

VARIANCE(S):

V-2023-001

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER(S): V-2023-001

REQUEST(S): DEVIATION FROM OFF-STREET PARKING
LOT PLANTING REQUIREMENTS

APPLICABLE SECTION(S): SECTION 1703

LOCATION: 4355 SUWANEE DAM RD

DISTRICT/LAND LOT: 7-252-007

ZONING: O-I (OFFICE-INSTITUTIONAL DISTRICT)

DEVELOPMENT: OFFICE PARKING LOT

APPLICANT: TARR GROUP, LLC
8650 STATE RD 32
ZIONSVILLE, IN 46077

OWNER: WMG DEVELOPMENT, LLC
PO BOX 768
EFFINGHAM, IL 62401

CONTACT: JAMIE LINENBERG
PHONE: 317-678-7517

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The 1.14-acre subject property is located at 4355 Suwanee Dam Road northwest of the intersection with Peachtree Industrial Boulevard. The property is zoned O-I (Office-Institutional District). The subject property contains a building measuring approximately 11,850 square feet. Currently, 10,850 square feet of the building is used for a dental office and 1,000 square feet of the building is used for a financial advisor's office. There is one parking lot located behind the building and another parking area in front of the building. The property is served by a driveway providing access off Suwanee Dam Road and an inter-parcel connection to the adjacent parcel to the south.

A Special Use Permit was recently approved for the property in order to allow for an increase in the number of parking spaces above the maximum for the property. In order to implement the

plan to increase the number of spaces from 51 to 55 a variance from Section 1703 of the City of Suwanee Zoning Ordinance will be required.

The subject property is surrounded by commercial uses. Southeast of the subject property at the intersection of Peachtree Industrial Boulevard are two multi-tenant shopping centers (zoned C-2A) and a freestanding CVS and fast food restaurant (zoned C-2). The Three Bridges Planned Mixed-Use Development (zoned PMUD) surrounds the subject property to the north. Specifically, a shopping center and office condos are located to the north. Village Grove, zoned PMUD, across Suwanee Dam Road from the subject property, includes commercial uses and residential uses.

Section 1703.3 of the Zoning Ordinance requires off-street parking lots to provide planter islands at the terminus of each parking row and no further apart than every 7 parking spaces. Each of these planter islands must contain 1 tree. The parking lot was developed prior to the adoption of the current landscape regulations. As such, the current parking lot does not have planter islands every 7 spaces.

The applicant proposes to add 4 parking spaces. Two of the additional spaces would turn two rows of 3 spaces with no planter islands or trees into two rows of 4 spaces with no planter islands or trees. The other two proposed spaces would encroach into two separate existing planter islands at the end of a row of parking. In each of these cases the number of spaces without a planter island would increase from 7 to 8 spaces. This proposed minor improvement to the property would require the parking lot to come into compliance with the parking lot requirements. The proposed changes do not comply with the landscape requirements for a parking lot. As such, a variance is required in order for the minor parking lot improvement to move forward.

It would be impossible for the parking improvement to be implemented and to comply with the new more stringent landscape requirements for parking lots. The applicant is proposing other landscaping measures to minimize the visual impact of the parking lot. These include a combination of hedgerows and 3 understory trees screening the parking lot along Suwanee Dam Road. These proposed measures are depicted in Exhibit 'A'. If implemented the landscaping will effectively screen the parking lot.

The City of Suwanee'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. A variance may be granted if the conditions are unique to the property and/or are unlikely to cause substantial detriment to the public good, or if the variance will not undermine the intent of the zoning ordinance.

The purpose of the landscape regulations in the Zoning Ordinance is to mitigate the negative visual impacts of parking lots on surrounding properties through the use of landscaping. According to the Zoning Ordinance, the site currently exceeds the City's parking requirements with the 51 spaces already provided, so modifications are not needed to comply with the City's

parking requirements. The applicant indicates that they are unable to meet the parking needs of the uses on the property without the additional 4 spaces. The City granted the property owner a Special Use Permit to allow for the additional spaces. The purpose of the City's landscape requirements is to preserve and enhance the City's natural environment. Provided all removed trees are replanted and other landscape measures are implemented, approval of the request should be appropriate.

