

VARIANCE(S):

V-2024-002

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2024-002

REQUESTS: PROVIDE FEWER THAN THE REQUIRED NUMBER OF PARKING SPACES (PARKING REDUCTION)

APPLICABLE SECTION: SECTION 1502

LOCATION: 730 PEACHTREE INDUSTRIAL BOULEVARD

DISTRICT/LAND LOT: 7-251-011

ZONING: C-2 (GENERAL COMMERCIAL DISTRICT)

DEVELOPMENT: 4,000 SQUARE FOOT LEARNING CENTER (WITH A 6,000 SQUARE FOOT ADDITION)

APPLICANT/OWNER: Y&S ENRICHMENT, LLC.
7330 LAUREL OAK DRIVE
SUWANEE, GA 30024

CONTACT: MICHAEL TOOTHAKER

PHONE: 678-257-1905

RECOMMENDATION: **DENIAL**

ANALYSIS:

The applicant seeks a variance from Section 1502 of the City of Suwanee Zoning Ordinance to allow for fewer parking spaces than required for an approximately 10,131 square foot learning center and after school program. The property owner is planning to expand the existing building from approximately 4,000 square feet to approximately 10,150 square feet. The existing facility and the expansion would be occupied by a single user (Eye Level Learning Center). There appears to be a discrepancy between the submitted site plan and the submitted architectural plans. The proposed architecture would appear to require the removal of 3 parking spaces. The site plan does not show this impact.

The subject property has access off Peachtree Industrial Boulevard that it shares with the adjacent animal hospital. The site currently provides 14 total parking spaces for 4,000 square feet of commercial space and has an agreement with the animal hospital to share an additional 8-10 unstriped spaces to the rear of the animal hospital.

The property owner proposes to add approximately 6,211 square feet to the existing space in a two-story addition. The addition would be used as an athletic development space. Section 1502.R of the City of Suwanee Zoning Ordinance requires a minimum of 1 parking space per 250 square feet of gross floor area for commercial uses such as the learning center. The applicant currently has 14 parking spaces on site. With the current structure, the property would require a total of 16 spaces. If there is no proposed addition, then the user would be able to go into the current space without a variance.

However, the applicant is planning to alter the building by adding 6,211 square feet. In order to accommodate that addition, the site would require an 41 spaces. It is important to note that the current architectural plan would appear to require the removal of 3 of the existing parking spaces. The Zoning Ordinance allows for a 20 percent reduction in the number of parking spaces with an administrative variance, but this would only allow the applicant to reduce the number of spaces to 33. Therefore, the applicant is seeking a variance to allow for a reduction in the amount of parking by more than 20 percent.

The subject property is surrounded by a mixture of commercial and residential uses. To the north of the subject property, across Peachtree Industrial Boulevard, is an undeveloped commercial property (zoned C-2). To the east of the subject property is an auto body shop (zoned C-2). To the south are two residential neighborhoods: Kennedy Township (zoned RM-6) and Suwanee Square (zoned RM-8). To the west is the Heart of Suwanee Animal Hospital (zoned C-2).

Eye Level Learning Center is an after school program that provides tutoring on certain subject matters in both a 1-on-1 and group setting. They are planning to expand their existing footprint to allow for athletic development space. This space will consist of an approximately 30-foot by 80-foot field house to assess client's athletic skill and provide coaching to develop athletic strengths. This space is anticipated to be a total of approximately 6,211 square feet divided between 2 stories, which would increase the total square footage to 10,131 square feet.

The applicant has been running their after school program for 20 years. In their previous spaces, they have operated utilizing a 100% drop-off method, and they plan to continue this policy at the new location. The applicant anticipates a maximum of 9 employees in the building at a time. The applicant has a parking agreement with the neighboring Heart of Suwanee Animal Hospital. This agreement would allow them space to park 8-10 cars in the rear of the Heart of Suwanee Animal Hospital. This would allow for a total of 19-24 available parking spaces (depending upon the number of vehicles that could fit into the unstriped area behind the animal hospital and depending upon whether or not the addition results in the removal of 3 parking spaces) for the Eye Level Learning Center. While the applicant proposed to implement a drop off requirement, the subject property and the proposed development/use does not have a situation which rises to the level of hardship and defined by the Zoning Ordinance.

