

PLANNING AND DEVELOPMENT DEPARTMENT STAFF REPORT

Public Hearing Date: August 15, 2024

Item #: PZ2024-1325

3472 CHAMBLEE DUNWOODY WAY – VARIANCE APPLICATION

Project Name: Behind Bluetop – Parking Lot Extension
Applicant/Owner: Behind Bluetop LLC c/o Jennifer Koontz
Zoning District: VC (Village Commercial)
Address: 3472 Chamblee Dunwoody Way
Parcel ID: 18 299 11 007

EXECUTIVE SUMMARY WITH STAFF RECOMMENDATION:

Proposed Project: Interior and exterior renovations to the existing commercial building and expansion of the parking lot.

Requests: One (1) variance

Summary Analysis:

- The applicant proposes to renovate the existing commercial building and parking lot for a restaurant and bookstore.
- Interior improvements include splitting the existing building into two separate tenant spaces, expansion of the rear parking lot, construction of a 391 square foot patio and additional landscaping throughout the site.
- The parking lot expansion requires encroachment into the 20-foot zoning buffer between the subject commercial property and the multifamily apartment complex to the northwest.
- The applicant proposes to reduce the required zoning buffer from 20 feet wide to 0 feet and construct an 8-foot-tall wooden privacy fence along the perimeter of the parking lot.
- The expansion of the parking lot will add 10 off-street parking spaces, bringing the overall parking count from 17 to 27.

Recommendation:

Staff recommends **APPROVAL WITH CONDITIONS** of the following variance request:

1. Variance from Section 230-1(b)(1), to reduce the required 20-foot zoning buffer along the western property line to 0-feet.

Site Aerial:



Current Zoning:

The property is located in VC (Village Commercial)

This zoning district is intended primarily for mixed-use development and related uses at a higher density. This district provides a location for residences, retail, goods, services and offices to satisfy the common and frequent needs of the city's commercial core and greater Chamblee area. Design standards and design parameters encourage a pedestrian-friendly traditional urban form, oriented to pedestrians, which limits the conflicts between vehicles and pedestrians.

Current Use:

Restaurant

Surrounding Land Uses:

- North – VC: Mixed-use and multifamily (Azalea Place Apartments and Lumen Chamblee)
- South – VC: Commercial Retail and restaurant
- East – VC: Commercial Retail
- West – VC: Multifamily (Azalea Place Apartments)

Site Description and History of Property:

The subject property is a part of an adjoining trio owned by the applicant Behind Blue Top LLC. The three properties that make up the overall development include 3472 Chamblee Dunwoody Way which is 0.42-acres and includes the parking lot, 3466 Chamblee Dunwoody Way which includes the western side of the building and is 0.09 acres, and 3460 Chamblee Dunwoody Way which is 0.06 acres and includes the eastern side of the building. According to DeKalb County property information, the latter two properties encompassing a joined one-story commercial building was constructed in the 1930's and is 2,250 square feet and 2,040 square feet respectively. The site is located just northwest of the Chamblee Dunwoody Way and Peachtree Road intersection. The rear of the property has a few mature overstory trees and shrubbery.

Project Description:

The applicant proposes to complete interior and exterior renovations of the existing one-story building for use as a restaurant and bookstore. The renovation includes:

- Interior demolition of the existing 4,000 square foot office and renovate into new white box construction for future tenants.
- Repair and expansion of the existing parking lot bringing the overall off-street parking count from 10 to 17. The expansion will add an additional 10 parking spaces.
- Expansion of the parking lot to the rear of the lot will require encroachment into the 20-foot-wide zoning buffer between the subject commercial site and multifamily apartments to the northwest.
- Instillation of an 8-foot-tall wooden privacy fence along the perimeter of the parking lot to provide screening for the multifamily property and other adjacent properties.
- Construction of a 391 square foot patio along Chamblee Dunwoody Way and additional landscaping to improve the pedestrian experience.
- Due to the extensive interior work, the applicant is required to comply with the streetscape requirements. This includes removal of the existing three-foot-wide sidewalk along Chamblee Dunwoody Way and replacement with a five-foot-wide sidewalk and landscape strip. This is in coordination with the City of Chamblee's Public Works Department.

Applicant's Variance Requests:

The applicant requests a variance from Title 2 of the UDO:

1. Variance from Section 230-1(b)(1), to reduce the required 20-foot zoning buffer along the western property line to 0-feet.

Per the review and approval criteria found in Sec. 280-32(a), the Mayor and City Council may authorize variances 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 does not have extraordinary or exceptional conditions pertaining to its size, shape, or topography.
- 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 the existing parking lot was constructed before the multifamily apartment buildings, which was constructed in 1967. Compliance with this ordinance would require the applicant to remove all the existing parking spaces along the western property line.

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

The conditions are not peculiar to these particular pieces of property in comparison to other commercial properties in Downtown Chamblee.

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

The conditions of the lot are not the result of the applicant, however the need for a variance is the result of the actions of the property owners. Expansion of the existing parking lot requires compliance with the zoning buffer requirements.

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

Allowing the applicant to reduce the zoning buffer between multifamily and commercial uses would not be a substantial detriment to the public good. While the condition of the surface parking lot is existing, the applicant is proposing to resurface and restripe the existing lot, install a wooden privacy fence and plant additional landscaping to improve the screening between adjacent properties. Therefore, relief if granted, would not cause substantial detriment to the public good.

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 following variance request, in application PZ2024-1325:

1. Variance from Section 230-1(b)(1), to reduce the required 20-foot zoning buffer along the western property line to 0-feet.

Should City Council approve the variance requests, staff recommends the following conditions of approval:

1. The development shall be constructed in substantial conformity with the Site Plan and Elevations received by the Planning and Development Department dated received on June 14, 2024, with revisions required by conditions of approval as reviewed and approved by the Planning & Development Director.

Attachments:

Attachment 1 – Application

Attachment 2 – Site Plan + Elevations

Attachment 3 – Maps

Site Visit:



Existing frontage along Chamblee Dunwoody Way



View of existing surface parking lot



Existing 20-foot zoning buffer



Rear of property and existing 20-foot zoning buffer



View of adjacent properties 3460 and 3466 Chamblee Dunwoody Way



Location of the proposed patio