

Rezoning(s):
RZ-2017-002

**CITY OF SUWANEE
ANNEXATION & ZONING ANALYSIS**

CASE NUMBER: RZ-2017-002
AN-2017-001

REQUEST: M-1 (GWINNETT COUNTY LIGHT INDUSTRY DISTRICT) to M-1 (CITY OF SUWANEE LIGHT INDUSTRY DISTRICT)

LOCATION: 540 SATELLITE BOULEVARD

TAX ID NUMBER: 7-171-010

ACREAGE: 19.382 ACRES

EXISTING DEVELOPMENT: 35,000 SQUARE FOOT INDUSTRIAL BUILDING

PROPOSED DEVELOPMENT: 4 LIGHT INDUSTRIAL BUILDINGS TOTALING 67,000 SQUARE FEET.

APPLICANT/OWNER(S): INLAND SIMS
3405 MARTIN FARM ROAD STE, 100
SUWANEE, GA 30024

CONTACT: WAYNE RAFFIELD **PHONE:** 770-945-2883

RECOMMENDATION: **APPROVAL**

The applicant is pursuing annexation of an approximately 19.382 acre tract into the City of Suwanee. The subject property is adjacent to the city limits and is located along Satellite Boulevard northeast of the Smithtown Road/Sawmill Drive intersection. The property is currently in unincorporated Gwinnett County. When land is annexed into the City, the land must be zoned 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 property includes an existing 35,000 industrial building and gravel and paved parking areas. A portion of the building is already located within the Suwanee City limits. The applicant is proposing to develop 4 new buildings on the property that would total approximately 67,000 square feet.

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 by the 100% method* (O.C.G.A 36-36-20 through 23). The "100% method" means that all of the property owners of the parcels subject to annexation (in this case 1 owner and 1 property) have requested annexation. This method allows municipal governing bodies the authority to annex unincorporated parcels contiguous to their municipal limits. 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 19.382 acres of land located on Satellite Boulevard, just northeast of the Smithtown Road/Sawmill Drive intersection. The site is developed with a 35,000 square foot office/warehouse building, partially located on the subject 19 acres and partially located on the adjacent 8 acres located in the City limits. The majority of the property is gravel or undeveloped. The applicant plans to develop the site in the next few years with other office/warehouse buildings totaling approximately 67,000 square feet. The future buildings would be served by a private 24-foot-wide driveway. Currently, the only access to the site is provided from Satellite Boulevard.

The property is zoned Gwinnett County M-1 (Light Industry District) and is bordered by land located within the City of Suwanee to the north and west. The properties to the north are residential and zoned R-140. To the east is open space for neighborhoods in unincorporated Gwinnett County. To the south, across Satellite Boulevard, are industrial/warehouse buildings in unincorporated Gwinnett County which are zoned Gwinnett County M-1. To the west of the subject property, is an industrial property that includes part of the 35,000 square foot building that is part of the subject property.

It should be noted that the buildings located partially within 2 different jurisdictions causes service delivery issues (i.e. who responds to a 911 call from the building, who issues a building permit for any renovations). Bringing the property and all of the building into the City limits should clarify service delivery for the existing building.

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 office and industrial uses and Gwinnett County's Future Land Use Map recommends "preferred office" uses for the property. The proposed M-1 zoning district is consistent with this designation. The City of Suwanee M-1 district is the zoning district in the City that is most similar to the County's M-1 zoning district.

The proposed annexation would clarify service delivery for the building that is currently split by 2 jurisdictions. Bringing the property into the City as M-1 is the district that is most similar to the current zoning in the County and it is generally consistent with the City's future plans for the subject property. The County was notified of the proposed annexation and rezoning and did not state any objections for the proposed M-1 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** of the request.

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 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 proposal would not result in a use that would cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- 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. The Gwinnett County Future Development Map shows the property as preferred office. The M-1 zoning district allows for office uses. Therefore, the proposed zoning district is generally consistent with the County's Future Development 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 applicant is proposing to annex into the City and zone the property to the M-1 Zoning District in the City of Suwanee. As the name indicates, the M-1 Zoning District is City's zoning district that is most consistent with the County's M-1 Zoning District.

