



## PLANNING & DEVELOPMENT DEPARTMENT

Public Hearing Date: October 10, 2019

Item #: PZ2019-508

---

### STAFF MEMO – 5466 NEW PEACHTREE ROAD – DCI

---

**Requests:** Development of Community Compact (DCI); 24 concurrent variances, and 8 concurrent waivers

**Project Name:** 5466 New Peachtree Road

**Applicant:** Julie Sellers, Dillard Sellers LLC

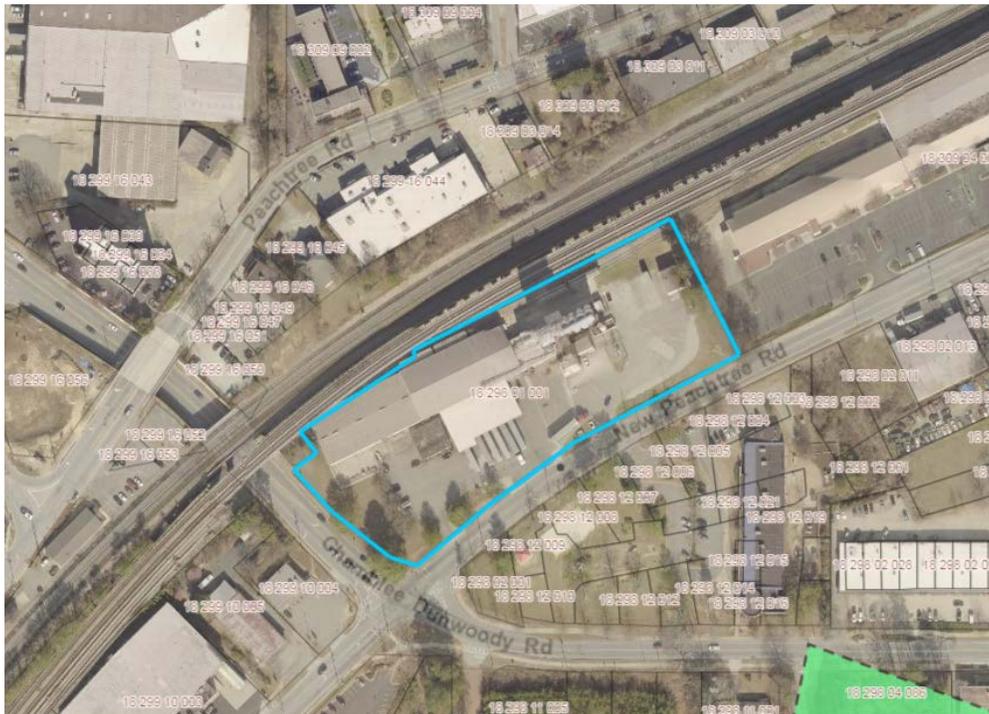
**Owner:** SIG 5466, LLC

**Proposed Development:** Mixed-use redevelopment

**Site Address:** 5466 New Peachtree Road

**Parcel Number:** 18 298 01 001

**Recommendation:** **APPROVAL** of DCI, 17 variances, and eight waivers; **DENIAL** of seven variances



**Current Zoning:** Village Commercial (VC) - 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:** Vacant Manna Pro animal feed mill

**Surrounding Land Uses:** North – VC: Elevated MARTA line and the Norfolk Southern line  
South, East, and West – VC: Commercial Businesses

**Future Development Map:**

The property is located within the International Village character area of the Future Development Map in the Comprehensive Plan. The vision of the character area is: *“to fortify and sustain the area as a living and working community for all people” and “to strengthen the local economy by enhancing the appeal of the area to nonresidents who desire to experience an authentic international community.”*

**Site Description:**

The 3.28-acre site is a single parcel on the northeast corner of the intersection of New Peachtree Road and Chamblee Dunwoody Road. The site includes a vacant animal feed mill with a 118'  $\frac{3}{4}$ "-tall tower with silos. The elevated MARTA rail line and Norfolk Southern line run directly behind the property to the north, with a small part of the existing structure below the MARTA tracks. The site slopes upward away from both street frontages, with a significant slope along Chamblee Dunwoody Road. There are three curb cuts along New Peachtree Road. A small portion of sidewalk exits at the corner of New Peachtree Road from the existing curb cut and continues around the corner along Chamblee Dunwoody Road. There is a large unmarked parking lot with dock doors at the front of the building along New Peachtree Road.

