

MINUTES
CITY OF SUWANEE, GEORGIA
PLANNING AND ZONING COMMISSION
June 7, 2022

PLANNING AND ZONING MEMBERS: Present: Michelle Budd, Brad Cox, Glenn Weyant, and Alan Dandar. Staff members present: Josh Campbell, Alyssa Durden, and MaryAnn Jackson. Absent: Muthu C. Narayanan

CALL TO ORDER

Michelle Budd called the meeting to order at 6:30p.m.

ADOPTION OF THE AGENDA

Brad Cox moved to amend the agenda to allow RZ-2022-003 to be presented last, second Glenn Weyant. Motion carried 4-0.

ADOPTION OF THE MINUTES: February 1, 2022

Glenn Weyant moved to approve the February 1, 2022 minutes, second by Alan Dandar. Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

SUP-2022-002 – Owner: Renato Rodriguez. Applicant: Rivan Peachtree LLC. The applicant requests a Special Use Permit to allow for an automotive use in the C-2 (General Commercial District) zoning district. The site is located in Land Lot 151 of the 7th District at 50 Old Peachtree Road and contains approximately 3.5 acres.

The applicant requests a Special Use Permit to allow for use as an automotive service in an existing multi-tenant building zoned C-2 (General Commercial District). The automotive use is an auto spa that would apply clear protective coatings to vehicles.

The property is served by two drives off Old Peachtree Road. The site includes about 80 parking spaces. The property contains two industrial type metal buildings totaling approximately 50,000 square feet. The proposed use would be located in a multi-tenant building that is approximately 26,000 square feet and currently contains two automotive repair businesses, a surplus store, a staging warehouse, and a building materials business. Each tenant space includes an overhead garage door that accesses a small warehouse area and a separate small office area. The proposed auto use business would be located in Suite 211, which is approximately 2,000 square feet. The 26,000 square foot building that is proposed to house the automotive service is located toward the rear of the site. A second 24,000 square foot building on the tract is oriented toward Old Peachtree Road and contains a church, a bootcamp facility, and wholesale warehouse uses.

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 additional automotive use in the building.

The automotive service would be located in Suite 211, as indicated on Exhibit C, in a metal building with limited visibility from Old Peachtree Road or any other roads. Each suite contains an overhead door, warehouse space, and limited office space, which makes the building more suitable for automotive and warehouse uses. The overall property contains 50,000 square feet and a total of 80 parking spaces. It appears the property was developed before many of the City's development and zoning regulations were in place. The site layout, building, and property location are not suitable for typical retail uses permitted in the C-2 zoning district. The subject building is more conducive to wholesale warehouse and automotive related uses that make use of the roll up garage doors and are not harmed by the limited amount of parking and lack of visibility.

The approximately 3.5 acre site is located on Old Peachtree Road, east of Horizon Drive near the I-85 right-of-way. The surrounding land uses include a hotel (zoned C-3) to the south and a warehouse (zoned C-2) to the north. Across Old Peachtree Road to the east is a large manufacturing facility (zoned M-1) and vacant land adjacent to a multi-tenant shopping center (zoned C-2A).

The proposed auto spa would apply clear protective coatings to cars. The applicant has indicated that their process uses only soap and water to apply the coating and would not create odors or noise that would be detrimental to a commercial environment. They have also indicated that vehicles would not be stored on site for their business as they operate on an appointment only basis.

The building is currently occupied by two automotive uses, one of which includes an auto dealer. In 2011, a Special Use Permit was granted for Suite 208 in the subject building for an automotive repair facility, which is still in operation. At the time of approval, there was another automotive repair businesses already in the building that was a legal nonconforming uses. This auto use is also still operating. Granting a Special Use Permit to allow automotive uses in the entire building with conditions to manage the negative impacts of auto-related uses might be the most practical path forward.

The City's Future Land Use Plan recommends high density office for the subject property. The existing land use and proposed automotive use are not consistent with this designation. However, approval of the Special Use Permit for automotive services is not likely to impede future redevelopment of the property.

The requested Special Use Permit for an automotive spa would be appropriate at this location due to the heavily commercial and industrial context, the design of the building, and existing automotive uses in the same building. Additionally, the limited visibility

makes the property more suitable for auto related uses. As such, the Planning Department recommends approval with conditions of the request.

Michelle Budd called upon the applicant.

Renato Rodriguez described the nature of his business and offered to answer any questions.

Michelle Budd called for opposition. There was none.

Glenn Weyant moved to approve SUP-2022-002 with staff recommended conditions, second by Brad Cox. Motion carried 4-0

1. The special use permit shall be limited to automotive repair and services and to the 26,225 square foot building located at the rear of the property.
2. All automotive services shall be conducted inside.
3. Only vehicles waiting to be serviced shall be stored on-site.

SUP-2022-003 – Owner: The Honeybaked Ham Company, LLC. Applicant: H&G Properties Management, LLC. The applicant requests a Special Use Permit to allow for outdoor storage in the C-2A (Special Commercial District) zoning district. The site is located in Land Lot 194 of the 7th District at 3370 Lawrenceville-Suwanee Road and contains approximately 2.09 acres.

