

DILLARD *Sellers*
ATTORNEYS AT LAW

Julie L. Sellers
404-665-1242

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jsellers@dillardsellers.com

September 11, 2019

Via E-mail

Mayor Clarkson and Members
of the Chamblee City Council
c/o Jocelyn Leitch, Planning Technician
City of Chamblee
3506 Broad Street
Chamblee, GA 30341

Re: PZ2019-508 – Second Amendment to DCI and variance application for 5466 New Peachtree Road

Dear Mayor Clarkson and City Councilmembers:

Please accept this letter and the attachments as the Second Amendment to the above referenced application. The variances requested are not impacted by these slight revisions. As you will see in the attached, the design of the tower has been slightly modified.

The original application was submitted on July 5, 2019, with the first amendment submitted on July 15, 2019. Please substitute the following documents in place of those currently included with the application:

1. Conceptual Site Plan dated September 10, 2019;
2. Conceptual Grading Plan dated September 10, 2019;
3. Conceptual Utility Plan dated September 10, 2019;
4. Conceptual Architecture Plans dated September 6, 2019; and
5. Conceptual color elevations September 9, 2019.

We look forward to presenting this redevelopment to the Design Review Board on September 25, 2019. As always, please do not hesitate to let us know if you have any questions.

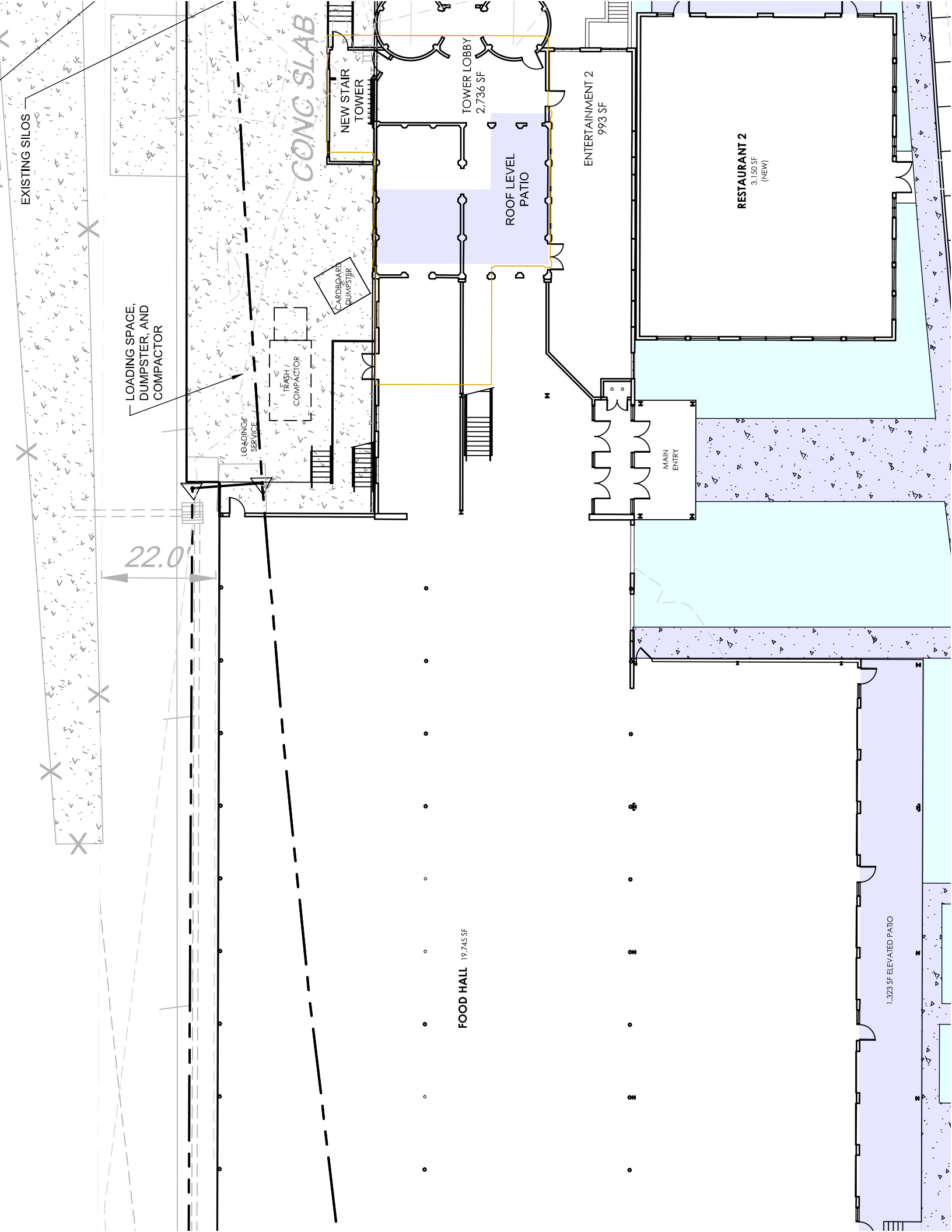
Sincerely,



Julie L. Sellers

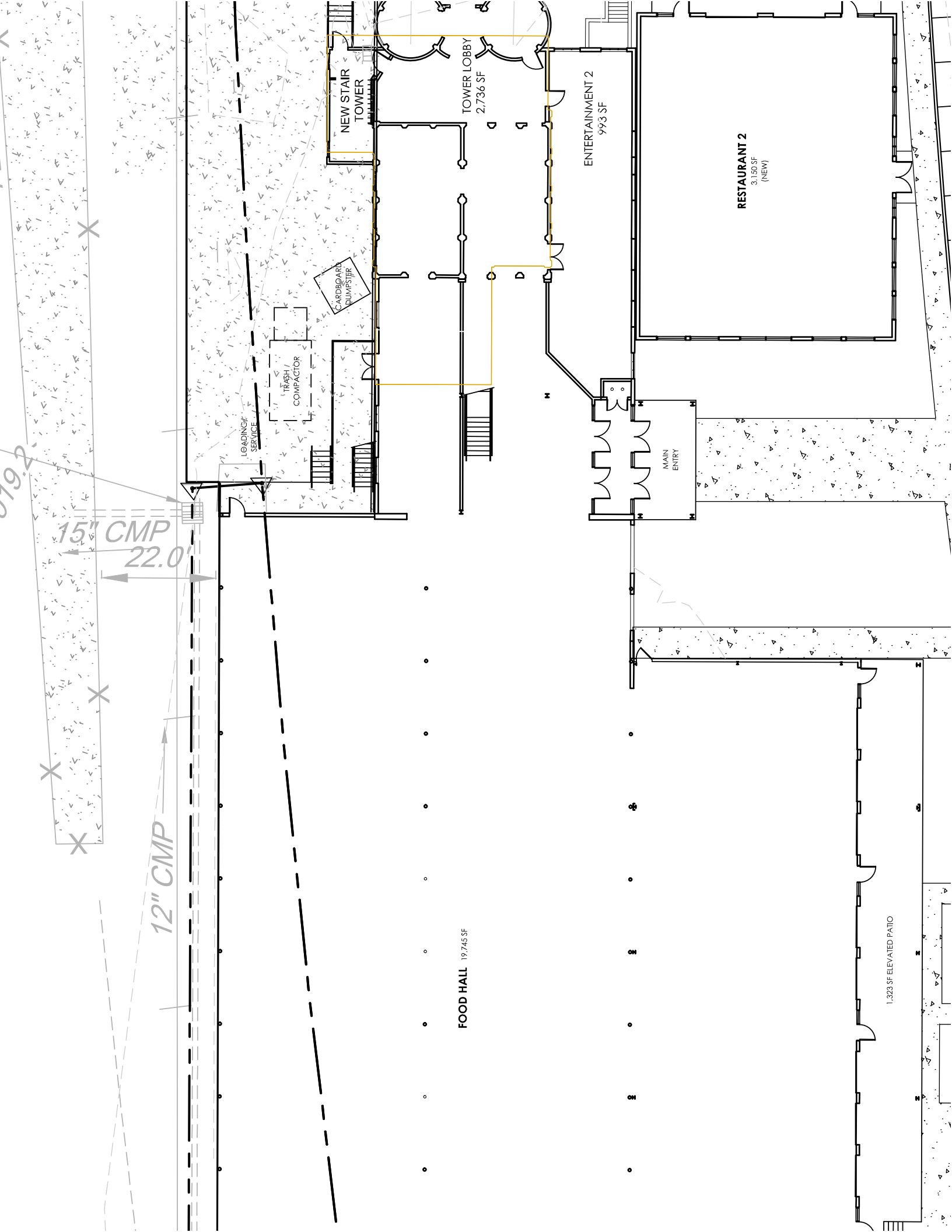
Enclosures

1



2

019.2



15' CMP
22.0'

12' CMP

NEW STAIR
TOWER

TOWER LOBBY
2,736 SF

ENTERTAINMENT 2
993 SF

RESTAURANT 2
3,150 SF
(NEW)

