

SPECIAL USE PERMIT:

SUP-2012-001

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2012-001
REQUEST: RELIGIOUS INSTITUTION IN M-1, LIGHT
INDUSTRY DISTRICT
ZONING: M-1, LIGHT INDUSTRY DISTRICT
LOCATION: 553 SATELLITE BLVD
TAX ID NUMBER: 7-171-008
ACREAGE: 3.57 ACRES
PROPOSED DEVELOPMENT: 8000 SQ FT CHURCH

APPLICANT: JUSARANG PRESBYTERIAN
4480 COMMERCE DR STE A
BUFORD, GA 30518

OWNER: FLORA ADKISON
3355 SMITHTOWN ROAD
SUWANEE, GA 30024

CONTACT: MITCH PEEVY
CONTACT PHONE: 770-945-8063

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant is requesting a special use permit to allow for a religious institution in an existing building zoned M-1, Light Industry District. The building is located on a 5.93 acre tract at 553 Satellite Boulevard near the intersection with Smithtown Road. The existing two-story building is approximately 8,000 square feet and is currently vacant. Each floor contains 4,000 square feet and the church plans to use both floors.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the City 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 an automotive repair facility.

DEVELOPMENT COMMENTS:

Before the building can be used as a religious institution, the City of Suwanee and the Gwinnett County Fire Marshall will each require a Certificate of Occupancy (C.O.) for assembly occupancy. The applicant should be prepared to meet the requirements for assembly occupancy.

ANALYSIS:

The subject site is 5.93 acres and includes portions of three buildings. Two of the buildings are industrial-type, metal, warehousing multi-tenant buildings. The proposed church would be located in a third building on the site which is a two-story brick building located at the northwest corner of the property adjacent to Satellite Boulevard.

The site is located on Satellite Boulevard near the intersection of Smithtown Road, Sawmill Road, and Satellite Boulevard. The surrounding land uses include an office building (zoned C-2) to the south, and industrial warehouses to the north and east, (zoned M-1). An undeveloped lot is located to the west across Satellite Boulevard. The subject property has two access points. One point of access is off of Satellite Boulevard, the other is off of Sawmill Court, a private street.

The proposed religious institution would be located in the brick two story building fronting Satellite Boulevard. The style of the building does not make it suitable for typical M-1 uses which are light industrial in nature and is more suitable for office uses. According to the applicant, the current congregation of the religious institution includes 40 members. The zoning ordinance states there must be one parking space per four seats. There are roughly 30 parking spaces for the building so there is ample parking capacity. Most recently, the building was used as a furniture showroom. Even though the prior use was not industrial in nature, it still was not constructed as an "assembly-type" building. This means that, if the special use permit is approved, the City of Suwanee and the Gwinnett County Fire Marshall would each require a Certificate of Occupancy (C.O.) for assembly occupancy which has different building regulations than a standard non-residential use.

Industrial parks are generally inconsistent with assembly uses and introducing non-industrial uses into industrial areas can create conflicts. However, provided the assembly will occur primarily on weekends or off normal business hours, the use could be appropriate. Due to differing hours of operation between surrounding businesses and a religious institution, staff believes that there should be no increased traffic conflicts.

The City's Future Land Use Plan recommends office/industrial for the property. The proposed land use is not entirely consistent with this designation. However, approval of the special use permit for a religious institution would not impair any future, office/industrial use of the property or of adjoining properties.

In conclusion, there is enough parking for the proposed use already on site. Also, the hours of operation of the church should not interfere or in conflict with the truck traffic of the surrounding uses. The requested special use permit could be appropriate at this location if conditions are met. The tenant space must be retrofitted to meet the requirements of assembly type buildings. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of the Special Use Permit request.

Planning Department Recommended Conditions:

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Approval of a religious institution in M-1 subject to the following conditions:

1. The finish for the tenant space shall comply with the assembly occupancy requirements for the Gwinnett County Fire Marshall and City Building Code.
2. Said approval shall be limited to the building identified in Exhibit B. No additions shall be made to increase the size of the building beyond the existing 8,000 square feet.
3. The religious institution shall not create a school or daycare facility that operates beyond times associated with formal services. This does not preclude "Sunday Schools" or similar service related uses.
4. Services shall be limited to weekends (Saturday and Sunday) and after 5:00 PM during weekdays (Monday through Friday).

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 request to allow for a religious facility is suitable in view of the use and development of adjacent and nearby properties, provided conditions are included to minimize parking and vehicular traffic impacts.

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

The rezoning and special use permit would not adversely affect the existing uses or usability of adjacent or nearby properties, provided conditions are included to minimize potential negative impacts.

- 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 which will or could 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 2030 Future Land Use Map shows this property as office/industrial. However, approval of the special use permit for a religious institution should not impair any future, office/industrial use of the property or of adjoining properties.

