



APPLICATION FOR DEVELOPMENT OF COMMUNITY IMPACT (DCI)

PROJECT:

Hilton Garden Inn, Chamblee

Name of Project

3063 Clairmont Road, Chamblee GA 30327

Property Address

A new 6 story hotel, 158 guest rooms, limited service kitchen, a coffee shop. The site shall include parking, onsite utilities, an underground detention pond, a deceleration lane, landscaping and improvements along the frontage to include trees, other hardscape amenities.

Brief Description of Project

Mixed Use Business Center (MU-BC)

Mixed Use (MIX)

Zoning District

1

2.62

Character Area (Future Development Map)

1

99700

Total # of Properties Involved

Total Project Acreage

Total Number of Buildings

Total area of buildings

OWNER:

Perry Vyas, Day Break Hospitality

Name and Company

335 Athena Drive, Athens GA 30601

Mailing Address

City, State

Zip Code

706 254 4434

perry@skaps.com

Phone #

E-mail

APPLICANT: ☐ Check here if Applicant is also the Property Owner

Harish Patel, VR Developers, Inc.

Name and Company

101 Devant Street, Unit 602

Fayetteville, GA

30214

Mailing Address

City, State

Zip Code

678 300 2152

harish@vrdevelopersinc.com

Phone #

E-mail

Applicant Signature

11/22/2024

Date

☒ I hereby certify that all information provided herein is true and correct.

NOTARY:

Sworn to and subscribed before me this 22 day of November, 2024

Notary Public:

Karen H. Lequire





Owner Permission Affidavit

Subject Property Street Address: 3063 Clairmont Road, Chamblee, GA 30327

Subject Property Tax ID number: 18 - 203 - 05 - 033

Owner:

Name (Person, Firm, Corporation, or Agency): Perry Vyas, Day Break , LLC

Mailing Address: 335 Athena Drive, Athens GA 30601

Phone: 706 254 4434

Email: perry@skaps.com

Property Owner's Agent (If applicable)

Name (Person, Firm, Corporation, or Agency): Harish Patel, VR Developers, Inc.

Mailing Address: 101 Devant Street, Unit 602, Fayetteville, GA 30214

Phone: 678 300 2152

Email: harish@vrdevelopersinc.com

I am applying for, or I hereby give authority to the applicant to file an application for: Hilton Garden Inn

Clairmont Road, Chamblee

Owner/Agent signature

Perry Vyas

Owner/Agent printed name

This instrument was signed before me on 10/29/2024

County Madison Georgia Notary Signature: Pamela Booth

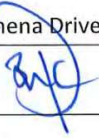
Affix seal/stamp as close to signature as possible





Campaign Contributions Disclosure Form

Have you as applicant, agent for applicant, property owner, or person associated with the application for property, located at 3063 Clairmont Road, Chamblee, GA 30327, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to an elected official of the City of Chamblee? ☐ YES ☒ NO

Applicant/ Owner	Name: Perry Vyas
	Address: 335 Athena Drive, Athens, GA 30601
	Signature: 
	Date: 10/29/2024


If the answer above is YES, then please complete the following section:

Date	Government Official	Official Position	Description	Amount



Campaign Contributions Disclosure Form

Have you as applicant, agent for applicant, property owner, or person associated with the application for property, located at 3063 Clairmont Road, Chamblee, GA 30327, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to an elected official of the City of Chamblee? ☐ YES ☒ NO

Applicant/ Owner	Name: Harish Patel
	Address: 101 Devant Street, Unit 602, Fayetteville, GA 30214
	Signature: 
	Date: 11/22/2024

If the answer above is YES, then please complete the following section:

Date	Government Official	Official Position	Description	Amount



PRE-APPLICATION INFORMATION FORM

This page must be completed by the Applicant.

APPLICANT

Harish Patel owner agent

Name

Daybreak Hospitality, LLC

Company

335 Athena Drive

Athens, GA

30601

Mailing Address

Suite/Apt. #

City, State

Zip Code

678-300-2152

harish@vrdevelopers.comcastbiz.net

Primary Phone #

Alternate Phone #

E-mail

PROJECT SUMMARY

3063 Clairmont Road, Chamblee, GA

Address of Project

Hilton Garden Inn

Name of Project

Variance/Waiver

Application Type (Amend Zoning Map, Development of Community Impact (DCI), Variance/Waiver, Subdivide Land, Other)

2.64

Total Project Acreage

Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use):

See attached detailed description

H. Patel
Applicant Signature

Date: 10, 04, 24

NOTE: This form must be signed by staff and submitted with your application.

