



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

CASE SUMMARY

CASE NUMBER: CIC 21-01

REQUEST: Rezoning Change in Conditions

LOCATION: 3079 Lenora Church Road, Snellville, Georgia

SIZE: 5.47± Acres

TAX PARCEL: 5029 090

CURRENT ZONING: CI (Civic Institutional) District

CURRENT FUTURE LAND PLAN: Public-Civic

DEVELOPMENT/PROJECT: **Place of Worship**

PROPERTY OWNER: Rejoice in The Word Church International
Ministry, Inc.
Snellville, Georgia

APPLICANT/CONTACT: Concept Engineering Services
Peachtree Corners, Georgia
Emmanuel Abua, P.E.
404-643-6044 or conceptengrsceo@gmail.com

RECOMENDATION: **Approval with Conditions**



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

CASE ANALYSIS

February 24, 2021

TO: The Mayor and Council

1st READING MEETING DATE: March 8, 2021
2nd READING (PUBLIC HEARING) DATE: March 22, 2021

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: CIC 21-01

FINDINGS OF FACT:

The Department of Planning and Development has received an application from Concept Engineering Services (applicant) and Rejoice in The Word Church International Ministry, Inc. (property owner) requesting to amend conditions of zoning for rezoning case #07-01 approved by the Mayor and Council on 2-26-2007 for the 5.47± acre site located at 3079 Lenora Church Road, Snellville.

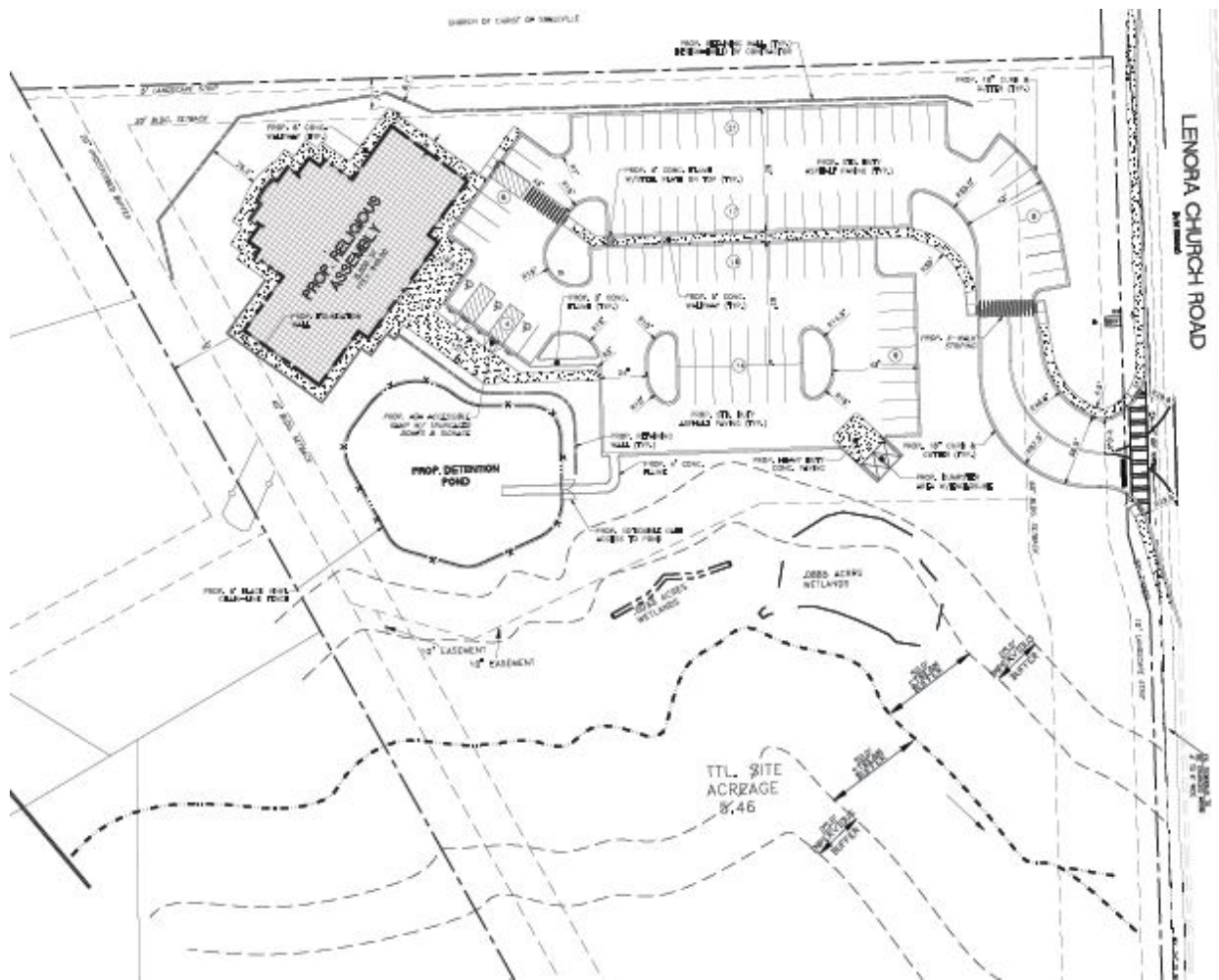
The property owner intends to develop the property and construct an 8,000 sq. ft. religious assembly building and related parking.