The City's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. According to Section 2006 of the Ordinance, the Board is authorized to grant variances when literal enforcement of the Ordinance will result in unnecessary hardship to a property owner. The Zoning Ordinance also states that variances may be granted when, relief

would not cause substantial detriment to the public good nor impair the purposes or intent of the Zoning Ordinance.

The site is being used by a single user. Therefore, the property owner will be able to exercise more control over the amount of parking used than a multi-tenant site. Additionally, the site parking regulations are designed to make sure that commercial spaces provide sufficient parking for their customers. The applicant states that their previous location operated with a capacity of 50 students and 3 parking spaces. The applicant states they are expecting approximately 100 students, and they are expecting to continue the drop off requirement. If the applicant were to add more parking spaces, it would most likely require the removal of trees in the rear of the building. It should be noted that while the current property will have the ability to implement policies that influence the number of spaces needed, future users of the space might be significantly “under parked” if the variance is approved.

In conclusion, the subject property does not appear to have a situation that rises to the level of hardship as defined by the Zoning Ordinance. The property owner has a firm understanding of the amount of parking they will actually need and are working with the adjacent property owner who shares the same driveway to provide additional parking. Providing additional, but unnecessary parking, has negative environmental impacts through increased stormwater runoff and increased urban island heat effect. Therefore, staff does not object to the request.

The applicant does not appear to have a hardship requiring a reduction in parking requirements. The applicant is experienced in operating their business and suggests the increase in parking would be unnecessary. The applicant has arranged for a parking agreement with the neighboring property owner to provide more parking. Staff recommends **DENIAL** of V-2024-002.

Planning Department
Recommended Conditions
V-2024-002

The Planning Department recommends DENIAL of the requested variance; however, should the board choose to approve the request the following conditions are recommended:

1. A minimum of 14 parking spaces shall be provided on the property.
2. Prior to issuance of a building permit expanding the square footage of the existing building, provide documentation of a parking agreement with the Heart of Suwanee Animal Hospital.

Standards for Consideration

Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

A. Will approval of the variance unreasonably increase the congestion in public streets?

Approval of this variance would not increase the congestion in public streets, provided the property owner implements a drop off requirement.

B. Will approval increase the danger of fire or endanger public safety?

Approval of this variance would not increase the danger of fire or endanger public safety.

C. Will approval unreasonably diminish or impair established property values within the surrounding area?

Approval of the variance would not unreasonably diminish or impair property values within the surrounding area.

D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?

Approval of this request should not in other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

**APPLICATION FOR VARIANCE FROM THE
CITY OF SUWANEE ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: Y&S ENRICHMENT, LLC
Address: 7330 LAUREL OAK DRIVE
City: SUWANEE
State: GEORGIA
Phone: 908.413.1850
E-mail address: mtoothaker@gaskinslecrew.com

OWNER INFORMATION

Name: Y&S ENRICHMENT, LLC
Address: 7330 LAUREL OAK DRIVE
City: SUWANEE
State: GEORGIA
Phone: 908.413.1850

CONTACT PERSON: MICHAEL TOOTHAKER PHONE: 678.257.1905

ADDRESS OF PROPERTY 730 PEACHTREE INDUSTRIAL BOULEVARD

LAND DISTRICT 7 LAND LOT 251 PARCEL 011 LOT

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) EYE LEVEL - SUWANEE

ZONING C-2

VARIANCE REQUESTED A VARIANCE FOR THE REDUCTION OF THE REQUIRED PARKING SPACES

NEED FOR VARIANCE SEE ATTACHED LETTER FOR EXPLANATION OF PARKING FROM APPLICANT

***A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.
SECTION 2007, APPLICANT AND/OR A REPRESENTATIVE.
***The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**

V-2024-002

APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that an application or re-application for the same type of variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals, unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than (6) months from the date of the last action by the Board of Appeals.



[Signature] 1/19/24
Signature of Applicant Date

YOUNGKI SHIM PARTNER
Typed or Printed Name and Title

[Signature] 1/19/24
Signature of Notary Public Date

Notary Seal

PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.



