

VARIANCE(S):

V-2012-001

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2012-001

REQUEST: ALTER AN EXISTING FREESTANDING SIGN
TO INCLUDE AN ELECTRONIC SIGN

APPLICABLE SECTION: SECTION 1611 PROHIBITED SIGNS

LOCATION: 2855 LAWRENCEVILLE SUWANEE ROAD
ACREAGE: 15.72 ACRES
DISTRICT/LAND LOT/PARCEL: 7-152-030
ZONING: C-2A (SPECIAL COMMERCIAL DISTRICT)

APPLICANT: MOVIE TAVERN, INC.
12400 COIT ROAD, STE. 800
DALLAS, TX 75251

OWNER: RAMCO-GERSHENSON PROPERTIES, L.P.
31500 NORTHWESTERN HWY, STE 300
FARMINGTON HILLS, MI 48334

CONTACT: JERRY PASSMORE

PHONE: 817-341-4720

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANAYLSIS:

The applicant seeks a variance from Section 1611 Prohibited Signs of the City of Suwanee Zoning Ordinance to allow for an electronic sign located on the Horizon Shopping Center's existing freestanding sign along on Lawrenceville-Suwanee Road. The applicant is proposing the image displayed on the sign change once every five minutes. Section 1611 of the Zoning Ordinance lists a number of signs that are prohibited in the City of Suwanee. Electronic and flashing signs are prohibited under this section. The Prohibited Signs section of the Zoning Ordinance states, "Electronic signs used for purposes other than traffic management and official government signs" and that, "No sign shall be permitted which is animated by means of flashing, blinking or traveling lights or other means not providing constant illumination".

The Horizon Village shopping center, totaling approximately 16 acres, is located at 2855 Lawrenceville-Suwanee Road within the highly commercialized Suwanee Gateway character area. The subject property is surrounded by office and commercial uses with the Shops at Horizon

Corners shopping center to the north zoned C-2A, Office Green office park to the east which is outside of City Limits, a car repair shop to the south zoned C-2, and another large shopping center to the west across Lawrenceville-Suwanee Road zoned C-2A. Horizon Village has a number of out parcels including a Chick-fil-A, Twisted Tavern, BB&T bank and small multi-tenant building zoned C-2 and C-2A. The applicant, Movie Tavern, is in the process of renovating the 48,000 square foot anchor space that has remained vacant since Publix moved out several years ago. The existing freestanding sign serves the entire 111,000 square foot shopping center. Council rezoned the property from C-2 to C-2A in 2010 per RZ-2010-005 in order to allow for alcohol sales.

Electronic signs used for purposes other than traffic management and official government signs are listed as prohibited signs in Section 1611 of the Zoning Ordinance. It goes on to state, "No sign shall be permitted which is animated by means of flashing, blinking or traveling lights or other means not providing constant illumination". The applicant is requesting a 32 square foot LED electronic sign on the existing free standing sign on Lawrenceville-Suwanee Road. The applicant is proposing that the image on the sign change once every five minutes to display movies that are currently being shown at the theater. However, staff recommends that the rate of change be limited to no more than once every hour in order to minimize driver distraction.

Electronic signs were prohibited in the Zoning Ordinance starting in 2008. The intent of the amendment was to limit the number of electronic signs in the City so they are not over used to avoid driver distraction and negative aesthetic impacts. However, movie theaters usually use some form of reader board to advertise the movies playing at the theater. This information needs to be updated on a regular basis but not so frequently that it would create a distraction to drivers. This is an aspect of the use that is unique to movie theaters. In this case, a LED sign fits with the overall theme of the building which includes a decorative tower and lighting. It should be noted that the Zoning Board of Appeals has approved variances in the past to allow electronic signs for Burnette Insurance and Quantum National Bank in 2008 (V-2008-006, V-2008-009 respectively). In both cases existing non-conforming signs were expanded to include electronic signs.

The City's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. According to Section 2006 of the Ordinance, the Board is authorized to grant variances when literal enforcement of the Ordinance will result in unnecessary hardship to a property owner. The zoning ordinance also states that variances may be granted when conditions are peculiar to the piece of property, or when relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance.

In conclusion, the addition of an electronic sign on the existing freestanding sign will not negatively impact the surrounding property or business owners. Movie theaters are unique because the product they are selling changes weekly and thus the need for a sign that can be changed is useful. It is the opinion of the Planning Staff that a LED electronic sign would be more attractive and fits the overall theme of the proposed use while being safer than a reader board where an employee would have to manually change the lettering. Finally, limiting how often the image changes should eliminate any distractions to drivers. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of V-2012-001.