The undeveloped property is located just north of the intersection of Lenora Church Road and Springdale Road and is adjacent to the Church of Christ at Snellville, zoned CI (Civic Institutional) District. To the west is the Parkside residential quadruplex development, zoned RM (Residential Multi-family) District and the Clower Village residential duplex development, zoned R-DU

(Residential Duplex) District. To the south is a Chevron gas station with convenience store, zoned BG (General Business) District.

REQUEST:

The property owner is requesting a change in zoning conditions from the 2-26-2007 approved rezoning and more specifically to amend Condition #3 to allow development of the property in accordance with the proposed site plan entitled "Rejoice in The Word 3079 Lenora Church Road, Snellville, GA 30078", dated 8-12-2020 (stamped Received 1-12-2021) and to amend Condition #6 accordingly to instead allow 95 onsite parking spaces to be located between the street (Lenora Church Road) and the worship building.



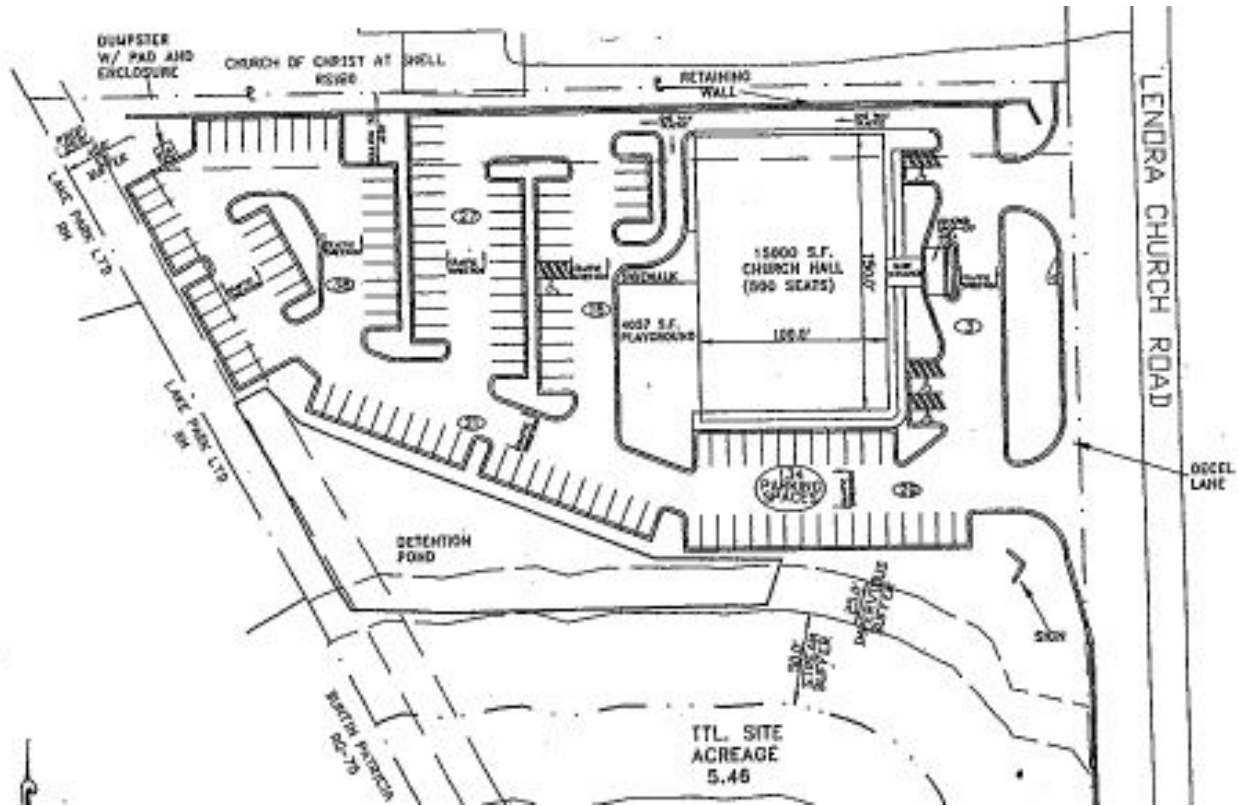
Proposed Site Plan Dated 8-12-2020

2-26-2007 Approved Conditions:

Condition #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.

Condition #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.



12-08-2006 Rezoning Concept Plan Approved 2-26-2007

BACKGROUND:

Both of these conditions that were approved during the 2-26-2007 rezoning were done to reinforce the regulations that were already in place for the CI District and more specifically the regulations in Sec. 9.7(3)(1) of Article IX of the Zoning Ordinance requiring:

“All parking shall be prohibited in front of the building extending the full-width of the front building line.”

This regulation is believed to have been added in May 1993 when a text amendment to the 1983 Zoning Ordinance was approved, retiring the OI (Office-Institutional) District and instead the creation of two new zoning districts: OP (Office Professional) District and CI (Civic Institutional) District.

Though no records can be found that explain the reasoning for the 1993 parking location regulation, but it is believed that it was done to push the worship buildings closer to the front building setback while moving the onsite parking behind the worship buildings so that the travelling public didn't have to see a large open area of empty parking spaces during non-worship times for places of worship.

There is no such parking location requirement in Sec. 206-2 of the newly adopted Unified Development Ordinance for the CI (Civic-Institutional) District and Sec. 207-1.8.B of the UDO that does regulate vehicle parking locations does not apply to the subject property as it is not located along S.R. 124 (Scenic Highway) or S.R. 10/US Hwy. 78 (Main Street).

