



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

CASE SUMMARY

July 22, 2024

CASE NUMBER: #RZ 24-02

REQUEST: Rezoning and Variances

LOCATION: 2785-2791 W. Main Street, Snellville, Georgia

SIZE: 8.174± Acres

TAX PARCELS: 5007 165, 5007 282, 5007 283, and 5007 285

CURRENT ZONING: BG (General Business) District

REQUESTED ZONING: **R-TH (Townhome Residential) District**

**CURRENT FUTURE LAND
USE MAP DESIGNATION:** Health Village

DEVELOPMENT/PROJECT: **64-Unit Single-family (Attached) Townhome
Development**

PROPERTY OWNERS: Vikram Chaudhary, Stone Mountain, GA 30087
Grace Ridge Snellville LLC, Charlotte, NC 28207

APPLICANT/CONTACT: Tyler Lasser, Business Development Manager
LJA Land Development
Alpharetta, GA 30009
470-202-9321 TLasser@LIA.com

RECOMMENDATION: **Approval with Conditions**



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

CASE ANALYSIS

July 22, 2024

TO: Mayor and Council

PUBLIC HEARING DATE: July 22, 2024

FROM: Jason Thompson, Director
Department of Planning and Development

CASE NUMBER: #RZ 24-02

FINDINGS OF FACT:

The Department of Planning and Development has received applications from Tyler Lasser, Business Development Manager, TLA Land Development (applicant) and Vikram Chaudhary and Grace Ridge Snellville, LLC (property owners) requesting Rezoning and Variances for a 64-unit single-family (attached) townhome development on an 8.174± acre site with a gross density of 7.83 units per acre. Each of the 1,600 sq. ft. townhomes will consist of three bedrooms and two-and-half bathrooms with a rear-entry two-car garage. Additional parking for guests is located along the interior streets and rear of the site.

The undeveloped property, zoned BG is located just east of the Towne Center Office Park development, developed in 2008. The property was originally part of a future phase of the office park but later sold in 2017 and purchased by the current owner in 2019-2020.

The proposed development is adjacent to Nob Hill Estates subdivision located to the north; various commercial and medical services providers to the east on Fountain Drive; Crown Auto Repair to the south; and the Towne Center Office Park to the west.

REQUEST:

The applicant is requesting: 1) to amend the Official Zoning Map from BG (General Business) District to R-TH (Townhome Residential) District; and 2) variances from the Snellville Unified Development Ordinance (“UDO”) as follows:

- Sec. 202-6.6. (Dimensional Standards – Site Setback): Variance to reduce the 40-foot minimum site setback to 19.2 feet along the western property where adjacent to the Towne Center Office Park per the site plan.
- Sec. 401-2.2.B.1.c. (Recreational Use of Land): Variance to eliminate the open space requirement to include a swimming pool and full-sized tennis court.

SNELLVILLE 2045 COMPREHENSIVE PLAN RECOMMENDATION:

On 2-26-2024, city leaders adopted the Snellville 2045 Comprehensive Plan with development of the plan beginning in July 2023. The Plan serves as the foundation for the city’s future and is a community-driven plan, focused on an aspirational vision of the future and identifying the issues and opportunities that matter most to residents, employees, and local businesses in achieving that vision. The plan presents strategies to address the community’s concerns, with an emphasis on what can be done over the next five years (2024 to 2029).

The development site is located at the eastern boundary of the Highway 78 West Character Area identified on the recently adopted Snellville 2045 Future Development Map and shown right in red.



The property is classified as *Health Village* on the Snellville 2045 Comprehensive Plan Future Land Use Map with this land use category described as “*areas anchored by healthcare facilities and integrated with supportive services and uses such as medical offices, senior living, multi-family residences, or neighborhood services and shopping.*”

The proposed R-TH rezoning is one of several appropriate zoning districts for the Health Village future land use category.