Planning Department
Recommended Conditions

The Planning Department recommends approval of **V-2012-001** to allow for an electronic LED sign subject to the following conditions:

1. The sign permitted shall be generally consistent with the sign shown in Exhibit C.
2. The size of the electronic LED sign shall be limited to approximately 32 square feet. The original copy area of the existing sign shall be maintained.
3. The image displayed on the electronic shall be static and not blink, flash or move in any way and shall not change more than once every hour.
4. The use of an electronic sign shall be limited to the applicant or similar user. Any other users are prohibited.
5. Lighting intensity shall be subject to the review and approval of the Planning and Inspections Director.

Standards for Consideration

Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

A. Will approval of these variances unreasonably increase the congestion in public streets?

Approval of this variance would not increase the congestion in public streets.

B. Will approval increase the danger of fire or endanger public safety?

With appropriate conditions, approval of this variance would not increase the danger of fire or endanger public safety.

C. Will approval unreasonably diminish or impair established property values within the surrounding area?

Approval of this variance would not unreasonably diminish or impair property values within the surrounding area.

D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?

With appropriate conditions, approval of variance V-2012-001 would not impair the public health, safety, comfort, morals, or welfare.

**APPLICATION FOR VARIANCE FROM THE
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: Movie Tavern, Inc.
Address: 12400 Coit Road, Suite 800
City: Dallas
State: TX 75251
Phone: 817-341-4720
E-mail address: jpassmore@movietavern.com

CONTACT PERSON: Jerry Passmore

ADDRESS OF PROPERTY 2855 Lawrenceville-Suwanee Road

LAND DISTRICT 7th LAND LOT 151/152 PARCEL/LOT See attached site plan

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Horizon Village Shopping Center

ZONING C2

VARIANCE REQUESTED Request to install electronic message center in multi-tenant pylon sign on property as part of upgrade to sign. Request for allowance to change image/message once every 5 minutes.

NEED FOR VARIANCE The electronic message center will display movie images (similar to the Harry Potter graphic shown on the proposed artwork) to identify the current movie titles available at the theatre. The proposed change rate of 1 image per 5 minutes would certainly not be a distraction to motorists and should maintain the safety of the citizens while doing the service of awareness of the available movies.

***A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.**

SECTION 2007, APPLICANT AND/OR A REPRESENTATIVE.

*****The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**

V-2017-001

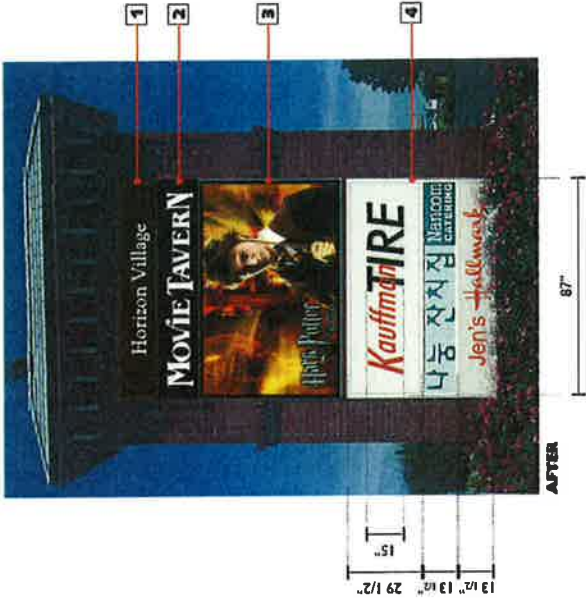
Exhibit 'C'



