

ANALYSIS:

SUP-2011-005

**CITY OF SUWANEE  
SPECIAL USE PERMIT ANALYSIS**

**CASE NUMBER:** SUP-2011-005  
**REQUEST:** AUTOMOTIVE REPAIR IN C-2  
**ZONING:** C-2 (GENERAL COMMERCIAL DISTRICT)  
**LOCATION:** 50 OLD PEACHTREE ROAD STE 208  
**TAX ID NUMBER:** 7-151-006  
**ACREAGE:** 3.57 ACRES  
**PROPOSED DEVELOPMENT:** 2,000 SQ. FT. AUTOMOTIVE REPAIR FACILITY

**APPLICANT:** NADEEM RAZA  
2300 ONE WORLD CT  
LAWRENCEVILLE, GA 30043

**OWNER:** OLD PEACHTREE PROPERTIES  
50 OLD PEACHTREE ROAD STE. 209  
SUWANEE, GA 30024

**CONTACT:** NADEEM RAZA  
**CONTACT PHONE:** 770-945-6771

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PROJECT DATA:**

The applicant is requesting a special use permit to allow for an automotive repair facility in an existing multi-tenant building zoned C-2. The building is located on a 3.57 acre tract at 50 Old Peachtree Road adjacent to the northbound I-85 access ramp. The existing multi-tenant building is approximately 26,000 square feet and currently contains an automotive repair facility and other commercial uses. Each unit contains an overhead garage door and small office area. The proposed auto repair business would be located in suite 208 which is approximately 2,000 square feet.

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 repair facility.

**ANALYSIS:**

The subject site is 3.57 acres and includes two industrial-type, metal, multi-tenant buildings. The proposed automotive repair facility would be located within an approximately 26,000 square foot building located toward the rear of the site. A second 29,000 square foot building on the tract is oriented toward Old Peachtree Road.

The site is located on Old Peachtree Road, east of Horizon Drive and adjacent to the I-85 right-of-way. The surrounding land uses include a hotel (Zoned C-3) to the south, I-85 to the west, a warehouse (Zoned C-2) to the north, and vacant land adjacent to a multi-tenant shopping center (Zoned C-2A) to the east across Old Peachtree Road.

The facility would be located in suite 208, as indicated on Exhibit C, in an existing metal building that has limited visibility from Old Peachtree Road or any other roads. The style of the building does not make it suitable for typical retail uses that are permitted in the C-2 zoning district. Each suite contains an overhead door and limited office space which makes the building more suitable for automotive and warehouse type uses. In fact, the suite that the applicant is requesting to occupy was formerly a motorcycle repair shop. However, it closed over three years ago and the non-conforming section of the zoning ordinance does not allow for a non-conforming use to re-establish after being discontinued for over 12 months. Therefore, a special use permit is needed for the applicant to operate an automotive repair facility.

The City's Future Land Use Plan recommends high density office for the property. The existing land use and proposed automotive repair facility are not consistent with this designation. However, approval of the special use permit for automotive repair would not impair any future, potential redevelopment of the property.

In conclusion, the requested Special Use Permit for an automotive repair facility would be appropriate at this location. The site is in a heavily commercial and industrial area. Additionally, the building type, limited visibility and the fact that automotive related uses are located nearby and that this suite was formerly used for automotive repair support the applicant's request. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request as currently proposed.

Planning Department Recommended Conditions:

SUP-2011-005

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

1. Special uses on the site shall be limited to automotive repair. No other vehicular services or other special uses are allowed under this special use permit.
2. All automotive services shall be conducted inside.
3. The special use permit shall be limited to the 2,000 square feet.
4. Outdoor storage is prohibited.
5. Only vehicles waiting to be repaired shall be stored 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 repairing 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 potential negative visual impacts related to storage and maintenance 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 high density office. The request is not 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;

A vehicle repair shop once was located in this location and there is another automotive repair shop in the building.

