



City of Snellville

Planning Commission

PLANNING COMMISSION REPORT
July 23, 2024

CASE NUMBER:	#CIC 24-01
REQUEST:	Change in Conditions
LOCATION:	3491 Rosebud Road, Snellville, Georgia
SIZE:	5.58± Acres
TAX PARCEL:	R5094 327
CURRENT ZONING:	RO (Residential for Older Persons) District
CURRENT FUTURE LAND USE MAP DESIGNATION:	Residential –Low Density
DEVELOPMENT/PROJECT:	21-Lot (Age Restricted 55+) Single-family (Detached) Residential Subdivision
PROPERTY OWNER:	Ballantry PMC Summit Chase, LLC Atlanta, Georgia 30339
APPLICANT/CONTACT:	John D. Gaskin, VP Land Acquisition Patrick Malloy Communities 4770 S. Atlanta Road, Ste. 100 Atlanta, Georgia 30339 770-319-5258 John.Gaskin@PMCommunities.com

The Planning Commission held a duly advertised public hearing on the rezoning change in conditions application for Case #CIC 24-01 at the July 23, 2024 7:30 p.m. Regular Meeting of the City of Snellville Planning Commission.

Following public comments made during the regular meeting, by a unanimous vote of (4-0), the Planning Commission voted to **APPROVE** #CIC 24-01: a) request to modify the language in Condition 17 of the 4-26-2021 rezoning Case #RZ 21-02 and Ordinance No. 2021-10 to read as follows:

Condition 17. With the exception of the ‘High Visibility Lots’ in Condition #5, exterior elevations shall be constructed in general accordance with the elevations and materials depicted in the Soleil Summit Chase Community Plan Book, last revised May 28, 2024, attached hereto as Exhibit “A” and incorporated herein by reference.

And, b) request to modify the language in Condition #8 of the 4-26-2021 rezoning, Case #RZ 21-02 and Ordinance No. 2021-10 to read as follows:

Condition 8. The Home Owners Association shall be responsible for requiring Homeowners to assume exterior maintenance of individual residences including, at a minimum, painting exteriors on a rotation not to exceed Ten (10) years through provisions outlined in Declaration of Protective Covenants, Conditions, Restrictions and Easements. Such document shall be duly recorded. The Home Owners Association shall have the ability to enforce the provision through Liens, Fines and in extreme conditions assume the responsibility and seek financial relief against the Home Owner.

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

1. All other variances and conditions not amended by action of approval for #CIC 24-01 as originally approved on 4-26-2021 for rezoning Case #RZ 21-02 and Ordinance No. 2021-10, attached hereto as Exhibit “B” and incorporated herein by reference shall remain in full-force and effect.
2. Actions approved by the Mayor and Council for #CIC 24-01 shall be published on the approved and recorded Final Plat.

EXHIBIT "A"

SEE

SOLEIL SUMMIT CHASE PLAN BOOK, LAST REVISED MAY 28, 2024

EXHIBIT "B"

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-10

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO APPROVE VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 21-02

SIZE: 5.58± Acres

LOCATION: 3491 Rosebud Road, Snellville, Georgia

TAX PARCEL: R5094 327

CURRENT ZONING MAP: RS-30 (Single-Family Residential) District

REQUESTED ZONING MAP AMENDMENT: RO (Residential for Older Persons) District

DEVELOPMENT/PROJECT: 21-Lot Single-family Detached (Age-Restricted 55+) Residential Subdivision

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

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

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision development and incorporate it into the adjoining 75.29± acre 253-lot tract that was rezoned in June 2019 (case #RZ 19-02 LUP 19-01) for an age-restricted (55+) single-family detached residential community; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District. This action is subject to the attachment of the following conditions (1-17):

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.

18. 1.1 acres as shown on the site plan will remain as natural as existing with the exception of additional plantings as required by ordinances of the City of Snellville as administered by the Director of Planning and Development.

Section 2. (a) The requested variance from UDO Sec. 202-9.7, Building Separation to reduce the 15 foot minimum separation between buildings on the same site to 10 feet is approved.

(b) The requested variances from 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 is approved, subject to Condition #17 (above).

