



## VARIANCE AND WAIVER APPLICATION

### CHECK ALL THAT APPLY:

☒ Zoning Variance

☐ Sign Variance

☐ Stream Buffer Variance

☐ Waiver

Chamblee Racquet and Paddle Complex

### Name of Project

3031 Shallowford Rd. Chamblee, GA 30341; (w/ Shared Use Agreement with 3119 Shallowford Rd)

### Property Address

Proposed Recreational facility includes a primary structure (+/-) 1,000 SF restroom/office building, 11 pickleball

### Brief Description of Project

courts, 3 tennis courts, 20 on-site parking spaces and 38 shared parking spaces located on adjacent neighbors property. A (+/-) 200 SF maintenance shed will also be provided for storage of equipment.

CC - Commercial Corridor

### Zoning District

2

4.25

2

(+/-) 1,200

Total # of Properties Involved

Total Project Acreage

Total Number of Buildings

Total sq. ft. of buildings

### OWNER:

BIA Charter School, Inc. f/k/a/ Brookhaven Innovation Academy, Inc.

### Name and Company

186 Hunter Street

Norcross GA

30071

### Mailing Address

City, State

Zip Code

404-754-5700

acaskey@aclawpc.com

### Phone #

### E-mail

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

Gary K. Caraway, Jr., Breedlove Land Planning

### Name and Company

1020 Old Bishop Rd

Bishop, GA

30621

### Mailing Address

City, State

Zip Code

706-410-9481

gcaraway@landplanning.net

### Phone #

### E-mail

### Applicant Signature

10.17.24

### Date

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

### NOTARY:

Sworn to and subscribed before me this 17th day of October, 2024

### Notary Public:

*Natalie Chapman*



City of Chamblee Planning and Development Department

5576 Peachtree Rd, Ste 102 • Chamblee, GA 30341 • 770-986-5010 • www.chambleega.gov



## LETTER OF INTENT

### Project: Chamblee Racquet Complex

Date: 10.31.2024

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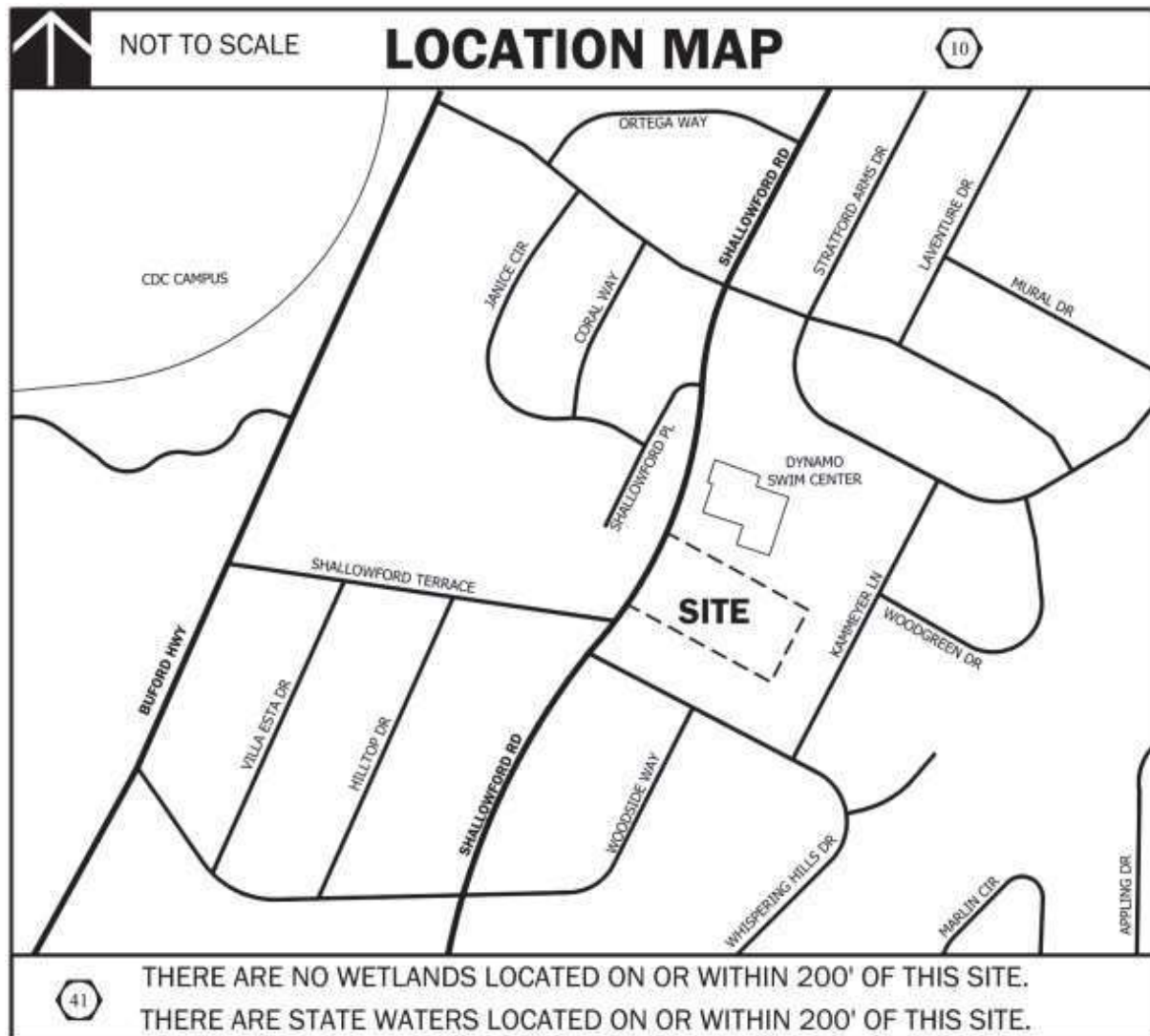
*The Chamblee Racquet Complex project aims to develop a recreational facility that provides a restroom/office building, 11 pickleball courts, 3 tennis courts, 20 on-site parking spaces, and 38 shared parking spaces located on adjacent neighbors' property. The proposed facility would provide the surrounding area with access to an active recreation and inclusive play facility to serve the community. Chamblee Racquet Complex is in negotiations of sale on the subject property pending the ability to develop the property as required to meet the needs of the proposed facility. Upon variance approvals, additional required permits would be applied for as required. At that time, the sale of subject property would be finalized. Current property owner is in support of this proposed development. Additionally, a shared usage agreement is in negotiations with the neighboring property at 3119 Shallowford Road to meet the programmatic needs of the development. Letters of support from the community have been included in this application.*

