



LAWRENCEVILLE

Planning & Development

SPECIAL USE PERMIT

CASE NUMBER: SUP2025-00100

OWNER: FOUNDATION TECHNOLOGIES, INC.

APPLICANT: R. DUANE HAWK

LOCATION(S): 738 AND 750 SCENIC HIGHWAY

PARCEL ID(S): R5108 005, R5108 005A, AND R5108 006

APPROXIMATE ACREAGE: 3.80 ACRES

CURRENT ZONING: HSB (HIGHWAY SERVICE BUSINESS DISTRICT)

ZONING PROPOSAL: OUTDOOR STORAGE – RETAIL / BOAT AND MARINE EQUIPMENT SALES AND SERVICE

PROPOSED DEVELOPMENT: POWERSPORTS/MARINE SALES AND SERVICE

DEPARTMENT RECOMMENDATION: **DENIAL**

VICINITY MAP





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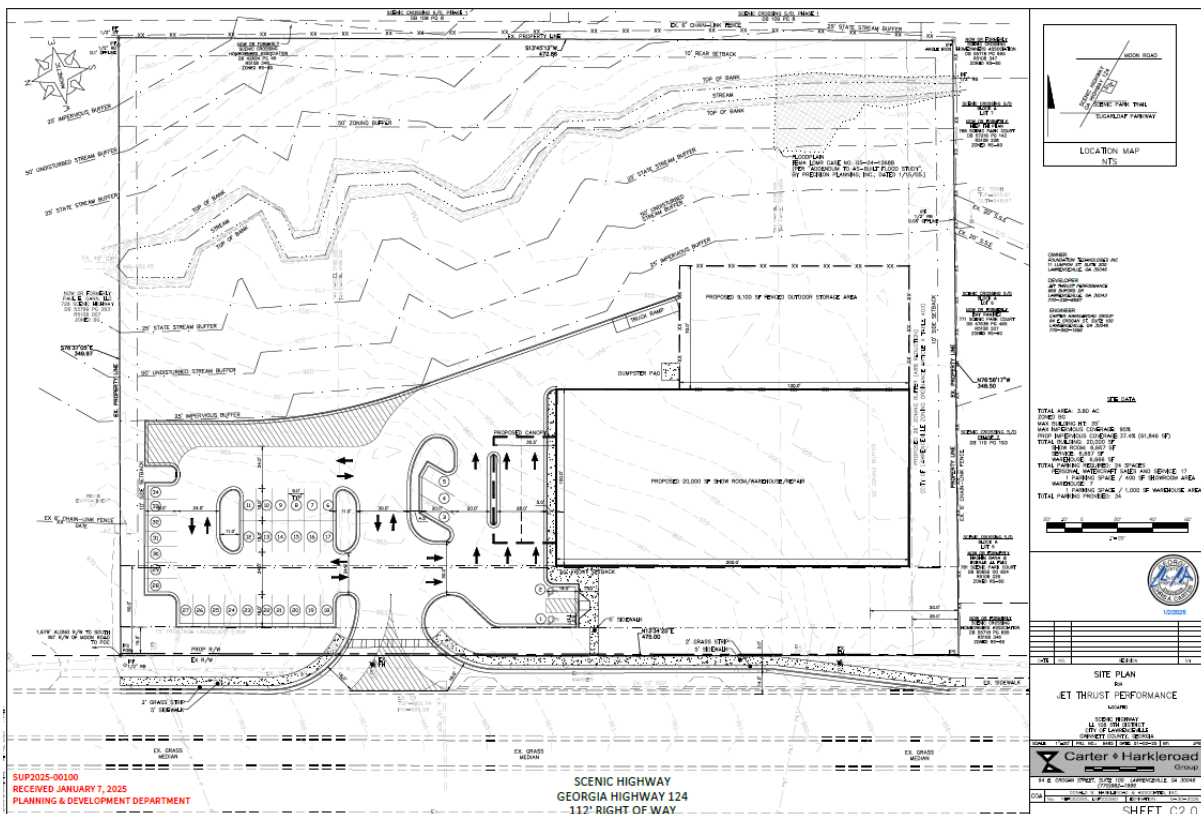
ZONING HISTORY

The earliest zoning records on file for the subject property are from 1971, which shows it as being included within the RS-120 (Single-Family Residential) zoning district. Circa 1985, the property was rezoned to HSB (Highway Service Business District); it remains zoned as such to this day.

