

**SPECIAL USE PERMIT:
SUP-2011-001**

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2011-001
REQUEST: EMISSIONS TESTING FACILITY IN C-2
ZONING: C-2 (GENERAL COMMERCIAL DISTRICT)
LOCATION: 310 PEACHTREE INDUSTRIAL BOULEVARD
TAX ID NUMBER: 7-252-051
ACREAGE: 1.02 ACRES
PROPOSED DEVELOPMENT: 900 SQUARE FOOT EMISSIONS TESTING FACILITY

APPLICANT: PACIFIC INVESTORS FORUM, LLC
P.O. BOX 821
CLARKSTON, GA30021

OWNER: ANN ENTERPRISES, LLC
155 STILLWOOD DRIVE
FAYETTEVILLE, GA 30215

CONTACT: YUSUF ALI
PHONE CONTACT: 770-617-4527

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on an approximate 1.02 acre tract to allow for a 900 square foot emissions testing facility in the C-2 zoning district. The site is located at 310 Peachtree Industrial Boulevard, east (towards Sugar Hill) of Kroger. Access for the emissions testing facility is proposed via an existing shared driveway on Peachtree Industrial Boulevard. The proposed emissions testing facility is located at the end of the Chevron convenience store in an area which was formerly used as an automatic car wash.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the 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 emissions testing facility.

ANALYSIS:

The subject property currently contains a Chevron gas station with a convenience store and automatic car wash facility. In the past, the Planning Department has been approached about

special use permits for car washes with exterior activities such as vacuuming and detailing for this site. A concern of the Planning Department regarding this and similar automotive related uses is the potential for “visual clutter” with directional signs, employees vacuuming vehicles, drying vehicles, exterior equipment, etc. The applicant in this case is proposing that the emissions testing facility and all associated activities be located inside the existing car wash area.

The subject property is located in a commercial corridor on Peachtree Industrial Boulevard. The property is located between two multi-tenant shopping centers (zoned C-2A and C-3) to the north and south. The shopping centers contain typical retail uses such as dry cleaners, meat market, restaurant, etc. Across Peachtree Industrial Boulevard, to the west, are more multi-tenant shopping centers, including the recently constructed Three Bridges commercial buildings and the entrance to the residential portion of Three Bridges. The property located directly to the east of the proposed emissions testing facility is zoned C-2, the same as subject property.

Vehicles entering the site wishing to get an emissions test should circle around the building and enter through the back. This will allow the stacking of vehicles to occur behind the convenience store and out-of-sight of drivers on Peachtree Industrial Boulevard. The proposed special use would not increase the size or the exterior of the building. It would also not enlarge any impervious surface area.

The subject property is located in the Peachtree Industrial Boulevard Charter Area and commercial uses are recommended. The subject property is consistent with this recommendation. The City tries to direct automotive related special uses away from more residential areas. The subject property should not adversely impact residential uses in the area. It is worth noting that the site is currently used by a gas station and it was used for a carwash previously.

In conclusion, the requested Special Use Permit for an emissions testing facility would be appropriate at this location. The inclusion of an emissions testing facility would be a consistent use with the current automotive activities on the subject property. The additional use will be completely enclosed in an existing structure and a condition ensuring that vehicle stacking will be screened from view by the convenience store will minimize any impacts. Creative reuse of existing buildings should be encouraged whenever possible. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

Planning Department's Recommended Conditions

SUP-2011-001

If the Planning and Zoning Commission wishes to approve the request, for an emissions testing facility the following conditions are recommended:

1. Any signage necessary for the emissions testing and the subject property shall conform to Article XVI Signs of the zoning ordinance. Any temporary signage shall also conform to Article XVI Signs of the zoning ordinance.
2. Special uses on the site shall be limited to an emissions testing facility. No other vehicular services or other special uses are allowed under this special use permit. All activities related to emissions testing shall be conducted inside the former "car wash" area of the building.
3. Vehicle entry to the emissions testing facility will be through the rear entrance.

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 subject property is located in heavily commercialized area. The emissions testing facility would be suitable at this location.

- 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 enlarge the current building on the property. Therefore, it would 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 Future Land Use Plan recommends commercial uses for the site. The proposal is consistent with the current use and future use of this property.