In conclusion, approval of this variance would not undermine the intent of the Zoning Ordinance, which is to mitigate the negative visual impacts of parking lots on surrounding properties with landscaping. Approval of this requests would not likely negatively impact nearby properties. As such, staff recommends **APPROVAL WITH CONDITIONS** of V-2023-001.

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Planning Department Recommendations:

The Planning Department recommends approval of the request to deviate from the parking lot landscape requirements subject to the following conditions:

1. The front landscape strip shall be a minimum of 15 feet wide. Said landscape strip shall be planted with a combination of shrubs and understory trees to screen the parking lot from Suwanee Dam Road as shown Exhibit 'A'.
2. Permission to deviate from the parking lot landscape requirements is limited to the modifications shown on "Exhibit B." The improvements shall be limited to 4 additional spaces. Future improvements to the property will be required to comply with applicable regulations and authorizations.
3. Any trees or shrubs removed or damaged on site shall be replaced at locations agreed upon by the City.

Standards for Consideration

Pursuant to Section 1909A 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.

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 this variance should not diminish or impair property values within the surrounding area by creating more visible parking without added landscape screening.

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 variance would not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City.

ATTACHMENTS:

V-2023-001

**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: Tarr Group, LLC
Address: 8650 E State RD 32
City: Zionsville
State: Indiana
Phone: 317-572-8277
E-mail address: Dylan@tarr-group.com

OWNER INFORMATION

Name: WMG Development, LLC
Address: PO Box 768
City: Effingham
State: Illinois
Phone: 309-369-3431

CONTACT PERSON: Dylan Tarr

PHONE: 317-572-8277

ADDRESS OF PROPERTY 4355 Suwanee Dam Road

LAND DISTRICT 7th LAND LOT 252 PARCEL _____ LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Parking Expansion

ZONING C-2

VARIANCE REQUESTED Section 1703 Off-Street Parking Lot Planting Requirements
The developer humbly requests a variance from the above listed code requirement for this development.

NEED FOR VARIANCE The customers have been complaining about the lack of parking as spaces have been maxed and extremely tight for this particular business. The owner would like to improve the site in order to improve the parking situation in order to avoid future safety concerns. The Proposed parking improvements would potentially keep people from parking in the wrong spots creating dangerous situations should an emergency occur. Please see attached additional understanding.

***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.**

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] 7-25-22
Signature of Applicant Date

Dylan T. Tarr Agent
Typed or Printed Name and Title

[Signature] 7-25-2022
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] 7/12/2022
Signature of Applicant Date

Nathan Garbe 7/12/2022
Typed or Printed Name and Title

[Signature] 7/12/2022
Signature of Notary Public Date



Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number V-2023-001 Variance _____ Administrative _____
Date Rec'd _____ Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____



July 19, 2022

Alyssa Durden
Planner Division Director
Suwanee, GA
330 Town Center Avenue
Suwanee, GA 30024

Subject: **Variance Request**
 Proposed Parking Expansion
 4533 Suwanee Dam Road
 Suwanee, GA
 Project: Parking Expansion

Board Members:

This letter is in reference to the requested variances for the above project. The proposed scope of this project is relocation of some curb, minor impervious additions, and restriping on a developed site for the addition of four (4) parking stalls to increase site parking from 51 to 55. The Suwanee City Code requires interior landscape islands and street buffer landscaping for the proposed improvements. However, the existing conditions limit the availability of space for the landscaping requirements. To provide interior landscaping would require the loss of more parking spaces than we are proposing to gain.

The request for the additional parking, and hence the request for relief from the landscaping requirements stems from numerous complaints from the tenant about not being able to find parking onsite and having to park on an adjacent parking lot. The existing building is 11,850 square feet. Currently, 10,850 square feet of the building is used for the dental office and 1,000 square feet of the building is used for a financial advisor's office. The dental office has 42 employees, and the other office space has 2 employees.

