

**AMENDMENT:
AMD-2019-001**



To: Planning Commission
From: Josh Campbell
Date: May 21, 2019
Re: AMD-2019-001

Brief:

The Planning Department recently conducted an analysis of how various jurisdictions handle recreational uses/indoor training facilities in light industrial areas. Suwanee does not allow recreational uses/training facilities in our light industry district (M-1) as a use by right. Suwanee allows such uses as a Special Use, which means that in order to open such a facility in the M-1 Zoning District, City Council approval is required. Individuals seeking to locate an indoor recreation/training facility are often surprised/upset/confused that they are not allowed to go into the M-1 space without Council approval, arguing that other jurisdictions allow these uses.

The primary reason to require a Special Use Permit for indoor recreational/training facilities is safety. These uses often look in industrial areas for land and buildings because they usually need large spaces with high ceilings. Industrial buildings are less expensive to lease per square foot than retail spaces and the industrial tenant spaces are typically much larger with higher ceilings.

Unfortunately, part of the reason these spaces are less expensive to rent is because construction of space not intended to accommodate people (warehouse space) is less expensive than construction of spaces that are intended to accommodate people (retail/restaurants), and the reason it is less expensive is because warehouse space is constructed to a less stringent/less safe building code. Requiring a Special Use Permit is a good way to ensure that these recreational uses make the necessary upgrades prior to allowing customers into the space.

Another factor to consider is that the light industry district in Suwanee is well suited to accommodate businesses that bring warehouse, office, and high tech jobs into the City. It is a goal of the comprehensive plan to preserve those areas that serve as our employment base. The Special Use Permit process can act as a deterrent for uses that will not contribute as much to the employment base.

With these factors in mind, the City looked at the zoning ordinances for 12 comparable/nearby jurisdictions in metro Atlanta (Gwinnett County, Roswell, Chamblee, Canton, Norcross, Peachtree Corners, Peachtree City, Sugar Hill, Lilburn, Dacula, Duluth and Alpharetta). Of the 12 jurisdictions reviewed, 10 allowed indoor recreation (or a comparable use) in their light industry district. Roswell and Peachtree City do not allow indoor recreation as a use by right in light industry. Roswell has a Flex Industrial district that is intended to blend some commercial and lighter industrial uses. Roswell allows for "gyms" in this more flexible district, but not in the "light industrial" district. Peachtree City allows recreational facilities in the light industry district as a conditional use. This means that there are a series of conditions that must be addressed, but once those conditions have been met then the use is allowed without any board approval.

Ultimately, in each jurisdiction there is a district that would allow for recreation uses/indoor training facilities in an industrial district that would not require a council approval. This means that the potential recreational users in Suwanee likely are surprised to find out that we do not allow such uses as a use by right. Over the years we have attempted to manage these uses, but all requested Special Uses have been



approved. Staff recommends adopting the attached amendment to the Zoning Ordinance. The amendment includes a definition for “indoor recreational facilities”. This definition was carefully crafted to ensure certain objectionable uses are not permitted. The amendment also lists “indoor recreational facility” as an allowed use in the M-1 zoning district. If you have any questions please let me know.

Exhibit "A"

Add the following to **ARTICLE III. DEFINITIONS:**

Indoor Recreational Facility. An indoor facility which provides sports, athletic or other fitness training services/classes for individuals, teams, or clubs. The facility may include any of the following: exercise rooms, sports fields or courts, pools, and other indoor sports and fitness activity spaces. Customary accessory uses may also be allowed (such as saunas, spas, hot tub facilities, and retail or wholesale sales of related sports, fitness, or training equipment).

Add the following to **ARTICLE V. ZONING DISTRICT DEVELOPMENT AND USE REGULATIONS:**

SECTION 509. M-1 LIGHT INDUSTRY DISTRICT.

A. **PERMITTED USES**

26. Indoor Recreational Facility.

Ordinance Number: AMD-2019-001

**A RESOLUTION/ORDINANCE TO AMEND ARTICLE III. DEFINITIONS
AND ARTICLE V. ZONING DISTRICT DEVELOPMENT AND USE
REGULATIONS, OF THE CITY OF SUWANEZ ZONING ORDINANCE;
AND OTHER PURPOSES**

WHEREAS, the Mayor and Council of the City of Suwanee have adopted and enacted the 1998 Zoning Ordinance of the City of Suwanee, Georgia in order to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of Suwanee; and

WHEREAS, the City of Suwanee Zoning Ordinances provides rules, regulations, requirements and standards for various land uses within the City of Suwanee; and

WHEREAS, the Mayor and Council of the City of Suwanee find that the City of Suwanee Zoning Ordinance serves to promote the health, safety, morals, convenience, order, prosperity or the general welfare of the present and future inhabitants of the City of Suwanee; lessen congestion in the streets; secure safety from fire, panic and other danger; provide adequate light and air; prevent the overcrowding of land, avoid both undue concentration of population and urban sprawl; facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; protect property against blight and depreciation; encourage the most appropriate use of land, buildings and other structures throughout the City; secure economy in government expenditures; and other purposes; and

WHEREAS, the Mayor and Council find that the attached amendments further said purposes; and

WHEREAS, notice of said amendment has been duly advertised as required by local rules and State laws in the City's legal organ; and

WHEREAS, a duly advertised public hearing was held on June 25, 2019 by the Suwanee City Council; and

NOW THEREFORE, be it ordained and resolved and it is hereby resolved by the Mayor and Council of the City of Suwanee this the 25th day of June, 2019, that the City of Suwanee Zoning Ordinance, specifically Article III Definitions and Article V. Zoning District Development and Use Regulations. is hereby amended as outlined on the

attached Exhibit "A" which is herein incorporated by reference with any minor renumbering and general editing of the Zoning Ordinance as needed.

APPROVED AND ADOPTED THIS ____ DAY OF _____, 2019.

**SUWANEE CITY COUNCIL, A GEORGIA
MUNICIPAL CORPORATION**

BY: _____
JAMES M. BURNETTE, JR., MAYOR

BY: _____
RICHARD I. GOODMAN, MAYOR PRO TEMPORE

BY: _____
DANIEL F. FOSTER, COUNCILMEMBER

BY: _____
BETH S. HILSCHER, COUNCILMEMBER

BY: _____
DOUG IRELAND, COUNCILMEMBER

BY: _____
LINNEA MILLER, COUNCILMEMBER

ATTESTED TO BY:

ELVIRA ROGERS, CITY CLERK

APPROVED AS TO FORM:

GREGORY D. JAY, CITY ATTORNEY
CHANDLER, BRITT & JAY, LLC