SITE PLAN REVIEW:

The submitted site plan shows the proposed 8,000 sq. ft. religious assembly building located in the northwest corner of the site with a retaining wall extending approximately 450 feet along the northern property line. 95 parking spaces are located in front of the building and connect to one driveway with a right-in/right-out drive at Lenora Church Road. A stormwater detention pond is located just to the south of the building and just north of the 75 foot impervious surface buffer of the No Business Creek.

CONCLUSION AND STAFF RECOMMENDATION:

Due to the hardship created by the excessive topography and drainage patterns of the site and proximity to the *No Business Creek* tributary that runs through the property and the amount of fill and length and height of additional retaining wall that would be required to mediate this, the Department of Planning and Development recommends the following actions:

- **Approval** of CIC 21-01, application for a change in conditions from #RZ 07-01 with the repeal of original Conditions #1 through #6 subject to the attachment of the following new **Conditions**:
 1. The property shall be developed in accordance with the rezoning site plan entitled "Rejoice in The Word 3079 Lenora Church Road Snellville, GA 30078", dated 8-20-2020 (stamped received 1-12-2021), 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. New signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
 3. Uses involving adult entertainment, including the 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.

4. No buffer is required between the subject property and the Church of Christ at Snellville to the north (parcel 5029 090).
5. A twenty-foot (20') undisturbed buffer is required on the western edge of the property where abutting parcels (5029 249; 5029 248; 5029 201 and 5029 200).

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public hearing on the subject application at the February 23, 2021 Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of 5-0, the Planning Commission recommends **Approval** of CIC 21-01, application for a change in conditions from #RZ 07-01 with the repeal of original Conditions #1 through #6 subject to the attachment of the following new **Conditions**:

1. The property shall be developed in accordance with the rezoning site plan entitled "Rejoice in The Word 3079 Lenora Church Road Snellville, GA 30078", dated 8-20-2020 (stamped received 1-12-2021), 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.
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