



# ***City of Snellville***

## ***Planning Commission***

**PLANNING COMMISSION REPORT**  
**September 28, 2021**

<b>CASE NUMBER:</b>	<b>ANX 21-02 LUP 21-05 RZ 21-05</b>
<b>REQUEST:</b>	Annexation, Land Use Plan Amendment, Rezoning and Variances
<b>LOCATION:</b>	<b>1498 Scenic Highway, Snellville, Georgia</b>
<b>SIZE:</b>	8.93± Acres
<b>TAX PARCEL:</b>	5074 007
<b>CURRENT ZONING (Gwinnett Co.):</b>	R-100 (Single-family Residential) District
<b>REQUESTED ZONING:</b>	<b>BG (General Business) District</b>
<b>2030 UNIFIED PLAN FUTURE DEVELOPMENT MAP (Gwinnett Co.):</b>	Community Mixed-Use
<b>REQUESTED FUTURE LAND USE PLAN:</b>	<b>Commercial Retail</b>
<b>DEVELOPMENT/PROJECT:</b>	<b>7-Lot Commercial/Retail Foodservice and Office Subdivision Development</b>
<b>PROPERTY OWNER:</b>	Lillian Margene Moulder Trust Loganville, Georgia
<b>APPLICANT/CONTACT:</b>	Scenic Pointe, LLC c/o Robert Jack Wilson, Esq. 770-962-9780 or <a href="mailto:jwilson@rjwpcplaw.com">jwilson@rjwpcplaw.com</a>

The Planning Commission held a duly advertised public hearing on the subject applications at the September 28, 2021 Regular Meeting of the City of Snellville Planning Commission.

By a unanimous vote of 4-0, the Planning Commission recommends **Approval** of LUP 21-05, application to amend the City of Snellville 2040 Comprehensive Plan Future Land Use Map to Commercial Retail.

And,

By a unanimous vote of 4-0, the Planning Commission recommends **Approval** of RZ 21-05, application to amend the City of Snellville Official Zoning Map to BG (General Business) 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 zoning site plan entitled "Scenic Pointe Commercial Retail", sealed and dated 6-1-2021 (stamped received 7-13-2021), 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, after receiving recommendations by the Planning Department and Planning Commission.
2. A mandatory master association shall be formed for the property and shall have maintenance and architectural design regulations for the master-planned development which shall control items as construction materials, landscaping, common property maintenance, monuments, and such other usual and necessary covenants and restrictions to protect the quality and integrity of the master-planned development.
3. There shall be a mandatory master protective covenants for the property that will include all phases of the development; and concurrent therewith, a master association shall be formed which will include all component parts of the proposed master-planned development. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, private drives, sidewalks, parking lot and pedestrian lighting, and tress and landscaping.
4. An inter-parcel access stub which connects to the adjoining Sam's Club property to the south (Parcel 5073 003) shall be provided as shown on the submitted site plan. Said connection and improvements shall be completed by the developer and/or Master Association and/or property owner once the adjoining property owner agrees to a shared access easement agreement.
5. The developer shall grant, at no cost, to the City of Snellville, a permanent public access easement for the 0.25± acre (10,896 sq. ft.) real property adjacent to and located to the North of Lot 1 and identified as 'Prop. Park' on the zoning site plan. Prior to the release of the first Certificate of Occupancy, developer to be responsible for implementing and completing the proposed improvements as depicted on the pocket park conceptual plan attached hereto as Exhibit "B" and the recording of the easement.

6. The developer shall construct, at no cost to the City of Snellville, the 'Welcome to Snellville' gateway sign (conceptual sign drawing attached as Exhibit "C") located to the North of Lot 1 and identified as 'Prop. Park' on the zoning site plan, and as shown on the pocket park conceptual plan attached hereto as Exhibit "B". Prior to sign construction, the final sign design shall be approved by the Mayor and Council.
7. The developer shall grant, at no cost, to the City of Snellville, a permanent access and maintenance easement for the 'Welcome to Snellville' sign located to the North of Lot 1 and identified as 'Prop. Park' on the zoning site plan, as depicted on the pocket park conceptual plan attached hereto as Exhibit "B" and the recording of the easement.
8. Except for the two North Road access drives as shown on the submitted site plan, there shall be a twenty (20) foot undisturbed buffer (approximately 1,169 feet in length) along the eastern property line where adjacent to the North Road right-of-way.
9. In areas where the existing undisturbed buffer is sparsely vegetated, the developer shall be required to install and maintain any supplemental plantings within the ten (10) foot landscape strip where adjacent to the undisturbed buffer along North Road as determined by the Director of Planning and Development.
10. The approved zoning conditions and variances shall be referenced on any plat, including subdivision plat provided to any buyer or leasee.
11. 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.
12. Signs higher than 15 feet or larger than 225 square feet are prohibited.
13. Twenty-four (24) hour restaurant use is prohibited.

The Planning Commission did not take action on the two requested variances to reduce the 20-foot undisturbed buffer to zero (0) feet where adjacent to North Road and to allow access through said no-access buffer.