

**CITY OF PEACHTREE CORNERS  
COMMUNITY DEVELOPMENT DEPARTMENT**

**REZONING ANALYSIS**

PLANNING COMMISSION DATE: NOVEMBER 9, 2023

CITY COUNCIL DATE: DECEMBER 12, 2023

CASE NAME: **QUIKTRIP JIMMY CARTER BLVD & CASH CT**

CASE NUMBER: **RZ2023-001 / V2023-001**

CURRENT ZONING: M-1

LOCATION: 6330 CASH CT

MAP NUMBERS: 6<sup>th</sup> DISTRICT, LAND LOT 275

ACREAGE: 1.82 ACRES

PROPOSED DEVELOPMENT: REZONING OF 1.82 ACRES FROM M-1 TO C-2 WITH ASSOCIATED VARIANCES TO ALLOW FOR A GAS STATION AND CONVENIENCE STORE

CHARACTER AREA MAP: EMPLOYMENT CORRIDOR

APPLICANT: QUIKTRIP CORP  
925 OLD PEACHTREE RD  
LAWRENCEVILLE GA 30043

CONTACT: SHAUN ADAMS  
678-690-5732

OWNER: ACRE CASH CT LLC  
3715 NORTHSIDE PKWY, BLDG 400, STE 515  
ATLANTA GA 30327

**STAFF RECOMMENDATION: APPROVE WITH CONDITIONS**

**PLANNING COMMISSION  
RECOMMENDATION: DENY**

**UPDATE:**

At the Planning Commission hearing, there were no speakers in support or opposition to this request.

There was discussion amongst the Planning Commissioners, focusing on the topic of whether a gas station was an appropriate use for a gateway parcel of land along one of the city's important redevelopment corridors. After consideration, a motion was made to deny the request. This motion passed on a vote of 3-2 (Willis, Stephens) by the Planning Commission.

**SUMMARY:**

The applicant is requesting the rezoning of 1.82 acres from M-1 (Light Industry District) to C-2 (General Business District) to develop a new QuikTrip gas station with convenience store.

The applicant is also requesting variances to allow for an increase in the size of gas canopy signage from 8 square feet to 14 square feet and a reduction in the 10' landscape strip along the southeastern property line and a portion of the southwestern property line.

The property is currently an unutilized parking lot which was formerly part of the now-closed NitroZone indoor recreation center. This 1.82-acre portion of the larger NitroZone property was subsequently subdivided and is now being pursued for development by QuikTrip.

The property is located at the corner of Jimmy Carter Boulevard and Cash Court, a small, dead-end street. A traffic signal exists along Jimmy Carter Boulevard at an existing driveway which will serve the property at its other corner.

The site plan submitted by the applicant indicates three points of entry into the gas station property. One point of access is shown from the driveway which accesses the Jimmy Carter Boulevard traffic signal. Another is along Cash Court which provides right-in/right-out traffic movement onto Jimmy Carter Boulevard. A third is a minor access between the gas station property and the adjoining former NitroZone property.

All properties surrounding the subject property are zoned M-1 (Light Industry). Across Jimmy Carter Boulevard is the city of Norcross whose properties are zoned CX (Community Mixed Use).

The subject property is located within the Employment Corridor Character Area on the Peachtree Corners Character Area Map. This area encourages retail uses at major intersections.

The applicant held a community meeting on September 27, 2023 and there were no members of the public in attendance. However, the applicant does have a letter of support from the new business and property owner occupying the former NitroZone property.

**ZONING HISTORY:**

The much larger area that includes this property was rezoned to M-1 by Gwinnett County in 1972. In 2003, this property and the adjacent former NitroZone were the subject of a county approval for a special use permit to allow for a wholesale membership warehouse club (BJ's). After BJ's closure, the property became Slingshot indoor recreation center before its final iteration as NitroZone. After NitroZone closed, the property was vacant and a portion of it was subdivided from the larger parcel. That smaller parcel is the subject site.

**ZONING STANDARDS:**

Zoning Code Section 1702 identifies specific criteria that should be evaluated when considering a zoning decision. These criteria are enumerated as 'A' through 'F', below. Following each item is the applicant's response followed by Staff's comment.

**A. Will this proposed rezoning, special use permit, or change in conditions permit a use that is suitable in view of the use and development of adjacent and nearby property?**

Applicant's Response: The proposed rezoning will permit a use that is suitable, and similar, in view of the adjacent and nearby uses. Further the proposal will provide a needed and convenient service for existing traffic on Jimmy Carter Blvd heading eastbound towards Buford Hwy.

Staff Comment: This property is located in the Employment Corridor in the Character Area Map and the proposed use is in alignment with the plan.

**B. Will this proposed rezoning, special use permit, or change in conditions adversely affect the existing use or usability of adjacent or nearby property?**

Applicant's Response: The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. Rather, the proposal will activate underutilized parking and provide a convenient neighborhood serving commercial use for adjacent and nearby properties within the city.

Staff Comment: A gas station and convenience store is not out of character with existing development pattern of the area or the nature of the Employment Corridor area.