The following provides a description for the Highway 78 West Character Area, as well as predominate land uses, vision statement, and key implementation strategies:

Highway 78 West Character Area

Existing Character Description:

The Highway 78 West character area is the western gateway into Snellville, including US 78 and the surrounding residential neighborhoods. Within this character area, the corridor has attracted mainly standalone retailers, shopping plazas, and automotive repair businesses. Piedmont Eastside's South Campus is located in this area and has attracted surrounding medical offices and related uses. Most of these commercial users have individual curb cuts and lack inter-parcel connectivity. Portions of the corridor remain undeveloped. There are mixed levels of investment in the corridor, including aging stores, recently remodeled facades, and some new buildings. Just north of US 78, South Gwinnett Park is a 23-acre, county operated park with active recreation facilities offers a variety of sports programs. The Evermore Community Improvement District and has made improvements like landscaped medians in some places. The new divergent left turn intersection at US 78 and SR 124 has improved traffic flow for vehicles while creating a barrier for pedestrians and cyclists.

Predominate Land Uses:

Health village, commercial/retail, low density residential, park/recreation cyclists.

Vision:

A vibrant commercial corridor that is a mix of well-kept, established businesses and new infill development, anchored by Piedmont Eastside's South Campus. Commercial properties have a high degree of connectivity between each other, attractive streetscape, underground utilities, and unified architectural facades. Stable residential communities border these commercial uses.

Key Implementation Strategies:

- As properties redevelop, encourage parcel assemblage for larger planned mixed-use with buildings facing the street and parking located to the side and rear
- Require inter-parcel access between developments
- Implement the planned greenway along US 78, including a vegetative buffer near the intersection of US 78 and SR 124 and a connecting spur to South Gwinnett Park
- Study the potential for additional landscaped medians
- Provide bicycle and pedestrian amenities, including covered walkways, benches, lighting, and bike racks
- Continue working with the Evermore Community Improvement District to redevelop portions of the corridor and facilitate transportation improvements along US 78
- Continue active code enforcement
- Actively promote redevelopment of the commercial area through the Downtown Development Authority
- Focus on reinforcing neighborhood stability by encouraging more homeownership and maintenance or upgrade of existing properties

In the Snellville 2045 Comprehensive Plan, the following Goals and Policies directly support the proposed development:

Land Use:

- LU-1: Protect and enhance existing residential neighborhoods.
 - LU-1.1: Encourage compatible uses, both residential and commercial, and the utilization of transitional zones and buffers between residential and non-residential development.
- LU-2: Support the development of live/work/play/learn communities.
 - LU-2.2: Pursue density in targeted areas of the community.
 - LU-2.3: Promote redevelopment of opportunities of underused sites into mixed-use projects.
 - LU-2.4: Ensure access to green space in dense, high-activity areas of Snellville.
- LU-4: Facilitate quality development along major corridors

Housing:

- H-2: Ensure housing stock remains affordable.
 - H-2.1: Encourage the construction of housing to support all age groups, incomes and lifestyles.
- H-3: Encourage the development of a diversity of housing types.

ZONING MAP AMENDMENT REQUEST:

The request is to amend the Official Zoning Map from BG (General Business) District to R-TH (Townhome Residential) District for the 8.174± acre property to develop 64 single-family (attached) townhomes with a gross density of 7.83 units per acre, just under the 8.0 units per acre maximum allowed in the R-TH District.

The purpose of the R-TH District is *“intended exclusively for single-family attached dwelling units and customary accessory uses and structures. R-TH districts are located where public water supply and sewerage facilities are available and where there is direct access to collector streets, major streets or State routes.”*

The proposed rezoning to the R-TH District is one of several zoning districts deemed *appropriate* for the property’s *Health Village* future land use designation on the Snellville 2045 Comprehensive Plan Future Land Use Map.

UDO Sec. 204-2, attached as Exhibit “A”, provides the R-TH District regulations including Purpose; Use Provisions; Site Development Standards; Architectural Standards; Dimensional Standards; Building Placement; and Bulk and Mass standards.

