

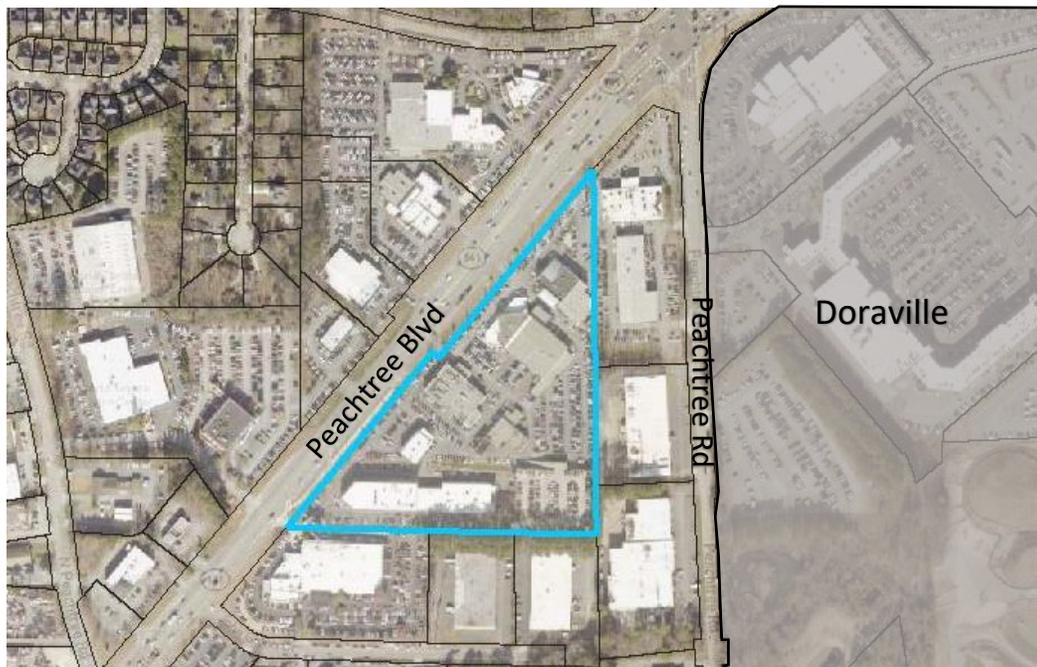
**PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Public Hearing Date: April 15, 2021

Item #: PZ2020-748

JIM ELLIS LIGHTHOUSE DCI – 5805 AND 5855 PEACHTREE BLVD

Project Name: Jim Ellis Lighthouse
Applicant: Steven T. Ellis, PRO Building Systems, Inc.
Owner: JBE Realty, LLLP
Proposed Development: 109,615 sq ft automobile dealership/office building with 183,800 sq ft parking garage
Request: Development of Community Impact (DCI), 16 variances and five (5) waivers
Site Address: 5805 and 5855 Peachtree Blvd
Parcel Number: 18 323 05 038
Staff Recommendation: **APPROVAL** of the DCI, eight (8) variances, and four (4) waivers; **DENIAL** of eight (8) variances and one (1) waiver



- Current Zoning:** Corridor Commercial (CC) – This zoning district is intended primarily for commercial and mixed-use development and related accessory uses at a medium density. This district provides a location for residences, retail, goods and services and offices to satisfy the common and frequent needs of the city's businesses and residents. Design standards and design parameters encourage a pedestrian-friendly traditional urban form, oriented to pedestrians, which limits the conflicts between vehicles and pedestrians
- Current Uses:** Automobile dealerships
- Surrounding Land Uses:** North – CC: Commercial businesses
 South – CC: Automobile dealership and IT: Commercial businesses
 East – CC: Automobile dealership and I: Warehouse and office
 West – CC: Commercial businesses

Character Area and Future Development Map:

The property is located within the Motor Mile Corridor character area of the Comprehensive Plan. The vision of the Established Residential character area is that it will: *“continue to be a major regional shopping destination for auto sales and service. Though local commercial areas will be primarily auto-oriented in their marketing, future land uses will reflect a mixed-use urban environment that is pedestrian and bicycle friendly, and visually appealing to visitors.”* Land uses recommended for this area include: *“commercial retail, office; and mixed-use.”* Recommended uses include: *“Retail, restaurants, and services.”*

Site Description:

The existing overall site is 10.72 acres, comprised of three lots, containing six separate buildings, and a four-level parking garage. The property is an automobile dealership campus consisting of four different dealership buildings. Lot 2 has a total of two buildings, consisting of the Jim Ellis Mazda dealership and the Saab auto parts department building. There are 258 surface parking spaces on lot 2. Four curb cuts access the property (the three lots) along Peachtree Blvd. A 10 ft-wide landscape strip and 10 ft-wide sidewalk is on the south side of the property in front of lot 3. Pedestrian lights and street trees are located adjacent to the sidewalk in the supplemental zone of lot 3. There are existing backflow enclosures and water vaults along the street frontage of Peachtree Blvd in the GDOT right-of-way. The site slopes up from Peachtree Blvd. An approximate 15 ft to 17 ft high retaining wall runs the length of the rear property line on lot 2. A total of four non-conforming pole signs are located on the property, with two on lot 2 and two on lot 1. A monument sign is located on lot 3 in the supplemental zone.

History of the Property:

The first buildings on the site were constructed in 1970 and served as an automobile dealership. Jim Ellis has operated at the site for approximately 50 years. The Jim Ellis Audi Dealership and

parking garage at 5805 Peachtree Blvd were approved in variance case 2013V-003 in March 2013 and constructed on lot 3. In August 2013, Council approved a Modification of a previous LEED Certification waiver for the Jim Ellis Audi Dealership to allow for the building to be LEED Certified and not LEED Silver as originally approved, with all other conditions subject to the March approval remaining unchanged. In September 2013, a building permit was issued for interior renovations and the replacement of exterior wall panels for the Jim Ellis Maserati, located at 5855 Peachtree Blvd, building A.

Description of the Proposed Project:

A summary of the project scope is as follows:

- Demolish the existing Jim Ellis Mazda dealership building and the Jim Ellis Saab auto parts department building on lot 2;
- Divide the overall property into three (3) separate lots to create an approximate 2.7-acre site on lot 2;
- Construct an approximate 110,000 square foot, 4-story automotive showroom and office building with a 184,000 square foot elevated parking structure on lot 2;
- Achieve LEED certification for the showroom and office building and ParksMart certification for the parking garage;
- Provide a total of 510 parking spaces that includes 42 surface parking spaces;
- Provide two display vehicle parking spaces along Peachtree Blvd;
- Close one of the existing curb cuts on Peachtree Blvd in front of lot 2;
- Install minor parking lot landscaping improvements on lots 1 and 3 adjacent to lot 2, resulting in a slight decrease of impervious surface area; and
- Install a 10 ft-wide landscape strip and 10 ft-wide sidewalk along the frontage of lots 1 and 2 with street trees and pedestrian lights proposed adjacent to the sidewalk within the supplemental zone.

Applicable UDO Standards:

	Required	Proposed
Impervious surface area	80% (max)	95.5%
Open space	20% (min)	4.5%
Building height	60 ft (max)	62 ft
Stair and elevator towers of the parking garage	69 ft (max)	72.5 ft
Retaining wall height	8 ft (max)	17 ft
Compact parking	10% of the total number (min)	0
Driveway width	369 ft (min)	204.8 ft

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.**

Design would be in general harmony with the character of the surrounding area. The immediate area primarily consists of automotive and industrial uses. The applicant proposes demolishing an existing automobile dealership and service department on lot 2 of the site to construct a new dealership and parking garage. The mass, placement, height, and exterior architectural treatment of the building is consistent with the surrounding automotive dealerships within the Motor Mile Corridor along Peachtree Blvd. The building's exterior façade will be primarily glass with composite metal panels and green screens as architectural accents. The parking garage is attached to and located behind the building will be pre-cast concrete similar to other parking garages in the surrounding area.

- 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 components of the dealership and parking garage are physically and aesthetically related to each other. Green screens are proposed on the architectural inset of the front façade of the building and the exterior facades of the parking garage. The primarily glass façade with metal panels on the building is similar to recently renovated and constructed automobile dealerships along Peachtree Blvd.

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

There are no scenic views on the site that require protection. The entire parcel has been developed since the 1970s as an automobile dealership with office space and vehicle parking. The proposed streetscape to be installed along Peachtree Blvd in front of lot 1 and 2 will match the existing streetscape in front of lot 3 that was completed in 2015 and provide safe pedestrian access along Peachtree Blvd.

