



**CITY OF SNELLVILLE
DEPARTMENT OF PLANNING & DEVELOPMENT
MAYOR AND COUNCIL**

CASE SUMMARY

February 8, 2021

CASE NUMBER: RZ 20-04 LUP 20-03

REQUEST: Rezoning and Land Use Plan Amendment and Request for Variances

LOCATION: 2465 Scenic Hwy. S., Snellville, Georgia

SIZE: 14.724± Acres

TAX PARCEL(s): 5006 002 and 5006 003

CURRENT ZONING: OP (Office Professional) District and BG (General Business) District

REQUESTED ZONING: R-TH (Single-family Residential Townhome) District

CURRENT FUTURE LAND PLAN: Office Professional and Low-Density Residential

REQUESTED FUTURE LAND USE PLAN: Medium-Density Residential

DEVELOPMENT/PROJECT: 101-Unit Single-family Townhome Community

PROPERTY OWNER(s): Crawford F. Juhan, Jr., Snellville, Georgia
Edjen Enterprises, LLC, Longboat Key, Florida

APPLICANT/CONTACT: Meritage Homes of Georgia
Flowery Branch, Georgia
c/o Mitch Peevy, 770-361-8444, MitchPeevy@gmail.com

RECOMMENDATION: Approval with Conditions



**CITY OF SNELLVILLE
DEPARTMENT OF PLANNING & DEVELOPMENT
MAYOR AND COUNCIL**

CASE ANALYSIS

February 8, 2021

TO: **The Mayor and Council**

PUBLIC HEARING DATE (1st Reading): February 8, 2021

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: **RZ 20-04 LUP 20-03**

FINDINGS OF FACT:

The Department of Planning and Development has received applicationsⁱ from Meritage Homes of Georgia (applicant) and property owners Crawford F. Juhan, Jr. and Edjen Enterprises, LLC requesting to amend the Future Land Use plan and Official Zoning Map, and request for variance for a townhome development on a 14.724± acre site located at 2465 Scenic Highway South, Snellville.

The applicant intends to develop the property and construct a 101-unit single-family townhome community with open space with a total site density of 6.859 units per acre.

BACKGROUND:

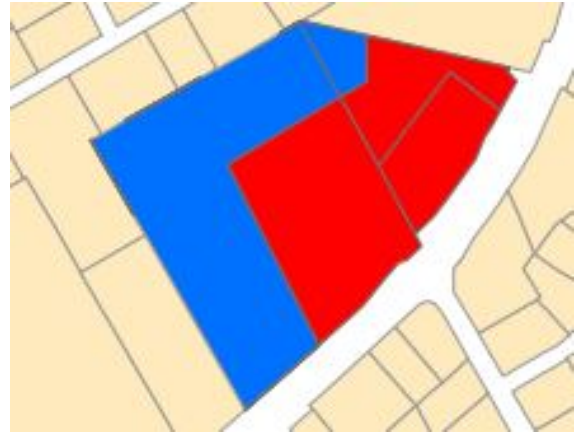
The 14.724± acre site is located south of Henry Clower Boulevard and just north of Snellville Christian Church and across from Hickory Hills subdivision.

The property is adjacent to the north by single-family residential homes in the 55-year old Lanier Forest subdivision, zoned RS-180. To the north by a 5.85± acre single-family residential

property; 1.6± acre undeveloped commercial property, zoned BG to the east; and a 2.81± acre tract of Georgia D.O.T. right-of-way.

The 14.724± acre site is comprised of two parcels including the 11.844± acre Tract 1 (Juhan property) and 2.880± acre Tract 2 (Edjen Enterprises property).

The site is currently split-zoned with the portion of the property zoned BG (General Business) District (shown to the right in red) and remaining portion of the property zoned OP (Office Professional) District (shown to the right in blue).



The property also contains two Future Land Use Map designations as depicted on the Snellville 2040 Comprehensive Plan Future Land Use Map shown below.



