

SPECIAL USE PERMIT(S):

JSU-2014-004

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: JSU-2014-004
REQUEST: HEALTH CLUB IN M-1
ZONING: M-1 (LIGHT INDUSTRY DISTRICT)
LOCATION: 105 SATELLITE BOULEVARD
TAX ID NUMBER: 7-194-151
ACREAGE: 9.97 ACRES
PROPOSED DEVELOPMENT: 5,600 SQUARE FOOT HEALTH CLUB

APPLICANT: ELENA I. BETTIS
513 EASLEY DRIVE
LAWRENCEVILLE, GA 30045

OWNER: OMEGA VENTURES CAPITAL, LLC
105 SATLLITE BLVD STE. H
SUWANEE, GA 30024

CONTACT: CHRIS BETTIS
PHONE CONTACT: 404-386-1017

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on an approximate 9.97 acre tract to allow for a 5,600 square foot health club/athletic training facility in the M-1 zoning district. The training facility would be located in a 108,800 square foot building located at 105 Satellite Boulevard. Access is located via two drives off Satellite Boulevard plus a truck only access drive off of Martin Farm Road. The proposed training facility would be located in Suite C, which is near the middle of the building.

The applicant's business is FAST Training and Athlete Development. The business specializes in improving the athletic skills of children 6-18 years old. The business currently is located in Sugar Hill at the Atlanta Silverbacks indoor soccer facility off of Brogdon Road.

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 a health club/training facility.

ANALYSIS:

The subject property is located at the corner of Satellite Boulevard and Martin Farm Road in a commercial/industrial corridor on Satellite Boulevard. Certain uses, including health clubs/training facilities and other forms of public assembly, require compliance with different standards than more common M-1 uses such as warehousing. Such uses can cause conflicts between customer traffic and truck traffic. Public assembly uses may also require more parking than warehouse uses. The special use permit process allows for sufficient review to make sure the proper codes are followed for public assembly and potential conflicts between training facility customers and truck traffic are minimized.

The property is zoned M-1 Light Manufacturing. It is surrounded primarily by other M-1 properties. The Hewlett-Packard data center is located to the south, across Satellite Boulevard. The EMC Security office is located to the east, across Martin Farm Road. To the north, along Martin Farm Road is an office building that houses a software and technology company. A multi-tenant office building (zoned O-I) is located to the west of the property.

The building on the subject property was built as a warehouse/office building. The proposed use is located on a site that contains some commercial uses and ample parking. Currently, tenants of the subject building include a window and blinds showroom/warehouse, a flooring showroom/warehouse, a chiropractor office and an electronics showroom/warehouse. The front of the building facing Satellite Boulevard appears similar to a multi-tenant retail building. Each unit has direct access to the parking lot and walkway to serve the customers. A similar SUP was issued in 2011 to allow for a dance studio in this building. The applicant for that SUP never opened the dance studio, however another dance studio recently relocated into the space.

There are currently two driveways off of Satellite Boulevard that will serve the training facility. Trucks entering the site for the other warehouses in the building access the site from the rear entrance on Martin Farm Road and will have no conflict with patrons of the training facility. The training facility caters to school-aged children, therefore the vast majority of the traffic generated by this business would occur after 5:00 PM, reducing almost all of the parking and traffic conflict with the warehousing tenants of the building.

The City's Future Land Use Plan recommends office-industrial uses for the property. The existing zoning on the site is consistent with this designation. The proposed use of the property is not entirely consistent with this designation. However, Satellite Boulevard serves industrial and retail uses. As such this location can be suitable for a commercial use provided the underlying industrial zoning is preserved.

In conclusion, the requested Special Use Permit for a health club/training facility would be appropriate at this location. The space was constructed to accommodate the proposed use. While the property is zoned for light industrial uses, most of the current tenants in the subject building include a retail component, and the site is intended to accommodate retail customers separately from warehouse truck traffic. The site has 142 parking spaces in the front of the building which is 15 more than the minimum amount so there should be ample parking and the early evening hours that the training facility will be open should reduce opportunities for

conflict. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

Planning Department's Recommended Conditions
JSU-2014-004

Approval of a health club/training facility in M-1 subject to the following conditions:

1. Prior to issuance of a business license for a health club/training facility, the applicant shall provide a copy of a certificate of occupancy for a health club/training facility from the Gwinnett County Fire Marshal's office and the City of Suwanee Planning and Inspections Department.
2. The special use permit shall be limited to 6,000 square feet.