### SPECIAL USE PERMIT APPLICATION

#### APPLICANT INFORMATION\*

NAME: NADEEM RAZA  
 ADDRESS: 2300 ONE WORLD CT  
LAWRENCEVILLE GA 30043  
 PHONE: 404-906-2223  
 CONTACT PERSON: NADEEM RAZA  
 E-Mail Address: MNRAZA@AOL.COM

#### OWNER INFORMATION\*

NAME: OLD PEACHTREE PROPERTIES, LLC  
 ADDRESS: 50 OLD PEACHTREE ROAD  
SUITE 209  
SUWANEE, GA 30024  
 PHONE: 770-945-6771  
 PHONE: \_\_\_\_\_

#### PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): C-2 REQUESTED ZONING DISTRICT C-2  
 PROPOSED DEVELOPMENT: AUTO REPAIR SHOP SUITE 208  
 TAX PARCEL NUMBER(S): 7-151-006  
 ADDRESS OF PROPERTY: 50 OLD PEACHTREE RD SUWANEE GA 30174 Suite 208  
 TOTAL ACREAGE: \_\_\_\_\_ PUBLIC ROADWAY ACCESS: \_\_\_\_\_

#### FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: \_\_\_\_\_  
 DWELLING UNIT SIZE (SQ. FT.): \_\_\_\_\_

#### FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/UNITS: 1  
 TOTAL GROSS SQUARE FEET: 2000

#### 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>M. Wade</u> Signature of Applicant*	<u>11-3-2011</u> Date	<u>[Signature]</u> Signature of Owner*	<u>11/8/2011</u> Date
<u>NADEEM RAZA</u> Print Name*		<u>ROBERT HONIGER</u> Print Name*	
<u>[Signature]</u> Signature of Notary	<u>11/3/2011</u> Date	<u>[Signature]</u> Signature of Notary	<u>11-8-2011</u> Date

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

**CYNTHIA MCCOY**  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES 11/30/13  
 GWINNETT COUNTY, GEORGIA

**KIM NGUYEN**  
 NOTARY PUBLIC  
 Gwinnett County  
 State of Georgia  
 My Comm Expires Jan. 31, 2014

#### CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_ Case No.: 54P-2011-005 Accepted By: \_\_\_\_\_

## 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.

*M. Wood* \_\_\_\_\_  
 Signature of Applicant Date

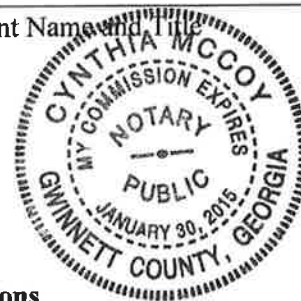
\_\_\_\_\_  
 Type or Print Name and Title

\_\_\_\_\_  
 Signature of Applicant's Attorney or Representative Date

\_\_\_\_\_  
 Type or Print Name and Title

*Cynthia McCoy* *11/3/11*  
 Signature of Notary Public Date

Notary seal



### 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?

\_\_\_\_\_ yes/no  
*(no circled)*  
**NADERM RAZA**  
 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: \_\_\_\_\_ Case No.: *SUP-2011-005* 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 Special use permit will be suitable in view of the use and Properties nearby. There are mix use Properties around it.*
- (B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:  
*NO ~~an~~ impact would affect existing use or nearby Properties.*
- (C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:  
*Property is currently is zoned C-2 and we are requesting Special use permit to open repair shop*
- (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 this will not add any additional traffic. Its a small business, repair shop. And there is not any school around it.*
- (E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:  
*YES because Property is zoned C-2 and this suite # 208 was a repair shop until 2008*
- (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:  
*suite 208 has been vacant since 3 year. By Granting this permit will bring more customer to this complex And we can provide good available service to Suwanee Community*

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CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_ Case No.: SUP-2011-005 Accepted By: \_\_\_\_\_



# Letter of Intent

To,

City of Suwanee Planning and development commission

Ref: Letter of Intent

Special use permits application for

50 Old Peachtree Rd suit 208 Suwanee GA 30174

Dear council members,

This letter is a request for special use permit to open Auto Repair Shop at the above mentioned property.

This property is zone C-2 but required special use permit to open repair shop. Property suit 208 had been a motorcycle repair shop but due to economic downturn this property has been vacant since two years. Property has paved parking spaces enough to meet the requirement.

