



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

CASE SUMMARY

CASE NUMBER: RZ 21-02 LUP 21-02

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

LOCATION: 3491 Rosebud Road, Snellville, Georgia

SIZE: 5.58± Acres

TAX PARCEL: 5094 327

CURRENT ZONING: RS-30 (Single-family Residential) District

REQUESTED ZONING: **RO (Residential for Older Persons) District**

CURRENT FUTURE LAND PLAN: Park/Recreation

REQUESTED FUTURE LAND USE PLAN: **Low-Density Residential**

DEVELOPMENT/PROJECT: **21-Lot Single-family Detached Residential Subdivision with Open Space**

PROPERTY OWNER: Summit Chase Country Club, Inc.
Snellville, Georgia

APPLICANT/CONTACT: John Gaskin, VP Land Acquisition
Patrick Malloy Companies, LLC
Atlanta, Georgia
770-319-5258 or john.gaskin@pmcommunities.com

RECOMENDATION: **Approval with Conditions**



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

CASE ANALYSIS

March 29, 2021

TO: **The Mayor and Council**

1st READING DATE: April 12, 2021
2nd READING (PUBLIC HEARING) DATE: April 26, 2021

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: **RZ 21-02 LUP 21-02**

FINDINGS OF FACT:

The Department of Planning and Development has received applications from John Gaskin, Patrick Malloy Companies, LLC (applicant) and Summit Chase Country Club, Inc. (property owner) requesting to amend the Future Land Use Map and Official Zoning Map for the 5.58± acre tennis court site located at the intersection of Rosebud Road and Temple Johnson Road, Snellville, 3491 Rosebud Road, Snellville.

The applicant intends to develop the property and construct a 21-lot single-family detached (age-restricted) residential subdivision and incorporate it into the adjoining 75.29± acre tract that was rezoned in June 2019 for an age-restricted (55+) single-family detached residential community. Once combined, the two tracts will contain a total of 274-lots on an 80.87± acre site with a gross density of 3.388 units per acre.

The master planned and covenant-restricted community will be served by two gated entrances off Rosebud Road. There will be an amenity area including game rooms, a pool, kitchens, and athletic facilities including tennis and pickleball. There are existing golf cart paths throughout

the site, including a golf cart tunnel under Rosebud Road. Many of these will remain for residents and golfers to have access to the remainder of the nine-hole course, clubhouse, tennis courts, driving range, and swimming pool.

REQUEST:

The applicant is requesting to amend the 2040 Snellville Comprehensive Plan Future Land Use Map (FLUM) from Park-Recreation to Low-Density Residential which allows for single-family residential areas with less than 4 units per acre and amend the Official Zoning Map from RS-30 (Single-family Residence) District to RO (Residential for Older Persons) District to combine the site with the adjacent site for a 274-lot age-restricted (55+) single-family detached residential community.

The RO District is intended to serve the housing needs of persons who are 55 years of age or older by allowing a mix of age-restricted housing types and requiring community open spaces. The district is to be in areas of the city that facilitate pedestrian access to nearby goods and services, and/or amenities/cultural facilities. The RO District was created with the October 2020 adoption of the Snellville Unified Development Ordinance (UDO) and was preceded by the R-HOP(55)-SF zoning district.

The applicant is also requesting conditions and concurrent variances from the UDO in order to maintain consistency and uniformity with the zoning conditions and variances that were approved in June 2019 for the adjacent 75.29± acre tract.

LAND USE PLAN AMENDMENT ANALYSIS:

The applicant proposes to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map designation from Park/Recreation to Low-Density Residential. The change from Park/Recreation to Low-Density Residential may seem drastic, but this is only on paper. The requested RO zoning district requires either a Low-Density Residential land use, for single-family residential area of less than 4 units per acre or a Medium-Density Residential land use, for single-family residential areas with 4 to 8 units per acre.

It should be emphasized that the proposed 80.87± acre development is expected to come in at 3.388 units per acre, well below the 8.0 maximum units per acre allowed under the RO District and below the 3.99 maximum units per acre allowed for the Low-Density Residential land use.

The City of Snellville 2040 Comprehensive Plan Future Development Map places the proposed development in the *Summit Chase* Character Area, which consists primarily of low-density residential developments, estate residential, and park-recreation land uses.