- 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 is often negative visual impacts created by automotive related uses. In such cases the Peachtree Industrial Boulevard Corridor is not the appropriate location for these uses. However, in this instance the applicant will contain the automotive related use within the existing facilities. There are negative aspects to the potential emissions testing facility related to the queuing of vehicles; however is this aspect of the proposed use is screened by the existing building.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*

OWNER INFORMATION*

NAME: PACIFIC INVESTORS FORUM LLC

NAME: CHEVRON FOOD MART

ADDRESS: P.O. BOX 821
CLARKSTON, GA 30021

ADDRESS: 310 - Peachtree Ind. Blvd
Suwanee, Ga. 30020

PHONE: 770 617 4527

PHONE: 404-441-7209

CONTACT PERSON: YUSUF ALI

PHONE: _____

E-Mail Address: yusufali1@bellsouth.net

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): C-2 REQUESTED ZONING DISTRICT _____

PROPOSED DEVELOPMENT: _____

TAX PARCEL NUMBER(S): _____

ADDRESS OF PROPERTY: 310 Peachtree Industrial Blvd, Suwanee, Ga. 30024

TOTAL ACREAGE: 1.028 ac PUBLIC ROADWAY ACCESS: _____

FOR RESIDENTIAL DEVELOPMENT:

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: _____

NO. OF BUILDINGS/UNITS: Peachtree Ind. Blvd.

DWELLING UNIT SIZE (SQ. FT.): _____

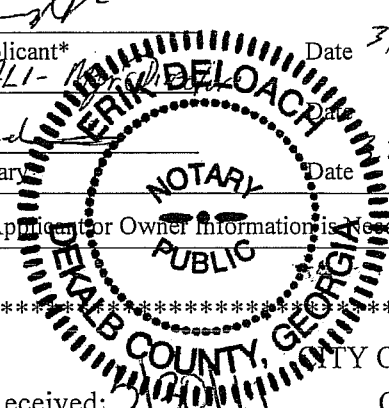
TOTAL GROSS SQUARE FEET: _____

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* [Signature] Date 3/29/2011
 Print Name* HASAN ALI
 Signature of Notary [Signature] Date 29.7.11

Signature of Owner* [Signature] Date 3-29-11
 Print Name* Alberces Cwlanhussain
 Signature of Notary [Signature] Date 3.29.2011



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

CITY OF SUWANEE USE ONLY
 Date Received: 3/29/11 Case No.: SUP.2011-001 Accepted By: [Signature]

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:

*No zoning change requested.
Request change of use from "CAR WASH" to Emission testing station. No impact to adjacent properties*

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

No impact that would affect existing use 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:

No zoning change requested - only requesting the change in usage. Request to use current car wash as Emission testing station.

(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 impact.
No zoning change requested.*

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

No zoning change requested - no impact.

(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:

CITY OF SUWANEE USE ONLY
Date Received: 3/30/11 Case No. SUP-2011-001 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.

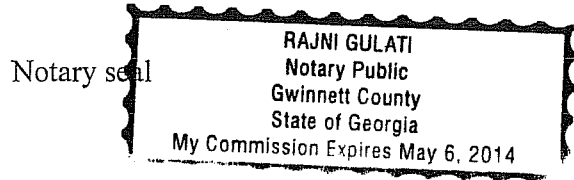
Hasan Ali 3-29-2011
Signature of Applicant Date

HASAN ALI - Managing Director
Type or Print Name and Title

[Signature] 3/29/11
Signature of Applicant's Attorney or Representative Date

YUSUF ALI - manager
Type or Print Name and Title

Rajni Gulati 03/29/2011
Signature of Notary Public Date



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 HASAN ALI

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: 3/30/11 CITY OF SUWANEE USE ONLY Case No.: SUP. 2011-001 Accepted By: [Signature]

DIRECTOR
Planning and Zoning
City of Suwanee
330 town Center Ave., Ga. 30024

RE: Request special use permit

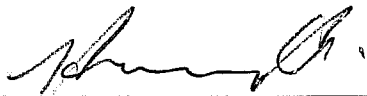
Sir,

This is a request to allow our company to do vehicle emission testing in the closed 'car wash' in this Chevron Gas Station. The address of this location is 310 Peachtree Industrial Blvd, Suwanee, Ga. 30024. Our company will test only newer vehicle (1996 and newer) as dictated by Georgia Clean Air Force.

Since this location is already in operation as Food Mart and gas station we do not expect any additional traffic impact in the area. Our emission testing will help the environment and convenience for the residence in the area.

Please let us know what else we can provide to make your affirmative decision easier. Thanks you very much for your consideration.

