

**CITY OF SUWANEE  
SPECIAL USE PERMIT ANALYSIS**

**CASE NUMBER:** SUP-2008-005  
**REQUEST:** EXECUTIVE QUARTERS SUITE  
**LOCATION:** 3620 SWIFTWATER PARK DRIVE  
**TAX ID NUMBER:** 7-209-063  
**ACREAGE:** 2.49 ACRES  
**ZONING:** M-1 (LIGHT INDUSTRIAL)

**APPLICANT:** ZEBRA CONSTRUCTION COMPANY, INC.  
1275 BUFORD HIGHWAY, SUITE 101  
SUWANEE, GA 30024

**OWNER:** ZEBRA HOLDINGS, LLC  
338 WINDSHORE COURT  
SUWANEE, GA 30024

**CONTACT:** RICK THACKER                      PHONE: 678-482-4990

**RECOMMENDATION:**     **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on an approximately 2.4-acre site to allow for an approximately 990 square foot executive quarters suite in an M-1 (Light Industrial) zoning district. The subject property is located within the Swiftwater Industrial Park and contains an approximately 33,000 square foot office building and an approximately 6,300 square foot warehouse building, both nearing completion. The applicant proposes to use a portion of the interior of the office building as an executive quarters suite. The proposed suite takes up a approximately 3 percent of the overall building and is proposed to be located on the second floor. The property location is 3620 Swiftwater Park Drive.

The applicant seeks to convert a portion of the interior space of the second floor of the 33,000 square foot office building into an approximately 990 square foot Executive Quarters suite. The Special Use Permit process allows the City to review whether an Executive Quarters Suite is an appropriate use for an interior portion of an existing facility. A Special Use Permit does not change the underlying zoning of property, but grants the property an additional specified use.

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 is commonly used when a special use under the zoning district

is desired for development, but it may also be used when no zoning district contains that use as a use by right.

An executive quarters suite is different from a residential unit or hotel. Executive quarters suite is defined as follows: an accessory residential use within a non-residential building that is clearly subordinate and incidental to the primary use of the building, is not used as a permanent residence, is used only by employees or clients of the primary building occupant, no traditional hospitality services are provided, the structure is built to the same standards as the rest of the building and no rent or fees are charged, collected or paid for its use. Because this type of use is not specifically listed in a zoning district a special use permit is required.

#### **DEVELOPMENT COMMENTS:**

At this time the building is still under construction and has not been approved for occupancy as an office. A separate C.O. will be issued for the building as a whole. Before the 990 square foot interior portion of the office building can be used as an Executive Quarters Suite, the City of Suwanee and the Gwinnett County Fire Marshall will each require a Certificate of Occupancy (C.O.) for occupancy for that portion of the building.

The applicant has submitted interior construction plans to the Gwinnett County Fire Marshall and the City of Suwanee Building Inspection Department for review. The applicant has received approval from the Gwinnett County Fire Marshall prior to submission to the City for review and approval. The City of Suwanee Building Inspection Department did not approve the plans due to the improper zoning.

#### **ANALYSIS:**

The applicant wishes to convert approximately 990 square feet on the second floor of the 33,000 square foot office building into an Executive Quarters Suite. The 2.4-acre site is currently under construction and is nearing completion. Access exists via Swiftwater Park Drive. The site and building are adequate for the proposed accessory use.

The proposed Executive Quarter Suite is a 990 square foot suite composed of a living room and kitchenette combination, a den / study, and a bedroom with a full bathroom. The applicant states that the proposed kitchenette is not equipped with any range or stove and no "cooking" will occur in this suite. The executive suite will only be used on an occasional and infrequent basis and then by only Zebra Construction Company's management employees who work late or visiting executives.

The subject property is located within a business park and is surrounded by a mixture of uses. To the north, east and south of the subject property, within the business park, are several light industrial uses (zoned M-1). To the west of the subject property is an M-1 zoned parcel developed with Suwanee Creek Park. .