For Internal Use Only:

Pre-Application Meeting Date: 10/17/2024

Staff Printed Name: Tiffany Moo-Young

Signed:

Tiffany Moo-Young



Redevelopment Assessment Form

(Applies to all existing structures except for Single-Family Detached Residential structures, per Chamblee UDO Section 270-9)

PROPERTY ADDRESS: 3051 Clairmont Road, Chamblee, GA 30327

APPLICANT NAME: Harish Patel, VR Developers, Inc. DATE: 10/29/2024

PROJECT TYPE: (Check all that apply)

- ☐ Renovation
☐ Alteration
☐ Addition
☐ Repair
☒ Other New Construction

THRESHOLD ASSESSMENT:

Total construction cost post renovation/improvement, cumulative: **TCC =** TBD
(Attach documentation for all improvements made over the last 3 years. See UDO [Section 270-9](#). Interior-only renovations are 50% of the cost valuation based on the ICC Building Valuation Data Construction Cost Table)

Fair Market Value of existing structure(s): **FMV =** No structures on site
(Attach DeKalb County Tax Assessor documentation for all buildings on the site. The information can be obtained from the following website: <https://propertyappraisal.dekalbcountyga.gov/search/>)

Percent calculation: **TCC/FMV =** TBD

ASSESSMENT: (Check one)

- ☐ Improvements not required because less than 30% improvement
☐ $\geq 30\%$ ☐ $\geq 60\%$ ☒ $\geq 70\%$

See Page 2 of this form for Redevelopment Thresholds Summary Table.

Mandatory compliance is not intended to result in total improvement costs greater than or equal to 125% of FMV value but applicant shall meet items in order of priority listed in Section 270-9 of the UDO until the 125% cap is met.

Legal Description of Property

PROPERTY DESCRIPTION

Being all that tract or parcel of land lying and being in Land Lot 203, 18th District, DeKalb County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at south end of a mitered corner of the intersection of the Northerly Easement Line of Century Boulevard, (an apparent 100 feet wide private drive easement), and the Easterly Right-of-Way Line of Clairmont Road, also known as Georgia State Route 155 (a variable width public right of way) as shown on GDOT Right-of-Way Plans – Project No. STP 00-0002-00 (903); thence, leaving said point and running with the said line of Clairmont Road, North 50° 47' 54" West, 103.79 feet; thence, North 17° 20' 15" West, 20.99 feet; thence, 56.80 feet along the arc of a curve deflecting to the right, having a radius of 5,683.58 feet and a chord bearing and distance of North 05° 56' 06" West, 56.80 feet; thence, North 05° 38' 55" West, 202.74 feet; thence, North 84° 21' 05" East, 2.00 feet; thence, North 05° 38' 55" West, 60.00 feet; thence, North 08° 21' 20" West, 11.12 feet; thence, North 88° 22' 55" East, 8.70 feet to a ½ inch rebar with cap "LSF000810" set, being the True Point of Beginning of the herein described tract or parcel of land; thence, leaving the said Point of Beginning and continuing with the said line of Clairmont Road

1. North 05° 31' 09" West, 271.06 feet to a ½ inch rebar with cap "LSF000810" set; thence,
2. North 07° 57' 16" West, 66.03 feet; thence,
3. North 02° 13' 31" West, 76.23 feet to a ½ inch rebar with cap "LSF000810" set; thence, leaving the aforesaid line of Clairmont Road and running
4. North 88° 34' 32" East, 292.34 feet to a ½ inch rebar with cap "LSF000810" set; thence,
5. South 00° 55' 27" East, 93.90 feet to a ½ inch rebar found; thence,
6. South 00° 45' 37" East, 110.17 feet to a ½ inch rebar found; thence,
7. South 00° 47' 25" East, 90.00 feet; thence,
8. South 00° 46' 51" East, 114.98 feet to a ½ inch rebar found; thence,
9. South 86° 39' 00" West, 75.56 feet; thence,
10. South 88° 22' 55" West, 184.52 feet to the Point of Beginning, containing 114,133 square feet or 2.6201 acres of land, more or less.

Property is subject to all easements and rights of way recorded and unrecorded.

DCI Application Submittal

Hilton Garden Inn- Clairmont Road

Chamblee, GA

November 07, 2024

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03- Narrative Description

Daniel Lemberg || Architect

Hilton Garden Inn-Chamblee

The applicant would like to construct a mixed-use development consisting of a six story, 84,000 sf, 158 room Hilton Garden Inn with an integrated 700 sf street-side Coffee Shop with outdoor seating on Clairmont Road. The land on which this hotel project is proposed has remained underdeveloped for years because of several obstacles including but not limited to an active easement granting the adjacent office development use of part of this site for their storm water detention, a forty foot deep drainage ditch from their pond through the center of the site, hundreds of mature trees too deeply recessed to be able to be incorporated into any affordable development plan, restricted access to adjacent private and GA State controlled streets and three abandoned structures needing demolition.