LETTER OF INTENT

This letter of intent made as of this 4th day of January, 2017 to City of Suwanee, Georgia

I Benny Sims of Inland Sims Development LLC intend to develop the property described within the application of rezoning and annexation.

This endeavor is to repurpose the property that I own (19.382 acres) to increase the value of the land and to bring this property more in line with other properties surrounding it.

It is surrounded by commercial development that has occurred over the past few years. The economic growth occurring in the area has dictated that I change the zoning and ask for annexation in to the city of Suwanee.

I plan within the next two years to develop this property by building approximately four buildings consisting of 67,000 plus square feet with associated parking. The improvement will not only enhance the property, but also provide jobs for the local community.

I own an additional 8 plus acres that is attached to this property and would like to have all of our property within the city limits of Suwanee. The present zoning is M-1 Gwinnett County which follows Suwanee M-1 property very closely. Therefore the zoning will not change my plans for this property.

With the improvements to this property I will only follow suit to the properties surrounding my property which are commercial developments within the city limits of Suwanee, Georgia

I own other commercial properties within the local area and have found that this will provides need space for local entrepreneurs to thrive within our community. It appears that this will only be a win-win for all. I look forward to being a Suwanee property owner.

Respectfully,

Benny Sims



RZ-2017-002

COPY



Office of the County Administrator

75 Langley Drive • Lawrenceville, GA 30046-6935
770.822.7000 • www.gwinnettcountry.com

gwinnettcountry

January 20, 2017

The Honorable James Burnette, Jr., Mayor
City of Suwanee
330 Town Center Avenue
Suwanee, GA 30024-6763

Re: Proposed Annexation in Land Lot 171 of the 7th Land District:
Parcel ID #: 7-171-010, 19.76 Acres +/- with frontage on Satellite Boulevard,
Owner/Applicant: Inland-Sims Development, LLC

Dear Mayor Burnette:

As required by O.C.G.A. § 36-36-7, our operating departments have reviewed the subject property with respect to county facilities located on the subject property. The Gwinnett County Department of Water Resources notes that there is an eight-inch sewer collector adjacent to the subject property in the right of way of Satellite Boulevard that crosses into the subject property for short distances at both its eastern and western ends. The Gwinnett County Department of Transportation (GCDOT) also reviewed the property proposed for annexation and notes that the subject property has frontage on Satellite Boulevard which is a County maintained road. Any proposed access or work in the right of way would be subject to prior review and approval of GCDOT.

The property is presently zoned M-1 (Light Industrial District). The Future Development Map of the 2030 Unified Plan shows the property as lying within the *Preferred Office* character area. If this annexation occurs, please notify Police Communications Manager, Major Lara Bardugon, of the street address of the subject property so that the E-911 database can be updated. Major Bardugon can be reached at (770) 513-5771. Also please forward a copy of the resolution documenting the City's final action on the annexation proposal to James Pugsley in the Gwinnett County Department of Planning and Development, 446 West Crogan Street, Lawrenceville, GA, 30046-2440.

If you have any questions regarding this issue, feel free to call me at (770) 822-7000.

Sincerely,

Glenn P. Stephens
County Administrator

ANX-2017-00001; CERTIFIED MAIL #: 9214 8901 0661 5400 0101 2661 72

- c: Charlotte J. Nash, Commission Chairman
- Jace Brooks, Commissioner, District I
- Phil Hoskins, Deputy County Administrator
- Kathy Holland, Director of Planning & Development
- Theresa Cox, Senior Assistant County Attorney
- Long-range files, ANX-2017-00001

- Ron Seibenhener, Director of Water Resources
- Tina Fleming, Director of Community Services
- Alan Chapman, Director of Transportation
- Angelia Parham, Director of Support Services
- Marty Allen, City Manager, Suwanee

AN-2017-001
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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

- (A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
 Property is located in Gwinnett County and is currently zoned M-1 - The rezoning will result in the same zoning. This zoning is suitable for this property.
- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
 Present zoning is M-1 in Gwinnett Co. therefore zoning of M-1 will not adversely affect existing use.
- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
 Yes a M-1 Gwinnett County and the new zoning of M-1 City Suwanee.
- (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 rezoning will not cause any additional traffic to streets, transportation, utilities or schools.
- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
 The rezoning will conform to the policy and intent of the land use plan.
- (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:
 Property is currently zoned M-1 in the county, therefore the M-1 zoning request will not change the existing conditions.