The City's Future Land Use Plan recommends light industrial uses for the property. The existing zoning on the site is consistent with this designation. The proposed special use is an

accessory use that is incidental to the primary use of the property. Therefore, the proposed special use is not necessarily inconsistent with the designation.

In conclusion, the requested special use permit is an accessory or incidental use and located in a 33,000 square foot building. The applicant clearly states that they do not intend to use the structure as a permanent residence, to charge rent or a fee, and are not providing any cooking facilities. The proposed Executive Quarters Suite would be appropriate at this location. Provided the suite meets the requirements of the Gwinnett County Fire Marshall and the City of Suwanee Inspectors, approval would be warranted. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of the Special Use Permit request.

**Planning Department Recommended Conditions**  
**SUP-2008-005**

Approval of a Special Use Permit to allow for an Executive Quarters Suite in M-1 zoning subject to the following conditions:

1. The special use is limited to an Executive Quarters Suite, defined as follows: an accessory residential use within a non-residential building that is clearly subordinate and incidental to the primary use of the building, is not used as a permanent residence, is used only by employees or clients of the primary building occupant, no traditional hospitality serves are provided, the structure is built to the same standards as the rest of the building and no rent or fees are charged, collected or paid for its use.
2. Executive quarters suite shall be limited to a maximum of 1,000 square feet of the primary structure.
3. No cooking appliances shall be provided with the quarters.

## 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;

If limited in scope and used as narrowly defined, the use could be suitable in view of the use and development of adjacent and nearby property.

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

The proposed use will not negatively affect the existing uses or usability of nearby properties.

- 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 without a Special Use Permit.

- 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 requested Special Use Permit likely would not result in 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 underlying zoning is consistent with the light industrial designation on the City's Future Land Use Plan. The proposed special use is an accessory use that is incidental and subordinate to the primary use of the facility.

- 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;

There are no existing or changing conditions that give additional supporting grounds for either approval or denial of the proposal.

### SPECIAL USE PERMIT APPLICATION

#### APPLICANT INFORMATION\*

NAME: **Zebra Construction Company, Inc.**  
 ADDRESS: **1275 Buford Highway**  
**Suite 101**  
**Suwanee, GA 30024**  
 PHONE: **678-482-4990**  
 CONTACT PERSON: **Rick Thacker**  
 E-Mail Address: **rgthacker@yahoo.com**

#### OWNER INFORMATION\*

NAME: **Zebra Holdings, LLC**  
 ADDRESS: **338 Windshore Court**  
**Suwanee, GA 30024-2970**  
 PHONE: **678-482-4990**  
 PHONE: **678-482-4990**

#### PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): **M-1** REQUESTED ZONING DISTRICT **EXECUTIVE QUARTERS**  
 PROPOSED DEVELOPMENT: **Accessory Use Interior**  
 TAX PARCEL NUMBER(S): **063 LL 209 7<sup>th</sup> District**  
 ADDRESS OF PROPERTY: **3620 Swiftwater Park Drive**  
 TOTAL ACREAGE: **2.4336** PUBLIC ROADWAY ACCESS: **Swiftwater Park Drive**

#### FOR RESIDENTIAL DEVELOPMENT:

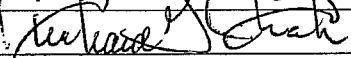
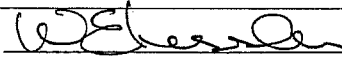
NO. OF LOTS/DWELLING UNITS: \_\_\_\_\_  
 DWELLING UNIT SIZE (SQ. FT.): \_\_\_\_\_

#### FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: \_\_\_\_\_  
 TOTAL GROSS SQUARE FEET: \_\_\_\_\_

#### CERTIFICATIONS

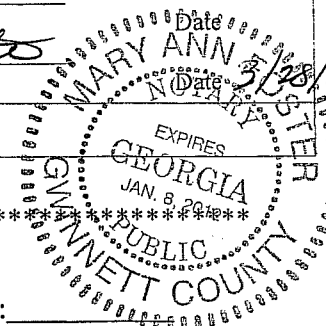
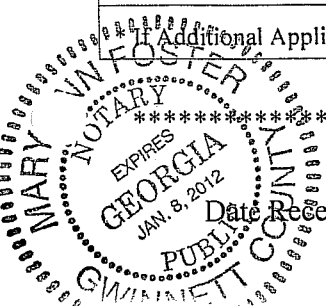
I hereby certify that the above and attached information is true and correct. I am also aware that no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case 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 of Applicant* <b>RICHARD G. THACKER</b> Print Name* <b>May Ann Foster</b> Signature of Notary	<b>28 MAR 2008</b> Date  Date <b>3/28/08</b> Date	 Signature of Owner* <b>William E. Kessler</b> Print Name* <b>May Ann Foster</b> Signature of Notary	<b>2-28-2008</b> Date  Date <b>3/28/08</b> Date
--	--	---	--

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

#### CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_ Case No. **SP-2008-005** Accepted By: \_\_\_\_\_



## 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:

**Proposed use is suitable with the use and development of adjacent properties.**

- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

**No Adverse Effect.**

- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

**Yes.**

- (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:

**No Additional impact will occur.**

- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:

**Proposed use should be allowed as an accessory or incidental use within existing building.**

- (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:

**None Known.**

\*\*\*\*\*

CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_ Case No.: SUP-2008-005 Accepted By: \_\_\_\_\_



March 27, 2008

**CITY OF SUWANEE GEORGIA**  
373 Buford Highway  
Suwanee, Georgia 30024

**Re: Letter of Intent  
Special Use Permit Application  
Tax Parcel Number 063/LL 209/7<sup>th</sup> District  
3620 Swiftwater Park Drive  
Suwanee, Georgia**

Dear Sirs or Madams:

In accordance with the requirements of the City of Suwanee, specifically **Special Use Permit Application**, (Section Required Items Subsection F "Letter of Intent"), please allow the following with respect to the above captioned project:

Zebra Construction Company, Inc., on behalf of the property owner, Zebra Holdings, LLC, hereby makes its respectful request to the Planning and Zoning Board and the Honorable Mayor and Council of the City of Suwanee to allow as a special use, certain modifications to its original zoning designation for this subject property.

Zebra Construction Company, Inc. has previously submitted and subsequently obtained approval and permits from all interested agencies within the City of Suwanee (and others elsewhere) to construct a two story office building on property owned by Zebra Holdings, LLC at the location referenced above. As a result of such approval, Zebra Construction Company, Inc. has constructed such building in accordance with plans and specifications approved by the City of Suwanee.

Zebra Construction Company, Inc. has subsequently submitted interior construction plans to the Gwinnett County Fire Marshal and the City of Suwanee Development Review Department, proposing to construct an Executive Quarters Suite containing approximately 990 square feet located on the second level of the building currently under construction. The proposed Executive Quarters Suite was approved for construction by the Gwinnett County Fire Marshal prior to submission to the City of Suwanee for review and approval.

SUP-2008-005



March 27, 2008  
City of Suwanee  
Page Two

Continued.....

Moreover, the Gwinnett County Fire Marshal certified that all the proposed construction was found to be in compliance with the requirements of The National Fire Protection Association Pamphlet 101 (Life Safety Code) in addition to the International Building Codes with respect to fire protection requirements and emergency features for both the office portion of the building and the proposed Executive Quarters Suite. Since this proposed Executive Quarters Suite represents only four percent (4%) of the overall building area and less than eight percent of the second floor area in which it is located, both the Life Safety Code and The International Building Code define this Suite as an "Accessory" and "Incidental" use. These codes mandate that this Suite should not be regarded as a "separate occupancy" but should however, follow the same features as the predominate use of the building.

