# ANALYSIS: RZ-2011-005 & SUP-2011-003

#### CITY OF SUWANEE REZONING/SPECIAL USE PERMIT ANALYSIS

CASE NUMBER: RZ-2011-005

REQUEST: PMUD (PLANNED MIXED-USE DEVELOPMENT

DISTRICT) TO PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) WITH A CHANGE

**OF CONDITIONS** 

CASE NUMBER: SUP-2011-003

REQUEST: AUTOMOBILE RENTAL FACILITY IN C-2A

(SPECIAL COMMERCIAL DISTRICT)

LOCATION: 3900 MCGINNIS FERRY ROAD

TAX ID NUMBER: 7-209-029

ACREAGE: 3.9 ACRES

PROPOSED DEVELOPMENT: TRUCK RENTAL FACILITY

APPLICANT: McGINNIS FERRY SELF STORAGE

OWNER: McGINNIS FERRY SELF STORAGE

3343 PEACHTREE ROAD STE. 200

ATLANTA, GA 30326

CONTACT: MARTI JORDAN CONTACT PHONE: 770-904-6150

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

#### **PROJECT DATA:**

The applicant seeks a change in zoning conditions and a special use permit to allow for a vehicle rental facility as a component of an approximately 4 acre existing retail/self-storage facility. The truck rental business would be an accessory use to McGinnis Ferry Self Storage which has been in business at this location since April of 2008. The site currently contains roughly 105,000 square feet of mixed-use (office/retail/self-storage) space and is located on McGinnis Ferry Road just east of Scales Road adjacent to the Norfolk-Southern railroad. The subject property was part of a rezoning in 2005 that proposed development of an approximately 94,000 square foot multi-story mixed-use office/retail/self-storage project. Later in 2005, a change in conditions was approved to increase the size of one of the buildings. The site includes 4 buildings that permit a mixture of non-residential uses.

#### **ZONING HISTORY:**

The subject property was rezoned from M-1 (Light Industry District) to PMUD (Planned Mixed Used District) to allow for development of an approximately 94,000 square foot multi-story mixed-use office/retail/self-storage project in June 2005. The property was rezoned again in December of 2005 with a change in conditions from the original rezoning to allow an additional 11,000 square feet of space.

A number of conditions of zoning apply to this property. Specifically, condition #2 states, "The site shall be limited to a maximum of 105,000 square feet of development. In addition to self-storage/mini warehouse uses which are to be allowed only on the interior of the site, the site shall be limited to those uses and the district regulations found in the C-2A zoning district with the exception of vehicular related uses (including sales, service and repair) which are expressly prohibited." The applicant is seeking to operate a U-haul rental facility which would be considered a vehicular related use. As such, a change of condition would be required.

#### **DEVELOPMENT COMMENTS:**

If the project is approved then the proposed revision will need to be reviewed for compliance with zoning and development requirements through the usual development or building permit review process.

#### **ANALYSIS:**

The subject site is 3.95 acres with four existing structures including three warehouses totaling 54,610 square feet and a 50,295 square feet self-storage/commercial building. The site is located on McGinnis Ferry Road east of Scales Road. The applicant is proposing to operate the truck rental facility as a supplemental business for McGinnis Self Storage. According to the applicant's letter of intent, the truck rental business will provide U-haul moving trucks. The applicant is requesting to store and lease up to five rental trucks on-site at any given time. In addition, the applicant proposes that no more than two of these trucks will be located in front of the warehouse/office/retail building along McGinnis Ferry Road.

The proposed truck rental use would require approval in two steps. First, a rezoning is required to amend the zoning condition stating that "no vehicular related uses" are permitted. The second part of the request is to obtain a Special Use Permit.

The site is located on McGinnis Ferry Road near the intersection of McGinnis Ferry Road and Scales Road. The surrounding area consists of a mixture of single-family residential and commercial/retail development. To the south, across McGinnis Ferry Road is the entrance to the Suwanee Station neighborhood and undeveloped land zoned C-2A. To the east is the Norfolk Southern railroad right-of-way. North of the site is the Old Suwanee neighborhood, zoned a mixture of residential districts. To the west is a retail/office building and parking area also within the Old Suwanee Village mixed use area zoned PMUD.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the City Council to review certain proposals in the context of their use and take into consideration the surrounding area and other relevant factors. A Special Use Permit does not change the underlying zoning of property, but grants the property an additional <u>specified</u> use. The C-2A zoning district lists automobile rental as a special use. Therefore, in order for the applicant to rent vehicles from this site a special use permit is required. It should be noted that if the rezoning request is denied then the special use permit request becomes moot.