MAIN
ENTRY

FOOD HALL
19,745 SF

1,323 SF ELEVATED PATIO

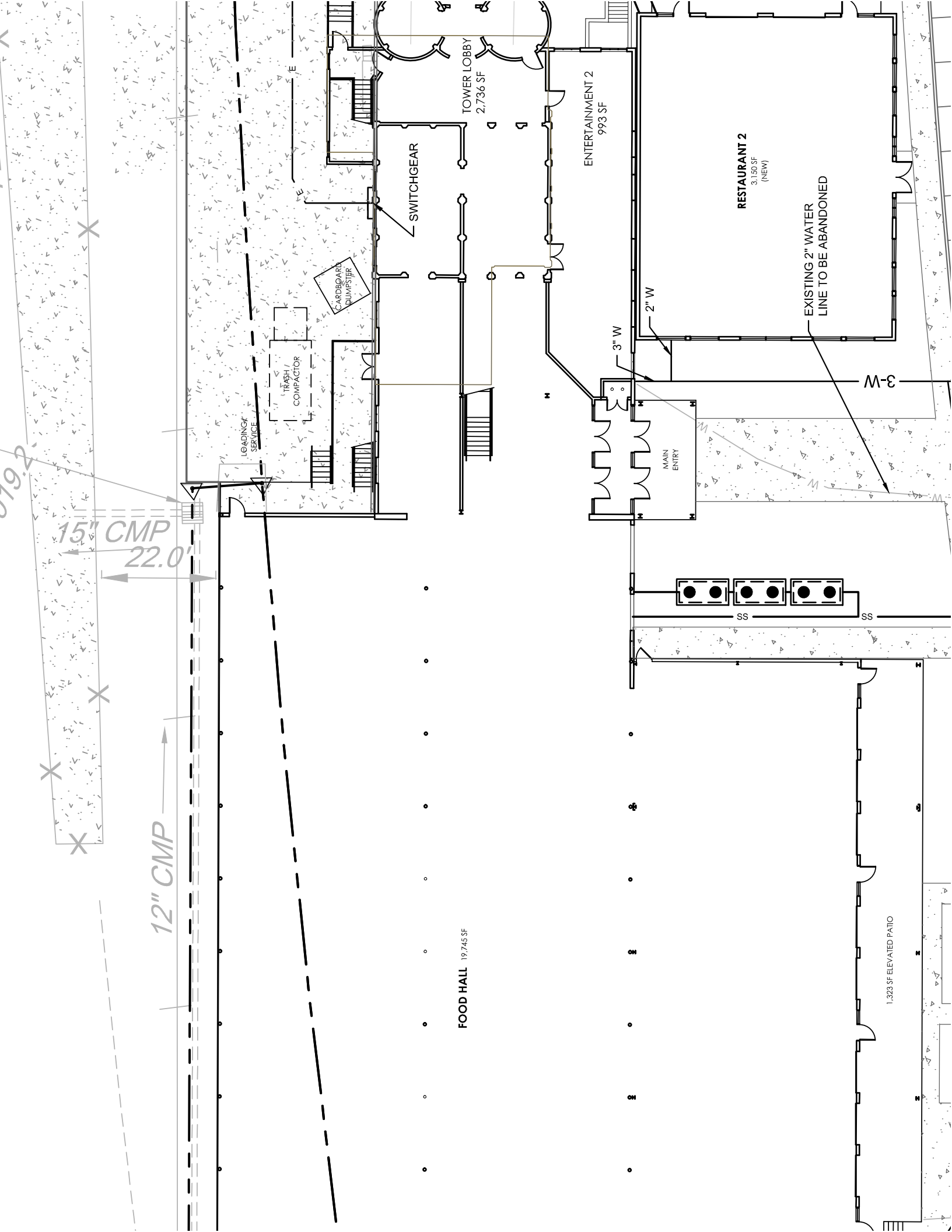
TRASH
COMPACTOR

CARDBOARD
DUMPSTER

LOADING
SERVICE

3

019.2



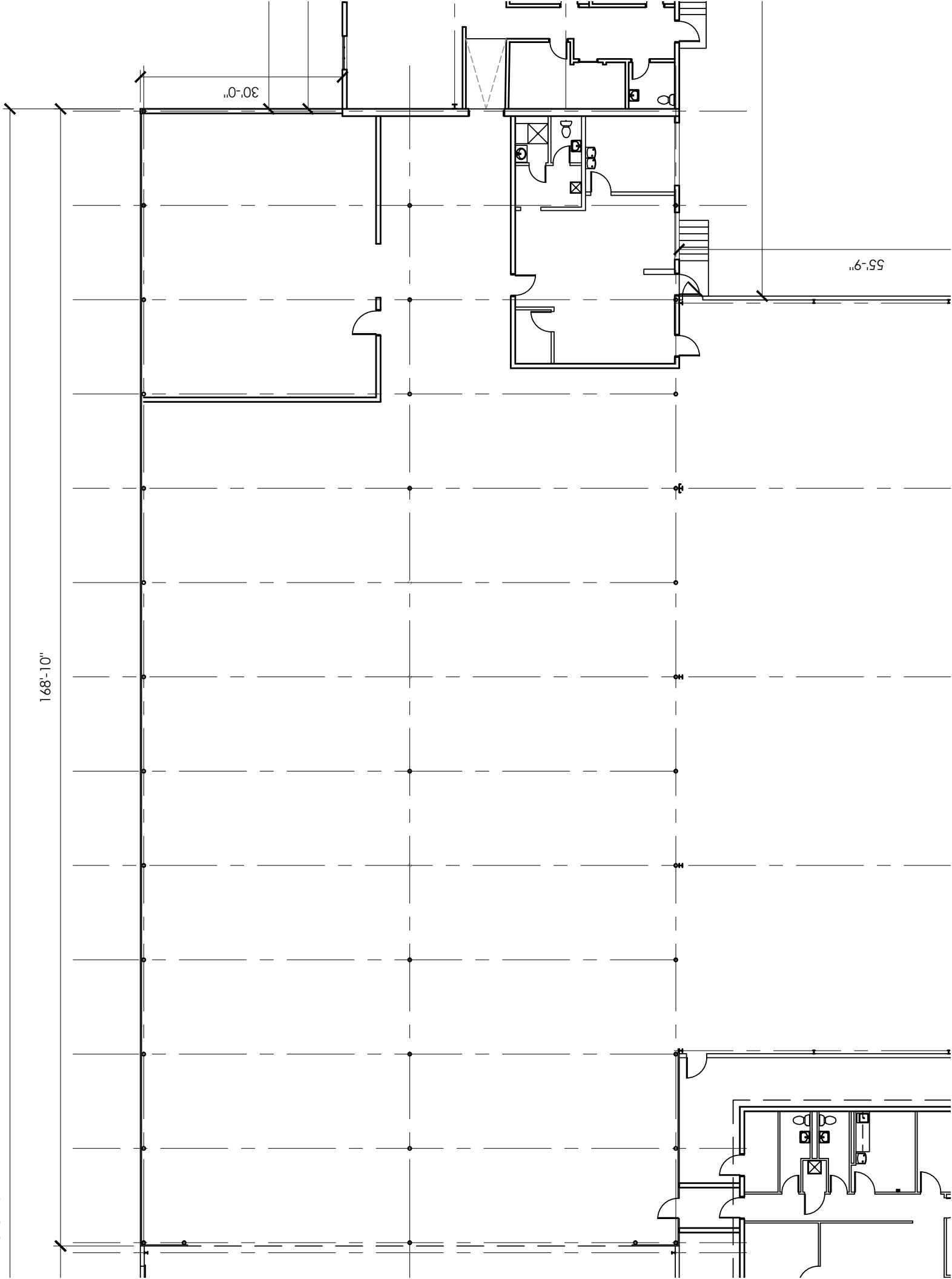
4

328'-10"

168'-10"

30'-0"

55'-9"



470'-8"

168'-10"

45

FOOD HALL
19,798 SF

LOADING/
SERVICE

UP

UP

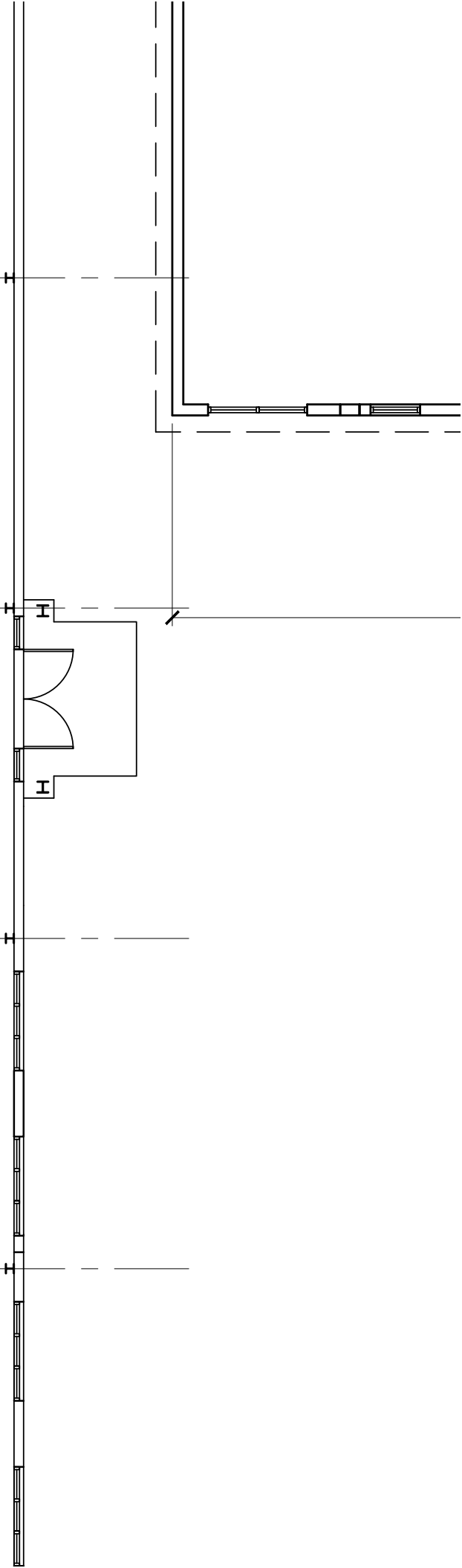
UP

MAIN
ENTRY

43'-9"

