

**CITY OF SUWANEE
ANNEXATION & ZONING ANALYSIS**

CASE NUMBER: RZ-2013-004
REQUEST: M-1 (GWINNETT COUNTY LIGHT INDUSTRY DISTRICT) to M-1 (CITY OF SUWANEE LIGHT INDUSTRY DISTRICT)
LOCATION: 325 BROGDON ROAD
TAX ID NUMBER: 7-253-005
ACREAGE: 1.83 ACRES
EXISTING DEVELOPMENT: 14,000 SQUARE FOOT INDUSTRIAL BUILDING

APPLICANT/OWNER(S): ULTRAPURE PROPERTIES (JEFFREY SMITH/DENNIS LANE)
325 BROGDON ROAD
SUWANEE, GA 30024

CONTACT: DENNIS LANE **PHONE:** 770-932-0309

RECOMMENDATION: APPROVAL

The applicant is pursuing annexation of an approximately 1.83 acre tract into the City of Suwanee. The subject property is adjacent to the city limits and is located along Brogdon Road just north of Capital View Drive. The property is currently an unincorporated island surrounded by land located within the City of Suwanee or the City of Sugar Hill. In order to become a part of the City of Suwanee, the property must be rezoned to a City of Suwanee zoning district. In this case, the request is from Gwinnett County's M-1, Light Industry District to the City of Suwanee's M-1, Light Industry District. The site includes an existing 14,000 square foot building and is located at 325 Brogdon Road.

Georgia has annexation statutes that regulate the annexation and de-annexation of land within the state. There are several types of annexations delineated by these regulations. In this case, the proposed annexation is regulated by the *annexation of unincorporated islands totally surrounded by a city* method (O.C.G.A 36-36-90 through 92). This method allows municipal governing bodies the authority to annex unincorporated islands contiguous to their municipal limits. In this case, the requirements and restrictions are lesser since unincorporated islands are undesirable because they cause service delivery confusion. Annexation may occur simply from an act of the municipality. Once a resolution to annex the subject property is adopted by the municipality, notice must be served to the Georgia Department of Community Affairs and Gwinnett County. The City Council makes the decision to annex or not. The Planning Commission will only be voting to recommend the appropriate zoning district if the property is annexed.

ANALYSIS:

The subject property consists of approximately 1.83 acres of land located on the eastern side of Brogdon Road, just north of Capital View Drive. The site is developed with a 14,000 square foot office/warehouse building. The applicant does not propose any changes to the property. Access to the site is currently provided from Brogdon Road. The property includes 20 parking spaces which exceeds the minimum requirement of 16 according to the zoning ordinance.

The property is zoned Gwinnett County M-1 (Light Industry District) and is surrounded by land located within the City of Suwanee or within the City of Sugar Hill. The site is surrounded by industrial land uses located in buildings ranging from 15,000 square feet to over 100,000 square feet. To the north is an industrial/warehouse building in the City of Sugar Hill. To the east and south are industrial/warehouse buildings in the City of Suwanee, zoned M-1. To the west is undeveloped property located within the City of Sugar Hill.

Ultrapure Properties owns the property and operates Ultrapure Technologies which is the sole occupant of the existing building. The building is used as a warehouse and distribution center for the company which specializes in controlled environment products. The business has been located in this building since 2000. According to the applicant, they recently discovered that they are an unincorporated island property. After being approached by another municipality, the company decided to pursue annexation into the City of Suwanee.

Since the property is outside of the City limits, it is not shown on the City's Future Land Use Plan. However, adjacent properties within the City are recommended as industrial uses and Gwinnett County's Future Land Use Map recommends industrial uses for the property. The proposed M-1 zoning district is consistent with this designation. The City of Suwanee M-1 district is also the zoning district in the City that most closely resembles the County's M-1 zoning district.

As such, if the City Council chooses to annex the subject property, approval as M-1 would be the most suitable category. The Planning Department recommends **APPROVAL**.

Standards Governing Exercise of Zoning Power

Pursuant to Section 2006 of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the unrestricted use of property and shall govern the exercise of the zoning power therewith.

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

The proposed annexation and M-1 zoning would be suitable.

- B. Whether the zoning proposal will adversely affect the existing uses or usability of adjacent or nearby property;

The proposal would not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

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

The property is already developed, so approval of the request would not result in excessive or burdensome use of public facilities.

- E. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan;

The property is not in the City and is not shown on the City's Future Land Use Map. However, the proposed zoning is consistent with the existing zoning on the site and the Gwinnett County Future Land Use Map.

- F. 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.

The annexation of this land is important to ensure consistent service delivery. The M-1 zoning district is most consistent with the zoning of the property in unincorporated Gwinnett.