

**REZONING(S):**

**RZ-2022-005**

**CITY OF SUWANEE  
REZONING ANALYSIS**

**CASE NUMBER:** RZ-2022-005

**REQUEST:** R-100 (RESIDENTIAL SINGLE FAMILY) TO  
IRD (INFILL RESIDENTIAL DISTRICT)

**LOCATION:** 3988 SCALES STREET

**TAX ID NUMBER:** 7-237-035

**ACREAGE:** 0.7 ACRE

**PROPOSED DEVELOPMENT:** 4 SINGLE FAMILY DETACHED HOMES

**APPLICANT:** MAINSTREET BUILDING GROUP  
207 DAVES FARM ROAD  
JEFFERSON, GA 30549

**OWNER:** NORTH GEORGIA CONGREGATIONAL  
HOLINESS CHURCH  
3988 SCALES STREET  
SUWANEE, GA 30174

**CONTACT:** CHUCK RIGDON  
770-231-5856

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

**PROJECT DATA:**

The applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of 4 detached single family houses with a minimum square footage of 2,500 square feet. The subject property is located at 3988 Scales Street in Old Town.

The subject property is developed with a two story church that is vacant. The church building was built in the 1950s. The applicant proposes to demolish the church and subdivide the 0.7 acre lot into 4 residential single family lots. Two lots would front Scales Street and two lots would front Calaboose Street. Access to each lot would be via individual driveways off of Scales Street and Calaboose Street, which would lead to detached garages located in the rear yard behind each home. There are no existing sidewalks on the property itself, but most of the subject property is paved with concrete, which extends to Scales Street.

The natural slope of the adjacent roads, Scales Street and Calaboose Street, steeply slope approximately 18 feet from the southeast side of the parcel to the northwest side of the parcel. The property is currently graded relatively flat to the elevation of Scales Street leaving a steep slope along Calaboose Street. The applicant is proposing to grade the property to make the 2 lots fronting Calaboose Street closer to the elevation of Calaboose Street. There are several large trees along the northwest property line, but the majority of the site is covered by a paved parking lot with little vegetation and no trees.

#### **DEVELOPMENT COMMENTS:**

The following comments are provided to make the applicant aware of certain pertinent issues. This list is not exhaustive of all development issues.

If the rezoning request is granted, the subdivision of the subject property into 4 lots would require the administrative approval of an exemption plat, which would be subject to the IRD development regulations and reviewed by City staff and appropriate County entities.

The subject property is not currently served by sewer, so the applicant would be required to extend sewer to the property before the property could be subdivided into smaller lots.

#### **ANALYSIS:**

The applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of 4 detached single family houses. The IRD (Infill Residential District) may only be used within the Old Town Overlay District (OTOD). The subject property is in the OTOD. IRD allows for lots that are a minimum of 6,500 square feet. The 4 proposed lots are each approximately 7,620 square feet, so the proposed lots would meet this requirement. The subject property can adequately handle 4 single family detached homes.

The subject property is a through lot with road frontage on Scales Street and Calaboose Street. The property is zoned R-100 and surrounded by other residential lots that are developed with single family detached homes. To the northwest are 2 substandard lots of record that are zoned R-100 and contain single family homes that face Scales Road. These septic lots are between 16,000 and 17,000 square feet. They would be required to be at least 22,000 square feet for a septic lot under current standards. To the southeast are 5 lots that are zoned IRD (all smaller than the proposed lots on the subject property) that contain single family homes that face Jackson Street. Across Scales Street is a block containing 6 lots zoned IRD. This block was previously zoned to allow for 14 lots per RZ-2006-012, but the property owner chose to develop the property with only 6 homes per RZ-2018-002. Across Calaboose Street are 3 lots zoned R-100 and a lot zoned IRD at the corner of Calaboose Street and Scales Road. The requested rezoning to IRD is consistent with the use and zoning of the surrounding property.

The IRD (Infill Residential District) was created to provide infill opportunities in Old Town as guided by the Comprehensive Plan. The Zoning Ordinance states that IRD uses shall be compatible in intensity and style to neighboring properties. The 4 proposed lots are similar in size to many surrounding lots in Old Town. Several lots surrounding the property have been rezoned to IRD including the 5 lots to the southeast of the subject property, the 6 lots across Scales Street, and the 3 lots at the corner of Calaboose Street and Scales Road.

