

MINUTES
CITY OF SUWANEE, GEORGIA
PLANNING AND ZONING COMMISSION
January 3, 2023

PLANNING AND ZONING MEMBERS: Present: Brad Cox, Muthu C. Narayanan and Alan Dandar. Staff members present: Josh Campbell, Alyssa Durden and MaryAnn Jackson. Absent: Michelle Budd and Glenn Weyant

CALL TO ORDER

Josh Campbell called the meeting to order at 6:31 p.m.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Josh Campbell asked for a motion to elect chairperson for this meeting.

Alan Dandar nominated Brad Cox for Chairperson for this meeting, second by Muthu C. Narayanan. Motion carried 3-0.

Josh Campbell turned the meeting over to Brad Cox.

ADOPTION OF THE AGENDA

Alan Dandar moved to approve the agenda as presented, second by Muthu C. Narayanan. Motion carried 3-0.

ADOPTION OF THE MINUTES: December 6, 2022

Muthu C. Narayanan moved to approve the December 6, 2022 minutes, second by Alan Dandar. Motion carried 3-0.

OLD BUSINESS

NEW BUSINESS

RZ-2023-001 – Owner: Nacoochee Corporation. Applicant: CGP Acquisition & Development LLC. The applicant requests a rezoning from C-2 (General Commercial District) and C-2A (Special Commercial District) to M-1 (Light Industry District) to allow for a self-storage facility. The site is located in Land Lot 252 of the 7th district on Peachtree Industrial Boulevard south of Tench Road and contains approximately 3.5 acres.

SUP-2023-001 – Owner: Nacoochee Corporation. Applicant: CGP Acquisition & Development LLC. The applicant requests a Special Use Permit to allow for a self-storage facility in the M-1 (Light Industry District) zoning district. The site is located in Land Lot 252 of the 7th district on Peachtree Industrial Boulevard south of Tench Road and contains approximately 3.5 acres.

SUP-2023-002 – Owner: Nacoochee Corporation. Applicant: CGP Acquisition & Development LLC. The applicant requests a Special Use Permit to allow for a car wash in the C-2A (Special Commercial District) zoning district. The site is located in Land Lot 252 of the 7th district on Peachtree Industrial Boulevard south of Tench Road and contains approximately 1.4 acres.

Josh Campbell stated that RZ-2023-001, SUP-2023-001 and SUP-2023-002 will be handled as one presentation but each will require a separate motion.

Josh Campbell presented the staff report as follows: The subject property is located at 300 Peachtree Industrial Boulevard and is currently zoned a mixture of C-2 (General Commercial District) and C-2A (Special Commercial District). The applicant seeks a rezoning to M-1 (Light Industry District) and Special Use Permit on approximately 3.5 acres of the approximately 5 acre property to allow for a self-storage facility, and a Special Use Permit on the remaining acre and half for a carwash (zoned C-2 and C-2A).

The applicant proposes to subdivide the 5-acre subject property into two tracts. The front 1.4 acre tract adjacent to Peachtree Industrial Boulevard is proposed to remain zoned C-2 and C-2A. The applicant proposes to demolish an existing 11,000 square foot multi-tenant shopping center (built in 2001) located on this portion of the property and construct a car wash, which would include a 4,375 square foot building and outdoor vacuums. Access is proposed via an existing right-in/right-out driveway on Peachtree Industrial Boulevard.

The rear 3.5 acre portion of the property is mostly undeveloped except for an off-street parking lot in poor condition that occupies the northern most portion of the rear tract. The rear tract is located behind the existing multitenant commercial building (associated with SUP-2023-002), a convenience store with gas pumps, a liquor store, and another multi-tenant shopping center. The applicant requests that this tract be rezoned to M-1 and granted a Special Use Permit to allow for the construction of a self-storage facility. The proposed indoor, climate controlled self-storage facility would be three stories and approximately 115,200 square feet. Access to the self-storage facility would be via two existing driveways off of Peachtree Industrial Boulevard. One point of access would be the existing signalized intersection via an existing driveway that runs along the side of the convenience store in front of the proposed self-storage site. The second driveway would be the right-in/right-out driveway that also serves the proposed carwash.