Josh Campbell presented the staff report as follows: Honey Baked Ham seeks a Special Use Permit within the C-2A zoning district for outdoor storage to allow for a 20-foot long storage unit for the purpose of storing dry goods throughout the year, a 40-foot cold storage unit for the months of November and December each year, and a 20 foot cold storage unit for the 2 week period prior to Easter each year. These storage units would be located behind the retail space in an approximately 24-foot wide service drive behind the building. The storage containers are approximately 8 feet wide.

The applicant occupies a 1,470 square foot retail space in the Suwanee Promenade shopping center located at 3370 Lawrenceville-Suwanee Road. Honey Baked Ham has been operating at this location for 15 years and has been using both a permanent storage container year round and a temporary cold storage container during their peak seasons in the proposed locations. The City of Suwanee Zoning Ordinance does not allow outdoor storage without a Special Use Permit. The City recently discovered the business was using the containers and made the applicant aware that outdoor storage was not allowed. The applicant is now seeking a Special Use Permit to be in compliance with the code.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the 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 be outdoor storage.

The subject property was rezoned from M-1 to C-2A in 2005 in order to allow for the development of the existing shopping center.

The Honey Baked Ham store has a unique seasonal need for increased storage capacity due to the increased sales of its products during the holidays. The store has historically handled this need with temporary cold storage containers located in the loading area directly behind the store without incident. The 24-foot wide lane behind the building allows for vehicles to pass even when the temporary storage container is in place. Approval of the request for a temporary storage container for 2 ½ months of the year is not likely to negatively impact the surrounding area as it is hidden behind the building, and if safety precautions are taken, the site could accommodate the containers safely. In the past, the applicant has run a temporary electrical connection from the building to the cold storage container that vehicles run over. The property is capable of supporting the proposed special use; however, if a Special Use Permit is approved, the electrical connection for the cold storage facility will need to comply with building code requirements to the satisfaction of the Building Official.

The Suwanee Promenade shopping center on the subject property is fully occupied by other restaurants and retailers. The adjacent property to the south also contains several restaurants and retail and is zoned C-2A (Special Commercial District). Adjacent properties to the north and west are zoned M-1 (Light Industrial District) and occupied by light industrial buildings and businesses. Across Lawrenceville-Suwanee Road is another shopping center with restaurants and retail (zoned PMUD) and an auto parts store (zoned C-2A). This area of the City is a thriving commercial area with infrequent vacancies. None of the surrounding restaurant or retail uses are allowed outdoor storage as a use by right.

The request for temporary outdoor storage seems reasonable at this location given the unique seasonal needs of the business. A permanent storage container is not ideal. A permanent container could be considered an accessory structure, which is allowed by the Zoning Code if constructed with materials complying with the City's Architectural Standards, primarily brick or stone for commercial buildings. The storage container that is currently being used on the site is a metal shipping container, which does not meet the Architectural Standards.

The purpose of not allowing outdoor storage is to prevent clutter, trash and negative visual impacts in the City. Approval of seasonal storage is not likely to cause negative effects. A permanent storage container could contribute to negative visual impacts on the surrounding area and encourage others to use the loading area for storage purposes if negative impacts are not managed. The shopping center has received warnings regarding trash at the rear of the property in the past. Additionally, the fence between the adjoining property next to the temporary storage container location is damaged and the dumpster

door is broken. If approved, conditions should ensure that the property remains in compliance with code. Therefore, the Planning Department recommends approval with conditions of SUP-2022-003.

Alan Dandar asked how the issue was discovered. Josh Campbell stated that there was a trash complaint.

Michelle Budd called upon the applicant.

Chris Cummings, The Honey Baked Ham Company, 3875 Mansell Road, Alpharetta, GA
Mr. Cummings explained that Honey Baked Ham has a seasonal need for cold storage.

Michelle Budd called for opposition. There was none.

Glenn Weyant moved to approve SUP-2022-003 with staff recommended conditions, second by Brad Cox. Motion carried 4-0.

1. The property shall be limited to one year round outdoor storage container and one temporary outdoor storage container for a maximum of 4 months in a 12 month period.
2. The one year round outdoor storage container shall be maintained in good condition. The unit shall be painted a subdued color to match the color of the shopping center. Said unit shall be located approximately as shown in Exhibit A.
3. Temporary outdoor storage shall be limited to one 20-foot long storage container or one 40-foot long storage container at a time. Said container shall be located behind the building and shall not block the passage of vehicles (including emergency vehicles) or loading activities.
 - a. A building permit shall be obtained from the Planning and Inspections Department prior to the placement of temporary outdoor storage container each time. Up to two permits for temporary outdoor storage may be issued per calendar year. Each permit will be good for up to 2 months. Prior to the issuance of each permit, the Planning and Inspections Department will perform an inspection for code violations.
 - b. If the temporary outdoor storage container needs electricity, electrical supply shall comply with all applicable building codes. Said electrical shall be subject to approval of the Building Official.
 - c. No permit will be issued until all code violations are remedied and the Building Official determines that the electrical supply for the outdoor storage unit complies with applicable codes.