[Signature] 1/19/24
Signature of Applicant Date

YOUNGKI SHIM PARTNER
Typed or Printed Name and Title

[Signature] 1/19/24
Signature of Notary Public Date

Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number _____ Variance _____ Administrative _____
Date Rec'd _____ Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____

January 12, 2024

To Whom It May Concern:

We are Y&S Enrichment LLC currently operating an academic tutoring program under the Eye level Learning Center flag. We have been in business at 525 Peachtree Industrial Blvd in Suwanee for 12 years. Our student enrollment is predominantly middle school and high school students with a total student population of approximately 50 students, 3 tutors and 1 administrator. We have managed to operate at this location for 12 years with 3 allocated parking spaces. 100% of our students are drop offs and pick ups and most of our tutors are College honors students and are also dropped off for the duration of their tutor work hours.

Our new location on 730 Peachtree Industrial Blvd in Suwanee currently has 15 parking spaces on property and potentially have an additional 20 parking spaces adjacent to our property from the Heart of Suwanee Animal Hospital. These additional parking spaces may be available as our overflow parking as needed. Our property and the Animal Hospital share a common driveway with no barriers thus having clear access and close proximity. Our new location will be able to accommodate our existing Eye Level students in addition to a homework study lab, music, art, sports and dance studios. All of which where students will be drop offs and pick ups. We anticipate approximately 100 students during our peak time period. It is safe to say that if 3 parking spaces were enough for 50 students at our previous location then 15 parking spaces at our new location will be more than sufficient for 100 students.

Lastly, we will introduce at the location our English language enrichment classes for adults in the evenings after 7pm. Based on our adult enrollment size we may have van services available for those who are unable to drive and since the adult classes are in the evenings any overflow in parking can be consumed by spaces available at the Animal Hospital which closes at 6pm. We are currently in communications with the Animal Hospital regarding the sharing of their parking spaces based on our needs.

If you have any questions, please do not hesitate to contact me.

Thank you,



Youngki Shim
On behalf of Y&S Enrichment LLC

V-2024-002



March 1, 2024

To whom it may concern,

I give Youngki Shim and his customers permission to use the Heart of Suwanee Animal Hospital's back, gravel parking lot. This lot is located behind the Suites building, near the back wooded area. This gravel parking lot will be used as overflow parking for his business. Please reach out to me with any questions.

Sincerely,

A handwritten signature in black ink that reads "Shannon Hilmo".