All of these obstacles can be overcome but it will take a creative approach to the design of the building and especially the site. The applicant is not requesting any variances from the UDC pertaining to the building design. The applicant is requesting a reduction in the required parking to one car per guestroom. The applicant is also seeking some consideration in the interpretation of the Streetscape design criteria in the UDC. The proposed Streetscape Zone Plan does not reduce the overall amount of any area required for each Streetscape Zone, but rather consolidates what is described in the UDC as a long linear strip into separate "nodes" of activity and points of interest. The hardscape features of the Supplemental Zone are blended with the existing trees and soft landscape features of the required Open Space in a way that will complement and enhance the effectiveness of each. To that end the applicant is willing to make the considerable effort to preserve the existing specimen trees along the length of Clairmont Road and incorporate them into the overall streetscape experience.

We look forward to the opportunity to walk you through this concept, the renderings and the other supporting documents, discuss the details and rationale behind the plan and to receive your input.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Lemberg", written in a cursive style.

Daniel L. Lemberg

Architect

Hilton Garden Inn (Chamblee, GA)

LETTER OF INTENT

Required by

The City of Chamblee's Zoning Ordinance for the

Development of Community Impact known as

"Hilton Garden Inn Mixed Use Project" by

DayBreak Hospitality, LLC

for

±2.6201 Acres of Land located in

Land Lot 203, 18th District, DeKalb County

Parcel ID Nos.: 18 203 05 033

Street Addresses: 3063 Clairmont Road, Chamblee, Georgia 30329

Application for

Development of Community Impact

I. INTRODUCTION

This Application seeks reapproval of a Development of Community Impact ("DCI") with respect to a combined plat of four (4) properties totaling ±2.6201 acres located on Clairmont Road (the "subject Property"). Specifically, the Applicant seeks DCI approval of the proposed mixed-use development along with the attached Variances 1-5 and Waivers 1-4 from the City of Chamblee's Zoning Ordinance and development regulations. The development consists of a 99,700 sf, 158 room Hilton Garden Inn and a 700 sf public Coffee Shop with interior and exterior seating. The original DCI for the project was approved in early 2019. We are once again applying for approval due to necessary changes made to the site plan and building stemming from driveway location requirements mandated by the Georgia Department of Transportation and project cost overruns.

The Subject Property is bordered on the west, the by the right-of-way of Clairmont Road. Further to the west, across Clairmont Road, are the Ivy Place apartment homes, which lie within the City of Brookhaven. To the east are office buildings that are a part of the Century Center Office Park. The Subject Property is bordered to the north by a narrow strip of vacant land which blocks access to Century Place NE, a private drive serving the Clairmont Place office buildings. To the south is the Century Lake Office Park.

The Applicant submits this document as a Statement of Intent ~~with regard to its DCI Application~~ and a justification of how the project complies with the Review and Approval Criteria in the City of Chamblee's Zoning Ordinance, Sect. 280-24.

II. JUSTIFICATION FOR APPROVAL OF DCI

1. DESIGN SHALL BE IN HARMONY WITH THE GENERAL CHARACTER OF THE NEIGHBORHOOD AND SURROUNDING AREA.
 - a. The overall exterior design aesthetic of the Proposed Development will reference local architectural vernacular and will complement and integrate with the general character of the surrounding area. The project will provide a redevelopment of underutilized properties on Clairmont Road in line with the intent of the MU-BC zoning and the Century Center Office Park character area by providing a contemporary pedestrian friendly project with rich, sophisticated colors, textural materials and a subtle use of exterior lighting to highlight the entryways and exterior gathering spaces. Clusters of existing large trees will be incorporated into the Streetscape design to further integrate the project into the currently wooded neighborhood.
2. DESIGN COMPONENTS SHALL BE PLANNED SUCH THAT THEY ARE PHYSICALLY AND AESTHETICALLY RELATED AND COORDINATED WITH OTHER ELEMENTS OF THE PROJECT AND SURROUNDING ENVIROMENT TO ENSURE VISUAL CONTINUITY OF DESIGN.
 - a. Based on the vision of the City of Chamblee, the design components of the Proposed Development will be planned such that they are physically and aesthetically coordinated. The use of a limited pallet of materials, colors and details will be utilized to ensure visual continuity. The wide intermodal pathway with integrated pedestrian lighting and landscape

zones utilizing the existing mature hardwood trees will create a strong element of continuity for the continuous pedestrian oriented streetscape along Clairmont Road that is envisioned by the City.