Other truck rental businesses in this area have multiple trucks and trailers scattered around their site. This leads to a cluttered appearance which would not be appropriate for the area. Furthermore, outdoor storage is not permitted in the C-2A zoning district which means businesses cannot leave products outdoor for display for more than 24 hours. Leaving a rental truck in the front parking lot facing McGinnis Ferry Road would be considered outdoor storage. It would also be unfair to future tenants in the building to have rental trucks taking up parking spaces and reducing visibility for motorists.

While the site is directly adjacent to non-residential uses, it is near the entrance to two large residential neighborhoods; Old Suwanee and Suwanee Station. It is important to maintain a clean, well maintained commercial center near the entrances to these neighborhoods.

Renting moving trucks at a self-storage facility is an appropriate accessory use for this type of business. Self-storage facilities already have moving trucks entering and exiting frequently throughout the day. This request is in compliance with the Future Land Use Plan as it calls for this property to be commercial in nature. While there is some concern about the storage of the vehicles when they are not in use, if certain conditions are put in place those concerns can be alleviated. Therefore, staff recommends **APROVAL WITH CONDITIONS** of RZ-2011-005 and SUP-2011-003.

Planning Department Recommended Conditions: RZ-2011-005

Staff recommends approval of the change in conditions as follows:

1. All conditions for RZ-2005-013 shall remain in effect except for condition 2 which shall be amended as follows:

The site shall be limited to a maximum of 105,000 square feet of development. In addition to self-storage/mini warehouse uses which are to be allowed only on the interior of the site, the site shall be limited to those uses and district regulations found in the C-2A zoning district with the exception of vehicular related uses (including sales, service and repair) unless approved as a Special Use Permit.

Planning Department Recommended Conditions: SUP-2011-003

Staff recommends approval of the special use permit for a vehicle rental facility as follows:

- 1. Vehicle rentals shall be limited to moving trucks only. No other automotive related uses shall be permitted as a part of this permit.
- 2. All trucks shall be parked in the rear of the building 'A' as noted on exhibit 'A'. Any vehicles dropped off after business hours shall be moved to the rear of building 'A' by 10 a.m. the following day.
- 3. No more than five rental trucks shall be kept at the facility at any time.
- 4. No maintenance of any vehicles shall be done on the property.
- 5. No cleaning of any vehicles shall be done on the property.

**Standards Governing Exercise of Zoning Power** 

Pursuant to Section 2006 of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the unrestricted use of property and shall govern the exercise of the zoning power therewith.

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The request to allow for the renting moving trucks as an accessory use to the self-storage business that is currently operating at the site is suitable in view of the use and development of adjacent and nearby properties, provided conditions are included to minimize potential negative visual impacts related to storage, maintenance, and cleaning of vehicles.

B. Whether the zoning proposal will adversely affect the existing uses or usability of adjacent or nearby property;

The rezoning and special use permit would not adversely affect the existing uses or usability of adjacent or nearby properties, provided conditions are included to minimize potential negative visual impacts related to storage, maintenance, and cleaning of vehicles.

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

The property has a reasonable economic use as currently zoned.

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;

The proposal would not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The 2030 Future Land Use Map shows this property as commercial. The request is generally consistent with the Future Land Use Map.

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;

Truck rental is often associated with self-storage facilities. Provided conditions are included to minimize potential negative visual impacts related to storage, maintenance, and cleaning of vehicles, the proposed SUP and rezoning could be appropriate.

#### LETTER OF INTENT

The Receiver for McGinnis Ferry Self Storage, LLC hereby requests the City of Suwanee to approve the application for rezoning to permit the rental of U-Haul trucks at the existing facility.

The U-Haul business will operate as a supplemental business for McGinnis Ferry Self Storage.