Per the city's code, the minimum parking for this facility would be one space per 250 square feet and the maximum would be one space per 175 square feet, or between 48 and 68 parking stalls. We are proposing a total number of parking spaces, 55, well within this range

In our experience, the amount of parking needed by the dental office can be verified by comparison with similar sites nationally. The Institute of Transportation Engineers (ITE) has compiled data from thousands of studies for various land uses, independent variables, and study periods and published the results in *Trip Generation Manual, 10th Edition*. The dental office is categorized as ITE Land Use 720: Medical-Dental Office Building in this manual. Table 1 below shows the range of data from the ITE manual collected across numerous detailed engineering studies of medical and dental office buildings. Table 2 illustrates the trips we would expect for an office of this size based on the data presented in ITE for the office with 42 employees.

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Table 1: ITE Trip Rates (Peak Hour of the Generator)		
ITE Code	Trips per Employee Range (Trips/Employee) Fitted Curve to data (T=Trips, X=Employees)	
	AM	PM
720 – Medical-Dental Office	0.40-8.00 $T=e^{0.62\ln(X)+1.61}$	0.58-6.75 $T=1.03(X)+5.73$
	Trips per Employee Range (Trips/1000 SF) Average Rate (Trips/1000 SF)	
710 – General Office	0.57-4.93 1.47	0.49-6.20 1.42

Table 2: Total Projected Trips		
ITE Code	Trips	
	AM	PM
720 – Medical-Dental Office Building	48	45
710 – General Office	2	2
Total	50	47

The peak PM trips generated by this existing building is approximately 47. With 40 percent of those trips in the PM peak hour entering the site when there are already 44 employees onsite, it creates a parking need for 63 cars, but the site only has 51 spaces currently. We hope this conveys the need for this proposed parking.

The current building and parking lot occupies all areas to the sides and rear that are not designated stormwater management space or landscape buffers/setbacks of this site. We have identified some room to the front of the site that we can expand pavement into, but in doing so would need relief in the form of variances for the subject property under Suwanee Code Standards Section 1703 for the following requirements:

1. (1703.3A) Interior Landscaping requirements for landscape islands – Lack of room to provide the islands per code and the lack of existing internal landscaping prevent the development from being able to improve the internal parking areas to be able to provide island areas and improve parking. If this were to be enforced, the client would lose parking and therefore have no reason to make the site improvements.
2. (1703.3A) Internal islands being required every 7 spaces to break up parking – Again, if this were required it would remove spaces and make the parking situation worse for the site.
3. (1703.1) The required landscape buffer along the street – The landscape buffer is entirely in a overhead power line easement not allowing for canopy trees. We are proposing to place canopy trees elsewhere onsite where available or substitute understory trees in their place.

Taking into consideration the limitations of the property and the parking need for the business, we respectfully request a variance from parking and buffer yard landscape requirements for the proposed improvements on this existing site.

Please contact me at (615) 829-0331 if you have any questions.