3. DESIGN SHALL PROTECT SCENIC VIEWS AND UTILIZE NATURAL FEATURES OF THE SITE.
 - a. The site currently has several large specimen trees along Clairmont Road which have been integrated into the design of the outdoor dining terrace for the building and the public art/siting zone of the streetscape design for Clairmont Road.
4. DESIGN SHALL PROTECT ADJACENT PROPERTIES FROM NEGATIVE VISUAL AND FUNCTIONAL IMPACTS.
 - a. The design of the Proposed Development incorporates a larger than required setback with enhanced landscaping to protect the adjacent office properties from negative visual impact. In addition, the mid-scale hotel with available meeting space and an easily accessible specialty Coffee Shop would/should produce a positive functional impact for the adjacent properties.
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 WITH IN THESE AREAS.
 - a. The site and immediate area do not have a specific historical character. The Proposed Development will adhere to the City of Chamblee's Comprehensive Plan.
6. ALL EXTERIOR FORMS, ATTACHED TO THE BUILDINGS OR NOT, SHALL BE IN CONFORMITY WITH, AND SECONDARY TO THE BUILDING.
 - a. All exterior forms will be in conformity with and secondary to the Proposed Development building.
7. THE PROPOSED DEVELOPMENT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY.
 - a. The Proposed Development is suitable based on the use and development of adjacent and nearby properties. The Subject Property is zoned "Mixed Use-Business Center" and is surrounded by properties zoned Mixed Use-Business Center to the north (Clairmont Place), Mixed Use-Business Center to the east (Century Center Office Park), Mixed Use Business Center to the south (Century Lake Office Park) and properties within the City of Brookhaven, to the west and across Clairmont Road, zoned Multi-Family Residential (RM-HD) (Ivy Place Apartment Homes).

Accordingly, from a zoning standpoint the Proposed Development is a suitable infill redevelopment that will offer a desirable mix of uses complimenting the surrounding office park development in the MU-BC districts, as well as the multi-family property across Clairmont Road.

From a practical standpoint, the Proposed Development will complement the existing surrounding uses and provide redevelopment to underutilized properties on Clairmont Road in line with the intent of the MU-BC zoning and the Century Center Office Park character area. Notably, the MU-BC district's purpose and intent is 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," See City of Chamblee, Georgia Unified Development Code Sect.210-12. The Proposed Development accomplishes that purpose through its mixed-use design which provides an upscale business traveler focused hotel with ample meeting space, restaurant space, and a pedestrian oriented streetscape along Clairmont Road. Additionally, the intent of the Century Center Office Park character area is to create a "high-density and mixed-use node that serves as a regional attraction and strong employment center for the city and the greater Atlanta Region." See City of Chamblee, Georgia Comprehensive Plan, pg. 35. The Proposed Development aligns with the intent of the Comprehensive Plan by providing the high-density mixed-use business traveler focused development expressly sought for this area.

8. THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.
 - a. The Proposed Development, will not adversely affect the adjacent or nearby properties. To the contrary, the Proposed Development will enhance the Chamblee community by adding upscale lodging, meeting and event space, and an additional needed restaurant option within walking distance of the existing office park and apartments, creating a village-like community. The Proposed Development has been specifically designed to complement and invite pedestrian traffic.
 - b. The primary goal of land use planning is to eliminate or minimize the potential adverse effect of dissimilar uses on adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both "off-site" and on-site" transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this method of land use planning includes measures such as maintenance of buffers, walls, fences or berms, lighting control, noise control, aesthetic control, limitations on building location and orientation, location of or restrictions upon accessory uses, and prohibition of certain uses or hours of use normally permitted for that district. Many of these devices have been or will be utilized to ensure that the Proposed Development fits seamlessly within the existing uses near the site.
9. THE PROPOSED DEVELOPMENT WILL NOT RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS.

- a. The Proposed Development will not cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. First, the Subject Property is located on Clairmont Road, a major arterial roadway. Access to the site will be provided by one curb cut allowing access directly onto Clairmont Road. Clairmont Road is listed as a Major Arterial on the 2014 DeKalb County Transportation Plan, which indicates that the road is intended to carry large volumes of traffic. Further, the hotel plans to offer a complementary shuttle within a 5-mile radius for its guests and the project is served by mass transit with excellent access to MARTA's Clairmont Road bus route (Bus Route 19).

In addition, the project is designed as a destination for hotel guests, adjacent developments, and neighborhoods within the immediate area. Accordingly, the restaurant/retail component is anticipated to attract pedestrian traffic from adjacent offices and apartments. Coupled with the hotel's complementary shuttle service, its access to MARTA bus transit, and the anticipated pedestrian traffic, the Proposed Development should not cause an excessive or burdensome use of the City's streets,

All utilities are available at the site and can sufficiently service the site, and finally, the Proposed Development will not create an excessive or burdensome use of the community's schools.

10. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE APPLICABLE ZONING DISTRICT

- a. The Proposed Development is in conformance with the applicable zoning district. The current zoning district for the Proposed Development is Mixed Use-Business Center. The Proposed Development will provide both hotel and restaurant/retail space in conformity with the MU-BC zoning requirements.

11. THE PROPOSED DEVELOPMENT IS IN CONFORMANCE WITH THE PROVISIONS OF THE FUTURE DEVELOPMENT PLAN ARTICULATED IN THE CITY'S COMPREHENSIVE PLAN.

- a. The Proposed Development is in conformance with the provisions of the Future Development Plan articulated in the City's Comprehensive Plan. It will be a great improvement for the Chamblee community. Its location on Clairmont Road, coupled with the intent of the MU-BC zoning and Century Center Office Park character area, make the Subject Property an ideal site of infill redevelopment providing an upscale business traveler focused hotel with ample meeting space and additional restaurant/retail space.

Additionally, the Proposed Development will comply with the LEED or Green Globes certification requirement required by the zoning ordinance.

in accordance

The DCI approval requested here conforms to the ideals and spirit of the City's Zoning Ordinance by offering a practical, useful, and marketable development that will revitalize infill property into an asset for the immediate area and the City as a whole. In sum, the Proposed Development is fully

III. CONCLUSION
The DCI approval requested here conforms to the ideals and spirit of the City's Zoning Ordinance by offering a practical, useful, and marketable development that will revitalize infill property into an asset for the immediate area and the City as a whole. In sum, the Proposed Development is fully consistent with the City's long-term goals of encouraging compatible mixed-use developments within the Century Center Office Park area.

This 7th day of November, 2024

Respectfully submitted,


Vishal Amin

Managing Member

DayBreak Hospitality, LLC

(703) Managing Member

DayBreak Hospitality, LLC (703) 888-7125

LETTER OF INTENT

Project Description

The Project consists of a mixed use 99,700 square foot, 6-story, 158 room hotel including meeting space and an easily accessible street level restaurant with indoor and outdoor café seating. This application seeks approval of a Development of Community Impact (DCI) for this proposed development. The applicant seeks DCI approval as well as 5 variances and 4 waivers from the City of Chamblee Unified Development Ordinance (UDO) and development regulations.

Compliance with Section 280-32

The application for the multiple variance and waiver requests listed below has been filed in accordance with the Review and Approval Criteria of Section 280-32 to the best of our knowledge.

Variance and Waiver Criteria

1. There are extraordinary and exceptional conditions pertaining to the particular property in questions because of its size, shape, or topography; and
2. The application of this UDO to the particular piece of property would create an unnecessary hardship; and
3. Such conditions are peculiar to the particular piece of property involved; and
4. Such conditions are not the result of any actions of the property owner; or
5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of the zoning ordinance.

LETTER OF INTENT

REQUESTED VARIANCES

LETTER OF INTENT

Variance Request #1

Request

We are requesting relief from the requirements for:

- One visitor parking space per every five guestrooms. This would reduce the minimum number of required parking spaces for the Hotel and Coffee Shop from one hundred eighty seven (187) to one hundred sixty one (165).

Code Reference

Section 250-2 (a) (4) of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

1. Hilton Hotels has based their recommended parking requirement on a “one to one” parking ratio for the Hilton Garden Inn brand since a high number of guests will request more than one room per vehicle. Uber, ride sharing and public transit also provides a surplus of parking for visitors. It is not possible to meet the requirement for additional visitor parking spaces due to the depth, shape, and extreme topography of the subject site.
2. The strict application of the UDO would create an undue hardship as there is not enough room on site to provide for additional visitor parking spaces. The applicant is constructing an underground stormwater management facility to attempt to provide surface area for as many spaces as possible. Adding additional parking spaces would cause non-conformance with other UDO requirements such as retaining wall and landscaping.
3. The site cannot be enlarged to encompass the additional visitor parking spaces.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Variance Request #2

Request

We are requesting relief from the requirements that off-street surface parking not be located between the principal building and a street. The building contains a mixed-use occupancy. The primary use is a 158-room hotel with 158 parking spaces located conveniently beside the hotel entrance. There are no hotel parking spaces between the hotel and the street. The secondary use of the building is a 700sf sidewalk style Café catering to pedestrians as well as drive by patrons. The required 7 parking spaces for the café are located safely and conveniently adjacent to the Café entrance. Café patrons will not be required to cross a busy hotel entry drive and yet, there are no cafe parking spaces between the café and the street.