- 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;

Assembly will occur primarily on weekends or off normal business hours. Due to differing hours of operation between surrounding businesses and a religious institution, staff believes that the site should be able to accommodate the proposed use.

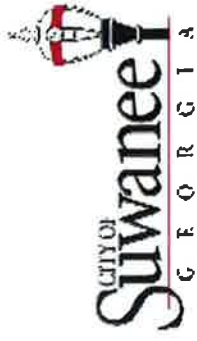


EXHIBIT A SUP-2012-001

Location Map

Legend



SUP-2012-001



Streets



City Limits

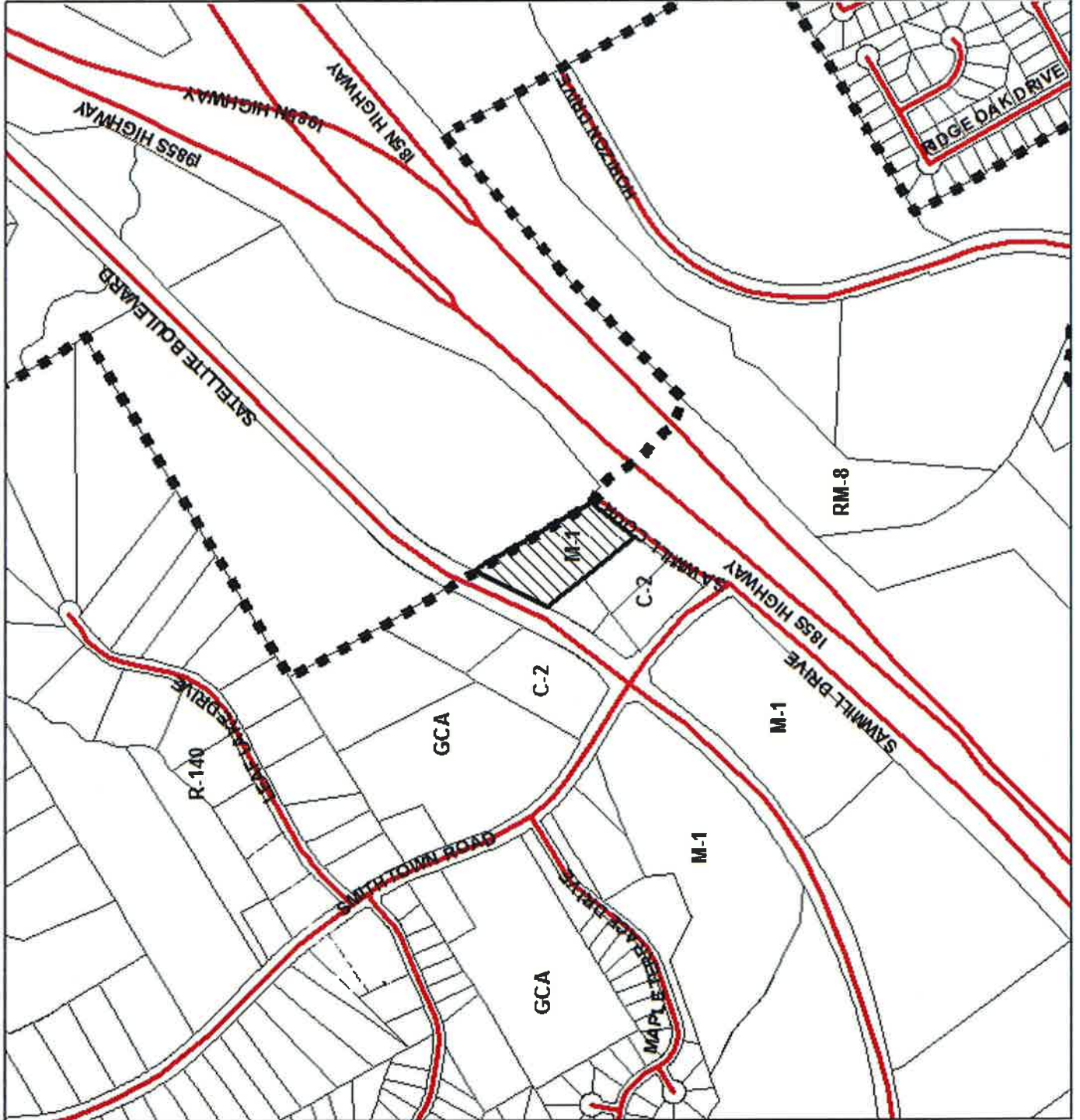
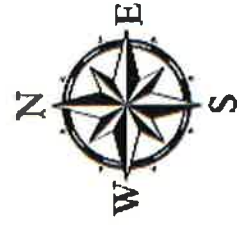




EXHIBIT B SUP-2012-001

Aerial Map

Legend



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Major Road



City Limits