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 SUP is suitable in view of the mixed non-industrial uses in the area.

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

The Special Use Permit request will not adversely affect the existing uses 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 subject property has a reasonable economic use as currently zoned without a SUP.

- 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 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 office-industrial designation on the City's Future Land Use Plan. The proposed use as a health club/training facility is not consistent with this designation.

- 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 site already accommodates several non-industrial uses. The addition of another non-industrial use to the building should not create conflicts with the current tenants.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*

NAME: ELENA I. BETTIS
 ADDRESS: 513 EASLEY DRIVE
LAWRENCEVILLE, GA. 30045
 PHONE: 404 386 1017
 CONTACT PERSON: CHRIS BETTIS
 E-Mail Address: CHRIS.BETTIS@GMAIL.COM

OWNER INFORMATION*

NAME: Omega Ventures Capital, LLC
 ADDRESS: P.O. Box 2888
Suwanee, GA 30024
Sidney A. Mozayyan
 PHONE: 770-309-2032
smozayyan@blindsbynoon.com
 PHONE: 404 386 1017

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M1 REQUESTED ZONING DISTRICT _____
 PROPOSED DEVELOPMENT: 105 SATELLITE BLD. NW SUITE C
 TAX PARCEL NUMBER(S): _____
 ADDRESS OF PROPERTY: 105 SATELLITE BLD. NW SUITE C, SUWANEE
 TOTAL ACREAGE: 9.7 PUBLIC ROADWAY ACCESS: SATELLITE BLVD.

FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: ONE
 DWELLING UNIT SIZE (SQ. FT.): 5,000

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: ONE
 TOTAL GROSS SQUARE FEET: 108,000 SQ FT

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.

Elena I. Bettis
 Signature of Applicant* Date 6/3/14
Elena I. Bettis
 Print Name* Date 6/3/14
SMITA BRAHMBHATT
 Signature of Notary Notary Public Date 6-3-14
Gwinnett County

Sidney A. Mozayyan
 Signature of Owner* Date 6/3/14
Sidney A. Mozayyan
 Print Name* Date 6-3-14
 Signature of Notary SMITA BRAHMBHATT
 Notary Public Gwinnett County
 State of Georgia
 My Commission Expires Mar 15, 2016

* If Additional Applicant Information is Needed Please Complete Additional Application Form(s)
 My Commission Expires Mar 15, 2016

CITY OF SUWANEE USE ONLY

Date Received: 6/3/14 Case No: JSU-2014.004 Accepted By: UJG

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:
YES

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
NO

(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

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

(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:
YES

Date Received: 6/3/14 CITY OF SUWANEE USE ONLY Case No: JSU-2014-004 Accepted By: [Signature]

CONFLICT OF INTEREST CERTIFICATION FOR ZONING ACTIONS

The undersigned below, making application for rezoning, has read and complied with the Official Code of Georgia Section 36-67A-1, et.seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Elena I Bettis 6/3/14
Signature of Applicant Date

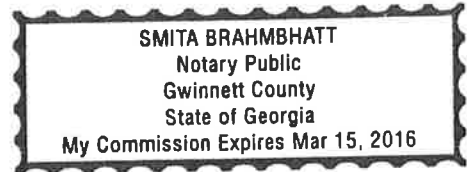
Elena I Bettis President
Type or Print Name and Title

[Signature] 6/3/14
Signature of Applicant's Attorney or Representative Date

CHRIS BETTIS - MANAGER
Type or Print Name and Title

Brahmbhatt 6-3-14
Signature of Notary Public Date

Notary seal



Disclosure of Campaign Contributions

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City Council or a member of the city of Suwanee Planning Commission?

No yes/no

Your Name

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contributions was made (within last two years)

*Attach additional sheets, if necessary to disclose or described all contributions.

Date Received: 6/3/14 CITY OF SUWANEE USE ONLY Case No.: 350-2014-004 Accepted By: [Signature]

Dear City of Suwanee,

My company name is FAST Training and Athlete Development. We are requesting a special use permit for 105 Satellite Blvd NW Suite C, Suwanee, GA. Our business is working with children from the ages of 6 to 18 yrs of age. We conduct classes to help the children perform better on the playing field as well as the classroom. The other portion of our business is helping children gain strength as well as endurance and speed. 90% of our business is conducted after the hours of 5pm as the children are in school until 3:30pm or 4:00pm every day. I understand there are parking concerns related to this type of use but our clients do not drive but are dropped off and then picked up and again this is happening after the hours of 5pm.