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

The proposed design of the building and parking garage will not negatively impact properties in terms of potential visual and functional impacts. Adjacent properties to the north, south, and west are automobile dealerships. The adjoining lots 1 and 3 on the parcel are also Jim Ellis automobile dealerships. The parking garage will have green screens on portions of all exterior

facades and there is an existing 17 ft retaining wall behind lot 2 to the adjoining property to the east. The applicant is proposing to meet the outdoor lighting regulations to minimize and negative visual impact and is closing an existing curb cut while maintaining inter-parcel access between the three lots to protect functionality.

- 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.**

Although the site is within the Motor Mile Corridor, there is no notable historical character in the immediate area.

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

The proposed parking garage is secondary to the building, but not in conformity with the supplemental design regulations of the UDO. The proposed location of the street trees and pedestrian lights are also not in conformity with the UDO. Although the applicant is proposing to install the trees and lights, they will be located in the supplemental zone to match the existing streetscape in front of lot 3 that was previously installed.

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

The proposed development is suitable in view of the use and development of adjacent and nearby property. The site is located within the Motor Mile Corridor and currently serves as an automobile dealership. The nearby properties to the north, south, and west are all automotive uses. The applicant is proposing to install the 10 ft sidewalk along the property frontage of lots 1 and 2 which will help to provide a more continuous sidewalk connection into the City along Peachtree Blvd.

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

The proposed development will not have an adverse effect on nearby property. The site is within the Motor Mile Corridor and improvements include the installation of the sidewalk.

- 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 is unlikely to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. The site is currently an automobile dealership and once constructed will continue to serve as such a use. The parking garage will allow for additional vehicle storage and on-site parking for employees and patrons. The proposed redevelopment does not trigger a traffic impact study.

The project would include all the stormwater management improvements necessary to meet the regulations in the UDO. The applicant will have to obtain approval from DeKalb County Watershed as to whether sufficient sewer capacity is available for the development. The applicant will also need approval from the FAA for building height and site design. The proposed development is a commercial business and therefore will have no impact on the DeKalb County School District.

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

The proposed development is in conformance with the Corridor Commercial zoning district, except for the features for which variances or waivers have been requested.

The district is intended primarily for commercial and mixed-use development and related accessory uses at a medium density. This district provides a location for residences, retail, goods and services and offices to satisfy the common and frequent needs of the city's businesses and residents. Design standards and design parameters encourage a pedestrian-friendly traditional urban form, oriented to pedestrians, which limits the conflicts between vehicles and pedestrians. The project proposes a 110,000 sq ft building, 184,000 sq ft parking garage, and a total of 510 parking spaces on the site, including 42 surface parking spaces. Streetscape improvements are proposed along Peachtree Blvd in front of lots 1 and 2 that will tie into existing abutting streetscape.

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

The development is in conformance with the vision for the area articulated in the Comprehensive Plan. The vision of the Motor Mile Corridor character area is as follows: it will continue to be a major regional shopping destination for auto sales and service, and though local commercial areas will be primarily auto-oriented in their marketing, future land uses will reflect a mixed-use urban environment that is pedestrian and bicycle friendly, and visually appealing to visitors (p. 154). The development will continue the automotive use of the site while constructing an architecturally modern building with a structured parking garage and the installation of a modified streetscape along the frontage of lots 1 and 2.

Variances and Waivers:

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

1. Variance from Sec. 230-1 to increase the 80% maximum impervious surface to the following per each lot: 97.2% existing to 96.5% proposed on lot 1, 99.7% existing to 95.5% proposed on lot 2, and 85.5% existing to 84.6% proposed on lot 3.
2. Variance from Sec. 230-1 to reduce the minimum required 20% open space to the following per each lot: .03% existing to 4.5% proposed on lot 2.

