

**SPECIAL USE PERMIT(S):**

**SUP-2015-002**

**CITY OF SUWANEE  
SPECIAL USE PERMIT ANALYSIS**

**CASE NUMBER:** SUP-2015-001  
**REQUEST:** GOLF ACADEMY IN M-1  
**ZONING:** M-1 (LIGHT INDUSTRY DISTRICT)  
**LOCATION:** 3690 BURNETTE PARK DRIVE  
**TAX ID NUMBER:** 7-201-101  
**ACREAGE:** 1.41 ACRES  
**PROPOSED DEVELOPMENT:** GOLF ACADEMY

**APPLICANT:** BILL BARABAN  
3690 BURNETTE PARK DRIVE  
SUWANEE, GA 30024

**OWNER:** STARK-BOWEN, LLC  
5106-B BRISTOL INDUSTRIAL BLVD STE. 300  
BUFORD, GA 30518

**CONTACT:** BILL BARABAN  
**PHONE CONTACT:** 404-353-5757

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant requests a Special Use Permit on an approximate 1.41 acre tract to allow for a 4,500 square foot golf academy in the M-1 zoning district. The golf academy would be located in a portion of a 14,000 square foot multi-tenant office/warehouse building located at 3690 Burnette Park Drive. Access is located via a shared driveway, with an adjacent parcel, off Burnette Park Drive. The property is adjacent to Buford Highway but does not access the highway directly. The proposed golf academy would be located in Suite A, which is the tenant space closest to Burnette Park Drive.

The applicant's business is Bill Baraban's Academy Fore Golf. The business specializes in improving client's golf skills through lessons, club assessment, fitting and modification. The business also uses modern technology such as hi-speed video and golf simulation at their location. While club modification and office related uses are permitted in the M-1 zoning district, the majority of the applicant's business is providing lessons which require a Special Use Permit. Suite A includes an office area and attached warehouse that will store the applicant's club building materials, a golf simulator and other training related equipment. The business has recently relocated from a property in unincorporated Forsyth County near McGinnis Ferry Road and Peachtree Parkway.

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 indoor golf academy.

#### **ANALYSIS:**

The subject property is located adjacent to Buford Highway and Burnette Park Drive in an industrial park accessed from Burnette Road. Certain uses, including athletic 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. Also, warehouses are built to different codes than public assembly type 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 golf training facility customers and truck traffic are minimized.

The property is zoned M-1 Light Manufacturing. It is surrounded entirely by other M-1 properties with light industrial uses. The M-1 property to the north contains a building with several uses including storage for a construction company as well as an auto body shop and an auto repair shop. Across Burnette Park Drive is a warehouse building (zoned M-1) with two tenants. To the south of the subject property is another warehouse building that contains a woodshop.

The building on the subject property was built as an office/warehouse facility. Currently, tenants of the subject building include an awning company and automotive related uses. Suite A is located in the front of the building, adjacent to Burnette Park Drive, and includes a 1,500 square foot office area with an attached 3,000 square foot warehouse space. In addition to a regular door, all warehouse areas include overhead doors. The customer parking area is located in front of the building and is separate from the area that would most likely accommodate truck traffic. However, these areas utilize the same entrance. The site is not currently occupied by uses that generate large amounts of truck traffic. The parking area contains enough spaces to satisfy the need that would be created if the SUP is approved. The applicant should be aware that they will need to comply with relevant building code and fire safety code requirements for a change in use from office/warehouse to an assembly use. Such changes may include, but are not limited to, egress and bathroom requirements

There have been similar SUP requests recently to allow for athletic training facilities in M-1 zoned buildings. The Planning Commission and City Council have approved a crossfit gym on Shawnee Industrial North and another athletic training facility located at 105 Satellite Boulevard. In both of these cases, the businesses requested to be in office/warehouse buildings. Both similar special uses provide direct access to their suites from parking areas, as does the subject property.

The subject property shares a driveway with the adjacent property. The driveway is short and then opens up to a large paved area which makes it easy for larger trucks to maneuver. Customers for the applicant's building should park in front of the building which is located next to the driveway. If that is the case, the customer's cars should not come into conflict with any

larger trucks that might be maneuvering in the large paved area between the subject building and the neighboring 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, there are other non-industrial uses located nearby such as the automotive related businesses and the Suwanee Sports Academy located on Burnette Road.

In conclusion, the requested Special Use Permit for a golf academy would be appropriate at this location. While the property is zoned for light industrial uses, Suite A includes a large office area with adjacent parking that can accommodate the proposed use. In addition, most customers would be coming during the evenings and weekends when truck traffic should be minimal. Provided the building complies with applicable building and fire safety codes, the location is appropriate for a golf academy. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

**Planning Department's Recommended Conditions**

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Approval of a golf academy in M-1 subject to the following conditions:

1. Prior to issuance of a business license for a golf academy/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 5,000 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**

An Appointment is required prior to submitting an application. Please contact MaryAnn Jackson at 770-945-8996 to setup an appointment.