### Existing Conditions:

- Subject Property:
  - Located at 3031 Shallowford Road Chamblee, GA 30341
  - Total Site Area: 2.464 Acres per Boundary, Utility, Topographic and Tree Survey by Land Engineering dated December 1, 2017.
  - Site contains an abandoned two-story brick building which previously served as a medical office building, associated parking lot and access drive. There is currently one curb-cut on Shallowford Road to access the facility – which does not meet sight-distance requirements. The site contains grass areas and trees.
  - The property is abutted by residential lots along the south and east. A city-owned property, consisting of a long-term lease – the Dynamo Swim Club – abuts the northern property line. Shallowford Road encloses the property to the west.
  - The property is zoned: CC: Corridor Commercial.
  - There are no designated flood zones and/or state waters present on site.
- Note: Due to site constraints, not all project improvements will take place on subject property. Through a Shared-Usage Agreement with the City, the Proposed Development will construct a portion of project related improvements on the adjacent, city-owned property. These improvements will include parking, access, and stormwater management improvements.
- City-Owned Property:
  - Located at 3119 Shallowford Road Chamblee, GA 30341
  - Total Site Area: 6.355 Acres per Boundary, Utility, Topographic and Tree Survey by Land Engineering dated December 1, 2017.
  - Site contains multiple brick and metal buildings with indoor swimming / recreational uses. There are both gravel and asphalt parking areas on site which do not contain internal tree islands. The existing stormwater management facility has not been maintained and appears to be undersized to meet current standards.
  - The property is zoned: NC-1 – Neighborhood Commercial.
  - There is no designated flood zones and/or state waters present on site.



**Location Map:**



**Proposed Conditions:**

- Demolition of existing abandoned medical office building and related infrastructure including power lines, parking areas, and access drive from Shallowford Road.
- Provide new (+/-) 1,000 SF, restroom and office building.
- Provide a new (+/-) 200 SF Maintenance Shed
- Provide 20 on-site parking spaces and 38 shared parking spaces located on adjacent property.
- Provide new curb-cut off Shallowford Road which meets sight distance requirements.
- Streetscape improvements (including street trees, lighting, etc.) will be provided along subject property frontage including: 7' landscape zone, 5' sidewalk zone, a 12' supplemental zone with benches, waste receptacles, and bicycle parking furnishing, and an enhanced landscape area.
- This site will provide public access to the restroom and office building. Limited access will be provided past this checkpoint.
- Proposed development will follow Sound Level Limitations described in Section 310-40.



- Proposed development will meet Outdoor Light Ordinance requirements as described in Section 230-31.
- The proposed development will follow all landscape requirements as described in in Section 320, Article 3.

#### Proposed Variances and Waivers:

- **Section 230-6(c)(1)(a) – Fences located in the front yard are limited to four feet in height.** A minimum 10-foot-tall fence is required around USTA tennis courts. In order to host tournaments and official events, courts must meet USTA requirements. Due to existing topography, only a portion of the fence would be visible from the right of way. Existing grades drop approximately 8-10' from the right of way to each corner of the tennis courts. Fencing that is visible will be screened with landscaping.
- **Section 230-6(c)(1)(b) – Fences in the front yard shall not be made of wire, woven metal, or chain link.** A variance to use chain link fences in the front yard is requested. A 10' tall black vinyl chain link fence is proposed around the project for security. A 10' tall black vinyl chain link fence with windscreen (10% transparency) is proposed around the tennis courts. A 4' tall black vinyl chain link fence with acoustifence panels (0% transparency) is proposed around the pickleball courts. Landscape will visually screen fence from the street.
- **Section 230-26(g)(1) – A maximum of 20% of the supplemental zone occupied by landscaping.** A variance to exceed the 20% landscape maximum is requested to provide ample visual and sound screening. The project desires to provide the appropriate pedestrian connectivity while also maintaining the area's natural character. The enhanced landscaping would also aid in meeting the sound level limitations as well as the outdoor lighting ordinances.
- **Section 230-26(g)(1)(a)(1) – Building must be oriented to the street.** The proposed building will be oriented to the parking lot to address ADA visitors. Proposed orientation responds to existing topographic constraints.
- **Section 230-27(a)(12)(a)(2) – The relationship of the building to the street shall be directly accessible and visible from the sidewalk adjacent to such street.** The proposed building is located centrally to provide appropriate ADA access to the building. Locating the building adjacent to Shallowford Road would create an undue hardship by requiring ADA visitors to navigate uphill to the building then back downhill to the courts.
- **Section 250-7(a)(1) – Off street parking shall not be located between the principal building and a street.** Existing topography and parking space requirements make off street parking unavoidable. In order to provide a safe entrance with the appropriate site distance, the only feasible location for the needed amount of parking spaces is perpendicular to the drive. 13 of the 20 required parking spaces are considered off site. All off site parking spaces will follow design requirements mentioned in Section 250-7.

