

**ANALYSIS:**

**SUP-2011-004**

**CITY OF SUWANEE  
SPECIAL USE PERMIT ANALYSIS**

**CASE NUMBER:** SUP-2011-004  
**REQUEST:** AUTOMOTIVE RENTAL FACILITY IN C-2A  
**ZONING:** C-2A (SPECIAL COMMERCIAL DISTRICT)  
**LOCATION:** 45 SATELLITE BOULEVARD  
**TAX ID NUMBER:** 7-194-188  
**ACREAGE:** 1.1 ACRES  
**PROPOSED DEVELOPMENT:** 1,200 SQ. FT. AUTOMOTIVE RENTAL FACILITY

**APPLICANT:** GREEN GLOBAL GROUP, INC.  
dba HERTZ – LOCAL EDITION  
6045 BUFORD HIGHWAY  
NORCROSS, GA 30024

**OWNER:** ARMS INVESTMENT, INC.  
4955 INVESTMENT, INC.  
SUWANEE, GA 30024

**CONTACT:** MASOUD FAKHRAI  
**CONTACT PHONE:** 404-247-3288

**STAFF RECOMMENDATION:** **APPROVAL WITH CONDITIONS**

**PROJECT DATA:**

The applicant is requesting a special use permit to allow for an automotive rental facility in a multi-tenant shopping center zoned C-2A. The shopping center is located on a 1.1 acre tract at 45 Satellite Boulevard, just west of Lawrenceville-Suwanee Road. The existing shopping center is 8,446 square feet and currently contains a dry cleaner, nail salon, doughnut shop and restaurant. Both end units are currently vacant. The proposed Hertz would be located in the 1,200 square foot end unit on the west side of the building (away from Lawrenceville-Suwanee 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 an automotive rental facility.

**ANALYSIS:**

The subject site is 1.1 acres and includes an existing 8,446 square foot shopping center. It is located on Satellite Boulevard just west of Lawrenceville-Suwanee Road. The site is adjacent to

another shopping center which is 18,000 square feet in size with similar commercial uses. The parking lots for the two centers are interconnected allowing ingress and egress to both Lawrenceville-Suwanee Road and Satellite Boulevard.

The site was rezoned in 2002 (RZ-2002-005) from C-2 to C-2A to allow for the development of the two shopping centers including restaurants that serve alcoholic beverages. The subject building was completed in 2003, while the adjacent 18,000 square foot building was constructed in 2002. The surrounding land uses include EMC Security (Zoned M-1) to the west along Satellite Boulevard, Flooring America Expo (Zoned M-1) and Suwanee Promenade shopping center (Zoned C-2A) to the north on Lawrenceville-Suwanee Road, the aforementioned shopping center to the east (Zoned C-2A), and a multi-tenant industrial building (Zoned M-1) to the south across Satellite Boulevard.

The facility would be located in a suite at the end of the smaller building, away from the adjacent, larger and busier shopping center. The subject site has 58 parking spaces located in the front, side and rear of the smaller building. 34 would be the maximum number of spaces required if the smaller building was fully occupied by retail uses. The two shopping centers are particularly busy around lunchtime due to restaurant patrons. However, there appears to be ample parking in the center. The applicant is requesting 7-10 parking spaces to store vehicles that are waiting to be rented or that have been recently returned. The applicant also states that no maintenance of vehicles will take place on site.

The site is located in one of the City's main employment areas – the Satellite Boulevard corridor. According to the applicant's letter of intent, there is only one other automotive rental facility within a five mile radius of the proposed location. The City's Future Land Use Plan recommends commercial uses for the property. The existing zoning on the site is consistent with this designation. The proposed use of the property, as an automotive rental facility, is consistent with this designation following approval as a special use permit.

In conclusion, the requested Special Use Permit for an automotive rental facility would be appropriate at this location. The site is located in a heavily commercial and industrial area near large employers. Additionally, the proposed business location in the end suite of the subject building puts it adjacent to two areas of parking that are rarely used and that include more than the required minimum number of parking spaces. The use is consistent with the Future Land Use Plan as it recommends commercial uses for the property. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

Planning Department Recommended Conditions:  
SUP-2011-004

Approval of an automotive rental facility in C-2A subject to the following conditions:

1. The special use permit shall be limited to 1,200 square feet.
2. Vehicle rentals shall be limited to cars and sport utility vehicles only. No other automotive related uses shall be permitted as a part of this permit.
3. All vehicles associated with the rental business shall be parked in the rear of the building as noted on exhibit 'C' in a space marked for use by rental vehicles. Any vehicles dropped off after business hours shall be moved to the rear of building by 10 a.m. the following day.
4. No more than 7 rental vehicles shall be kept at the facility at any time.
5. No more than 7 spaces shall be reserved for rental vehicle parking.
6. No maintenance or cleaning of any vehicles shall be performed on-site.