**C. Does the property to be affected by a proposed rezoning, special use permit, or change in conditions have reasonable economic use as currently zoned?**

Applicant's Response: The proposed development seeks to activate underutilized parking on a portion of the Property that does not have reasonable economic use under the current M-1 zoning district.

Staff Comment: The site has a reasonable economic use as currently zoned.

**D. Will the proposed rezoning, special use permit, or change in conditions result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?**

Applicant's Response: The Subject Property is in an appropriate location for the proposed development, which is surrounded by similar retail, industrial, and other higher intensity uses. The Applicant's request would be a down zoning from the existing light industrial zoning classification (M-1), resulting in little to no impact to the surrounding properties or schools. The Subject Property sits on a major thoroughfare with multiple outlets with easy access to north and southbound state routes and access to sewer.

Staff Comment: Given the access points are along and just off a major roadway, it is unlikely that transportation facilities would be overburdened by the proposed development. According to the trip generation analysis submitted by the applicant's engineer, the QuikTrip use is expected to generate 996 new daily vehicle trips, whereas NitroZone generated 3,279 new trips. This shows a substantial reduction in vehicular traffic compared to the previous use.

**E. Is the proposed rezoning, special use permit, or change in conditions in conformity with the policy and intent of the land use plan?**

Applicant's Response: The proposed rezoning will be in conformity with the policy and intent of the land use plan. The proposed rezoning is consistent with the 2045 Comprehensive Plan designation of Employment Corridor. The City's 2045 Comprehensive Plan describes the Employment Corridor character area as "the ideal location for diverse employment and revenue generating businesses, both professional and industrial, along attractive gateway thoroughfares." It further states that the City will promote adaptive reuse and redevelopment of vacant or underutilized properties, which is the case with the proposed development.

Staff Comment: See Comprehensive Plan heading below.

**F. Are 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 proposed rezoning, special use permit, or change in conditions?**

Applicant's Response: The Property's location along the eastbound side of Jimmy Carter Blvd and Cash Court is well-suited for the proposed project. Further, the adjacent industrial building is being redeveloped for office use which requires less parking, thus leaving the Property as underutilized impervious surface area. The proposed project will allow for redevelopment of the underutilized space in accordance with the policy and intent of the 2045 Comprehensive Plan.

Staff Comment: The City's Comprehensive Plan envisions small retail uses at major intersections in the Employment Corridor. This small infill development is at an existing signalized intersection and is less than 500 feet from Jimmy Carter Boulevard's major interchange with Peachtree Industrial Boulevard.

**COMPREHENSIVE PLAN:**

The Peachtree Corners Comprehensive Plan lists the subject property in the Employment Corridor Character Area. This area encourages a wide range of uses, including small retail development at existing retail sites or major intersections.

The plan also states that the City will "promote reuse and redevelopment of vacant and underutilized properties." Given the disused nature of the parking lot on the subject property and the proposal's alignment with appropriate uses, a QuikTrip fits into the vision of the Employment Corridor.

**DEPARTMENT ANALYSIS:**

The property is located on the south side of Jimmy Carter Boulevard at the corner of Cash Court, approximately 500 feet from the intersection of Peachtree Industrial Boulevard.

The Peachtree Corners Comprehensive Plan shows the property located in the Employment Corridor Character Area, indicating that the location is desirable for uses which include small retail at major intersections. Additionally, the plan encourages the redevelopment of underutilized parcels of land such as this subject property.

The applicant submitted architectural elevations as part of the rezoning request which show attractive brick designs which meet the requirements of the Activity Center/Corridor Overlay District.

**RECOMMENDATION:**

**After review of the applicant 's proposal and other relevant information, it is recommended that RZ2023-001 / V2023-001 be approved with the following conditions:**

1. The property shall be rezoned from M-1 to C-2 and variances shall be granted to increase the size of gas canopy signage from 8 square feet to 14 square feet and to reduce the required 10' landscape strip along the southeastern property line and a portion of the southwestern property line as shown on the site plan submitted with this application, prepared by CHA and dated 7/13/2023.

2. Building and gas canopy elevations shall be in substantial compliance with those submitted with this application by QuikTrip dated 8/28/2023, with any necessary alteration to ensure compliance with the Activity Center/Corridor Overlay standards.
3. A land disturbance permit is required to develop property.
4. Gwinnett Department of Water Resources approval is required for water and sanitary systems.
5. Both frontage landscape strips are required to be fully landscaped per ordinance and may not be located within easements.
6. Stormwater management, including runoff reduction, is required.
7. Sidewalks are required along the public street frontages and leading from the public street into the site and to the building.
8. The dumpster shall be enclosed and gated and shall be built with materials to match the building.
9. A city gateway structure or public art feature, as approved by the Arts Council, shall be built and/or installed at the corner of Jimmy Carter Blvd. and Cash Court prior to the issuance of a Certificate of Occupancy for the building. This feature shall have a value of at least \$25,000 and shall occupy approximately 100 sq.ft. of space.