The front portion of the property that is adjacent to Scenic Hwy. S is shown as Commercial-Retail (shown to the left in dark pink) with the rear portion of the property designated as Low-density Residential (shown to the left in light brown).

REQUEST:

The applicant is requesting to rezone the entire 14.724± acre site R-TH (Single-family Residential Townhome) District and amend the 2040 Comprehensive Plan Future Land Use Map (FLUM) to Medium-Density Residential which allows for single-family residential areas with 4 to 8 units per acre.

The applicant is also requesting a variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance and the space limits for the R-TH District requiring attached front-loading garages to be located a minimum of ten (10) feet *behind* the plane of the front façade of the building.

The applicant is requesting no offset with the front-loading garages, and instead proposes having them be setback a minimum of twenty-two (22) feet in length from the front of the garage door to the leading edge of the sidewalk.

LAND USE PLAN AMENDMENT ANALYSIS:

The applicant is requesting to amend the Snellville 2040 Comprehensive Plan Future Land Use Map designation from Office Professional and Low-Density Residential to Medium-Density Residential.

Although the Medium-Density Residential land use allows for a maximum density of eight (8) units per acre, the proposed development has a total site density of 6.859 units per acre, which are sixteen (16) units less than the 117-total units allowed at the maximum 8-units per acre density.

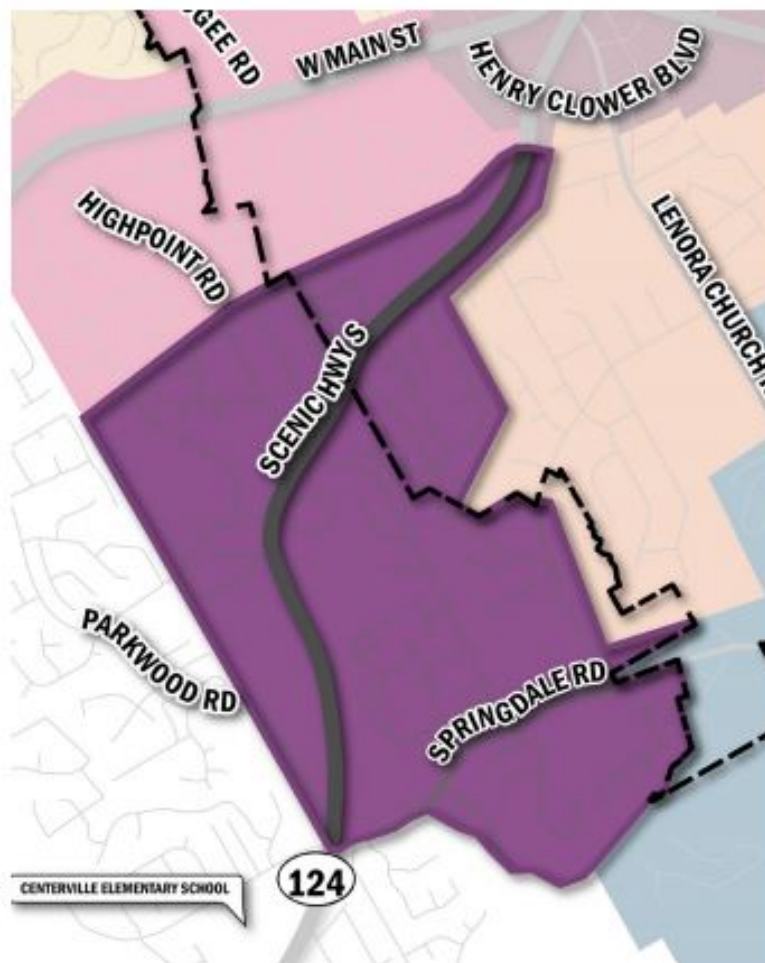
Although Table 2 – Future Land Use Categories and Corresponding Zoning Districts of the Snellville 2040 Comprehensive Plan shows the R-TH district as an ‘Appropriate’ zoning district in the Health Village, Towne Center Mixed Use, Highway 78 East Activity Node, and the North Road Redevelopment Area future land use category(s), as part of the adoption of the UDO, Table 2 was amended to add the R-TH district as a ‘Considered’ zoning district to the Medium-Density Residential future land use category.

