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**Staff Report & Recommendation**  
**Special Use Permit Case SUP-2025-03**  
**Date of Report: September 5, 2025**  
**Report by: Reid Turner, Planning Director**

**Hearing Dates:**

**Planning Commission                      September 25, 2025**  
**Mayor and Council                         October 13, 2025.**

GENERAL INFORMATION

Applicant:                                      Souter Holding LLC  
Owner:    Souter Holding LLC  
Size:    2.96 +/- acres  
Location:                                        4295 Lilburn Industrial Way, PIN #6133 066  
Existing Zoning:                                IA – Industrial Activity  
Proposed Use:                                    Bulk Container Storage

SURROUNDING LAND USES & ZONING DISTRICTS

To the North:	CSX ROW	N/A
To the East:	Warehouse, PreFab	IA
To the South:	ROW/Warehouse	IA
To the West:	Warehouse, PreFab	IA

ZONING HISTORY

The subject site fronts Lilburn Industrial Way. The property has been zoned Industrial as far back as City Records go and has never been properly developed. According to Business Licensing Archives, there has been no record of a licensed business on the site. The site remains zoned Industrial Activity (IA).

APPLICANT’S INTENT

The applicant is requesting a Special Use Permit (SUP) to allow for Bulk Container Storage on the subject parcel. Bulk Container Storage, in the Distribution and Storage category of Heavy Industrial uses, requires the approval of a Special Use Permit for permission in the IA Zoning District. The Applicant is the current owner of the subject property. The applicant is proposing to utilize gravel as the primary surface on site, in lieu of impervious surface area for the storage of dumpsters on the property. The

applicant has stated a willingness to develop the property, but cites lack of sewer infrastructure as the major hurdle for substantial redevelopment.

#### ANALYSIS OF ZONING/SPECIAL USE PERMIT REQUEST

According to the *City of Lilburn 2011 Zoning Ordinance, Article 6, Section 602.-Use Table*, the Bulk Container Storage use requires an SUP in the IA Zoning District. The subject property was originally approved for development of a truck parking lot in 2007 but the project was never initiated and the permit expired. The proposed business complies with the supplemental requirements associated with this use, found in *Article 6. Section 603. - Supplemental Conditions Table* including the requirement that stored materials are not dangerous to public health, safety, or welfare. According to the applicant, the dumpsters that would be stored on site would be empty.

According to Business Services staff, there has been no business officially licensed to operate on the property in the business licensing archive. Though the applicant states that the lot has been used for vehicle storage for 20 years, there are no records indicating a business has ever been permitted or licensed to operate on the property.

The Applicant has stated a willingness to beautify the front of the property with landscaping, which would help achieve Council's goals. Though Staff notes that there is a state protected water on the site that necessitates development of Stormwater facilities to ensure that no negative impacts from the proposed use are transferred to the stream.

Given the lack of necessary sewer infrastructure to redevelop the lot as envisioned in the Comprehensive Plan, Staff feels that the current request represents the least intrusive form of development on this environmentally sensitive lot. Until such infrastructure is available, and development of the lot can be accomplished to it's highest and best use, the current proposal represents an acceptable transitional use until such time as the property can be redeveloped. Additionally, the reduced develop, en

#### **STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to Section 1003 of the 2011 Zoning Resolution (as amended), the criteria specified in **Section 1003-8**, are relevant in considering a Special Use Permit application. As part of the zoning process, the Applicant; the Planning Staff, Planning Commission, and the Mayor and City Council of the City of Lilburn are to analyze the application with respect to each of the matters enumerated ***upon which findings of fact shall be based.***

The Applicant's response is attached to the application. Staff's response is below:

**1. Is the proposed special use consistent with the Comprehensive Plan?**

The 2024 Comprehensive Plan Character Area Map identifies this parcel to be within the Manufacturing, Service, and Technology Character Area. This Character Area acknowledges the existing uses on Lilburn Industrial Way, but emphasizes the need to beautify the area citing the concerning physical appearance and encourages rezoning within the character area to move towards future land uses such as: Heavy Commercial, Service Commercial, Professional Offices, Warehousing, Light Industrial/Manufacturing, Technology, Data Centers, and Large Scale Retail.

