

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: RZ-2008-002
REQUEST: M-1 (LIGHT INDUSTRY DISTRICT) TO
C-2A (SPECIAL COMMERCIAL DISTRICT –
ALCOHOL SALES)
LOCATION: 2825 ROLLING PIN LANE
TAX ID NUMBER: 7-151-064
ACREAGE: 8.28 ACRES
PROPOSED DEVELOPMENT: 55,784 SQUARE FEET OF OFFICE, RETAIL
AND RESTAURANT USES INCLUDING
ALCOHOL SALES

APPLICANT/OWNER: ROLLING PIN, LLC
2855 ROLLING PIN LANE
SUWANEE, GA 30024

CONTACT: KATIE TANG PHONE: 678-508-5118

**RECOMMENDATION: DENIAL IN PART AND APPROVAL IN PART WITH
CONDITIONS**

PROJECT DATA:

The applicant requests rezoning on an 8.28 acre site from M-1 (Light Industry District) to C-2A (Special Commercial District-Alcohol Sales) to allow for office, retail and restaurant uses which may include alcohol sales. The subject site contains an approximately 50,000 square foot building and an approximately 5,000 square foot building located at 2825 Rolling Pin Lane.

The large building on the site was previously occupied by the offices of a large bakery whose production facility was located adjacent and to the rear of the property. The small building was a restaurant and café operated by the bakery and was open to the general public. The applicant does not propose any major exterior modifications to existing buildings. Parking is provided on the site. The applicant does not propose modification to the existing parking lot which currently provides a total of 321 parking spaces. Access exists onto Rolling Pin Lane and onto a driveway easement located on an adjacent property. Both access points lead to Horizon Drive.

DEVELOPMENT COMMENTS:

If the zoning is approved and the applicant makes improvements to the site, the City will formally review the project for compliance with development regulations during the normal development process.

ANALYSIS:

The subject property is a developed 8.28 acre site located at the intersection of Rolling Pin Lane and Horizon Drive. The applicant does not propose any modifications to the site. The current parking appears to meet the minimum and maximum parking space requirements for the current and proposed uses. The site has existing access onto Rolling Pin Lane and an adjacent driveway easement. The site is generally suitable for commercial/retail/office uses.

The subject property is located along Horizon Drive less than a half mile east of its intersection with Lawrenceville-Suwanee Road. The subject property is surrounded by a mixture of office and warehouse uses. To the north of the subject parcel, is a large industrial/warehouse facility (zoned M-1). To the east of the subject property, along Horizon Drive, is a warehouse facility located in unincorporated Gwinnett County. Across Horizon Drive, to the south, is a warehouse facility located in unincorporated Gwinnett County. To the west of the subject property, along Horizon Drive, is an office/warehouse building zoned M-1.

It should be noted that the City's Alcohol Beverage Regulations require distance separation from places that sell alcohol and certain other land uses. The regulations prohibit alcohol sales within 300 feet of a church or 600 feet of a school. No uses currently exist near the subject property that would prohibit such sales.

The City of Suwanee Future Land Use Plan recommends industrial uses and the 2030 Comprehensive Plan recommends office and industrial uses for the subject property. The proposed commercial classification and planned retail and restaurant uses on the property are not consistent with this designation. The City's Comprehensive Plan attempts to reserve such light industrial areas for office uses to serve as valuable employment centers. The subject property is located on the Horizon Drive corridor, which is an existing industrial corridor that should be protected and reserved for future employment. However, the existing approximately 5,000 square foot building was constructed and used as a restaurant for several years prior to annexation into the City of Suwanee. This makes it much more difficult for the reuse of the building as an office or industrial use.

Two recent trends in Suwanee also support partial denial of the requested rezoning. First, the City has an unusually large amount of vacant commercially zoned space. Data recently collected by the City indicates that there are approximately 1.5 million square feet of multi-tenant retail space inside the city limits with about 320,000 square feet of that vacant. Additionally, another roughly 208,000 square feet of commercial spaces is permitted and under construction. Additionally, the overall amount of light industrial property in the City has been diminishing over the last few years. This reduction in M-1 areas could adversely affect the number of skilled labor positions available in Suwanee. The requested rezoning would contribute to continuing both of these negative trends.