The Executive Quarters Suite is composed of a living room and kitchenette combination, a den (study) and a bedroom with a fully adaptable bathroom. It should be noted that the proposed kitchenette is not equipped with any range or stove and no "cooking" will occur in this suite. The Executive Quarters Suite will only be used on an occasional and infrequent basis and only then by Zebra Construction Company's management employees or executive visitors.

The sole intent of the Executive Quarters Suite is to provide a facility for a Zebra employee to shower and sleep in the aftermath of an occasional late work night, if required to meet a project deadline. The Executive Quarters Suite is not a lodge, rooming or boarding house. It is not a dormitory or a residence. No room rents are collected and no services are provided or offered. The suite is simply intended to be an employee benefit and a complement to the values that are promoted within the culture of Zebra Construction Company, Inc.

Zebra Construction Company, Inc. is well founded in its creed and philosophy of conducting its business. Our mission statement is:

***To simply do what is right.  
At a profit if we can.  
At a loss if we must.  
But to always do what is right!***

March 27, 2008  
City of Suwanee  
Page Three

Continued.....

As a result of this statement, and in keeping with our culture, we believe we must advise the City of Suwanee of our objectives with regard to this proposed Executive Quarters Suite. Intending to be forthright with our intentions we are calling this suite "What it is!

The principals of Zebra Construction Company, Inc. are long residents of Suwanee and as a group take pride in its endeavors to be good citizens both individually and corporately. Zebra takes great pride in the building it is constructing and has introduced many intricate features that all can appreciate. We trust we have complimented the landscape of the city.

The present City of Suwanee Zoning designation for the parcel and building mentioned above is M-1. Although, it is our belief that the present zoning classification\* would allow the construction of this Executive Quarters Suite (see below) we are instructed to make this formal appeal to the City of Suwanee.

**\*Section 509**

**Subsection A. PERMITTED USES**

**Subsection 1. Accessory Use Retail or Service Establishments, provided:**

**(a) "Such permitted accessory uses specifically exclude retail business, offices, and service establishments that could be construed as principal uses and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory".**

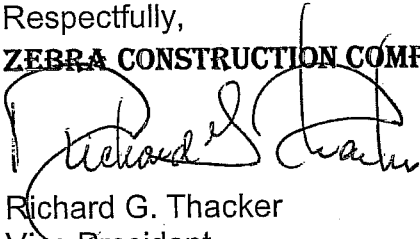
March 27, 2008  
City of Suwanee  
Page Four

Continued.....

Therefore, we hereby make formal appeal to the City of Suwanee to grant the "**SPECIAL USE PERMIT**" to allow the approval and construction of the Executive Quarters Suite as identified herein.

Thank you for your consideration. Should have questions or need additional information, I welcome your call.

Respectfully,  
**ZEBRA CONSTRUCTION COMPANY, INC.**



Richard G. Thacker  
Vice President

CC: Mr. Chip Kessler  
Mr. Clay Martin  
Mr. Wes Greene  
File

CUR 2008 005





# DOOR & OPENING SCHEDULE

MARK	SIZE	FRAME	OPENING	HARDWARE	TYPE	REMARKS
①	3'-0" x 7'-0"	H. METAL	WOOD DOOR	SET #2	A	20 MIN FIRE RATING
②	PR 6'-0" x 6'-8"	WOOD	WOOD DOORS	N/A	D	SLIDING DOORS ON OVERHEAD TRACK
③	3'-0" x 7'-0"	WOOD	WOOD DOOR	SET #3	A	
④	2'-6" x 7'-0"	WOOD	CASED OPENING	N/A	N/A	
⑤	3'-0" x 7'-0"	WOOD	WOOD DOOR	SET #3	A	
⑥	2'-8" x 7'-0"	WOOD	WOOD DOOR	SET #4	B	
⑦	PR 3'-0" x 8'-0"	ALUM.	ALUM./GLASS STORE FRONT	SET #1	C	
⑧	4'-0" x 4'-0"	ALUM.	ALUM./GLASS WINDOW	N/A	-	
⑨	3'-0" x 8'-0"	ALUM.	ALUM./GLASS WINDOW	N/A	-	SINGLE PIVOT
⑩	4'-0" x 4'-0"	ALUM.	ALUM./GLASS WINDOW	N/A	-	
⑪	3'-0" x 8'-0"	ALUM.	ALUM./GLASS WINDOW	N/A	-	
⑫	4'-0" x 4'-0"	ALUM.	ALUM./GLASS WINDOW	N/A	-	OPERABLE SLASH