The Future Land Use Plan recommends institutional uses for the subject property as it does for properties throughout the City occupied by churches under the assumption that the church would remain in service. The church on the subject property is no longer operating, and the owner is now seeking to market the property. The church is one of the older structures identified as a historic resource in the Old Town Master Plan in 2002. The church has been modified since the original construction in 1950 with a concrete block addition in the rear of the building, and the structure would need significant renovation to repurpose the building. The applicant evaluated the church building and determined that the church does not have significant architectural value. Because the assumption of the Comprehensive Plan, that the current occupant of the building would want to continue to operate as a church, is no longer valid, the future development of the Historic Old Town character area as defined in the Comprehensive Plan may provide better guidance.

The 2040 Comprehensive Plan calls for increasing residential opportunities in Old Town through “carefully-crafted, creative infill responding to and enhancing the historic scale and unique small town character of Old Town” (2040 Comprehensive Plan, p. 17). The plan states that “historic Old Town will be characterized by a mixture of old and new quaint smaller scale development integrated into the existing traditional fabric.” (2040 Comprehensive Plan, p. 16).

The goals of the Historic Old Town character area in the 2040 Comprehensive Plan state that “new development should be sensitive to existing lot character, tree cover, and proportions and scale of adjacent buildings and roads” (2040 Comprehensive Plan, p. 18). As such, it is important that the design of the structures on the subject property take context into consideration and the character of Old Town. If the request is approved, house location plans and architecture should be reviewed and approved by the Planning and Inspections Department to ensure compatibility with the Old Town Design Guidelines established in 2002 and existing architectural styles as found in the 2040 Comprehensive Plan (2040 Comprehensive Plan, p. 17). The proposed zoning request, with conditions managing the design of the buildings, is consistent with the guidance found in the Comprehensive Plan.

In conclusion, the request to rezone the subject property from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for 4 single family homes is consistent with the 2040 Comprehensive Plan and compatible with surrounding development. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of **RZ-2022-005**.

Recommended Conditions  
**RZ-2022-005**

The Planning Department recommends approval of the request for IRD zoning subject to the following conditions:

1. Development shall not exceed 4 lots.
2. Prior to issuance of a building permit for any portion of the property, the applicant shall provide a grading plan and residential drainage plan (RDP) for the entire site. Said plan shall include any retaining walls and demonstrate how sidewalks will be provided on Scales Street and Calaboose Street. Said plan shall also illustrate and quantify that proposed impervious surface does not exceed that of the existing conditions. Said plan shall demonstrate that the storm water run off from the site will be decreased by the proposed development from the existing conditions and address how storm water will be conveyed within the right-of-way adjacent to the property. Said plan shall be executed prior to issuance of any building permit.
3. Prior to issuance on any building permits, the architecture of any proposed buildings shall be subject to the review and approval of the Planning and Inspections Department. The department will be looking for architecture that compliments the historic downtown area.
4. Maximum building height shall be 35 feet.
5. A 4-foot sidewalk shall be provided along Scales Street and Calaboose Street prior to issuance of a certificate of occupancy for each primary structure.
6. Trees found on Suwanee's list of approved street trees should be installed along the road approximately 35 feet on center. Said street trees should be 3" caliper. Trees shall be installed on each lot prior to the issuance of a certificate of occupancy for any single family home.
7. Provide a house location plan (HLP) prior to issuance of a building permit for each single family residence on the property. Said plan shall detail the location of any structures, walls, or fences; the distance of any structures, walls, or fences from the property lines; and the height of any fences and walls. HLP shall also include any landscaping, driveways or parking pads, proposed final topo, and finished floor elevations for buildings. HLP shall provide a calculation of the amount of impervious surface proposed. Said HLP shall be subject to the review and approval of the Planning and Inspections Department. The intent of the HLP is to ensure the height of any wall, fence, structure, or location of parking do not create any negative external impacts.
8. The height and material of retaining walls facing a public street shall be subject to the approval of the Planning and Inspections Department.

9. Any plat executed to subdivide the property shall assign a maximum amount of impervious surface for each new lot. The total allotted impervious surface shall not exceed the amount of impervious surface currently in place.

## 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 single family development is compatible with surrounding single family development.