2040 COMPREHENSIVE PLAN RECOMMENDATION:

The property is located in the Scenic Highway South Character Area (shown to the right in purple).

The character area is dominated by mostly low-density single-family detached residences on modest lots with some medium-density detached residences in the Newton’s Crest and Skylar’s Mill subdivisions.

The vision for this character area is: *“A vibrant residential community that maintains its value over time and offers a variety of housing options to residents. It is an aesthetically pleasing gateway to the city, with a clear boundary between the unincorporated area and the City of Snellville.”*



Key Implementation Strategies for this character area include:

- Construct a gateway feature adjacent to SR 124 to signify entrance into the City of Snellville.
- Follow the Service Delivery Strategy and hold regular meetings between the county and city regarding any land use changes within the city's sphere of influence to ensure coordination and comparable, high standards.
- Permit more office uses in the area to reduce car trips for residents.
- Landscape existing medians along Scenic Highway.
- Fill sidewalk gaps to provide continuous facilities, particularly along major roads like Scenic Highway.
- Require sidewalks and connected streets for future developments.

In the Snellville 2040 Comprehensive Plan, the following Land Use and Housing *Goals* provide support for the proposed development:

- Goal LU-5: Strongly discourage the development of additional strip commercial uses.
- Goal H-2: Ensure housing stock remains affordable.
- Goal H-3: Encourage the development of a diversity of housing types (specifically mentioned in the vision for the Scenic Highway South Character Area).

And, the following Land Use, Housing, and Economic Development *Policies* provide additional support for the proposed development:

- LU-2.1: Encourage compatible uses, both residential and commercial, and the utilization of transitional zones and buffers between residential and non-residential development.
- LU-5.2: Promote the redevelopment of older, underused commercial sites.
- H-2.1: Promote Snellville as an affordable alternative to intown housing.
- H-2.2: Encourage the construction of housing types that appeal to young families.
- H-2.3: Pursue more options for quality workforce housing.
- H-2.4: Support the development of housing that is within the financial reach of households on fixed incomes.
- ED-6.3: Ensure attractive, affordable housing is available for younger households.

R-TH – SINGLE-FAMILY RESIDENTIAL TOWNHOME DISTRICT REGULATIONS:

PURPOSE: This zoning district is intended exclusively for town house dwelling units, villas and customary accessory uses and structures. The R-TH Zoning Districts are located where public water supply and sewerage facilities are available and where there is a direct access to collector streets, major streets or State Highways.

- (1) **PRINCIPAL PERMITTED USES:** The principal permitted uses common to all residential districts; and townhomes and villas.

- (2) PERMITTED ACCESSORY USES: The permitted accessory uses common to all residential districts.
- (3) CONDITIONAL USES: The conditional uses common to all residential districts.
- (4) SPACE LIMITS:
 1. Minimum Lot Area: None;
 2. Minimum Lot Width: None;
 3. Minimum Dwelling Unit Width: 22 feet for double-car garage townhomes; 18 feet for single-car garage townhomes; and 40 feet for villas;
 4. Maximum Height of Building: 35 feet;
 5. Minimum Exterior Yard (building setback), where abutting external roads or adjoining properties:
 - a. Front Yard: 50 feet
 - b. Side Yard: 40 feet, and
 - c. Rear Yard: 40 feet.
 6. Minimum Interior Yard (building setback), where abutting Internal Roads or Other Buildings/Units within the Development:
 - a. Front yard: 10 feet, excluding porches. Attached, front-loading garage shall be located a minimum of 10 feet behind the plane of the front façade of the principal building;
 - b. Side yard: Zero-feet. However, there shall be a minimum 20 feet separation between buildings. Side yards may only be reduced to zero when a dwelling unit has either no side windows, or when the side window sills are located at least sixty-four-inches (64") above the finished floor elevation; and
 - c. Rear yard: 30 feet.
 7. Internal Road Frontage: No Minimum;
 8. External Road Frontage for Overall Development: 50 feet;
 9. Maximum Density: 8 units per acre.
- (5) DESIGN CRITERIA:
 1. Off-street parking spaces shall be provided for the entire development so that the total number of spaces equals no less than two (2) times the number of dwelling units. At least eighty-percent (80%) of required parking areas for the overall development must be located directly in the front or rear of the dwelling units or in a garage. The balance of the parking spaces may be located in a parking facility separated from the units, which may include delineated parking spaces adjacent to the internal roadways (i.e. parallel parking spaces). All units shall require single-car garages, at a minimum.