PROJECT SUMMARY

The applicant requests a Special Use Permit for 738 and 750 Scenic Highway to allow Outdoor Storage and Boat and Marine Equipment Sales and Service for a proposed personal watercraft sales and service business on the subject property. The subject property consists of three parcels with a cumulative area of approximately 3.80 acres zoned HSB (Highway Service Business District), located along the eastern right-of-way of Scenic Highway, between its intersections with Channel Drive and Scenic Park Trail.

PROPOSED SITE PLAN





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ZONING AND DEVELOPMENT STANDARDS

The subject property is currently vacant and undeveloped. The applicant proposes development of an approximately 20,000 square-foot one-story retail/warehouse structure consisting of 6,667 square feet of show room space, 6,667 square feet of service area, and a 6,666 square foot warehouse space. The proposed use is a personal watercraft sales and service business with accessory outdoor storage in a fenced area in the rear of the property. The proposed development includes thirty-four (34) parking spaces, a deceleration lane/curb cut along northbound Scenic Highway, and a sidewalk and 15' landscape strip along the property's frontage.

The proposal is subject to the following lot development standards and parking/buffer requirements:

Article 1 Districts, Section 102.15, B. Lot Development Standards

| <i>Standard</i> | <i>Requirement</i> | <i>Proposal</i> | <i>Recommendation</i> |
|------------------------------------|-----------------------|------------------------|-----------------------|
| Minimum Lot Area | <i>10,000 sq. ft.</i> | <i>165,528 sq. ft.</i> | <i>NA</i> |
| Minimum Lot Width | <i>70 feet</i> | <i>475 feet</i> | <i>NA</i> |
| Minimum Front Yard Setback | <i>50 feet</i> | <i>50 feet</i> | <i>NA</i> |
| Minimum Rear Yard Setback | <i>10 feet</i> | <i>10 feet</i> | <i>NA</i> |
| Minimum Side Yard Setback | <i>10 feet</i> | <i>10 feet</i> | <i>NA</i> |
| Impervious Surface Coverage | <i>75%</i> | <i>37.4%</i> | <i>NA</i> |
| Maximum Building Height | <i>45 feet</i> | <i>35 feet</i> | <i>NA</i> |

Article 1 Districts, Section 103.2 Use Table

| <i>Standard</i> | <i>Requirement</i> | <i>Proposal</i> | <i>Recommendation</i> |
|--|---------------------------|---------------------------|-----------------------|
| Outdoor Storage | <i>Special Use Permit</i> | <i>Special Use Permit</i> | <i>Denial</i> |
| Boat and Marine Equipment Sales and Service | <i>Special Use Permit</i> | <i>Special Use Permit</i> | <i>Denial</i> |



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Article 2 Supplemental and Accessory Use Standards, Section 200.3, Subsection 200.3.52 Outdoor Storage (Retail) reads as follows:

In non-residential zoning districts (other than industrial), outdoor storage of equipment, materials and/or merchandise shall be subject to approval of a Special Use Permit.

Article 4 Buffers, Section 403 Buffers Table

| <i>Standard</i> | <i>Requirement</i> | <i>Proposal</i> | <i>Recommendation</i> |
|------------------|--------------------|-----------------|-----------------------|
| HSB/BG | 0 ft | 0 ft | N/A |
| HSB/RS-60 | 85 ft | 26 ft | Buffer Reduction |

Article 5 Parking, Section 508 Number of Off-Street Parking Spaces Required, Table 5-3

| <i>Standard</i> | <i>Gross Square Footage¹</i> | <i>Requirement</i> | <i>Proposal</i> | <i>Recommendation</i> |
|--|---|--------------------------------------|-------------------------------------|-----------------------|
| Boat and Marine Equipment Sales and Service | 13,334 GSF | 1 space per 1,000 GSF (13 spaces) | 1 space per 500 GSF (27 spaces) | N/A |
| Warehousing | 6,666 GSF | 1 space per 1,000 GSF (7 spaces) | 1 space per 1,000 GSF (7 spaces) | N/A |
| Total | 20,000 GSF | 20 spaces | 34 spaces | N/A |

¹ GSF – Gross Square Footage

The specific variance required is as follows:

- A variance from the Zoning Ordinance, Article 4 – Buffers, Section 403 – Buffers Table – to allow a sixty-nine percent (69%) reduction of minimum buffer requirements between dissimilar zoning classifications (HSB and RS-60) (Scenic Crossing subdivision) from eighty-five feet (85 ft.) to twenty-six feet (26 ft.).