## 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 request to allow for the renting of vehicles at the site is suitable in view of the use and development of adjacent and nearby properties, provided conditions are included to minimize parking issues with neighboring shopping center as well as potential negative visual impacts related to storage, maintenance, and cleaning of vehicles.

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

The rezoning and special use permit would not adversely affect the existing uses or usability of adjacent or nearby properties, provided conditions are included to minimize potential negative visual impacts related to storage, maintenance, and cleaning of vehicles.

- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The 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;

The proposal would not result in a use which will or could cause an 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 2030 Future Land Use Map shows this property as commercial. The request is generally consistent with the Future Land Use Map.

- 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;

Automotive rental facilities are often located in employment centers. The surrounding area is Suwanee's employment center.

### SPECIAL USE PERMIT APPLICATION

#### APPLICANT INFORMATION\*

NAME: Green Global Group, Inc.  
 ADDRESS: 6045 Buford Hwy  
Norcross, Georgia 30071  
dba Hertz - Local Edition  
 PHONE: 770-449-6663  
 CONTACT PERSON: Masoud Fakhrai  
 E-Mail Address: GreenGlobalGroup@att.net

#### OWNER INFORMATION\*

NAME: ARMS Investment, Inc.  
 ADDRESS: 4955 Woolton Hill Lane  
Swanee, GA 30024  
 PHONE: 404-247-3288  
 PHONE: \_\_\_\_\_

#### PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): C2 REQUESTED ZONING DISTRICT \_\_\_\_\_

PROPOSED DEVELOPMENT: \_\_\_\_\_

TAX PARCEL NUMBER(S): 7194-193

ADDRESS OF PROPERTY: 45 Satellite Blvd Swanee, GA 30024

TOTAL ACREAGE: 1.106 PUBLIC ROADWAY ACCESS: Satellite Blvd & Lawrenceville - Swanee Rd

#### FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: \_\_\_\_\_

DWELLING UNIT SIZE (SQ. FT.): \_\_\_\_\_

#### FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: \_\_\_\_\_

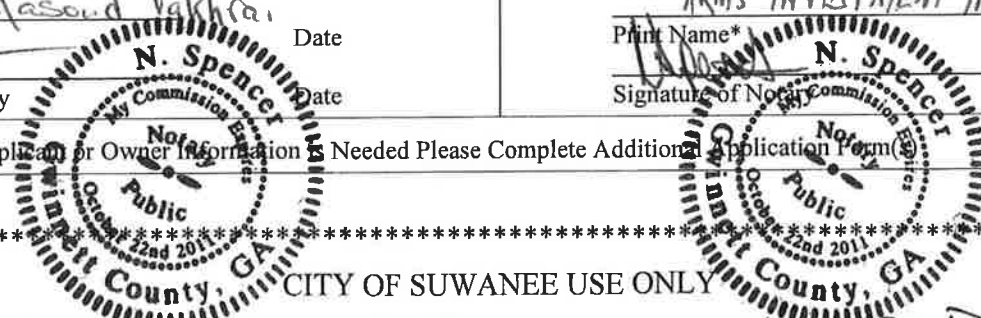
TOTAL GROSS SQUARE FEET: \_\_\_\_\_

#### 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* <u>Masoud Fakhrai</u>	Date	Signature of Owner* <u>ARMS INVESTMENT INC</u>	Date
Print Name* <u>Masoud Fakhrai</u>	Date	Print Name* <u>ARMS INVESTMENT INC</u>	Date
Signature of Notary <u>[Signature]</u>	Date	Signature of Notary <u>[Signature]</u>	Date

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



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#### CITY OF SWANEE USE ONLY

Date Received: 10/13/11

Case No.: SUP-2011-004

Accepted By: Daniel Robinson  
[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:

The proposal for this special use permit will be suitable to all adjacent and nearby properties due to nature of our business. Most people in surrounding areas have to travel to nearby cities, away from Suwanee, to get their temporary car rentals when they need it.