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

It is unlikely that the zoning proposal will adversely affect the existing uses 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.

- 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. The proposed development would reduce stormwater runoff as the amount of impervious surface would be reduced.

- E. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan;

The Future Land Use Plan calls for an institutional use on the subject property due to the previous religious institution that occupied the now vacant church building.

- 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 church on the subject property is no longer in operation and is vacant and in disrepair.

### REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF CITY OF SUWANEE, GEORGIA

APPLICANT INFORMATION*	OWNER INFORMATION*
NAME: <u>Mainstreet Building Group</u>	NAME: <u>North Georgia CHC Co Suwanee Church</u>
ADDRESS: <u>207 Daves Farm Rd</u> <u>Jeferson, GA 30549</u>	ADDRESS: <u>3988 Scales St.</u> <u>SUWANEE, GA 30174</u>
PHONE: <u>770-231-5856</u>	PHONE: <u>706-865-4329</u>

CONTACT PERSON: Chuck Rigdon CONTACT PHONE: 770-231-5856  
 EMAIL ADDRESS: chuckrigdon@me.com FAX NUMBER: \_\_\_\_\_

#### PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): R-100 REQUESTED ZONING DISTRICT IRD  
 PROPOSED DEVELOPMENT: 4 single family residential lots  
 TAX PARCEL NUMBER(S): 7237 035  
 ADDRESS OF PROPERTY: 3988 scales street  
 TOTAL ACREAGE: 0.7 ac PUBLIC ROADWAY ACCESS: \_\_\_\_\_

#### FOR RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: 4  
 DWELLING UNIT SIZE (SQ. FT.): 2500+/-

#### 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 pursuant to Section 2004 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 pursuant to Section 2003 of the Zoning Ordinance any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

<u>[Signature]</u>	<u>07/11/22</u>	<u>[Signature]</u>	<u>7-12-22</u>
Signature of Applicant*	Date	Signature of Owner*	Date
<u>Charles R. Rigdon</u>		<u>TERRON Gentry</u>	<u>7-12-22</u>
Print Name*	Date	Print Name*	Date
<u>[Signature]</u>	<u>7/11/22</u>	<u>[Signature]</u>	<u>7-12-22</u>
Signature of Notary	Date	Signature of Notary	Date

\*

If Additional Applicant or Owner Information is Needed Please Complete Additional Application Form



CITY OF SUWANEE USE ONLY

Date Received: \_\_\_\_\_

Case No. RZ-2022-005

Accepted by: \_\_\_\_\_



**REZONING APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING EXERCISE OF THE ZONING POWER**

Pursuant to section 2006 of 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 - Residential Housing (Single Family) surrounds  
this property.

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

NO

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

NO, not if used as a church, as current or past  
use. Existing building designed as church.

(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, in fact proposed single family use will  
decrease traffic and stormwater runoff  
since proposed use is less intense.

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

Yes

(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:

Reduced stormwater runoff (less impervious surface  
is proposed).

\*\*\*\*\*

CITY OF SUWANEE-USE ONLY  
Case No. RZ-2012-005

Date Received: \_\_\_\_\_ Accepted By: \_\_\_\_\_

**Mainstreet Building Group, LLC**

07-14-22

207 Daves Farm Road  
Jefferson, GA. 30549  
Ph. (770) 231-5856  
Email: ChuckRigdon@me.com

**LETTER OF INTENT  
APPLICATION FOR REZONING**

The applicant (Mainstreet Building Group, LLC) requests to rezone the property with the address of 3988 Scales Street, parcel no. 7-237-035. This 0.704-acre tract of land is generally located on the southwest of Scales Street and the northeast side of Calaboose Street. It has road frontage on each of these two (2) streets. This property is also northwest of Jackson Street and southeast of Scales Road. The subject parcel is surrounded by IRD to the northeast and southeast and R-100 to the northwest and southwest.

The subject property is currently zoned R-100. We request to rezone this property to IRD and subdivide into four (4) new lots with single family detached dwellings. Our intent is to demolish the existing structure, which was most recently used as a church building. It is important to note that the existing structure is no longer in use by a church/congregation for church related services. To our knowledge this existing structure was constructed in 1950.

The proposed house size will be approximately 2,500 – 3,200 square feet with a detached garage behind the proposed house. Each proposed lot will be 7,620 +/- square feet.