In conclusion, the requested C-2A zoning, as proposed, would not be suitable at this location. The proposed use directly conflicts with the office-industrial designation on the City's Future Land Use Plan and the 2030 Comprehensive Plan. The property is located along the

industrial/office dominated Horizon Drive corridor. Additionally, the City has been losing its industrially zoned land in recent years, at the same time the City is experiencing a significant vacancy rate with retail uses. However, the approximately 5,000 square foot existing restaurant has a limited chance of being redeveloped as industrial and commercial. Additionally, the existing facility was operated as a restaurant and café for several years. Therefore, the Planning Department recommends **APPROVAL** of the request for the 5,240 square foot existing restaurant building and associated parking area and **DENIAL** of the request to rezone the remaining property.

Planning Department Recommended Conditions

RZ-2008-002

The Planning Department recommends approval subject to the following conditions:

1. Commercial use shall be limited to 5,300 square feet of interior building space and square footage shall be limited to the building identified as “one-story brick building” on Exhibit “B” or redevelopment of said building and the commercial designation shall only apply to the approximate area as shown on Exhibit “A”.
2. No vehicular sales, service or rental establishments are allowed.
3. If a development permit is issued for the site, then a sidewalk shall be provided along all public streets.

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 existing M-1 zoning category is more consistent and compatible with existing and anticipated surrounding uses. The restaurant is an existing facility and has a limited chance of being used as an office/industrial building.

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

It is unlikely that the zoning proposal will adversely affect the existing uses 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.

- 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 requested C-2A classification is not consistent with the office designation recommended by the Future Land Use Plan. However, the restaurant is an existing facility and has a limited chance of being used as an office/industrial 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;

There are two emerging trends in Suwanee that give supporting grounds for disapproval of the zoning approval for the larger building. First, the City has an unusually large amount of vacant commercially zoned space. Additionally, the overall amount of light industrial property in the City has been diminishing over the last few years.

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF CITY OF SUWANEE, GEORGIA

APPLICANT INFORMATION*

NAME:

ROLLING PIN, LLC

ADDRESS: 2855 Rolling Pin Lane
Suwanee, GA 30024

PHONE: 770-831-8882

CONTACT PERSON:

PHONE: Katie Tang 678-508-5118

OWNER INFORMATION*

NAME: ROLLING PIN, LLC

ADDRESS: 2855 Rolling Pin Lane
Suwanee, GA 30024

PHONE: 770-831-8882

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S):

DISTRICT M-1

REQUESTED ZONING C-2A

PROPOSED

DEVELOPMENT: Restaurant + Commercial Complex

TAX PARCEL

NUMBER(S): 7151064

ADDRESS OF

PROPERTY: 2825 Rolling Pin Lane, Suwanee, GA 30024

TOTAL ACREAGE: 8.287 PUBLIC ROADWAY

ACCESS: Horizon Drive

FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: _____

DWELLING UNIT SIZE (SQ. FT.): _____

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: 2

TOTAL GROSS SQUARE FEET: 5,128 +

50,656

CERTIFICATIONS

I hereby certify that the above and attached information is true and correct. I am also aware that pursuant to Section 2004 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 pursuant to Section 2003 of the Zoning Ordinance any and all conditions which may be attached to the property shall be binding on the property and all

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of 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:

The permit of the proposed zoning will expand the current use that the property already has as a light industrial zoning where some of the nearby properties are either C-1, C-2 or O-I zoning.

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

There will be no adversely affect to the existing use or usability of adjacent or nearby property but will expand and enhance their business

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

The current zoning on the property has limited use due to its light industrial zoning. The proposed zoning will have good economic impact to the property in addition to new growth for the Sawnee Gateway

- (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 proposed zoning will not exceed the existing capacity that is presently in place on the property.

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

The proposed zoning will not be in conformity with the intended land use plan. However, the current intended land use plan and the proposed zoning is somewhat in between the uses of the two zonings.

