



**PLANNING AND DEVELOPMENT DEPARTMENT  
STAFF REPORT**

Public Hearing: March 13, 2025

Item #: PZ2025-1403

---

**HILTON GARDEN INN, CHAMBLEE – DEVELOPMENT OF COMMUNITY IMPACT WITH  
CONCURRENT VARIANCES AND WAIVERS**

---

**Project Name:** Hilton Garden Inn, Chamblee  
**Applicant:** VR Developers, Inc. c/o Harish Patel  
**Owner:** Day Break Hospitality c/o Perry Vyas  
**Site Addresses:** 3063 Clairmont Road  
**Parcel Numbers:** 18 203 05 033

**EXECUTIVE SUMMARY WITH STAFF RECOMMENDATION:**

**Proposed Project:** Construction of a seven-story hotel with 158 guest rooms, ground-level coffee shop, and surface parking lot.

**Requests:** Development of Community Impact (DCI), four (4) concurrent variances and seven (7) waiver requests

**Summary Analysis:**

- Construction of a 99,700 square foot, seven-story hotel providing 158 rooms.
- The hotel would offer a ground floor coffee shop with outdoor seating, outdoor event space, fire pit patio, public art installation, and 165 surface parking spaces.
- Dedication of a portion of Clairmont Road street frontage to the Georgia Department of Transportation for installation of a deceleration lane.

**Recommendation:**

Staff recommends **APPROVAL WITH CONDITIONS** of the following variance and waiver requests:

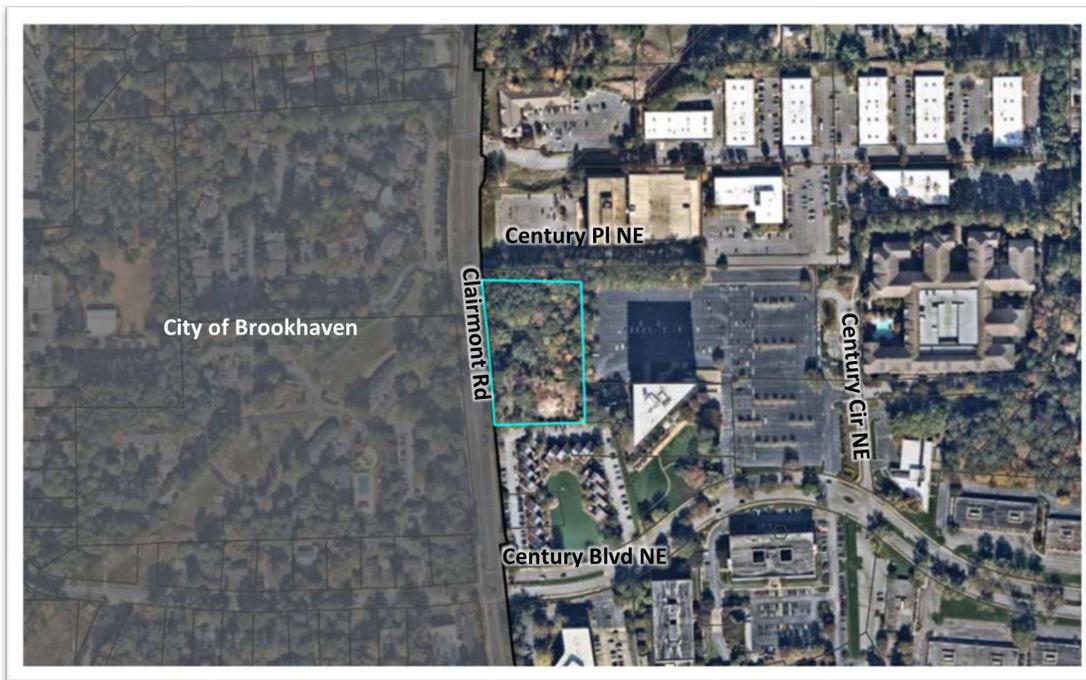
1. Variance from Section 250-2(a)(4), to reduce the required minimum parking from 190 to 165 spaces.
4. Variance from Section 310-19(e), to encroach in the 50-foot undisturbed and 75-foot no impervious surface stream buffer.
1. Waiver from Section 230-26(a), to reduce a portion of the landscape zone from 10 feet to 4 feet.
2. Waiver from Section 230-26(a), to reduce a portion of the sidewalk zone from 10 feet to 6 feet.

3. Waiver from Section 230-26(a), to not provide a supplemental zone for portions of the streetscape.
4. Waiver from Section 230-26(g)(1)(a)(1), to not locate the building adjacent to the supplemental zone for a portion of the site.
6. Waiver from Section 350-2(a)(2)(a), to not meet the minimum driveway spacing of 294-feet on a road with a 40 mile per hour speed limit.

Staff recommends **DENIAL** of the following variance and waiver requests:

2. Variance from Section 250-7 (a)(1), to allow parking between the building and the street.
3. Variance from Section 250-7(a)(11), to not provide wheel bumpers for a portion of the parking spaces that do not abut a curb or sidewalk.
5. Waiver from Section 320-21(a)(4), to not provide a 5-foot grass strip with curb for head-to-head parking for a portion of the site.
7. Waiver from Section 350-2(c), to not provide interparcel access from an adjacent parking lot in the form of a continuous driveway.

**Site Aerial:**



**Zoning:**

Mixed-Use – Business Center (MU-BC) - This zoning district is intended to facilitate a high-rise urban form of development with a mix of uses, open space, and a connected street and sidewalk system to support a more active multi-modal and walkable environment at all times of the day. This district also encourages adaptive reuse and redevelopment of existing mid-rise and high-rise development that was originally designed in a suburban form. The district is required to consist of a minimum of two combined use categories

accommodated in a vertical mixed-use configuration including: multi-family, offices, educational uses, retail/restaurant, hotel, or civic uses.