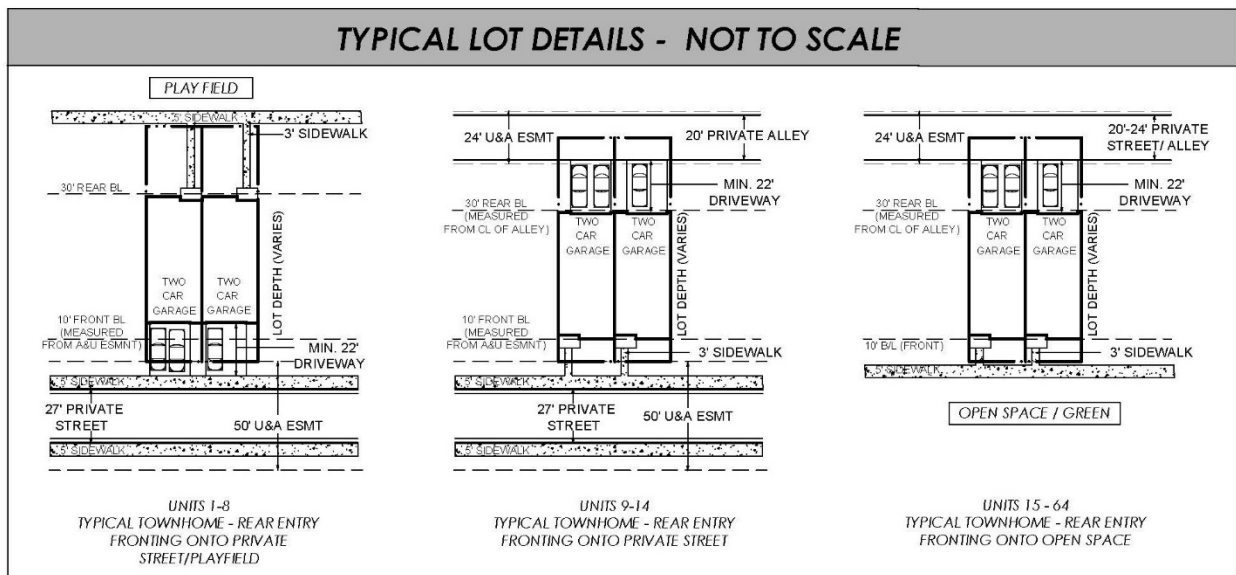
Since the October 2020 adoption of the Snellville Unified Development Ordinance, city leaders approved the first R-TH rezoning in April 2021 for a 90-unit townhome development (Scenic Walk) on a 14.7± acre site at 2465 Scenic Highway South, Snellville.

Towne Center Office Park and proposed development. This 50-foot setback is to be planted in accordance with Sec. 207-3 (Landscaping) regulations. In addition, the R-TH District requires a 40 feet minimum site setback not along streets. The site plan shows a 20 foot buffer and 20 foot graded and replanted buffer (40 feet combined) along the northern property line at Crescent Drive adjacent to Nob Hill Estates.

However, the site plan shows the 40-foot site setback along the eastern property boundary reduced to 7 feet to accommodate a 7 feet wide overhead power line easement. Adjacent to the 7 feet wide setback/easement is a 31 feet wide (curb-to-curb) private street serving as the main ingress/egress street for townhome units 9 through 61. The applicant has requested a setback reduction along the western property boundary where the project site abuts the Towne Center Office Park reducing the 40 feet minimum site setback to 19.2 feet, with a 30± foot building separation between seven (7) of the existing two-story Towne Center Office Park buildings and proposed townhomes.

The site plan shows the location of an overhead power line easement beginning at the Highway 78 right-of-way and continuing approximately 920 feet along the northern property boundary providing power and other utility service to the adjacent commercial properties on Fountain Drive. There is a sanitary sewer easement also shown in this general area, both of which may impact the planting of trees and shrubbery within the required five (5) feet wide side landscape strip along the northern property line.

The site plan also provides a Typical Lot Detail plan (below) showing the layout of the townhomes and corresponding location for the driveway, sidewalk, private street, and private alley.