EXISTING MULTI-TENANT DISPLAY

REMOVE and DISCARD EXISTING S/F CABINETS

SURVEY REQUIRED TO OBTAIN MANUFACTURING MEASUREMENTS AND CONFIRM IF BRICK IS FLAT OR PROTRUDES OUT OR HAS INSERTS



RE-WORK EXISTING MULTI-TENANT DISPLAY

MANUFACTURE and INSTALL NEW S/F CABINETS with L.E.D. MESSAGE CENTER

- 1 TWO (2) REQUIRED - S/F ALUMINUM CABINETS, 8" DEEP PAINTED DK. BRONZE and WHITE ACRYLIC FACES with 1st SURFACE APPLIED DK. BRONZE VINYL (BKGD.) and ALUMINUM RETAINERS PAINTED DK. BRONZE
 - INTERNALLY ILLUMINATED with H.O. LAMPS
- 2 TWO (2) REQUIRED - S/F ALUMINUM CABINETS, 8" DEEP PAINTED BLACK and WHITE ACRYLIC FACES with 1st SURFACE APPLIED BLACK VINYL (BKGD.) and ALUMINUM RETAINERS PAINTED BLACK
 - INTERNALLY ILLUMINATED with H.O. LAMPS
- 3 TWO (2) REQUIRED - 16mm FULL COLOR L.E.D. MESSAGE CENTER
 - VERIFY ELECTRICAL CONSUMPTION OF L.E.D. UNIT
 - CUSTOMER TO PROVIDE ADDITIONAL PRIMARY ELECTRICAL CIRCUITS TO L.E.D. UNITS, IF REQUIRED
- 4 TWO (2) REQUIRED - S/F ALUMINUM CABINETS, 8" DEEP PAINTED WHITE and DIVIDER BARS and RETAINERS PAINTED WHITE
 - WHITE ACRYLIC FACES with 1st SURFACE APPLIED GRAPHICS
 - TENANTS TO PROVIDE VECTOR ART
 - INTERNALLY ILLUMINATED with H.O. LAMPS

USE EXISTING PRIMARY ELECTRICAL



10-1075 R3
Sheet 1 of 1
ATLANTA

Horizon Village SUWANEE, GA
Arch. by DEBBIE MOLTZ
Contractor LAUREN STROCHLOUSE
Designer I. HERRASTI
Date 8/18/10

Client	
Utility	
Location	
Project	
Equipment	
Leadtime	

1) All items to be removed shall be removed and disposed of in accordance with applicable local, state and federal regulations. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals.

www.horizonvillage.com

1000 Horizon Village Dr. SW
Suwanee, GA 30086
303-241-2300

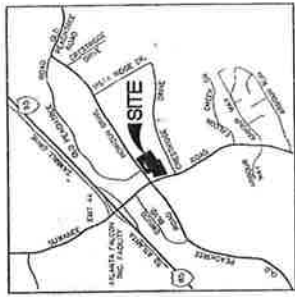
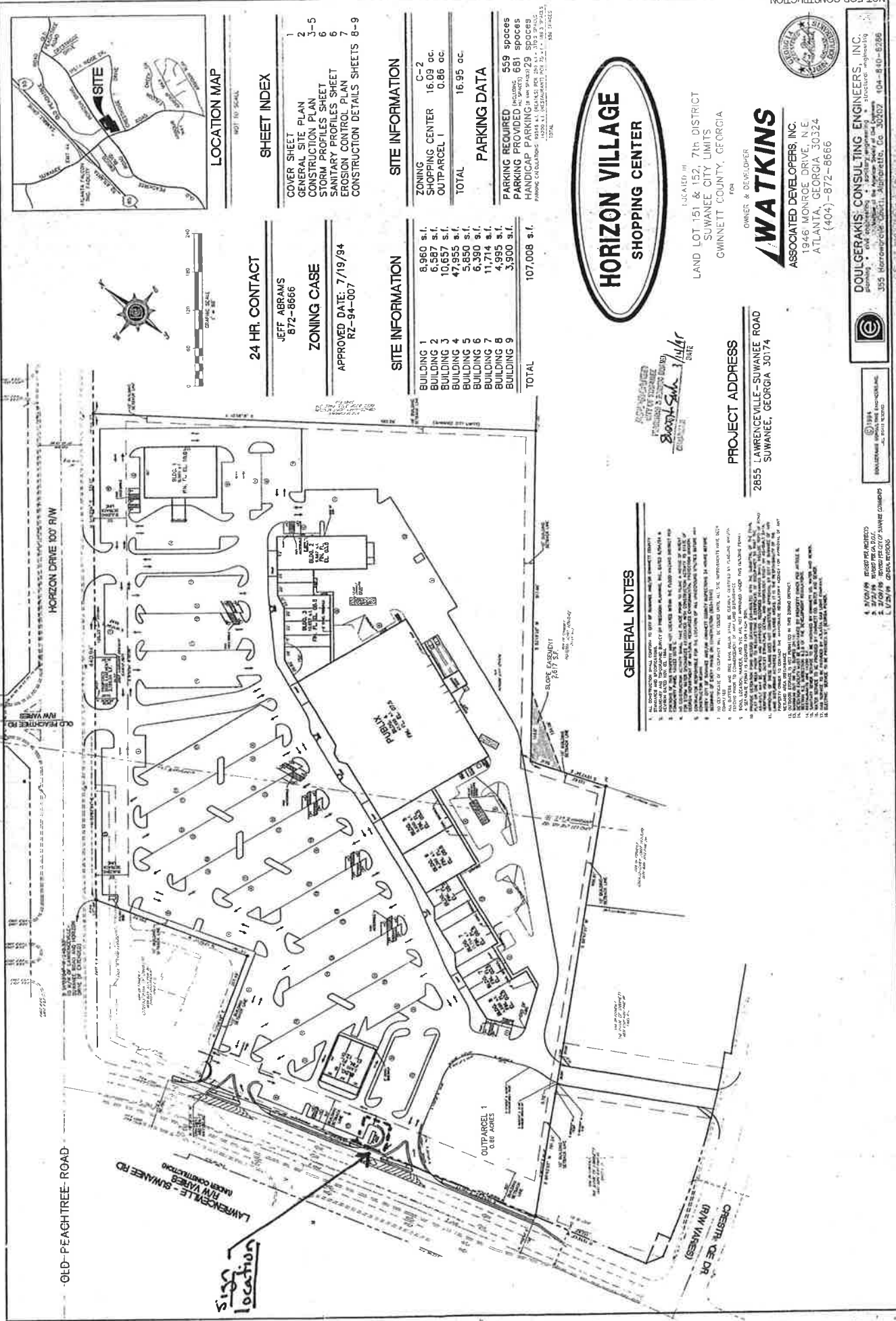
1000 Horizon Village Dr. SW
Suwanee, GA 30086
303-241-2300