The character area calls for the preservation of “green space and wooded areas”, which may at first seem at odds with the proposed development; however, it should be noted that the land this development will replace is largely a golf course, and not necessarily what the writers had in mind when referring to “green space.” While scenic, golf courses are single-use, and often

restrict access to those not playing golf. As such, their utility to most nearby residents is much more limited than woodland, trails or other community-focused greenspace.

The applicant contends that residents of this new development will still have access to the club house and remaining golf course, as well as their own amenity areas.

Compliance with 2040 Comprehensive Plan

There are more than a few discussions and policy goals in reference to senior-focused housing in the 2040 Comprehensive Plan that recommend support for this application. A few are called out below:

- *“Expanding housing opportunities for young professionals and seniors will support a multi-generational community...”*¹
- *“With Snellville’s older population, demand for senior housing is growing. Of the 358 residential units currently under construction in planned communities in Snellville, 330 units are age-restricted for residents 55 and older.”*²
- H-3.1: Pursue more development opportunities focused on seniors and assisted living.”³
- Focus on reinforcing neighborhood stability by encouraging more homeownership and maintenance or upgrade of existing properties.”⁴

The findings and recommendations of the Snellville 2040 Comprehensive Plan indicate that the development of this property is in compliance with the policies of the City. The development of so much housing targeted at seniors is a stated need in the plan.

¹ Executive Summary, vi.

² Section 2, Priority Issues and Opportunities, 16.

³ Section 4, Policies, Housing Policies, 28.

⁴ Section 5, Snellville Tomorrow, Summit Chase Character Area, 45.

CHARACTER AREA

Summit Chase

Existing Character Description

The Summit Chase character area has two central focal points: Johnson Lake and the Summit Chase Golf and Country Club. These scenic, recreational amenities support a high quality of life for residents in the surrounding neighborhoods. Homes in this area have a range of styles and ages, including single-family homes and estate residences on generous lots. Limited civic and commercial uses are found major roads, including TOMCO2 Systems, one of Snellville’s largest employers.

Predominate Land Uses

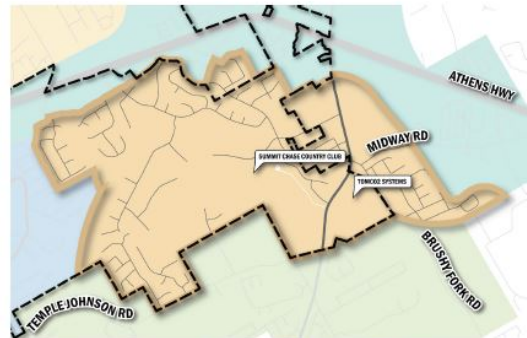
Low-density residential, estate residential, park/recreation

Vision

A reinvigorated neighborhood, Summit Chase is a beautiful community with an enhanced feeling of civic pride and community togetherness. Homes in the neighborhood are well maintained, and housing values are stable.

Key Implementation Strategies

- Continue to address code enforcement violations
- Encourage and strengthen neighborhood watch program
- Explore opportunities to construct a multi-use trail along Big Haynes Creek
- Preserve green space and wooded areas
- Protect the Big Haynes Creek Watershed
- Focus on reinforcing neighborhood stability by encouraging more homeownership and maintenance or upgrade of existing properties



Top left to bottom right: 1 and 2) Existing homes; 3) Summit Chase golf course; 4) Existing home; 5) TOMCO2 Systems

However, it should be noted that a footnote to Table 2. Future Land Use Categories and Corresponding Zoning Districts of the Snellville 2040 Comprehensive Plan that provides a listing of the city's future land use categories and corresponding zoning districts with 'A' indicating that the zoning district is 'Appropriate' for the corresponding land use category; 'C' indicating that the zoning district is to be 'Considered' for the corresponding land use category; while the blank areas indicate that the zoning district is not appropriate in that future land use category.

The footnote states, "Three FLU categories were not included in this table: Park/Recreation, Conservation, and Transportation/Communications/Utilities. Properties with these FLU categories are intended for public use or should remain undeveloped. They should not be rezoned to more intensive uses."