**Current Use:**

The subject property is currently a vacant lot

**Surrounding Land Uses:**

- North: MU-BC: Parking lot / Offices
- South: MU-BC: Offices
- East: MU-BC/NR-1: Parking lot / Gables Century Center Apartments / Single-family Residences
- West: West: City of Brookhaven

**Character Area:**

The proposed project falls within the Century Center Character Area of the 2024 Comprehensive Plan. The Century Center Character Area envisions the area to become a high-density, walkable, mixed-use gateway node for the city that serves as a primary destination along the Peachtree Creek Greenway. This character area designates this property's future land use as "Mixed-Use" which recommends high density residential, commercial retail, office, and mixed-use development. The 2024 Comprehensive Plan recommends higher intensity development to be located in the central or southern areas of the character area.

**Short-Term**

For illustrative purposes only

**Short-Term Action Items**

- Conduct feasibility study for Peachtree Creek Greenway
- Explore innovative funding sources
- Explore creation of a redevelopment authority

LOW RISE MIXED USE

Townhomes and Multifamily

Stacked Flats

Additionally, the comprehensive plan includes a small area plan for the Century Center Character Area with short and long-term strategies. The short-term strategy for the area is to reuse underutilized parking and redevelop vacant and unused buildings, introduce new residential and a mix of uses to create a village center with a public green space to establish the area as a southern gateway into the City. The long-term strategy is to introduce higher intensity residential and mixed-uses to create a "15-Minute City" with pedestrian and bicycle infrastructure with additional retail and greenspace to accommodate the higher density.

**Long-Term**

For illustrative purposes only

**Long-Term Action Items**

- Construct Peachtree Creek Greenway
- Build new parks and greenspace
- Utilize public-private partnerships to support development

Mixed Use Town Center

Mixed Use Multifamily

Mid- and High-Rise Mixed Use

**Site Description:**

The approximately 2.62-acre site is located north of Century Boulevard Northeast, east of Clairmont Road and north of Interstate 85. The property is currently a vacant lot with mature tree canopy. The northeast corner of the site has a piped stream flowing from north to south that briefly daylight before returning to piped conditions as it exits the southeastern corner of the property. Much of the site consistently slopes downward from west to east at an approximate 10% grade, or 20 feet in height over a span of 195 feet from Clairmont Road to the edge of stream with steeper topography located at the rear of the property where the stream daylight.

**History of the Property:**

The property was previously four separate parcels being 3081, 3071, 3063, and 3051 Clairmont Road. The four parcels received approval of a DCI in 2017 for the development of a mixed-use multifamily, retail/restaurant development. In 2017 the State granted approval of a 25-foot stream buffer variance for the piping of the open channel of the stream.

On January of 2019, the site received approval of a DCI for the development of a 115,085-square-foot, five-story hotel building for a Hilton Garden Inn. This previous project included 156 guest rooms, 3,924 square feet of restaurant/retail space, 3,952 square feet of meeting space, and 156 off-street parking spaces with some structured parking below grade on the south end of the site. The project was approved with nine variances and waivers including a variance from Section 310-19 to reduce the 50 foot and 75-foot stream buffers to 0 feet.

In January of 2020, the applicant reapplied for the DCI due to driveway and deceleration lane location requirements mandated by the GDOT, pursuant to DCI case, PZ2020-582. This revised DCI proposed a 105,707 square foot hotel with six-stories and 141 off street surface parking spaces. The DCI included seven variances and six waivers. On January 28, 2020, City Council approved four variances and one waiver with 12 conditions of approval. On July 2020, the Environmental Protection Division issued approval for the disturbance in the 25-foot stream buffer with the condition that the work was to be completed within 5 years of the date of the approval letter issuance.

The four parcels were combined in September of 2020. The three existing commercial structures that were located on the subject property were demolished in October 2022.

**Description of the Proposed Project**

A summary of the project is as follows:

- Construction of a 99,700 square foot seven story hotel that will include 158 rooms and faced with brick, stone, stucco, and fiber cement panels. The building will include a coffee shop on the ground floor with outdoor patio seating totaling 2,000 square feet.
- Construction of the hotel will result in disturbance to the existing stream on the property. The applicant proposes to channel the existing daylight stream through a pipe encroaching into the 25-, 50-, and 75-foot stream buffers. Disturbance into

the 25 foot state stream buffer requires a approval from the Georgia Environmental Protection Division.

- Installation of streetscape along Clairmont Road that will include a landscape zone that will be provided in segments in an effort to preserve mature trees, a 6- to 10-foot-wide sidewalk, and a segmented supplemental zone of varying widths that will include a bus shelter, public art, and outdoor patio seating.
- Construction of a 24 foot wide curb cut along Clairmont Road, that will serve as the primary site entrance into the development. Construction of this new curb cut requires right of way dedication to the Georgia Department of Transportation for a portion of the Clairmont Road frontage for a deceleration lane. Overall design and location of this deceleration lane is subject to Georgia DOT approval.
- A total of 165 surface parking spaces located to the front and northern portion of the site. Of the 165 spaces, 7 are to be located in a small parking lot adjacent to the supplemental zone, between the building and the street, that will be used to serve the coffee shop.
- Preservation of mature trees in the supplemental zones, and on the northern portion of the site, the remaining trees will be incorporated into a butterfly habitat.
- Construction of two retaining walls ranging from 5 feet to 8 feet tall in the rear and raised planter wall in the front yard ranging from 2 feet to 4 feet.
- Addition of a 66,000 cubic foot underground detention pond beneath the proposed surface parking.
- A total of 14,150 square feet of open space located around the public art installation and butterfly garden fronting Clairmont Road, to the rear of the site as outdoor event space, and fire pit patio near the entrance.
- Preservation of 696-inches of tree canopy and replacement of 208-inches of trees. This will bring the overall tree canopy from 1,108-inches DBH to 904-inches DBH.