**History of the Property:**

The Site was the home of the Manna Pro Products feed and grain mill and is comprised of multiple structures, the oldest of which dates back to around 1915. Further improvements to the facility occurred when it was purchased and converted into the original John W. Eshelman & Sons Red Rose Farm Feeds facility with the additions of the approximately 118' tall grain tower and 80' tall silos. The facility was subsequently expanded multiple times throughout the 1980s while it operated as Carnation Co. (Milling Division) Feed Manufacturing. Those

expansions included the additions of the detached office building, loading dock/warehouse, and western warehouse. Until earlier this year, the most recent owner, Manna Pro Products, had continued operating the facility as a feed and grain mill since the late 1980s.

**Proposed Project:**

- Renovate the existing structures to provide a food hall (19,745 SF), office (7,425 SF), entertainment (21,982 SF), and restaurant space (5,525 SF total, including a new 3,150 SF building).
- Construct a rooftop patio.
- Construct a new staircase and elevators for rooftop accessibility.
- Expand parking lot, stripe 193 parking spaces, and install landscape strips.
- Close the curb cut nearest to Chamblee Dunwoody Road along New Peachtree Road and close the existing eastern curb cut on New Peachtree Road to create a new driveway farther east on the road.
- Reduce the width of the existing middle driveway on New Peachtree Road.
- Install an eight-foot-wide sidewalk along New Peachtree Road with a grass strip between the sidewalk and street and street trees and lights behind the sidewalk.

Applicable requirements of the UDO

	Required	Proposed
Wall Sign Area – Mixed-Use Building	200 SF maximum	300 SF maximum
Wall Sign Area – Multi-Tenant Building	200 SF maximum	4,050 SF maximum
Wall sign quantity – Multi-Tenant Building	2 per façade over 200 linear feet	6 per façade over 200 linear feet
Fenestration (min.)	65%	50% - New Peachtree Rd (0% existing)  0% - Chamblee Dunwoody Rd (0% existing)
Landscape Zone width	5 feet	0 feet – Chamblee Dunwoody Rd  3.5 feet – Peachtree Rd, without required planting or pedestrian lights; landscape zone reduced

		to 0' near the northeast property line
Sidewalk Clear Zone width	10 feet	8 feet – New Peachtree Rd, with a 4'-wide portion near the northeast property line  0 feet – Chamblee Dunwoody Rd
Supplemental Zone width	8 feet	6 feet – New Peachtree Rd  0 feet – Chamblee Dunwoody Rd
Retaining Wall Height (max.)	2 feet	3.5 feet
Open Space – Hardscaped (max.)	25%	45%
Impervious surface coverage (max.)	80%	85% (77% Existing)
Parking Spaces	507	193
Compact Parking Spaces	51	16
Loading Spaces	2	1
Building height	60 feet	130 feet (120 feet existing)

**DCI Review and Approval Criteria:**

The following review and approval criteria, described in Sec. 280-23 apply to 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 mass, placement, and height of the building is proposed to remain largely unchanged. The project will primarily be a renovation of the existing structure, with a height increase of 10 feet to the existing 118-foot-tall towers to provide a rooftop patio overlooking the City. A new 3,150-square-foot restaurant space is proposed and will match the existing one-story structure. The proposed*

*adaptive reuse of the building that will offer entertainment, restaurant, and office space compliments the land use changes taking place 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 design components of painted corrugated metal and masonry are consistent throughout the project. Proposed murals on the existing towers compliment other nearby art, such as the murals along Chamblee Dunwoody Road. Additional fenestration to the existing processing mill makes the building physically and aesthetically related to the surrounding area as industrial spaces become renovated for commercial and residential use.*