2. Townhomes shall have a minimum of three (3) and a maximum of eight (8) dwelling units per building/row. Villas shall have a minimum of three (3) and a maximum of four (4) dwelling units per building/row.
3. A minimum two-hour rated firewall shall be required between each attached dwelling unit. A four-hour rated firewall shall be required between every fourth attached dwelling units. The four-hour (4-hr) rated firewall may be reduced to a two-hour rated firewall if approved residential sprinkler systems or similar fire prevention measures, as approved by the Gwinnett County Fire Marshal, are installed in each unit. Firewalls shall be constructed in accordance with applicable building codes of the City of Snellville and Gwinnett County.
4. A pathway system connecting greenway/open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and sidewalks shall be constructed.
5. A fifty-foot (50') wide landscape strip shall be provided along all exterior street frontages and shall be planted in accordance with Article XX of the Zoning Ordinance. The landscape strip may incorporate natural vegetation and shall include a decorative fence/wall and entrance monument. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns (max. thirty-foot (30') on-center).
6. Buildings shall be constructed of traditional design with brick, stone, masonry hardi-plank horizontal siding, and masonry hardi-plank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations. There shall be a combination of no less than two (2) of the above-listed materials on each façade of the building.
7. All units with front-loaded garages shall have garage faces with decorative design treatments to minimize their appearances. Garages for units/buildings located on rear alleys shall be located to the rear of the unit and accessed via alley only.
8. A four-foot (4') wide walkway, constructed of concrete or decorative pavers, shall extend from the sidewalk to the steps, stoop, or porch of all units.
9. All front doors must have either a glass element in the door or sidelights and a transom surrounding it.
10. Columns on the front elevation or otherwise visible from the public view shall have a minimum two-foot (2') base constructed of brick or stone to match the front elevation.

11. Chimneys located on an exterior elevation of the dwelling must extend to the ground and be clad in masonry or same as adjacent materials.

SITE PLAN ANALYSIS:

The submitted rezoning site plan shows the entire 14.724± acre site with the majority of development occurring on the 11.844± acre Tract 1 and except for a stormwater detention facility and fenced dog park, both of which are located outside of any buffer area, the 2.880± acre Tract 2 remains mostly undeveloped because of the location of No Business Creek and associated floodplain.

There are 101-unit townhomes in sixteen (16) buildings, ranging in size from four to eight dwelling units per building, individual units ranging in size from 1,500 to 1,830 sq. ft. of heated area with two-car garages provided for each unit. There are thirty-three (33) additional guest parking spaces provided throughout the development in eight separate parking areas. Combined, a total of 336 parking spaces are shown. There is a mail kiosk near the development full-access entrance with sidewalks along both sides of the twenty-four (24) foot wide internal streets. The final location and design of the full-access entrance is subject to Georgia D.O.T. review and approval.

There is a fifty (50) foot front setback and landscape strip adjacent to Scenic Highway/S.R. 124. And as per the R-TH design criteria, the landscape strip shall be planted in accordance with the Landscape Ordinance and shall include a decorative fence or wall and an entrance monument. Fencing may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style fence with brick or stacked stone columns, spaced no more than 30 feet on-center.

