

REZONING(S):

RZ-2013-001

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

CASE NUMBER: RZ-2013-001
REQUEST: PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) TO PMUD (PLANNED MIXED-USE DEVELOPMENT DISTRICT) WITH A CHANGE OF CONDITIONS

LOCATION: 3900 MCGINNIS FERRY ROAD

TAX ID NUMBER: 7-209-029

ACREAGE: 3.9 ACRES

PROPOSED DEVELOPMENT: SELF-STORAGE FACILITY

APPLICANT: PATRICK HIGGINS

OWNER: PUBLIC STORAGE
701 WESTERN AVE
GLENDALE, CA 91201

CONTACT: PATRICK HIGGINS
CONTACT PHONE: 818-244-8080 X 3506

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks a change in zoning conditions to allow for an existing building on the site to be used as a self-storage facility on an approximately 4 acre site. The site contains an existing retail/self-storage facility which is part of a larger PMUD development. 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. In 2011, another change in conditions was approved to allow for a truck rental business as an accessory use to the existing self-storage facility.

A number of conditions of zoning apply to this property. Specifically, condition #2 or RZ-2005-021 states that, “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.” This condition was amended in 2011 to say that 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.

DEVELOPMENT COMMENTS:

If the project is approved then the proposed revision will need to be reviewed for compliance with zoning and building code 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 foot self-storage/commercial building. The site is located on McGinnis Ferry Road east of Scales Road. The applicant is proposing to expand the self-storage business into the portion of the multi-tenant commercial building that was originally intended to contain multiple retail businesses. Since being constructed in 2006, the multi-tenant portion of the building has never been occupied or finished other than a space that is used as the office for the self-storage facility. The applicant is requesting to convert the remaining multi-tenant retail portion of the development into 139 self-storage units totaling 11,175 square feet with interior access.

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.

Condition #2 currently permits self-storage/mini warehouse uses only on the interior of the site. The original intent of adding this condition was to protect the surrounding neighborhoods from having a self-storage facility visible from McGinnis Ferry Road. Currently, the self-storage units are not visible from the public right-of-way. The building that currently faces McGinnis Ferry Road was designed as a multi-tenant commercial building and the front of the existing building is mostly windows and brick. The applicant states that “the appearance of the building would remain as is and no change to existing signage will be made. Where storage units abut storefronts a dark

bronze pre-finished metal will be fitted to interior glass to obscure the interior of the building.” If the interior of the units are blocked from view in an aesthetically pleasing way and the front façade of the building does not change then allowing self-storage in the building should not negatively impact the surrounding properties.

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. Prohibiting the outdoor storage of motor vehicles, boats, etc. in the front of the building and requiring that all customer loading and unloading take place at the existing dock and loading doors in the rear of the building should eliminate these concerns.

In conclusion, an excessive amount of vacant multi-tenant retail space within the City diminishes the likelihood of filling the multi-tenant suites with businesses in the foreseeable future. In addition, maintaining the existing façade of the building and eliminating any potential negative visual impacts of the conversion will preserve the aesthetic quality of the site. The request is in compliance with the Future Land Use Plan as it calls for this property to be commercial in nature. If certain conditions are put in place maintain the commercial appearance of the building then allowing self-storage in the interior should not negatively impact the surrounding properties. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of RZ-2013-001.

Planning Department Recommended Conditions:
RZ-2013-001

Staff recommends approval of the change in conditions as follows:

1. No storage units shall be visible from the exterior of the building. Any material used to obscure the visual impact shall be approved by the Planning Director.
2. Parking spaces in front of the building shall be for customer/employee use only.
3. All customer loading and unloading operations shall take place at the existing dock in the west end of the building and loading doors in the rear of the building.
4. All conditions for RZ-2011-005 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.

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 expand 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, loading and parking.

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

The rezoning 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, loading and parking.

- 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;

With an excessive amount of vacant multi-tenant retail space in the City, it is unlikely that suitable tenants will be located in the immediate future. The proposed change in conditions would allow for additional space to be used by a use that is already occupying the site. As such, the use is

suitable for the site. Provided conditions are included to minimize potential negative visual impacts related to storage, loading and parking the proposed rezoning could be appropriate.

