

**SPECIAL USE PERMIT:
SUP-2019-001**

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2019-001

REQUEST: TRAINING FACILITY WITHIN THE M-1 ZONING DISTRICT

ZONING: M-1 (LIGHT INDUSTRY DISTRICT)

LOCATION: 4110 TENCH ROAD

TAX ID NUMBER: 7-253-156

ACREAGE: 12.3 ACRES

PROPOSED DEVELOPMENT: 13,400 SQUARE FOOT TRAINING FACILITY

APPLICANT: HARDY T. FLOWERS
3373 LAUREL LEAF WAY
BUFORD, GA 30519

OWNER: SHAHEEN DEVELOPMENT COMPANY, LLP
3625 CUMBERLAND BLVD. SE
SUITE 250
ATLANTA, GA 30339

CONTACT: HARDY T. FLOWERS
PHONE CONTACT: 702-918-3079

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a Special Use Permit to allow for an approximately 13,400 square foot athletic training facility in the M-1 zoning district. The subject property is approximately 12 acres and the training facility would be located within a tenant space in a 98,154 square foot building at 4110 Tench Road. Access is located via a drive off Tench Road.

The applicant's business is called The Combine, a technological basketball and athletic training experience. The business specializes in improving the basketball skills of people of all ages. The training consists of measuring the performance of the athlete with data on shooting consistency, arch on a shot, ball handling accuracy, and other measurable aspects of the sport. Class sizes will range from 12 to 15 people with most classes occurring in the evening after 5 pm. Between 9 am and 5 pm on weekdays the business will be more focused on 1 on 1 classes. The business will employ 10 to 20 people. The space will also include some storage of

“basketball athlete training equipment and technology” which would be shipped to other locations. This will be a more limited aspect of the business.

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 basketball training facility or “school”.

ANALYSIS:

The subject property is located on Tench Road industrial corridor near the southwestern intersection with Brogdon Road. Certain uses, including health clubs, training facilities, and other forms of public assembly, require compliance with different construction standards than more common M-1 uses such as warehousing. One of the reasons to require a SUP in M-1 for assembly uses is to ensure that the space is built to the proper codes for assembly type uses.

Additionally, industrial areas are more likely to be less aesthetically appealing and more likely to have loud noises, vibrations and other adverse environmental factors that are incompatible with non-industrial uses. This can cause conflicts between the public assembly type uses and the industrial uses. It is important to note that in industrial locations, such as this, the onus is on the non-industrial user to be tolerant of those noises, vibrations, etc.

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 training facility customers and industrial uses are minimized.

One of the reasons indoor athletic training facilities seek buildings in M-1 locations is that these spaces tend to have the type of space needed to train for sports. The buildings are taller and the tenants spaces are larger than would be found in a typical retail building.

The subject property is zoned M-1 (Light Industry District). To the east of the subject property is the manufacturer of weapons training systems, zoned M-1. Shadowbrook Baptist Church abuts the property, to the south and is zoned O-I (Office-Institutional). To the north, on the opposite side of Tench Road, are three industrially zoned sites with two multi-tenant industrial buildings. Northwest of the subject property is vacant land. West of the property is a vacant industrially zoned, heavily wooded parcel with a regional detention pond.

The City’s Future Land Use Plan recommends office-industrial uses for the property. The existing zoning of the site is consistent with this designation. The proposed use of the property, as an athletic training facility, is not entirely consistent with this designation.

The building on the subject property was developed to accommodate multiple office/warehouse tenants. The building is long and rectangular and is located along the eastern property line of the

parcel. The site has parking accessed via a drive from Tench Road. The proposed location is Suite K, which is the furthest from the driveway entrance. As an end cap space the suite will have easy pedestrian access to more parking than most of the other suites, and it is unlikely that customers would need to deal with truck traffic. The site appears to have ample parking to support the proposed special use, particularly since fewer customers will be using the facility during usual business hours and more the customers will be using the facility during non-business hours. The training facility caters to individuals of all ages, with the vast majority of the traffic generated by this business occurring after 5:00 PM Monday thru Friday.