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

*While there are no natural scenic views on the site, the proposed rooftop patio overlooking the City would offer patrons a scenic view of Chamblee.*

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

*There are no negative visual or functional impacts proposed by the scope of work. The proposed project would improve the appearance of the currently vacant industrial building. The peak hours of operation for the restaurant and entertainment space will vary from those of standard office business hours and therefore should alleviate any negative functional impact on the surrounding 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 within these areas.**

*The site is comprised of industrial buildings, one of which dates to 1915. The renovation to the existing structures preserves the industrial design of the site, while updating the use.*

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

*All exterior forms of the proposed project will be in conformity with and secondary to the building. The building's architecture is consistent on all facades, including the new restaurant space proposed.*

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

*The development is suitable in view of the use and development of adjacent and nearby properties. New residential and renovated office and restaurants are currently being developed*

*in the surrounding area. The nearby residential developments and the Rail Trail extension along Chamblee Dunwoody Road will encourage use of the site and offer opportunities for new businesses to relocate to the area.*

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

*The development does not adversely affect the existing use of adjacent or nearby properties. The new restaurant and entertainment space along the Rail Trail would provide a new destination for nearby residents and workers. As the project is adjacent to the MARTA tracks, with a portion of the existing building below the tracks, staff has recommended conditions of approval based on MARTA's comments on the project to help mitigate any potential impacts.*

**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 does not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. There is no residential space proposed on the site that would impact schools. The location beside the Rail Trail and approximately half mile to MARTA may alleviate traffic concerns and give support to the proposed reduction in required parking spaces. The proposed redevelopment, which does not trigger a traffic study, was reviewed by the City Engineer. DeKalb Watershed approval will be required for development and building permits to be issued.*

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

*The proposed development is in conformance with the applicable zoning district, Village Commercial, except where variances are requested. The purpose and intent of the district is 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. MARTA access nearby and the Rail Trail that will run beside the site along Chamblee Dunwoody Road will encourage pedestrian use and may limit the conflict between vehicles and pedestrians.*

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

*The City's Comprehensive Plan calls for the vision of the International Village to fortify and sustain the area as a living and working community for all, while strengthening the economy by enhancing appeal of the area to non-residents seeking to experience an international community (p. 79). The development is a mixed-use renovation to an existing, vacant industrial facility. The tenant space for lease would offer restaurant, office, and entertainment space that caters to residents and non-residents.*

*The Rail Trail Phase 3 extension proposes reducing the vehicular lanes on Chamblee Dunwoody Road from four lanes to three lanes with a pedestrian and cyclist buffer created on the east side of the street (p. 58). This would allow and encourage pedestrians to access the site easily and safely on foot or bicycle.*

**Applicant's Concurrent Variance Requests:**

The applicant has requested the following variances:

1. Variance from Sec. 260-5(a)(6) to allow a roof sign;
2. Variance from Sec. 260-9(a)(4)(a) to allow the maximum wall sign area to increase from 200 sf to a maximum of 300 sf per tenant;
3. Variance from Sec. 260-9(a)(4)(b) to allow tenant facades less than 100 feet in length to exceed the maximum of one sign per façade;
4. Variance from Sec. 260-9(a)(5)(a) to allow the maximum sign area to exceed 200 sf per multi-tenant building to a maximum of 4,050 sf;
5. Variance from Sec.260-9(a)(5)(b) to allow facades less than 200 feet in length to exceed the maximum of one sign per façade;
6. Variance from Sec.260-9(a)(5)(c) to increase the allowable number of signs per facade over 200 feet from two to six on the front façade;
7. Variance from Sec. 230-27(a)(1) to allow exterior building materials to include metal;
8. Variance from Sec. 230-27(a)(6) to reduce the required fenestration from 65% to 50% along New Peachtree Road and 0% along Chamblee Dunwoody Road (0% existing fenestration on each frontage);
9. Variance from Sec. 230-27(a)(7) to allow for each street-facing façade to not be treated architecturally as a primary façade;
10. Variance from Sec. 230-26(e) to reduce the landscape zone requirement from 5 feet to 0 feet along both street frontages;
11. Variance from Sec. 230-26(f) to reduce the required sidewalk clear zone from ten feet to four feet along New Peachtree Road and to zero feet along Chamblee Dunwoody Road;
12. Variance from Sec. 230-26(g) to eliminate the supplemental zone requirement on both street frontages;
13. Variance from Sec. 230-6(d)(1); to exceed the maximum two-foot retaining wall height adjacent to a sidewalk to a maximum of 3.5 feet;
14. Variance from Sec. 230-30(a)(2) to increase the allowable open space hardscape or paved materials from 25% to 45%;
15. Variance from Sec. 230-1(a) to increase the maximum impervious surface area from 80% to 85%;

16. Variance from Sec. 250-7(a)(1) to allow off street surface parking to be located between the building and street along both street frontages;
17. Variance from Sec. 250-7(a)(12)(b) to eliminate the required five-foot pathway from parking aisles to the building entrance;
18. Variance from Sec. 250-4(c) to allow bicycle parking to not be located in the supplemental zone;
19. Variance from Sec. 250-2 to reduce the minimum number of required parking spaces from 507 to 193;
20. Variance from Sec. 250-8(a)(1) to reduce the minimum number of required compact parking spaces from 51 to 16;
21. Variance from Sec. 250-20(a)(6) to reduce the number of required loading spaces from 2 to 1;
22. Variance from Sec. 230-27(g) to allow accessory mechanical systems to be located between the building and the street;
23. Variance from Sec. 250-7(a)(8) to eliminate inter-parcel connectivity requirements to the parcel to the northeast;
24. Variance from Sec. 230-1(a) to increase the maximum building height from the maximum 60 feet to 130 feet;

Per the review and approval criteria found in Sec. 280-31(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 size of the existing structure, its location on the property, and the significant slope along Chamblee Dunwoody Road are extraordinary for this particular property.*

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

*The application of this zoning ordinance would create an unnecessary hardship for the following:*

- *The sheer number of required parking spaces (507) relative to the lot size; and*
- *The existence of underground utilities where the landscape strip is required to be, along with the slope of the property away from both street frontages, which would create an unnecessary hardship in terms of relocating the utility line or planting the landscape strip as required; and*

*The application of the zoning ordinance related to the remaining variance requests would not create an unnecessary hardship.*

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

*The proximity to the elevated MARTA line and the Norfolk Southern line that run directly behind the building are peculiar to the property. There is also a significant slope along the west side of the lot along Chamblee Dunwoody Road that is not common to nearby properties.*

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

*The topographical conditions of the site and the size and location of the building are not the result of the property owner.*

**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 UDO:*

- *Signage variance requests for individual tenant signs that are not shown in the DCI plans may be detrimental to the public good, as the size and location of the proposed signs have not been specified.*
- *The proposed reduction in sidewalk width from 10 feet to between 4 and 8 feet along New Peachtree Road would be detrimental to the public good by diminishing the area's walkability. The sidewalk could likely be constructed at a width of 10 feet with additional grading, tiering of retaining walls, or moving the curb along New Peachtree Road, which currently has wide lane widths of approximately 14 feet. Lane widths could be reduced to as little as 10 feet to provide additional room for a sidewalk meeting UDO requirements. The sidewalk could also be re-routed behind the tree near the northeastern property line to avoid narrowing to a width of 4 feet and a location directly abutting the curb.*
- *A variance to increase the maximum impervious surface area from 80% to 85% would impair the intent of the zoning ordinance. The property currently has 77% impervious surface, and any new hardscape over the 80% maximum could be constructed with pervious materials.*
- *A variance to eliminate inter-parcel connectivity requirements would impair the intent of the zoning ordinance which seeks to promote traffic safety by eliminating potential, future curb cuts. This requirement could be met by providing an easement for future connectivity.*
- *The proposed reduction in compact parking spaces would lead to an unnecessary increase in impervious surface on the site while providing the same number of spaces.*

