

**SPECIAL USE PERMIT:
SUP-2011-002**

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2011-002
REQUEST: DANCE STUDIO IN M-1
ZONING: M-1 (LIGHT INDUSTRY DISTRICT)
LOCATION: 105 SATELLITE BOULEVARD
TAX ID NUMBER: 7-194-151
ACREAGE: 9.97 ACRES
PROPOSED DEVELOPMENT: 12,000 SQUARE FOOT DANCE STUDIO

APPLICANT: DANCE CONNECTION PERFORMANCE ARTS
P.O. BOX 4206
SUWANEE, GA 30024

OWNER: OMEGA VENTURES CAPITAL, LLC
105 SATLLITE BLVD STE. H
SUWANEE, GA 30024

CONTACT: SUSAN CRIPS
PHONE CONTACT: 770-309-2091

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on an approximate 9.97 acre tract to allow for a 12,000 square foot dance and performing arts training studio in the M-1 zoning district. The dance studio is requesting to be located in a 96,800 square foot building located at 105 Satellite Boulevard. Access for the dance studio is proposed via the two existing driveways for the multi-tenant building at the corner of Satellite Boulevard and Martin Farm Road. The proposed dance studio would be located at the east end of the multi-tenant building, located closest to Martin Farm Road.

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 a dance studio.

ANALYSIS:

The subject property is located at the corner of Satellite Boulevard and Martin Farm Road in a commercial/industrial corridor on Satellite Boulevard. Certain uses, including dance studios 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. The special use permit process allows for sufficient review to make sure the proper codes are followed for public assembly and potential conflicts between dance studio customers and truck traffic are minimized.

The property is zoned M-1 Light Manufacturing. It is surrounded by other M-1 properties to the north, east and south. The Hewlett-Packard data center is located to the south, across Satellite Blvd. The EMC Security office is located to the east, across Martin Farm Road. To the north, along Martin Farm Road is a office building that houses a software and technology company. A multi-tenant office building (zoned O-I) is located to the west of the property.

The building on the subject property was built as a warehouse/office building. The proposed use is located on a site that contains some commercial uses and ample parking. Currently, tenants of the subject building include a window and blinds showroom/warehouse, a flooring showroom/warehouse, a chiropractor office and an electronics showroom/warehouse. The front of the building facing Satellite Boulevard appears similar to a multi-tenant retail building. Each unit has direct access to the parking lot and walkway to serve the customers. The proposed studio would be located in the end unit on the east side of the building and was constructed to meet the building code standards for public assembly. There are currently two driveways off of Satellite Boulevard that will serve the dance studio. Trucks entering the site for the other warehouses in the building access the site from the rear entrance on Martin Farm Road and will have no conflict with patrons of the dance studio. The studio is proposed to operate from 4 pm to 9 pm Monday through Friday and 10 am to 4 pm weekends.

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. Industrial corridors are generally inconsistent with assembly uses such as schools or churches and introducing non-industrial areas can create conflicts. However, the dance studio will operate in the early evening hours and weekends? when business traffic should be reduced.

In conclusion, the requested Special Use Permit for a dance studio would be appropriate at this location. The space was constructed to accommodate public assembly. While the property is zoned for light industrial uses, most of the current tenants in the subject building include a retail component, and the site is intended to accommodate retail customers separately from warehouse truck traffic. There is ample parking and the early evening hours that the dance studio will be open should not cause conflict. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

Planning Department's Recommended Conditions
SUP-2011-002

Approval of a dance and performing arts training studio in M-1 subject to the following conditions:

1. Prior to issuance of a business license for a dance studio/performing arts studio, the applicant shall provide a copy of a certificate of occupancy for a dance/performing arts studio 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 the 12,000 square indicated in the special use permit application.