Table 2. Future Land Use Categories and Corresponding Zoning Districts

Zoning District	Future Land Use Category**									
	Use Only Residential	Medium Density Residential	Commercial Retail	Office/Professional	Manufactured Home	Health/Health Care	Health Village	Town Center Mixed Use	High Tech/Office/Hub	North Hill/Undeveloped Use
RS-30: Single-Family Residential District	A									
RS-15: Single-Family Residential District	A									
RS-5: Single-Family Residential District		A					C			
RD: Duplex Residential District		A								
RI-10: Townhouse Residential District		C					A	A	A	A
RM: Multifamily Residential District							C	C	C	C
RO: Mixed Residential District		C								
RO: Residential for Older Persons District	A	C					C	A		
TC-B: Town Center Residential District								A		
MU: Mixed Use District									A	
CI: Civic/Institutional District				A		A	A	A	A	A
OP: Office Professional District			A	A	A	A	A	C	A	A
BG: General Business District			A	A	A	A	A	C	A	A
HBC: Highway Service Business District			A		A					
LM: Light Manufacturing District					A					
HI: Heavy Industrial District										
NR: North Road District									A	A
TC-MU: Town Center Mixed-Use District										

Zoning Map Amendment

In accordance with the submitted request to amend the land use plan, the applicant is also requesting to rezone the property from RS-30 (Single-Family Residential) District to RO (Residential for Older Persons) District which is designed to serve the housing needs of adults who are 55 years of age or older. At least 80% of the occupied units/lots shall be occupied by at least one person who is 55 years of age or older.

SITE PLAN ANALYSIS:

The submitted rezoning site plan shows the entire 80.87± acre site with the subject 5.58± acre site highlighted in yellow, located in the southwest area of the development at the intersection of Rosebud Road and Temple Johnson Road.



21-lots are shown on the 5.58± acre tract with street and cul-de-sac connectivity to these lots.

As a requirement in the RO District, the site plan shows 1.1± acres of open space (20% of 5.58 acres) and also serving as a buffer between the subject property and adjacent property to the west (Parcel #R5094 059).

BUILDING ELEVATIONS:

Included in the application submittal, the applicant provided sample elevation and floor plans for eight different model homes. The elevations generally conform to the UDO requirements; however, several variances are required from the Small Residential Building Standards of UDO Sec. 201-3.3.

CONDITIONS AND CONCURRENT VARIANCES REQUESTED:

In order to maintain consistency and uniformity throughout the entire 80.87± acre development, the applicant is requesting that the following conditions and variances be approved as were approved in June 2019 for the 75.29± acre tract for case #RZ 19-02 LUP 19-01:

1. *The property shall be developed in accordance with the rezoning plan prepared by Thomas and Hutton dated January 22, 2021. Substantial variations from the zoning site plan as determined by the Director of Planning and Development will require Mayor and Council approval.*
2. *Single family detached dwellings shall not exceed a density of 3.76 units per acre. The project is to be deed restricted to residents aged 55 and older.*
3. *This 5.58 acre parcel shall be subject to and included within the Master Protective Covenants written for the entire Summit Chase development that includes the adjoining 75 acre parcel zoned in 2019.*
4. *A residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and Development for those lots so designated on the Final Plat prior to issuance of a Building Permit.*
5. *A no access easement shall be provided along Rosebud Road and Temple-Johnson Road.*
6. *All driveways shall be a minimum of Twenty Two (22) feet in length as measured from the front garage door to the leading edge of the sidewalk and shall be wide enough to accommodate the parallel parking of two vehicles.*
7. *All streets shall be privately owned and maintained by the Home Owners Association.*
8. *All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.*
9. *Non-substantial variances as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements must be submitted in writing for the Administrative approval with the Director of Planning and Development.*
10. *The required minimum separation distance between homes shall be reduced from fifteen (15) feet to ten (10) feet as measured from the foundation/slab.*
11. *Concurrent with the rezoning the Mayor and Council shall include the adoption of the following Architectural Plans submitted by the developer: TIFTON, WESTON, EDLSON, JEFFERSON, AUBURN, DENTON, PEARSON, and MONTROSE.*

12. *The approved architectural plans shall at a minimum be subject to the following Architectural Design Standards:*