60'-9"

ENTERTAINMENT 1
12,800 SF

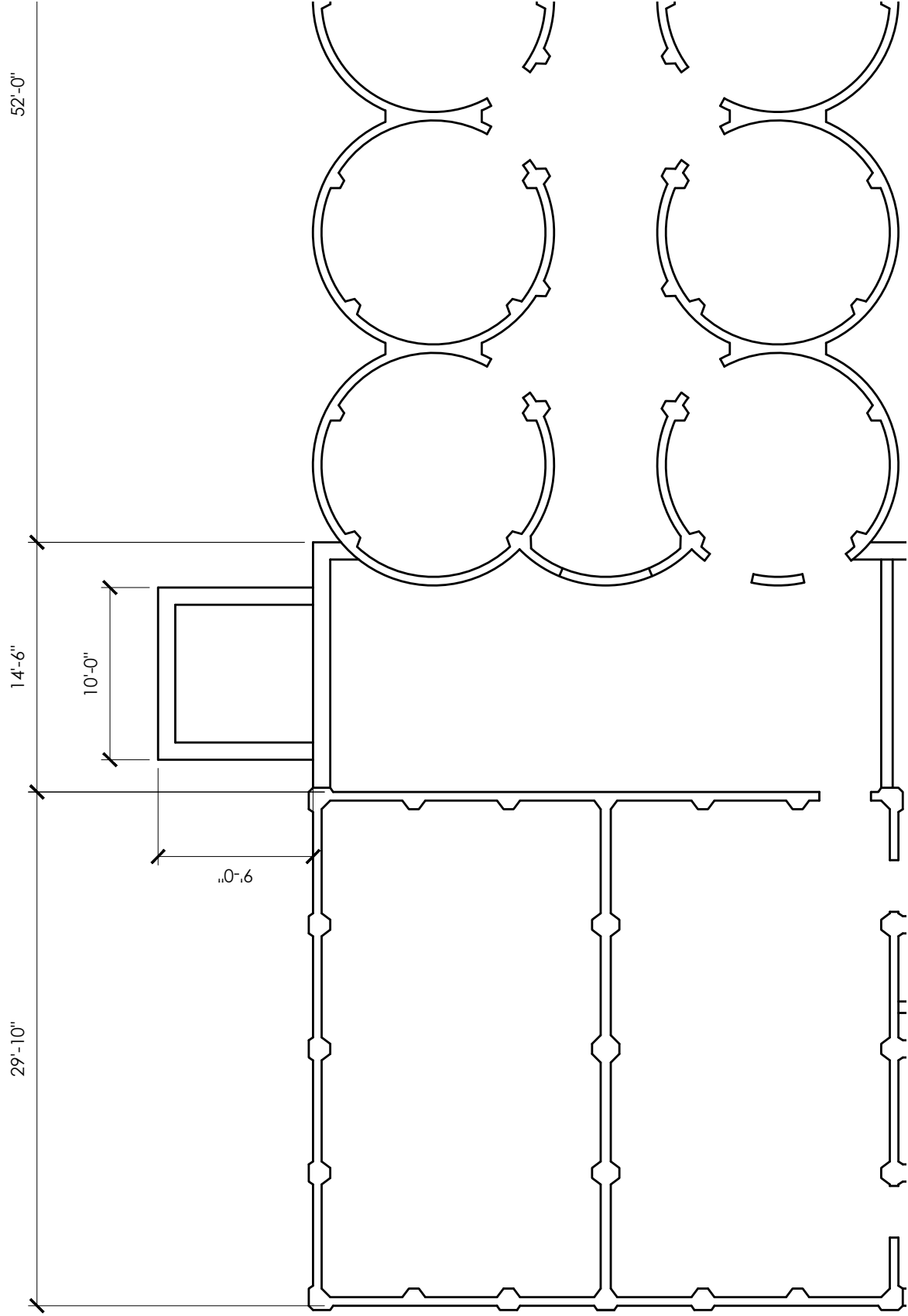


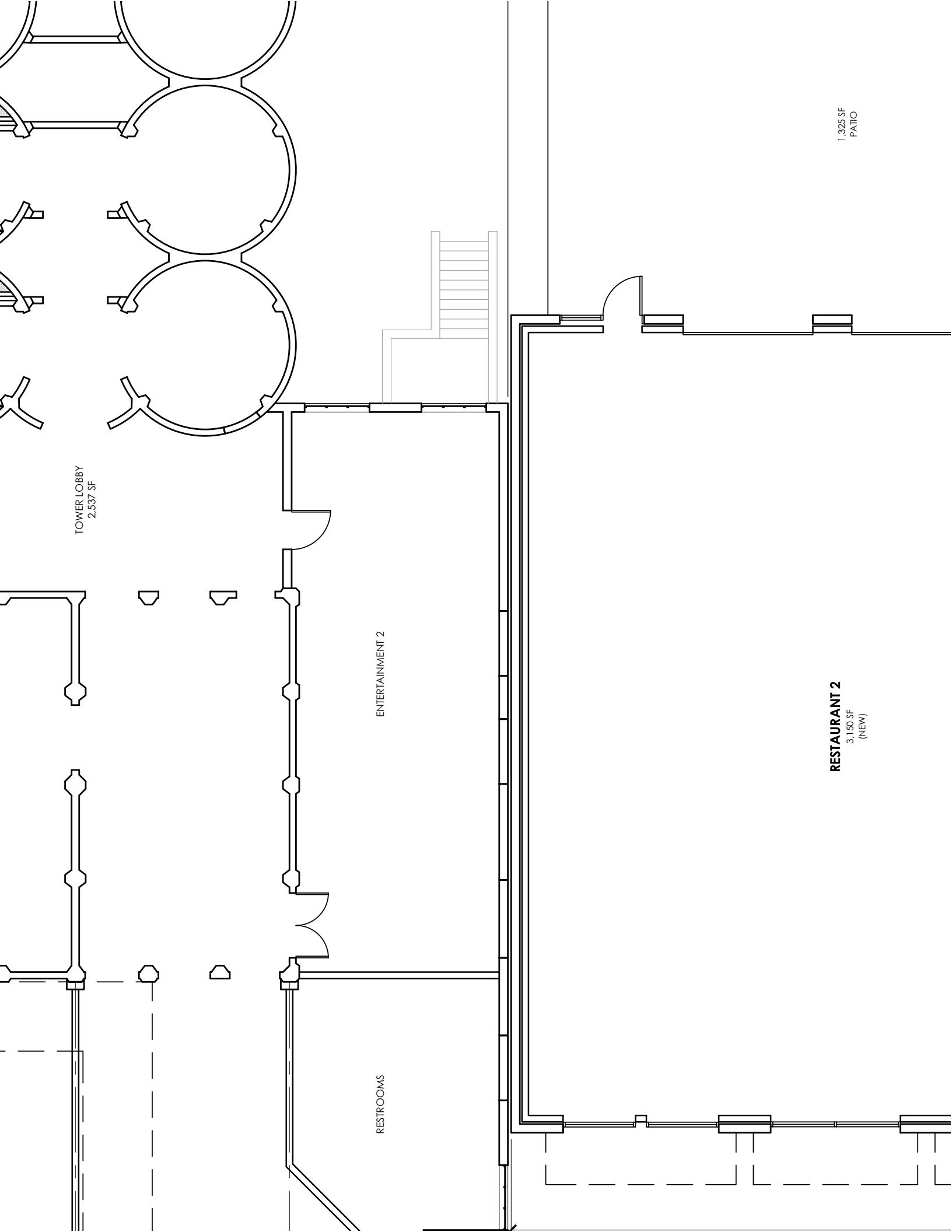
FOOD HALL
19,738 SF

CH

CH

CH





TOWER LOBBY
2,537 SF

ENTERTAINMENT 2

RESTROOMS

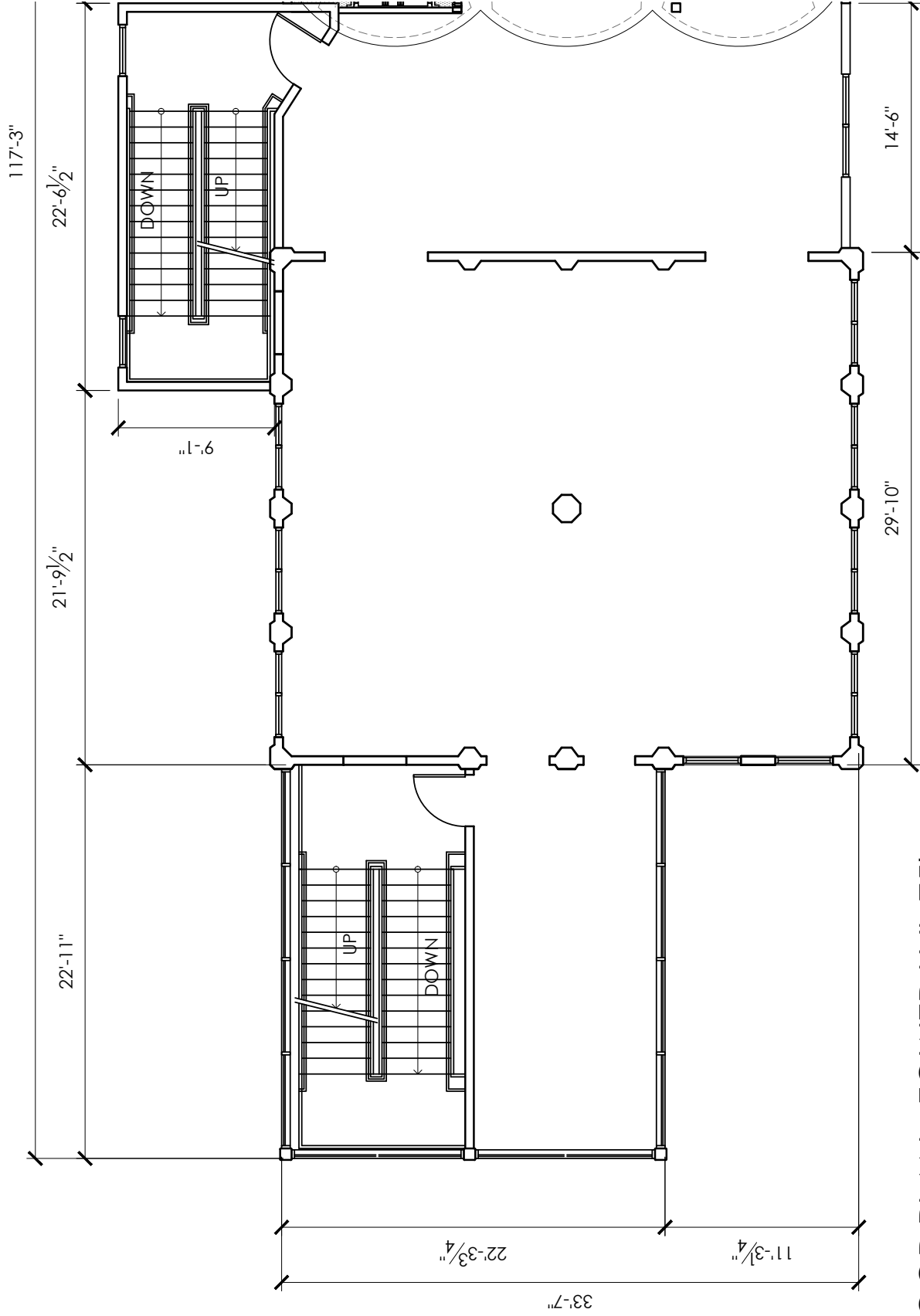
RESTAURANT 2
