

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2009-001
REQUEST: EXECUTIVE QUARTER'S SUITES
LOCATION: 1375 STATION CENTER BLVD
TAX ID NUMBER: 7-208-1
ACREAGE: 3.11 ACRES
ZONING: PMUD (PLANNED MIXED USE)

APPLICANT: AJC CONSTRUCTION, LLC
3039 PREMIERE PARKWAY
DULUTH, GA 30097

OWNER: NATIONAL GUARANTEE INSURANCE
3039 PREMIERE PARKWAY, SUITE 100
DULUTH, GA 30097

CONTACT: J.J. BRINKERHOFF PHONE: 678-812-2611

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on an approximately 3.11 acre site to allow for four executive quarter's suites totaling 4,362 square feet in the PMUD (Planned Mixed Use) zoning district. The subject property is located within the Suwanee Station Mixed Use Neighborhood and will include a 56,132 square foot three story office/retail building. The bottom two floors will be either office or retail. The applicant proposes to use a portion of the interior of the building as executive quarter's suites. The proposed suites take up approximately 7.8 percent of the overall building and will be located on the third floor. Two units will be approximately 1,000 square feet and two will be approximately 1,200 square feet. The property is located at 1375 Station Center Blvd. at the intersection of Station Center Blvd. and Station Way.

The applicant seeks to use a portion of the interior space to create four executive quarter's suites. The Special Use Permit process allows the City to review whether an executive quarter's suite is an appropriate use for the proposed facility. A Special Use Permit does not change the underlying zoning of the property, but grants the property an additional specified use.

The Special Use Permit process was created by City Council in 2001 to better handle certain land uses. The SUP process allows 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 is commonly used when a special use under the zoning district is desired

for development, but it may also be used when no zoning district contains a desired use as a use by right.

An executive quarter's suite is different from a residential unit or hotel. An executive quarter's suite is defined as follows: an accessory residential use within a non-residential building that is clearly subordinate and incidental to the primary use of the building, is not used as a permanent residence, is used only by employees or clients of the primary building occupant, no traditional hospitality services are provided, the structure is built to the same standards as the rest of the building and no rent or fees are charged, collected or paid for its use. Because this type of use is not specifically listed in a zoning district a special use permit is required.

DEVELOPMENT COMMENTS:

The following comments are provided to make the developer aware of certain pertinent issues. This is not intended to serve as an all-inclusive list of comments. If approved, the City will formally review the project during the normal development and/or building review process that could result in changes to the proposed plan.

The City regulates parking for commercial uses based on the type of use and the square footage of the building. The site will need to comply with the City Parking requirements.

The City requires landscape islands with trees throughout parking lots. The applicant should be prepared to meet these requirements.

The City of Suwanee Development Regulations require stormwater systems to address stormwater quality, stormwater quantity and channel protection. The applicant should be prepared to meet all of the stormwater requirements.

The developer should be aware that the City has Architectural Standards. As part of a mixed use project, the applicant should be prepared to exceed these standards.

ANALYSIS:

The applicant wishes to construct four executive quarter's suites totaling 4,362 square feet on the third floor of a proposed 56,132 square foot office/retail building. The 3.11 acre site has been cleared and is currently vacant. Access exists via Station Way. The site and proposed building are adequate for the proposed accessory use. The suites will contain kitchenettes and will be used on an occasional, temporary basis by the building occupant's management employees and visiting executives. The applicant states that the proposed kitchenettes will not be equipped with any range or stove and no "cooking" will occur in the suites.

The subject property is located within the Suwanee Station Mixed Use Neighborhood and is surrounded by vacant parcels and open space. To the east, south and west of the subject property are several vacant parcels, zoned PMUD. To the north of the subject property is a PMUD zoned parcel which includes open space and a walking trail.

The 2030 Comprehensive Plan recommends mixed use center for the property. The existing zoning on the site is consistent with this designation. The proposed special use is an accessory use that is incidental to the primary use of the property. Therefore, the proposed special use is consistent with the land use designation.

In conclusion, the requested special use permit is an accessory or incidental use and located in a proposed 56,132 square foot mixed use building. The applicant clearly states that they do not intend to use the structures as permanent residences, to charge rent or a fee, and are not providing any cooking facilities. The proposed Executive Quarter's Suites would be appropriate at this location. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of the Special Use Permit request.

Planning Department Recommended Conditions
SUP-2009-001

Approval of a Special Use Permit to allow for Executive Quarter's Suites in PMUD zoning subject to the following conditions:

1. The special use is limited to four Executive Quarters Suite, defined as follows: an accessory residential use within a non-residential building that is clearly subordinate and incidental to the primary use of the building, is not used as a permanent residence, is used only by employees or clients of the primary building occupant, no traditional hospitality services are provided, the structure is built to the same standards as the rest of the building and no rent or fees are charged, collected or paid for its use.
2. Executive quarter's suites shall be limited to a maximum of four suites not to exceed a total of 4,400 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;

If limited in scope and used as narrowly defined, the use is suitable in view of the use and development of adjacent and nearby property.