Code Reference

Section 250-7 (a) (1) of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

1. Due to the depth, shape, extreme topography of the subject site and the GDOT deceleration lane requirements it is not possible to meet the combined parking capacity for both the hotel and the café in a configuration that meets the strict interpretation of Section 250-7 (a) (1).
2. The strict application of the UDO would create an undue hardship as the additional area required would render a large portion of the remaining site to be in further non-conformance with other UDO requirements such as retaining wall heights and landscaping.
3. These conditions are peculiar to this particular piece of property site and cannot be modified to encompass the additional combined width at critical locations.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Variance Request #3

Request

We are requesting a waiver from the requirements for a concrete wheel stop at all parking spaces that do not abut a curb. We have proposed to provide 15 parking spaces out of the 165 total spaces available that are aligned with the space directly in front of them without a grass divider strip or wheel stops. This will allow vehicles with trailers to park and leave safely without taking up multiple spaces by parking sideways.

Code Reference

Section 250-7 (a) (11) of the City of Chamblee Unified Development Ordinance (UDO).

Waiver Criteria Response

1. It is not advisable for a hotel parking lot that serves leisure travelers to meet the wheel stop and landscape requirements listed above for 100% of the parking spaces due to the need to provide some pull-through parking spaces for cars with trailers to prevent them from parking sideways across multiple parking spaces or in the drive aisles.
2. The strict application of the UDO would create an undue hardship as there would be no place for oversized vehicles to park.
3. Such conditions are not peculiar to the particular piece of property involved.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Variance Request #4

Request

We are requesting relief from the requirements for:

- The 75' Stream Buffer protection. (In the previous DCI Application in 2020, relief from this requirement was applied for and granted by the Corp of Engineers in writing on October 20, 2017 and approved by the Georgia Department of Natural Resources - Environmental Protection Division on July 02, 2020. These approvals need to be updated as necessary.

Code Reference

Section **310-19** of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

1. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property:

The short section of stream in question is basically an open drainage ditch which only serves to drain the office development to the north. It is enclosed in a 42" corrugated metal pipe (CMP) when it enters the site on the north boundary line and dumps into a small detention pond. From there it runs fully exposed for 229'. It then enters a second underground CMP pipe until it leaves the site on the south boundary. It is not possible to incorporate the open portion of the stream bed into the hotel site design since it is as much as 40' below street grade.

2. The locations of all streams on the property, including along property boundaries;

This information is delineated on the Civil Site Plan DC103.0

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

The entire extent of the stream buffer is to be infilled and re-graded. The open stream is to be enclosed and redirected into an existing pipe system at the south boundary of the site,

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

The strict application of the UDO would create an undue hardship as the required stream buffer occupies over 26% of the central portion of the site. There is not enough room left on the site to develop a sustainable project and still meet the stream buffer requirements.

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

The applicant is proposing to enclose the open portion of the stream in a protective pipe connected to an underground storm water management facility in an attempt to reduce erosion and utilize as much of the site as possible.

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

The granting of this variance would not cause any detriment to the public good. Proper storm water best management practices will be provided to protect the integrity of the existing stream. Furthermore, the stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Variance Request #5

Request

We are requesting relief from the off-street surface parking lot planting requirement for the vehicles in the restaurant parking area to be separated from sidewalks by a strip of land at least ten feet wide. In their initial review of the concept plans, Hilton has requested that the width of the standard parking space be increased from the 8'-6" minimum city standard and that the width of the drive aisles be increased to 24'. In order to comply with this request, we would need to reduce the "minimum width" of the landscape strip in this area by about 30%, however, the "average width" of the landscape strip between the parking in this area and the sidewalk will exceed 10 feet.

Code Reference

Section 320-21 (a) (3) of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

- 1 Hilton Hotels has based their recommended parking lot sizing on guest feedback and the number of negative comments regarding parking spaces that are too narrow. It is not possible to meet Hilton's requirement for wider parking spaces without the requested relief due to the depth, shape, and extreme topography of the subject site.
- 2 The strict application of the UDO would create an undue hardship as there is not enough room on site to provide for additional width in the customer parking spaces.
- 3 The site cannot be enlarged to encompass the additional width for parking spaces.
- 4 The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
- 5 The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Variance Request #6

Request

We are requesting relief from the off-street surface parking lot planting requirement for the perimeter of a surface parking lot to provide a five-foot wide landscape strip where such parking lot abuts side property lines. The perimeter landscape strip shall be planted with a single row of overstory trees of a species appropriate for buffers and spaced every 40 linear feet of landscape strip. On the south side of this property is a 20' +/- strip of densely wooded land that is too narrow to be developed. This strip of land already provides a buffer and would prevent a new row of overstory trees from surviving. As previously stated in Variance Request #5, Hilton has requested that the width of all drive aisles in the parking lot be increased to 24'. The only way to comply with Hilton's request is to utilize the majority of required five foot landscape strip on the south side of the property for parking.