Sincerely,



Hasan Ali – Managing Director

Date: 3-29-2011

Pacific Investors Forum LLC
P.O.Box 821
Clarkston, Ga. 30021

Contact: Yusuf Ali - manager
Ph: 770-617-4527
Yusufali1@bellosuth.net

Cc: file
Yusuf Ali - manger

SUP. 2011.001

Suwanee

Suwanee Dam Road

Kroger

Peachtree Industrial Blvd

Driveway

Buffer

Grass Pump

Cherwon Food Market

Car Wash

310 Peachtree Ind Blvd

Suwanee, Ga. 30026

North

SUP. 2011.001

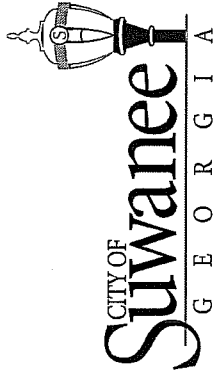




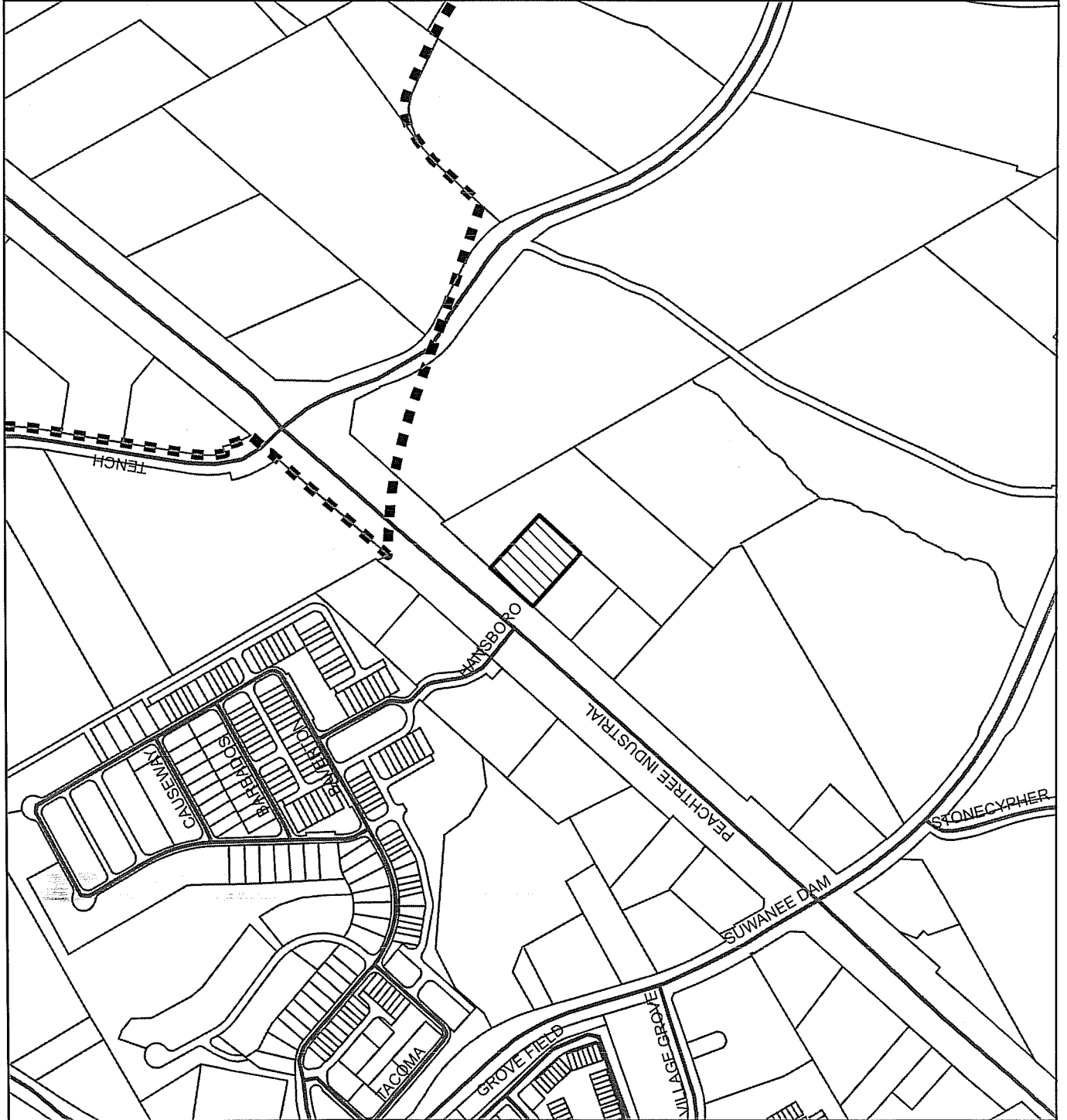


EXHIBIT A SUP-2011-001

Location Map

Legend

-  SUP-2011-001
-  Property Lines
-  City Limits
-  Streets



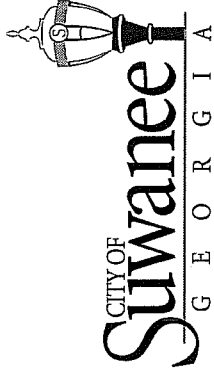
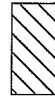




EXHIBIT B SUP-2011-001

Aerial Map

Legend

-  SUP-2011-001
-  Property Lines
-  Streets