**2. Is the proposed special use consistent with supplemental studies adopted by City Council, including Livable Centers Initiative (LCI) studies?**

The most recent LCI Study, conducted in 2022, identified and provided recommendations for multiple nodes of redevelopment. The subject site is included within the identified Art District Node. The LCI Study identified Lilburn Industrial Way as a possible site for revitalization via mixed-use redevelopment of existing industrial sites on Lilburn Industrial Way while preserving existing industrial along Business Park Ct. The study recommends new uses in the form of: Multi-Family Residential, Cottage Court Residential, other varieties of Attached Residential, Breweries, artist studios, restaurants, retail, greenspace, and recommends storm water infrastructure to serve the node.

**3. Is the proposed special use compatible with adjacent uses?**

Yes, uses on the immediately adjacent properties are industrial in nature with Warehouse Uses already present to the south, east, and west of the subject property. A railroad is located immediately to the north, and the parcels further north past the railroad are developed residential properties with detached, single-family homes.

**4. Is the proposed special use consistent with the stated purpose of the zoning district in which it will be located?**

Yes, the IA Zoning District allows for various Distribution and Storage Uses both with and without an approved Special Use Permit.

**5. Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?**

Yes, no buildings have been proposed, the applicant's intent is to utilize the property for storage only, no business activity will take place on site with the exception of the pick-up and drop off of dumpsters. Additionally, a condition has been recommended to ensure that the business activities and storage on the lot is screened from public view.

**6. Is the open space adequate to preserve the character of the area and mitigate environmental impacts?**

The Property has multiple environmental considerations and a limited developable area as a result. If there is no development outside of the area proposed in the Site Plan submitted with this application, there will be adequate open space. Every effort should be made to preserve and protect the environmental features on the property.

**7. Are screening and buffers adequate to protect adjacent uses from negative impacts of the proposed use?**

There are no screening or buffer requirements between industrial uses. Landscaping requirements in the code of ordinances are applicable to the front and side landscape strips and associated setbacks. All stream buffers should remain undisturbed and naturally vegetated.

**8. Are off-street parking facilities adequate? Will they be properly located to reduce negative impact on surrounding property uses?**

Yes, off-street parking facilities are adequate in space. The applicant has stated that the property will only be used for the storage of dumpsters, no staff or parking should be

necessary as no business operations outside of storage are proposed. Staff would recommend that storage containers be located on the property such that vehicles may travel safely into the property for the retrieval/drop-off of the dumpsters, as shown on the proposed site plan.

**9. Are the hours and manner of operation of the proposed use compatible with surrounding uses?**

Yes, the hours and manner of operation for the existing business are similar to existing adjacent businesses.

**10. Are there environmental resources or features which should be considered, for example, topography, special geological features, highly erodible soils, water runoff issues downstream, floodplain, wetlands, specimen trees, etc.?**