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF CITY OF SUWANEE, GEORGIA

APPLICANT INFORMATION*

NAME: PATRICK HIGGINS
ADDRESS: 605 WAYT ROAD
ROSWELL, GA 30076

PHONE: 770-641-7583

CONTACT PERSON: PATRICK HIGGINS PHONE: _____

EMAIL ADDRESS: pha380@bellsouth.net FAX NUMBER: _____

OWNER INFORMATION*

NAME: Public Storage
ADDRESS: 201 WESTERN AVE.
Glendale, CA 91201-2349

PHONE: 818-244-8080 x 3506

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): PMUD REQUESTED ZONING DISTRICT: PMUD WITH CHANGE OF CONDITIONS
PROPOSED DEVELOPMENT: SELF STORAGE MINI WAREHOUSE USE OF BUILDING 'A' MAIN FLOOR
TAX PARCEL NUMBER(S): R7-209-029
ADDRESS OF PROPERTY: 3900 MCGINNIS FERRY ROAD, SUWANEE, GA 30024
TOTAL ACREAGE: _____ PUBLIC ROADWAY ACCESS: MCGINNIS FERRY ROAD

FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: _____

DWELLING UNIT SIZE (SQ. FT.): _____

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: FOUR BUILDINGS

TOTAL GROSS SQUARE FEET: 85,964 SF

CERTIFICATIONS

I hereby certify that the above and attached information is true and correct. I am also aware that pursuant to Section 2004 no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case shall a reapplication be acted upon in less than 6 months from the date of last action by the Council. I am also aware that pursuant to Section 2003 of the Zoning Ordinance any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

Signature of Applicant* [Signature] Date 12-31-12
Print Name* PATRICK HIGGINS Date 12-31-12
Signature of Notary [Signature] Date 12-31-12

Signature of Owner* [Signature] Date 12/30/12
Print Name* Daniel M. Rubrowicz Date _____
Signature of Notary [Signature] Date 12/20/2012

DOROTHY J. STELLWAG
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 14, 2016

* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form

CITY OF SUWANEE USE ONLY

Date Received: 1-2-13 Case No.: RZ-2013-001 Accepted By: [Signature]



CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has read and complied with the Official Code of Georgia Section 36-67A-1, et.seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.



12.31.12

Signature of Applicant

Date

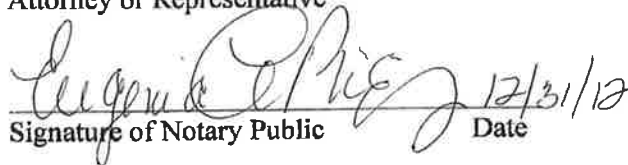
Type or Print Name and Title

PATRICK HIGGINS

Signature of Applicant's Attorney or Representative

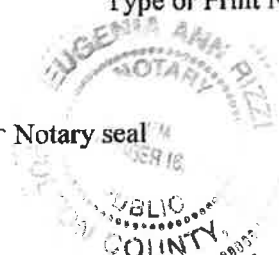
Date

Type or Print Name and Title



Signature of Notary Public

Date



Notary seal

Disclosure of Campaign Contributions

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City Council or a member of the city of Suwanee Planning Commission?

NO

yes/no


Your Name PATRICK HIGGINS

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contributions was made (within last two years)

*Attach additional sheets, if necessary to disclose or described all contributions.

CITY OF SUWANEE USE ONLY

Date Received: 1-2-13 Case No.: RZ-2013-001 Accepted By: 