#### **DCI Review and Approval Criteria:**

The following review and approval criteria, described in Sec. 280-24, must be used in reviewing, and taking action on all DCI applications:

- 1. Design shall be in harmony with the general character of the neighborhood and surrounding area, considering factors such as mass, placement, height, changing land use patterns, and consistency of exterior architectural treatment, especially in areas of historic and special design interest.**

*The design of the 99,700 gross square foot commercial building is in general harmony with the character of the surrounding area surrounded by low and high-rise office buildings adjacent to Century Center. The site is located north of Century Boulevard Northeast, east of Clairmont Road and north of Interstate 85. The building massing with street frontage provides enough variety to reduce the appearance of a solid linear massing. The height of the hotel would not be dissimilar to the heights of surrounding high-rise office buildings.*

- 2. Design components shall be planned such that they are physically and aesthetically related and coordinated with other elements of the project and surrounding environment to ensure visual continuity of design.**

*The proposed development is a hotel with façade materials of stucco, brick, and stone are similar to the materials of nearby buildings. The surrounding area to the north and south is composed of offices and parking lots, east of the subject site is the multifamily Gables Century Center Apartments, single-family residences and parking lot, and west is the City of Brookhaven. The size and some façade materials are similar to adjacent existing office and medical spaces.*

**3. Design shall protect scenic views, particularly those of open space, and utilize natural features of the site.**

*There are no scenic views. The site is currently a vacant lot adjacent to a surface parking lot on the south and east property lines. The existing stream on site is not in a natural state as the stream has been channelized into pipes on the north and south side of the property.*

**4. Design shall protect adjacent properties from negative visual and functional impacts.**

*The proposed project will protect adjacent properties from negative visual impacts as the hotel would add some visual screening of the adjacent surface parking lot for the offices fronting Clairmont Road south of the subject property. Traffic flow may be impacted as the applicant proposes to construct a new curb cut within 257 feet of an existing curb cut and 254 feet from the Century Place intersection. This could cause some issues with traffic as this site does not currently have a curb cut and the intersection at Clairmont Road and Century Place is unsignalized. As a result of GDOT review, the applicant has added a deceleration lane to mitigate issues with traffic.*

**5. Design shall respect the historical character of the immediate area as integral parts of community life in the City and shall protect and preserve structures and spaces which provide a significant link within these areas.**

*The proposed development and site improvements will not have any impact on the historical character of the immediate area as the site currently contain remnants of previously demolished commercial structures. The character of the site the applicant is proposing to preserve are some of the mature trees to be showcased within the proposed outdoor dining terrace and a copse of trees near the intersection at Clairmont Road and Century Place.*

**6. All exterior forms, attached to buildings or not, shall be in conformity with, and secondary to, the building.**

*The exterior forms of the buildings and site features are generally in conformity with and secondary to the building itself. This includes the ground floor coffee shop, outdoor patio area for the coffee shop, fire patio for the hotel, and public art fronting Clairmont Road.*

**7. The proposed development is suitable in view of the use and development of adjacent and nearby property.**

*The applicant is proposing to construct a hotel suitable in view for the use and development of adjacent and surrounding properties. The hotel's provided amenities*

would be accessible to the public for use of event spaces serving the immediate offices and surrounding businesses.

**8. The proposed development does not adversely affect the existing use or usability of adjacent or nearby property.**

*The proposed development would not adversely affect the existing use or usability of nearby commercial properties.*

**9. The proposed development does not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

*The proposed development would not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The use is complementary to existing office uses on adjacent properties. The applicant is proposing to construct a new sidewalk along Clairmont Road which would widen the existing sidewalk. The applicant would also add seating and public art near the existing MARTA bus stop, in addition to a deceleration lane with right-of-way dedication to the Georgia Department of Transportation.*

**10. The proposed development is in conformance with the applicable zoning district.**

*The proposed development would meet some of the MU-BC zoning district intent to facilitate high-rise urban form of development with a mix of uses, proposes open spaces, and would improve the existing sidewalk support a more walkable environment. The MU-BC zoning intent to encourage connected streets is not being met as the waiver request to not provide interparcel access from an adjacent parking lot in the form of a continuous driveway is contradictory to the intent. The 99,700 square foot development with ground-floor coffee shop would be complementary to the existing offices and nearby multi-family development.*

**11. The proposed development is in conformance with the provisions of the future development plan articulated in the City's Comprehensive Plan.**

*The property is located within the "Century Center" Character Area in the City of Chamblee Comprehensive Plan Five-Year Update & Action Plan, which outlines the vision for this character area as a high-density, walkable, mixed-use gateway node for the City that serves as a primary destination along the Peachtree Creek Greenway. The project would be consistent with the short-term small area plan goals of creating a mixed-use with retail opportunities to establish the Century Center area as a southern gateway into the City. Which could act as a catalyst in achieving the long-term goals of Century Center serving as a destination with high intensity residential, retail, greenspaces and access to a built-out Peachtree Creek greenway to support the higher density.*

**Variances:**

The applicant requests the following concurrent variances from Title 2 of the UDO:

1. Variance from Section 250-2(a)(4), to reduce the required minimum parking from 190 to 165 spaces.

2. Variance from Section 250-7 (a)(1), to allow parking between the building and the street.
3. Variance from Section 250-7(a)(11), to not provide wheel bumpers for a portion of the parking spaces that do not abut a curb or sidewalk.