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 specified use. In this case the specified use would allow for a self-storage facility (SUP-2023-001), if the property is first rezoned to M-1 and a carwash (SUP-2023-002).

The subject property has an extensive and convoluted zoning history. Several rezoning cases have been heard on this property over the last 25 years. In 1995, per RZ-95-007, the rear northern portion of the property was zoned C-2. In 2000, per RZ-2000-030, the rear southern portion of the property was rezoned to C-2A. The front portion of the property was rezoned to C-2A in 2001 (RZ-2001-007) to allow for a restaurant tenant to be eligible to apply for an alcohol license in the existing multitenant commercial building that was under construction in 2001.

If the zoning change and Special Use Permit are approved then the development will need to be reviewed for compliance with zoning and development requirements through the usual development and building permit review process. The applicant should be aware that the City requires stormwater facilities to address water quality, water quantity, and channel protection. These requirements were not all in place when the subject property was originally developed.

The applicant requests a rezoning to M-1 (Light Industrial) and a Special Use Permit to construct an indoor, climate controlled self-storage facility that would be three stories and approximately 115,200 square feet on the rear portion of the property at 300 Peachtree Industrial Boulevard. On the front portion of the property the applicant seeks a Special Use Permit for a 4,375 square foot car wash. The property is also occupied by a parking lot that is in disrepair. Both the carwash and the self-storage facility would have access to the parking lot. If both projects are approved and developed as proposed the parking lot would have approximately 47 parking spaces. The plan shows 5 new parking spaces for the self-storage facility. An easement for power lines runs over the existing parking lot and limits the potential for development on the northern most portion of the property. Between the existing parking and the additional new five spaces it would appear that the site will provide fewer parking spaces than required for a warehouse use. Although it should be noted that self-storage facilities do not need as much parking as other warehouse uses. The carwash development would include 18 parking spaces with access to vacuums and an additional 3 parking spaces. It would appear that the site can adequately accommodate all of the proposed development.

The subject property is surrounded by commercially zoned property. To the south of the subject property is a Kroger grocery store located on the corner of Suwanee Dam Road and Peachtree Industrial Boulevard. The parcels between the subject property and Peachtree Industrial Boulevard to the east contain a convenience store with gas pumps (C-2), a package store (C-3), and a multitenant commercial building with several restaurants (C-2A). Also, east of the subject property across Peachtree Industrial Boulevard are a day care center (PMUD) and a multi-tenant shopping center (C-2A). A vacant, landlocked parcel that is zoned C-2 and contains a pond is adjacent to the subject property to the southwest. A Georgia Power substation occupies the commercially zoned (C-2) property located directly to the north.

The subject property is located in the Peachtree Industrial Boulevard Corridor Character Area. One of the goals for the corridor per the 2040 Comprehensive Plan is to “convert vacant and underutilized commercial property along the corridor or behind existing commercial to medium-density residential and/or mixed-use with neighborhood retail” (2040 Comprehensive Plan, p. 12). This strategy has been implemented in other areas of the corridor since the adoption of the 2040 Plan to create a greater mix of commercial and residential uses, but, in this case, the subject property is essentially landlocked with access only via a driveway between an existing convenience store with gas pumps and a package store, which are commercial uses that are less compatible with residential development.

The City’s Future Land Use Plan recommends commercial uses for this site due to the current commercial use of the parcel and its frontage on Peachtree Industrial Boulevard. The proposed use as a self-storage facility is not entirely consistent with the Future Land Use Plan. Self-storage is not an allowed use or special use within the City’s commercial zoning districts and is only allowed as a special use in the M-1 zoning district.

The rear part of the subject property proposed for self-storage does not have frontage on or visibility from Peachtree Industrial Boulevard, which limits the potential for successful commercial uses on this portion of the property. A use that is compatible with commercial that relies less on high visibility, such as a self-storage facility, would be an appropriate use of the land at this location particularly due to the proximity of apartments (the Maven).

However, since the proposed use is not consistent with the City’s Future Land Use Plan the design of the proposed building is an important factor in determining whether a self-storage facility could fit into the future plans for the area. If designed well, a self-storage facility could be consistent with the plan. The applicant has not presented any proposed architecture, so if approved, conditions should ensure that the Planning Department has adequate controls over the architecture to ensure the building is of high quality. This would include making sure that any units that are accessed from outside the building only have overhead doors that are not visible from Peachtree Industrial Boulevard.