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: _____ Accepted By: _____

R2-2017-002



Exhibit A
AN-2017-001
RZ-2017-002

Legend

— Streets

City Limits

AN-2017-001/RZ-2017-002





Exhibit B

AN-2017-001

RZ-2017-002

Legend

AN-2017-001/RZ-2017-002

Streets

City Limits

ZONING

C1

C2

C2A

C3

GCA

IRD

M1

OI

OTCD

PMUD

R-75

R-85

R100

R140

RM6

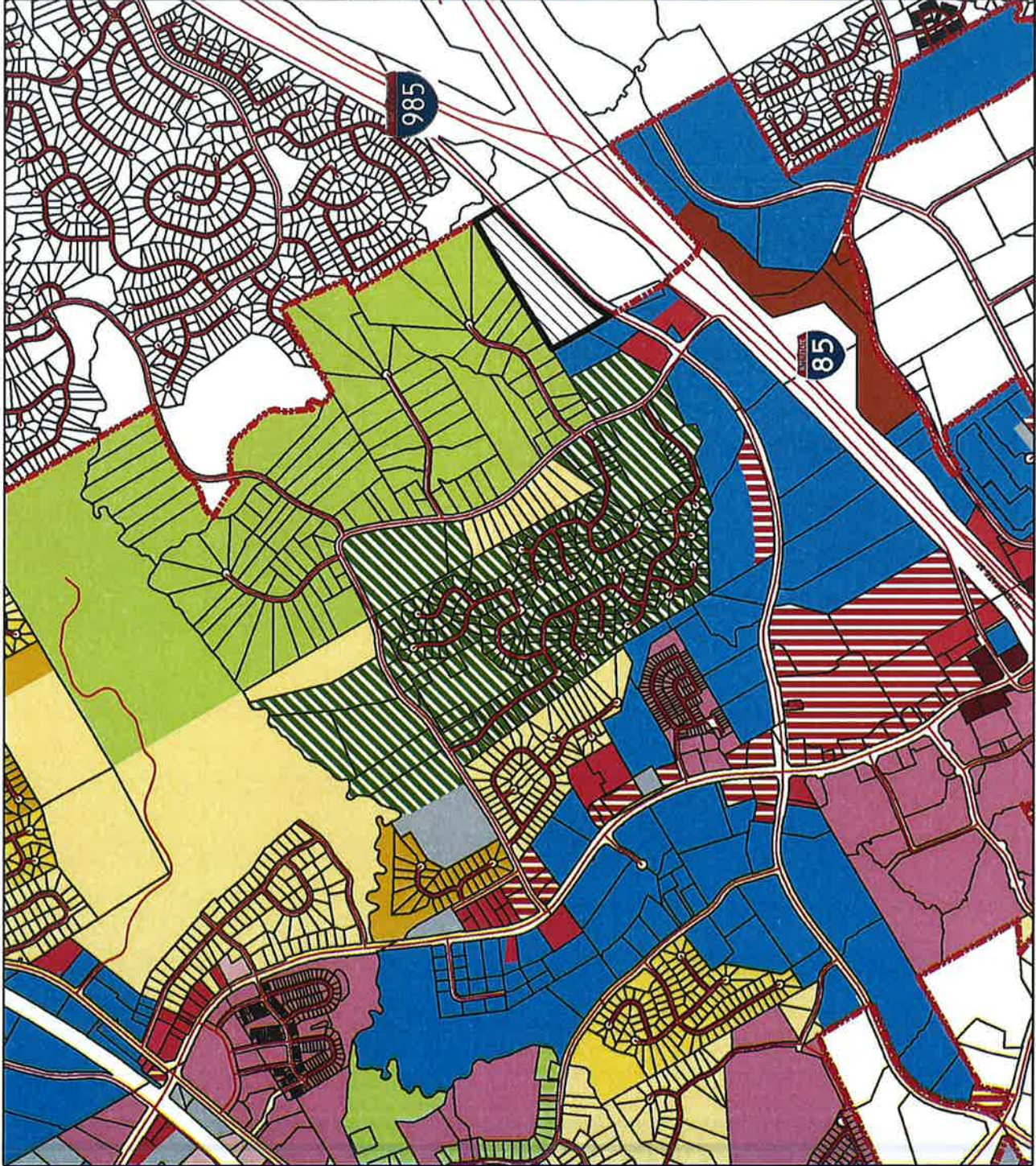
RM8

0

900

1,800

3,600 Feet





8274 DORSET INDUSTRIAL WAY
SUITE #A1 30019
COLUMBUS GA 31906
(770) 271-2666

PREPARED FOR:
**INLAND-SIMS
DEVELOPMENT, LLC**
3406 MARTIN FARM ROAD
SUITE 100
SUWANEE, GA 30024

PROJECT NAME:
**SATELLITE BLVD.
TRACT**

TABIC:
**RECORDING
EXHIBIT**

PROJECT INFORMATION:
SATELLITE BOULEVARD TRACT
Project Number: 14827
Project Name: SATELLITE BOULEVARD
Tract: 111
Map of the Site: 774
City: SUWANEE
COUNTY: GEORGIA
DATE: 06/11/2017

OWNER	
DEVELOPER	
CONTRACTOR	
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1 of 1
14827
SUWANEE