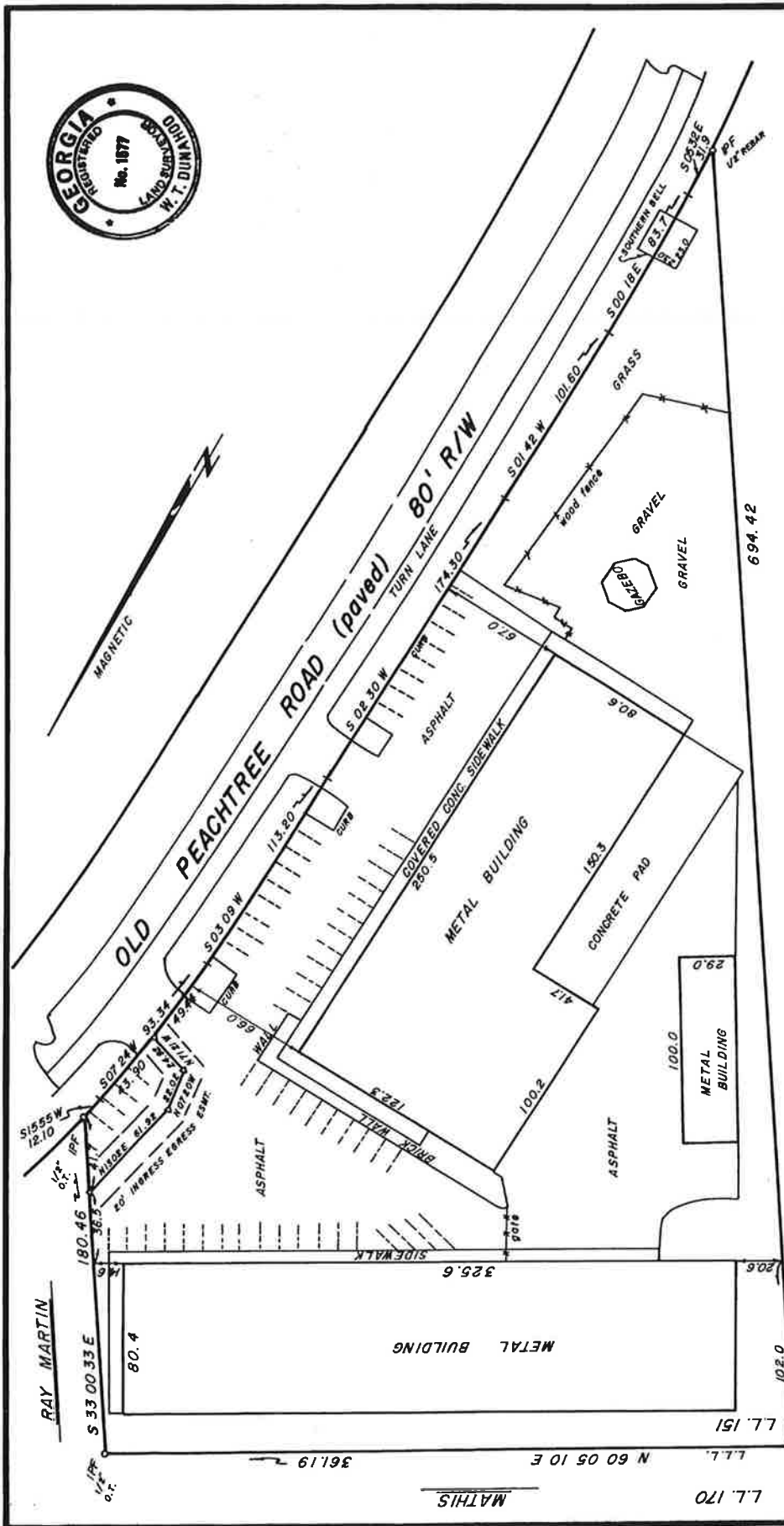
Thank you very much for your consideration to grant special use permit so we can provide excellent service to the Suwanee community.

Thanks,



Nadeem Raza

SUP-2011-005



SURVEY FOR

**THOMAS W. LIMBACH & ERLE L. BIGGS**

CITY	GMD	COUNTY	SCALE	DATE
SUWANEE		GWINNETT	1"=50'	1/21/99

W. T. DUNAHOO AND ASSOCIATES, INC.  
ATLANTA, MISSISSIPPI  
PH-867-3811 WINDER, GEORGIA

A TOPCON GTS-2B TOTAL STATION was used to obtain the linear and angular measurements used in the preparation of this plat. The field data upon which this plat is based has a closure precision of one foot in  $\frac{1}{6127}$  feet and an angular error of  $\frac{1}{7}$ " per angle point and was adjusted using the  $\frac{1}{6127}$  rule. This survey has been calculated for closure and is found to be accurate within one foot in  $\frac{1}{6127}$  feet.

Mc KIBBON BROS. INC.