Regarding the proposed carwash Special Use Permit, this portion of the property is currently occupied by a vacant multi-tenant commercial building. The City’s data collected for the Economic Indicators report indicates that the building has been vacant for at least 3 years. While the rest of the City’s commercial locations have been filling up in recent years, the subject property remains vacant. To the north of the property is a power substation and to the south is an older convenience store with gas pumps. Carwashes are compatible with gas stations. As mentioned above, one of the goals of the Comprehensive Plan is to fill vacant commercial spaces. Granting a Special Use Permit for a carwash at this challenged location would present an opportunity to refresh the property and provide a more active use. Like the self-storage facility, quality architecture will be essential to making sure the property fits on Peachtree Industrial Boulevard.

In conclusion, the request for a self-storage facility at this location is appropriate given the commercial nature of the area and low visibility of the site for commercial purposes. However, steps should be taken to ensure that the development is constructed with the highest of aesthetic standards to be compatible with surrounding commercial and residential uses. Regarding the carwash, if done correctly, it could refresh and add activity to a vacant underutilized property. Therefore, staff recommends approval with conditions of RZ-2023-001, SUP-2023-001, and SUP-2023-002.

Muthu C. Narayanan asked about access to the property. Josh Campbell explained that there will be two access points. One will be through the car wash site and the other will be between the gas station and the package store.

Brad Cox asked if the existing parking lot will serve the self-storage facility. Josh Campbell stated that it may serve a role in helping the applicant meet the parking requirement. The current parking area is in poor condition and will need to be rehabilitated before any of the buildings receive a certificate of occupancy.

Alan Dandar asked if the applicant decides not to construct the car wash, will the special use permit become invalidated. Josh Campbell explained that the recommendation limits the special uses on the property to a car wash.

Brad Cox called upon the applicant.

Shane Lanham, Mahaffey Pickens Tucker, 1550 N. Brown Road, Lawrenceville, GA. Mr. Lanham is the attorney for the applicant. Mr. Lanham stated that the property is 5 acres and located at the northern end of the city limits. It is an oddly shaped property. Power easements and overhead power lines present significant development and operational challenges. The rear of the property is limited in the uses that can be successful there. There are visibility challenges on the portion of the property where the car wash is being proposed. The applicant plans to demolish the commercial building to construct the car wash. Self-storage facilities do a great job of filling in gaps on properties that have challenges. They do not require the same type of visibility as other commercial uses. There will not be a big demand for parking at the self-storage facility.

Brad Cox called for opposition. There was none.

Muthu C. Narayanan moved to approve RZ-2023-001 with staff conditions, second by Alan Dandar. Motion carried 3-0.

1. The architecture of any buildings shall be subject to the approval of the Planning and Inspections Department.
2. The property shall be permitted for development in a manner generally consistent with Exhibit A.

3. Uses shall be limited to a climate controlled self-storage facility as shown on the plans submitted.
4. Any portion of the existing parking lot on the subject property that is not demolished as a part of the development of the property shall be completely renovated, including repairing and resurfacing the entire parking lot and providing landscaping that complies with applicable landscape requirements. Any portion of the parking lot located within the powerline easement may include understory trees. No Certificate of Occupancy shall be issued for any building on the property prior to completion of the renovation of the parking lot.
5. Prior to issuance of a Certificate of Occupancy for any building on the property an access easement shall be provided from the right-in/right-out driveway to the rear portion of the property.

Muthu C. Narayannan moved to approve SUP-2023-001 with staff conditions, second by Alan Dandar. Motion carried 3-0.

1. Special use of the property for a climate controlled self-storage facility shall be allowed. No other special uses are permitted except as accessory uses subject to the approval of the Planning Director.
2. The applicant shall ensure that the site is secured to the satisfaction of the Planning and Inspections Director.
3. Exterior overhead doors shall only be allowed as noted on Exhibit A.

Muthu C. Narayannan moved to approve SUP-2023-002 with staff conditions, second by Alan Dandar. Motion carried 3-0.

