

CITY OF LILBURN
PUBLIC HEARING ITEM 1

Date:	September 4, 2018	To:	Mayor and Council
From:	Doug Stacks	Department:	Planning & Econ Dev't
Work Session Date:	September 10, 2018	Presenter:	Doug Stacks
Agenda Title:	RZ-2018-02 from CB, Commercial Business to IA, Industrial Activity to allow the auto service, repair, and tow service, and the overflow parking area as short term impound lot on approximately 4 acres of property at 313 Luxomni Road, being identified as Tax Parcels R6150 004.		
Audio/Visual Req'ts:		Meeting Date:	September 10, 2018
Agenda Item (Background/History/Details):			
<p>ZONING HISTORY</p> <p>The subject property is commercially zoned with SUP and history of auto service uses. It was re-developed in 2014 as an auto auction center with 12,400+/- s.f. building to be utilized for office and warehouse space, and an expansion of the same owner's nearby auto sales business. The proposed additional auto related uses require IA zoning and <i>location compatibility review</i>.</p> <p>APPLICANT'S INTENT</p> <p>The property owner intends to lease the inventory/overflow parking area and first floor building space to a full service auto center including repair, towing and impound lot. For additional detail, see applicant's letter of intent and supplemental information (PC meeting minutes).</p> <p>ANALYSIS OF REZONING REQUEST</p> <p>The subject property is within the US 29 Commercial Corridor with 188+ feet of road frontage on Luxomni Road. The surrounding zoning is made up of CB (restaurants and a variety of retail businesses including auto sales and tire service), as well as O-I and IA zoning (Church property). Along Luxomni Road there are several properties zoned IA that include a tow/wrecker service business and heavy commercial truck assembly facility, that pre-exist the US 29 Overlay.</p> <p>According to the Zoning Ordinance <i>405-1 Purpose and intent</i>. The purpose of the IA district is twofold: <i>to provide suitable areas for service-oriented business, and industrial operations and processes integrated with office and/or showroom uses, and related ancillary retail and service activities, with a minimum of interference from traffic and conflicting uses; and to provide and protect areas for processing, fabricating, manufacturing, warehousing, and research industrial uses which do not create noise, odor, smoke, vibration, dust or other emissions and which do not possess other objectionable characteristics that might be detrimental to surrounding neighborhoods or other uses permitted in the district.</i></p> <p>The building was constructed in accordance with US 29 Overlay requirements, with rear service bay access and natural buffers 5-30' in width that screen the inventory parking area from public right of ways. But a towing service and impound lot cannot be accommodated in CB district and tow service with any term auto storage requires Industrial Activity zoning, supplemental screening from public view, and location compatibility review. With all service and repair work kept inside the building, the site could be conditionally approved to accommodate the proposed uses.</p> <p>Based upon the <i>Criteria for Amendments to the Official Zoning Map</i>, and the above considerations, the Planning Commission recommended APPROVAL of the request for rezoning to IA with Conditions of RZ-2018-02 as follows:</p>			

1. Inoperable vehicles, damaged vehicles and vehicles awaiting repair shall be enclosed in the building or within the impound parking area and screened from public view. Vehicles leaking fluids shall be stored in the building with approved oil/grit separator.
2. No body or paint repair or major vehicle overhaul/conversions.
3. No dismantling or salvage.
4. Any manufacturing, processing, assembly, fabrication, servicing (*including washing of vehicles*), and repair operations are carried out within an entirely enclosed building. (per *Table 4.4 Design Criteria for nonresidential Zoning Districts*)
5. Tow service impound parking area shall be designated behind the building and shall be screened from view from all public rights of way. Existing vegetated buffers include 20' side buffer adjacent to CB zoning, 25' rear buffer adjacent to OI zoning along the rear property line (west), and 10'-20' side buffer adjacent to IA zoning, and shall be preserved to visibly screen the impound lot from view. No reduction of or encroachment into buffers shall be permitted without plan approval by the Planning & Economic Development Department, showing minimum zoning buffers and installation of opaque privacy fence, minimum 8' in height.
6. Tow service impound parking area shall be secured with fencing minimum 6' in height with gate to access the stormwater management facility per the BMP Access Easement Agreement. If chain link fence is utilized, it shall be vinyl coated black, brown or green in color.
7. Building and site must comply with Gwinnett County sanitary sewer regulations as adopted by City of Lilburn.

Staff Recommendation:		
Staff recommends: "A motion to approve Ordinance No. 2018-524 approving RZ-2018-02 with conditions."		
Department Head Approval:		
Mayor's Signature Required:	YES	NO
List Attachments:		
<ol style="list-style-type: none"> 1. Application 2. Staff Report 3. Planning Commission Draft Meeting Minutes and supplement provided by applicant 4. Legal Ad 5. Ordinance #2018-524 		