- a. *Forty Five (45) percent of the units shall have a front facade composed of cedar shake accent with two-foot (2') masonry/brick water table. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.*
- b. *Forty Five (45) percent of the units shall have a front facade composed of cedar shake accent with thirty (30) percent brick/masonry accent. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.*
- c. *Ten (10) percent of the units shall have a front facade of cedar shake with Seventy (70) percent brick/masonry. Side and Rear elevations shall be constructed of stained/painted cedar shake and or cement board siding.*

13. *The Director of Planning and Development shall have the right to approve minor changes to the architectural standards based upon the developer submitting the request in writing. The Director shall retain the right to forward any request to Mayor and Council for approval if the requested changes are deemed substantial by the Director.*

CONCLUSION AND STAFF RECOMMENDATION:

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

- **Approval** of LUP 21-02, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map from Park-Recreation to Low-Density Residential.
- **Approval** of RZ 21-02, application to amend the City of Snellville Official Zoning Map from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District.

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

1. The property shall be developed in accordance with the conceptual rezoning site plan entitled "Rezoning Exhibit Summit Chase Snellville Georgia", dated 1-22-2021 (stamped received 2-5-2021), 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.
2. Single-family detached dwellings shall not exceed a density of 3.41 units per acre. The project is to be deed restricted to residents aged 55 and older.

3. Stormwater detention facility(s) shall be fenced with either a black vinyl-coated chain link fence a minimum of four feet in height, or 6-8-foot-tall privacy fence.
4. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
5. All corner lots and lots abutting an external public street shall be designated as "High Visibility Lots" and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view.
6. There shall be master protective covenants for the entire development that will include all phases of the development (recreation/amenity and residential) and such other usual and necessary covenants and restrictions to protect the quality and integrity of the single-family development.
7. A mandatory homeowner's association shall be formed and incorporated for all single-family lots in the development and common areas which will include all component parts of the proposed development. The Homeowners' Association shall be responsible for the oversight, upkeep, maintenance and repair of all common areas/facilities; private streets; curb and gutter; stormwater detention facilities, including detention ponds, underground pipe/structures, catch basins, headwalls and manholes; street frontage and amenity area landscaping; gated entrance areas; ground signage; walls and fencing; open space areas; amenities including tennis court, swimming pool, clubhouse, walking trails and other amenities, and the like contained within the overall development, and maintain adequate liability insurance and working capital.
8. The Homeowners' Association shall be responsible for the exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed ten (10) years.
9. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and development for those lots so designated on the Final Plat prior to issuance of a building permit.
10. A no-access easement shall be provided on the side and rear of all lots abutting Rosebud Road, Temple Johnson Road, and Brushy Fork Road.
11. All driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parallel parking of two vehicles.
12. All streets shall be privately owned and maintained by the Homeowners' Association.
13. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.

14. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be submitted in writing for administrative review and approval by the Director of Planning and Development.
15. The 5.58± acre parcel shall be subject to and included within the Master Protective Covenants written for the entire Summit Chase development that includes the adjoining 75 acre parcel zoned in June 2019 for case #RZ 19-02 LUP 19-01.
16. Concurrent with the rezoning the Mayor and Council shall include the adoption of the following Architectural Plans submitted by the developer: TIFTON, WESTON, EDLSON, JEFFERSON, AUBURN, DENTON, PEARSON, and MONTROSE.
17. With the exception of the “High Visibility Lots” in Condition #5 (above), the approved architectural plans shall at a minimum be subject to the following Architectural Design Standards:
 - a. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with two-foot (2') masonry/brick water table. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
 - b. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with thirty (30) percent brick/masonry accent. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
 - c. Ten (10) percent of the units shall have a front facade of cedar shake with Seventy (70) percent brick/masonry. Side and Rear elevations shall be constructed of stained/painted cedar shake and or cement board siding.