(c) The requested variance from 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 is approved.

(d) The requested variance from 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 is approved.

Section 3. The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of

Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent

allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6. Penalties in effect for violations of the Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

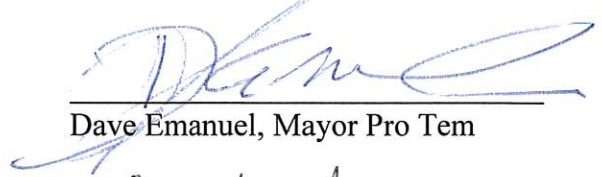
Section 8. This Ordinance was adopted on April 26, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

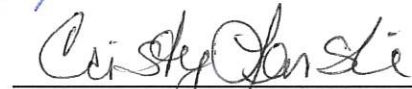
ORDAINED this 26 day of April, 2021.



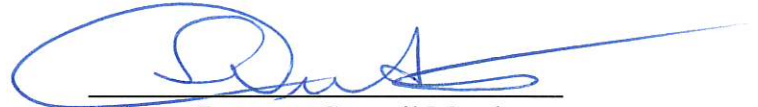
Barbara Bender, Mayor



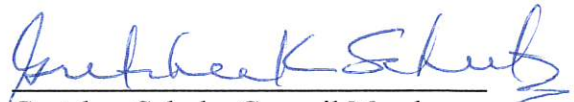
Dave Emanuel, Mayor Pro Tem




Cristy Lenski, Council Member



Solange Destang, Council Member

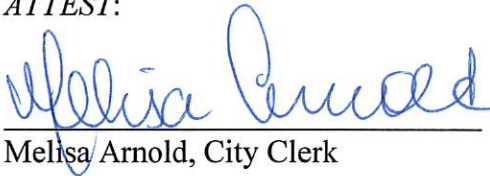


Gretchen Schulz, Council Member



Tod Warner, Council Member

ATTEST:



Melisa Arnold, City Clerk

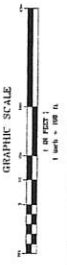
APPROVED AS TO FORM:



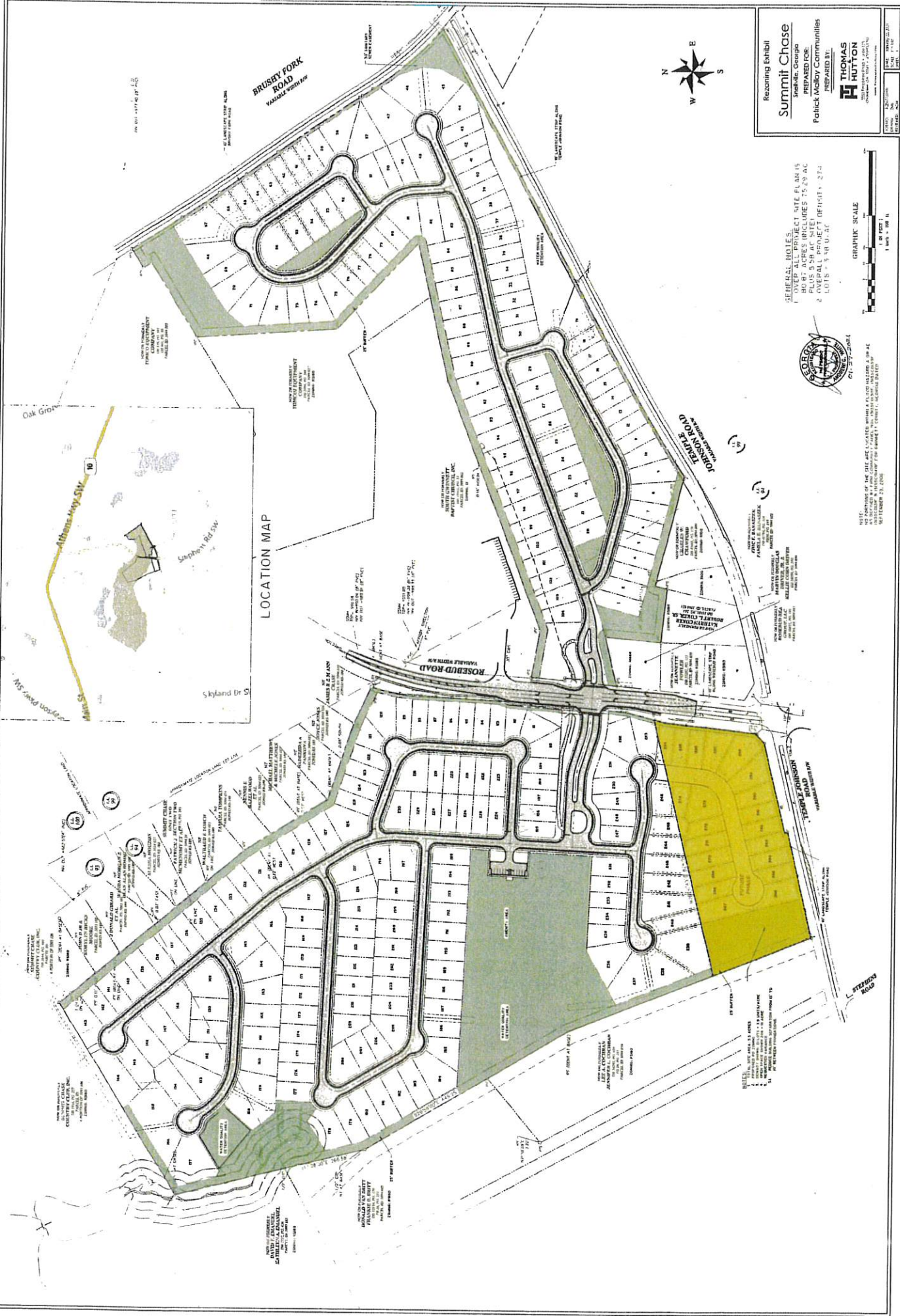
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

