



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

**CASE SUMMARY**

**July 25, 2022**

**CASE NUMBER:** #CIC 22-02

**REQUEST:** Rezoning Change in Conditions

**LOCATION:** **3340 Rosebud Road, Snellville, Georgia**

**SIZE:** 17.894± Acres

**TAX PARCELS:** R5099 003; R5099 005; and R5009 027

**CURRENT ZONING:** LM (Light Manufacturing); OP (Office Professional); and RS-30 (Single-family Residential) Districts

**CURRENT FUTURE LAND PLAN:** Industrial Mixed-Use

**DEVELOPMENT/PROJECT:** **Expansion of existing manufacturing facility**

**APPLICANT/PROPERTY OWNER:** TOMCO2 Systems Company  
Snellville, Georgia

**CONTACT:** Tyler Lasser  
Alliance Engineering and Planning  
770-225-4730 ext. 819 or  
[tylerl@allianceco.com](mailto:tylerl@allianceco.com)

**RECOMENDATION:** **Approval with Conditions**



**CITY OF SNELLVILLE  
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**CASE ANALYSIS**

**July 25, 2022**

**TO:** The Mayor and Council

**PUBLIC HEARING DATE:** July 25, 2022

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**CASE NUMBER:** #CIC 22-02

**FINDINGS OF FACT:**

The Department of Planning and Development has received an application from Alliance Engineering and Planning, representing applicant and property owner TOMCO2 Systems Company requesting to condition the property to allow the continuance of certain non-conforming elements of the current development. Approval of the request would allow growth of the operation with the ability to expand existing non-conforming metal buildings located on the subject site.

At this time, the property owner intends to expand the current metal buildings by constructing a 2,400 square-foot building addition. The addition would be made of similar materials as the existing building. The applicant states in the letter of intent, a phase two development is planned in the future, at which time, non-conforming site development elements would be upgraded to meet the requirements of the Unified Development Ordinance.

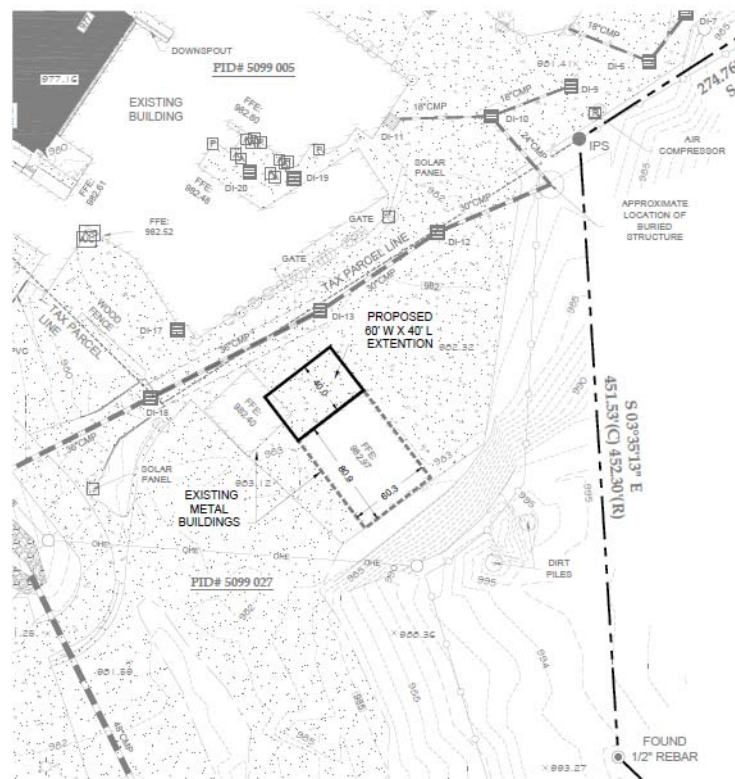
The subject site is located on the east side of Rosebud Road just south of its intersection with Brushy Fork Road. Adjacent the subject site to the south, is the South Gwinnett Baptist Church,

zoned CI (Civic Institutional) District. To the east is the Summit Chase golf course, zoned RO (Residential for Older Persons), to be developed as an age-restricted single-family residential subdivision. To the west, across Rosebud Road, is the Summit Chase subdivision, zoned RS-30 (Single-family Residential).