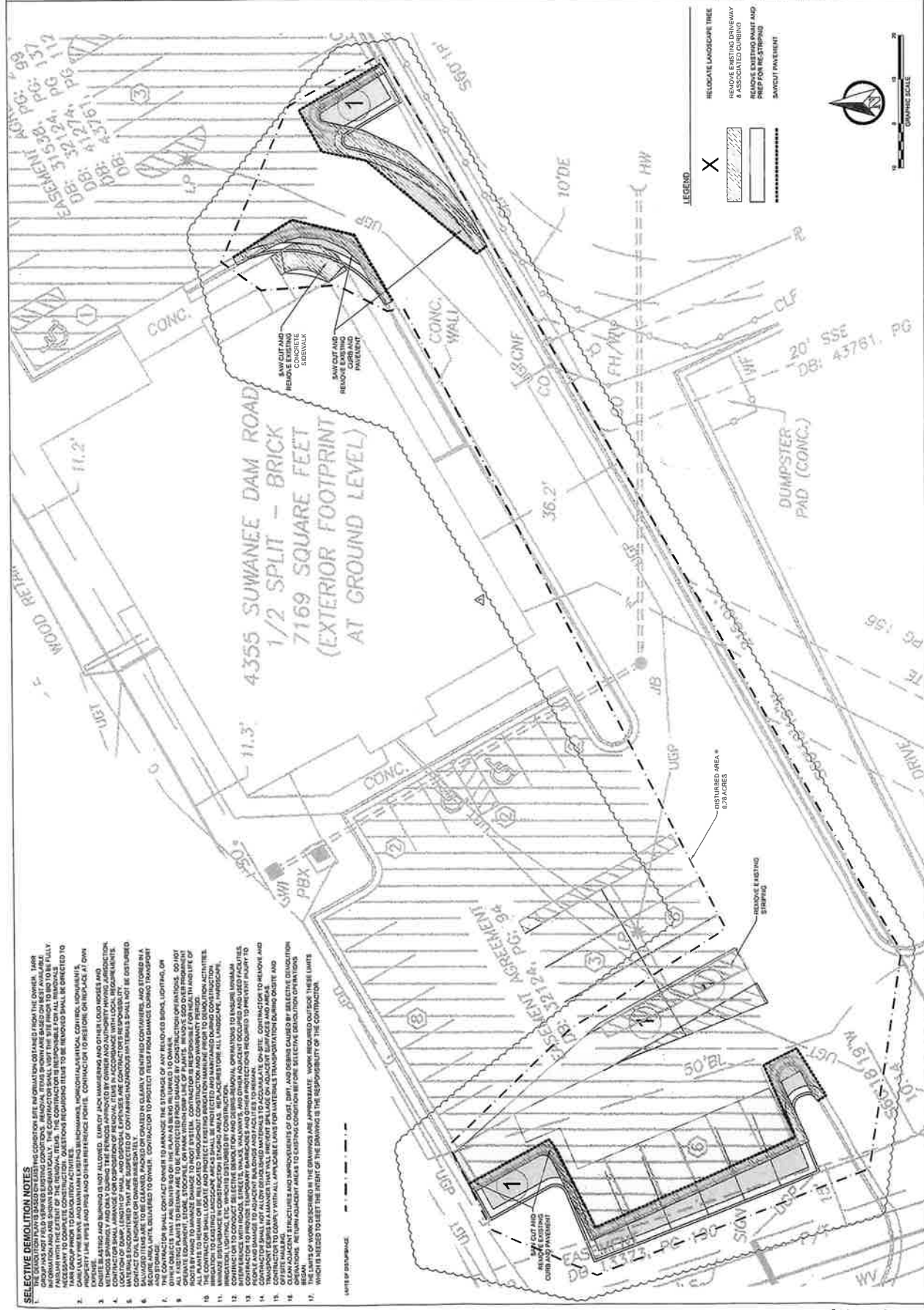
Sincerely,

A handwritten signature in black ink, appearing to read "Dylan Tarr". The signature is fluid and cursive, with the first name "Dylan" being more prominent than the last name "Tarr".