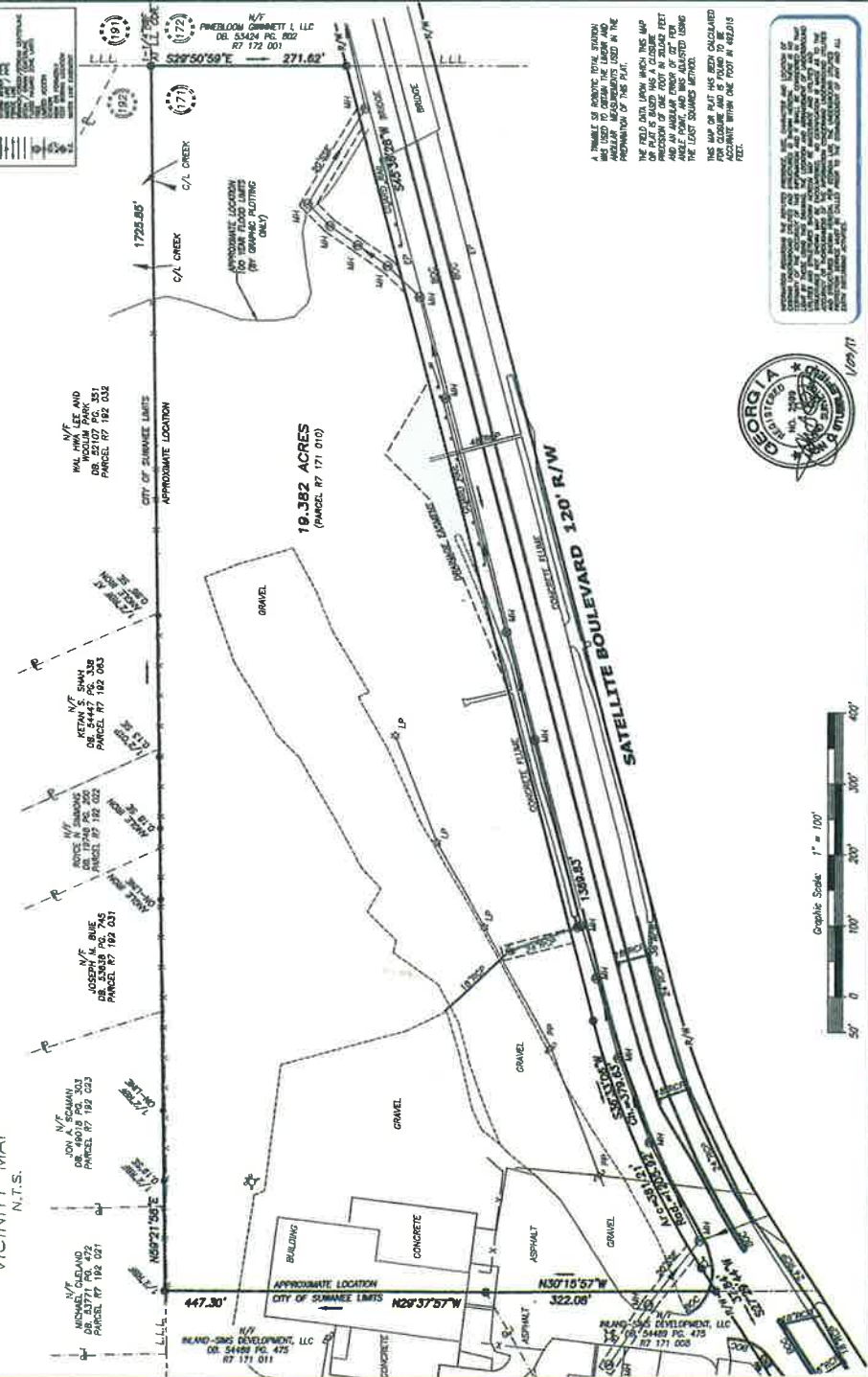
LEGEND

1. BOUNDARY OF PROPERTY
2. APPROXIMATE LOCATION OF SURVEY LINE
3. APPROXIMATE LOCATION OF SURVEY POINT
4. APPROXIMATE LOCATION OF SURVEY POINT (FOR CONVEYANCE)
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100. APPROXIMATE LOCATION OF SURVEY POINT (FOR CONVEYANCE)



- REFERENCES:**
1. SURVEY MAPS, PARTS OF PLANS OF INLAND-SIMS DEVELOPMENT, LLC DATED JULY 15, 2011, RECORDED IN DEED BOOK 3448B, PAGE 433, GRANBETT COUNTY, GEORGIA.
 2. SURVEY MAPS FOR GEORGIA HOLDING CORPORATION, DATED JULY 15, 2014, BY DEVELOPMENT PLANNING & ENGINEERING, INC.
 3. BOOK OF MAP PLANS FOR SATELLITE BOULEVARD, PREPARED BY PRECISION PLANNING DATED AUGUST 15, 2000, LAST REVISED JUNE 11, 2001.
- NOTES:**
1. A PORTION OF THIS PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER GRANBETT COUNTY P.L.A. NO. 2011-01333333, MAP HAVING AN EFFECTIVE DATE OF MARCH 4, 2013.
 2. DATE OF FIELD SURVEY 2/1/17.
 3. THE TERMS "APPROXIMATE" RELATING TO LAND SURVEYING SERVICES SHALL HAVE A SIGNED STATEMENT BASED UPON FACTS AND INFORMATION AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY. THESE EXPRESSLY OF WAIVED.