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Suwanee, GA 30086
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

10011017.001

Exhibit "D"



LOCATION MAP

24 HR. CONTACT

JEFF ABRAMS
872-8666

ZONING CASE

APPROVED DATE: 7/19/94
RZ-94-007

SHEET INDEX

COVER SHEET	1
GENERAL SITE PLAN	2
CONSTRUCTION PLAN	3-5
STORM PROFILES SHEET	6
SANITARY PROFILES SHEET	6
EROSION CONTROL PLAN	7
CONSTRUCTION DETAILS SHEETS	8-9

SITE INFORMATION

BUILDING 1	8,960 s.f.
BUILDING 2	6,587 s.f.
BUILDING 3	10,657 s.f.
BUILDING 4	47,955 s.f.
BUILDING 5	5,850 s.f.
BUILDING 6	6,390 s.f.
BUILDING 7	11,714 s.f.
BUILDING 8	4,995 s.f.
BUILDING 9	3,900 s.f.
TOTAL	107,008 s.f.

SITE INFORMATION

ZONING	C-2
SHOPPING CENTER	16.09 ac.
OUTPARCEL 1	0.86 ac.
TOTAL	16.95 ac.

PARKING DATA

PARKING REQUIRED 559 spaces
 PARKING PROVIDED (including 681 spaces)
 HANDICAP PARKING (as per ADA) 29 spaces
 PRIME CALCULATION: 1250 x 1.1 (RESIDENTIAL) x 0.1 = 136.5 SPACES
 TOTAL 681 SPACES

HORIZON VILLAGE SHOPPING CENTER

LOCATED IN
 LAND LOT 151 & 152, 7th DISTRICT
 SUWANEE CITY LIMITS
 GWINNETT COUNTY, GEORGIA

OWNER & DEVELOPER
WATKINS
 ASSOCIATED DEVELOPERS, INC.
 1946 MONROE DRIVE, N.E.
 ATLANTA, GEORGIA 30324
 (404)-872-6666

PROJECT ADDRESS

2855 LAWRENCEVILLE - SUWANEE ROAD
 SUWANEE, GEORGIA 30174

GENERAL NOTES

1. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF SUWANEE ZONING ORDINANCE AND THE CITY OF SUWANEE SUBDIVISION ORDINANCE.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF SUWANEE.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY RELOCATION OR DESTRUCTION OF UTILITIES.
5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND SHALL BE RESPONSIBLE FOR ANY REMOVAL OR PROTECTION OF TREES.
6. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF EROSION CONTROL MEASURES.
7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING FLOOD CONTROL MEASURES AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF FLOOD CONTROL MEASURES.
8. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TRAFFIC CONTROL MEASURES AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF TRAFFIC CONTROL MEASURES.
9. THE DEVELOPER SHALL MAINTAIN ALL EXISTING SIGNAGE AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF SIGNAGE.
10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING LANDSCAPING AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF LANDSCAPING.
11. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY RELOCATION OR DESTRUCTION OF UTILITIES.
12. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF EROSION CONTROL MEASURES.
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15. THE DEVELOPER SHALL MAINTAIN ALL EXISTING SIGNAGE AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF SIGNAGE.
16. THE DEVELOPER SHALL MAINTAIN ALL EXISTING LANDSCAPING AND SHALL BE RESPONSIBLE FOR ANY REPAIR OR REPLACEMENT OF LANDSCAPING.