Public Storage 25778
3900 McGinnis Ferry Road
Suwanee, Ga Rezoning Application

Rezoning Applicant's Responses to Items A-F

- A. Re-zoning proposal will allow use of building main level facing McGinnis Ferry Road to be used as Self Storage/Mini-Warehouse. Remainder of property is already in operation as that use and has been beneficial to adjacent and nearby property
- B. Nature of existing facility operation will not change relative to current use and usability of nearby property. Self Storage/Mini-Warehouse uses are a much lower impact on traffic and infrastructure than mercantile or business uses that could occupy this space
- C. Uses allowed most likely to have occupied this space would be mercantile or business. Due to current economy, this space and many facilities like it have gone un-leased for long periods. This space was built in 2006 and remains as shell only. The Self Storage/Mini-Warehouse operation, however, has done very well.
- D. As noted in item B, proposed Self Storage/Mini-Warehouse use will have a much lower impact on traffic and infrastructure than mercantile or business uses that could occupy this space. This rezoning would have no measurable impact on streets, transportation facilities, utilities or schools
- E. Current PMUD zoning allows uses found in C-2A regulations. Condition 2 of Zoning Case Number RZ-2005-004 modifies those regulations to limit Self Storage/Mini-Warehouse to interior of lot only and disallows any vehicular related use. As an allowed use in a zoning district provided for by the Land Use Plan, the proposed rezoning is in conformity with the policy and intent of that plan
- F. Surrounding contiguous and nearby properties are fully developed with no significant changing conditions that could affect or be affected negatively by this rezoning. Approval of this application will allow highest and best use of this space. Continued use as vacant space would have the most negative effect

RZ-2013-001

18 December 2012

Re. City of Suwanee Rezoning Application for Public Storage 25778
3900 McGinnis Ferry Road
Suwanee, Ga 30024

Dear Sirs:

This project was Zoned PMUD and constructed in 2006. Building A that faces McGinnis Ferry Road was finished as Self-Storage/Mini Warehouse in the two basement levels that open on to the interior of the lot. The main floor of Building A was intended to be multi-tenant mercantile or business use and also houses the Self-Storage facility business and leasing office. As a result of changes in the business and economic climate in the last few years the multi-tenant portion of this level has remained vacant and un-finished since that time.

Due to the viability of the Self-Storage business already in place and the continued lack of prospective mercantile or business tenants, it is our intent to modify Zoning Case Number RZ-2005-004 Condition No 2, removing the restriction of Self-Storage/Mini Warehouse to interior of the site only.

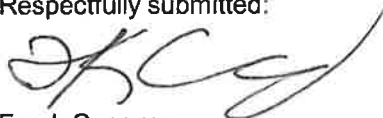
The appearance of the building would remain as is and no change to existing signage will be made. Where storage units abut storefronts a dark bronze pre-finished metal panel will be fitted to interior of storefront obscuring interior of building.

Parking areas would be used for customer parking only. No displays or storage of motor vehicles, boats or trailers would be allowed. All customer loading and unloading operations would take place at existing dock in west end of building and loading doors in rear.

Impact on existing traffic and infrastructure occasioned by Self-Storage use of this space would be minimal. Industry standard occupant loads for facilities of this nature are calculated at one person per eight units. The number of new units proposed is 139 with an occupant load of 17. The equivalent calculated occupant load for business use would be 150 or more with mercantile much higher.

We believe that utilizing this space as Self-Storage is its highest and best use and is much more desirable than remaining unused for the foreseeable future.

Respectfully submitted:



Frank Caccuro
Director of Construction – East
Public Storage



JANUS INTERNATIONAL
 134 East Lakes Road
 Temple, Georgia 30179
 (866) 562-3580 Toll-Free
 (770) 562-0886
 www.janusintl.com