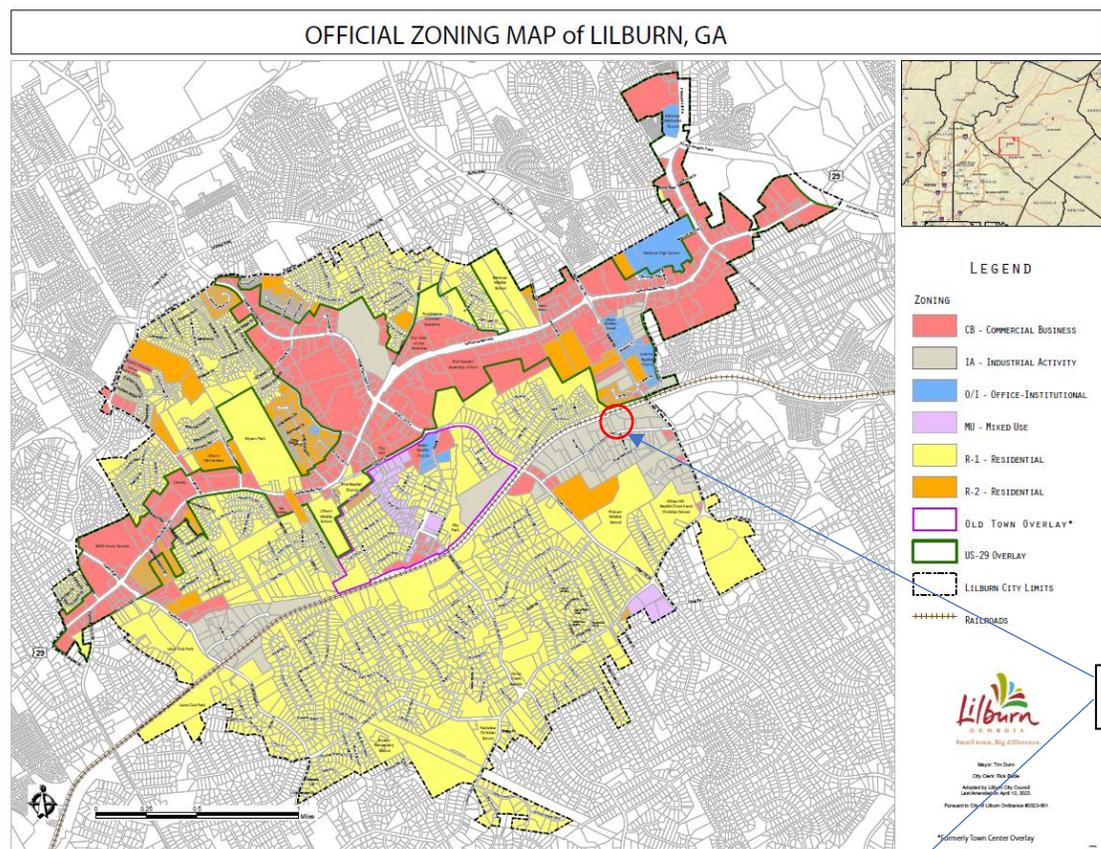
There is flood plain and a state protected stream located on the subject property. The topography of the lot slopes towards the stream and protection of the stream from adverse impacts of the business activities on the parcel shall be a paramount concern. Conditions have been recommended to ensure that preservation of these sensitive environmental features is achieved.