Code Reference

Section 320-21 (a) (5) of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

6. Hilton Hotels has based their recommended parking lot sizing on guest feedback and the number of negative comments regarding parking lot aisles that are too narrow. It is not possible to meet the requirement for wider aisles without the requested relief due to the depth, shape, and extreme topography of the subject site.
7. The strict application of the UDO would create an undue hardship as there is not enough room on site to provide for additional width in the parking aisles.
8. The site cannot be enlarged to encompass the additional aisle width.
9. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
10. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

WAIVER REQUESTS

LETTER OF INTENT

Waiver Request #1

Request

We are requesting relief from Section 230-26a (Street Type Dimensions Table) of the City of Chamblee Unified Development Ordinance. The width of each of the three zones listed in the Table (Landscape Zone, Sidewalk Zone and Supplemental Zone) is defined by a uniform minimum dimension and other requirements. We would not be able to strictly meet these requirements and still properly design the streetscape for this site. This is due to existing physical constraints of this site including topography and specimen trees and/or constraints imposed by the highway department, the electrical utility company and others. The following is an itemized list of specific relief we are requesting for each zone:

1a. We are requesting relief from the 10-16' minimum width requirement in the Street Type Dimensions Table for the Landscape Zone when adjacent to a Boulevard (GDOT ROW).

We propose to provide a variable width for the Landscape Zone to achieve the equivalent width and area of this zone while incorporating a required GDOT deceleration lane, existing utilities and existing specimen trees on the subject site. The Landscape Zone will vary from a maximum width of 27'-0" at the front of the Hotel to a minimum width of 2'-0" at the north and south ends of the site to be able to tie into the existing sidewalk at these locations. The proposed design has made provision to allow the full width of the Landscape Zone at these end locations when the adjacent properties are developed.

The Landscape Zone will be interrupted by the proposed location of the hotel entry. The GA Dept. of Transportation regulations will not allow visual obstructions (i.e. landscaping) to block the clear line of sight from the deceleration lane to the pedestrian and bicycle crosswalk at the entry driveway. For safety concerns we have shown a portion of the Chamblee Landscape Zone on the hotel/cafe side of the sidewalk in this area. Street tree requirements within the restricted portion of the landscape zone can be met by utilizing new and existing specimen trees in the 1530sf landscaped portion of the front yard of the building In accordance with Section 320-20 (c) (6) (e).

The total area of the Landscape Zone is 4210sf which provides an average width along the property frontage of over 11 feet.

1b. We are requesting relief from the 10' minimum width requirements in the Street Type Dimensions Table for the Sidewalk Clear Zone

Since this section of Clairmont Rd. is a designated bicycle route, we propose to provide a tapered reduction in the width of the sidewalk at each end of the site to be able to tie into the existing 5' sidewalks at these 2 locations. The Sidewalk Clear Zone leads directly into a designated tree save area with specimen and other large trees which are integrated into the sidewalk café seating area for the public. We therefore further propose to provide a separate dedicated 6 foot wide bicycle bi-pass lane to miss the specimen trees and prevent bikers from conflicting with customers at the dining tables. The total width of the bicycle lane and the pedestrian lane will exceed the required 10 foot width.

1c. We are requesting relief from the continuous 10'-15' minimum width requirements in the Street Type Dimensions Table for the Supplemental Zone.

We propose to provide three separate Supplemental Zones along the 412 feet of Clairmont Road frontage. The 3 zones are separated by the primary Hotel / Café entry driveway and open space. The combined total area of these 3 zones is 4,200sf. This area does not include any area designated as open space or the landscaped area in the front yard of the building which is used to meet the street tree requirement as discussed in item 1a above. Since these areas are not included in the area calculation for the Supplemental Zone they would not count toward the 20% maximum landscape allowed in the zone. 4,200sf provides an average width of over 10 feet along the property frontage. This exceeds the minimum width requirement established in the Street Type Dimensions Table. From right to left the three Supplemental Zones are:

- The Café Dining Terrace Zone with outdoor seating nestled under specimen oaks and large pines. The total area of this zone is 2,040sf.
- The Public Art Zone with historic railroad themed sculpture and benches shaded by the canopy of branches from the 40" Oak and 25" Hickory at the edge of the zone. The total area of this zone is 1,920sf.
- The Bus Stop Zone with a clear glass interactive "Smart Bus Stop" surrounded on the back and sides by a selectively planted "Butterfly Habitat". The total area of this zone is 240sf.

