

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: SUP-2008-004
REQUEST: BUILDING EXPANSION ON NON-
CONFORMING USE
LOCATION: 700 PEACHTREE INDUSTRIAL BOULEVARD
TAX ID NUMBER: 7-251-009
ACREAGE: 2.00 ACRES
PROPOSED DEVELOPMENT: 2,500 SQUARE FOOT BUILDING ADDITION

APPLICANT BARRY W. COKER
1911 GRAYSON HWY, #8-370
GRAYSON, GA 30017

OWNER: JOSE L. PUMBO
4550 RIVER MANSIONS COURT
DULUTH, GA 30096

CONTACT: BARRY W. COKER PHONE: 770-363-2389

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant seeks a special use permit on an approximately 2.00-acre tract for a building addition to allow for a 2,500 square foot building addition to an existing 6,250 square foot building that houses an automobile repair business. The subject property also contains a landscape business with a small 240 square foot building, a 5,000 square foot building used for automotive repair, and a cell tower. Access is provided via two driveways onto Peachtree Industrial Boulevard. One drive serves the landscape business and the other drive serves the two automotive service buildings. The site is served by 33 parking spaces. The proposed addition would require relocating a fence, a water line, and the landscape office building.

The subject property is zoned C-2. When the property was developed automotive service establishments were permitted uses in the C-2 District. In 2001, the City amended the Zoning Ordinance to include automotive service establishments as special uses. Therefore, the site is a legal non-conforming site. Now, the property owner is seeking to expand the auto service business located along Peachtree Industrial Boulevard with an additional 2,500 square feet of work space at the southern end of an existing 6,250 square foot building. Section 1401 of the Zoning Ordinance states that a building occupied by a non-conforming use at the time of the enactment or amendment of this Ordinance may be retained except that it shall not be enlarged, altered or rebuilt except in conformance with this Ordinance. As such, a special use permit would be required in order to allow for the building addition.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the Council to review certain proposals in the context of their use and take into consideration the surrounding area and other relevant factors. A Special Use Permit does not change the underlying zoning of property, but grants the property an additional specified use. In this case the specified use would allow for a building addition to an automotive service establishment.

DEVELOPMENT COMMENTS:

The following comments are provided to make the developer aware of certain pertinent issues. This is not intended to serve as an all-inclusive list of comments. If approved, the City will formally review the project during the normal development and/or building review process.

The City of Suwanee Development Regulations requires stormwater systems to address stormwater quality, stormwater quantity and channel protection. The applicant should be prepared to meet the stormwater requirements for the additional impervious surface.

ANALYSIS:

The site is a developed parcel with two existing buildings, one modular office, and a cell tower. The topography of the site slopes significantly from the front of the site along Peachtree Industrial Boulevard downwards towards the rear of the site. The site is developed with a mixture of uses. There is adequate space for a small addition to the existing automotive facility.

The site is located on Peachtree Industrial Boulevard. To the west of the subject property, across Peachtree Industrial Boulevard, are two undeveloped commercially zoned tracts (zoned C-2) and a residential subdivision (zoned R-85). To the east of the subject property is a Georgia Power transmission line easement and a church (zoned R-100). To the south of the subject property, along Peachtree Industrial Boulevard, are a printing shop and veterinary clinic (zoned C-2). To the north of the subject property is a retail shopping center (zoned C-2A) and an undeveloped parcel zoned M-1 and slightly further north along Peachtree Industrial Boulevard is the highly commercial intersection at Suwanee Dam Road.

The future land use plan recommends retail and commercial uses for the location. The existing commercial zoning of the property consistent with this designation; however, the plan also recommends steering automotive uses away from residential districts, including areas such as the Peachtree Industrial Corridor.

The applicant states that the site has been used automotive repair since development in 1989 and the use will not change with approval of the Special Use Permit.

The applicant states that the new addition will match the existing building front and the appearance on the site from Peachtree Industrial Boulevard. The building addition will allow the tenant to expand the auto service business with an additional service bay in the rear of the building. The property owner also intends to relocate an existing landscape company's modular

office located at the southern end of the building to a location behind the building addition in order to shield it from the street.

In conclusion, approval of the request could be appropriate. While the existing use is inconsistent with the Future Land Use Plan's recommendation to locate automotive related uses away from residential areas the expansion is fairly minor and should result in minor improvements to the site. Therefore, the Planning Department recommends **APPROVAL WITH CONDITIONS** of SUP-2008-004.

Planning Department's Recommended Conditions
SUP-2008-004

The Planning Departments recommends approval of the special use permit to allow for the expansion of an existing automotive repair facility subject to the following conditions:

- 1) Expansion of the automotive service facility shall be limited 2,500 square feet.
- 2) Colors and materials of any addition to an existing buildings shall be coordinated with the colors and materials used on the existing building, subject to the approval of the Planning Division.
- 3) The modular office located on the site shall be re-located behind the building located closest to Peachtree Industrial Boulevard.

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 zoning proposal is not consistent with the development of adjacent and nearby property.

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

Approval of the request would not likely affect the existing uses or usability of nearby property.

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

The subject 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;

Approval of the request would not create 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;

Commercial uses are recommended for the subject property. However, the Comprehensive Plan also recommends locating automotive uses away from residential areas, such as the Peachtree Industrial Corridor.

- 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 coordinate the addition of the building with the existing materials and colors. The relocation of the modular office building would improve the appearance of the site.