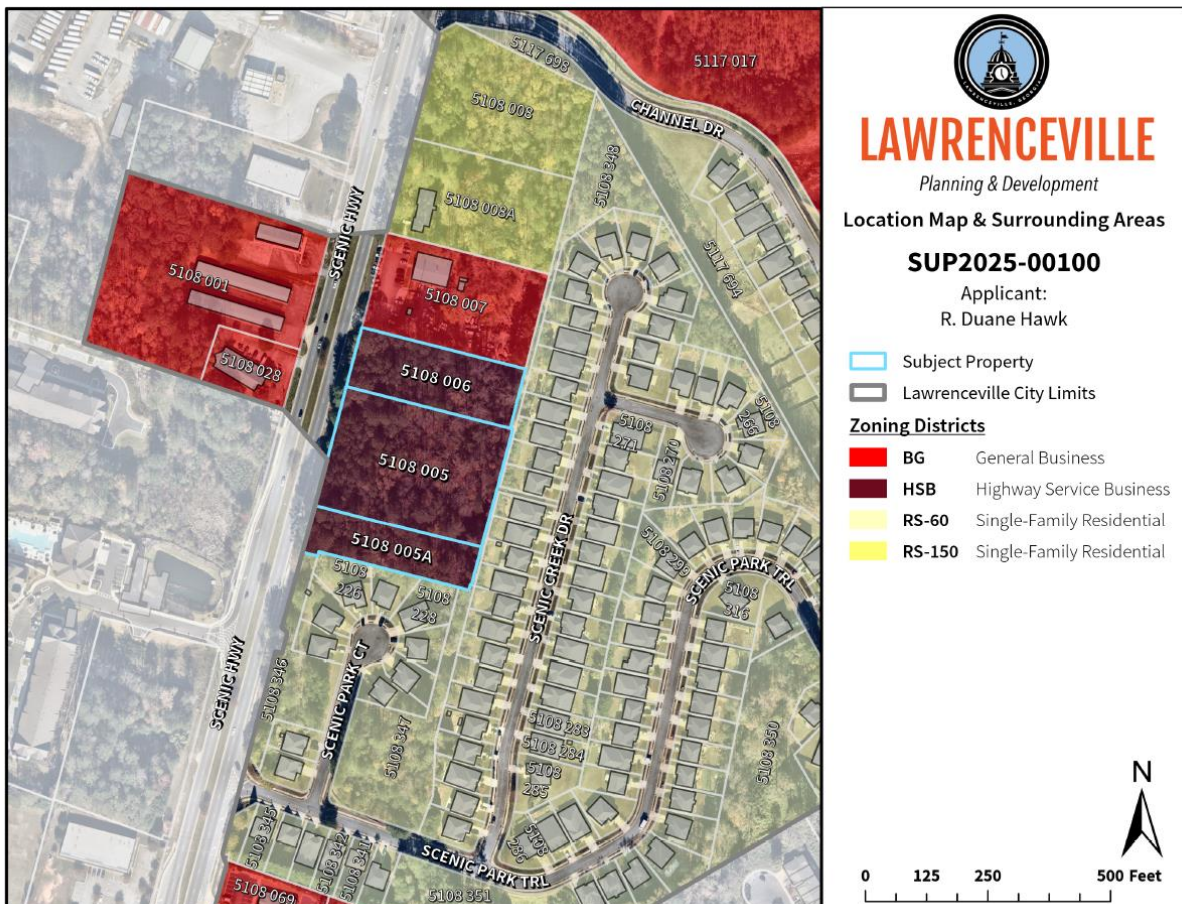


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The proposal otherwise satisfies the minimum requirements and lot development standards for HSB (Highway Service Business) zoning district.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



SURROUNDING ZONING AND USE

The immediate surrounding area consists primarily of commercial/retail uses and zoning districts directly on Scenic Highway, with single-family residential uses and zoning districts in the surrounding areas. The properties to the immediate north of the subject property and across the right-of-way of Scenic Highway are zoned BG (General Business District) and are used as an auto service garage, self-storage warehouses, and commercial offices. The properties to the immediate east and



