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**Staff Report and Recommendation  
Change in Conditions: CIC-2022-01**

**Date of Report: March 8, 2022  
Report by: Reid Turner, Planner  
Hearing Date: Thursday, March 24, 2022**

**GENERAL INFORMATION**

Applicant: Miles Hansford & Talent LLC, J. Ethan Underwood  
Owner: Najam LLC./ Automax Auto Sales Business  
Size: 2.28 +/- acres, District 6, Land Lot 147 Parcel 015  
Location: 5054 Lawrenceville Hwy, Lilburn GA 30047  
Existing Zoning: CB, Commercial Business in US 29 Overlay

**EXISTING LAND USES & ZONING DISTRICTS**

To the North:	U.S. 29/Residential – Bryson Park	R1
To the East:	Gas Station/Commercial Business	CB
To the South:	Residential	R1
To the West:	Assembly/Commercial - Dar E Abbas	CB

**ZONING HISTORY**

The site fronts U.S. 29 and is surrounded by both Commercial and Residential zoning. The subject site exists within the U.S. 29 Overlay District and is used in part as an overflow inventory lot for Automax.

The subject property was developed residentially in 1941 and the existing 2,110 s.f. the house has been vacant for several years. The property has been zoned CB since at least 2007; the current owner purchased the lot and was granted a Special Use Permit in 2015 to redevelop the back half of the parcel to expand the auto sales inventory lot (SUP-2014-02). At the time, the front half of the lot was intended for a future showroom or alternate business but has sat undeveloped in the intervening time. Currently, the house and several small accessory structures on the property are in disrepair.

**APPLICANT'S INTENT**

Applicant seeks to expand its existing auto sales business, located upon the four parcels (R6147 012, R6147 013, R6147 014, and R6147 015). The applicant seeks to develop the front half of the subject parcel, to further expand the business' inventory parking lot. The applicant seeks to amend conditions 1 and 3 associated with SUP-2014-02. Which read as follows:

- Condition 1 reads: **“Property to be developed in general accordance with submitted Proposed Special Use Plan, by Gordon Story, dated 11/17/2014. Parking lot expansion may occur only in the area designated for such and no offloading of vehicles may occur in this area.”**
  1. To be amended to: “Property to be developed in general accordance with submitted Site Plan, by Dovetail Civil Design, dated 01/28/2022.”
- Condition 3 reads: **“Install one row of Leyland Cypress or other acceptable evergreen trees, appropriately spaced (10'-15' OC) along the front of the overflow parking lot, between the front and rear half of the property, to screen the car lot from future development fronting Lawrenceville Highway.”**
  3. To be amended to: “Install one row of Leyland Cypress or other acceptable evergreen trees, appropriately spaced (10'-15' OC) along the front of the overflow parking lot, to screen the car lot from future development fronting Lawrenceville Highway.”

### ANALYSIS OF REQUEST

The applicant’s request is consistent with the City of Lilburn 2019 Comprehensive Plan’s goals for the area as a commercial corridor.

*Article 6. Section 603 Use and Supplemental Conditions Table* states that *Auto and Truck Sales Dealerships must have a minimum acreage in CB zoning of 5 acres*. Though they do not individually constitute this minimum, a combination of 4 parcels, currently occupied by the Automax business, brings the site to a total of 4.2 +/- acres, and the existing business and site are in compliance with other city regulations. Staff recommends one set of Special Use Permit conditions applied to the contiguous CB properties to simplify compliance.

The applicant’s site plan does not address the need for inter parcel access in the U.S. 29 Overlay District as stipulated in *Article 5, Section 501-4 Access Management and connectivity: “Inter parcel vehicle access points shall be provided between all contiguous non-residential properties. A system of joint use driveways and cross-access easements shall be used to promote connectivity in the overlay district. This requirement may be waived by the Director only if it is demonstrated that an inter parcel connection is not feasible due to traffic safety, topographic, or environmental concerns.”* A shared driveway between the Dar E Abbas Mosque and Automax could be pursued to accommodate inter parcel access. City anticipates an opportunity for a deceleration lane to serve in this capacity.