In conclusion, the requested Special Use Permit for a basketball training facility would be appropriate at this location. The space can accommodate the proposed use. While the property is zoned for light industrial uses, the location of parking spaces and peak usage of parking by customers of the training facility should reduce opportunities for conflict. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of the request.

Planning Department's Recommended Conditions

SUP-2019-001

Approval of a sports training facility in M-1 subject to the following conditions:

1. Prior to issuance of a business license for a sports training facility, the applicant shall provide a copy of a certificate of occupancy for a training facility (or similar use that allows for public assembly) 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 14,000 square feet.
3. No equipment shall be stored outside the building.
4. Classes between 9 am and 5 pm shall not have more than 5 customers/clients at a time.

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 other 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 training facility is not 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;

The layout of property and the location of the tenant space are favorable for reducing conflicts between customers of the proposed business and truck traffic. Additionally, the primary hours of most of the classes (after 5 pm) will also help to reduce conflicts.

SPECIAL USE PERMIT APPLICATION

An Appointment is required prior to submitting an application. Please contact MaryAnn Jackson at 770-945-8996 to setup an appointment.

APPLICANT INFORMATION*	OWNER INFORMATION*
NAME: <u>Hardy T. Flowers</u>	NAME: <u>Shaheen Development Company, LLC</u>
ADDRESS: <u>3373 LAUREL LEAF way</u> <u>BUFORD GA 30519</u>	ADDRESS: <u>3625 Cumberland Blvd, SE, Suite 250</u> <u>Atlanta, Georgia 30339</u>
PHONE: <u>702-918-3079</u>	PHONE: <u>770-916-1775</u>
CONTACT PERSON: <u>Hardy T. Flowers</u>	PHONE: _____
E-Mail Address: <u>Travis@thecombineLasVegas.com</u>	

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): M 1 REQUESTED ZONING DISTRICT Recreational Use

PROPOSED DEVELOPMENT: Existing Development: 4110 Tench Road; Suwanee, Georgia 30024

TAX PARCEL NUMBER(S): R7253-166 (Suwanee Point)

ADDRESS OF PROPERTY: 4110 Tench Road, Suite K; Suwanee, Georgia 30024

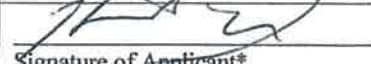

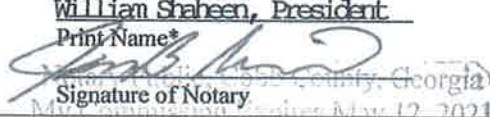
TOTAL ACREAGE: 16.12 PUBLIC ROADWAY ACCESS: Driveway onto Tench Road with ³⁰⁰⁰1 & ⁶⁰⁰⁰2 lanes

FOR RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: _____ DWELLING UNIT SIZE (SQ. FT.): _____

FOR NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: 1 Bldg/ 10 Units TOTAL GROSS SQUARE FEET: ~~97,936~~ 12,442 SQ FT

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*	Date <u>3/19/2019</u>	 Signature of Owner*	Date <u>03/08/2019</u>
<u>Hardy T. Flowers</u> Print Name*	Date	<u>William Shaheen, President</u> Print Name*	Date <u>03/08/2019</u>
Signature of Notary	Date	 Signature of Notary	Date

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

CITY OF SUWANEE USE ONLY

Date Received: 3-19-19 Case No.: SUP-2019-001 Accepted By: AD

SPECIAL USE PERMIT APPLICANT'S RESPONSE

SUP-2019-001



Letter of Intent

City of Suwanee,

I have enclosed a brief description of services and lite distribution we will be doing out of the facility located at 4110 Tench Rd. Tench road is a new property that currently has roughly 50% vacancy. The property has several unique factors as to why we chose this as our future location. The property lot size is 97,936 sq. ft, which will be occupying 13,442 sq. ft of the gross area. The property is zoned as an M-1 property we are applying for a recreational special use permit for the space we are occupying.