- (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 proposed zoning will only support the existing conditions of the property where it is currently in use and to clarify the use of the property

Rolling Pin, LLC

August 10, 2008

Dear Members of Suwanee City Council,

This is a Letter of Intent for attachment to our rezoning request on the property located at 2825 and 2855 Rolling Pin Lane, Suwanee, Georgia, 30024 which is also in the Suwanee Gateway. The property has 2 separate buildings and is currently under an M-1 (Light Industrial) zoning. This zoning served its purpose of the previous owner, Schwan's Bakery, as their headquarter office and cafeteria. The complex consists of 8.287 acres of land and two (2) buildings with 321 total parking spaces; the first building has approximately 5,240 square feet of restaurant/café spaces and the height of the building is 24 feet high; the second building is a two stories building and has approximately 50,656 square feet of office spaces with the building height at 31.5 feet. Under the current zoning of M-1, we are limited to light industrial businesses and it does not allow the restaurant establishment to serve to the general public.

We would like to change the current zoning from M-1, Light Industrial, to C-2A, Special Commercial District – Alcoholic Beverage Sales. Our intent to rezone the property is to allow the restaurant establishment to serve to the general public without the hindrance of violating any the current code and regulation. The restaurant current zoning allows it to serve only to the office adjacent building and not to the general public. However, the establishment had been patronized by the general public for many years since it was opened until it was closed in 2006 by Schwan Bakery upon their relocation to another state. In the new zoning, the establishment would like to serve beer and wine to it's patrons as an addition to its menu of food and beverage. Along with the change in zoning, the office building will benefit in the new zoning that it will be able to have a culture facility, school for SAT tutoring, music and art and ESL classes, and Class "A" offices.