Additional stormwater management, supplemental plantings, and landscaping interior to the parking lot expansion may be required in accordance with *Article V Section 109-157. – Off-street surface parking lot planting requirements*. Specifically, *“Trees shall be provided and maintained adjacent to and in the interior portions of, parking lots in a ratio of one tree for each seven parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.”*

The applicant’s plans to expand the inventory lot on R6147 015 appear to constitute more the 5,000 s.f. of new impervious surface area. As such, the development will trigger, and be subject to, current Stormwater Management regulations per *Appendix B Article 8, Section 8.2 Post-Construction Stormwater Management “New development that creates or adds 5,000 square feet or greater of new impervious surface area or that involves land-disturbing activity of 1 acre of land or greater;”*

Given that the amendment to condition 1 is to update to a more recent plan, and condition 3 is to adjust for the new site design. Staff recommends **APPROVAL** of the proposed changes to conditions 1 and 3 of SUP-2014-02 with additional conditions as follows.

Staff proposes conditions of SUP-2014-02 and SUP-01-06 be combined into a single set of conditions to apply to the entirety of the relevant Automax/Najam, LLC. business properties including R6147 012, R6147 013, R6147 014, and R6147 015. New conditions to read:

1. ~~Property to be developed in general accordance with submitted Proposed Special Use Plan, by Gordon Story, dated 11/17/2014 Site Plan, by Dovetail Civil Design, dated 01/28/2022, Parking lot expansion may occur only in the area designated for such and no offloading of vehicles may occur in this area subject to compliance with city development regulations, plan review and permitting.~~
2. Install and maintain an opaque wooden fence (min. 6' in height) along the rear property line and install two staggered rows of Leyland Cypress trees, 6' minimum height, appropriately spaced (10' – 15' OC) along the inside edge of the buffer to screen the parking lot from the residential land uses. These trees shall be maintained in perpetuity.
3. ~~Install one~~ two rows of Leyland Cypress or other acceptable evergreen trees, appropriately spaced (10'-15' OC) & supplemental plantings along the front of the overflow parking lot, ~~between the front and rear half of the property, at R6147 015, to screen the ear~~ new inventory lot from future development Lawrenceville Highway.
4. Stormwater facility shall be designed to accommodate existing impervious surface area on the site at the time of application in addition to the proposed parking lot. Design shall comply with current regulations.
  - a. ~~Pipe all stormwater runoff that would otherwise cross the side yard of 288 Hood Rd property directly to the creek.~~
  - b. ~~Use concrete pipe and contain runoff entirely between the detention facility and the creek.~~
  - c. ~~No part of the detention facility shall encroach within the rear buffer, except as permitted in the development regulations~~
5. Light fixtures shall be designed and directed so as to minimize impacts to residential uses and lights may be on from 7 a.m. to 10 p.m. Owner or agent 24-hour contact information shall be provided to abutting residents for the purpose of reporting any violation of this condition.
6. Provide two (2) non-ornamental shade trees placed a minimum of 25 feet apart along the right-of-way line of US 29, on parcel R6147 012. Both trees shall be a minimum of 4" in caliper at the time of planting and set a minimum of 10' from the back of curb. The 2 street trees shall be one of the following species and shall be maintained in perpetuity: Willow Oak, Overcup Oak, Nuttall Oak, Pin Oak, Shumard Oak, Lacebark Elm, Japanese Zelkova.
7. There are to be no more than two (2) elevated display racks permitted per motor vehicle sales lot, and they are not to exceed five (5) feet in height.
8. All overnight vehicle repair storage areas shall be located in the rear or side of the building confined to parcel R6147 012. No more than 20 vehicles for repair shall be on

*the premises at any time. Such storage areas shall be 100% screened from public street rights-of-way and/or adjacent properties to a minimum height of 6' by the use of fencing, landscaping berms, or a combination thereof as approved by the City Planner. If landscaping is used, it shall be maintained in perpetuity.*

9. *Dumpsters which may be seen from adjacent properties or public parking lots shall be screened from view on all four sides. Screening shall consist of three solid walls of brick or stone construction, at least 6' in height, with 100% metal or wooden gates. Dumpsters shall be placed in the rear yard and may be located zero feet from the property line if the adjoining property is zoned non-residential and zero feet from all applicable buffers if the adjoining property is residential.*