 4. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR.
 5. BUILDINGS & PARKING LOCATIONS ARE APPROXIMATE.

- PROPERTY OWNERS:**
- WAL. HWA, LEE AND DB. 22107 PG. 351 PARCEL R7 192 032
 - N/V. KETAN S. SHAW DB. 34447 PG. 338 PARCEL R7 192 060
 - DAVID N. SHAW DB. 22107 PG. 351 PARCEL R7 192 000
 - N/V. JOSEPH M. BAHE DB. 34447 PG. 338 PARCEL R7 192 031
 - JOHN N. CALMAN DB. 48018 PG. 303 PARCEL R7 192 033
 - MICHAEL CLELAND DB. 23771 PG. 021 PARCEL R7 192 021
 - INLAND-SIMS DEVELOPMENT, LLC DB. 54489 PG. 475 R7 171 011
 - INLAND-SIMS DEVELOPMENT, LLC DB. 54489 PG. 475 R7 171 000



NOTES ON RECORDING: THE POSITION OF THE POINTS OF THE SURVEY LINE AND THE MEASUREMENTS LISTED IN THE PREPARATION OF THIS MAP.

THE FIELD DATA UPON WHICH THIS MAP WAS BASED WAS OBTAINED BY THE SURVEYOR USING THE LEAST SQUARES METHOD.

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLARITY AND IS FOUND TO BE CORRECT WITHIN ONE FOOT IN HUNDREDS FEET.



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