3,150 SF
(NEW)

1,325 SF
PATIO

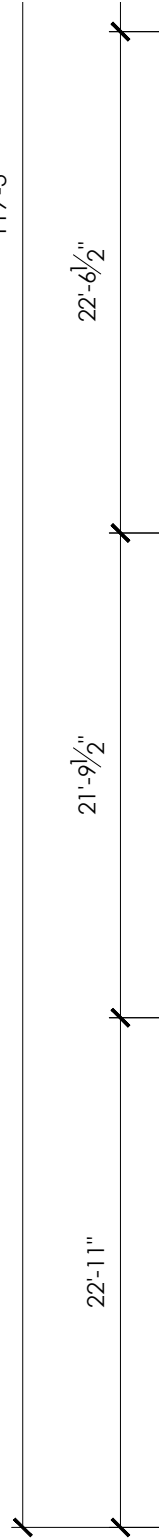
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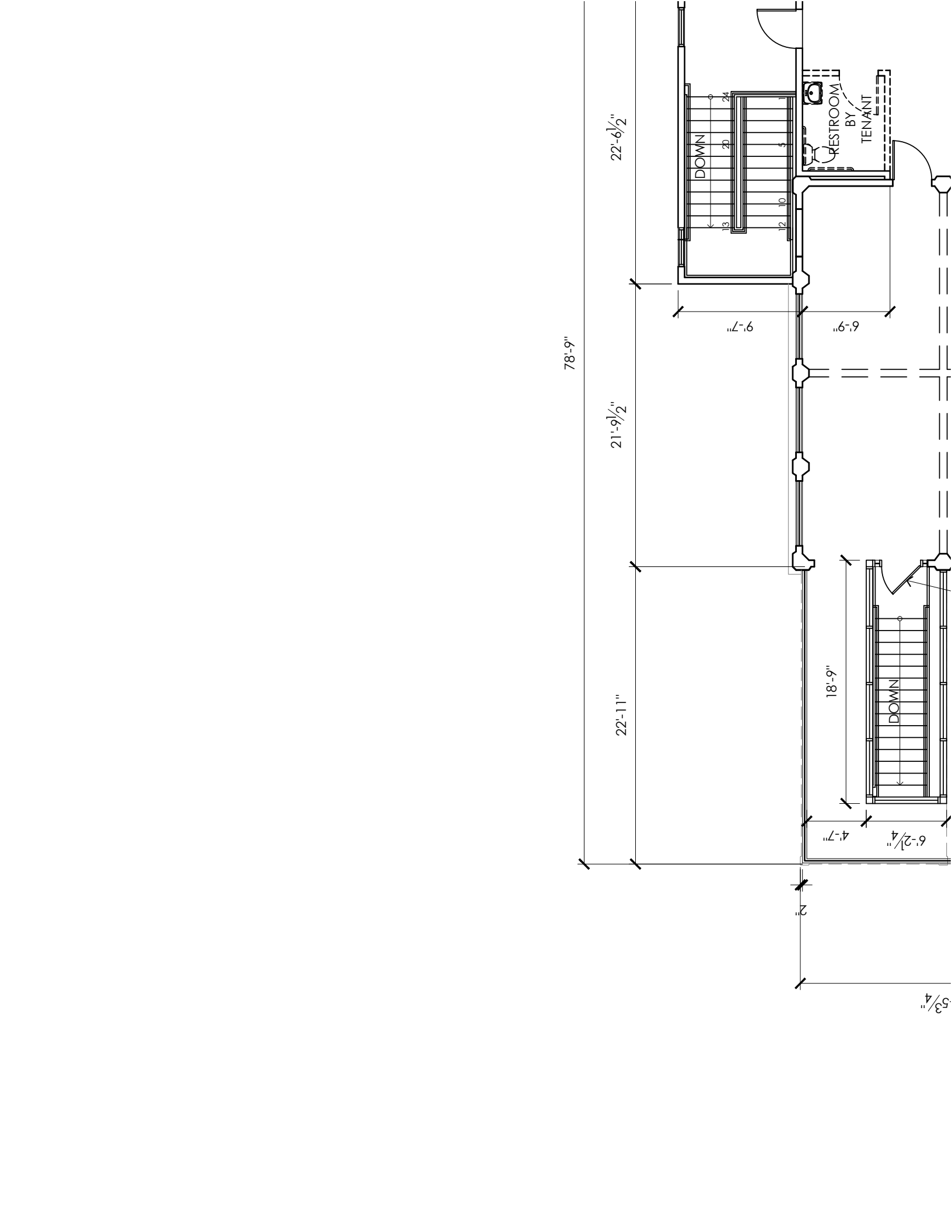
10

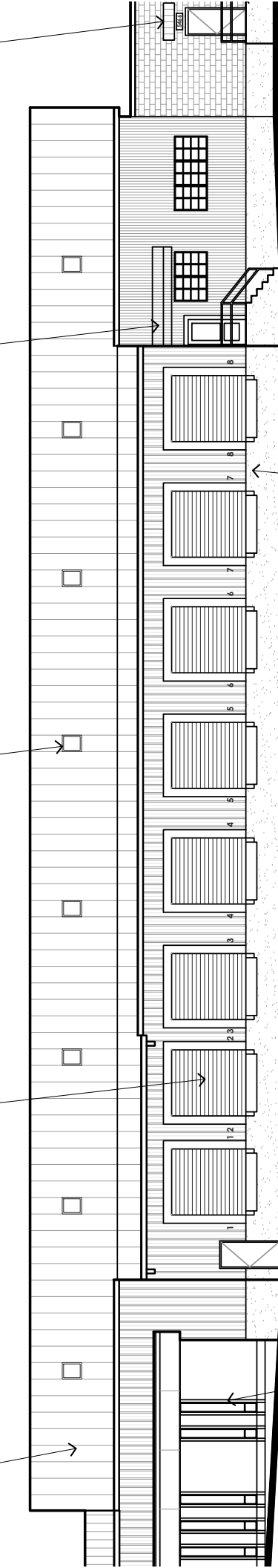




CONCEPTUAL FLOOR PLAN - TOWER LVL 75'