Per the review and approval criteria found in Sec. 280-32(a), the Mayor and City Council may authorize a Variance from the provisions of the UDO only after making the following findings:

**a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography;**

*The property has extraordinary and exceptional topography as the property drastically slopes eastward from Clairmont Road to where an existing unnamed stream daylight near the rear property line. This downward slope goes from west to east at an approximate 10% grade, or 20 feet in height over a span of 195 feet from Clairmont Road to the edge of stream. While the piped portions at either end of this stream are not subject to stream buffer regulations, the daylight portions of the unnamed stream create an unusable pocket of space within the center of the subject site due to the 50 and 75-foot stream buffers.*

**b. The application of this zoning ordinance to the particular piece of property would create an unnecessary hardship;**

*The application of the zoning ordinance would create an unnecessary hardship as it relates to the reduction of parking spaces. The size of the property is limited and in order to accommodate the required 190 parking spaces, the buildable area for the hotel and proposed amenity areas would need to be reduced in size.*

*Requiring the applicant not to locate the seven proposed parking spaces to serve as primary parking for the proposed coffee shop would not create unnecessary hardship as parking is still accessible from the primary parking lot north of the hotel. Removal of the seven spaces could provide more space for the applicant to install a wider landscape zone and a consistent sidewalk width, which could result in reduced waiver requests related to streetscape design standards.*

*Placement of no wheel bumpers for a portion of parking on the site with no supporting landscape strip would not create unnecessary hardship as there are no unusual site conditions or external factors that prevent placement of the wheel bumpers. The purpose of this variance request is to accommodate double parking for large vehicles. This request is tied to the waiver request No. 5 to not provide a five foot grass strip with curb for head to head parking. The intent of these requirements is to reduce impervious surfaces, add tree density and reduce the temperature of asphalt below.*

**c. Such conditions are peculiar to the particular piece of property involved;**

*There are a few conditions that are peculiar to the subject property. The site slopes downward from west to east approximately 195 feet from the front property line to an unnamed stream. All of Century Center is developed with no significant grade*

*change, with most of the structures in Century Center constructed in the mid-1970s to early 1980s. The conditions of the subject site are peculiar as the property in comparison to adjacent properties remain undeveloped. The site is also located within a 75-foot stream buffer around the portion of the stream that is not channelized in a pipe. This is not peculiar as an unnamed stream runs throughout Century Center, although this area was developed prior to stream buffer regulations.*

**d. Such conditions are not the result of any actions of the property owner, or**

*Some of the current conditions of the site are the result of actions of the property owner. The need for variances and waivers are the result of the actions of the property owner to develop buildable land area. The request not to provide parking lot wheel bumpers are not to accommodate hardships of the site, but due to preference to provide double parking for larger vehicles.*

**e. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.**

*Relief from the requirements to reduce the minimum parking would not be detrimental to the public good nor impair the purposes of the UDO. As this request would allow for a site design that meets the intent of the UDO while meeting some of the short-term goals of the comprehensive plan to create a southern gateway into the City.*

*Allowing the applicant to install parking between the building and the street to accommodate retail parking when other parking spaces are available within the site would impair the intent of the ordinance. Placing parking between the street and the building reduces storefront engagement from the street and prioritizes vehicular dependency through convenience. The intent for Mixed-Use Business Center District is to encourage multi-modal and walkable environments, having parking placed in the front does not meet the intent of this zoning district. Further, it would further reduce the required streetscape dimensions.*

*Allowing the applicant to not install wheel bumpers for a portion of the site not due to site constraints but to accommodate larger vehicles would impair the intent of the zoning ordinance. The intent for the addition of wheel bumpers in spaces that do not abut a curb or sidewalk is to prevent drivers from pulling too far forward within a designated parking space and to prevent collision with other stationary vehicles.*

**Applicant's Stream Buffer Variance Request**

The applicant requests a variance from Title 3 of the UDO:

4. Variance from Section 310-19(e), to encroach in the 50- foot undisturbed and 75-foot no impervious surface stream buffer.

The UDO, in Section 310-19(e), provides the following factors for granting a variance from stream buffer requirements. An analysis of these factors is included below:

**a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;**

*The property slopes eastward from Clairmont Road to where an existing unnamed stream that daylight near the rear property line. This downward slope goes from west to east approximately 196 feet from the front property line to stream. The stream through the subject site has piped and un-piped conditions. While the piped portions at either end of this stream are not subject to stream buffer regulations, the daylight portions of the unnamed stream create an unusable pocket of space within the center of the subject site due to the 75-foot stream buffers.*

**b. The locations of all streams on the property, including a long property boundaries;**

*The stream enters the property from the north property line which daylight on the subject property into a detention pond from a 42-inch corrugated metal pipe from the northern property line. The stream runs open to air for 229 feet before entering into a second underground corrugate metal pipe before exiting on the southern property line.*

**c. The location and extent of the proposed buffer or setback intrusion;**

*The extent of the stream intrusion would be to completely enclose the stream within a pipe and redirect the stream into an existing corrugated piped system on the southern boundary of the site. This will include regrading and infilling to complete the enclosure of the stream.*

**d. Whether alternative designs are possible which require less intrusion or no intrusion;**

*In order to completely develop the site, alternative designs with less or no intrusion would not be possible as the stream and associated buffers are located at the center of the site. Maintaining the stream buffers would greatly reduce the buildable area for the project.*

**e. The long-term and construction water-quality impacts of the proposed variance; and**

*The long-term construction and water-quality impacts of the variance would be negligible as the stream has already been susceptible to underground piped conditions prior to entering and exiting the subject site. Disturbance of the stream would ultimately require approval from the Georgia EPD as the applicant proposes to disturb the 25-foot stream buffer.*

**f. Whether issuance of the variance is at least as protective of natural resources and the environment.**

*Issuance of the variance would be protective of resources and the environment as the erosion along the stream banks would be stabilized. The applicant proposes to*