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 dance studio is not entirely 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;

While this property is zoned for light industrial use, many of the other tenants in the building are not industrial in nature. Therefore, adding another non-industrial use to the building should not create conflicts with the current tenants.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*	OWNER INFORMATION*
NAME: <u>Dance Connection Perf. Arts</u>	NAME: <u>omega ventures Capital LLC</u>
ADDRESS: <u>PO Box 4206</u> <u>Suwanee, GA 30024</u>	ADDRESS: <u>105 Satellite Blvd.</u> <u>Suite H.</u> <u>Suwanee, GA 30024</u>
PHONE: <u>770-309-2091</u>	PHONE: <u>770-309-2032</u>
CONTACT PERSON: <u>Susan Cripps</u>	PHONE: <u>770-220-0000x101</u>
E-Mail Address: <u>susan76cripps@aol.com</u>	

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M-1 REQUESTED ZONING DISTRICT N/A

PROPOSED DEVELOPMENT: Dance Studio

TAX PARCEL NUMBER(S): R7194151 30024

ADDRESS OF PROPERTY: 105 Satellite Blvd. NW, Suwanee, GA

TOTAL ACREAGE: 9.97 PUBLIC ROADWAY ACCESS: Satellite Blvd.

FOR RESIDENTIAL DEVELOPMENT:	FOR NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/UNITS: <u>7</u>
DWELLING UNIT SIZE (SQ. FT.): <u>12,000 sq. ft.</u>	TOTAL GROSS SQUARE FEET: <u>108,000</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>Susan Cripps</u> Signature of Applicant*	Date <u>6/2/11</u>	<u>Sidney A. Mozayyan</u> Signature of Owner*	Date <u>6/2/11</u>
<u>Susan Cripps</u> Print Name*	Date	<u>Sidney A. Mozayyan</u> Print Name*	Date
<u>Amy L. Clifford</u> Signature of Notary <small>Amy L. Clifford Notary Public Gwinnett County, GA</small>	Date <u>6/2/11</u>	<u>Amy L. Clifford</u> Signature of Notary <small>Amy L. Clifford Notary Public Gwinnett County, GA</small>	Date <u>6/2/11</u>

My Commission Expires March 27, 2012

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

My Commission Expires March 27, 2012

CITY OF SUWANEE USE ONLY

Date Received: 6/1/11 Case No.: SUP-2011-002 Accepted By: MD

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.

Susan Cripps
Signature of Applicant Date

Susan Cripps, President
Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date



A Phillips 6/2/11
Signature of Notary Public Date

Print Name and Title

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.

CITY OF SUWANEE USE ONLY

Date Received: 6/1/11 Case No.: SV0-2011-002 Accepted By: MD

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, we believe there is no conflict with adjacent businesses. The location is easy to access and no similar business in the area

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No. It should not affect existing business. Most business is after 4:00 pm

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
No.

(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. Traffic will not be affected. The volume of people is not great.

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
Yes - if we get a special use. Fits well with goals of Suwanee City

(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:
Should be approved to improve the Arts environment in Suwanee

CITY OF SUWANEE USE ONLY
Date Received: 6/1/11 Case No.: SUP 201-002 Accepted By: MD

Letter Of Intent

June 2, 2011

To Whom It May Concern:

Dance Connection Performing Arts proposes to use this location for the purpose of dance instruction and performing arts training, which includes all forms of dance, vocal instructions, piano, guitar and other similar instruction.

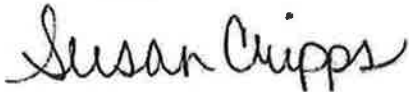
This type of building is ideal for a business that requires large open spaces for dance rooms, storage areas for props, small rooms for music instruction and a parking area much like a retail space.

This building is also perfectly located on an easily accessible road and has other similar spaces nearby that support instruction for children.

Dance Connection Performing Arts is a merge of two studios with a combined 17 years of experience in this field and wishes to expand to a larger facility in order to grow. Our student base includes students from Forsyth, Johns Creek, Duluth, Dacula, Lawrenceville, Grayson, Snellville, and of course Suwanee.

Dance Connection Performing Arts is certain that continued growth of this business in the area, made possible with this new proposed space, will only strengthen the strong arts foundation that Suwanee already encourages.

Sincerely,



Susan Cripps
Dance Connection Performing Arts.