Dylan Tarr, P.E.
President
Tarr Group, LLC

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- SELECTIVE DEMOLITION NOTES**
1. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE OWNER, THEIR ARCHITECT AND ALL APPLICABLE AGENCIES PRIOR TO THE START OF DEMOLITION OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE OWNER, THEIR ARCHITECT AND ALL APPLICABLE AGENCIES PRIOR TO THE START OF DEMOLITION OPERATIONS.
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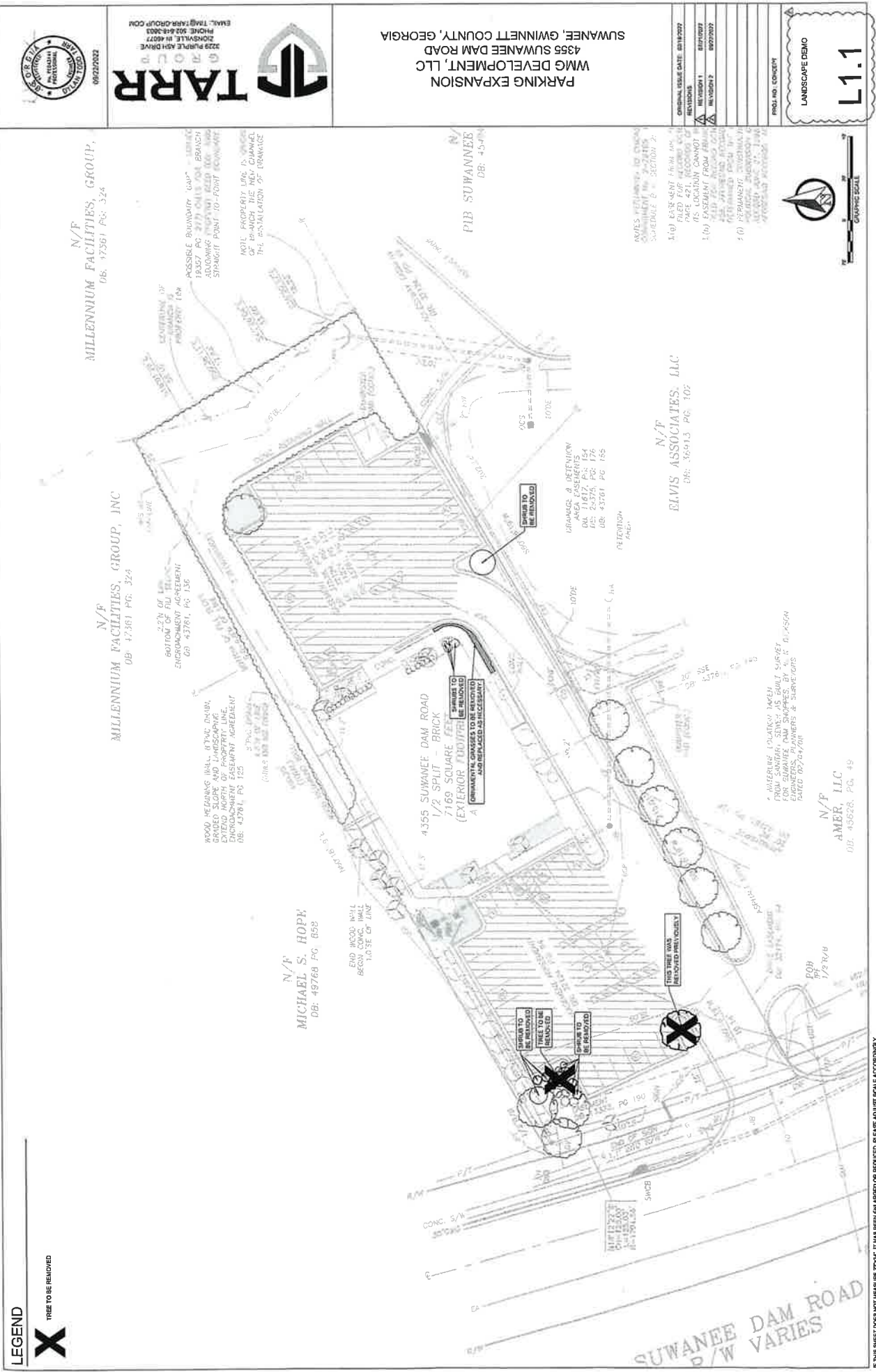
ORIGINAL DATE: 01/20/09
 REVISIONS:
 REVISION 1: 07/10/09
 PROJECT NO.: C0001
 DEMOLITION PLAN
 C1.2

TARR
 888 S. STATE ROAD 24
 ZIONSVILLE, IN 46077
 PHONE: 317-572-8277
 EMAIL: DVL@TARR.GROUP.COM

WMG DEVELOPMENT, LLC
 PARKING EXPANSION
 4355 SUWANEE DAM ROAD
 SUWANEE, GWINNETT COUNTY, GEORGIA

V-2023-001
 Exhibit B (2 of 2) Proposed
 site plan

Existing Landscape Plan - trees to be removed

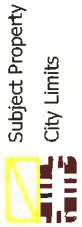


V-2023-001

IF THIS SHEET DOES NOT MEASURE "22'x34'", IT HAS BEEN GAUGED OR REDUCED. PLEASE ADJUST SCALE ACCORDINGLY.