My company also has after school programs at White Oak, Level Creek and Roberts Elementary and we have a great standing with the City of Suwanee and the school district. We also work with handicapped children at our schools and sometimes bring them to our facility to work with them as well. Helping special education children to be seen as just a normal child is very important to us. We will be making no alterations to the building but just using the open space as is.

Thank you for your consideration on this matter.

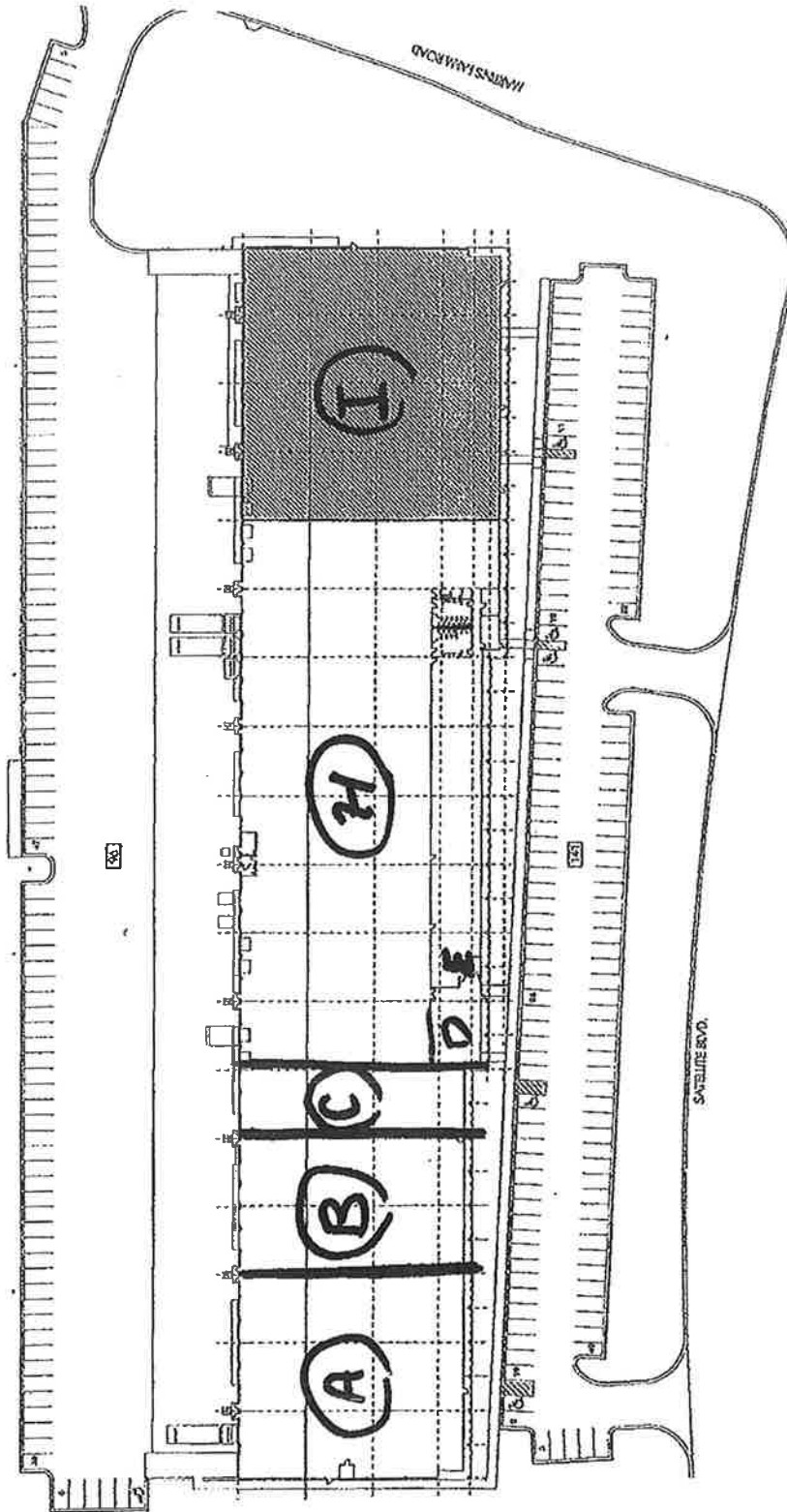


Elena Bettis
President
FAST Training and Athlete Development

Exhibit "A"

Floor Plan

Total 108,000 Sq. Ft.