Code Reference

Section 230-26a (Street Type Dimensions Table) of the City of Chamblee Unified Development Ordinance

Variance Criteria Response

1. Due to the depth, shape, extreme topography of the subject site and the GDOT deceleration lane requirements it is not possible to meet the combined minimum widths of the Landscape Zone, the Sidewalk Clear Zone and the Supplemental Zone in some critical street front locations.
2. The strict application of the UDO would create an undue hardship as the additional width in the tightest areas would render a large portion of the remaining site to be in further non-conformance with other UDO requirements such as retaining wall heights and landscaping.
3. These conditions are peculiar to this particular piece of property site and cannot be modified to encompass the additional combined width at critical locations.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Waiver Request #2

Request

We are requesting relief from the *Supplemental Zone Requirements* for Façades to be located immediately adjacent to the supplemental zone(s). The Master Plan is showing a narrow foundation planting strip (5'+/-) between the full height windows of the Coffee Shop and the outdoor dining patio. The planting strip is there to provide minimal privacy between the indoor Café seating area and the outdoor seating area. It also compliments the casual "Garden" like setting of the outdoor dining space.

Code Reference Section 230-26 (g) (1) (a) (1) of the City of Chamblee Unified Development Ordinance (UDO).

Variance Criteria Response

- 1 Due to the depth, shape and intended mixed use of the Coffee Shop and Supplemental Zone, we feel that a foundation planting strip is an appropriate separation feature of the building and patio design.
- 2 The strict application of the UDO would create an undue hardship since the need for the requested planting strip is caused in part by other requirements in the Unified Development Ordinance such as the percentage of glass fenestration and building massing.
- 3 These conditions are peculiar to this particular piece of property site and cannot be modified to encompass the additional combined width at critical locations.
- 4 The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
- 5 The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Waiver Request #3

Request

We are requesting a waiver from the requirements for a five (5) foot grass strip at all head in parking spaces. We have proposed to provide 15 parking spaces out of the 165 total spaces available that are aligned with the space directly in front of them without a grass divider strip or wheel stops. This will allow vehicles with trailers to park and leave safely without taking up multiple spaces by parking sideways.

Code Reference

Section 320-21 (a) (4) of the City of Chamblee Unified Development Ordinance (UDO).

Waiver Criteria Response

1. It is not advisable for a hotel parking lot that serves leisure travelers to meet the wheel stop and landscape requirements listed above for 100% of the parking spaces due to the need to provide some pull-through parking spaces for cars with trailers to prevent them from parking sideways across multiple parking spaces or in the drive aisles.
2. The strict application of the UDO would create an undue hardship as there would be no place for oversized vehicles to park.
3. Such conditions are not peculiar to the particular piece of property involved.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Waiver Request #4

Request

We are requesting a waiver from the requirements for a minimum driveway spacing of 294 feet on roadways with a 40 MPH speed limit.

Code Reference

Section 350-2 (subsection a.2) - Table 350.1 Minimum separation for driveways and streets of the City of Chamblee Unified Development Ordinance (UDO).

Waiver Criteria Response

1. Due to the limited frontage of 412 feet on the existing site and proximity of the existing driveways for the adjacent properties, it is not physically possible to meet the required driveway spacing.
2. The strict application of the UDO would essentially render the property without a curb cut and land lock the site.
3. Since the adjacent parcel's driveways are existing for current users, they cannot be relocated to create additional separation. The proposed driveway for this site is generally located in the middle of the site which allows for the optimum driveway spacing between the existing driveways and the proposed driveway.
4. The limited frontage of the site is an existing condition and has not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment to the public good. Multiple driveways along this corridor also do not meet the required spacing. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.

LETTER OF INTENT

Waiver Request #5

Request

We are requesting a waiver from the requirements for installing Connecting Driveways where possible. Even though the development would benefit from an inter-parcel connection, it was not possible to find a location. A provision has been made on the development plans for a future driveway connection that would be available if and when the adjacent property is developed in the future.

Code Reference

Section **350-2 (c)** of the City of Chamblee Unified Development Ordinance (UDO).

Waiver Criteria Response

1. It is not possible to meet the connecting driveway requirements listed above due to the need for an easement to cross over 42 feet of private property to reach the closest access point on a private street (Century Place NE) which is owned by a third entity. An access easement through the 42 foot of land was requested but was denied by the adjacent property owner.
2. The strict application of the UDO has been addressed with a provision for a future connection point shown on the site development plan,
3. The shape of this site cannot be modified as the site is bordered by two (2) roadways and already developed properties.
4. The shape, size, and topography which present the hardships of the site are existing conditions and have not been imposed or created by the applicant.
5. The granting of this variance would not cause any detriment the public good. The stability and quality of the Hilton Garden Inn brand will enhance this corridor and provide a quality destination for visitors and business travelers to the City of Chamblee.