City of Suwanee

CROSSINGS of PAST and FUTURE



EXHIBIT A

Location Map

Legend

— Streets



City Limits

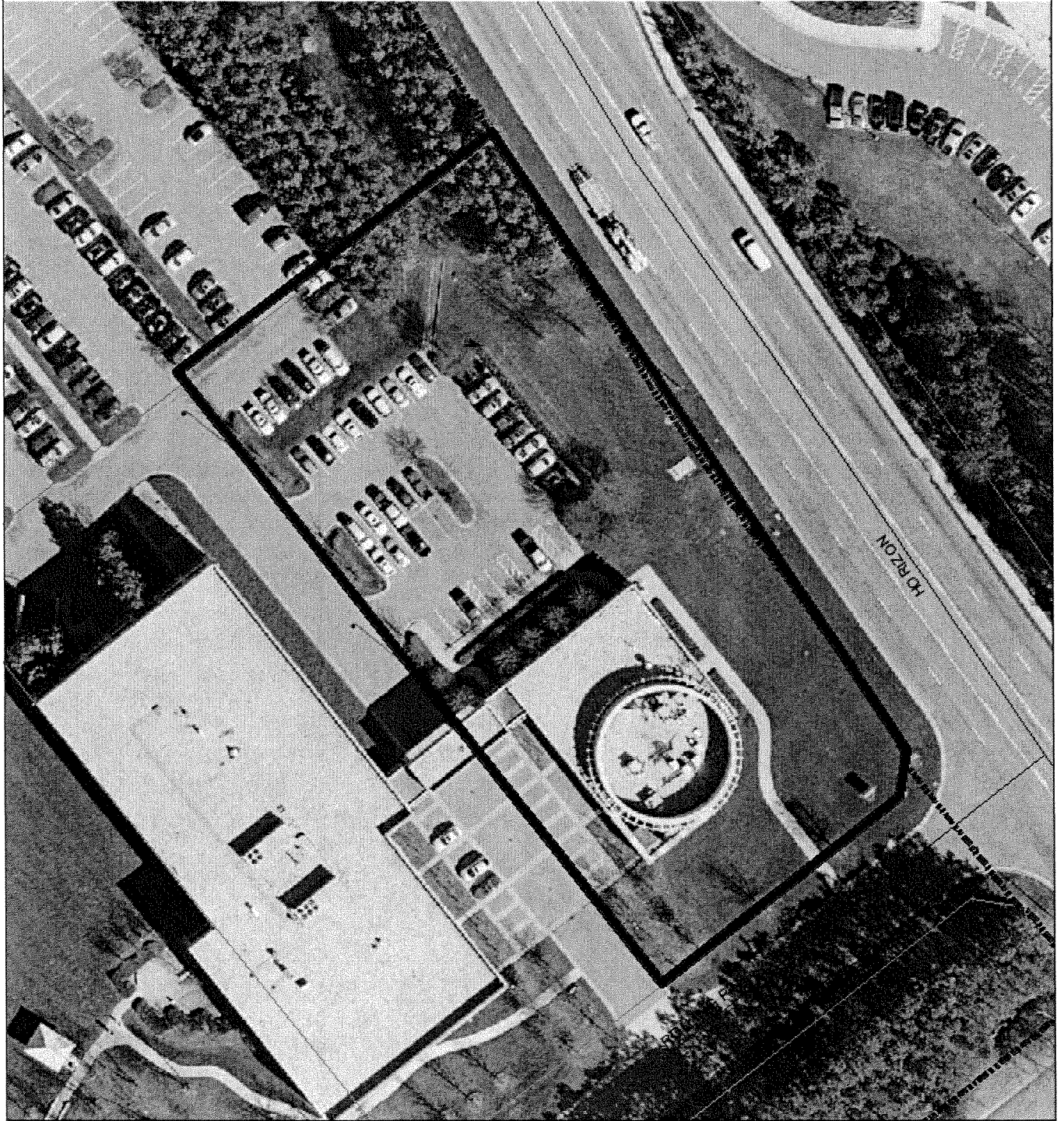
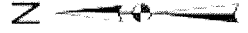
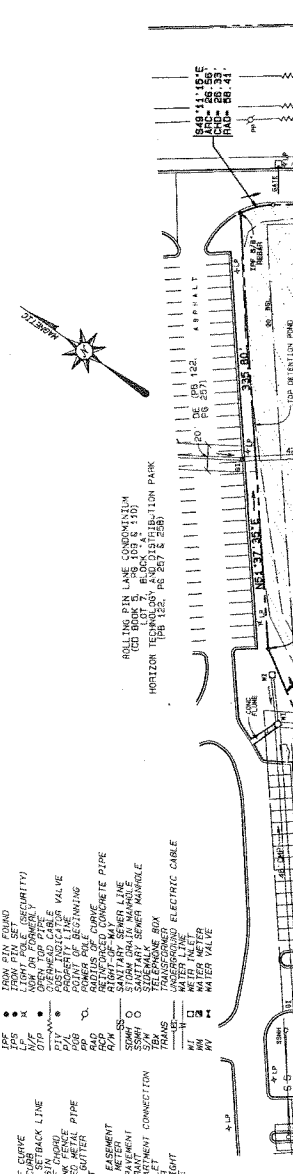