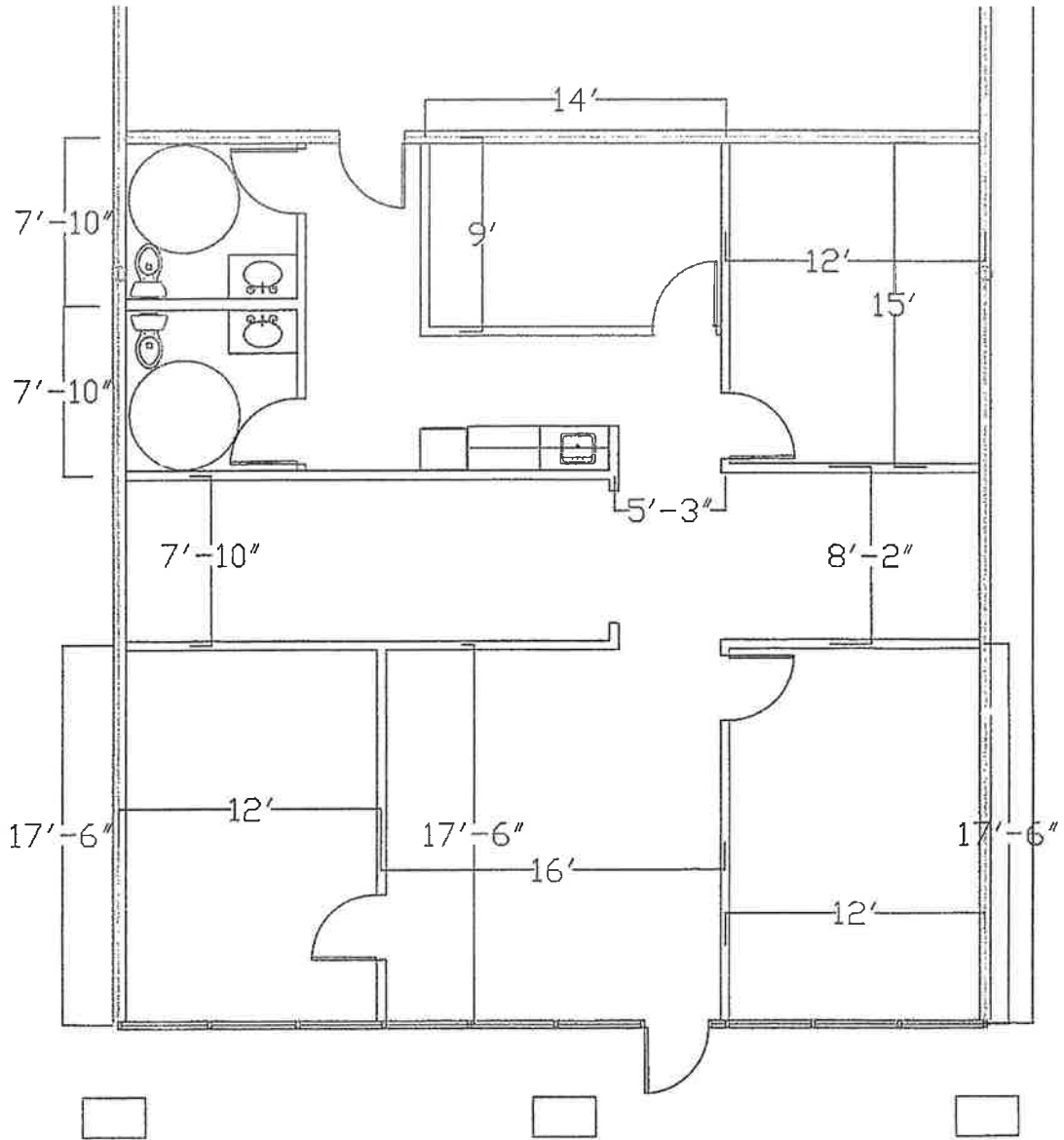
23008.00
 OVERALL PLAN
 071503
 0 20' 40' 80'

105 SATELLITE
 SUWANEE, GEORGIA



JSU-2014-004

EXHIBIT C-1



ALL MEASUREMENTS ARE DEEMED ACCURATE
BUT SHOULD BE FIELD VERIFIED.