Shannon Hilmo
Hospital Manager

BDJ
Consulting

People & Construction Management

Project:
Renovation - Phase 2
Owner:
Eye Level

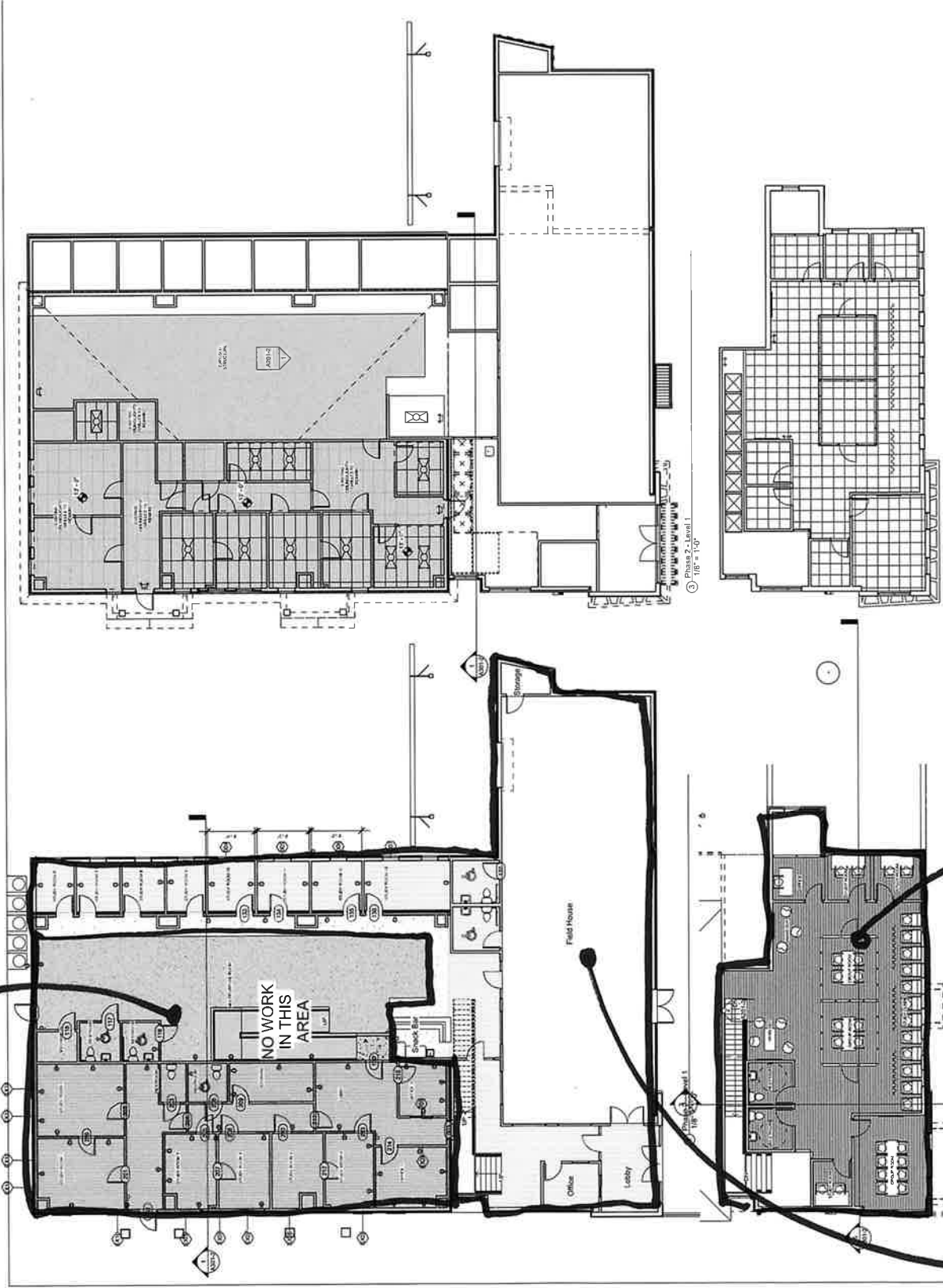
Location:
**730 Peachtree
Industrial Blvd
Suwanee, GA**
Issue Date:
1/26/24

Notes

PRELIMINARY

Floor Plans
A101-2

Date:	1/26/24
Project Number:	BDJ-2024
Checked By:	Chandler
Drawn By:	Chandler
Author:	Chandler
Project Name:	Renovation - Phase 2
Sheet:	A101-2



Existing

Addition (2nd floor)

Addition (1st floor)