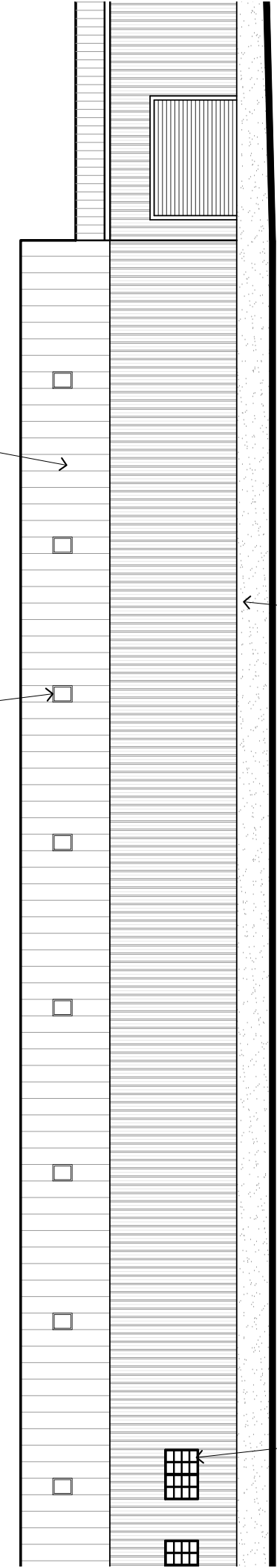




EXISTING STOREFRONT

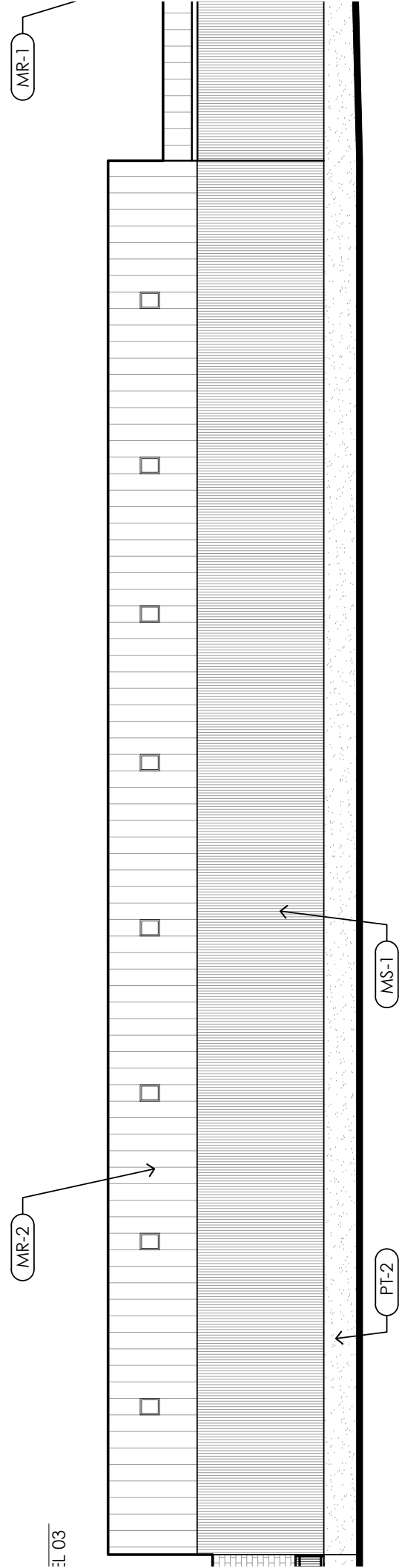
EXISTING PAINTED CONCRETE

EXISTING STAIR AND HANDRAIL

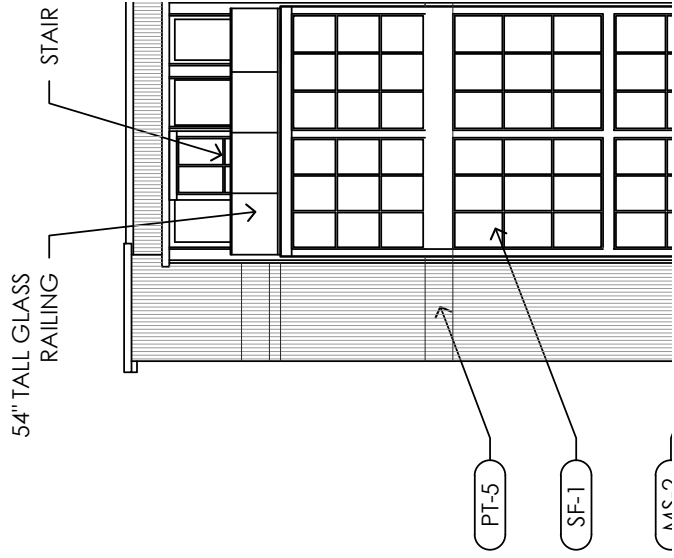
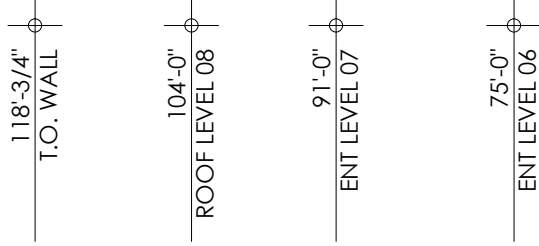