Our proposed rezoning request supports the goals of the City's comprehensive plan.

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July 28,2022

Mainstreet Building Group  
101 Cambridge Farms  
Hoschton, Georgia 30541

Attn: Chuck Rigdon

Re: Existing Church Property  
3588 Scales Street  
Suwanee, Georgia 30024

Chuck,

Thank you for the opportunity to assist you in evaluating the existing Church property referenced above. This evaluation is based on our July 14 site visit.

**Description of Existing Building:**

**Exterior:**

The existing church facility appears to consist of two phases; the front worship building built around 1950, and a later two-story classroom addition located behind the front worship building.

The main building is approximately 40 feet wide by 60 feet deep with brick masonry bearing walls with a stucco/plaster finish. The roof appears to be wood framing with an asphaltic shingle roof with a waterproof coating applied over the shingles. The building has a full basement.

The addition behind the front worship building is an approximately 30 feet deep by 50 feet wide two-story painted concrete masonry building with wood floor and roof framing.

**Interior:**

The front building consists primarily of an open worship and alter/choir area. The floor of the worship space is a sloped wood frame structure. This space has an acoustical tile lay-in ceiling; apparently added later. We were able to remove some of the ceiling tiles to observe a 4 to 5 feet space above the ceiling leading up to the roof framing. With limited visibility, we were unable to determine the condition of the roof framing, although it did not appear to be visually significant.

The basement appears to extend the full length of the building with the majority being finished space, while the remainder is unfinished storage.

The rear two story building consists of classrooms, offices, toilets, storage etc. There is a stair connecting the first and second floors leading to more classrooms and offices. The wood framing appeared to be a good condition, although the condition of the roof could not be determined. There was some evidence of roof leaks.

**Evaluation of the front building:**

After a closer observation, the front building does not appear to have any architecturally distinguishing features. The presence of brick walls beneath the plaster/stucco finish was of interest but there is no guarantee of the condition of the

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existing brick without full removal of the plaster/stucco finish. Along the west side of the building, asphalt paving has been sloped up against the building to keep water away from the building. The condition of these walls is unknown until the paving is removed.

The exterior windows would need to be replaced. The existing sloped floor would need to be leveled. There did not appear to be any distinctive character to the roof structure. The old roof and any damaged wood framing would need to be torn off and a new roof installed. New plumbing, heating ventilation, air conditioning (HVAC) and electrical would be required.

There is evidence of asbestos material in the building so care would need to be taken during any demolition to remove/abate the asbestos.

**Evaluation of the rear building:**

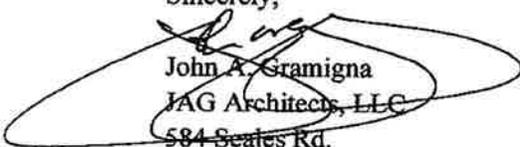
After a closer observation, the rear building does not have any architecturally distinguishing features. The existing painted concrete masonry walls need a new finish, windows need to be replaced, as would the roof. Most of the interior walls would need to be demolished for new construction. There appears to be water infiltration issues along the rear wall of the building that would need further investigation. The existing wood floor and roof framing would need to be more closely evaluated prior to re-use. New plumbing, heating ventilation, air conditioning (HVAC) and electrical would be required. There is evidence of asbestos material in the building so care would need to be taken during any demolition to remove/abate the asbestos.

**Conclusion:**

After this observation, it is my opinion this building is not architecturally significant and does not warrant preserving.

Based on the age of the building and apparent lack of maintenance, any effort to preserve this building would need to be done with great caution and substantial financial risk. Currently unknown or unobserved conditions, which would not be discovered until renovation could result in substantially increased costs. In the final evaluation, the existing building is not worth preserving.

Sincerely,



John A. Gramigna  
JAG Architects, LLC  
584 Seales Rd.