EXHIBIT "A"

GENERAL NOTES:
 1. OVERALL PROJECT SITE PLAN IS
 100 ACRES INCLUDING 75.29 AC
 2. OVERALL PROJECT HEIGHT = 27.3
 3. OVERALL PROJECT DEPTH = 27.3
 4. OVERALL PROJECT WIDTH = 27.3
 5. OVERALL PROJECT AREA = 27.3 AC



I, THOMAS HUTTON, State of Georgia, Professional Engineer, No. 25484, do hereby certify that I am the author of the above described plan and that it is a true and correct copy of the original plan as filed in my office on the 15th day of February, 2008.



LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, an arc distance of 25.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 25.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"), said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S45°10'13"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the **TRUE POINT OF BEGINNING**.

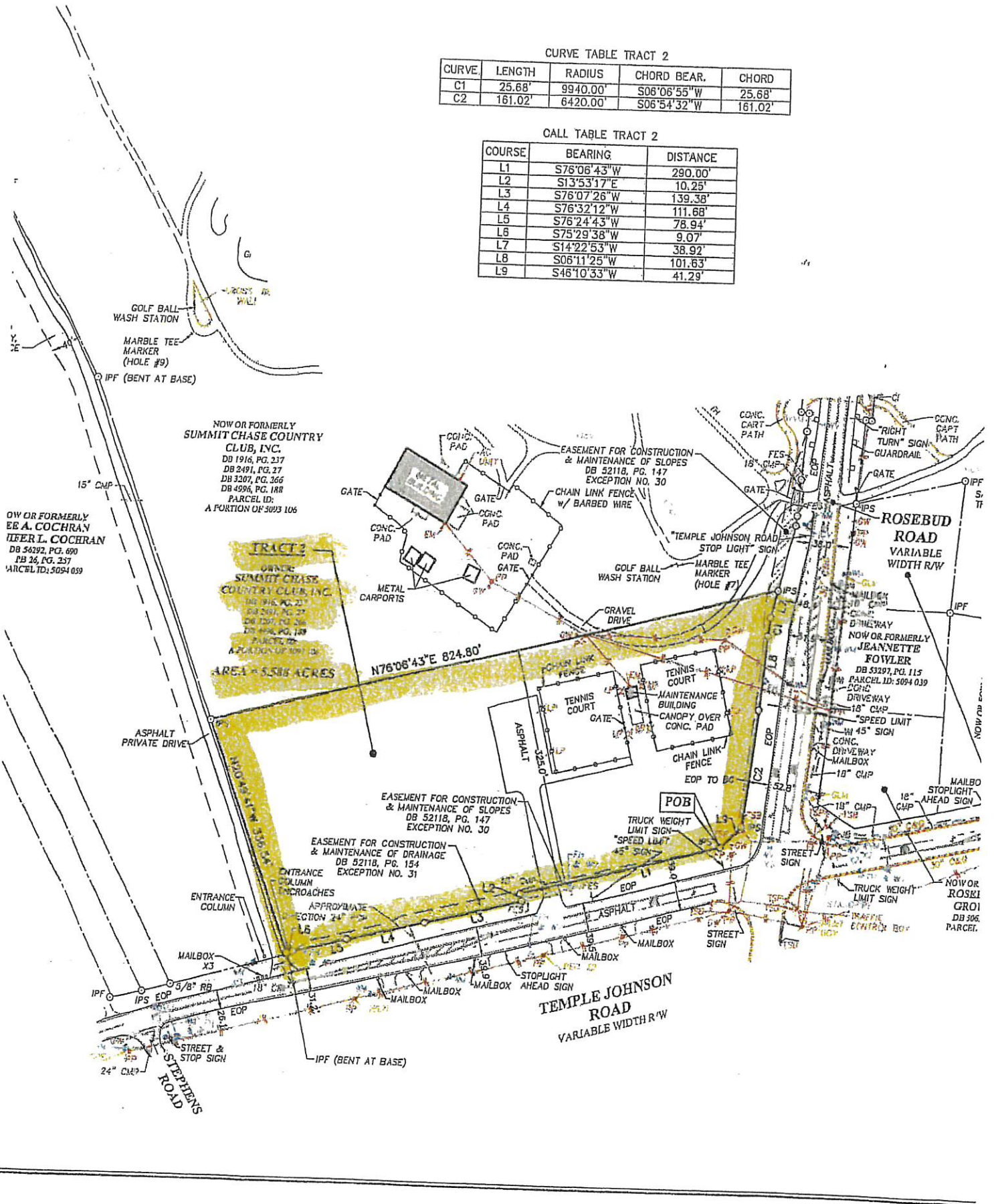
Said tract or parcel of land containing 5.588 acres.

CURVE TABLE TRACT 2

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CALL TABLE TRACT 2