Section 5.8 of the Development Regulations require a minimum of twenty (20) percent of the land in all residential subdivisions, ten (10) acres or more, to be set aside as open space, with at least seventy-five (75) percent of it to be contiguous with a minimum width of forty (40) feet. The open space shall be owned in fee-simple by a mandatory Property Owner's Association and shall be protected in perpetuity by a conservation surety.

5.585± acres of the total site (37.9%) is being set aside as open space with much of it located around the perimeter of the site including 0.685± acres located within the stream buffer. Included in the open space is a small pocket park across from the mail kiosk; an outdoor living space centered within the development with multiple connection points to pedestrian sidewalks; and a fenced dog park area.

Where the development abuts Lanier Forest subdivision to the north, the rear patios of the townhomes (Units 68 through 82) are setback approximately 65-70 feet from the rear property line, while the side elevation of townhome Unit 83 is setback approximately 55 feet from the property line. It should be noted that the former and current buffer and screening requirements are not required for R-TH developments where abutting RS-180 or RS-150 zoned properties.

BUILDING ELEVATIONS:

Included in the application submittal, the applicant provided a conceptual front elevation rendering and sample photos showing the side and rear elevations of a typical townhome development.

Although not totally consistent with the Design Criteria #6, requiring:

“Buildings shall be constructed of traditional design with brick, stone, masonry hardi-plank horizontal siding, and masonry hardi-plank shakes/shingles. The primary material on the front elevation shall also be used on the side and rear elevations. There shall be a combination of no less than two (2) of the above-listed materials on each façade of the building”,

the Applicant’s Letter of Intent describes the front façade consisting of a mixture of brick, stone and concrete siding with the sides and rear the same or of concrete siding with a two-foot high brick or stone water table.

Further, the development shall meet the requirements of Section 9.2(5), Design Criteria for All Residential Districts as follows:

- 1. Prior to issuance of a Site Development Permit for each phase of the project, if any, the developer shall submit architectural elevations in the form of a “Plan Book” for typical structures for review and approval by the Director of Planning & Development. At a minimum, the “Plan Book” shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved “Plan Book.” Said “Plan Book” shall become a binding restriction on all structures within the development and may be amended or supplemented only by approval of the Director of Planning & Development;*
- 2. All corner lots and lots abutting external public streets or building/units abutting external public streets shall be designated as “High Visibility Lots/Buildings.” High Visibility Lots/Buildings shall include the following treatments on elevations visible from the public view: Foundation walls shall be brick or stone to the level of the first floor; Window treatment, such as trim and shutters similar to the front elevation, are required; Landscaping shall be treated similarly to the grass and planting beds in the front of the home; Elevations shall require a similar architectural treatment as the front elevation. The intent of these additional requirements for High Visibility Lots/Buildings is to continue the architectural theme that is presented on the front elevation of the house/building to other elevations exposed to frequent public view;*

3. *Rear alleys are permitted and shall be a minimum of sixteen-feet (16') wide. Alleys may be constructed of concrete, and/or other material approved by the Director of Planning and Development. Curb/gutter and sidewalks shall not be required on alleys. All alleys shall be owned and maintained by a mandatory Homeowners' Association. The ingress and egress points to the alleys from the public streets shall be enhanced with landscaping and decorative pavers, to be approved by the Director of Planning and Development;*
4. *All grassed areas on dwelling lots shall be sodded with a drought-resistant grass, such as Bermuda, Centipede, or other species approved by the Director of Planning and Development; and,*
5. *Garages, having the ability to store a minimum of two-vehicles, shall be required on all dwelling lots, unless otherwise specified.*

VARIANCE ANALYSIS:

The applicant is requesting a variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance, requiring front-loading garages for single-family attached dwellings (townhomes), be located a minimum of ten (10) feet behind the plane of the front façade of the principal building and instead is proposing that the front-loading garages be a minimum of twenty-two (22) feet in length measured from the front of the garage door to the leading edge of the sidewalk, to reduce the likelihood of parked vehicles encroaching into or blocking the sidewalk.