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

The proposed use will not negatively affect the existing uses or usability of nearby properties.

- 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 Special Use Permit.

- 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 requested Special Use Permit 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 mixed use center designation on the City's Future Land Use Plan. The proposed special use is an accessory use that is incidental and subordinate to the primary use of the facility.

- 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 no existing or changing conditions that give additional supporting grounds for either approval or denial of the proposal.



December 5, 2008

To Whom It May Concern:

RE: Special Use Permit Letter of Intent

The applicant is seeking a Special Use Permit on a site that is approximately 3.11 acres to accommodate four (4) Executive Quarters Suites. The subject site is zoned Planned Mixed-Use Development and is located within the Suwanee Station mixed-use community, near the intersection of Peachtree Industrial Blvd and McGinnis Ferry Rd. The Special Use Permit will not alter the inherent, approved zoning of the property, but rather grants an additional specified use. Because the Executive Quarters Suite use is not listed specifically in a zoning district a Special Use Permit is required.

The overall size of the proposed building is 56,132 square feet, of which the Executive Quarters Suites comprise 4,362 square feet, or 7.8% of the total.

The building itself is mixed-use in nature. The ground level of the building is being constructed as retail space. The intent is to seek higher-end tenants to complement the needs of the overall development. The second level will house the primary occupant – a parent company offering several types of business services. The four suites will be located above the second level and would serve as a support function of this primary occupant. The smaller units are roughly 950 and 1000 s.f., and the larger units are approximately 1190 and 1240 s.f. Two of the units are 1,000 square feet, and the other two are roughly 1,200 square feet.

As previously described by the City of Suwanee, an Executive Quarters Suite differs from residential units and hotels. By the definition provided by the City, an Executive Quarters Suite:

- is an accessory residential use within a non-residential building that is clearly subordinate and incidental to the primary use of the building;
- is not used as a permanent residence;
- is used only by employees or clients of the primary building occupant;
- provides no traditional hospitality (hotel) services;
- is built to the same standards as the rest of the building;
- allows for no rent or fees to be charged, collected or paid for its use.

The suites will only be used on an occasional, temporary and infrequent basis. The use of these suites would be by the primary building occupant's management employees working late and by visiting executives. At times, the suites might be used for marketing purposes in attracting potential clients or investors. Within the suites are kitchenettes; however, none are equipped with any range or stove, and no cooking will occur in them.

The proposed special use is an accessory use that is incidental to the primary use of the property. The proposed special use is, therefore, not necessarily inconsistent with the site's designation, and it consists of less than 10% of the building's overall square footage.

In conclusion, the conditions of the Executive Quarters Suite designation are entirely met, and it is suggested that this is an appropriate use at this location. Additionally, the building, including the Executive Quarter Suite units, has met the requirements of the Gwinnett County Fire Marshal.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*

OWNER INFORMATION*

NAME: AJC Construction LLC.

NAME: NATIONAL GUARANTEE INSURANCE

ADDRESS: 3039 PREMIERE PARKWAY
Suite 100

ADDRESS: 3039 PREMIERE PARKWAY
Suite 100

DULUTH, GA 30097

DULUTH, GA 30097

PHONE: 678-812-2611

PHONE: 678-812-2611

CONTACT PERSON: J.J. Brinkerhoff

PHONE: _____

E-Mail Address: jbrinkerhoff@ajcconstructionllc.com

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): PMUD REQUESTED ZONING DISTRICT _____

PROPOSED DEVELOPMENT: _____

TAX PARCEL NUMBER(S): Block G, Lot 1, Land Lot 208

ADDRESS OF PROPERTY: 1375 STATION CENTER BLVD.

TOTAL ACREAGE: 3.11 PUBLIC ROADWAY ACCESS: PTRAE IND. & McLENNIS FERRY

FOR RESIDENTIAL DEVELOPMENT:

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: _____

NO. OF BUILDINGS/UNITS: 1

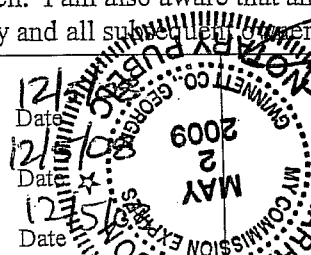
DWELLING UNIT SIZE (SQ. FT.): _____

TOTAL GROSS SQUARE FEET: 56,132

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.