The space boasts roughly 20+ foot ceilings, with over 13400 square feet of offices and warehouse space. The location has ample parking spaces for its tenants. The Tench road location allows us to operate in a semi private commercial location as it sits on an end cap with a side entry out of the way of the normal traffic flow, which allows us to operate without causing any congestion or traffic flow issues to other business and or tenants in the business park. Our business model operates on a low census levels during the hours of 9am to 5pm. The highest level of census is typically after 5pm Monday – Friday.

The Combine is a technological basketball and athlete training experience that has a unique offering to the communities we serve. We are the first of our kind in the country which gives us the unique ability to serve a broad range of athletes commuting from around the world. Our training consists of small groups, which allows us to measure the total biometrics of the athlete, symmetry and, kinetic energy to name a few. We also have the ability to measure the performance of the athlete as it pertains to the data, statistics, and analytics that measures shooting consistency, arch on a shot, ballhandling accuracy, and various other measurable data that can be collected.

Due to the fact that we are a very unique concept we work closely with the NBA Players and Players Association offering a host of training and community focused events. We provide services to beginners all the way up to professional level players. We are partners with the YOUNG3/which is a nonprofit partner of the BIG3 3on3 professional league. The YOUNG3 is a community focused basketball and leadership program that teaches the youth from ages 6-14

SUP-2019-001

years. This is free cost training to the public once they signup. Unlike other gymnasiums or fitness institutions we don't allow the members to congregate at the facility at their own leisure; all of our members are on a appointment based schedule or times where we classify open training times. This way we don't allow our facility to ever be at maximum capacity and we can always maintain a high level of oversight and quality control over the facility and athletes.

Our business is a job creator within the community as we typically will employ upwards of 10-20 staff members throughout the year. Under our corporate umbrella we do distribute some of the basketball athlete training equipment and technology which we will be doing some distribution throughout the year of these products. On a positive note we will not have the truck drops or loads that is required by the surrounding businesses.

Our goal is to add value to the City of Suwanee and the community at large, while providing jobs, and additional revenue to the city. We ask that you consider our business for the special use permit.