Jose L. Pombo
4550 River Mansions Court
Duluth, Georgia 30096
404-667-0440

February 23, 2008

City Council and Zoning Board
CITY OF SUWANEE
373 Highway 23
Suwanee, GA 30024

RE: Letter of Intent regarding requested **SUP** for 700 Peachtree Industrial Blvd.

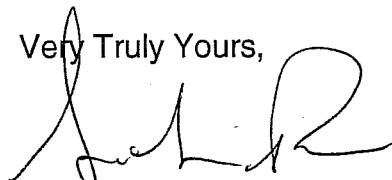
The primary use of the property has been automotive repair since its original development in the nineties. The use will not change with the approval of this SUP, nor will the number of tenants. This parcel of two acres is currently zoned C-2 which, when the property was originally developed with the first building and when it was later developed 7 years ago with the second building, allowed the types of business present now. The first building has its original tenants still in place and the second building has only experienced one change of its sole tenant. There is a third building permitted as an office for a small landscape company. The requested SUP is required to allow the expansion of the existing building for one of the original tenants.

The SUP will allow this tenant to expand his auto service business and will allow us to relocate the modular office of the landscape company so that it will be behind the proposed addition of 50 feet to the front building. This addition will be bricked on the street side and end visible to the southwest. It will have an additional front door and window to match the existing building construction, but no overhead or garage type doors visible to the street.

The gross square footage per acre is now 5750 and the requested SUP will increase this number to 7000. There are currently 33 parking spaces which will increase to 35 by utilizing existing asphalt drives. There will be a negligible increase (less than 2%) in impervious area, so the requested SUP will produce no significant additional storm water run off. The height of the building addition will match the existing building which is 16'-1" at the roof peak and 14' at the eaves.

I want to express my sincere appreciation to the board and council for considering this request. We will use this opportunity to improve our presentation to the road front on Peachtree Industrial Blvd

Very Truly Yours,



Jose L. Pombo

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION

NAME: Barry W. Coker

ADDRESS: 1911 Grayson Hwy. #8-370
Grayson GA 30017

PHONE: 770-363-2389

CONTACT PERSON: Barry W. Coker

PHONE: 770-363-2389

OWNER INFORMATION

NAME: Jose L. Pombo

ADDRESS: 4550 River Mansions Court
Duluth GA 30096

PHONE: 404-667-0440

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): C-2 REQUESTED ZONING DISTRICT C-2 w/ SUP

PROPOSED DEVELOPMENT: Building Addition of 50' X 50' to existing 50' X 130' building

TAX PARCELNUMBER(S): LL 251, 7th District, Parcel 009

ADDRESS OF PROPERTY: 700 Peachtree Industrial Blvd, Suwanee, GA 30024

TOTAL ACREAGE: 2 PUBLIC ROADWAY ACCESS: Peachtree Industrial Blvd.

FOR NON-RESIDENTIAL DEVELOPMENT:

(If SUP is granted)

NO. OF BUILDINGS/UNITS: 3 TOTAL GROSS SQUARE FEET: 14000

CERTIFICATIONS

I hereby certify that the above and attached information is true and correct. I am also aware that no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case shall a reapplication be acted upon in less than 6 months from the date of last action by the Council. I am also aware that any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

[Signature] 2/25/08
Signature of Applicant Date

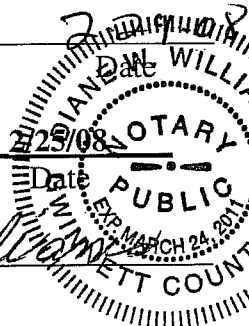
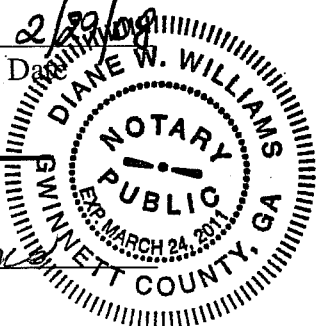
[Signature] 2/25/08
Signature of Owner Date

Barry W. Coker 2/25/08
Print Name Date

JOSE L. POMBO 2/25/08
Print Name Date

[Signature]
Signature of Notary Date

[Signature]
Signature of Notary Date



- If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)

CITY OF SUWANEE USE ONLY

Date Received: 2-29-08 Case No.: SUP-2008-004 Accepted By: [Signature]

SPECIAL USE PERMIT APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to 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:
The use of the property will not change based on this request but the property will be more efficiently utilized by increasing the building area by 2500 square feet for one of the existing tenants whose business has grown.
- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
The proposed SUP will not affect the existing use or usability of adjacent property, but will provide a more attractive front to Peachtree Industrial.
- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
The current zoning does not allow expansion of the existing businesses because the existing use was allowed previously in C-2; however, the new zoning definitions require an SUP. Therefore there is almost no economic use for the balance of the property.
- (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 requested SUP will not increase the number of persons employed on the property or the scope of their work, but will allow them to more efficiently manage their schedules and serve their customers in a more timely fashion.
- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
The requested SUP is not in conflict with the policy or 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:
The business which will utilize the space allowed by the SUP serves a clientele of high-end European automobiles. Suwanee's demographics support an increasing demand for this type of auto service.

CITY OF SUWANEE USE ONLY

Date Received: 2/29/08 Case No.: 54-2008-004 Accepted By: [Signature]

City of Suwanee

CROSSROADS of PAST and FUTURE



SUP-2008-004

Location Map

Legend

- Streets
- V-2008-004

