



LETTER OF INTENT & IMPACT ANALYSIS REGARDING LAND USE APPLICATION

Applicant:	TOMCO2 Systems Company
Subject Property:	Approximately 15.195 Acres Designated as Gwinnett County Tax Parcel(s): R5099 027; R5099 005
Current Zoning:	LM – Light Manufacturing District & RS-30 – Single-Family Residential District
Proposed Zoning:	LM – Light Manufacturing District
Current and Proposed Use:	Light Manufacturing
Application:	Rezoning and Concurrent Variance
ROW Access:	Rosebud Road
Governing Jurisdiction:	City of Snellville, Georgia

This statement is intended to comply with the application procedures established by the City of Snellville Unified Development Ordinance (the “UDO”), the City of Snellville Rezoning Petition, and other City of Snellville Ordinances and Standards. The Applicant incorporates all statements made in the Rezoning Petition for Public Hearing submitted by the Applicant (the “Application”) in support of the analysis requirements required by the City of Snellville.

ZONING AND SITE HISTORY

Historical zoning materials provided by City Planning staff indicate that the current split-zoning condition resulted from prior annexation and zoning map actions, rather than any proposed change in use by the Applicant. Based on the documents provided by the City of Snellville Planning Department, Parcel No. R5099 005 was rezoned from R-1 to M-1 in 1976. Tax Parcel No. R5099 027 is identified as RS-180 on the 1972 Gwinnett County Tax Map. Portions of Tax Parcel No. R5099 027 were later rezoned from RS-180 to LM in 1986. The remaining portion of Tax Parcel No. R5099 027 was not included in the 1986 rezoning and remained residentially zoned, now reflected as RS-30, resulting in the current split zoning of the property.

The submitted 2026 site plan reflects the existing developed TOMCO2 site, including existing buildings, parking and storage areas, paved and gravel surfaces, tanks, silos, and existing access. The rezoning request does not propose to alter those existing conditions. Instead, the Application is intended to reconcile the historic zoning limits and bring the existing TOMCO2 property into a consistent LM zoning classification.

Ordinance No. 2022-13 (#CIC 22-02) previously approved conditions and variances applicable to the 15.195+/- acre TOMCO2 tract, including the recognition of certain existing nonconforming site elements. The Applicant requests that those existing approvals remain attached to the Subject Property and be expressly reaffirmed and carried forward as part of this rezoning approval.

ZONING MAP AMENDMENT ANALYSIS**A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.**

The Proposed Zoning will permit a suitable use in view of the use and development of adjacent and nearby properties. TOMCO2 currently operates on the Subject Property, and the existing site has already been developed and used for non-residential purposes. The Proposed Zoning does not introduce a new use or intensify the existing use. Instead, it brings the existing property into a consistent LM zoning classification that better reflects the existing TOMCO2 facility and the site improvements shown on the submitted survey/site plan.

The surrounding area includes a mixture of institutional, commercial, industrial, office, and residential uses and zoning classifications. Because no physical changes are proposed, the Application will not change the existing relationship between the TOMCO2 property and adjacent or nearby properties. The proposed LM zoning is suitable because it conforms the zoning classification to the property as it exists today, rather than authorizing a new or expanded development program.

B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties.

The Proposed Zoning and Proposed Use will not adversely affect the existing use or usability of adjacent or nearby properties. The Application does not include any new buildings, additional access points, expanded operations, site redevelopment, or change in use. Existing traffic patterns, access, utilities, stormwater facilities, lighting, parking, and storage areas are expected to remain as they currently exist.

Because the proposal is a corrective rezoning intended to address a historic split-zoning condition, approval will not create new external impacts on adjacent or nearby properties. The requested zoning classification will allow the existing TOMCO2 site to be regulated under a single LM district while preserving the existing operational and physical conditions of the property.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The Subject Property has been improved and used as the TOMCO2 facility. However, the current split-zoning condition creates an unnecessary inconsistency between the existing developed condition of the property and the zoning map. Portions of the property remain designated RS-30 even though the property functions as a single TOMCO2 site and contains existing non-residential improvements.

The requested LM zoning is the most reasonable zoning classification for the Subject Property because it aligns the zoning map with the existing use, existing improvements, and prior City approvals applicable to the property. Maintaining the residential zoning designation on a portion of the existing TOMCO2 site

serves no practical planning purpose and creates unnecessary uncertainty for zoning administration, permitting, and continued compliance.

D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

1) Public Road System

Permanent access to the Subject Property will be from the ROW Access. All of the development's interior streets and driveways will continue to be privately-owned and maintained.

2) County School System

The Applicant does not project the Proposed Use will result in any increase in the student population.

3) City Water and Waste Water Systems

The community's water and sanitary sewer needs will be served by the City of Snellville.

4) Utilities

With regard to public utilities, sanitary sewer, water, natural gas, electricity, and cable are available and will continue to be available to the Subject Property. The impact on public utilities is anticipated to be in keeping with projected plans and capacity is available to serve the existing development.

5) Environmental Impact

The Application is not expected to create any adverse environmental impact. No land disturbance, building expansion, new impervious surface, or redevelopment is proposed. Existing stormwater facilities, parking and storage areas, lighting, and other site conditions are proposed to remain as currently approved and existing, including any conditions and variances previously approved by Ordinance No. 2022-13.

E. Whether the proposal is in conformity with the policy and intent of the Future Land Use Plan.

The proposal is consistent with the policy and intent of the Future Land Use Plan because the Subject Property is located within the Industrial Mixed Use Future Land Use Category. The LM zoning district is an appropriate implementing zoning classification for properties within the Industrial Mixed Use category, while the RS-30 single-family residential zoning district is not. See Snellville Future Land Use Plan, pp. 57-59.

F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

The existing and historic conditions affecting the Subject Property give strong support for approval of the zoning proposal. The current zoning pattern appears to be the result of multiple historic zoning and annexation actions, including prior RS-180 residential zoning, the 1976 rezoning of a portion of the site from R-1 to M-1, the 1986 rezoning of a portion of the site from RS-180 to LM, and the retention of RS-30 zoning on other portions of the property. These historic actions created a split-zoning condition that does not accurately reflect the existing developed TOMCO2 facility.

Approval of the Application will not authorize a new development project. It will instead bring the entire existing TOMCO2 property into a single zoning classification, improve consistency between the zoning map and existing site conditions, and preserve the prior conditions and variances applicable to the property. This supports clear zoning administration and avoids treating the existing TOMCO2 site as if it were partially residential property when the survey/site plan shows a unified existing non-residential facility.

For these reasons, the requested rezoning to LM is appropriate and will not adversely affect adjacent or nearby properties, public facilities, utilities, schools, or the environment.

REQUESTED CARRY-FORWARD OF PRIOR CONDITIONS AND VARIANCES

The Applicant requests that any approving ordinance expressly reaffirm and carry forward the existing conditions and variances approved under Ordinance No. 2022-13 (#CIC 22-02), as applicable to the Subject Property, and include language substantially similar to the following:

Approval of this Application shall not repeal, supersede, or modify Ordinance No. 2022-13 (#CIC 22-02). All variances and conditions approved by Ordinance No. 2022-13, as applicable to Tax Parcels R5099 005 and R5099 027 and not previously satisfied, shall remain in full force and effect and are expressly reaffirmed and carried forward, except to the extent expressly modified by this approval.