NOT FOR CONSTRUCTION

DOULGERAKIS CONSULTING ENGINEERS, INC.
 PROFESSIONAL ENGINEERING FIRM
 555 HUNTERWOOD BLVD., SUWANEE, GA 30020 (404) 810-8286

REGISTERED PROFESSIONAL ENGINEER
 STATE OF GEORGIA
 LICENSE NO. 10000

V-2012-001

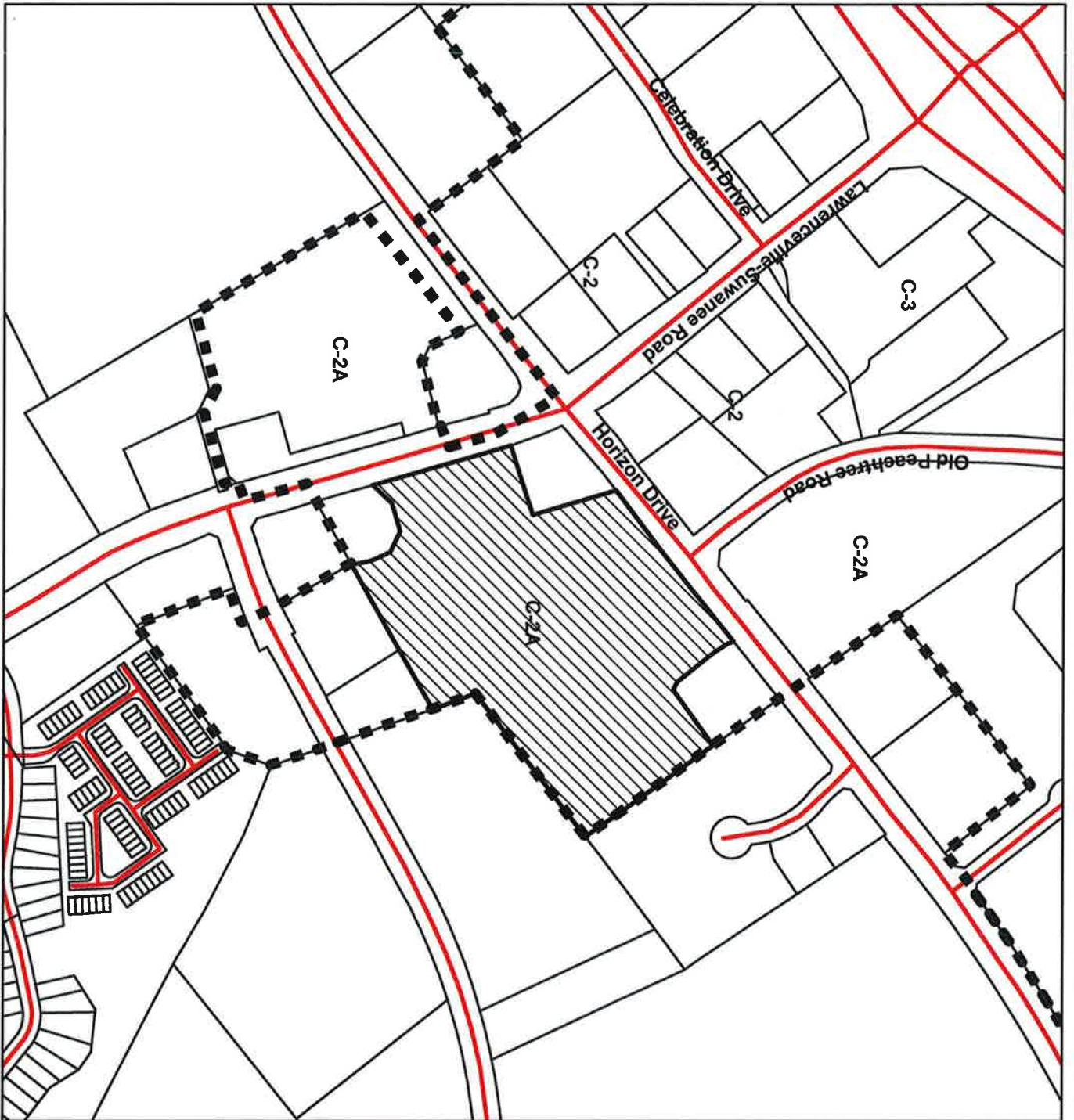


EXHIBIT A

V-2012-001

Location Map





	Legend
	V-2012-001
	Major Road
	City Limits







EXHIBIT B

V-2012-001

Aerial Map

Legend

-  V-2012-001
-  Major Road