3. Variance from Sec. 230-1 to exceed the maximum building height of 60 ft to 62 ft for the building and 72.5 ft for the stair and elevator towers on the parking garage.
4. Variance from Sec. 230-6(e)(4)(a) to exceed the maximum retaining wall height in a rear yard from 8 ft to 17 ft.
5. Variance from Sec. 230-26(e) to not meet the landscape zone regulations.
6. Variance from Sec. 230-26(g) to not meet the supplemental zone regulations.
7. Variance from Sec. 230-27(a)(8) to allow service entrances, utility closets and other similar features to be oriented towards a public street.
8. Variance from 230-27(c)(1) to not meet the building massing regulations.
9. Variance from Sec. 230-29(b)(3) to allow -motor vehicle-related uses on a storefront street.
10. Variance from Sec. 240-13(b)(25)(c) to allow service and storage areas in an automobile dealership to front or maintain a dominant position on the site as viewed from the public rights-of-way.
11. Variance from Sec. 240-13(b)(25)(d) to not screen all storage/service areas from all public rights-of-way with a vegetative screen.
12. Variance from Sec. 240-13(b)(40) (c), (d), (e), (g), (h), and (i) to not meet the regulations of a parking garage including the following: screen the external openings with decorative elements, conceal automobiles from visibility in the right-of-way, appearance of a horizontal-storied building, 40% shade cover on the roof level, constructed with a level base and with flat floor plates on every above ground level, minimum floor-to-ceiling height of 15 ft.
13. Variance from Sec. 250-7(a)(1) to allow parking between the building and the street.
14. Variance from Sec. 250-7(a)(8) not provide inter-parcel access.
15. Variance from Sec. 250-8(a)(1) to not provide compact parking spaces.

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 does not have extraordinary or exceptional conditions pertaining to its size or shape. Although the overall parcel is 10.72-acres, the applicant is proposing to subdivide the parcel into 3 lots. Other nearby dealerships are of a similar size and shape. The site does have significant topographical changes in the rear of lot 2 to the adjoining property to the east with an approximate 14 ft slope downward, and an exceptionally tall retaining wall in the rear.

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 for the following:

- *Prohibiting an increase in the maximum impervious surface area from 80% to 95.5% on lot 2. The existing impervious surface area of lot 2 is 99.7%. The applicant is proposing to install green space and plant trees to reduce the overall impervious surface area. The site would need to be redesigned and reconfigured to reduce the impervious area significantly. The applicant is also proposing to install additional green space on lots 1 and 3, reducing the existing impervious area of the lots, but not increasing the existing nonconformity either.*
- *Requiring 20% open space. The applicant is proposing to install a variation of the streetscape on Peachtree Blvd along lots 1 and 2 property frontage. The existing open space percentage is .03% on lot 2. With the site improvements, the proposed open space percentage will be 4.5%. Additional site improvements on lots 1 and 3 will also increase the amount of open space provided and will not increase the nonconformity of these lots.*
- *Prohibiting the maximum building height from exceeding 60 ft for the building and 69 ft for the stair and elevator towers of the parking garage. The building height will exceed the required height by an additional 2 ft while the stair and elevator towers will exceed the permitted height by 3.5 ft. The building and parking garage would need to be redesigned to meet the height requirements and will also need FAA approval during the permitting process.*
- *Prohibiting a retaining wall from exceeding the maximum allowed height of 8 ft in a rear yard. A 17 ft existing retaining wall is in the rear of the lot on the east property line. Significant topography of approximately 14 ft sloping down to the adjoining property requires a retaining wall of such height.*
- *Requiring inter-parcel connectivity to the adjoining property to the east. A 17 ft retaining wall and significant topography of a 14 ft grade change prohibit inter-parcel connectivity with the adjoining property. However, lot 2 does share an internal driveway with lots 1 and 3 on the parcel.*

There is no hardship related to the requests to not install the landscape and supplemental zones as required, allow service entrances, utility closets and other similar features to be oriented towards a public street, not meet building massing requirements, allow motor vehicle-related uses on a storefront street, not meet the regulations for an automobile dealership or parking garage, allow parking between the building and the street, and to not provide compact parking.

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

The topographical constraints on the property are peculiar in comparison to other nearby automobile dealerships along Peachtree Blvd.

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

The topographical conditions are not the result of the property owner or applicant.

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 following requirements would be detrimental to the public good or impair the intent of the PUD Pattern book and UDO:

- *Not meeting the requirements of the landscape and supplemental zones would impair the intent of the zoning ordinance. The applicant is proposing to install the required 10 ft landscape zone, but not the required street trees or pedestrian lights. The applicant proposes installing the trees and lights on the east side of the sidewalk in the GDOT right-of-way on lots 1 and 2 to match the existing streetscape that was previously installed on lot 3. The applicant is proposing to install a 10 ft strip of land for a portion of the lot 2 frontage, but there is no supplemental zone on private property that the building will be built adjacent to. A drive aisle with inter-parcel connectivity to the adjoining lots and 10 parking are provided where the supplemental zone should be located. The site could be reconfigured, and a supplemental zone provided on private property to meet the regulations. The applicant could also install the required trees and lights in the landscape zone to meet the regulations.*
- *Allowing service entrances and other similar features to be oriented towards a public street in an automobile dealership and not screening such features would impair the intent of the zoning ordinance. The applicant proposes a service reception check-in area on the front facade of the building. The building could be redesigned to accommodate the service entrance on the side of the building's façade to meet the regulation.*
- *Not meeting the building massing requirements would impair the intent of the zoning ordinance. The front building façade is nearly 200 linear feet. Although there are architectural details that break up the design, the roofline is a continuous straight line. A parapet with decorative elements could be installed to break up the building's mass and meet the regulations.*
- *Not constructing the parking garage to meet the regulations would impair the intent of the zoning ordinance. The applicant proposes green screens on portions of the structure's facades and a 15 ft floor-to-ceiling height on the first floor only. The parking garage will be constructed with masonry/cmu veneer integrated with pre-cast panels. The only hardship for not constructing the parking garage to screen the external openings with decorative elements, conceal automobiles from visibility in the right-of-way, provide an appearance of a horizontal-storied building, 40% shade cover on the roof level, construct with a level base and with flat floor plates on every above ground level, and a minimum floor-to-ceiling height of 15 ft is financial.*
- *Providing parking between the building and the street will impair the intent of the zoning ordinance. The applicant proposes 10 customer parking spaces between the drive aisle*

and 10 ft landscape strip. Lot 2 will provide a total of 510 parking spaces in both the parking garage and the surface parking lot. With an abundance of parking available, there is no need for 10 of the 42 surface parking spaces to be located between the building and the street.

- *Not providing compact parking spaces will impair the intent of the zoning ordinance. The applicant does not propose to install any compact parking spaces in either the surface parking lot or parking garage. A total of 510 parking spaces are proposed on lot 2 and would require 10% to be compact. The ample number of parking spaces proposed allows for compact parking to be provided and the regulation met.*

Relief from the remaining requirements would not be detrimental to the public good nor impair the purposes of the UDO. They would allow for a site design that meets the intent of the UDO, and enhances the pedestrian experience, while continuing to provide employment opportunities and commercial sales of automobiles.

Applicant's Concurrent Waiver Requests:

Per Sec. 300-8, only in situations where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of Title 3 of the UDO would cause an unnecessary hardship that is not caused by the owner, the Mayor and City Council may, authorize a waiver from the terms of Title 3 only to the extent that is absolutely necessary and not to an extent which would violate the intent of Title 3.

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

1. Waiver from Sec. 320-21(a)(3) to not provide a 10 ft strip of land reserved as open space separating vehicles from sidewalks, driveways, supplemental zones, and streets in public rights-of-way.
There are no topographical conditions that would prohibit the applicant from installing the 10 ft strip of land separating vehicles from the driveway. The proposed drive aisle does provide inter-parcel access, but the site could be reconfigured to accommodate the strip of land and provide additional open space.
2. Waiver from Sec. 320-21(a)(5) to not provide a 5 ft wide landscape strip where such parking lot abuts side or rear property lines.
The applicant proposes dividing the overall parcel into 3 lots. While the majority of site improvements are proposed on lot 2, minor parking lot landscape improvements will also be installed on lots 1 and 3. The surface parking lot could be reduced to accommodate the required 5 ft landscape strip while maintaining a significant number of parking spaces.

3. Waiver from Sec. 320-39 (a) to not meet tree density requirements.
Although the overall parcel does not have any trees currently and lot 2 will provide 45 inches DBH, an additional 225.5 inches DBH are required to be installed on the site. The applicant proposes paying into the tree bank to not meet the 100 inches DBH required per acre. Parking lot landscaping could also be installed to allow additional trees planted on private property and reduce the tree bank recompense. Lots 1 and 3 will have a total of 11 trees planted.

4. Waiver from Sec. 350-2(a)(1)(e) to allow a drive aisle between the building and the street.
Although the drive aisle will allow for inter-parcel access among the 3 lots, there is not topographical hardship to require the drive aisle between the building and street. The lots function as automobile dealerships and have existing access through the surface parking lots.

5. Waiver from Sec. 350-2(a)(2)(a) to reduce the required driveway spacing on a 45-mph street from 369 ft to 204.8 ft.
The applicant is proposing to close one of the existing curb cuts along the street frontage of lot 2 on Peachtree Blvd. Although the applicant requested a variance to reduce the required driveway spacing for the remaining three curb cuts, this will provide a safer distance than what previously existed while also providing adequate access to each lot.