*install a 66,000 cubic feet underground detention pond to capture storm water runoff which would meet or exceed all stormwater quality and quantity requirements of the City of Chamblee.*

**Waivers:**

The applicant requests the following concurrent waivers from Title 2 and Title 3 of the UDO:

1. Waiver from Section 230-26(a), to reduce a portion of the landscape zone from 10 feet to 0 feet.
2. Waiver from Section 230-26(a), to reduce to reduce a portion the sidewalk zone from 10 feet to 6 feet.
3. Waiver from Section 230-26(a), to not provide a supplemental zone for portions of the streetscape.
4. Waiver from Section 230-26(g)(1)(a)(1), to not locate the building adjacent to the supplemental zone for a portion of the site.
5. Waiver from Section 320-21(a)(4), to not provide a 5-foot grass strip with curb for head-to-head parking for a portion of the site.
6. Waiver from Section 350-2(a)(2)(a), to not meet the minimum driveway spacing of 294-feet on a road with a 40 mile per hour speed limit.
7. Waiver from Section 350-2(c), to not provide interparcel access from an adjacent parking lot in the form of a continuous driveway.

Per Sec. 300-8, waivers permit specified minor deviations from Title 3 and other authorized portions of the Unified Development Ordinance. Waivers are intended to relieve practical difficulties in complying with the strict requirements of this Code. Waivers are not intended to relieve specific cases of financial hardship, nor to allow circumventing of the intent of this Code. The following criteria shall be considered when authorizing waivers:

The applicant requests the following concurrent Waivers from Title 2 and 3 of the UDO:

1. Waiver from Section 230-26(a), to reduce the landscape zone from 10 feet to 0 feet. *The applicant proposes to reduce the required landscape strip from 10 feet to 0 feet for a portion of the site due to right-of-way dedication to the Georgia Department of Transportation (GDOT) where a deceleration lane is to be installed. Where feasible landscaping with varying widths will be implemented with the intent to preserve some of the existing trees on site in the landscape zone. The applicant proposes to meet the intent of this regulation but not the dimensional standards. A proposed alternative could be if the sidewalk is reduced to a consistent 6 feet in width, there would be more opportunity to provide a 4 foot landscape zone consistently along the frontage of Clairmont Road which would reduce the request from 10 feet to 0 feet (at portions of the streetscape) to 10 feet to 4 feet (consistently throughout the streetscape).*
2. Waiver from Section 230-26(a), to reduce the sidewalk zone from 10 feet to 6 feet. *The applicant proposes to reduce the required sidewalk from 10 feet to 6 feet for the portion of the site where the coffee shop would be located. This reduction is in*

*an effort to preserve as many existing trees as possible along Clairmont Road within the provided landscape zone. In addition, a portion of the Clairmont Road frontage will be dedicated as right-of-way to GDOT for the installation of a deceleration lane. The applicant proposes to meet the intent of this regulation but not the dimensional standards. However, to provide more consistency, compromise can be made by reducing the total sidewalk width from 10 feet to 6 feet instead of sections of the sidewalk and utilizing the remaining 4 feet to provide a landscape zone. While this would create narrower walking conditions, a more robust buffer between pedestrians and vehicles would be achieved.*

3. Waiver from Section 230-26(a), to not provide a supplemental zone for portions of the streetscape.

*The applicant proposes to not provide a supplemental zone for portions of the site. The UDO requires a consistent 10 – 15 foot zone with pedestrian amenities such as benches, trash receptacles, and bike racks between the sidewalk clear zone and the front building face. The applicant proposes to meet the intent of this regulation but not the location or dimensional standards. The applicant proposes three separate supplemental zones. They include the spaces adjacent to the proposed coffee shop, which will be between the building and street and will be between 17 feet and 36 feet wide. The second and third supplemental zones would not be between the sidewalk and the parking lot. The second area is west of the proposed driveway entry and would consist of proposed public art exhibitions with additional seating, and the third area would include a new smart bus shelter. The space adjacent to the public art exhibits would be used as preservation space for some of the existing tree canopy close to Clairmont Road and as a butterfly garden habitat. The space adjacent to the proposed coffee shop would be utilized as an outdoor seating area using some of the existing trees. Full compliance to provide a 10-15 foot hardscaped supplemental zone along Clairmont Road frontage would create unnecessary hardship as the opportunity for a more engaging public amenities utilizing the preserved tree canopy would be minimized.*

4. Waiver from Section 230-26(g)(1)(a)(1), to not locate the building adjacent to the supplemental zone for a portion of the site.

*The intent to preserve some of the mature trees fronting Clairmont Road influences the current layout of the building footprint and parking lot. Full compliance to locate the building adjacent to the supplemental zone for the entirety of the site on Clairmont Road would create an unnecessary hardship and loss of existing street streets.*

5. Waiver from Section 320-21(a)(4), to not provide a 5-foot planting strip with curb for head-to-head parking for a portion of the site.

*The applicant proposes not to provide a 5-foot planting strip for a row of head-to-head parking spaces to accommodate double parking for larger vehicles and vehicles with trailer attachments. There are no topographical or peculiar conditions*

*of the site that contribute to a hardship on the site. Removal of the 5-foot planting strip would contribute to more impervious surface on site.*

6. Waiver from Section 350-2(a)(2)(a), to not meet the minimum driveway spacing of 294-feet on a road with a 40 mile per hour speed limit.  
*Due to the requirements outlined by the Georgia Department of Transportation, the applicant is requesting to provide a minimum driveway spacing of 257 feet and 254 feet, due to the limited site frontage. Compliance with the ordinance to provide a minimum of 294 feet on a road with a 40-mile per hour speed limit would not be feasible, unless access can be gained from another road.*
7. Waiver from Section 350-2(c), to not provide interparcel access from an adjacent parking lot in the form of a continuous driveway.  
*The request not to provide interparcel access from an adjacent parking lot could be a detriment to the public good, should future development occur in the adjacent lot to the north or west of the subject property. Providing a dedicated interparcel access point would accommodate future development.*