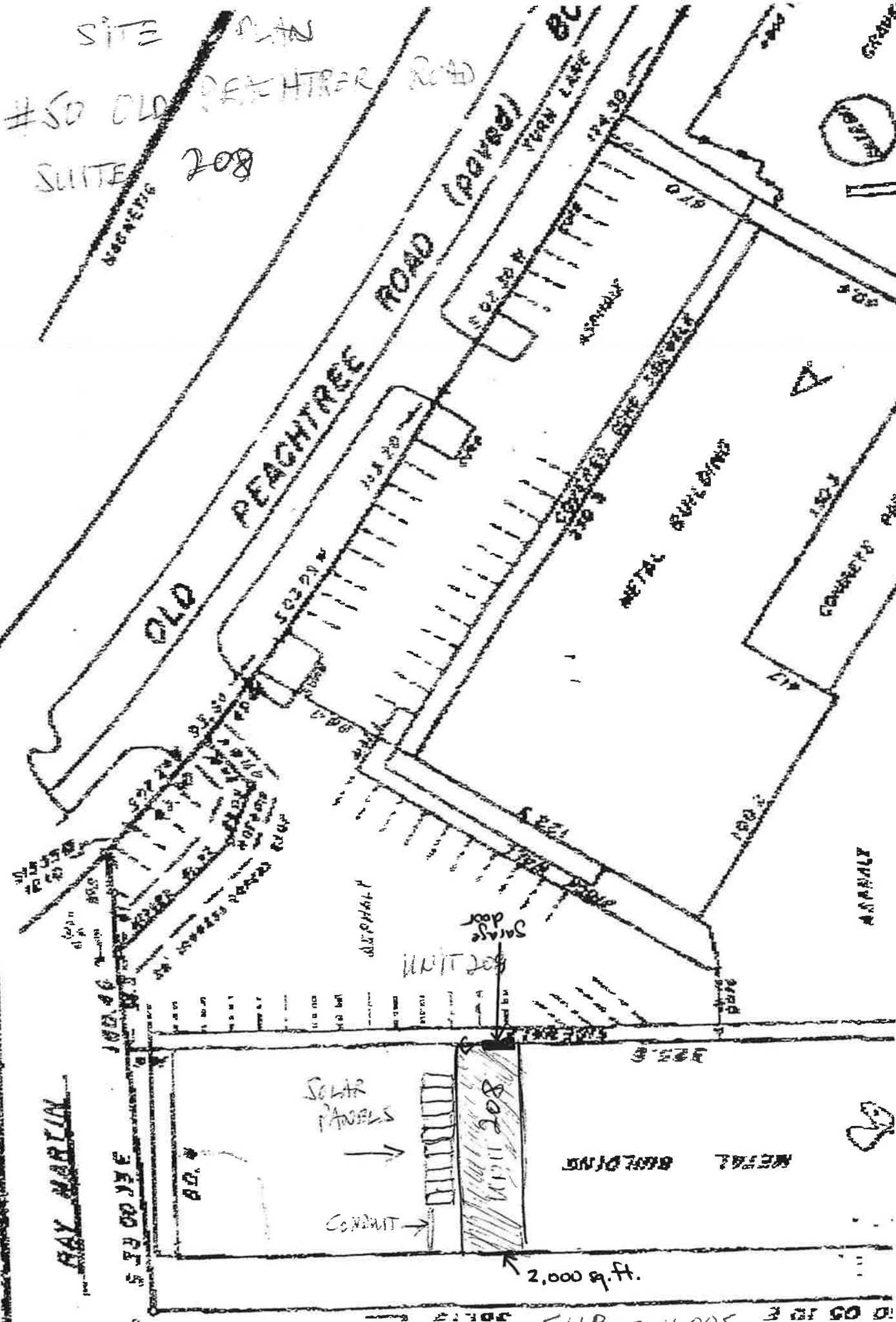
IPS-IRON PN SET  
IPF-IRON PN FOUND

C111 114

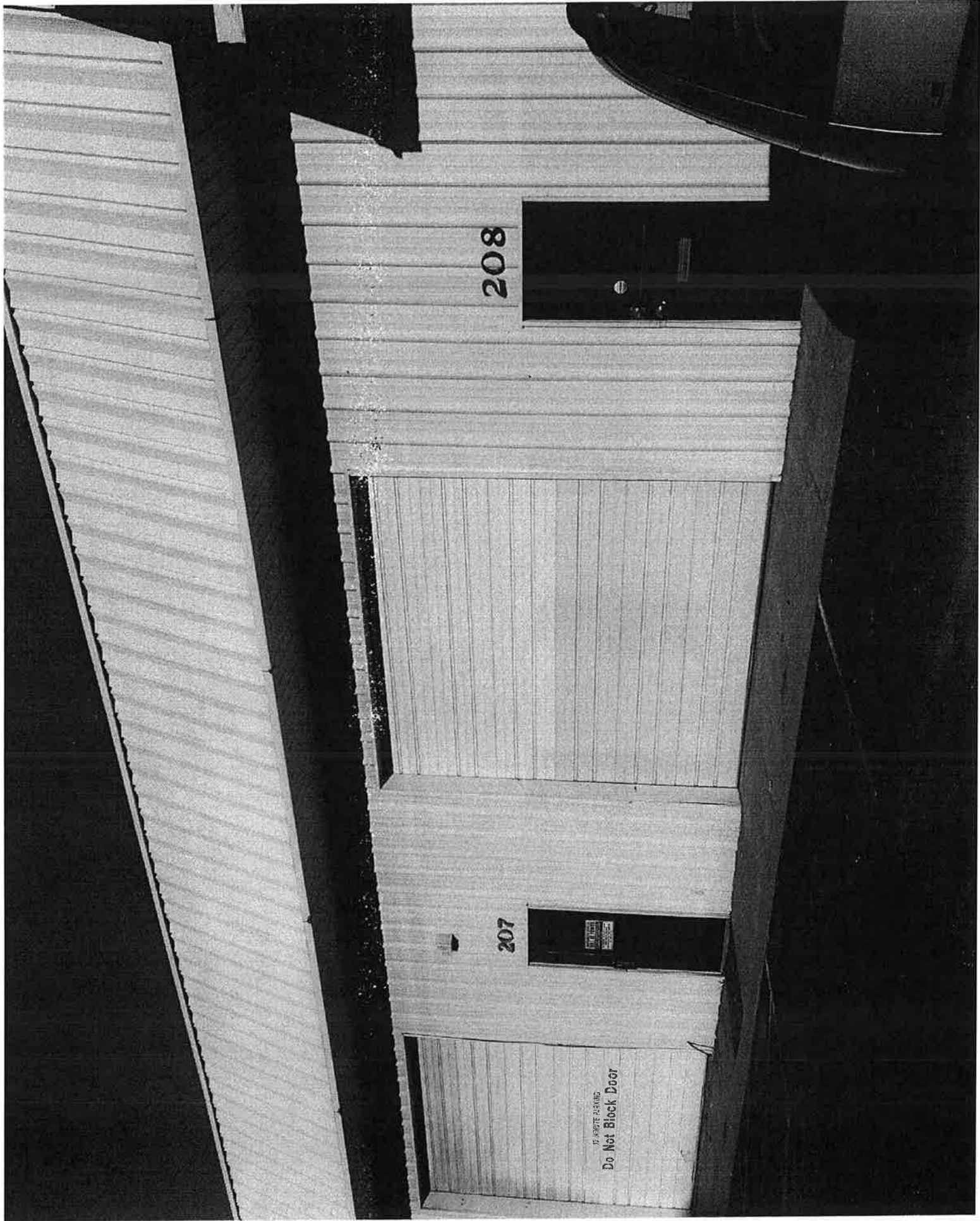
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Turn allen 3/11/99

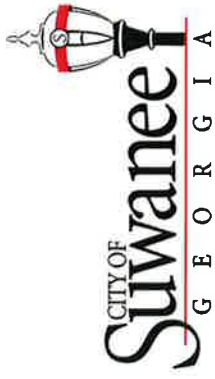
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SUP-2011-005



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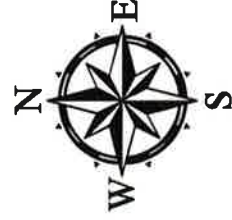


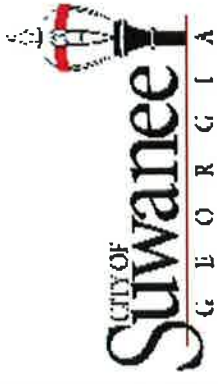
# EXHIBIT A SUP-2011-005

Location Map

**Legend**

-  SUP-2011-005
-  Major Road





# EXHIBIT B SUP-2011-005

Aerial Map

**Legend**

	SUP-2011-005
	Major Road