EXISTING PAINTED CONCRETE

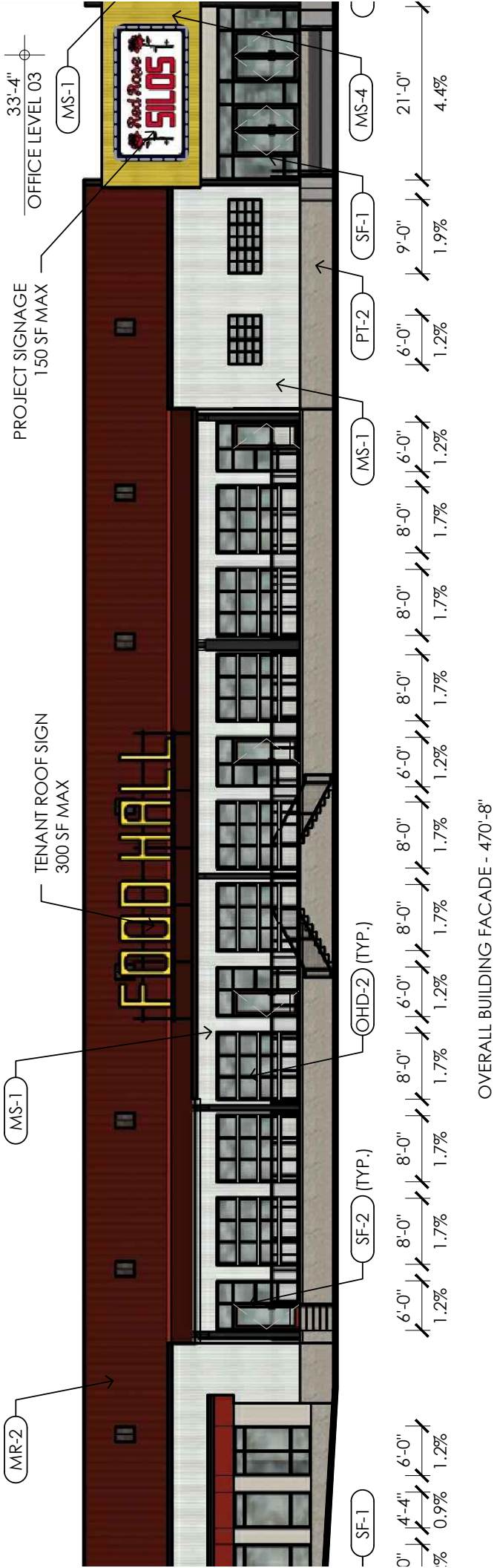
EXISTING ALUMINUM WINDOW



MATERIAL SCHEDULE	
PT-3	PAINT WHITE
PT-4	PAINT COLOR TO MATCH MS-1
PT-5	PAINT RED
PT-6	PAINT YELLOW

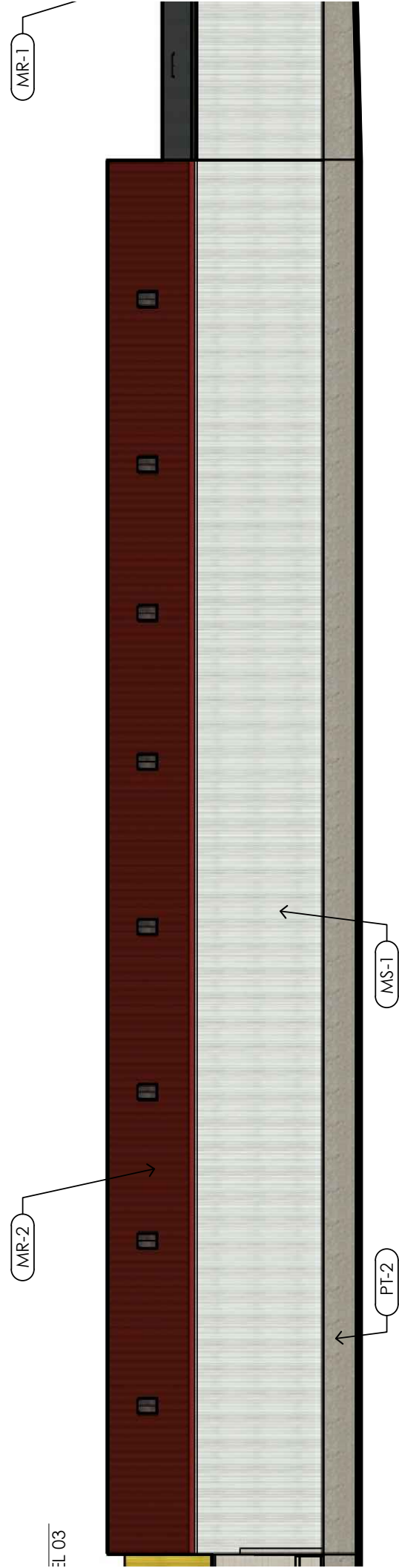


5

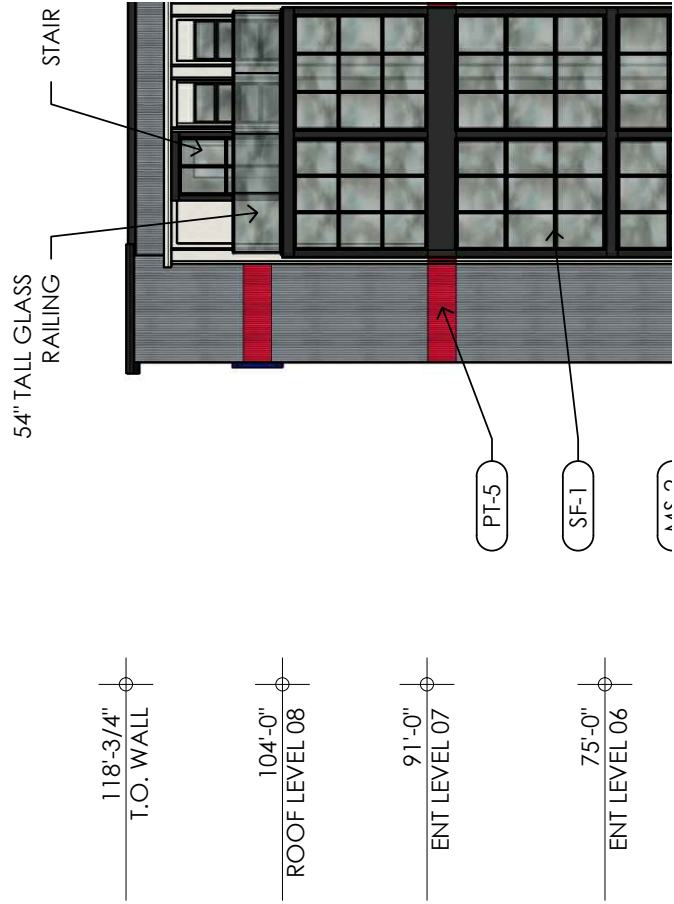


FENESTRATION PROVIDED - 249'-4" 52.9% OF BUILDING LENGTH

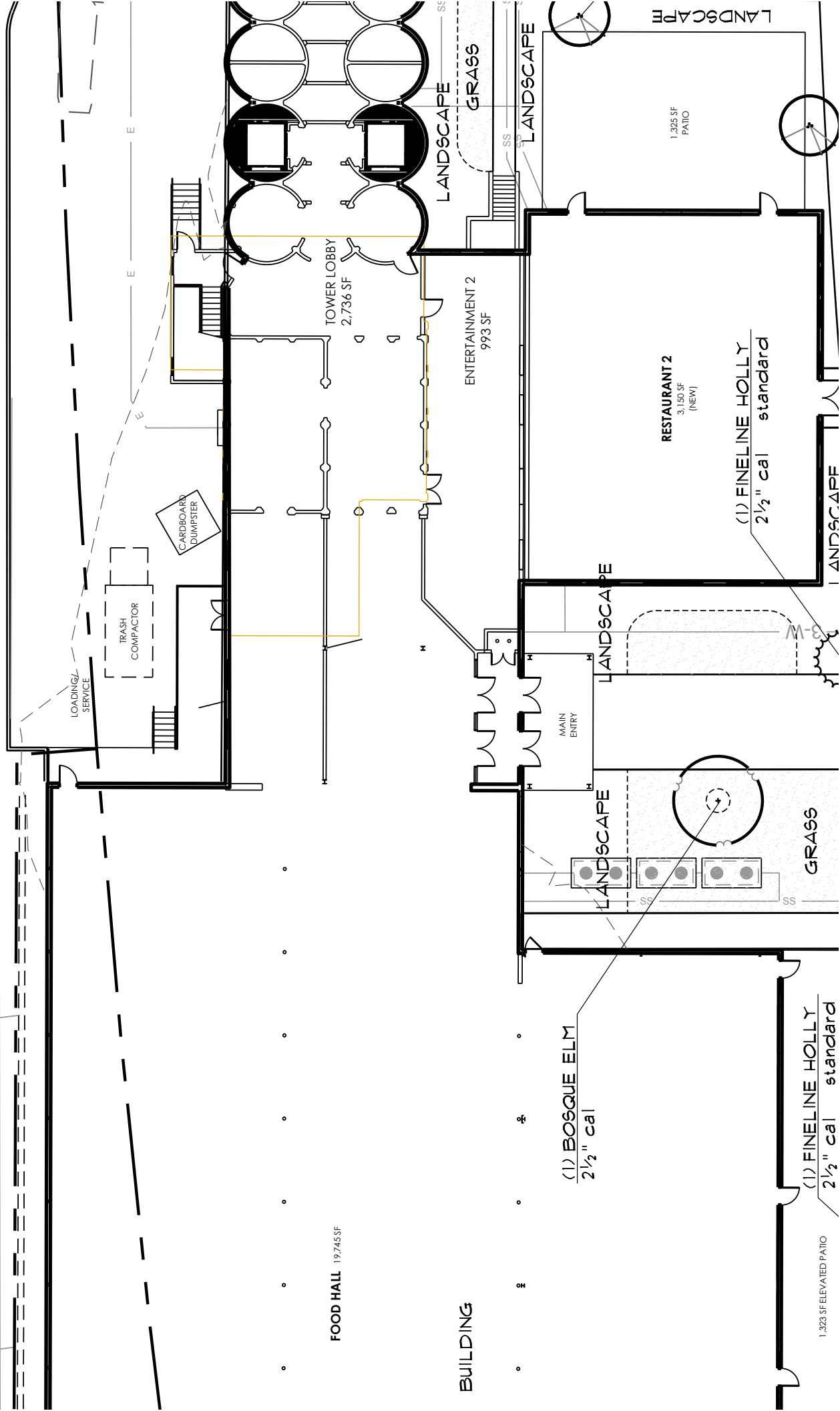
SCHEDULE
IT FE
IT OR TO MATCH MS-1
IT
IT OW



MATERIAL SCHEDULE	
PT-3	PAINT WHITE
PT-4	PAINT COLOR TO MATCH MS-1
PT-5	PAINT RED
PT-6	PAINT YELLOW



(1) B
2 1/2"



BUILDING

FOOD HALL 19,745 SF

ENTERTAINMENT 2
993 SF

RESTAURANT 2
3,150 SF
(NEW)

