

**MINUTES
CITY OF SUWANEE, GEORGIA
ZONING APPEALS BOARD MEETING
January 17, 2023**

PLANNING AND ZONING APPEALS BOARD MEMBERS: Present: Donald Lee, David Sullivan, Ray Brown, Paul Altnauer, and Beth Lembo. Staff members present: Alyssa Durden and MaryAnn Jackson.

CALL TO ORDER

Alyssa Durden called the meeting to order at 6:30 p.m.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

David Sullivan nominated Ray Brown nominated for chairperson, second by Paul Altnauer. Motion carried 5-0.

Alyssa Durden turned the meeting over to Ray Brown.

Ray Brown nominated Paul Altnauer for vice chairperson, second by Donald Lee. Motion carried 5-0.

ADOPTION OF THE AGENDA

Beth Lembo moved to approve the agenda as presented, second by David Sullivan. Motion carried 5-0.

APPROVAL OF MINUTES

Donald Lee moved to approve the September 20, 2022 minutes, second by Paul Altnauer. Motion carried 5-0.

OLD BUSINESS

NEW BUSINESS

V-2023-001- Owner: WMG Development, LLC. Applicant: Tarr Group, LLC. The applicant requests a variance from Section 1703 of the City of Suwanee Zoning Ordinance to deviate from landscape regulations to accommodate additional parking. The site contains approximately 1.25 acres in Land Lot 252 of the 7th District and is located at 4355 Suwanee Dam Road.

Alyssa Durden presented the staff report as follows: 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.

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.

Donald Lee informed the Zoning Board of Appeals that he is a resident of Three Bridges. The staff report specifically references Three Bridges Subdivision. Mr. Lee wanted staff and the applicant to be aware that he resides in the residential portion of the property. He does not feel that this will impact his decision. He indicated that he would abstain if the Zoning Board of Appeals feels there are any objections.

The Zoning Board of Appeals indicated that there are no objections.

Ray Brown called upon the applicant.

Dillon Tarr, Tarr Group, 8650 E. State Road 32, Zionsville, Indiana. Mr. Tarr is a civil engineer. He is representing the owner. Mr. Tarr explained that the owner approached him to help resolve the parking issue on the site. The rear of the parking lot has a large retaining wall. He had to get creative to get the additional four parking spaces.

David Sullivan asked if four parking spaces will make much difference. Mr. Tarr stated that four spaces will certainly help.

Donald Lee asked if any of the spaces need to be designated for ADA compliance. Mr. Tarr stated that the parking lot is compliant.

Ray Brown called for opposition. There was none.

Paul Alznauer moved to approve V-2023-002 with staff conditions, second by David Sullivan. Motion carried 5-0.

1. The front landscape strip shall be a minimum of 10 feet wide. Said landscape strip shall be planted per Section 1703 of the Zoning Ordinance.

2. Modifications to parking lots shall be limited to 4 additional spaces at locations shown on “Exhibit B.” No new parking islands shall be required.
3. Any trees removed or damaged from end planter islands shall be replaced elsewhere on the site.

OTHER BUSINESS

ANNOUNCEMENT

ADJOURNMENT

Paul Altnauer moved to adjourn at 6:49 pm.