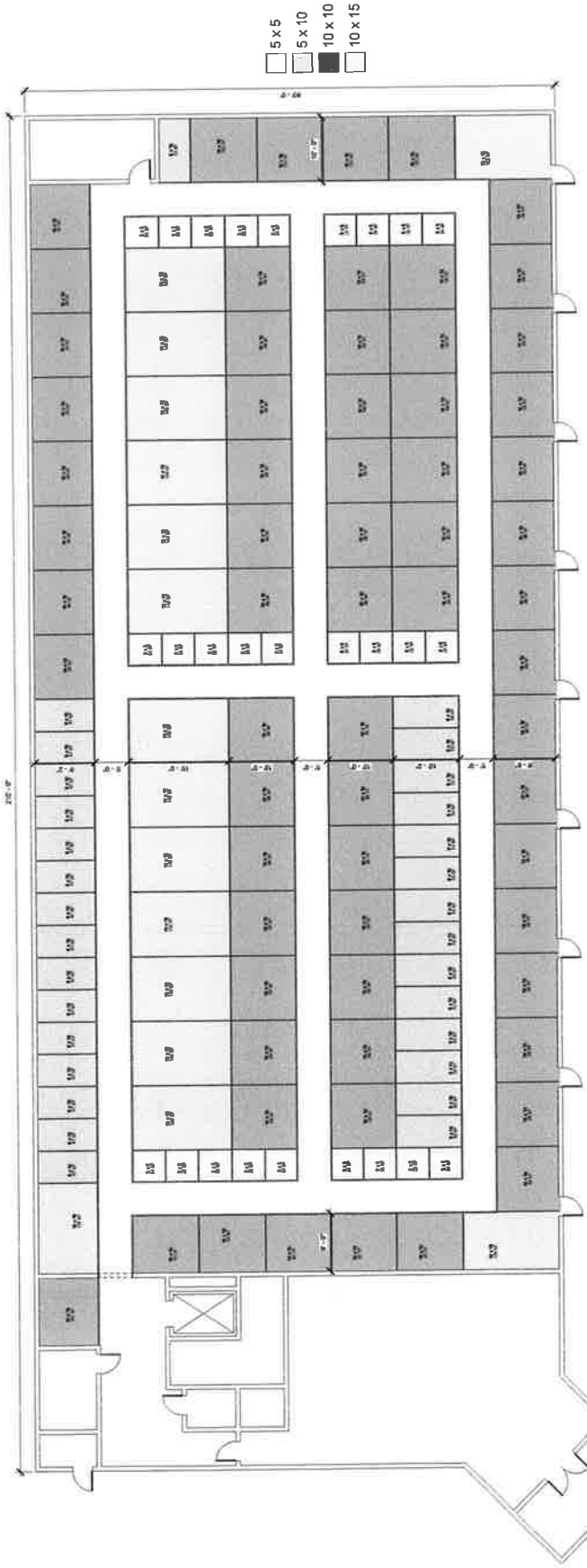
THIS PROJECT HAS BEEN PREPARED BY AN ARCHITECT OR ARCHITECTURAL FIRM LICENSED BY THE STATE OF GEORGIA UNDER CHAPTER 134, ARTICLES 1 AND 2, OF THE OFFICIAL CODE OF GEORGIA. THIS PROJECT IS BEING PREPARED BY JANUS INTERNATIONAL AS AN ARCHITECTURAL FIRM. THE ARCHITECTURAL FIRM HAS BEEN DESIGNATED BY THE CLIENT AS THE ARCHITECT FOR THIS PROJECT. THE ARCHITECTURAL FIRM IS NOT PROVIDING ANY PROFESSIONAL ENGINEERING OR PROFESSIONAL SURVEYING SERVICES FOR THIS PROJECT. THE ARCHITECTURAL FIRM IS NOT PROVIDING ANY PROFESSIONAL ENGINEERING OR PROFESSIONAL SURVEYING SERVICES FOR THIS PROJECT.

Swanee, Ga
 Proposed Self Storage
 Drawn For Public Storage

Project: XXXX
 Date: 11.30.12
 Rev: 1

Drawn By: B. Schwan
 Checked By: M. Hodges
 11.30.12

J101
 First Floor



1st Unit Mix Schedule

Count	Name	Rent As	%
27	5 x 5	675	19%
30	5 x 10	1500	22%
66	10 x 10	6600	47%
16	10 x 15	2400	12%
139		11175	100%

67
 25
 50
 100
 120

1/8" = 1'-0"