SWP-2011-002



EXHIBIT A
SUP-2011-002

Location Map

Legend

 SUP-2011-002



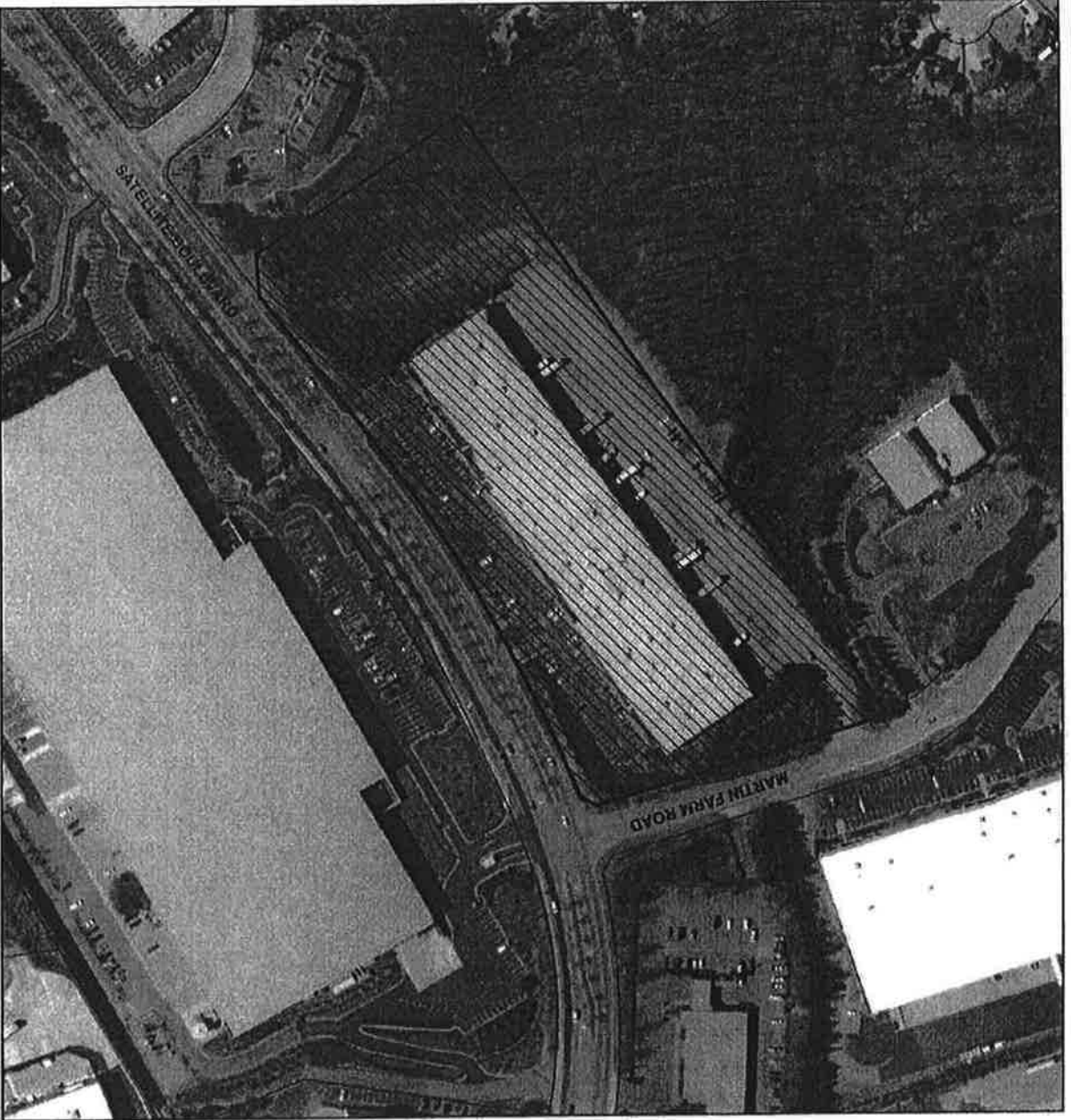


EXHIBIT B
SUP-2011-002

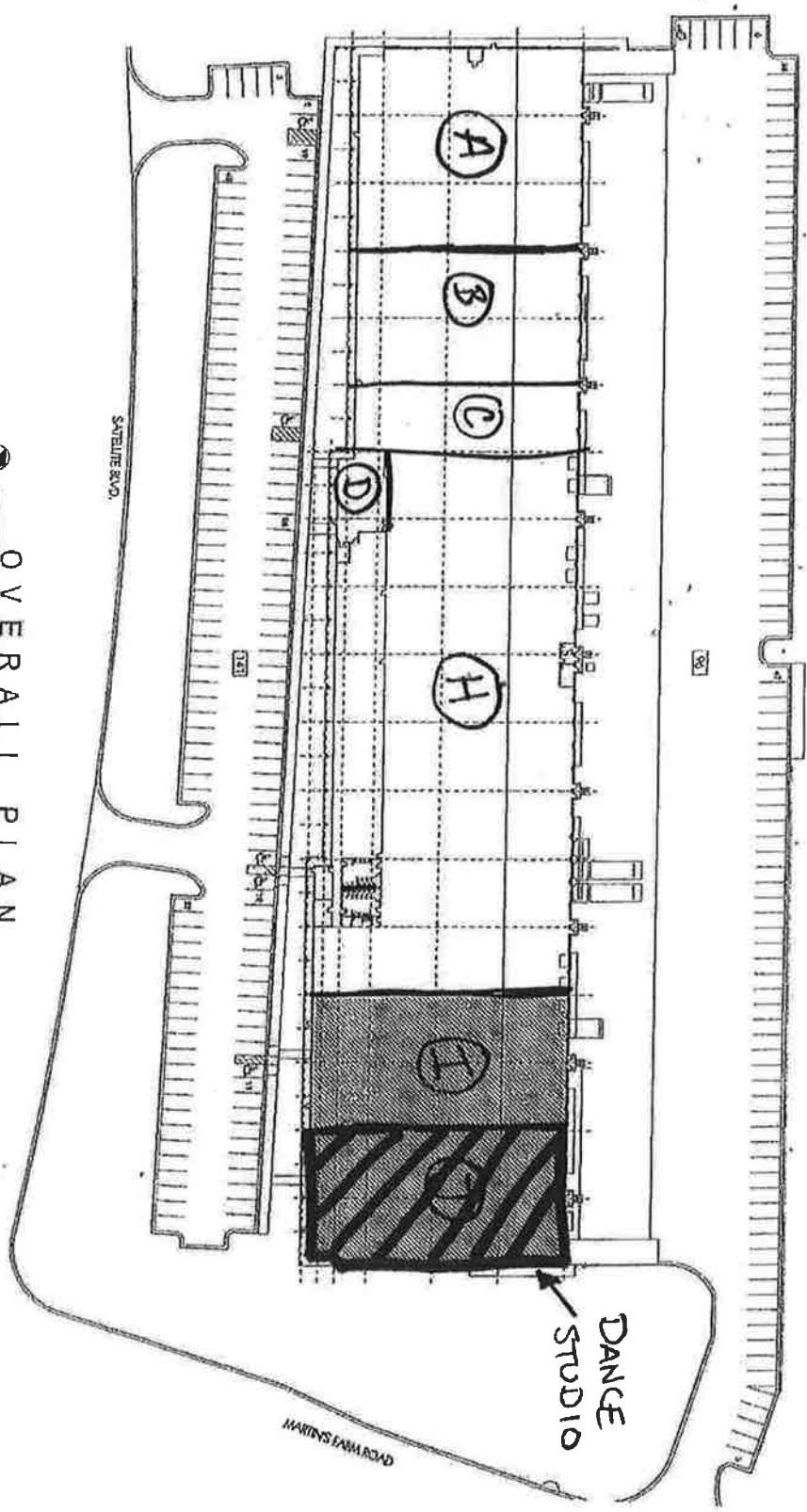
Aerial Map

Legend

 SUP-2011-002



Exhibit C



OVERALL PLAN

0 20' 40' 60'

220068.00

07715303

SYMCO
 SATELLITE
 105
 SUWANEE, GEORGIA



Floor Plan
 Exhibit "A"

200-1102-PMS