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BUILDING ELEVATIONS:

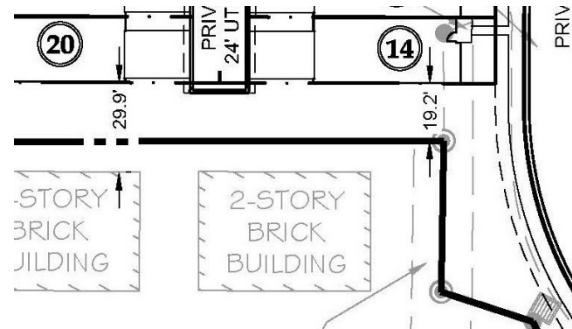
The application submittal included conceptual building elevations for each of the four elevations for a typical six (6) unit townhome building and include the proposed exterior material finishes and colors. As these are conceptual depictions of the proposed building elevations, no determination has been made as to conformance with UDO Sec. 201-3.3. (Small Residential Building Standards), Sec. 202-1. (Rules for All Residential Districts), and Sec. 202-6.9. (R-TH Design Standards). A more thorough review will be conducted upon receipt of the architectural plan set during permitting review to ensure compliance with these requirements.

CONCURRENT VARIANCES:

As per the Letter of Intent, the applicant is requesting two (2) variances/waiver from Chapters 200 and 400 of the Snellville Unified Development Ordinance. Analysis and staff recommendation of each request is provided below.

1. Request: Variance from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 19.2 feet along the *western property line* where adjacent to Towne Center Office Park per the site plan.

Variance Analysis: The R-TH District regulations require a 40 foot minimum site setback (not along streets). The applicant is requesting a variance to reduce the 40 foot minimum site setback to 19.2 feet. With the site setback reduction, there will be a 30± foot building separation between seven (7) of the existing two-story Towne Center Office Park buildings and proposed townhomes.



Although not shown on the rezoning site plan, the code requires a five (5) feet wide landscape strip along the side (interior) property line and planted in accordance with the city's Landscape Ordinance.

Recommendation: The Department of Planning and Development recommends **approval** for this buffer reduction variance given the oblong rectangular shape of the property. Furthermore, the office professional uses to the east should not be negatively impacted by the requested buffer reduction

2. Request: Variance from UDO 401-2.2.B.1.c. (Recreational Use of Land): to eliminate the open space requirement to include a swimming pool and full-sized tennis court.

Variance Analysis: The swimming pool and full-sized tennis court requirement pertains to the recreational area requirements and not the open space requirements, as these are

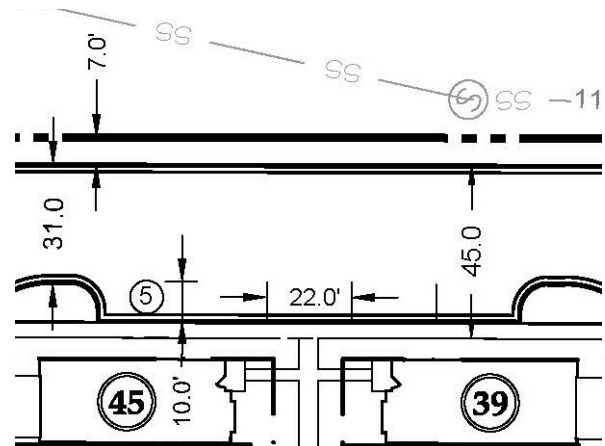
two different and separate requirements. The regulatory requirement in paragraph (c) states: *“The required recreational use of land must be of suitable shape and condition for the construction of at least one swimming pool and one regulation-size tennis court.”* And goes on to say in item (2): *“In subdivisions, recreational use land required by clause 1 that is not proposed for improvement by the developer must be deeded to a qualified property owners association of the City (upon approval of City Council). Such land must be deeded upon the approval of the final plat and may only be used for recreational purposes. Membership in the qualified property owners association must be mandatory for all the owners in the subdivision, and must be established under the laws of Georgia; it shall be responsible for the perpetuation, maintenance and function of the recreation areas and all uses or facilities therein. The association must have the authority and duty to assess its members for such maintenance and improvements as set forth in the instrument creating the association. All covenants must be recorded simultaneously with the final subdivision plat.”*

Recommendation: No variance is necessary provided the developer comply with the land deed requirements in UDO Sec. 401-2.2.B.2.

The following additional variances have been identified that were not requested by the applicant:

3. **Additional Variance** from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 7.0 feet along the *eastern property line* where adjacent to the Fountain Drive commercial properties.