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

In no form, the use of our facility will adversely affect the existing use or usability of adjacent or nearby property. Our business has and will have a positive impact on them.

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

The property has been vacant for several months with no potential tenant as of right now. The new special use permit will allow us to move in and begin our operations and will help the property owner to have a long-term tenant there.

(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 proposal will help the residents of Suwanee to have access to temporary transportation when and if their own cars are out of order, are in need of repairs or use them to take vacation. Our products replace in most cases the use of personal cars and don't create excessive burdensome use of existing streets, etc.

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

It should be in conformity with the policy and intent of the land use plan as our business is a great service to the general public; will create tax revenue for the city and will stop the money to be spent out side of Suwanee.

(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 main condition which give support for the approval is that currently there is no "healthy" competition in our field of business in Suwanee. There is only one car rental operation (Enterprise) which does not give the general public many choices to choose from.

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CITY OF SUWANEE USE ONLY

Date Received: 10/13/11

Case No.: SUP-2011-009

Accepted By: Daniel Robinson

*Daniel Rob*

## 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.

*Sayed Masoud Fakhrai*      10/6/2011  
 Signature of Applicant                      Date

Sayed Masoud Fakhrai  
 Type or Print Name and Title

*Sayed Masoud Fakhrai*      10/6/2011  
 Signature of Applicant's                      Date  
 Attorney or Representative

Sayed Masoud Fakhrai  
 Type or Print Name and Title

*[Signature]*      10/26/11  
 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      Sayed Masoud Fakhrai

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.

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#### CITY OF SUWANEE USE ONLY

Date Received: 10/13/11      Case No.: SUP-2011-001      Accepted By: Daniel Robinson

Daniel Robinson



# LETTER OF INTENT

This letter of intent is submitted for the proposed use of the property located at : **45 Satellite Blvd., Suite A, Suwanee, GA. 30024, currently known as Shops At Shawnee Ridge II.**

This 1200 sq.ft of retail space is part of a 8446 square feet of retail center consisting of a 1-story brick and masonry building with a height of appx. 19.0' and dimensions of 140.0' X 60.0'. There are total of 6 retail spaces available at this center and currently there are five tenants: A Japanese restaurant, a cleanery, a nail salon, a donought shop, and a tobacco/cigar lounge. Total acreage of this site is 1.106 with public roadway access on Satellite Blvd and Lawrenceville Suwanee Road. The current zoning district is C2-A, Special Commercial District.

The application for Special Use Permit is submitted by Green Global Group, Inc. The applicant is currently operating as an authorized agent of Hertz Local Edition, providing car rental services to local residents, corporate travelers, repair shops, and insurance replacements, in Norcross, Georgia. Hertz has issued authorization to Green Global Group, Inc. for expansion in Suwanee, where a suitable location is found and the proper approvals from the appropriate authorities can be obtained. In our opinion, the above location is suitable for our needs and the nature of our business would provide a great compliment to other existing businesses.

At this time, there are over 115000 people live within 5-mile radius of the proposed location. Similar to all other services in this area, car rental is another service that people need whether for an emergency, or business trip, or to take a vacation. Unfortunatley, currently there is only one car rental service provider in the area. The local residents often have to travel outside Suwanee to the neighboring cities such as Lawrenceville, Buford, Duluth, or Norcross to find service or to have more choices. This would result in taking money outside of the local economy.

The proposed use of property is to have this location prepared as a branch office of our facility in Norcross where we store cars and will be utilized as our hub. The above location will be utilized to provide day-to-day car rental services to local residents and neighboring companies. Our plan is to have a fleet of car rentals no more than 50 units. Currently we are operating with 85-90% utilization, resulting in net idle units of no more than 5-7 cars at any given time. Thus, we require parking for not more than 7 to 10 spaces. There will be no maintenace on any rental cars at this site; all our rental cars are under manufacturer's warranty and any necessary maintenace will be done at the authorized dealerships. Therefore, there is no plan to have a repair/maintenace shop at the facility. All preventive maintenace such as oil change will be done at the local vendors. Fueling of the rental cars will be also done at the local gas station facilities which all will result in contributing to the local economy.

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Furthermore, the property is located in the Satellite North. The 2030 Comprehensive Plan's vision for this Character Area is to encourage economic growth, more investment in new commercial developments , and supporting the existing commercial uses. Adding a nationally recognized car rental service to this viable commercial corridor can only enhance the marketability of this area. Allowing us to provide another necessary service to our local residents, commercial businesses, corporate and government travelers, etc. will be in conformity with the 2030 Comprehensive Plan.