<b>APPLICANT INFORMATION*</b>	<b>OWNER INFORMATION*</b>
NAME: <u>Bill Baraban's Academy Fore Golf</u>	NAME: <u>Stark-Bowen, LLC</u>
ADDRESS: <u>3690 Burnette PK Dr. Suite A Suwanee GA 30024</u>	ADDRESS: <u>5106-B Bristol Ind. Way Suite 300 Buford, GA 30518</u>
PHONE: <u>404-353-<del>4444</del> 5757</u>	PHONE: <u>770.614.1730</u>
CONTACT PERSON: <u>Bill Baraban</u>	PHONE: _____
E-Mail Address: <u>wlbaraban@gmail.com.</u>	

**PROPERTY INFORMATION**

PRESENT ZONING DISTRICT(S): HM-1 REQUESTED ZONING DISTRICT \_\_\_\_\_

PROPOSED DEVELOPMENT: \_\_\_\_\_

TAX PARCEL NUMBER(S): R 7209 101

ADDRESS OF PROPERTY: 3690 Burnette Park Drive, Suwanee

TOTAL ACREAGE: \_\_\_\_\_ PUBLIC ROADWAY ACCESS: \_\_\_\_\_

<b>FOR RESIDENTIAL DEVELOPMENT:</b>	<b>FOR NON-RESIDENTIAL DEVELOPMENT:</b>
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/UNITS: <u>(2) DATE TWO</u>
DWELLING UNIT SIZE (SQ. FT.): _____	TOTAL GROSS SQUARE FEET: <u>14,271</u>

**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.

<u>William L Baraban</u> Signature of Applicant* WILLIAM L. BARABAN Print Name* <u>Meredith Adams</u> Signature of Notary Exp. 2/2/17	Date <u>1/8/15</u> Date <u>1/8/15</u> Date <u>1/8/15</u>	<u>Bill Stark</u> Signature of Owner* Bill Stark Print Name* <u>Meredith Pierce</u> Signature of Notary	Date <u>1/7/15</u> Date _____ Date <u>1/17/15</u>
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\* If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)

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CITY OF SUWANEE USE ONLY

Date Received: 1/9/15 Case No.: SUP2015-001 Accepted By: [Signature]

SUP-2015-002



## 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.

William L. Baraban 1/8/15  
 Signature of Applicant Date

WILLIAM L. BARABAN - OWNER  
 Type or Print Name and Title

\_\_\_\_\_  
 Signature of Applicant's Attorney or Representative Date

\_\_\_\_\_  
 Type or Print Name and Title

Cathy A. White 1-8-15  
 Signature of Notary Public Date

Notary seal

MY COMMISSION EXPIRES:  
06-02-2018

### 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.

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CITY OF SUWANEE USE ONLY

Date Received: 1/9/15 Case No.: SUP 2015 002 Accepted By: [Signature]





Letter of Intent

City of Suwanee

1/9/2015

My name is Bill Baraban, I am a PGA Member of 30 years and I have been a PGA Master Professional for 21 years. I am interested in being able to relocate my business to the City of Suwanee, Georgia. Bill Baraban's Academy ForeGolf is in the business of game improvement for golfers of all ages. This includes club building, club fitting and golf instruction using hi-speed video, launch monitors and golf simulation. I have many testimonials about my ability to help golfers enjoy the game of golf more. This includes several young golfers who have gone on to area colleges on golf scholarships.

For the last four years my business was located in Forsyth County in a light industrial area and I have been wanting to relocate in Suwanee where my family has lived since 1994. Being more connected to the community through my business has been a goal for the last several years. The new address for my business is to be 3690 Burnette Park Drive, Suite A, Suwanee, Georgia 30024.

Thank you for your consideration!

Respectfully Submitted,

William L. (Bill) Baraban

**3690 Burnette Park Dr.**



- Property Parcels
- County Boundary

**1/8/2015**

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This map is a graphical representation of data obtained from aerial photography, recorded deeds, plats, engineering drawings and other public records and data. Gwinnett County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purpose, with all claims, including those provided as a result of this map. ALL DATA IS PROVIDED AS IS, KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This map is the proprietary product of Gwinnett County and in no event will Gwinnett County be liable for damages, including any loss of profits, lost savings, or other incidental or consequential damages arising out of the use of or inability to use this map.

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Map Layers 11/21/2014



# EXHIBIT B SUP-2015-002

Aerial Map

## Legend



SUP-2015-002



Major Road





# EXHIBIT A SUP-2015-002

Location Map

**Legend**

- SUP-2015-002
- Major Road

**ZONING**

- C-2
- C-2A
- M-1
- O-I
- R-140
- R-100