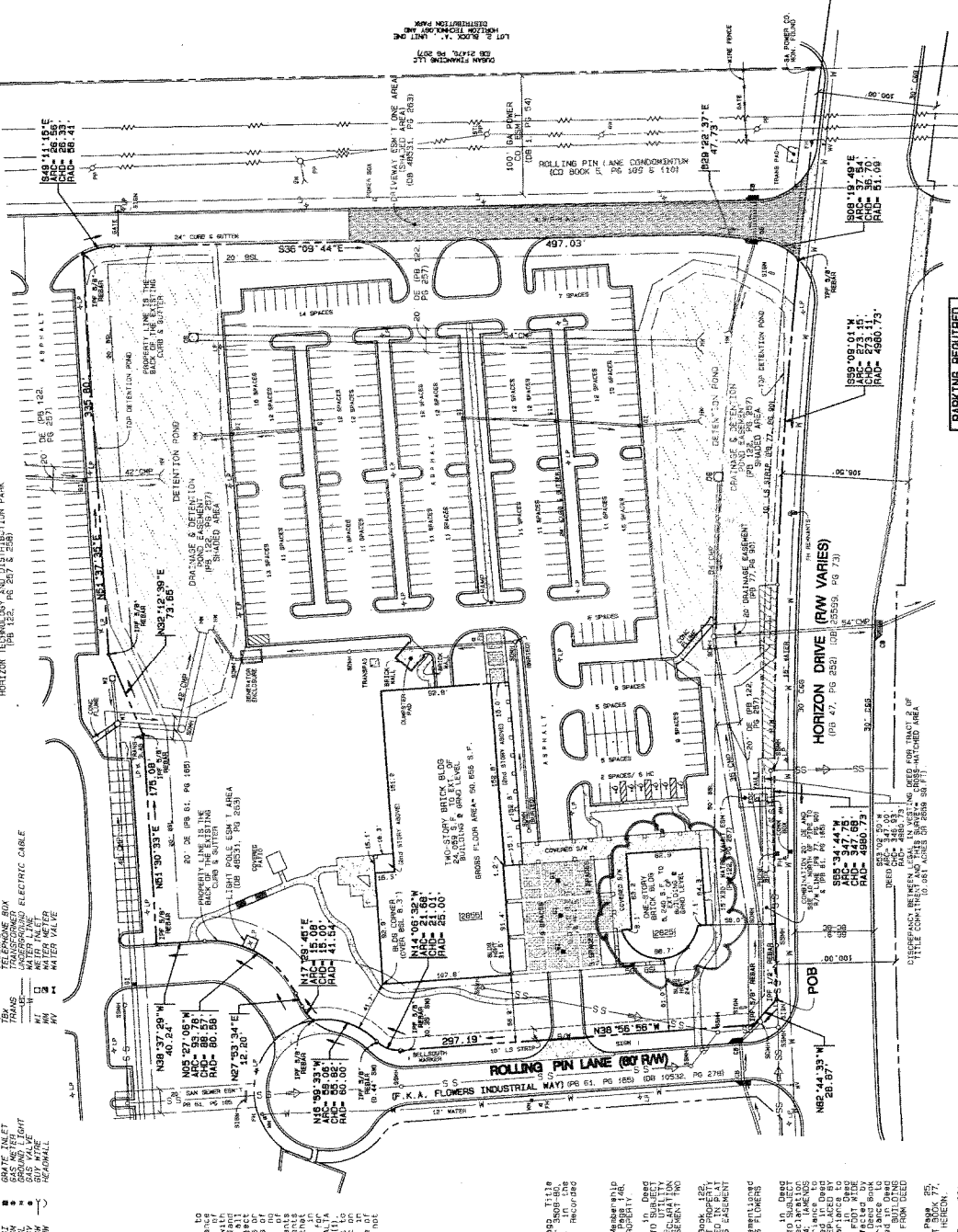
Exhibit B

LEGAL DESCRIPTION
All that tract or parcels of land being and being so many in the 7th District, City of Swansea, Glynnnet County, Georgia...



- 1. BEARINGS ARE BASED ON MAGNETIC NORTH.
2. THIS PROPERTY IS LOT 1 OF THE 8 PLOTS OF THE 'ROLLING PIN LANE' SUBDIVISION...
3. THIS PROPERTY IS ZONED M-1 (LIMIT INDUSTRIAL DISTRICT)...
4. MAXIMUM BUILDING HEIGHT PER M-1 ZONING - 40 FEET...
5. STATEMENT OF ENCROACHMENTS...
6. STATEMENT OF ENCROACHMENTS...

AREA = 8.287 ACRES
360965 S.F.
ALTA / ACSM LAND TITLE SURVEY
ROLLING PIN, LLC
CORNERSTONE BANK AND
CHICAGO TITLE INSURANCE COMPANY
CITY OF SWANSEA, GEORGIA



PARKING REQUIRED: 184 SPACES MAXIMUM, 164 SPACES MINIMUM
MAKED PARKING SPACES: 146
REAR YARD SPACES: 16
HANDICAP: 3
TOTAL: 321 SPACES
REVISIONS table and graphic scale.

TITLE EXCEPTIONS
I, the Surveyor, relied upon the Chicago Title and Insurance Co. Plat No. 130388 0044 F...
DATE: 11/16/07

City of Suwanee

CROSSINGS of PAST and FUTURE



RZ-2008-002

Location Map

Legend

- Streets
- ▭ City Limits
- ▨ RZ-2008-002