The applicant is requesting the approval of the City of Suwanee concerning the Special Use Permit of this location as a Rent-A-Car office.

SUP-2011-004

Exhibit "C"

**STATEMENT OF ENCROACHMENTS**

THE ENCROACHMENTS INDICATED ARE SHOWN ON THIS SURVEY. THEY HAVE BEEN FOUND TO BE ENCROACHMENTS ON ADJACENT PROPERTY. THE ENCROACHMENTS ARE AS FOLLOWS:

1. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

2. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

3. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

**NOTES CORRESPONDING TO SCHEDULE "B"**

1. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

2. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

3. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

**LEGEND**

TRIPLE POINT OF BEGINNING  
 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20.

**LAND AREA**

47,816.83 SQUARE FEET  
 1.105 ACRES

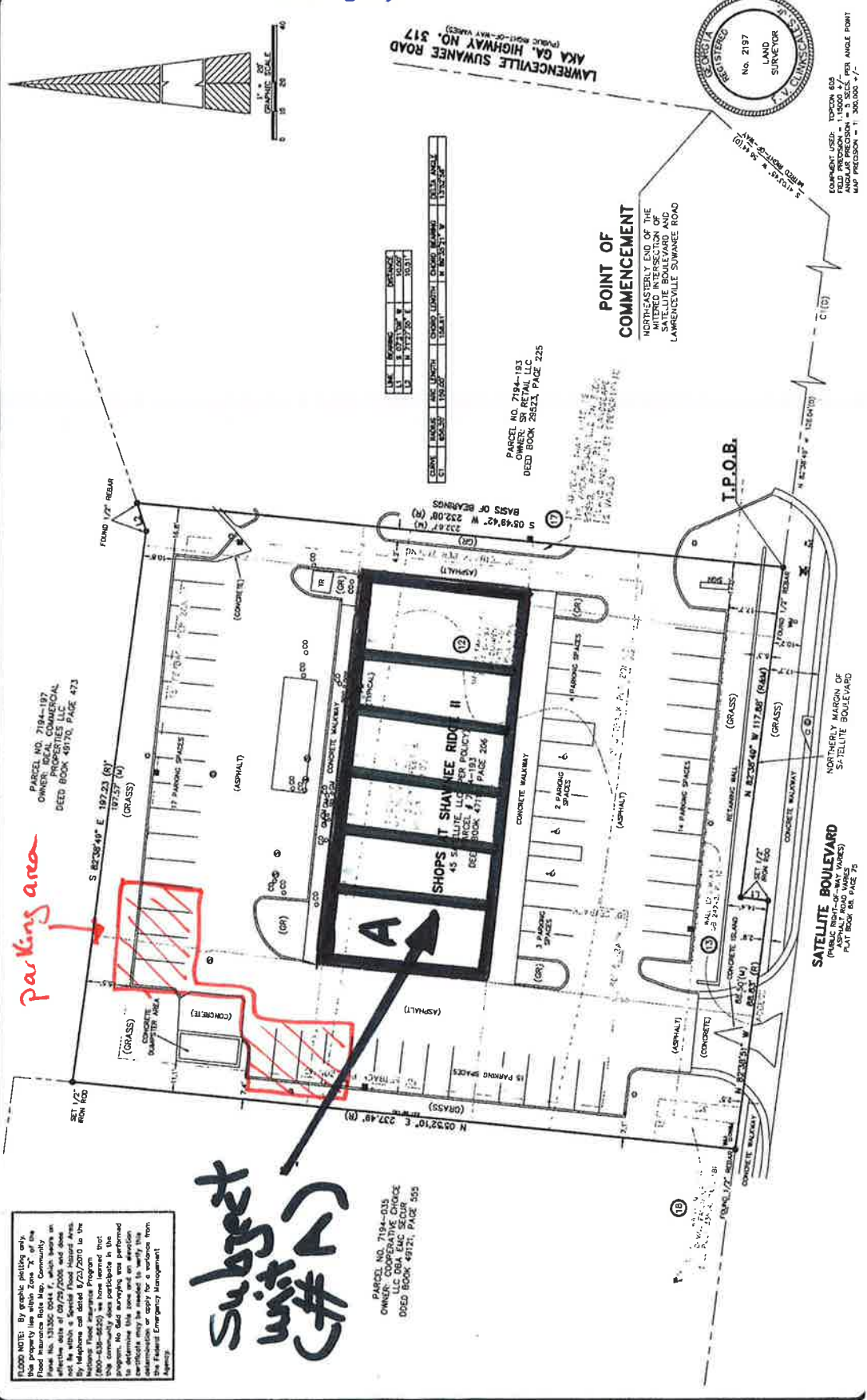
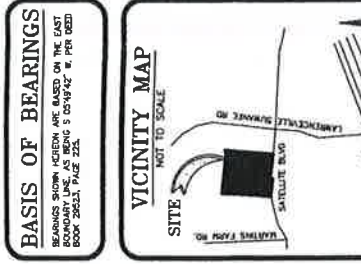
**PARKING STALLS**