Design Review Board Comments and Recommendations:

The Design Review Board met and reviewed the project on March 31, 2021 and they had the following comments and recommendations:

DRB recommended approval of the following Variances:

1. Variance from Sec. 230-1 to increase the 80% maximum impervious surface to the following per each lot: 97.2% existing to 96.5% proposed on lot 1, 99.7% existing to 95.5% proposed on lot 2, and 85.5% existing to 84.6% proposed on lot 3.
2. Variance from Sec. 230-1 to reduce the minimum required 20% open space to the following per each lot: .03% existing to 4.5% proposed on lot 2.
3. Variance from Sec. 230-1 to exceed the maximum building height of 60 ft to 62 ft for the building and 72.5 ft for the stair and elevator towers on the parking garage.
4. Variance from Sec. 230-6(e)(4)(a) to exceed the maximum retaining wall height in a rear yard from 8 ft to 17 ft.
5. Variance from Sec. 230-26(e) to not meet the landscape zone regulations.
6. Variance from Sec. 230-26(g) to not meet the supplemental zone regulations.
7. Variance from Sec. 230-27(a)(8) to allow service entrances, utility closets and other similar features to be oriented towards a public street.
8. Variance from 230-27(c)(1) to not meet the building massing regulations.

9. Variance from Sec. 230-29(b)(3) to allow motor vehicle-related uses on a storefront street.
10. Variance from Sec. 240-13(b)(25)(c) to allow service and storage areas in an automobile dealership to front or maintain a dominant position on the site as viewed from the public rights-of-way.
11. Variance from Sec. 240-13(b)(25)(d) to not screen all storage/service areas from all public rights-of-way with a vegetative screen.
12. Variance from Sec. 240-13(b)(40) (c), (d), (e), (g), (h), and (i) to not meet the regulations of a parking garage including the following: screen the external openings with decorative elements, conceal automobiles from visibility in the right-of-way, appearance of a horizontal-storied building, 40% shade cover on the roof level, constructed with a level base and with flat floor plates on every above ground level, minimum floor-to-ceiling height of 15 ft.
13. Variance from Sec. 250-7(a)(1) to allow parking between the building and the street.
14. Variance from Sec. 250-7(a)(8) not provide inter-parcel access.
15. Variance from Sec. 250-8(a)(1) to not provide compact parking spaces.

DRB recommended approval of the following Waivers:

1. Waiver from Sec. 320-21(a)(3) to not provide a 10 ft strip of land reserved as open space separating vehicles from sidewalks, driveways, supplemental zones, and streets in public rights-of-way.
2. Waiver from Sec. 320-21(a)(5) to not provide a 5 ft wide landscape strip where such parking lot abuts side or rear property lines.
3. Waiver from Sec. 320-39 (a) to not meet tree density requirements.
4. Waiver from Sec. 350-2(a)(1)(e) to allow a drive aisle between the building and the street.
5. Waiver from Sec. 350-2(a)(2)(a) to reduce the required driveway spacing on a 45-mph street from 369 ft to 204.8 ft.

DRB recommended the following conditions of approval:

1. The applicant shall meet the maximum building height for the office building portion in the front facing Peachtree Blvd.

Staff Recommendation:

Based on the analysis of this application, using the standards and criteria found in Chapter 280 of the UDO, Staff recommends **APPROVAL** of the Development of Community Impact (DCI) application, in case PZ2021-748.

Staff recommends the following exhibits and conditions (DRB conditions underlined and bold):

1. The development shall be constructed in substantial conformity with Exhibit A: Updated DCI Plan Book dated received March 17, 2021, and with Exhibit B: Site Plan with Pavers in

Front, dated received March 18, 2021, with revisions required by conditions of approval as reviewed and approved by the Planning & Development Director.

2. The applicant shall meet the maximum building height for the office building portion in the front facing Peachtree Blvd.