In order to maintain consistency and uniformity throughout the entire 80.87± acre development and in conjunction with the rezoning of the property, the following variances are recommended for **Approval**:

1. UDO Sec. 202-9.7, Building Separation – Reduce the 15 ft. min. separation between buildings on the same site to 10 ft.
2. UDO Table 201-3.2.D, Allowed Building Materials – To exceed the 50% maximum allowance for use of siding material on the front, side, and rear elevation of any one dwelling.
3. UDO Sec. 201-3.3.E.3, Garage Doors – To allow the garage doors facing a street to not be required to be located at least 10 feet behind front wall plane of the dwelling, not including front porches.
4. UDO Sec. 201-3.3.E.4, Garage Doors – To allow single-family detached dwelling garage doors facing a street to comprise more than 50% of the overall width of the front wall plane of the house.

PLANNING COMMISSION REPORT:

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

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

- **Approval** of LUP 21-02, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map from Park-Recreation to Low-Density Residential.

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

- **Approval** of RZ 21-02, application to amend the City of Snellville Official Zoning Map from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District.

The recommendation for RZ 21-02 is subject to the attachment of the following recommended **Conditions:**

1. The property shall be developed in accordance with the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), 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.
2. Single-family detached dwellings shall not exceed a density of 3.41 units per acre. The project is to be deed restricted to residents aged 55 and older.
3. Stormwater detention facility(s) shall be fenced with either a black vinyl-coated chain link fence a minimum of four feet in height, or 6-8-foot-tall privacy fence.
4. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
5. All corner lots and lots abutting an external public street shall be designated as “High Visibility Lots” and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view.
6. There shall be master protective covenants for the entire development that will include all phases of the development (recreation/amenity and residential) and such other usual and necessary covenants and restrictions to protect the quality and integrity of the single-family development.

7. A mandatory homeowner's association shall be formed and incorporated for all single-family lots in the development and common areas which will include all component parts of the proposed development. The Homeowners' Association shall be responsible for the oversight, upkeep, maintenance and repair of all common areas/facilities; private streets; curb and gutter; stormwater detention facilities, including detention ponds, underground pipe/structures, catch basins, headwalls and manholes; street frontage and amenity area landscaping; gated entrance areas; ground signage; walls and fencing; open space areas; amenities including tennis court, swimming pool, clubhouse, walking trails and other amenities, and the like contained within the overall development, and maintain adequate liability insurance and working capital.
8. The Homeowners' Association shall be responsible for the exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed ten (10) years.
9. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and development for those lots so designated on the Final Plat prior to issuance of a building permit.
10. A no-access easement shall be provided on the side and rear of all lots abutting Rosebud Road, Temple Johnson Road, and Brushy Fork Road.
11. All driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parallel parking of two vehicles.
12. All streets shall be privately owned and maintained by the Homeowners' Association.
13. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.
14. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be submitted in writing for administrative review and approval by the Director of Planning and Development.
15. The 5.58± acre parcel shall be subject to and included within the Master Protective Covenants written for the entire Summit Chase development that includes the adjoining 75 acre parcel zoned in June 2019 for case #RZ 19-02 LUP 19-01.
16. Concurrent with the rezoning the Mayor and Council shall include the adoption of the following Architectural Plans submitted by the developer: TIFTON, WESTON, EDLSON, JEFFERSON, AUBURN, DENTON, PEARSON, and MONTROSE.

17. With the exception of the “High Visibility Lots” in Condition #5 (above), the approved architectural plans shall at a minimum be subject to the following Architectural Design Standards:

- a. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with two-foot (2') masonry/brick water table. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
- b. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with thirty (30) percent brick/masonry accent. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
- c. Ten (10) percent of the units shall have a front facade of cedar shake with Seventy (70) percent brick/masonry. Side and Rear elevations shall be constructed of stained/painted cedar shake and or cement board siding.

And, the Planning Commission recommended **Approval** for the following requested variances:

1. UDO Sec. 202-9.7, Building Separation – Reduce the 15 ft. min. separation between buildings on the same site to 10 ft.
2. UDO Table 201-3.2.D, Allowed Building Materials – To exceed the 50% maximum allowance for use of siding material on the front, side, and rear elevation of any one dwelling.
3. UDO Sec. 201-3.3.E.3, Garage Doors – To allow the garage doors facing a street to not be required to be located at least 10 feet behind front wall plane of the dwelling, not including front porches.
4. UDO Sec. 201-3.3.E.4, Garage Doors – To allow single-family detached dwelling garage doors facing a street to comprise more than 50% of the overall width of the front wall plane of the house.