1. The architecture of any buildings shall be subject to the approval of the Planning and Inspections Department.
2. The only special use allowed is a car wash.
3. Interparcel access to the adjacent parcel to the southeast shall be maintained.
4. The property shall have a 15 foot wide planted landscape strip measured from the property line along Peachtree Industrial Boulevard that meets all regulations of Section 1703 of the Zoning Ordinance.
5. The landscape island surround the parking/vacuum stations shall be heavily landscaped with a mixture of trees, shrub, and grasses that provide screening, subject to the final approval of the Planning Department.

SUP-2023-003 – Owner/Applicant: ACS Properties, LLC. The applicant requests a Special Use Permit to allow for outdoor storage in the C-2 (General Commercial District) zoning district. The site is located in Land Lots 195, 196, 209 and 210 of the 7th district at 3640 Burnette Road and contains approximately 8 acres.

Josh Campbell presented the staff report as follows: Suwanee Sports Academy seeks a Special Use Permit within the C-2 zoning district for “outdoor storage” to allow for no more than four trailers on site for the purpose of loading and shipping court and goal equipment for various basketball/volleyball tournaments during the year. These trailers current tags and DOT permits. There are currently two of these trailers at the front of the site and two at the rear. The trailers are already being stored on the property. Code enforcement noticed the trailers and informed management that they would need a Special Use Permit in order to continue to store the trailers on the property. Suwanee Sports Academy is now seeking a Special Use Permit to come into compliance with the City of Suwanee’s Zoning Ordinance.

The subject property is a 9.06 acre commercial space with a 100,000 square foot building located at 3640 Burnette Road and occupied by the Suwanee Sports Academy. Suwanee Sports Academy is a sports development and event facility that operates training and development programs for athletes of all ages. The facility is comprised of 7 NBA regulation basketball courts, 11 volleyball courts, a 15,000 square foot off-court performance training area, an on-site physical therapy center, an indoor track, and numerous meeting and conference rooms. The City of Suwanee Zoning Ordinance does not allow outdoor storage in the C-2 Zoning District without a Special Use Permit. The applicant is now seeking a Special Use Permit for outdoor storage in order to be in compliance with the code.

The subject property was rezoned from M-1 (Light Industry District) to C-2 (General Commercial District) in 1996 as part of RZ-1996-001, RZ-1996-002, RZ-1996-003 to allow for the development of an indoor basketball facility. In 2002, surveys showed that small portions of the Suwanee Sports Academy’s parking lot crossed certain property lines. These small portions were then rezoned from M-1 to C-2 as part of RZ-2002-008 to combine with the existing site.

The subject property is occupied by a 100,000 square foot building and parking for the users of the building. The multi-sport complex seeks to increase storage capacity to store and transport portable basketball courts and goals for use in setting up basketball tournaments in convention center spaces. These materials are currently stored and shipped using trailers located on the property. There are 2 storage trailers located near the front of the site that are visible from Burnette Road. There are another 2 trailers located at the rear of the site that are visible from the Suwanee Creek Greenway as shown in Exhibit A. The property is capable of supporting the proposed special use. However, the trailers occupy 31 of the 267 parking spaces on site.

The properties surrounding the Suwanee Sports Academy contain a variety of industrial buildings including an auto repair shop, a corporate office, a catering business, a

construction company, a sign shop, a cabinet maker, and a church all of which are zoned M-1 (Light Industry District). The lot to the northeast across McGinnis Ferry Road contains the Suwanee Creek Greenway parking lot and is zoned M-1. The adjacent lot to the east consists of mostly forest and contains parts of the Suwanee Creek Trail zoned R-140 (Residential Single-Family District).

The subject property is located in the Buford West character area. The future land use plan calls for commercial/retail use on the subject property. This recommendation is consistent with the current function of the Suwanee Sports Academy.

The purpose of not allowing outdoor storage containers is to prevent clutter, trash, and other negative visual impacts. Approval of the request for outdoor storage trailers could be appropriate assuming the storage trailers are located in areas that do not visually impact the surrounding area. The 2 trailers at the entrance of the site are currently visible from the intersection of Burnette Road and McGinnis Ferry Road and the entrance to the Suwanee Creek Greenway Parking Lot. The 2 trailers located at the back of the site are visible from the Suwanee Creek Greenway.