REGULAR- 55  
 TOTAL- 58

**ZONING NOTES**

ITEM REQUIRED OBSERVED  
 MAX BUILDING COVERAGE NONE 17.65 %  
 MAX BUILDING HEIGHT 35' 19'  
 MINIMUM SETBACKS 50' 96.4'  
 REAR 10' 16.8'  
 SIDE 15' 15'  
 FRONT 15' 15'  
 PARKING REQUIREMENTS 34 58  
 1 SPACE PER 250 SQUARE FEET

SOURCE: WWW.COUNTYCOUNTY.COM  
 WEBSITE: WWW.COUNTYCOUNTY.COM  
 DATE CONTACTED: 06/23/10  
 PHONE/FAX/EMAIL:  
 1-770-822-8000  
 C2-A = SPECIAL COMMERCIAL DISTRICT  
 ALCOHOLIC BEVERAGE SALES



SUP-2011-004

NO. 2197  
 LAND SURVEYOR

EQUIPMENT USED: TOPCON 603  
 FIELD PRECISION 1.0000  
 MAP PRECISION = 1:300,000 +/-

**FLUORO NOTE:** By graphic plotting only. The Flood Insurance Rate Map (Community Panel No. 13135C 0044 F), which bears an effective date of 09/29/2006 and does not show the subject property as being in the Flood Insurance Program (FIP) is the subject property. By telephone call dated 6/20/2010 to the Flood Insurance Program (FIP) at (800) 635-8550 we have learned that the subject property is not in the Flood Insurance Program. No additional information is available to determine the zone and an elevation certificate may be needed to verify this information. The information is being provided for your information from the Flood Insurance Management Agency.

Subject  
 (with A)

PARCEL NO. 7194-035  
 OWNER: SR RETAIL LLC  
 DEED BOOK 48121, PAGE 555

parking area

PARCEL NO. 7194-187  
 OWNER: LOCAL COMMERCIAL  
 DEED BOOK 48170, PAGE 473

**GENERAL NOTES**

ALL ENCROACHMENTS INDICATED ARE SHOWN ON THIS SURVEY. THEY HAVE BEEN FOUND TO BE ENCROACHMENTS ON ADJACENT PROPERTY. THE ENCROACHMENTS ARE AS FOLLOWS:

1. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

2. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

3. THE CONCRETE DRIVEWAY AND CONCRETE WALKWAY ARE SHOWN AS ENCROACHMENTS ON ADJACENT PROPERTY.

**POINT OF COMMENCEMENT**

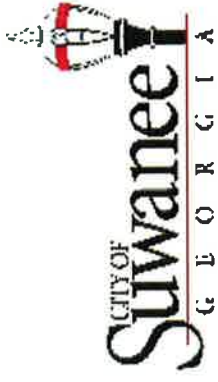
NORTHEASTLY CORNER OF THE SATELLITE BOULEVARD AND LAWRENCEVILLE SWANEE ROAD

**I.P.O.B.**

NORTHERLY CORNER OF SATELLITE BOULEVARD (ASPHALT ROAD WORKS) DEED BOOK 88, PAGE 75

LAWRENCEVILLE SWANEE ROAD  
 AKA GA. HIGHWAY NO. 517  
 (PUBLIC RIGHT-OF-WAY VEGETATION)