#### **Design Review Board Comments and Recommendations:**

At the February 5, 2025, Design Review Board (DRB) meeting, the Board heard the application and made the recommendations below to City Council:

The Board recommended **APPROVAL** of the following variances and waivers:

1. Variance #1 from 250-2(a)(4) - The Board made no recommendation.
2. Variance #2 from 250-7(a)(1) – The Board recommended the applicants to explore reconfiguration of the parking lot between the building and street. Investigate if nose-in parking could eliminate the need for the variance. Ensure it works from a circulation and queuing standpoint.
3. Variance #3 from Section 250-7(a)(11) - The Board recommended approval of the variance with the condition that it be limited to a maximum of 16 spaces.
4. Variance #4 from Section 310-19(e) - The Board made no recommendation.
5. Waiver #1 from Section 230-26(a) and Waiver #2 from 230-26(a) - The Board recommended approval of the waiver requests with the condition that the streetscape should remain consistent by reducing the sidewalk clear zone to a minimum of 6-feet-wide and the landscape zone to 4-feet-wide across the entire frontage except at the northern and southern end where existing trees are to be preserved and where the new streetscape is to tie into the adjacent sidewalk.
6. Waiver #3 from Section 230-26(a) and Waiver #4 from Section 230-26(a) – The Board recommends approval of these requests.
7. The applicant shall provide a minimum 6-foot-wide sidewalk and 4-foot-wide landscape across the entire frontage except at the north end and south end, where existing trees are to be preserved and tie into the adjacent sidewalk.
8. Waiver #5 from Section 320-21(a)(4) - The Board motioned to combine this recommendation with Variance #3 from Section 250-7(a)(11).
9. Waiver #6 from Section 350-2(a)(2)(a) - The Board made no recommendation.
10. Waiver #7 from Section 350-2(c) -The Board recommended approval of the waiver with the condition that if any adjacent parcels are developed, the owner must

provide an access easement and a construction easement in order to achieve interparcel connectivity at the time of redevelopment of the adjacent parcel.

The Board recommended the following conditions of approval:

1. The variance permitting the omission of head-to-head landscaping shall be strictly confined to sixteen parking spaces located within the first row of the parking area.
2. The applicant shall provide a minimum 6-foot-wide sidewalk clear zone and a 4-foot-wide landscape zone across the entire frontage of Clairmont Road except at the north end and south end, where existing trees are to be preserved, and the sidewalk is to be tied into the adjacent sidewalk.
3. If any adjacent parcels are developed, the adjacent owners shall provide access and construction easements to provide an inter-parcel connection at the time of redevelopment of the adjacent parcel.
4. The applicant shall provide additional architectural details on the north and east-facing facades by providing more variation in materials that are consistent with the proposed material palette.

*The applicant has submitted a revised site plan and elevations based on comments provided by the DRB. These revised plans are included under Attachment 9, titled "Revised Site and Elevations Plan dated received March 5, 2025."*

**Staff Recommendation:**

Based on the analysis of this application, using the standards and criteria found in Chapter 280 of the UDO, Staff recommends **APPROVAL WITH CONDITIONS** of the Development of Community Impact (DCI) in case PZ2025-1403, and the following action on the Variance and Waiver requests, with the conditions recommended further below.

Using the standards and criteria found in Chapter 280 and 300 of the UDO, staff recommends **APPROVAL WITH CONDITIONS** of the following variance and waiver requests:

1. Variance from Section 250-2(a)(4), to reduce the required minimum parking from 190 to 165 spaces.
4. Variance from Section 310-19(e), to encroach in the 50-foot undisturbed and 75-foot no impervious surface stream buffer.
1. Waiver from Section 230-26(a), to reduce a portion of the landscape zone from 10 feet to 0 feet.
2. Waiver from Section 230-26(a), to reduce a portion of the sidewalk zone from 10 feet to 6 feet.
3. Waiver from Section 230-26(a), to not provide a supplemental zone for portions of the streetscape.
4. Waiver from Section 230-26(g)(1)(a)(1), to not locate the building adjacent to the supplemental zone for a portion of the site.
6. Waiver from Section 350-2(a)(2)(a), to not meet the minimum driveway spacing of 294-feet on a road with a 40 mile per hour speed limit.

Using the standards and criteria found in Chapter 280 and 300 of the UDO, Staff recommends

**DENIAL** of the following variance and waiver requests:

2. Variance from Section 250-7 (a)(1), to allow parking between the building and the street.
3. Variance from Section 250-7(a)(11), to not provide wheel bumpers for a portion of the parking spaces that do not abut a curb or sidewalk.
5. Waiver from Section 320-21(a)(4), to not provide a 5-foot planting strip with curb for head-to-head parking for a portion of the site.
7. Waiver from Section 350-2(c), to not provide interparcel access from an adjacent parking lot in the form of a continuous driveway.

