



PUBLIC HEARING & REGULAR BUSINESS  
OF MAYOR AND COUNCIL  
CITY OF SNELLVILLE, GEORGIA  
MONDAY, FEBRUARY 26, 2007

Present: Mayor Jerry Oberholtzer, Mayor Pro Tem Bruce Garraway, Council Members Warren Auld, Barbara Bender, Robert Jenkins, and Kelly Kautz. Also present City Attorney Thomas Mitchell, City Manager Jeff Timler, Planning & Development Director Jessica Roth, City Planner James Westaway, City Planner Jason Thompson, and City Clerk Sharon Lowery.

Mayor Oberholtzer called the meeting to order at 7:30 p.m. and announced it was being audio and video taped.

**INVOCATION**

Tim Collins with Boy Scout Troop 231 gave the invocation.

**ANNOUNCEMENTS**

Mayor Oberholtzer made the following announcements:

February 27 - Planning Commission Meeting – 6:30 p.m. Work Session, 7:30 p.m. Regular Meeting

March 2 - Blood Drive - 1:30 p.m. to 6:30 p.m. City Hall Community Room

March 6 - Snellville Days Committee Meeting at 6:00 p.m. and Parks and Recreation Advisory Board Meeting at 7:00 p.m., T.W. Briscoe Park

March 12 - Council Meeting - 6:30 p.m. Work Session, 7:30 p.m. Meeting

March 13 - Board of Appeals Meeting - 7:30 p.m. *[cancelled]*

March 26 - Public Hearing / Council Meeting - 6:30 p.m. Work Session, 7:30 p.m. Meeting

March 27 - Planning Commission Meeting - 6:30 p.m. Work Session, 7:30 p.m. Meeting

March 27 – Snellville Citizens Police Academy – 6:00 p.m., 10 Week Course

Mayor Oberholtzer announced that Snellville is a Tree City USA for the 6th year in a row. He congratulated the Planning Department Staff and Planning Director Jessica Roth who has chaired the program since it started.

Mayor Oberholtzer reported that the Department of Transportation has notified us that our LARP funding will include the resurfacing of Cindy Lane, Harbour Oaks Drive, Lone Star Court, Melissa Court, and Holly Lake Cove.

**PLEDGE TO THE FLAG**

Mitch Woodward with Boy Scout Troop 50 led the Pledge of Allegiance.

**City of Snellville Administration Department**

2342 Oak Road Snellville, GA 30078 770-985-3500 770-985-3525 Fax [www.snellville.org](http://www.snellville.org)

**CEREMONIAL MATTERS**

Leadership and Training Certificates Presented to Mayor Pro Tem Garraway

Mr. Gordon Maner, The University of Georgia Carl Vinson Institute of Government, recognized Mayor Pro Tem Garraway and presented him with certificates for completing 42 hours of training and for completing the leadership training for elected officials.

Mr. Maner recognized the Mayor and Council for their commitment to training.

**MINUTES**

Approve the Minutes of the February 12<sup>th</sup> Regular Business Meeting

The minutes of the February 12<sup>th</sup> Regular Business Meeting stand approved.

**COMMITTEE / DEPARTMENT REPORTS**

**PUBLIC HEARING**

1<sup>st</sup> Reading - ANX 07-02 / LUP 07-02 / RZ 07-03 – Applications by Vintage Communities to annex an approximately ±9.356 acre parcel (#5055-003A) into the corporate boundaries of Snellville; to amend the Land Use Plan from Low-Density Residential (Gwinnett County) to Low-Density Residential (Parcel #5055-003A); from Medium-Density Residential to Low-Density Residential (Parcel #5056-006); and from Retail to Low-Density Residential (Parcel #5056-077) and to amend the Official Zoning Map from R-100, Single-Family Residential (Gwinnett County) to RS-150, Single-Family Residence (Parcel #5055-003A); and from HSB, Highway Service Business to RS-150, Single-Family Residence (Parcel #5056-077), on approximately ±2.950 acres located on Janmar Road across from Innsfail Drive for a proposed 24 single-family residential home site development

Council Member Auld announced that the Planning Department had received a letter from Vintage Communities, Inc. requesting to withdraw the application. He moved for Council to accept the request by Vintage Communities, Inc to withdraw their application, 2<sup>nd</sup> by Council Member Jenkins; voted 6 in favor and 0 opposed, motion carried.