Variance Analysis: The R-TH District regulations require a 40 feet minimum site setback from the property boundary. Unlike building setbacks, the site setback is inclusive of all site improvements, and in this case, the 31 feet wide private street that will serve as the primary street for townhome units 9 through 64.



Recommendation: The Department of Planning and Development recommends **approval** for this buffer reduction variance given the oblong rectangular shape of the property. Furthermore, the office professional uses to the west should not be negatively impacted by the requested buffer reduction.

4. Additional Variance from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 50-foot minimum site setback (along streets) to 5.0 feet along the *southern property line* where the existing private street is located that serves as sole access to and from the Towne Center Office Park.



Variance Analysis: The R-TH District regulations require a 50 feet minimum site setback from the property boundary where adjacent to existing streets. This requires continuation of the 50 feet site setback along Highway 78 to continue adjacent to the private street which serves as sole access to the Towne Center Office Park.

Recommendation: The Department of Planning and Development recommends **approval** of this variance due to the non-traditional limited street frontage and ingress and egress. The Main Street site setback is only reduced as the property narrows towards the southwest corner while maintaining a community greenspace along the main thoroughfare. The ascetics of the corridor should not be negatively impacted by approval of this variance.

CONCLUSION AND STAFF RECOMMENDATION:

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

- A. **APPROVAL** of RZ 24-02, application to amend the City of Snellville Official Zoning Map from BG (General Business) District to R-TH (Townhome Residential) District.
- B. **APPROVAL** of variance from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 19.2 feet along the *western property line* where adjacent to Towne Center Office Park per the site plan.
- C. **APPROVAL** of variance from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 7.0 feet along the *eastern property line* where adjacent to the Fountain Drive commercial properties.
- D. **APPROVAL** of variance from UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 50-foot minimum site setback (along streets) to 5.0 feet along the *southern property line* where the existing private street is located that serves as sole access to and from the Towne Center Office Park.

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

1. The property shall be developed in general accordance with the conceptual rezoning site plan entitled "Site Zoning Plan for Brookwood Green", sealed and dated 5-29-2024 (stamped received 6-11-2024), 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, after submitting a Change in Conditions application and receiving recommendations by the Planning Department and Planning Commission.
2. All streets and alleys shall be privately owned and maintained by the Property Owners' Association.
3. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.

PLANNING COMMISSION REPORT:

The Planning Commission held a duly advertised public hearing on the rezoning application and requested variances from the Snellville Unified Development Ordinance at the June 25, 2024 7:30 p.m. Regular Meeting of the City of Snellville Planning Commission.

Following 15-minutes of public comments, by a unanimous vote of 5-0, the Planning Commission voted to **APPROVE** #RZ 24-02, application to amend the Official Zoning Map for the City of Snellville, Georgia from BG (General Business) District to R-TH (Townhome Residential) District and **APPROVE** the following variances and conditions:

VARIANCES:

- A. UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 19.2 feet along the *western property line* where adjacent to Towne Center Office Park per the site plan.
- B. UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 40-foot minimum site setback to 7.0 feet along the *eastern property line* where adjacent to the Fountain Drive commercial properties.
- C. UDO Sec. 202-6.6. (Dimensional Standards – Site Setback): to reduce the 50-foot minimum site setback (along streets) to 5.0 feet along the *southern property line* where the existing private street is located that serves as sole access to and from the Towne Center Office Park.

CONDITIONS:

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2. All streets and alleys shall be privately owned and maintained by the Property Owners' Association.
3. Uses involving adult entertainment, including the sale or display of adult magazines, books, videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.
5. Developer to provide an emergency access gate at the connection point to Crescent Drive for sole use by emergency first responder vehicles.
6. A rental cap of ten-percent (10%) of the total number of townhome units at any given time for rentals greater than thirty (30) consecutive days shall be placed on the development with such language being included in the Homeowners Association's Declaration of Covenants, Conditions and Restrictions.

EXHIBIT "A"

As Amended 6-12-2023

Article 4. Towne Center Districts | Chapter 200. Zoning and Land Use
Sec. 204-2.TC-R Towne Center Residential

Sec. 204-2. TC-R Towne Center Residential

204-2.1. Purpose.