TOWER LOBBY
2,736 SF

LOADING/
SERVICE

TRASH
COMPACTOR

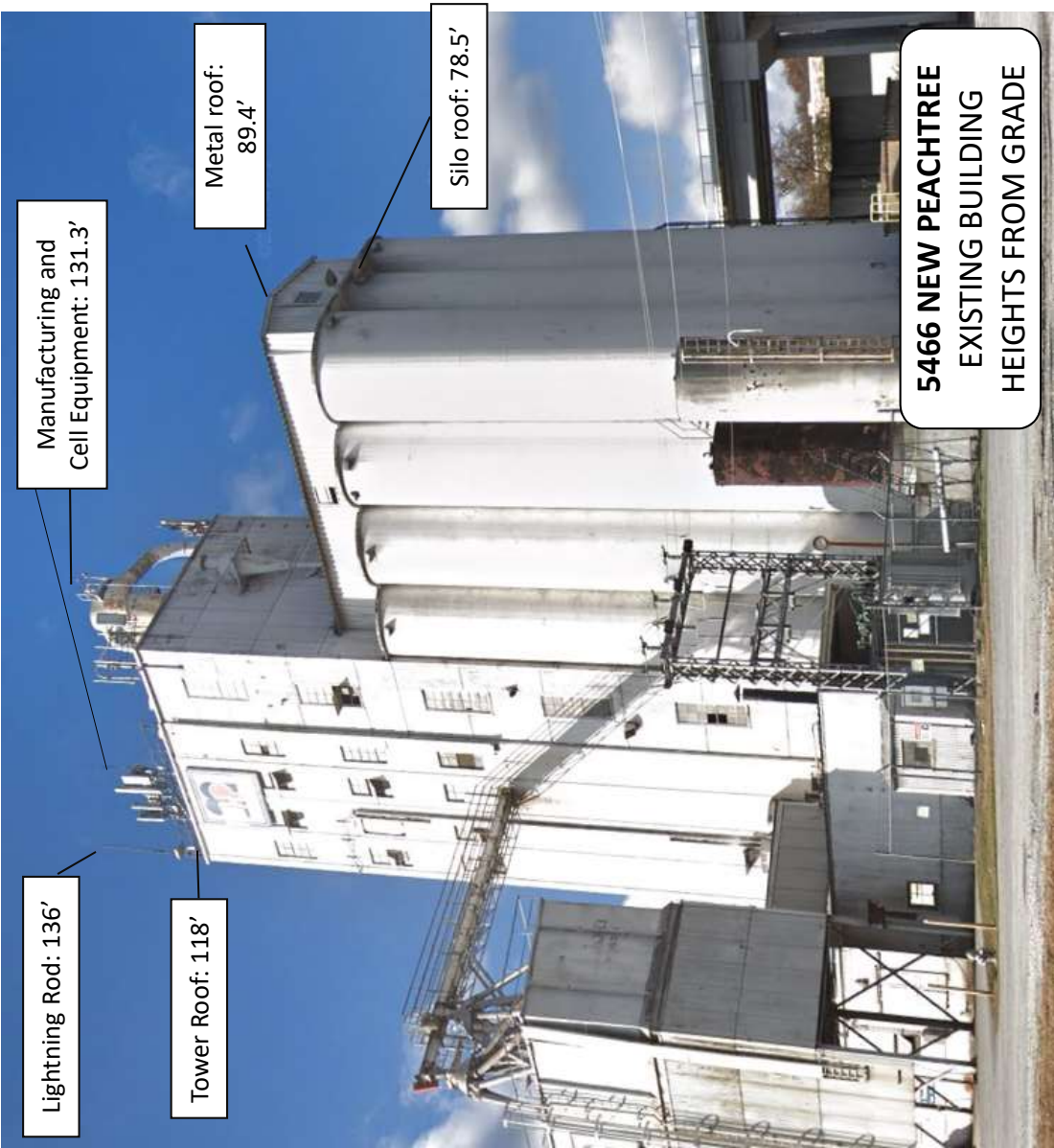
CARDBOARD
DUMPSTER

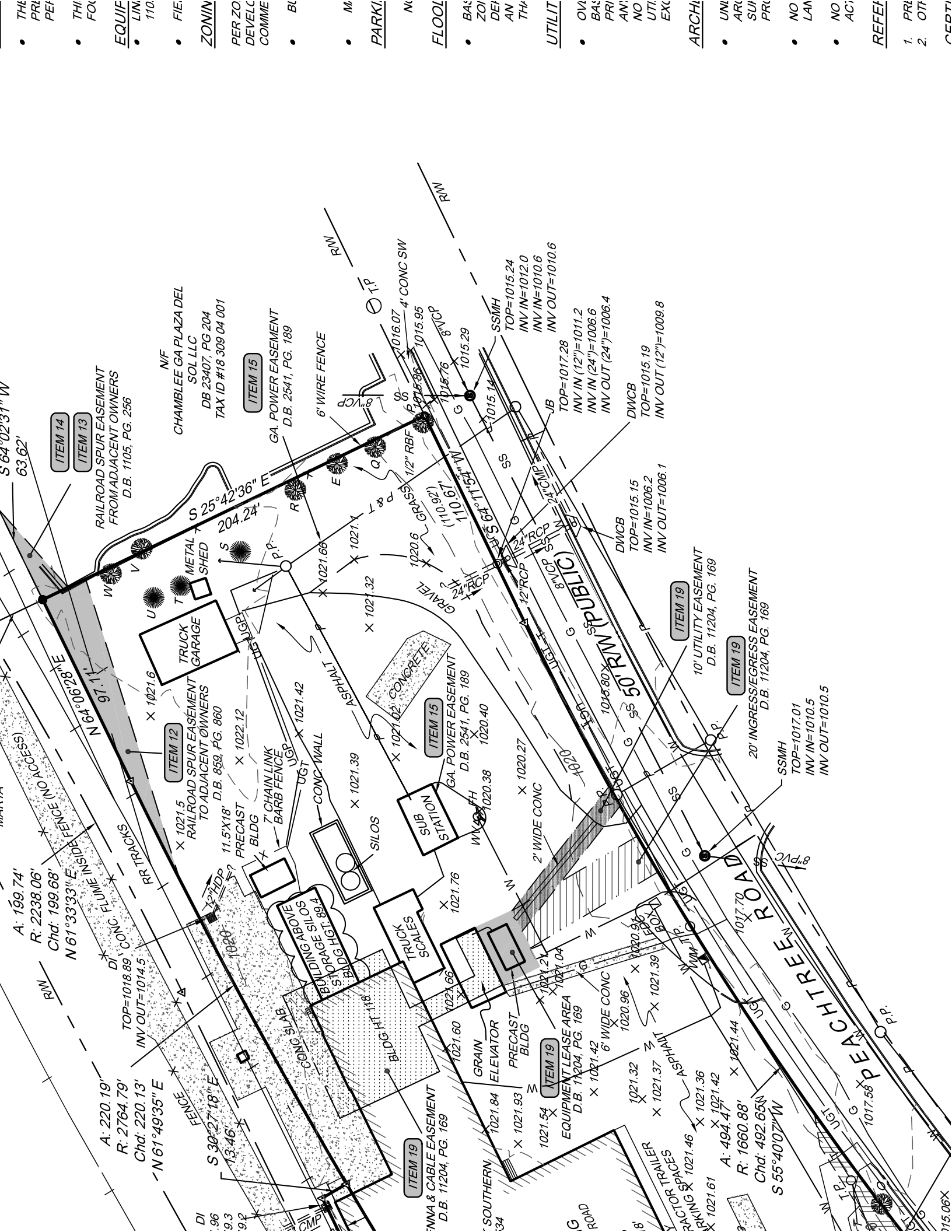
(1) BOSQUE ELM
2 1/2" cal

(1) FINELINE HOLLY
2 1/2" cal standard

1,323 SF ELEVATED PATIO

1,325 SF
PATIO





CAMPAIGN DISCLOSURE STATEMENT

JULIE L. SELLERS of the law firm of DILLARD SELLERS, LLC has been retained to represent Applicant before CHAMBLEE, GEORGIA. Pursuant to the provisions of O.C.G.A. §36-67A-3, please find below a list of the contributions made by the above-named individuals, or the law firm of DILLARD SELLERS, LLC in the past two years, aggregating \$250.00 or more, to local government officials who may review this Application.

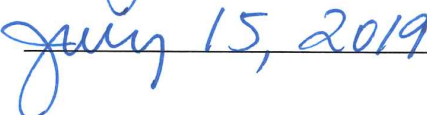
<u>NAME OF GOV'T. OFFICIAL</u>	<u>POSITION</u>	<u>AMOUNT OF CONTRIBUTION</u>	<u>DATE OF CONTRIBUTION</u>
John Mesa	Councilmember	\$250.00	9/12/2017

DILLARD SELLERS, LLC

By:


Julie L. Sellers

Date:


July 15, 2019

First Amendment to
Development of Community Impact (DCI) Application
with concurrent variances and waivers
(originally submitted July 5, 2019)

Applicant/Owner:
SIG 5466, LLC

Property:
5466 New Peachtree Road,
Chamblee, GA 30341
Tax ID No.: 18-298-01-001

July 15, 2019

Submitted for Applicant by:

Julie L. Sellers
DILLARD SELLERS
1776 Peachtree Street NW, Suite 322-South
Atlanta, Georgia 30309
(404) 665-1242
jsellers@dillardsellers.com

INTRODUCTION/ NARRATIVE

Owner/Applicant, SIG 5466, LLC, submits this First Amendment to the application for the redevelopment of 5466 New Peachtree Road, Chamblee (the "Property") originally submitted on July 5, 2019. The development will create an innovative adaptive reuse of an underutilized industrial building(s) and transform the Property into a vibrant new mixture of office, entertainment, and restaurant options. The close proximity to MARTA and the Chamblee Town Center redevelopment makes this Property the ideal location to retain a piece of the City's history while also inviting residents and guest to enjoy new office, dining and entertainment options.

The Property is ± 3.28 acres located at the corner of New Peachtree Road and Chamblee-Dunwoody Road with the northern boundary shared by the elevated MARTA line and the Norfolk Southern line. The Property is zoned Village Commercial (VC) and located within the International Village Character Area in the City's Comprehensive Plan. The City's new Village Park is located across the street and other nearby properties are used for commercial, industrial, office and flex space.

This First Amendment includes the attached documents and plans. The filing fee was paid on-line through the City's payment system. We look forward to working with the City to create an exciting new opportunity for people to dine, play, and work in Chamblee.

DOCUMENTS and PLANS – as AMENDED

The following documents and plans are included with this First Amendment to the DCI Application.

1. Campaign Disclosure for Dillard Sellers, LLC
2. Survey (existing conditions)
3. Exhibit A – attachment to show existing height perspective
4. Conceptual Site Plan dated July 15, 2019
5. Conceptual Grading Plan dated July 15, 2019
6. Conceptual Utility Plan dated July 15, 2019
7. Conceptual Landscape Plan dated July 15, 2019
8. Conceptual Architecture Plans and Elevations Dated July 15, 2019

VARIANCES and WAIVERS – as AMENDED

Pursuant to Section 280-35, concurrent variances and waivers may be requested with a DCI application. The Owner respectfully requests approval of the following variances and waivers to allow for the redevelopment as proposed and reflected in the attached concept plans and elevations.