10. *Hours of operation for automobile repair shall be limited to Monday through Friday from 8:00 A.M. to 6:00 P.M. and Saturday from 9:00 A.M. to 6:00 P.M. No repair work shall be done on weekends-Sundays.*

11. *Auto repair storage activities shall be limited to the sides and rear of the existing building and no more than 20 vehicles for repair shall be on the premises at any time.*

12. *This Special Use Permit applies to Buggy One, Inc., Dan Bramlett, owner, as the primary tenant doing the main business of auto sales & limited service/repair and does not apply to any other future business in place of that business.*

13. *Replace the current chain-link fence along the south side between St. Albans property with an opaque wooden fence, to be maintained in perpetuity.*

14. *Silent alarm is to be used.*

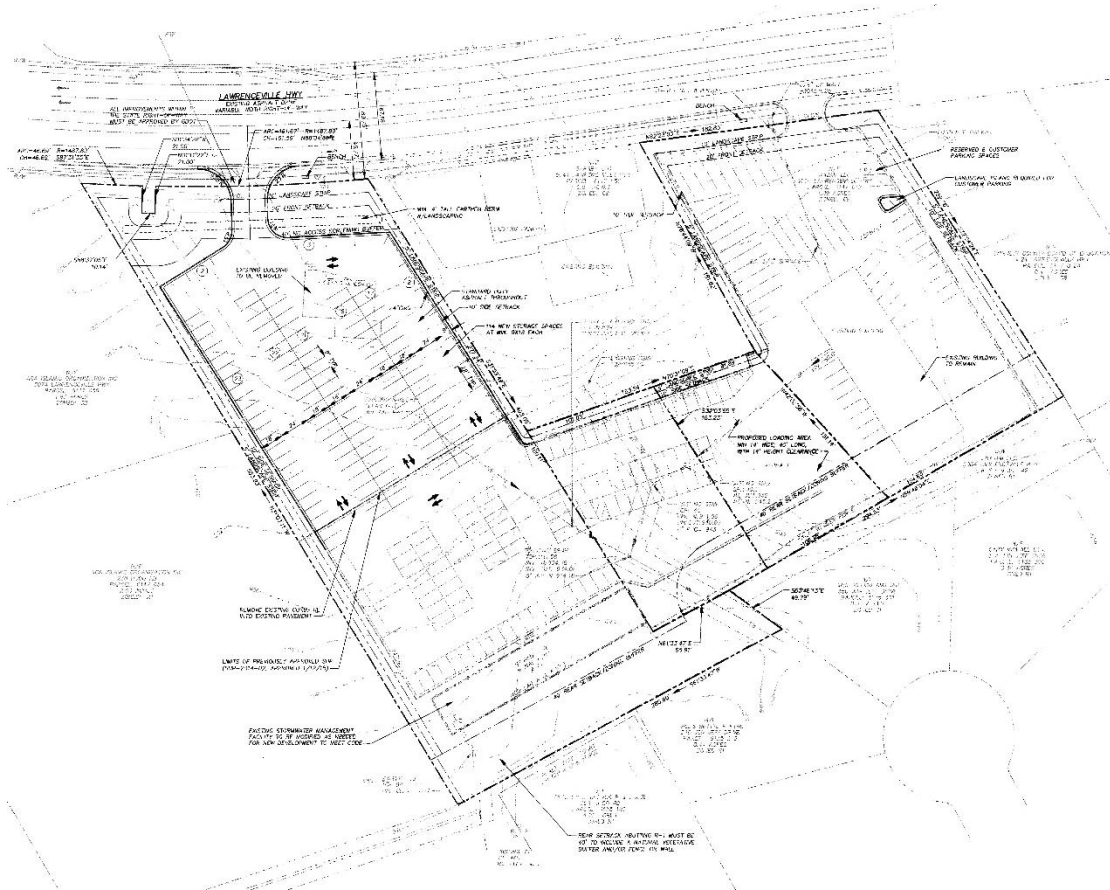
15. *Parking lot expansion will accommodate offloading of vehicles on site.*

16. *Any requirements by DOT shall not infringe on the proposed landscape strip or screening requirements of condition #3. Plantings are to be located along the front of the property line outside of ROW.*

### Satellite Image of Site Locations



### Applicant's Proposed Plan



Official Zoning Map Overview (2022)