Suwanee, Ga. 30024  
678.709.1560

RZ-2022-005



Image capture: Apr 2022 © 2022 Google

Suwanee, Georgia

Google

Street View - Apr 2022

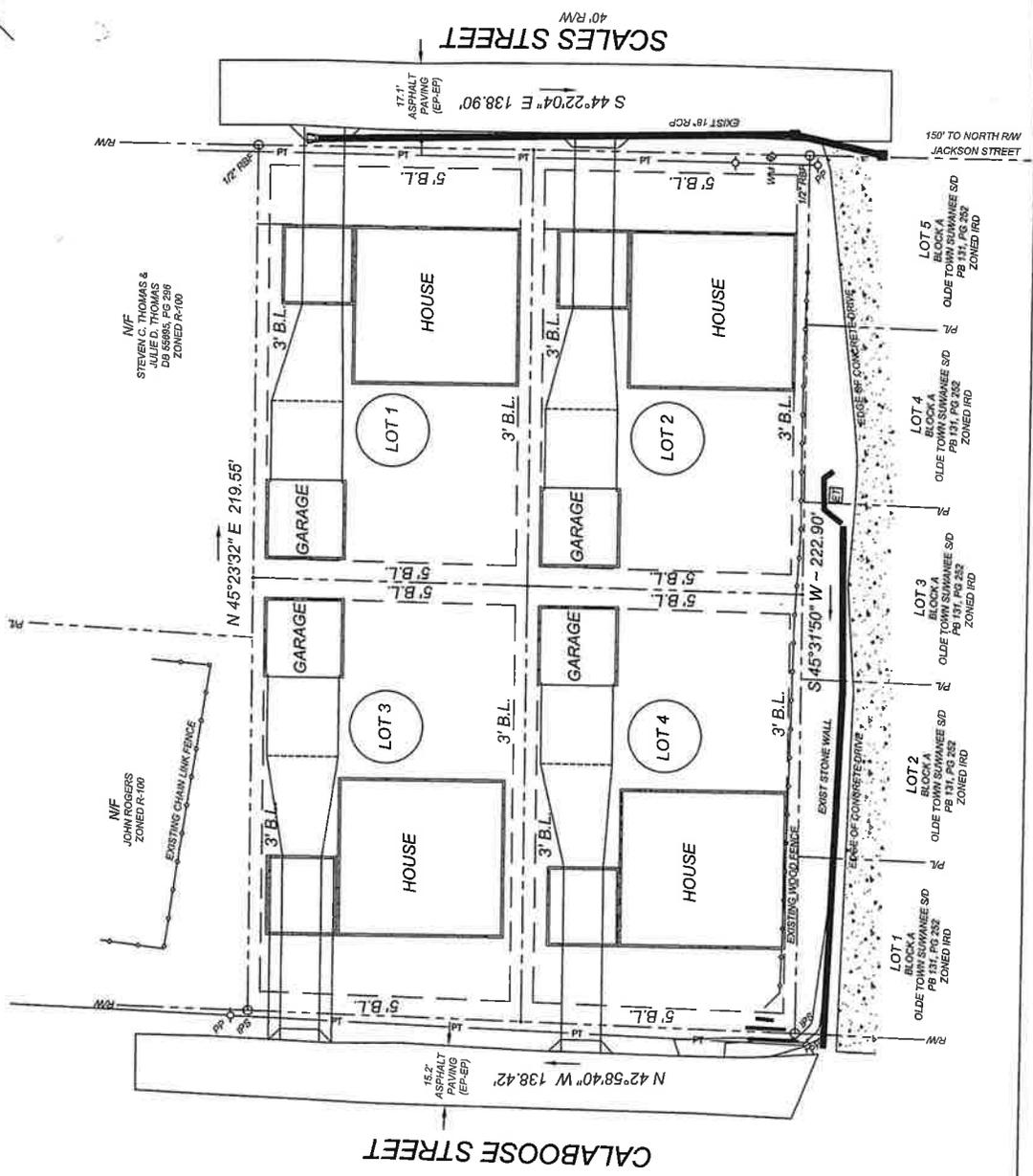
## EXISTING CHURCH BUILDING ON SUBJECT PROPERTY

22-2022-005

**REZONING NOTES:**

1. APPLICANT—MAINSTREET BUILDING GROUP, LLC
2. PROPERTY ADDRESS—3888 SCALES ST.
3. PARCEL No. 7-237-035
4. ACREAGE — 0.704 ACRES
5. EXISTING ZONING — R-100
6. PROPOSED ZONING — IRD
7. PROPOSED NUMBER OF LOTS = 4