Signature of Applicant*
J.J. Brinkerhoff
Print Name*
Harriet D. Simpson
Signature of Notary



Signature of Owner*
Alex Campos
Print Name*
Harriet D. Simpson
Signature of Notary

12/5/08
Date
12/5/08
Date
12/5/08
Date

* If Additional Applicant or Owner Information is Needed, please Complete Additional Application Form(s)

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: SUP2009-001 Accepted By: _____

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 - IT IS IN COMPLIANT WITH THE ENTIRE SUBDIVISION - WHICH IS MIXED USED

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
NO - THE EXISTING PROPERTY IS VACANT & ADJACENT PROPERTIES ARE MIXED USE AS WELL

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
YES - IT IS TO BE USED AS ADDITIONAL CONFERENCE AREAS TO BE USED BY OWNER/OCCUPANT

(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 - THE BUILDING WILL HAVE ITS OWN PARKING & THE MAIN ROAD - STATION CENTER BLDG - WILL NOT BE ALTERED

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
YES - THE ENTIRE SUBDIVISION IS MIXED USE

(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 NO CONDITIONS THAT WOULD AFFECT THE ORIGINAL INTENT OF USE FOR THE PROPERTY

CITY OF SUWANEE USE ONLY

Date Received: _____ Case No.: _____ Accepted By: _____

City of Suwanee

CROSSINGS of PAST and FUTURE



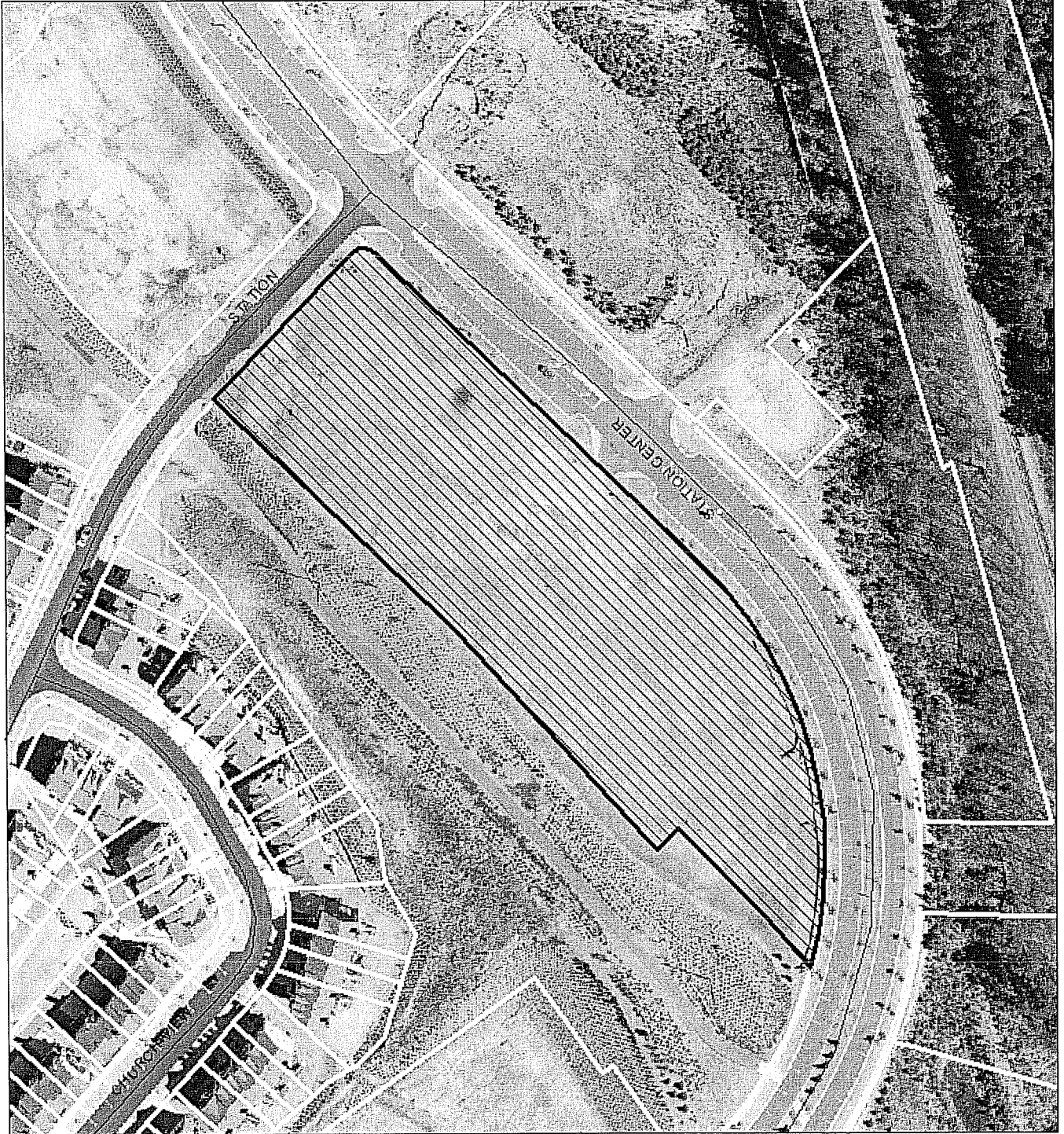
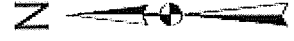
EXHIBIT B SUP-2009-001

Aerial Photo

Legend

— Streets

▨ SUP-2009-001



City of Suwanee

CROSSROADS of PAST and FUTURE




EXHIBIT A

SUP-2009-001

Location Map

Legend

— Streets

 SUP-2009-001