1<sup>st</sup> Reading - ANX 07-03 / LUP 07-03 / RZ 07-04 – Applications by the Tulane Group, LLC to annex an approximately ±3.269 acre parcel (#5071-006) and an approximately ±2.640 acre parcel (#5071-020) into the corporate boundaries of Snellville; to amend the Land Use Plan from Low-Density Residential (Gwinnett County) to Low-Density Residential and to amend the Official Zoning Map from R-100, Single-Family Residential (Gwinnett County) to RS-150, Single-Family Residence, on approximately ±5.909 acres located at the intersection of Pinehurst Road and Sycamore Drive (1754 and 1794 Pinehurst Road) for a proposed 21 single-family residential home site development

Council Member Bender made a motion to waive the 1<sup>st</sup> reading and place on the March 26, 2007, public hearing agenda, 2<sup>nd</sup> by Council Member Kautz; voted 6 in favor and 0 opposed, motion carried.

2<sup>nd</sup> Reading - ZOA 07-01 / DRA 07-01 – Text Amendments to the Zoning Ordinance (Article 17); Development Regulations (Article 4, 8 and 11); and the City Code of Ordinances (Chapter 54) regarding property maintenance and code enforcement, with related changes

Planning Director Jessica Roth gave a brief overview of the process and advised that the Planning Department and Planning Commission both recommend approval with some minor revisions.

Mayor Pro Tem Garraway made a motion to approve with revisions as recommended by the Planning Department and the Planning Commission, 2<sup>nd</sup> by Council Member Bender.

Mayor Pro Tem Garraway and Council Member Auld thanked the Planning Department for their work on the text amendments.

Joe Williams, 1630 Glenhurst Way, Snellville, mentioned concerns regarding silt fencing.

Mayor Oberholtzer and City Planner James Westaway assured him that staff has the technical expertise to make field inspections and determine final stabilization.

After discussion the motion was voted 6 in favor and 0 opposed, motion carried.

2<sup>nd</sup> Reading - RZ 07-01 – Application by Canaan Land Int'l Church to amend the Official Zoning Map from RS-180, Single-Family Residence to CI, Civic Institutional for a church sanctuary and related parking, on an approximately 5.46 acre tract located at 3079 Lenora Church Road

City Planner Jason Thompson gave a brief overview of the application and reported that the applicant also requested variances from the minimum requirements. He advised that the Planning Department and Planning Commission both recommend approval with conditions. Robert Sligh, Bullard Land Planning, 1010 Waverly Meadow Drive, Bogart, Georgia, spoke representing the applicant.

Council Member Jenkins made a motion to approve with conditions, 2<sup>nd</sup> by Council Member Auld.

Mayor Oberholtzer read the following conditions into the record:

1. New signs higher than 15 feet and larger than 225 square feet are prohibited;
2. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;
3. The property shall be developed in general accordance with the submitted site plan dated 12/08/06, Concept Plan, Canaan Land Church Int'l, with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, as determined by the Director of Planning and Development, will require Mayor and Council approval;
4. No buffer is required between the subject property and the Church of Christ of Snellville to the north (parcel 5029-090);
5. A twenty-foot (20') buffer is required on the western edge of the subject property where abutting parcels (5029-249, 5029-248, 5029-201, and 5029-200); and
6. Parking may be constructed as shown on the submitted concept plan referenced in condition #3 to allow the construction of a covered drop-off area and 3 handicapped parking spots in front of the building.

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Mayor Oberholtzer asked if the conditions as stated are acceptable to the applicant.  
Mr. Sligh replied that the conditions are acceptable to the applicant.  
The motion was voted 6 in favor and 0 opposed, motion carried.

**2<sup>nd</sup> Reading - LUP 07-01 / RZ 07-02 – Application by Dr. J.S. Balkcom, D.M.D. to amend the Land Use Plan from Low-Density Residential to Office Professional and to amend the Official Zoning Map from RS-180, Single-Family Residence to OP, Office Professional for a professional office center and related parking, on an approximately 1.794 acre tract located at the intersection of Ridgedale Road and North Road (1724 North Road)**

City Planner James Westaway gave an overview of the application and advised that the Planning Department and the Planning Commission both recommend denial. He recommended conditions should the Mayor and Council choose to approve.