### FINISH SCHEDULE: CLASS A & B MATERIALS

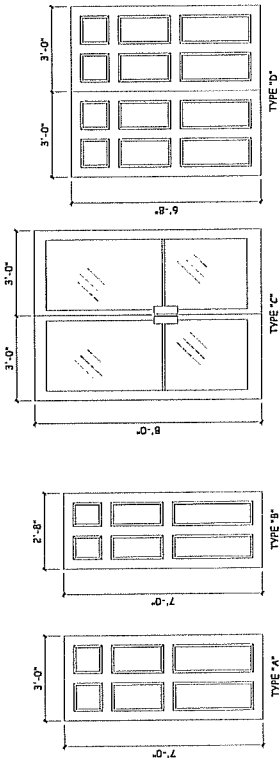
MARK	ROOM	WALLS	CEILINGS	FLOORS	BASE
201	LIVING ROOM	EWB/PT	GYP/SUM BOARD @ 10'-0"	WOOD	WOOD CORE
202	DEN	EWB/PT	GYP/SUM BOARD @ 10'-0"	CPT	WOOD CORE
203	BATH ROOM	EWB/PT	GYP/SUM BOARD @ 10'-0"	GER	WGR CORE
204	CLOSET	EWB/PT	GYP/SUM BOARD @ 8'-0"	CPT	WOOD CORE
205	BED ROOM	EWB/PT	GYP/SUM BOARD @ 8'-0"	CPT	WOOD CORE
206	KITCHENETTE	EWB/PT	GYP/SUM BOARD @ 8'-0"	WOOD	WOOD CORE
EWG/FP =	PAINTED GYP/SUM BOARD				
WOOD =	WOOD FLOORING SELECTED BY OWNER				
CPT =	BLUE DOWN STANDARD CARPET COLOR SELECTED BY OWNER				
GER =	CERAMIC TILE COLOR SELECTED BY OWNER				