Zoning Map V-2023-001

Legend

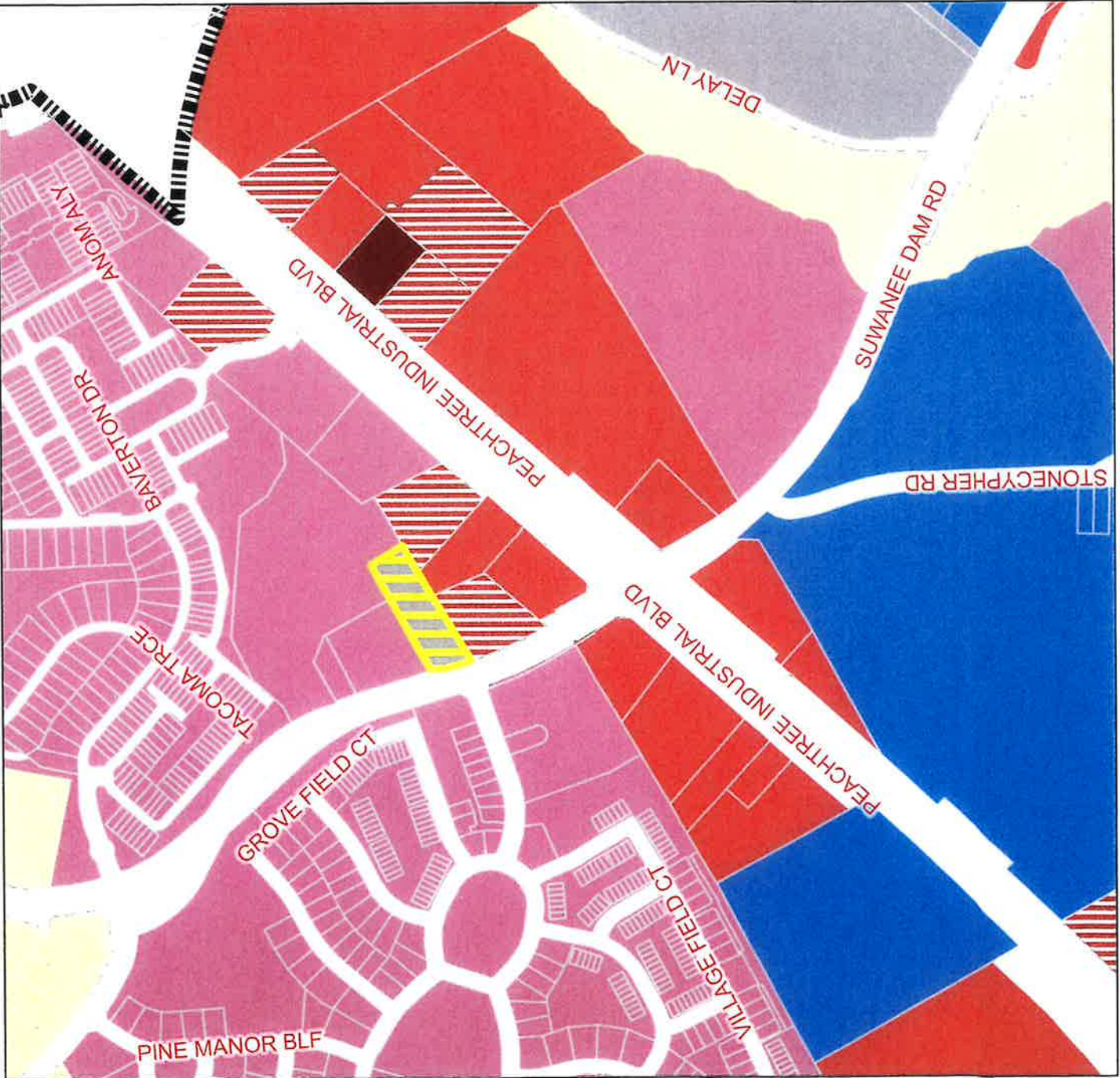


ZONING

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	
[Red]	[Dark Red]	[Red with diagonal lines]	[Dark Red]	[Green with diagonal lines]	[Yellow]	[Blue]	[Grey]	[Light Pink]	[Pink]	[Light Yellow]	[Yellow]	[Yellow]	[Yellow]	[Yellow]	[Brown]	[Dark Brown]






0 250 500 1,000 Feet



Location Map V-2023-001

Legend

-  Subject Property
-  City Parcels
-  City Limits



0 390 780 1,560 Feet