Gary Lowery, 1650 Satellite Blvd., was present representing the applicant.

Jimmy Balkcom, 1442 Orleans Court, Grayson, the applicant, spoke in favor of the application.

Council Member Jenkins asked Mr. Balkcom if he would be willing to table for 60 days.

Mr. Balkcom said yes.

Mike Hopkins, 1765 Berkshire Court, Snellville, spoke in opposition.

Melvin Buck, 1713 Glenwood Way, Snellville, Woodberry Community, spoke in opposition.

Victor Young, 1764 Berkshire Court, spoke in opposition.

Dennis Lawton, 3041 Alta Ridge Way, Snellville, spoke about the concept plan.

Jeannie Walters, 2128 Hartridge Drive, spoke against the rezoning on behalf of her mother who resides at 1716 Ramblewood Drive.

Candace Pulliam, 1880 Woodberry Run Drive, spoke in opposition.

David Mcanally, 1719 Ridgedale Drive, spoke in favor of the application.

Doug Stacks, 3343 Mill Grove Terrace, Dacula, real estate sales agent for the property, discussed minimal impact and suggested that it would be an opportunity to set a model for the City of Snellville.

Council Member Jenkins made a motion to postpone for 60 days to see if issues between the applicant and the residents could be resolved.

Motion died to the lack of a second.

Council Member Jenkins made a motion to postpone the decision for 60 days, 2<sup>nd</sup> by Council Member Auld.

After discussion, the motion was voted 3 in favor and 3 opposed with Mayor Oberholtzer, Mayor Pro Tem Garraway, and Council Member Kautz casting the opposing votes.

Mayor Pro Tem Garraway made a motion to deny, 2<sup>nd</sup> by Council Member Kautz; voted 5 in favor and 1 opposed with Council Member Jenkins casting the opposing vote; motion carried.

**REGULAR BUSINESS**

**CONSENT AGENDA**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**COUNCIL ANNOUNCEMENTS**

Council Member Auld announced that he coached Brookwood High School in the Gwinnett County Mock Trial High School Competition and congratulated them for going to the finals.

**MAYOR'S REPORT**

Mayor Oberholtzer thanked the citizens for coming to the meeting and urged them to keep abreast of what is going on in the State Legislative Session.

**PUBLIC COMMENTS**

Dennis Lawton, 3041 Alta Ridge Way, commended the Planning Department and the Mayor and Council on addressing property maintenance.

Roy Tancre, 1824 Dogwood Court, spoke regarding property maintenance.

Mayor Oberholtzer read the closed meeting notice into record as follows:

To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2-(1).

To discuss future acquisition of real estate, which is excluded from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-3-(4).

Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3-(6).

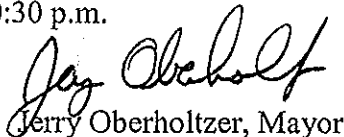
Upon a motion by Council Member Jenkins, 2<sup>nd</sup> by Council Member Bender, the meeting was closed, with all Council Members and the Mayor present and voting in favor.

The meeting recessed to executive session in the Administration Conference Room at 9:44 p.m.

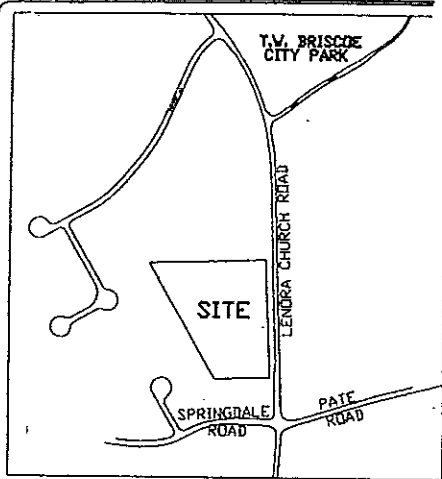
The meeting reconvened at approximately 10:30 p.m.