### WALL LEGEND

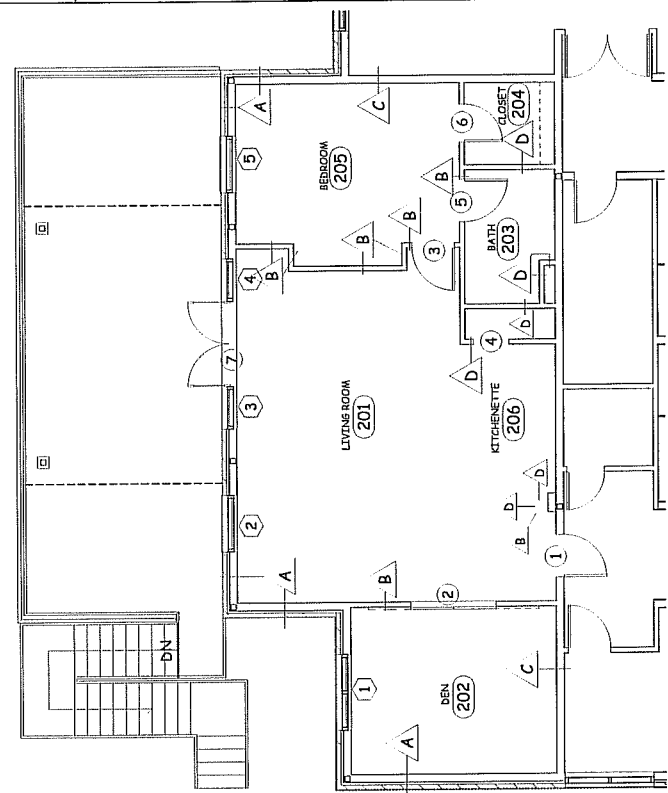
△	Exterior wall, brick veneer w/ 7" Min. air space, 3/8" Ext. sheathing w/ 15lb Felt, 6" metal stud framing and Min. R-15 Batt Insulation.
△	New Wall 3 1/2" x 25 gauge metal studs @ 16" O.C. with 3/8" gypsum wallboard on both sides to 8'-0" AFF finished ready for paint. Extend every 4th stud to structure.
△	1 Hour Partition: 5" x 22 Gauge Metal studs @ 16" O.C. with 1/2" Type 'X' Gypsum wallboard each side to rest deck (U.L. U-465) & Acoustical Insulation. Fire Caulk and/or Fire Collars Required at penetrations.
△	New Wall 3 1/2" x 25 gauge metal studs @ 16" O.C. with 3/8" gypsum wallboard both sides to 8'-0" AFF finished ready for paint. Extend every 4th stud to structure.

### HARDWARE

SET #1	Single Pivots (US26D) Single Cylinder Strike US Alum DHD20 Panic Exit Door Set (US26D) Mounted Hydraulic Closure Exterior Pull Handles with keyed cylinder Door Silencers Weatherstripping/Threshold/Sweep
SET #2	1 1/2" Pair 4-1/2" x 4-1/2" US26D Butt Hinges (NB) Call Royal or Equal Keyed Lever Lock Set (US26D Finish) Rubber Door Silencers
SET #3	1 1/2" Pair 4-1/2" x 4-1/2" US26D Butt Hinges Call Royal or Equal Keyed Lever Lock Set (US26D) Rubber Door Silencers Well Mounted Door Strap (US26D)
SET #4	1 1/2" Pair 4-1/2" x 4-1/2" US26D Butt Hinges Call Royal or Equal Lever Passage Set (US26D) Rubber Door Silencers Well Mounted Door Strap (US26D)



**DOOR TYPES**  
SCALE: 1/4" = 1'-0"



**FLOOR PLAN - PARTITIONS**  
SCALE: 1/4" = 1'-0"

ISSUED FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

**ZEBRA DESIGN GROUP**  
A Division of Zebra Construction Company, Inc.  
1275 Buford Highway  
Suite 101  
Suwanee, Georgia 30024  
Tel: 678-482-4990 • Fax: 678-482-4992

PROFESSIONAL SEAL

THIS DRAWING IS THE PROPERTY OF ZEBRA CONSTRUCTION COMPANY AND IS NOT TO BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER DISSEMINATED IN WHOLE OR IN PART. IT IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF ZEBRA CONSTRUCTION COMPANY. IT SHALL BE RETURNED UPON REQUEST.

**ZEBRA CONSTRUCTION COMPANY**  
3620 SWIFTWATER PARK DRIVE  
SUWANEE GA 30024

ZEBRA CORPORATE OFFICES  
EXECUTIVE QUARTERS SUITE

DRAWING TITLE  
**FLOOR PLAN PARTITIONS**

DATE: 01/29/2008  
SCALE: SHOWN  
DRAWN BY: B.C.R.  
CHECKED BY: ZD-113  
DRAWING NUMBER: A-1.1



City of Suwanee

CRONS OF PAST and FUTURE


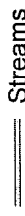

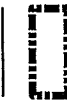


CITY OF  
**Suwanee**  
G E O R G I A

SUP-2008-005

Location Map

**Legend**

-  SUP-2008-005
-  Streams
-  Streets
-  City Limits