V-2024-002



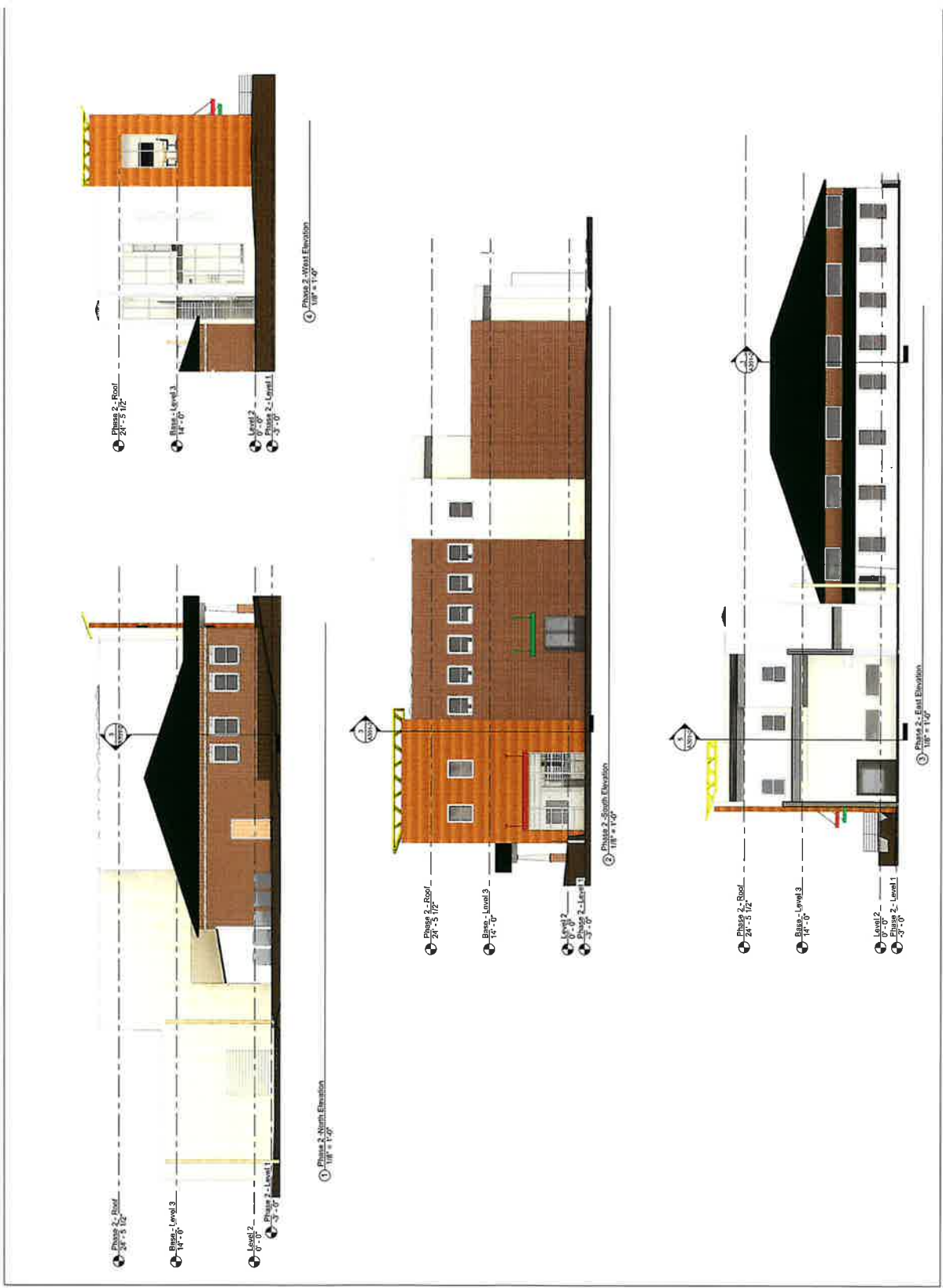
Project: Renovation - Phase 2
Owner: Eye Level
Location: 730 Peachtree Industrial Blvd
Suwanee, GA
Issue Date: 1/26/24

Notes

PRELIMINARY

Elevations A201-2

Date: 1/26/24
 Project Number: BD-2024
 Created By: [Redacted]
 Checked By: [Redacted]
 Drawn By: [Redacted]

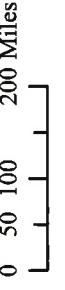
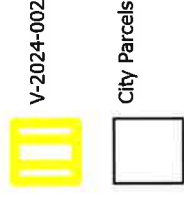