**ADJOURNMENT**

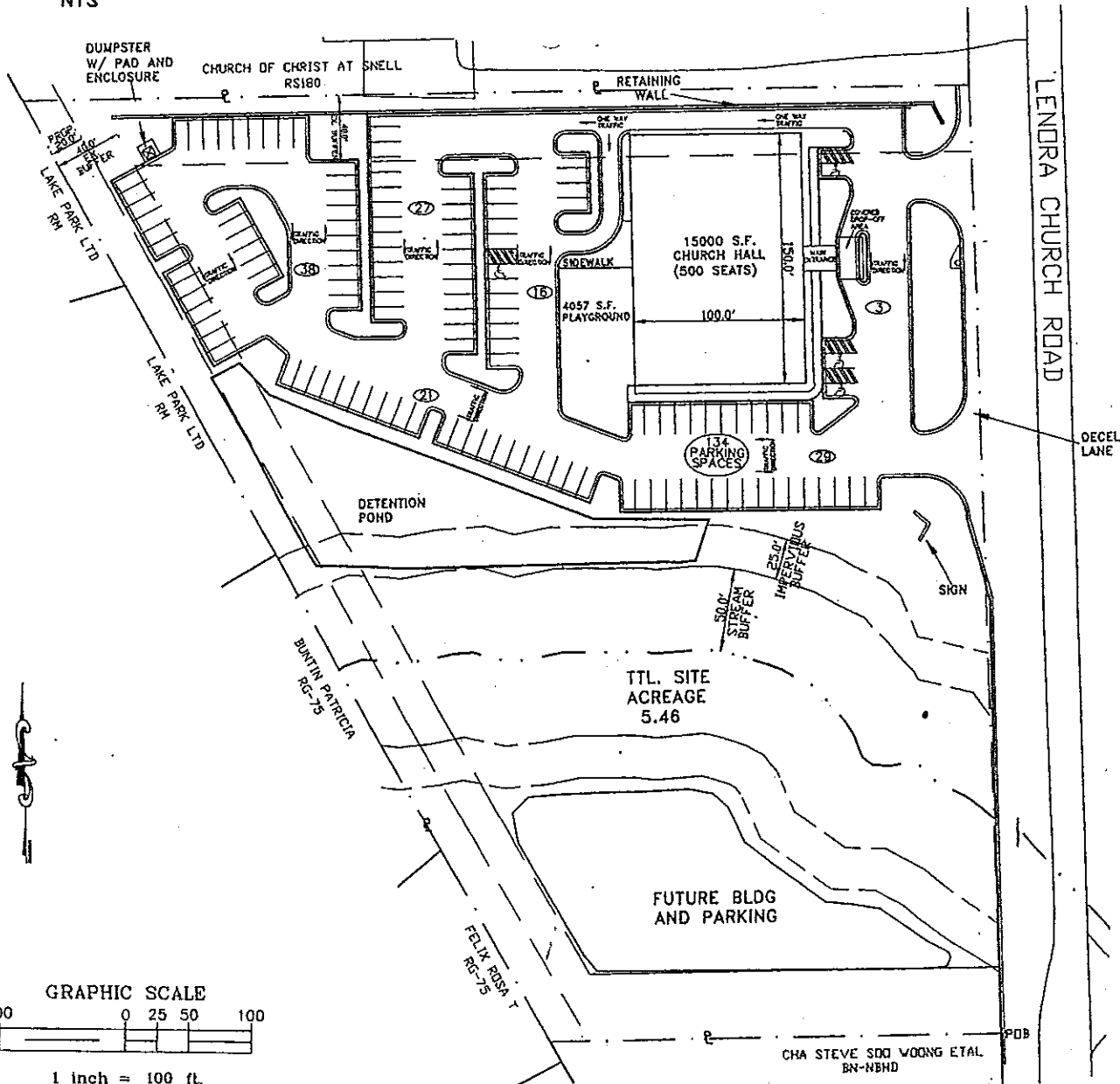
The meeting adjourned at approximately 10:30 p.m.

  
Jerry Oberholtzer, Mayor

  
Sharon Lowery, City Clerk



LOCATION MAP  
NTS



CONCEPT PLAN

SHT. NO.  
1

DATE  
12.11.06

**BULLARD LAND PLANNING**  
7764-A HAMPTON PLACE- LOGANVILLE, GA 30052  
PHONE: 770-554-8714 - FAX: 770-554-8715 - E-MAIL: bprobart@bellsouth.net

**CANAAN LAND CHURCH INTL CONCEPT PLAN**  
LOCATED IN LAND LOT 29  
5th DISTRICT, PARCEL 090  
SNELLVILLE, GA