McGinnis Ferry Self Storage asks that you approve rezoning to include the restriction that the total number of trucks on site not exceed five (5) trucks on the property at any given time. No more than two (2) trucks to be stored out in front of the McGinnis Ferry Self Storage office.

We will work with other U-Haul dealers in the area to make sure that we don't exceed the number of trucks allowed.

There will be **NO** regular maintenance on any truck on the McGinnis Ferry Self Storage property.

There will be **NO** cleaning of any U-Haul truck on McGinnis Ferry Self Storage property.

Our hours of operation will remain the same for both the Self-Storage and the truck rental operations.

They are and will continue to be:

Monday – Friday 9:00am – 5:30pm,

Saturday, 8:30am – 5:00pm.

Closed on Sundays.

Our involvement with the U-Haul system will be limited to the following:

- 1- Greeting customers and assisting them in filling out the appropriate paperwork.
- 2- Trucks will be assessed for condition
- 3- Trucks will be removed and returned to the site in accordance with the rental agreement.

McGinnis Ferry Self Storage thinks that the addition of the U-Haul truck business will provide addition services to the community while not significantly impacting traffic.

The City of Suwanee is a thriving city for businesses and homes. We strive to continue to grow and serve Suwanee with their storage and rental truck needs in the future.

Thank you for your courtesy,

Henry Lorder

Director

Hays Financial Consulting as Receiver for McGinnis Ferry Self Storage, LLC.

McGinnis Ferry Self Storage would like you to consider and approve the U-Haul truck rentals at 3900 McGinnis Ferry Rd., Suwanee, GA 30024

## Stipulations as follows:

- 1) Never more than <u>one</u> 14ft U-Haul truck out front of the office at McGinnis Ferry at any time.
- 2) No more than <u>one</u> 14ft U-Haul truck inside the McGinnis Ferry Storage facility at any time.
- 3) We have and continue to have a No Drop-off sign for U-Haul trucks.
- 4) If any trucks are accidently dropped off we will, within 4 hrs, have The trucks removed to our sister location at Duluth Self Storage on Peachtree Ind. Blvd. This location is set up, zoned for and able to Take all available trucks.
- 5) No maintenance will be handled on any U-Haul truck on our property.
- 6) No cleaning will be done on any U-Haul truck on our property.
- 7) U-Haul has all new trucks. It's fleet only consists of gas engines which Are more fuel efficient, less carbon and create less noise than diesel eng.
- 8) The U-Haul's will be a much needed truck rental service for our tenants. Our tenants have a need for trucks. With this service, the tax dollars Stay in the City of Suwanee.

We ask that you please approve this change of condtions.

We will gladly take a probationary period for the chance to show the City of Suwanee we can comply with the provisions you approve.

Thank you for your consideration.

RZ-2011-005-854P-2011-003

## **REZONING APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL	ZONING MAP OF CITY OF SUWANEE, GEORGIA			
APPLICANT INFORMATION*	OWNER INFORMATION*			
NAME: Mcginnis Ferry Self Storage ADDRESS: 3900 Mcginnis Fry Rd. Suwance, gra 30024	NAME: Mc 6 mis FERRY SELF STORAGE UC ADDRESS: AS RECEIVED			
ADDRESS: 3900 Mcginnis Fry Rd.	ADDRESS: AS RECEIVED			
Suwanee, OM 30024				
, 0	3343 Peach tree Road Attento Per Suite 200			
PHONE: 110-904.6150				
contact person: Marti Jordan	PHONE:			
EMAIL ADDRESS: Mcginnisferry	FAX NUMBER: 404.926.0055			
0 600 1 10000 4 1 60000	INFORMATION Change of			
PRESENT ZONING DISTRICT(S): R	INFORMATION Change of REQUESTED ZONING DISTRICT +2 CONDITION			
PROPOSED DEVELOPMENT:	PMUD			
TAX PARCEL NUMBER(S): 7 - 209. 03				
ADDRESS OF PROPERTY: 2006 Mag	is Ferry Rd. Suwanel, GA 30024			
TOTAL ACREAGE: 3.94 ac. PUBLIC ROADS	WAY ACCESS			
TOTAL ACREAGE: 3. 14 46, PUBLIC ROADY	VAY ACCESS:			
FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:			
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/UNITS:			
DWELLING UNIT SIZE (SQ. FT.):	TOTAL GROSS SQUARE FEET:			
CEPTI	ELC A TYONG			
	FICATIONS is true and correct I am also aware that pursuant to Section			
2004 no reapplication on the same land which has been of	lenied by the City Council shall be acted upon within 12			
	od is waived by the Council. In no case slika reapplication be tion by the Council. I am also aware that pursuant to Section			
2003 of the Zoning Ordinance any and all conditions wh	ich may be attached to the property shall be binding on the			
property and all subsequent owners.				
9/27//	5/27/11 31/1 5/10			
Signature of Applicant* Date	Signature of Overer* Date			
Print Name Date	Print Name Date			
Date Date	Signature of Notary Date			
pplicant or Owner Information is Needed Please	Complete Additional Application Form(s)			
THE STATE OF THE S	ze:			
******	**************			
A E tou 00	ANEE USE ONLY			
Date Ve eved: 4/30/1 Case No.:	RZ-2011-005 Accepted By: Danie Robertson			
AN THOTAIN AND AND AND INT				

## SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*	OWNER INFORMATION*				
NAME: Mc Ginnis Ferry Self Storage	NAME: McGinnis Ferry Self Storage LLC ADDRESS: Go Hays Financial Consulting				
ADDRESS: 3900 McGianis Ferry Rd	ADDRESS: Go Hays Financial Consulting				
Suwanee, GA 30024	3343 Peachtree Rd, Atlanta, 917				
	Ste 200				
PHONE: 770-904-6150	PHONE: 404-926-0056				
CONTACT PERSON: Warti Jordan	PHONE: FAY - 404 -926 -0055				
E-Mail Address: mcginnis ferry @ absol.	stemant.com				
PROPERTY II	NFORMATION				
PRESENT ZONING DISTRICT(S): PMOD REQUESTED ZONING DISTRICT					
PROPOSED DEVELOPMENT:					
TAX PARCEL NUMBER(S): 7-209-02	9				
ADDRESS OF PROPERTY: 3900 McGinni	s Ferry Rd, Suwaner, GA 30004				
TOTAL ACREAGE: 3.94 PUBLIC ROADWA					
FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:				
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/UNITS:				
DWELLING UNIT SIZE (SQ. FT.):	TOTAL GROSS SQUARE FEET:				
I hereby certify that the above and attached information is to same land which has been denied by the City Council shall unless said time period is waived by the Council. In no case from the date of last action by the Council. I am also aware property shall be binding on the property and all subsequent Signature of Applicant*  Date 10 17 2011  Print Name*  Date Date 10/17/11	be acted upon within 12 months from the date of last action e shall a reapplication be acted upon in less than 6 months that any and all conditions which may be attached to the towners.				
* If Acdit of Applicant & Dyna Information is Needed Please Co	omplete Additional Application Form(s)				
*** C*********************************	**************************************				

#### SPECIAL USE PERMIT APPLICANT'S RESPONSE

# STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A)	Whether the zoning proposal will permit a use that is suitable in view of the use and
	We are a self storage facility. There is Southeastern Truck lines
	adagent to us on the corner of Buford Hwy + McGinnis Ferry Rd.
	The commercial complex next door has 3 restaurants that might
	benefit from our potential customers. We would not affect their
	Parking. The sundivision behind us "OH Sumance Station" is a
(B)	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or (ONE)
	nearby property:
	McGinnis Ferry Rd is well traveled. The trucks that would be
	rented would not significantly increase traffic-most customers rent
	for a period of 24Hes. They pull out a then bring the truck back - If We have a set # of trucks, the truffic will not be noticable.
(0)	We have a set is offered by the proping proposed has a passagella aconomic use as
(C)	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
	McGinnis Ferry Self-Storage has seen a decline in customer base because
	we do not offer truck rentals. Customers can take their business
	to other facilities who can give them a total moving package. Previously
	We saw a significant increase in tenants & income.
(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:
	There would be no extra burden on existing streets - Our
	customers usually move their belongings in a 24 hr. perioc.
	We could limit the lamount of trucks by property so you
	would not notice any additional traffic. no maintenance on site would be done so no utilities would be a facto (cont
	on site would be done so 110 act integ would be a racio (cuit
(E)	whether the zoning proposal is in conformity with the policy and intent of the land use plan.
	as a storage facility - we need truck rentals. This
	current tenants. also, we can attract new business w/ this
	Service.
(F)	Whether there are other existing or changing conditions affecting the use and development
(1)	of the property which give supporting grounds for either approval or disapproval of the zoning
	Contractor and Association and
	original zoning conditions did not allow for U.HAUL trucks.
	they would obtiously be a benefit to our economic development.
	proposal: Driginal zoning conditions did not allow for U.HAUL trucks. They would obtiously be a benefit to our economic development. At present, the negative impact has been reflected in
	our slow market.
***	****************************
	CITY OF SUWANEE USE ONLY  Case No.: S(Al-Acil-DDZ Accepted By:
	Date Received: 10/14/11 Case No. 5(Af-Agil-DD2 Accented By:

### REZONING APPLICANT'S RESPONSE

# STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A)	Whether the zoning proposal will permit a use that is suitable in view of the use and
(B)	development of adjacent and nearby property:  We are a self storage facility. There is Souther stern Truck lines adagent to us on Best the corner of Buford thuy & Mcginn's Ferry Re  The commercial Complete next door Nas 3 food restaurants that might benefit from our customers potential customers - we would not affect their park  The subdivisor behindus "BH Suurane Station" is a Cover)  Whether the zoning proposal will adversely affect the existing use or usability of adjacent or
(C)	Medina's letty Re is well traveled. The trucks that would be rented would not significantly increase traffic. Most customers cent for a period of 24 Hrs They Doll out & then bring the truck back. If we have a set it of trucks the Haffic will not be noticable.  Whether the property to be affected by the zoning proposal has a reasonable economic use as
(C)	Mcginnis Ferry Self Storage has seen a decline in customer base because have not offer truck rentals. Customers can take their business to other factives who can give them a total moving package proviously—will saw a significant horase. O tenants of income.
(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:  The reworld be no extra burden on existing streets—Ow customers usually more their belongings in a 24th period—We could him the amount of truels on property so that would not have any additional traffic. No maintenance of side would be done so no utilities would be a freefor (um Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
(E)	Whether the zoning proposal is in conformity with the policy and intent of the land use plan:  as a storage face lity-we related the rental-this enhances  as brings of much needed service to our current tenants  also, we can three new business w/ this service
(F) ***	Whether there are other existing or changing conditions affecting the useand development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:  Original zoning conditions and allow for V-HAUL trucks—They would obviously be a benefit to our economic development of present continues to hamper sour renders the negative impact has been reflected in our slow market renders.
	Date Received: 9/30/11 Case No.: P.Z. 2011-20 Accepted By: Daniel Robins
	Laur Helm

# CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making Section 36-67A-1, et.seq, Confliction on the forms provide	ct of Interest in Zoning	Actions, and has su	inplied with the Official Code of Georgia  who have attached the required  for the Difference of Georgia  who have the properties as because for  for the Hongy LLC  int Name and Title
Signature of Apoll cant	Date	Type or Pri	nt Name and Title
Signature of Applicant's Attorney or Representative  Signature of Notary Public  Have you, within the two years aggregating \$250.00 or more to Commission?		Not the fire of this are	nt Name and Title  The state of the city of Suwanee Planning
		ur Name	
If the answer is yes, please com	plete the following secti	ion:	
Name and Official Position of Government Official	Contributions (I		Date Contributions was made (within last two years)
*Attach additional sheets. if nec	essary to disclose or de	scribed all contribu	itions.
			********
			S Accepted By: Dantel
Date Received: 113	41 k ( ase \ 0	・ / /. u /へ II-人へ	S Accented Ry / MINIE