V-2024-002



Location Map

V-2024-002






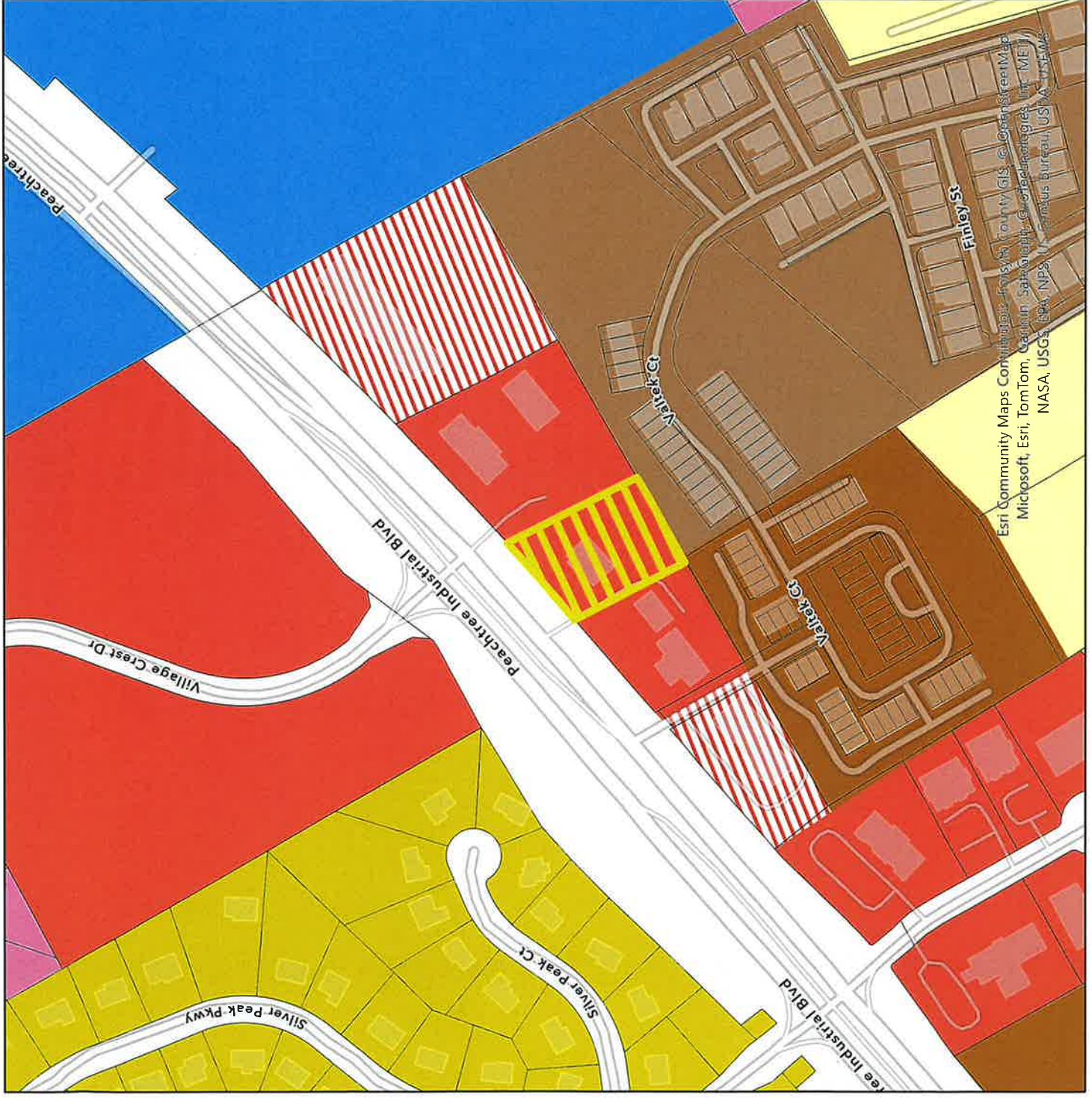
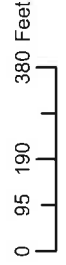
Map, Microsoft, Bing Community Maps Contributors, Forsyth County GIS, © OpenStreetMap (Mapbox), Esri, Garmin, SafeGraph, Centimeter, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



Zoning Map V-2024-002

Legend

-  Subject Property
 -  City Parcels
 -  City Limits
- | ZONING | Color/Pattern |
|--------|-----------------------------------|
| C-1 | Red |
| C-2 | Red with white diagonal stripes |
| C-2A | Red with white horizontal stripes |
| C-3 | Dark red |
| GCA | Green with white diagonal stripes |
| IRD | Orange |
| M-1 | Blue |
| OI | Grey |
| OTCD | Pink |
| PMUD | Purple |
| R-100 | Light yellow |
| R-140 | Light green |
| R-75 | Yellow |
| R-85 | Light yellow-green |
| RM6 | Light brown |
| RM8 | Dark brown |



Esri Community Maps Contributor: Esri, TomTom, Garmin, SatNav, Google, HERE, DeLorme, Swatch, Mapbox, OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SatNav, Google, HERE, DeLorme, Swatch, Mapbox, OpenStreetMap, NASA, USGS, EPA, NPS, US Census Bureau, USIA, NSA, etc.