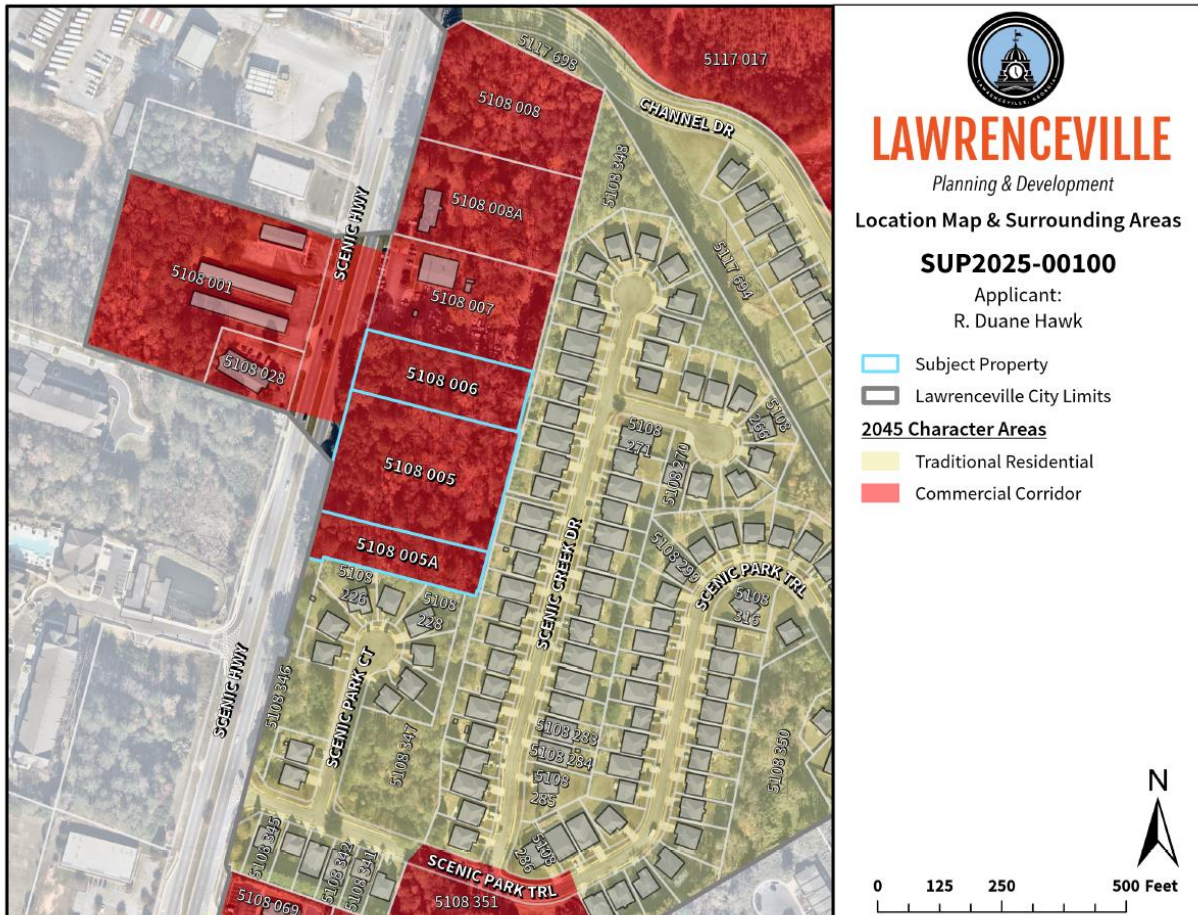
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south of the subject property are zoned RS-60 (Single-Family Residential District), single-family dwellings part of the Scenic Crossing residential subdivision. Otherwise, the unincorporated property to the west/southwest of the subject property is zoned Gwinnett zoning district RM-13 (Multi-Family Residence), location of the newly-developed Madison Trails apartment complex.

Considering the property's adjacency to existing single-family residential neighborhoods, the proposed use may not be appropriate for this location.

LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP





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2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan and Future Development Map indicate the property lies within the Commercial Corridor Character Area. The commercial corridor character area corresponds to a major road corridor into the city. It is intended to accommodate large-scale commercial uses that serve the traveling public via automobiles. These uses include, but are not limited to, ‘big box’ retail stores, car dealerships, car washes, and large corporate offices. All such uses require careful site planning to ensure interconnectivity and compliance with applicable parking, lighting, landscaping, and signage standards. Commercial corridors are typically less pedestrian-oriented than neighborhood and community centers. The proposed request for outdoor storage may not be compatible with the intent of the 2045 Comprehensive Plan.