A. **Signage.** One of the keys to a successful and thriving development is the ability to notify the public of the ways in which they may enjoy the Property. This is particularly important when

repurposing older buildings for an entirely new and different use. Until the specific tenants are under contract, it is impossible to know with specificity the exact signage configuration. With the unique approach to this Property to include a food hall, full-service restaurants, entertainment, and office, the number of signs needed will exceed 2 signs per façade and the UDC maximum of 200 square feet.

In homage to the industrial history of the Property, the silos will be repurposed and incorporated into the architectural treatments used to transition the Property from industrial to a mixture of uses. The Owner will include painted architectural treatments on the silos and the western portion of the building to solidify the branding of the redevelopment. These paintings will not advertise a particular tenant, but rather add to the overall visual aesthetic of the redevelopment. In the event such architectural treatment is considered a sign, the Owner requests approval for such display. In addition, the Owner seeks approval of a roof sign to further establish the connection with the Property and area's industrial past and help with brand of this as a vibrant destination. The Owner seeks the ability to provide for tenant needs regarding signage and proposes the development/branding signage not be calculated into the overall available signage for the development.

Variances requested relating to signage include:

1. Section 260-9 (a)(1) – variance to allow a roof sign which would project higher than the wall or surface it is attached to. Specifically, the Owner seeks approval of a sign to be located on the roof of the main structure of the development to provide both an architectural feature and announce the new offering in the redevelopment (i.e. Food Hall or similar).

2. Section 260-9(a)(4) and (5) – variance to allow for development and tenant signage to exceed 200 square feet total, development and tenant signage to exceed the number of signs allowed per façade, and to allow development and tenant signage on the four building facades instead of two facades. This adaptive reuse and renovation will attract multiple different tenants and the Owner seeks approval of signage that will comply with the different tenant needs while maintaining an aesthetically inviting and attractive exterior. The development does not fall squarely within the UDO's provisions for Planned centers and Mixed-Use buildings or multi-tenant buildings. As such, the Owner requests approval to allow for both tenant signage and branding for the development as a destination. The vertical and horizontal aspects of the existing and proposed building support additional signage for the development.

B. Building Architecture. Keeping the industrial feel and repurposing the use of the buildings is the cornerstone of the architectural approach to this redevelopment. The intent of the redevelopment is to repurpose and improve a majority of the existing metal and concrete buildings, including the silos, at the Property to pay homage to its industrial roots. To transform the Property into optimal functionality, several additions and modifications are required, including a new restaurant building, patios, two stair towers for egress, and the conversion of the tower roof top into usable space offering unimpeded views of Chamblee and metro Atlanta. The proposed color palette may modify during the process to reflect the final branding of the development. As indicated on the elevations, painted architectural design treatments will be

included on the silos and the western area of the building. In order to incorporate the existing structures into the redevelopment and maintain the industrial feel that has characterized this area for decades, several Building Architecture requirements in the UDO require variances and/or waivers.

Variances and Waivers requested relating to architecture include:

1. Section 230-27(a)(1) – variance to allow exterior building material to include metal.
2. Section 230-27(a)(6) – variance to reduce the minimum amount of fenestration required, including the specific requirements in subsections (a) – (e). In its current state as an industrial warehouse building the current building contain very little, if any, fenestration. Variance to reduce the minimum amount of fenestration required on the New Peachtree and Chamblee-Dunwoody facades from 65% to 50% and 0%, respectively.
3. Section 230-27(a)(3) – variance/waiver to allow the Chamblee-Dunwoody Road facing façade to be constructed as proposed instead of a primary façade
4. Section 230-27(c) – variance to eliminate the building massing requirements.

C. **Civic Design.** The site constraints and challenges including but not limited to the topography changes from the adjacent streets to the buildings and location of existing building, result in variances and waivers being required to achieve the redevelopment of the Property. Both New Peachtree and Chamblee-Dunwoody Road are classified as secondary street zones in the Comprehensive Plan which states driveway consolidation is not as crucial and shorter sidewalk and planter zones. The Rail-Trail Phase 3 concept shows the City's plan to implement the trail along Chamblee-Dunwoody Road in the right of way. Therefore, the Owner should not be required to install the typical Streetscape improvements.

On the New Peachtree frontage, the Owner seeks approval to install landscape zone (between curb and sidewalk) of at least 3 feet (instead of 5 feet) and 7 feet of sidewalk (instead of 10 feet) which will allow for reduced heights of the required retaining walls (not to exceed 4 feet) and more flexibility on plantings and a larger planting area between the sidewalk and the parking area/interior of the development.

Variances and Waivers requested relating to open space and the site design include:

1. Section 230-26(e) – variance to provide the required landscape zone width on New Peachtree to be a minimum of 3 feet instead of 5 feet and to remove the requirement for Chamblee-Dunwoody. The reduction to the required landscape zone width on New Peachtree is related to requested variance #6 below.
2. Section 230-26(f) – variance to provide the required sidewalk zone width on New Peachtree of 7 feet and to remove the requirement for Chamblee-Dunwoody.

3. Section 230-26(g) – variance to remove the requirement to provide the supplemental zone on New Peachtree and Chamblee-Dunwoody.
4. Section 230-6(d) – variance to exceed the 36 inch maximum height for retaining walls to allow retaining walls not to exceed 4 feet.
5. Section 230-26 – variance to eliminate the streetscape requirements on Chamblee-Dunwoody Road.
6. Section 230-26(b)- variance and waiver to avoid conflict with the existing buried utility lines and allow the street lighting and planting to be on the building side of the sidewalk. As set forth on the Conceptual Utility Plan, there are underground utilities along New Peachtree Road.
7. Section 230-7 – variance to not comply with the corner visibility requirements, if staff determines the requirements are not satisfied. As set forth on the site plan, Owner believes this section has been satisfied.
8. Section 230-30 – variance to change the hardscaped/paved materials included in the open space from a maximum of 25% to a maximum of 45%. The open space requirement will be satisfied (20% minimum).
9. Section 230-1 – variance to increase the maximum percentage of allowable impervious surface not to exceed 85%, instead of the 80% in the Code. The existing impervious is approximately 77%.

D. Driveways/Parking The redevelopment of the Property will utilize existing parking and add some additional parking spaces. Due to the location of the existing building, the parking will be located between the street and the building. The mixture of office and entertainment/restaurant uses results in a reduced need for overall parking due to differing peak use times (day/evening). The City's UDO does not specify parking for food halls or for a tenant to operate a restaurant with an entertainment component. As set forth in the attached parking estimates, the parking minimums will vary depending on the final tenant mix and could range from 450 – 494 based on general classifications in the UDO. The Owner seeks a parking variance to allow for $\pm 10\%$ of the 193 parking spaces on the attached site plan. Due to the topography of the site, the Owner also seeks other variances to allow construction of the parking and driveways as set forth in the attached site plan.

Variances and waivers requested relating to driveways and parking include:

1. Section 250-7(a)(1) – variance to eliminate the prohibition of off-street surface parking to be located between the building and street as to allow parking in the areas as shown on the site plan.

2. Section 250-27(a)(12)(b) – variance to eliminate the requirement of 5-foot wide pathway.
3. Section 250-4 – variance/waiver to locate the bike parking closer to the building instead of in the supplemental zone.
4. Section 250-2 – variance to reduce the number of minimum parking spaces required and to allow for $\pm 10\%$ change in number of spaces (between 174 – 292 spaces). The existing surface paving does not have striped parking spaces, which makes the comparison to any existing difficult, if not impossible.
5. Section 250-8 – variance to reduce the number of compact parking spaces to a minimum of 16 compact spaces. The existing surface paving does not have striped parking spaces, which makes the comparison to any existing difficult, if not impossible.
6. Section 250-20(a)(6) – variance to reduce the number of loading spaces from 2 to 1.
7. Section 350-2(a)(2) – waiver to eliminate the minimum driveway spacing requirement to 157 feet between the two onsite driveways. The posted speed limit is 35 mph.
8. Section 350-2(a)(1)(e) – waiver to allow the driveway and drive aisles between the sidewalk and building.
9. Section 350-2(a)(1)(h) – waiver to eliminate requirement for pedestrian walkway of 5 feet connecting sidewalks and to all building entrances.
10. Section 350-2(a)(1)(c) – waiver to allow the driveway width of 26 feet.
11. Section 320-21(a)(1); (3); (4); and (5) – variance/waiver to modify and eliminate the interior landscaping requirements to develop site as set forth in site plans to allow for more than 10 spaces without a parking island; eliminate the 5 foot grass strip with curb for head to head parking, reduce the perimeter parking area landscape strip from 5 feet to 1 foot.
12. Section 230-27(g) – variance to allow a transformer and above ground backflow preventer to be located between the building and the street. The existing conditions include a power/mechanical systems in between the building and the street.
13. Section 250-7(a)(8) – variance to eliminate inter-parcel connectivity.
14. Section 230-1(a) – variance to allow the building height to exceed the Code maximum. As set forth in the attached Exhibit A, the existing conditions include manufacturing equipment at 131.3' above grade. Owner seeks approval of the stair tower providing access to the proposed rooftop deck not to exceed 135' above grade.

For the foregoing reasons, the Owner respectfully requests that this application be granted including the above-reference amended variances and waivers. If there are any questions about this application, you may contact me at 404-665-1242 or jsellers@dillardsellers.com.