Sincerely,

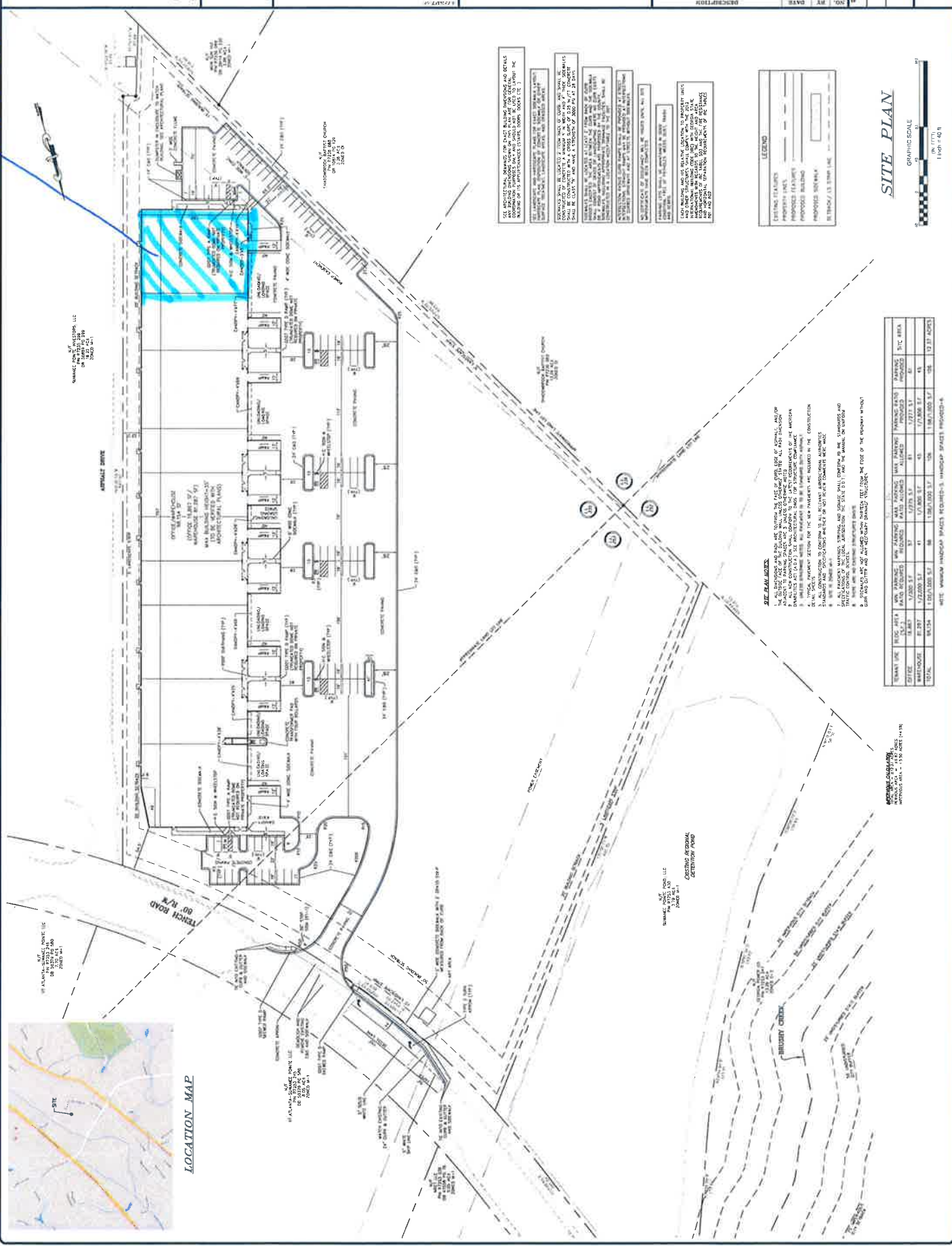
Hardy T. Flowers

Founder-Managing Director

(702)918-3079

SUP-2019-001

subject location



LOCATION MAP

LEGEND

EXISTING UTILITIES
 PROPOSED UTILITIES
 PROPOSED BUILDING
 PROPOSED DRIVEWAY
 IN TRUCK/13.5 TRUCK LANE

GRAPHIC SCALE
 1" = 40'
 1" = 80'
 1" = 160'

SITE DATA SUMMARY

THE TOTAL AREA OF THE SITE IS 1,177,773.51 SQ. FT. (26.86 AC). THE TOTAL AREA OF THE PROPOSED DEVELOPMENT IS 1,177,773.51 SQ. FT. (26.86 AC). THE TOTAL AREA OF THE PROPOSED DEVELOPMENT IS 1,177,773.51 SQ. FT. (26.86 AC).

ITEM	AREA (SQ. FT.)	AREA (AC)	PERCENTAGE OF TOTAL SITE AREA
TOTAL SITE AREA	1,177,773.51	26.86	100%
PROPOSED DEVELOPMENT	1,177,773.51	26.86	100%
PROPOSED DRIVEWAY	1,177,773.51	26.86	100%
PROPOSED BUILDING	1,177,773.51	26.86	100%
PROPOSED UTILITIES	1,177,773.51	26.86	100%
PROPOSED EXISTING UTILITIES	1,177,773.51	26.86	100%