STAFF RECOMMENDATION

In conclusion, the proposal is inconsistent with the established zoning and land use patterns in the immediate area and the long-term vision established in the City’s 2045 Comprehensive Plan. Approval of this request would necessitate significant text amendments to the City of Lawrenceville Zoning Ordinance. Additionally, the City Council has demonstrated its stance through the denial of similar requests, as indicated below. Examples include:

1. **CIC2020-00006** – A request to change the zoning conditions to allow outdoor storage at 420 Grayson Highway, zoned BG. Denied by City Council on December 16, 2020.
2. **SUP2021-00044** – A request to allow outdoor storage as a Special Use for the storage of tractor-trailers and recreational vehicles at 533 & 543 John Connor Court, zoned LM. Denied by City Council on May 24, 2021.
3. **SUP2022-00074** – A request to allow outdoor storage as a Special Use for outdoor automobile sales at 125 Park Access Drive, zoned BG. Denied by City Council on November 16, 2022.
4. **SUP2022-00076** – A request to allow outdoor storage as a Special Use for outdoor automobile sales at 108 McConnell Drive, zoned BG. Denied by City Council on December 14, 2022.



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5. **SUP2023-00082** – A request to allow outdoor storage as a Special Use for a plumbing materials distribution facility at 125 Park Access Drive, zoned BG. Denied by City Council on October 23, 2023.
6. **SUP2024-00096** - A request to allow outdoor storage as a Special Use for outdoor storage and repair at 1154 Lawrenceville Highway, zoned BG. Denied by City Council on January 29, 2025.
7. **SUP2024-00097** - A pending request to allow outdoor storage as a Special Use for outdoor storage and repair at 905 Grayson Highway, zoned BG. Planning & Development recommends denial, to be heard by City Council on February 24, 2025.

Given the aforementioned factors as well as the precedent for denial of such requests (especially in non-industrial areas), the Planning and Development Department recommends the **DENIAL** of this request.



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CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

Lawrenceville Power serves this property.

GAS DEPARTMENT

No comment

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment



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STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

As proposed, the plan would not be suitable given the precedent established by the City Council relating to outdoor storage in the general vicinity.

- 2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

Antiquated policies have adversely affected the economic stability of the City of Lawrenceville. Therefore, the City Council has taken the initiative to make decisions that are consistent with the policies relating to the long-range plans for the immediate area for the City to flourish.

- 3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has reasonable economic use as currently zoned.

- 4. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

Impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts may be mitigated with appropriate conditions, site development requirements, and planning.

- 5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

No; industrial uses were not identified as a priority for the Commercial Corridor character area.

- 6. 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;**



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There is a precedent for denial of such Special Use Permits in commercially zoned properties; see CIC2020-00006, SUP2021-00044, SUP2022-00074, SUP2022-00076, SUP2023-00082, and SUP2024-00096.



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RECOMMENDED CONDITIONS

NOTE: The following conditions are provided as a guide should the City Council choose to approve the petition of this request.

SUP2024-00100

Approval of Special Use Permits to allow Outdoor Storage of equipment and Boat and Marine Equipment Sales and Service, subject to the following enumerated conditions:

1. To restrict the use of the property as follows:

- A.** Highway Service Business uses, which may include the Outdoor Storage of equipment and Boat and Marine Equipment Sales and Service. Repairing of equipment shall be limited to the interior of the existing structure.
- B.** Outdoor storage shall be limited to the areas shown on the submitted architectural plans titled “Jet Thrust Performance” prepared by “Carter – Harkleroad Group”, dated January 2, 2025. Outdoor repair of equipment shall be prohibited.
- C.** A Showroom/Service/Warehouse facility not exceeding 20,000 square feet in gross floor area.
- D.** The design of the façades shall be clad in brick. Final designs shall be subject to the review and approval of the Director of the Planning and Development Department.
- E.** No tents, canopies, temporary banners, streamers, or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-twirlers, or sign walkers shall be prohibited.
- F.** Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.