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'





Tax Assessor's Office

I Want To Tax Assessor

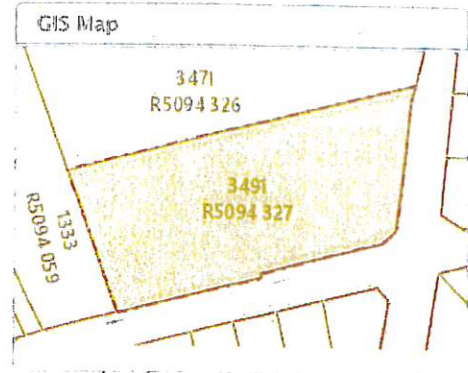


Property Detail

[Go Back](#)

[Neighborhood Sales](#)

[Property Report](#)



General Info													
SUMMIT CHASE C C INC PO BOX 606 SNELLVILLE GA 30078-0606	<table border="0"> <tr><td>Property ID</td><td>R5094 327</td></tr> <tr><td>Alternate ID</td><td>33390319</td></tr> <tr><td>Address</td><td>3491 ROSEBUD RD</td></tr> <tr><td>Property Class</td><td>Commercial Auxiliary Imp</td></tr> <tr><td>Neighborhood</td><td>9310</td></tr> <tr><td>Deed Acres</td><td>5.5800</td></tr> </table>	Property ID	R5094 327	Alternate ID	33390319	Address	3491 ROSEBUD RD	Property Class	Commercial Auxiliary Imp	Neighborhood	9310	Deed Acres	5.5800
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Neighborhood	9310												
Deed Acres	5.5800												

Value History	
Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

C01

Attributes		Floor Areas		
Story	Use	Attribute	Code	Detail
		Class	83	Clay