**Rezoning Application for Public Storage
3900 McGinnis Ferry Road
Suwanee, Ga 30024**



Photo 3: Southwest Elevation Detail- existing to remain unchanged



Photo 4: Southeast Elevation Detail- existing to remain unchanged

RZ-203-001

**Rezoning Application for Public Storage
3900 McGinnis Ferry Road
Suwanee, Ga 30024**



Photo 1: Southwest Elevation Overall- existing to remain unchanged



Photo 2: Southeast Elevation Overall- existing to remain unchanged

R2-2013-001

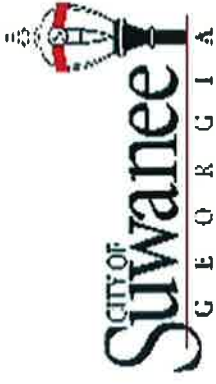
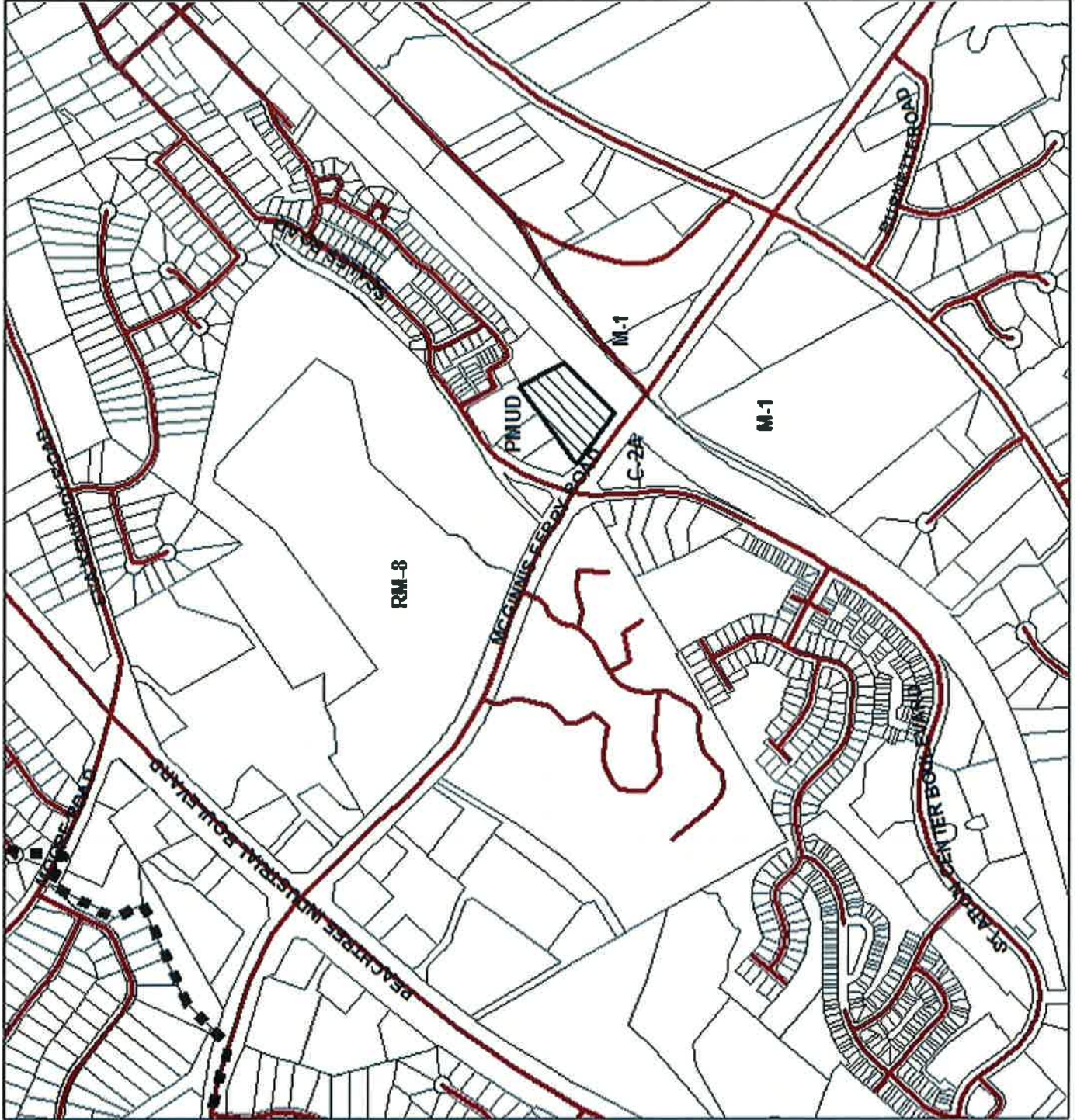


EXHIBIT A RZ-2013-001

Location Map

Legend

-  RZ-2013-001
-  Property Lines
-  Streets



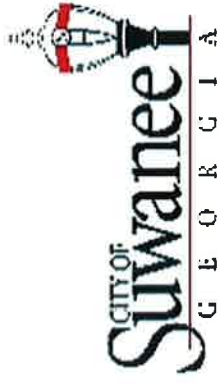


EXHIBIT B RZ-2013-001

Aerial Map

Legend

-  RZ-2013-001
-  Property Lines
-  Streets