Should Council desire to approve the Development of Community Impact (DCI) application with concurrent Variance and Waiver requests, then staff recommends the following exhibits and conditions (**DRB conditions in bold**):

1. The development shall be constructed in substantial conformity with the Site Plan and Elevations received by the Planning and Development Department on January 28, 2025, and March 5, 2025, with revisions required by conditions of approval as reviewed and approved by the Planning & Development Director.
2. The applicant shall in good faith negotiate inter-parcel connectivity with the adjacent neighbor to the north and east of the site prior to application for a Land Disturbance Permit. If no interparcel access is granted, the applicant shall identify interparcel access points to the north and east within the subject site in anticipation for future redevelopment.
3. **The applicant shall limit the omission of head-to-head landscaping and wheel bumpers to sixteen parking spaces.** The applicant shall install permeable pavers within these parking spaces.
4. **The applicant shall provide a minimum 6-foot-wide sidewalk clear zone and a 4-foot wide landscape zone across the entire frontage of Claimont Road except at the north end and south end, where existing trees are to be preserved, and the sidewalk is to be tied into the adjacent sidewalk.**
5. **If any adjacent parcels are developed, the owner shall provide access and construction easements to provide an inter-parcel connection at the time of redevelopment of the adjacent parcel.**
6. **The applicant shall provide additional architectural details on the north, west, and east-facing facades by providing more variation in materials that are consistent with the proposed material palette.**
7. The applicant shall provide additional access to the underground detention system for future inspection and maintenance.
8. Public art shall be reviewed and approved by the Public Arts Commission.

**Attachments:**

Attachment 1 – Site Plans + Architectural Elevations

Attachment 2 – Application + Letter of Intent

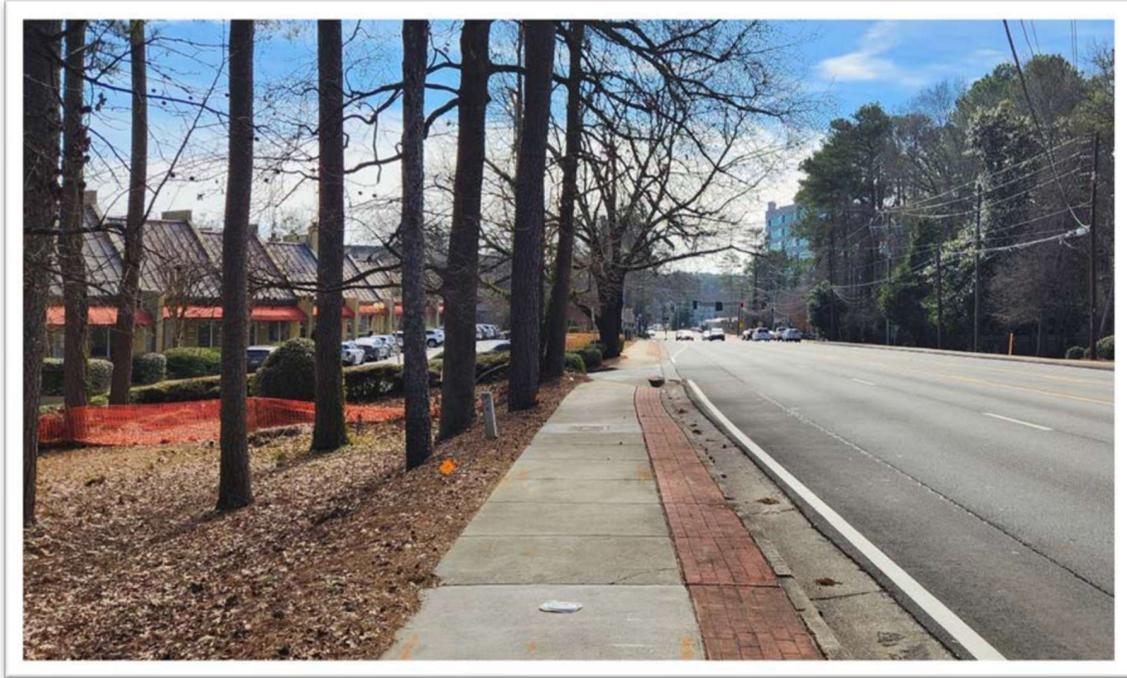
Attachment 3 – Traffic Impact Analysis

Attachment 4 – DCI PZ2019-580 Site Plan + Architectural Elevations

Attachment 5 – Comprehensive Plan Excerpt

Attachment 6 – Future Land Use + Character Area Maps  
Attachment 7 – Maps  
Attachment 8 – Design Review Board Draft Minutes  
Attachment 9 - Revised Site Plan and Elevations dated received March 5, 2025

