requirement to twenty-four (24) feet pavement width (27 feet including curb and gutter).
6. Approval of variance from Sec. 401-5.10.B (Residential Curbing) to allow roll- back curbs in front of the townhome units.

Approved conditions from ORD 2023-08 as follows:

1. The property shall be developed in general accordance with the rezoning site plan entitled "Highpoint - Zoning Plan, Snellville, Georgia", dated 5-16-2023 (stamped received 5-17-2023) 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, after submitting a Change in Conditions application and receiving recommendations by the Planning Department and Planning Commission.
2. The total site density for all dwelling units shall not exceed fifteen (15) units per acre maximum.
3. Two (2) car garages shall be required for the fee-simple single-family attached townhomes. Driveway length shall be a minimum of twenty-two (22) feet behind the sidewalk.
4. Solid waste dumpsters for the multi-family and commercial buildings shall be located at least 150 feet from the nearest townhome building.
5. A minimum four (4) to six (6) feet wide mulched greenway path shall be provided within the 150 feet impervious setback and extending from Highway 78 to the proposed wet detention pond.
6. The fee-simple townhomes shall not be subject to the requirements in Sec. 203-4.2.B.2. (Mixed-Use Requirement).

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7. The stormwater management facility located at the southern 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.
8. After the 100th certificate of occupancy is issued for the multifamily project, the developer shall install the entrance boulevard and spine road as shown in Exhibit "B", a copy of which is attached hereto and incorporated herein by reference, before any additional certificates of occupancy are issued.
9. 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.
10. Signs higher than 15 feet or larger than 225 square feet are prohibited.
11. Applicant to coordinate Rosebud Road access with adjoining property owner (parcel 5100 023) with the intention of a shared access to Rosebud. Work to be designed and constructed in accordance with approval of Gwinnett DOT.
12. Applicant will place signs prohibiting on street parking and signage directing visitors to the overflow parking to the north. Pavement width shall be 24' and 27' total to back of roll back curb.
13. Any stormwater management facility that is located within 75' of a public right of way shall be screened with an opaque fence and heavily landscaped with evergreen trees and/or shrubs as approved by the Planning Director.

Council Member Schulz made a motion to approve SUP 23-02, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. (A copy of ORD 2023-09 is attached to and made a part of these minutes.)

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**COUNCIL REPORTS**

Council Members Destang, Lenski, Schulz, Emanuel 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:  
Steve Thomas, 2375 Stratford Lane, Snellville  
Norman Carter, 2777 Nathaniel Way, Grayson

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Catherine Hardrick, 2280 Buckley Trail, Snellville  
Ann LaFavor, 35 Patterson Rd., Ste 46293, Lawrenceville  
Kathy Emanuel, 1313 Temple Johnson Rd, Loganville

**EXECUTIVE SESSION**

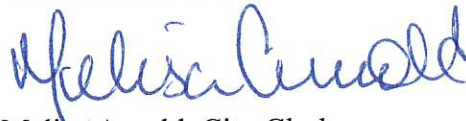
None

**ADJOURNMENT**

Council Member Emanuel made a motion to adjourn, 2<sup>nd</sup> by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 9:18 p.m.



Barbara Bender, Mayor



Melisa Arnold, City Clerk