REZONING PLAN  
FOR  
MAINSTREET  
BUILDING GROUP  
SCALE: 1" = 30"  
DATE: 07/19/22



Proposed Lots  
RZ-2022-005





RZ-2022-005

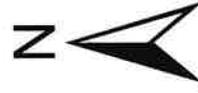
Zoning Map

**Legend**



**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

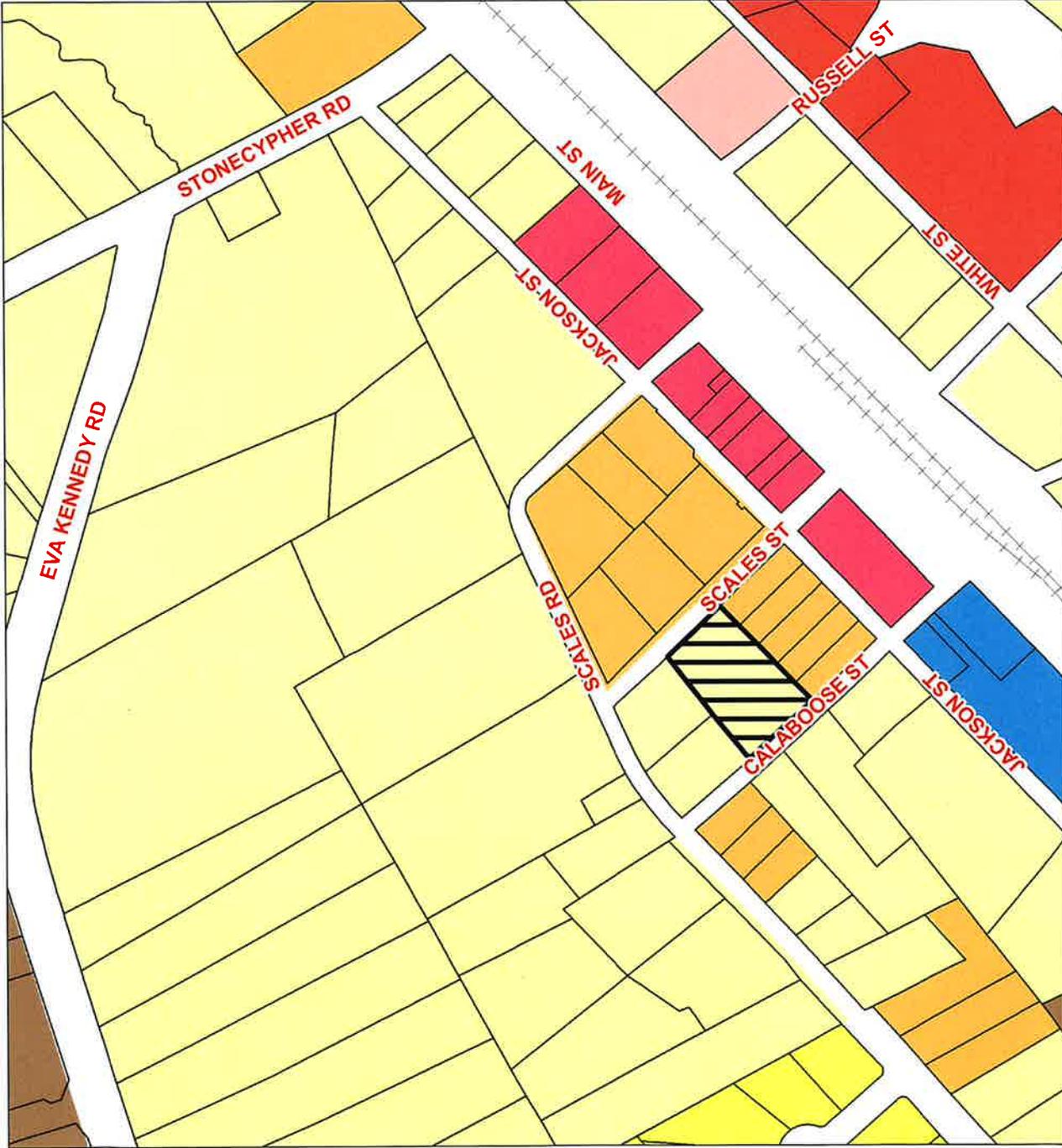


620 Feet

310

155

0





**RZ-2022-005**  
**Location Map**

**Legend**



Subject Property