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

1. Variance from Sec. 230-1 to increase the 80% maximum impervious surface to the following per each lot: 97.2% existing to 96.5% proposed on lot 1, 99.7% existing to 95.5% proposed on lot 2, and 85.5% existing to 84.6% proposed on lot 3.
2. Variance from Sec. 230-1 to reduce the minimum required 20% open space to the following per each lot: .03% existing to 4.5% proposed on lot 2.
3. a. Variance from Sec. 230-1 to exceed the maximum building height from 69 ft to 72.5 ft for the stair and elevator towers on the parking garage.
4. Variance from Sec. 230-6(e)(4)(a) to exceed the maximum retaining wall height in a rear yard from 8 ft to 17 ft.
9. Variance from Sec. 230-29(b)(3) to allow motor vehicle-related uses on a storefront street.
12. Variance from Sec. 240-13(b)(40) (c), (d), (e), (g), (h), and (i) to not meet the regulations of a parking garage including the following: screen the external openings with decorative elements, conceal automobiles from visibility in the right-of-way, appearance of a horizontal-storied building, 40% shade cover on the roof level, constructed with a level base and with flat floor plates on every above ground level, minimum floor-to-ceiling height of 15 ft.
14. Variance from Sec. 250-7(a)(8) not provide inter-parcel access.
15. Variance from Sec. 250-8(a)(1) to not provide compact parking spaces.
1. Waiver from Sec. 320-21(a)(3) to not provide a 10 ft strip of land reserved as open space separating vehicles from sidewalks, driveways, supplemental zones, and streets in public rights-of-way.
2. Waiver from Sec. 320-21(a)(5) to not provide a 5 ft wide landscape strip where such parking lot abuts side or rear property lines.
3. Waiver from Sec. 320-39 (a) to not meet tree density requirements.
5. Waiver from Sec. 350-2(a)(2)(a) to reduce the required driveway spacing on a 45-mph street from 369 ft to 204.8 ft.

Using the standards and criteria found in Chapter 280 and 300 of the UDO, Staff recommends **DENIAL** of the following variance and waiver requests:

3. b. Variance from Sec. 230-1 to exceed the maximum building height of 60 ft to 62 ft for the building and 72.5 ft for the stair and elevator towers on the parking garage.

5. Variance from Sec. 230-26(e) to not meet the landscape zone regulations.
6. Variance from Sec. 230-26(g) to not meet the supplemental zone regulations.
7. Variance from Sec. 230-27(a)(8) to allow service entrances, utility closets and other similar features to be oriented towards a public street.
8. Variance from 230-27(c)(1) to not meet the building massing regulations.
10. Variance from Sec. 240-13(b)(25)(c) to allow service and storage areas in an automobile dealership to front or maintain a dominant position on the site as viewed from the public rights-of-way.
11. Variance from Sec. 240-13(b)(25)(d) to not screen all storage/service areas from all public rights-of-way with a vegetative screen.
13. Variance from Sec. 250-7(a)(1) to allow parking between the building and the street.
4. Waiver from Sec. 350-2(a)(1)(e) to allow a drive aisle between the building and the street.

Attachments:

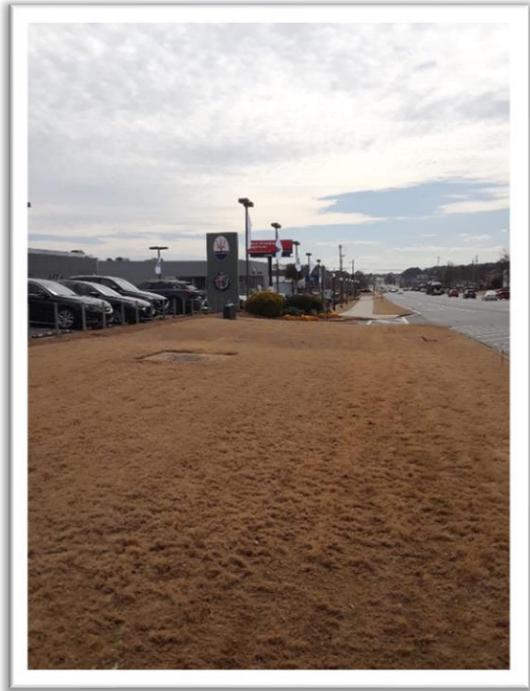
Attachment 1 – Exhibit A: DCI Plan Book, dated received March 15, 2021

Attachment 2 – Exhibit B: Site Plan with Pavers in Front, dated received March 18, 2021

Attachment 3 – Application

Attachment 4 – Maps

Site Visit:



Peachtree Blvd facing west



Streetscape and curb cut in front of lot 3



Curb cut on lot 2



Existing GDOT right-of-way



Lot 1



Lot 1



Streetscape in front of lot 3



Jim Ellis Saab Parts Department building



Jim Ellis Mazda dealership on lot 2