RZ-2022-003– Owner/Applicants: Tanya Sola Christiano and Jennifer Spencer. The applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for single family homes. The site is located in Land Lot 210 of the 7th District at 781 White Street and contains approximately 0.42 acre.

Josh Campbell presented the staff report as follows: the applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of 2 detached single family houses with a minimum size of 3,500 square feet on White Street just north of the Harvest Park neighborhood. The applicant proposes to subdivide the 0.42 acre lot into 2 lots that would each be over 9,000 square feet.

The applicant proposes to construct 2 single family detached homes, each 2 stories with a basement. Both lots would also include a detached two-car garage located in the rear yard. An approximately 10-foot-tall concrete wall is proposed for the rear of the property running parallel to the Norfolk Southern railroad line. The wall would be located behind the detached garages.

On the proposed concept plan, the houses are located approximately 30 feet from the right-of-way, considerably further back than the 5 foot minimum for the IRD zoning district but not quite as far setback as the home on the adjacent lot to the south.

The subject property is a small part of a larger tract that was part a rezoning request in 2017. In 2017, the applicant requested rezoning from R-100 to OTCD (Old Town Commercial District) in order to allow for a wedding/event facility. The request was denied and the property owner subsequently subdivided the property into 3 R-100 lots. Single family homes have since been constructed on 2 of the lots. The applicant is now seeking to rezone the remaining lot from R-100 to IRD to allow for 2 lots.

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 approved, the subdivision of the subject property into 2 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 applicants request rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of 2 detached single family homes. The IRD (Infill Residential District) may only be used within the Old Town Overlay District (OTOD). The subject property is in the OTOD and has the sewer infrastructure to allow for the smaller lots allowed within an IRD. IRD allows for lots that are a minimum of 6,500 square feet. The 2 proposed lots are approximately 9,532 and 9,116 square feet. The lot is undeveloped with no significant vegetation and slopes up steeply approximately 20 feet from White Street toward the Norfolk Southern railroad that sits behind the property to the northwest.

The subject property is located at 781 White Street in a predominantly residential area. Directly across White Street, to the south, is the Harvest Farm barn in White Street Park (zoned R-140). To the north, is the Norfolk Southern rail line. Across the rail tracks is the Old Suwanee neighborhood (zoned RM-6). Directly to the north of the subject property is a parcel that contains a vacant church (Zoned R-100). However, the church building and subject property are separated by about 200 feet. Further north, White Street is lined with mostly older single family detached homes on R-100 lots. The adjacent property to the south and west is zoned R-100 and contains a single family home owned by the applicant. Further to the west is the Harvest Park neighborhood, a planned development that includes smaller lot single family attached and detached homes.

The proposed 2 home development can be accommodated by the subject property and is compatible with the surrounding area.

The proposed lots for the subject property are 56 and 60 feet wide, which would provide a good transition between the small lots of the Harvest Park neighborhood and the slightly larger lots along the older portion of White Street. The applicant is proposing neo-rural style architecture for the homes, which would also be compatible with the character of White Street, the Harvest Farm barn and community garden, and the Harvest Park neighborhood.

The Downtown Suwanee Master Plan (DSMP) calls for White Street to preserve this semi-rural character while incorporating a mix of small lot single family housing types. The 2040 Comprehensive Plan recommends 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). 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 surrounding area.

The IRD (Infill Residential District) was created to provide infill opportunities in Old Town as recommended by the Comprehensive Plan. Several properties in Old Town have been rezoned to IRD and subdivided to create new lots for new single-family homes. A rezoning from R-100 to IRD would also be appropriate for the subject property.

The request to rezone the subject property from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for 2 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-2022-003.

Michelle Budd called upon the applicant

Jason Spence, 801 White Steet, Suwanee, GA. Mr. Spence stated that he is available to answer any questions.

Michelle Budd called for opposition.

Jake Gleghorn 665 Village Field Court. Greater risk of traffic accidents. The farm gets crowded.

Brad Cox asked Josh Campbell about parking. Josh Campbell explained that the homes will have driveways and garages. Four or five cars can be parked without impacting the street.

Brad Cox moved to approve RZ-2022-003 with amended conditions, second by Alan Dandar. Motion carried 4-0 (additions = bold).

1. Development shall not exceed 2 lots.
2. Prior to issuance of 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 surrounding area.
3. Maximum building height shall be 35 feet.
4. If provided, fencing facing a public street shall be decorative and subject to the approval of the Planning and Inspections Department.
5. The height and material of any retaining wall located in front of a primary structure and facing a public street shall be subject to the approval of the Planning and Inspections Department.
6. Provide a house location plan (HLP) prior to issuance of a building permit for new construction 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. Said HLP shall be subject to the review and approval of the Planning and Inspections Department. The intent of the HLP is to ensure that any wall, fence, structure, or parking facility does not create any negative visual impacts.

7. Provide a residential drainage plan (RDP) prior to issuance of a building permit for new construction on the property. The RDP is subject to the review and approval of the Planning and Inspection Department.
8. **Front setback shall be a minimum of 30 feet.**

OTHER BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Glenn Weyant moved to adjourn 7:30 p.m.