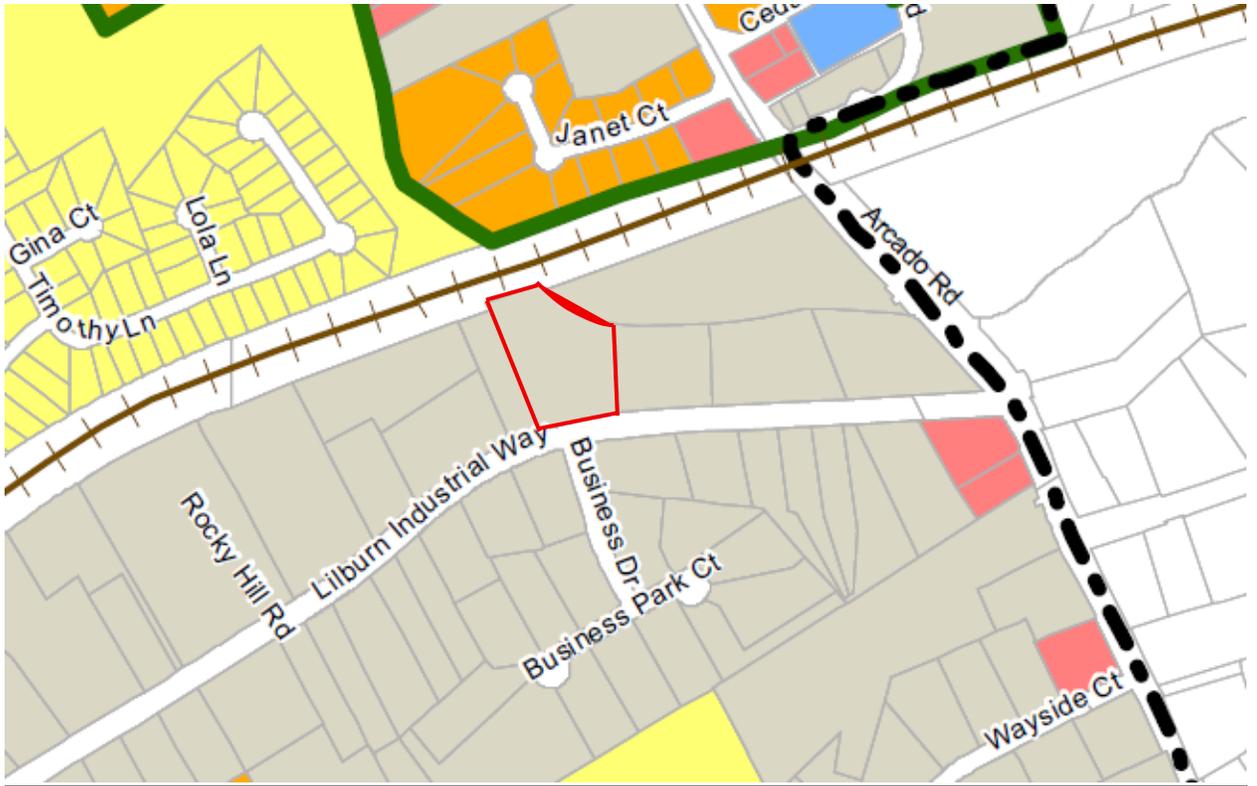
Based upon the above criteria for Special Use Permits and *Section 1003-7. Criteria for amendments to official zoning map*, staff recommends **APPROVAL** of the SUP request to allow for Bulk Container Storage with Conditions on the lot due to lack of sewer infrastructure to bring about substantial redevelopment. Should the Planning Commission choose to Approve the request, staff recommends the **following conditions**:

1. Only dumpsters may be stored on the lot, per the use proposed in the application. All dumpsters shall have a drain plug installed in good working condition, subject to city inspections.
2. Materials stored on the site shall not be hazardous in nature, and dumpsters shall be empty while stored on site.
3. The site shall be developed to the standards set forth in the Lilburn Development Regulations and all Floodplain and Stormwater requirements shall be met prior to occupancy to ensure protection of the stream from stormwater discharges or adverse impacts caused by development of the lot. Should there be any violation of the Floodplain or Stream Buffer Protection Ordinance or any other environmental ordinance in the city's code of Ordinances, the SUP shall terminate upon issuance of a citation by Code Enforcement.
4. The use of gravel as a parking surface shall be permitted, though new gravel shall be required prior to business license issuance. All gravel on the lot shall be contained by a border preventing displacement outside the approved storage area as shown on City approved development plan.
5. There shall be a 10' landscaping strip along the front property line along the ROW of Lilburn Industrial Road. Plantings shall be consistent with the requirements of the U.S. 29 Overlay landscape strip requirements.
6. A 6'(foot) wooden privacy fence shall be required around the area of business operations to ensure screening of the dumpsters from the ROW and to ensure business activities do not take place within the stream buffers or floodplain on the property. The fence shall be placed behind the landscape strip along the Lilburn Industrial Road frontage and stained on both sides.

7. All Landscaping to be installed within 90 days of Council approval of the Special Use Permit and warrantied for 12 months from the date of installation.
8. Should the Occupational Tax Certificate lapse for six months or longer, the use shall be considered discontinued and the SUP shall terminate.
9. The applicant shall be required to re-apply for the Special Use Permit five years from the date of council approval, a complete application for continuance of the SUP shall be furnished to the department of Planning 90 days before expiration of the SUP. Should the applicant fail to reapply for the SUP within the specified time period, the SUP shall expire and all business activities on the lot shall cease.
10. Dumpsters shall not be visible from the ROW.

## City of Lilburn Zoning Map





**GIS Aerial Parcel Map with View of the Subject Site**



# Site Survey/Plan