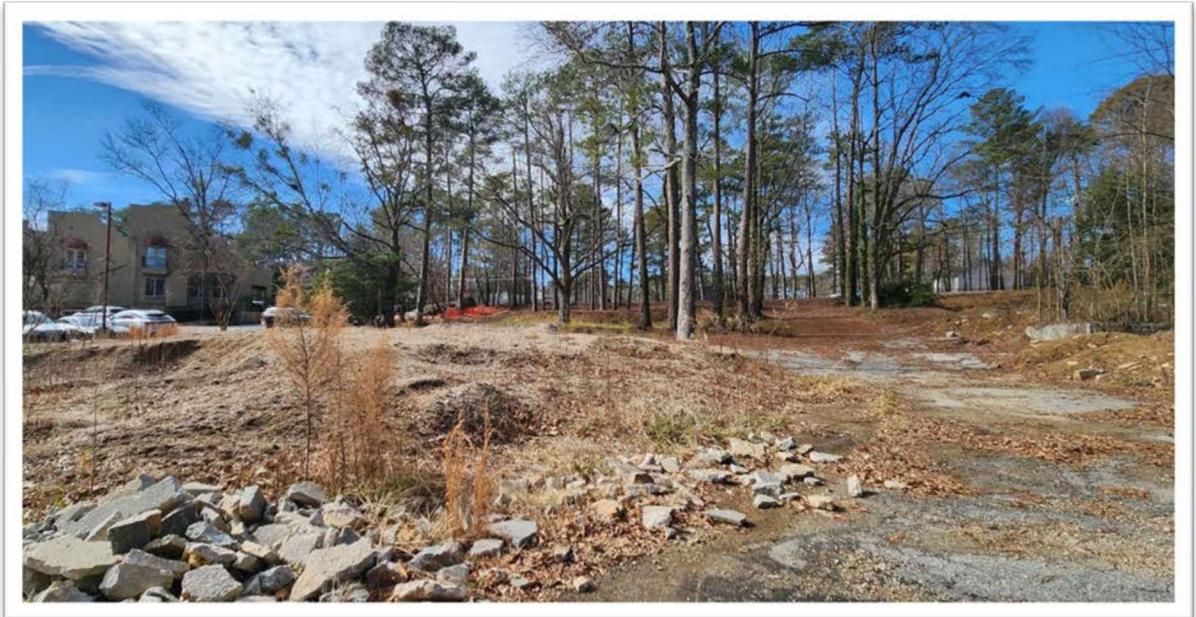
**Site Visit**



Frontage along Clairmont Road



Frontage along Clairmont Road



Remnants of demolished commercial buildings

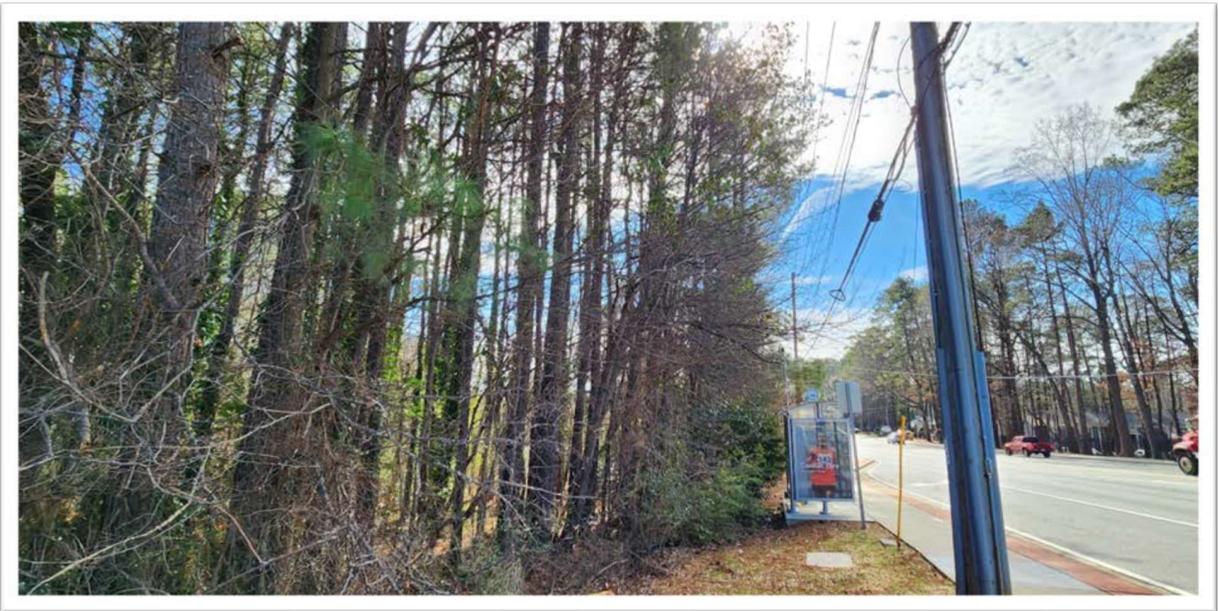
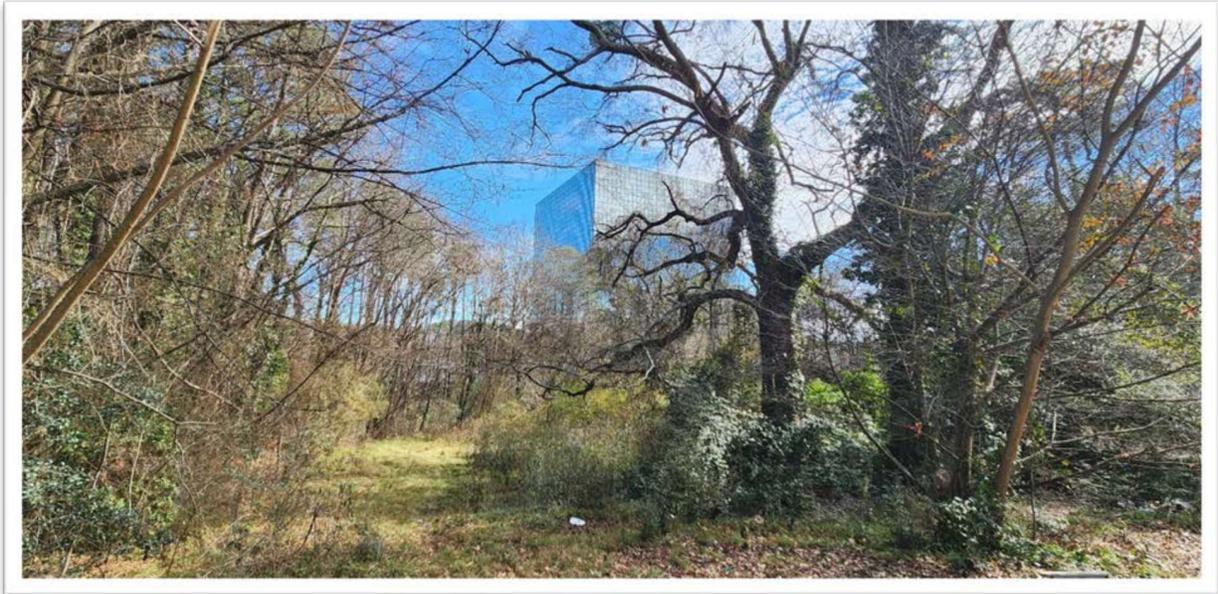


Remnants of demolished commercial buildings





Topography change facing Clairmont Road



View of remaining tree canopy looking to the rear of the property