SUP-2019-001
 SUP-2019-001



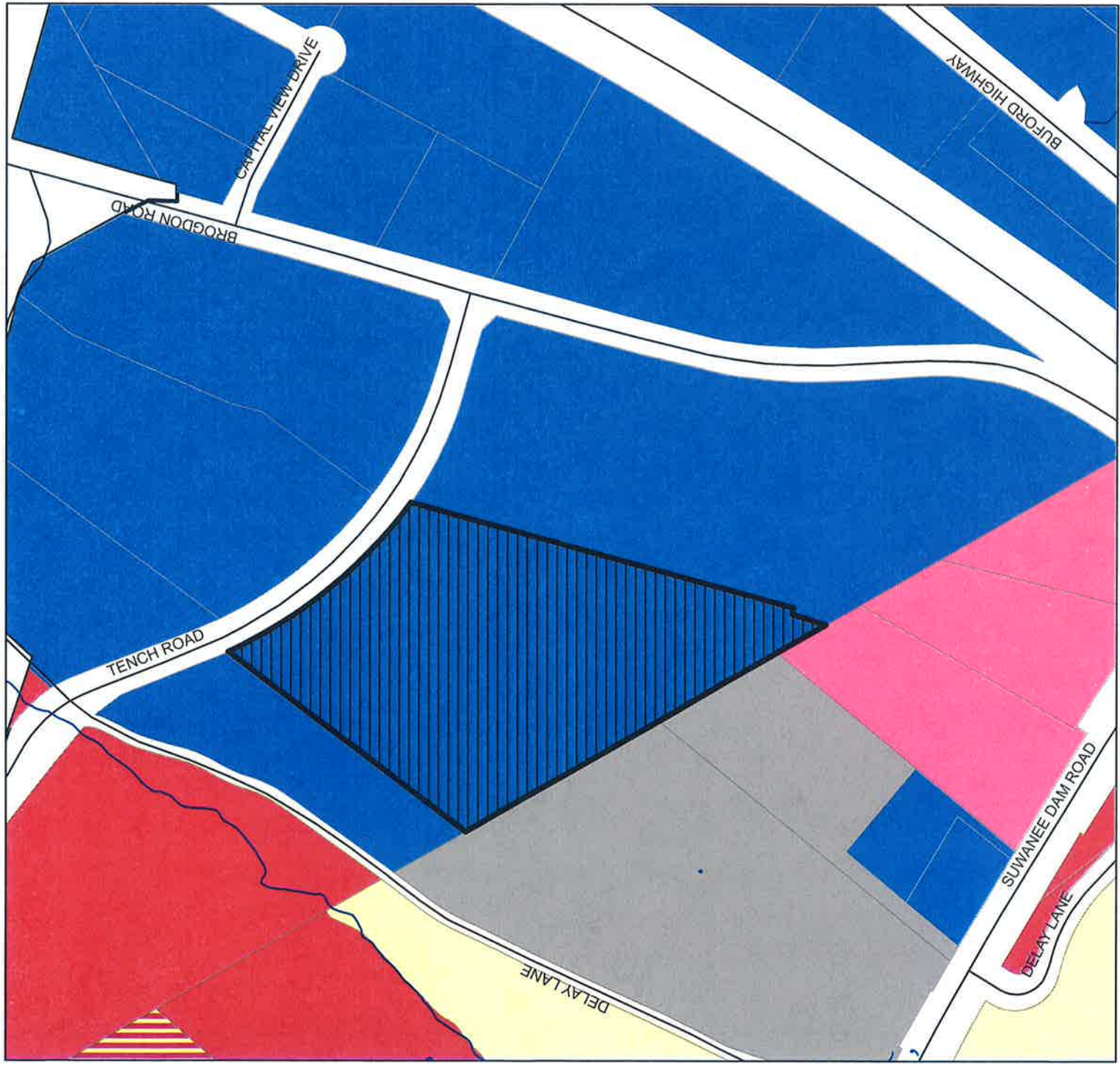
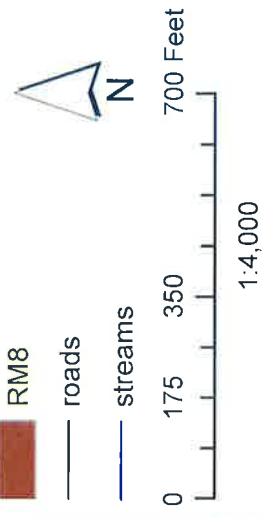
Zoning Map SUP-2019-001

Legend

SUP-2019-001

ZONING

- C-1
- C-2
- C-2A
- C-3
- GCA
- IRD
- M-1
- OI
- OTCD
- PMUD
- R-100
- R-140
- R-75
- R-85
- RM6
- RM8
- roads
- streams



Location Map SUP-2019-001



Legend

- SUP-2019-001
- streams
- roads



1:4,000



4110 Tench Rd

Subject location