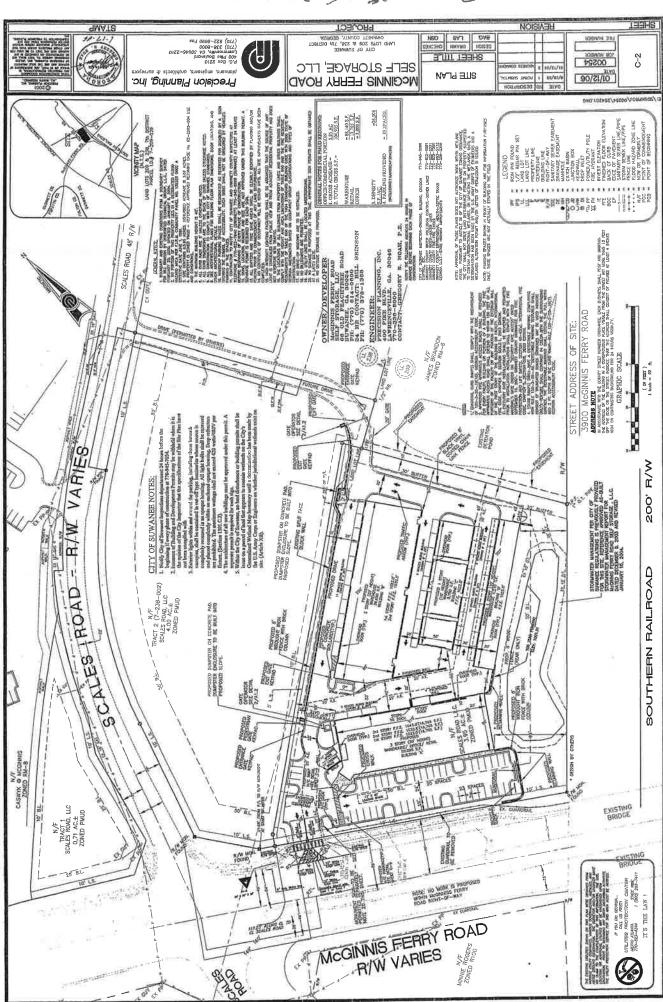


Exhibit A

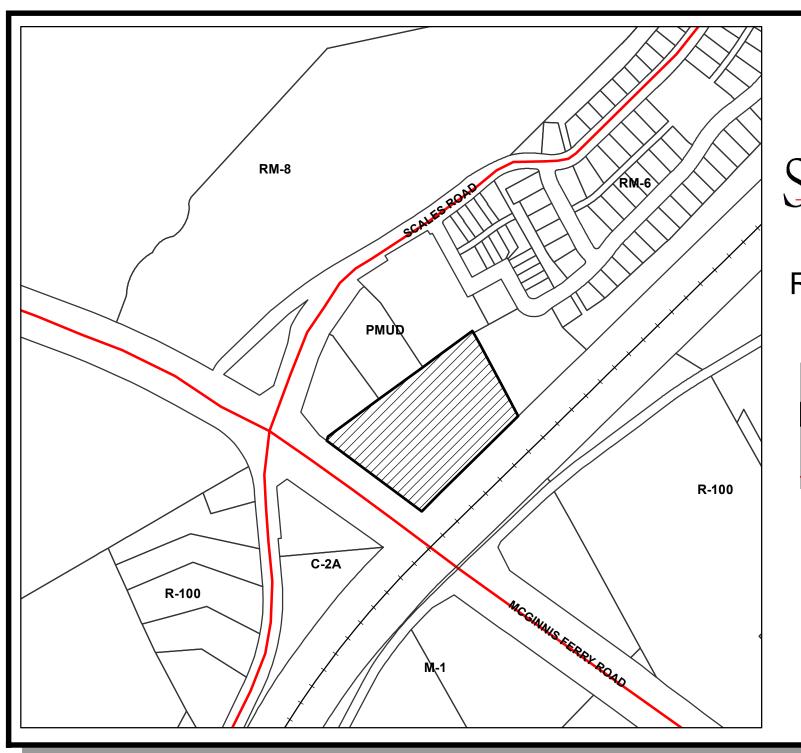




EXHIBIT C RZ-2011-005

Location Map

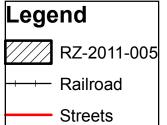








EXHIBIT B V-2011-005

Aerial Map

# Legend

//// RZ-2011-005

Property Lines

Streets