PARCEL NO. 7194-183  
 OWNER: SR RETAIL LLC  
 DEED BOOK 2853, PAGE 225

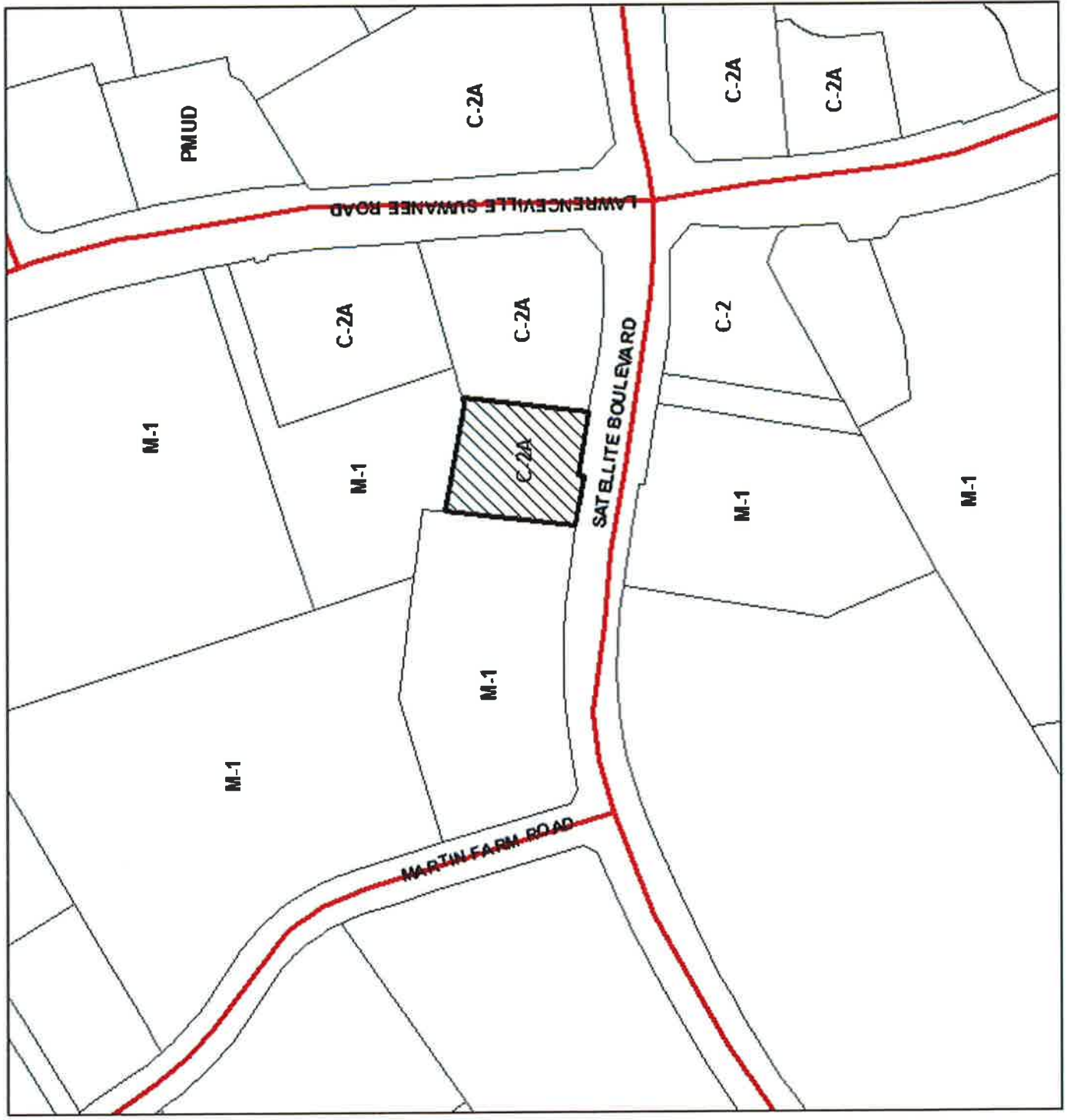
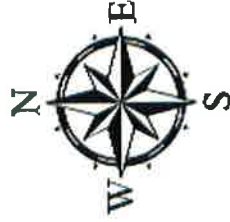


# EXHIBIT A SUP-2011-004

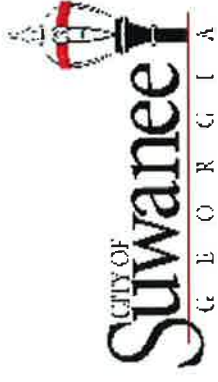
Location Map

## Legend

-  SUP-2011-004
-  Major Road







# EXHIBIT B SUP-2011-004

Aerial Map

## Legend

-  SUP-2011-004
-  Major Road