According to the applicant, every year, more multi-court venues are opened around the region. They contend that the portable courts provide an avenue for Suwanee Sports Academy to stay relevant in an industry of bigger and newer tournament venues.

The subject property is surrounded by industrial and automotive uses (M-1). These uses are allowed outdoor storage as a use by right. As such, the addition of outdoor storage on the subject property would not be out of character for the surrounding area. Provided that the storage trailers used for loading and shipping equipment are limited to locations with limited visibility, the approval of an SUP for outdoor storage could be acceptable with the appropriate conditions. Therefore, the Planning Department recommends approval with conditions of SUP-2023-003.

Muthu C. Narayannan asked if applicant will be using some of the parking spaces. Josh Campbell explained the applicant will be using some of the existing parking spaces. The subject property has about 260 parking spaces. The trailers occupy about 31 parking spaces. Muthu C. Narayannan asked if the remaining spaces will be in line with the requirements. Josh Campbell indicated that parking spaces for recreational uses is very different from commercial uses. It is not ideal that they are using parking spaces but there is a lot across the street for overflow parking.

Alan Dandar asked if the trailers will need power. Josh Campbell stated that the trailers will not need power. The trailers are for transportation purposes.

Brad Cox asked about the size of the trailers. Josh Campbell explained the that trailers will be 9 feet by 53 feet.

Brad Cox called upon the applicant.

Mike Eddy, Suwanee Sports Academy, Suwanee, GA. Mr. Eddy stated that the facility was constructed 20 years ago. The main source of revenue is tournaments. The trailers are used to transport equipment to tournaments. No power will be needed for the trailers.

Brad Cox called for opposition. There was none.

Muthu C. Naryannan moved to approve SUP-2023-003 with amended conditions, second by Alan Dandar. Motion carried 3-0 (additions = bold).

1. The outdoor storage containers shall be maintained in good condition. Rusty, damaged, or otherwise unsightly storage units/trailers shall be removed from the property or promptly repaired/maintained.
2. Outdoor storage units shall be limited to the locations shown in Exhibit A.
3. Outdoor storage shall be limited to no more than 4 trailers on property **subject to a maximum size of 9' X 53'**. Said trailers shall be located in a manner that does not obstruct the flow of traffic around the building and is not easily visible from the surrounding area.

AMD-2023-001 – A proposed amendment to the City of Suwanee Zoning Ordinance including Article XX. Zoning Board of Appeals, by adding paragraphs to Section 2012. Administrative Variances, in order to allow for single family residential lots either greater than 1.5 acres in size and/or located in the Old Town Overlay District to be considered for administrative variances related to accessory structure requirements.

Josh Campbell presented the staff report as follows: City Council brought this to our attention. A lot of residents are having to get variances to build accessory structures. City Council would like to make sure this is not an unnecessary burden for residents. There have been 35 requests related to accessory structures over the last 22 years. 34 of those variance requests have been approved. 32 of those requests are greater than one acre and/or located in the old town area. Staff has recommended a couple of changes to the zoning ordinance that would add to the options for obtaining an administrative variance. Administrative variances are reviewed by the Chairman of the Zoning Board of Appeals. They are usually processed within 3 to 5 business days.

Muthu C. Narayannan asked for clarification on an accessory structure. Josh Campbell explained that an accessory structure could be several structures, including a storage shed, garage, accessory dwelling or greenhouse.

Josh Campbell stated that it is important to note that these are not automatically approved. Staff makes a recommendation to the Zoning Board of Appeals Chairperson.

Muthu C. Narayannan asked if there are architectural standards for an accessory structure. Josh Campbell indicated that there are no architectural standards for accessory structures unless it is over a specific size.

Brad Cox called for support. There was none.

Brad Cox called for opposition. There was none.

Alan Dandar recommended approval of AMD-2023-001, second by Muthu C. Narayanan. Motion carried 3-0.

OTHER BUSINESS

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Alan Dandar moved to postpone the election of the chairperson and vice chairperson until the next regularly scheduled Planning Commission Meeting, second by Muthu C. Narayanan. Motion carried 3-0.

ANNOUNCEMENTS

ADJOURNMENT

Alan Dandar moved to adjourn 7:18 pm.