Cooper Springs Townhomes

This building articulation requirement is to help create a more aesthetically pleasing front building façade by recessing the front-loading garages and providing twenty (20) feet of

separation between the front of the garage door and the front lot line/right-of-way. The garage access requirement for townhomes is further restricted in the recently adopted UDO which states, "No garage entrances may face a public street."

Other than the variance request, the applicant has not provided any explanation for the request nor demonstrated any hardship. An alternative which is allowed in the R-TH District is to provide rear-entry garages located on rear alleys.

The Planning Department does not support the variance request.

CONCLUSION AND STAFF RECOMMENDATION:

In conclusion, the requested land use plan amendment and rezoning are supported by the 2019 adopted Snellville 2040 Comprehensive Plan. The addition of a single-family residential attached (townhome) development of this scope will be a highly sought-after addition and create just another housing option to the City's abundance of single-family detached homes.

In conclusion, the Department of Planning and Development recommends the following actions:

- **Approval** of LUP 20-03, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map from Office Professional and Low-Density Residential to Medium-Density residential.
- **Approval** of RZ 20-04, application to amend the City of Snellville Official Zoning Map from OP (Office Professional) District and BG (General Business) District to R-TH (Single-family Residential Townhome) District.
- **Denial** of the request for a Variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance, requiring front-loading garages for single-family attached dwellings (townhomes), be located a minimum of ten (10) feet behind the plane of the front façade of the principal building.

The recommendations above are subject to the attachment of the following recommended **Conditions:**

1. The property shall be developed in accordance with the rezoning site plan entitled "Scenic Hwy at Henry Clower", dated 9-18-2020 (stamped received 10-9-2020), 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 will require Mayor and Council approval.
2. Single-family attached dwellings shall not exceed a density of 6.9 units per acre.

3. A Property Owner's Association shall be established for the continuous maintenance of buffers, open space, stormwater detention facility, and recreation areas.
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. Signs higher than 15 feet or larger than 225 square feet are prohibited.
6. Continue sidewalk connectivity within the existing public right-of-way where there are no sidewalks between Tract 1 and Tract 2.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public hearing on the subject applications at the January 26, 2021 Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of 4-0, the Planning Commission recommends:

- **Approval** of LUP 20-03, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map from Office Professional and Low-Density Residential to Medium-Density residential.

By a unanimous vote of 4-0, the Planning Commission recommends:

- **Approval** of RZ 20-04, application to amend the City of Snellville Official Zoning Map from OP (Office Professional) District and BG (General Business) District to R-TH (Single-family Residential Townhome) District.

The recommendation for RZ 20-04 is subject to the attachment of the following recommended **Conditions:**

7. The property shall be developed in accordance with the rezoning site plan entitled "Scenic Hwy at Henry Clower", dated 9-18-2020 (stamped received 10-9-2020), 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 will require Mayor and Council approval.
8. Single-family attached dwellings shall not exceed a density of 6.9 units per acre.

9. A Property Owner's Association shall be established for the continuous maintenance of buffers, open space, stormwater detention facility, and recreation areas.
10. 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.
11. Signs higher than 15 feet or larger than 225 square feet are prohibited.
12. Continue sidewalk connectivity within the existing public right-of-way where there are no sidewalks between Tract 1 and Tract 2.
13. Developer shall erect a 6-foot tall vinyl coated chain link fence around the perimeter of the development, excluding the front of the property.
14. A 25-foot landscape buffer shall be required along the sides and rear of the property.

The Planning Commission did not provide a recommendation on the request for a Variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance, requiring front-loading garages for single-family attached dwellings (townhomes), be located a minimum of ten (10) feet behind the plane of the front façade of the principal building.

ⁱ Applications were received by the Department of Planning and Development on October 9, 2020, before the October 26, 2020 adoption of the Unified Development Ordinance (UDO). Review and analysis of the applications is based on the codes and regulations in place before adoption of the UDO.