The purpose of this district is to provide for a variety of housing options near the Towne Center's mixed-use core. See Sec. 205-1.1 (TCO Purpose) for additional purposes.

204-2.2. Use Provisions

See Sec. 206-2 (Allowed Use Table).

204-2.3. Site Development Standards

See Chapter 200 Article 7 (Site Development) for parking and loading, buffer and screening, landscaping, tree ordinance, lighting, signs, and utility requirements.

204-2.4. Building Types

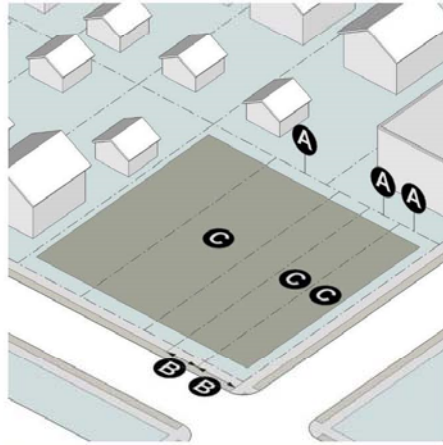
Building type requirements apply in the TC-R district and the following types are allowed:

- A. Detached house
- B. Carriage house
- C. Cottage court
- D. Semi-detached house
- E. Townhouse
- F. Walk-up flat
- G. Stacked flat
- H. Civic building

204-2.5. Architectural Standards

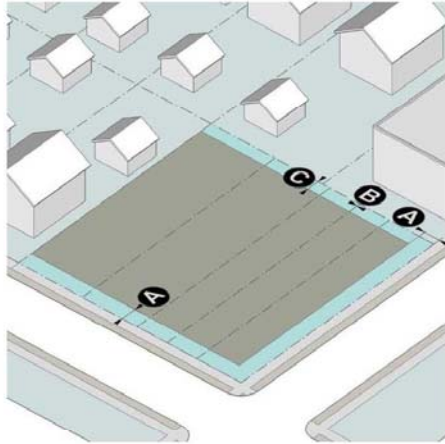
See Sec. 201-4 (Enhanced Architectural Standards).

204-2.6. Dimensional Standards



Site Standards		
Residential Density (by Special Use Permit):	As approved by City Council	
Amenity Space Requirement:	5% of site min. (all sites)	
Civic Space Requirement:	10% of site min. (sites over 5 acres)	
Lot Standards		
	(A) Area	(B) Width
Detached House:	2,500 sf	25 ft.
Carriage House:	Same as principal structure	
Semi-Detached House:	2,500 sf	25 ft.
Townhouse:	800 sf	20 ft.
Cottage Court:	1,200 sf	20 ft.
All other Building Types	1,600 sf	30 ft..
Lot Coverage		
(C) All Building Types:	70% max.	

204-2.7. Building Placement

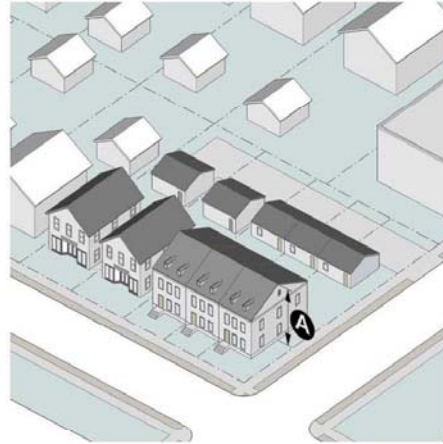


Building Setbacks

Ⓐ Front, Side (Street):	5 ft. min.
Ⓑ Side (Interior):	0 ft. min.
Ⓒ Rear (no alley):	3 ft. min.
Ⓒ Rear (alley):	10 ft. min.

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes.

204-2.8. Bulk and Mass



Building Height

Ⓐ Max. Height in Stories:	5 stories or 75 ft., whichever is less
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204-2.9. TCO Standards

The Towne Center Overlay applies in the TC-R District. See Sec. 205-1 (Towne Center Overlay).