Handwritten signature

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EXHIBIT A JSU-2014-004

Location Map

Legend

-  JSU-2014-004
-  Major Road

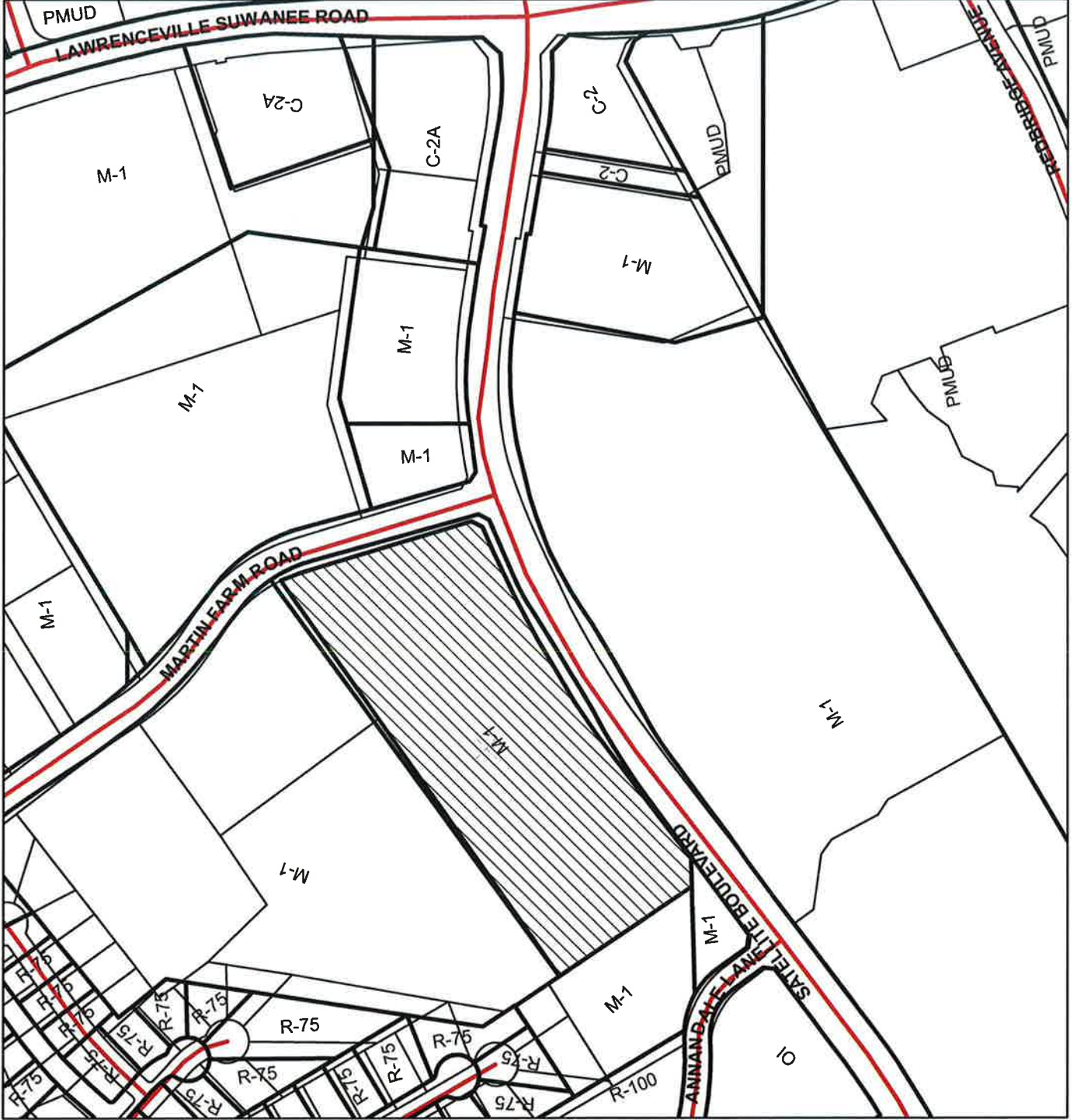
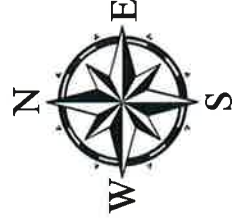




EXHIBIT B JSU-2014-004

Aerial Map

Legend



JSU-2014-004



Major Road