**REQUEST:**

The property owner is requesting to condition the property to allow the continuance of certain non-conforming elements of the current development. Specifically, the property owner would like the following non-conforming elements to remain as is at the time of the proposed building expansion:

1. Existing metal buildings to remain and allow for the expansion of the building to be metal.
2. Parking areas to remain as existing, including gravel parking and storage.
3. Maintain existing stormwater facilities and not require curb and gutter standards.
4. Allow existing lighting on site to remain as is.
5. Allow current tree density.
6. Allow current parking lot islands.



**Proposed Building Expansion Plan**

## **BACKGROUND:**

The subject site has been zoned LM since the early 1970's, when the business began operations. The manufacturing business has been in constant operation at this location since that time period.

Section 103-11.4.A Nonconforming Buildings and Structures of the UDO (Unified Development Ordinance) states:

*No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to maintain or improve its condition to decrease conformity.*

## **SITE PLAN REVIEW:**

The submitted site plan shows the proposed 2,400 sq. ft. building addition located in the southeast portion of the site. The noted building addition is the only proposed site plan modification at this time. The applicant does indicate a willingness to upgrade the freestanding sign, if approved.

Additionally, the applicant indicates a planned phase two new building addition which would be located at the current southwest parking area. The applicant states a willingness to bring the site into conformity at the time of the phase two construction but does not identify an anticipated timeline for phase two.

## **CONCLUSION AND STAFF RECOMMENDATION:**

The applicant included the corner 2.699-acre tract within the submitted change in conditions application. The corner property was rezoned to OP (Office Professional District) in 2021 (RZ 21-04) with a separate set of conditions specific to the development proposed on that site. Planning staff does not believe the corner 2.699-acre tract should be considered with this application, as the prior conditions remain pertinent to that development.

The proposed building addition is minimal compared to the overall building footprint of all buildings existing on site. The addition would not be seen, as it is located behind other existing structures. The applicant also indicates a willingness to comply with UDO regulations during the phase two construction of the new freestanding building. The Department of Planning and Development recommends the following actions:

- **Approval** of #CIC 22-02, application to adopt conditions to allow the following variances:
  1. Existing metal buildings to remain and allow for the expansion of the building to be metal.
  2. Parking areas to remain as existing, including gravel parking and storage.

3. Maintain existing stormwater facilities and not require curb and gutter standards.
4. Allow existing lighting on site to remain as is.
5. Allow current tree density.
6. Allow current parking lot islands.

Approval is subject to the attachment of the following **Conditions**:

1. The property shall be developed in accordance with the rezoning site plan showing the building addition submitted with the application, 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. The property owner shall obtain a sign permit and complete construction of a new monument sign prior to the issuance of a Certificate of Occupancy for the new building addition. The freestanding sign shall meet all requirements of the current sign ordinance regulations.
3. All nonconforming elements of the site as identified in the above variance list, excluding nonconforming building façade/architectural materials, and approved herein as variances must be made conforming at the time of phase two as indicated by the applicant in the letter of intent.
4. Conditions of approval for CIC 22-02 shall only apply to parcel numbers 5099 005 and 5099 027. All previously approved conditions as outlined in Ordinance No. 2021-15, applying to parcel 5099 003, shall remain in full-force and effect.

#### **PLANNING COMMISSION REPORT:**

The Planning Commission held a duly advertised public hearing on the rezoning application at the June 28, 2022 Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of five (5) to zero (0), the Planning Commission recommended **Approval** of #CIC 22-02, application to adopt conditions to allow the following variances:

1. Existing metal buildings to remain and allow for the expansion of the building to be metal.
2. Parking areas to remain as existing, including gravel parking and storage.
3. Maintain existing stormwater facilities and not require curb and gutter standards.
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4. Conditions of approval for #CIC 22-02 shall only apply to parcel numbers 5099 005 and 5099 027. All previously approved conditions as outlined in Ordinance No. 2021-15, applying to parcel 5099 003, shall remain in full-force and effect.