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- G.** The owner shall repaint or repair any graffiti or vandalism that occurs on the property within seventy-two (72) hours.
 - H.** The Special Use Permit shall be specific to operation of Jet Thrust Performance (Applicant) on the subject property, and in the event of a transfer, this Special Use Permit shall expire. The Applicant shall notify the City's Planning and Development Department within thirty (30) days of transfer of property ownership and operation.
 - I.** In the event that the property is issued three (3) citations by the City's Code Enforcement Department within one (1) year, 365-day period, this Special Use Permit shall be revoked.
 - J.** The Special Use Permit shall be limited to a period of two years, at which time the use shall cease, or an application made for renewal.
- 2. To satisfy the following site development considerations:**
- A.** The design and location of the proposed structures shall be in general accordance with the architectural plans titled "Jet Thrust Performance" prepared by "Carter – Harkleroad Group", dated January 2, 2025, with changes necessary to meet conditions of zoning, requirements of the Zoning Ordinance and/or Development Regulations, and other minor adjustments subject to final approval by the Director of Planning and Development.
 - B.** Provide a minimum of five-foot wide (5 ft.) concrete sidewalk adjacent to the public right-of-way along Scenic Highway. Required five-foot wide (5 ft.) concrete sidewalk shall be a minimum of two feet (2 ft.) from the required back-of-curb.
 - C.** All outdoor storage shall be limited to the enclosed area to the rear of the subject property. Outdoor storage shall be prohibited within the boundaries of any easements or buffers.
 - D.** Provide a chain link fence with slats at a minimum height of six feet (6 ft.). The slats and chain link fence shall be coated in durable black or dark green vinyl.
 - E.** The fence shall provide effective screening to neighboring properties,



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especially where the fence faces a public right-of-way (e.g., roads, sidewalks) or neighboring properties that might otherwise have direct sightlines into the property.

- F.** The required fencing shall not contain any signage and shall be always maintained and in good repair. All fencing and screening shall be subject to review and approval by the Director of Planning and Development.
- G.** All grassed areas shall be sodded.
- H.** Underground utilities shall be provided throughout the development.
- I.** Natural vegetation shall remain on the property until the issuance of a development permit.
- J.** Provide a minimum fifteen-foot (15 ft) wide Landscape Strip along the right-of-way of Scenic Highway. The landscaping shall provide an opaque year round visual screening at a minimum height of six feet. The final design shall be subject to the review and approval of the Director of Planning and Development.
- K.** Landscape Strips shall be planted with one (1) Overstory Tree, one (1) Understory Tree, eighteen (18) Evergreen Shrubs, eighteen (18) Ornamental Grasses and eighteen (18) Ground Coverings per one hundred (100 ft.) of road frontage along John Conner Court. Driveway widths and other ingress and egress areas may be subtracted from the landscape strip lineal feet calculation. Landscape Plans shall be subject to the review and approval of the Director of Planning and Development.
- L.** Planted Conifer and Evergreen trees shall be at least six feet in height at time of planting.
- M.** Planted Deciduous trees shall be at least three inches caliper at time of planting.
- N.** Ornamental Grasses and Ground Covering shall be a minimum size of one-gallon container at time of planting with a minimum height of one foot.
- O.** Preserved Trees may be counted toward fulfilling the tree requirement



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within the twenty-five-foot (25 ft.) Landscape Strip. Bradford Pear, Gingko (Female), Loblolly, Longleaf, Shortleaf, Slash Pine(s) shall be considered unacceptable trees.

- P.** Fencing, landscaping and outdoor storage parking shall not be located within a drainage easement, pipeline easement or sanitary sewer easement.
- Q.** During construction, a five-foot (5 ft.) Construction Tree and Landscape Setback shall be maintained, as measured horizontally, from the outermost perimeter of areas delineated as Floodplain, Landscape Strips, Stream Buffers, or Undisturbed Wetlands.
- R.** A five-foot (5 ft.) Construction Setback shall terminate with the issuance of a Certificate of Completion, Development Conformance, and/or Occupancy.
- S.** Exit/entrance design and location shall be subject to review and approval of the City Engineer.
- T.** Ground signage shall be limited to monument-type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot-high brick base, complementing the building's architectural treatment. The brick base shall extend at least the full width of the sign cabinet, and the sign cabinet shall be fully recessed and surrounded by the same materials. Ground sign(s) shall not exceed 6 feet in height.
- U.** Lighting shall be contained in cut-off type luminaries and shall be directed toward the property so as not to shine directly into adjacent properties or public right-of-way.
- V.** Dumpsters shall be screened by solid masonry walls matching the building, with an opaque metal gate enclosure.
- W.** Prior to the issuance of a Certificate of Completion the new structures shall be in compliance with the rules and regulations of applicable International Building Code (IBC).

3. The following variances are requested:



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- A. A variance from the Zoning Ordinance, Article 4 – Buffers, Section 403 – Buffers Table – to allow a sixty-nine percent (69%) reduction of minimum buffer requirements between dissimilar zoning classifications (HSB and RS-60) (Scenic Crossing subdivision) from eighty-five feet (85 ft.) to twenty-six feet (26 ft.).