*Relief if granted for the remaining requirements would not be detrimental to the public good nor impair the intent of the zoning ordinance. The length and size of the building allow for the additional signage as shown without negative visual impacts. The proposed architectural variances would allow the renovation of the structure in a way that maintains the historical*

*buildings and industrial feel of the area while providing an updated use. Allowing additional hardscaped open space would be in keeping with the urbanizing form of the area.*

*Eliminating and reducing certain parking requirements will promote the use of alternate forms of transportation. The Rail Trail phase 3 extension will run along the lot at Chamblee Dunwoody Road and will encourage pedestrians to visit the site. Nearby MARTA access also provides an opportunity for pedestrian traffic.*

*The location of the proposed transformer along Chamblee Dunwoody Road would not harm the public good, due to its location away from the public right-of-way. The above-ground water meter and backflow preventer is likely to be required to be between the building and New Peachtree Road, but may be able to be moved to a better location away from public view, as recommended by staff conditions.*

### **Applicant's Concurrent Waiver Requests**

1. Waiver from Sec. 350-2(a)(2)(a) to reduce the minimum driveway spacing requirement from 244 feet to 157 feet.

*The site was developed for industrial use with three driveways along New Peachtree Road. Closing the existing curb cuts and relocating the driveways farther east along New Peachtree Road with a reduction in spacing, addresses the slope along the street and provides fire department access.*

2. Waiver from Sec. 350-2(a)(1)(e) to allow the driveway and drive aisles between the sidewalk and building.

*The existing size and location of the building on the site make it impossible to comply with the UDO code requiring the driveways to be located to the side or rear of the building without leveling the site and rebuilding.*

3. Waiver from Sec. 350-2(a)(1)(h) to eliminate the pedestrian walkways connecting parking to the sidewalk and building entrances.

*In order to maximize the number of available parking spaces, eliminating the pedestrian walkways connecting the sidewalk and building entrances is necessary due to the size of the building and site. The configuration of the site and the relatively small size of the parking lot reduce the need for pedestrian walkways.*

4. Waiver from Sec. 350-2(a)(1)(c) to increase the maximum driveway width of 24 feet for a two-way entrance to 26 feet.

*The applicant has stated that the wider driveway is necessary for fire department access. The City Engineer has reviewed the proposed driveway width.*

5. Waiver from Sec. 320-21(a)(1) to eliminate the landscape island location requirements.  
*The project proposes a significant reduction in parking requirements. Eliminating the landscape island every ten parking spaces will maximize the number of available parking spaces on the existing site.*
6. Waiver from Sec. 320-21(a)(3) to eliminate the required 10-foot-wide landscape strip separating vehicles from sidewalks.  
*Due to the size of the site, eliminating the 10-foot-wide strip of land separating vehicles from the sidewalk, driveways, supplemental zones, and streets is necessary to provide as close to the number of required parking spaces as possible.*
7. Waiver from Sec. 320-21(a)(4) to eliminate the five-foot grass strip with curb for head-to-head parking.  
*The size of the site and configuration of the parking lot make it is necessary to eliminate the five-foot grass strip with curb where head-to-head parking is proposed.*
8. Waiver from Sec. 320-21(a)(5) to reduce the required perimeter parking area landscape strip from 5 feet to one 1 foot.  
*Due to the size of the site and location of the building on the property, reducing the perimeter parking area landscape strip is necessary at the rear and side property lines to maximize the number of parking spaces.*

**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 DCI application PZ2019-509 subject to the following conditions of approval:

1. The development shall be constructed in substantial conformity with the DCI Application and plans received September 11, 2019, with revisions required by conditions of approval as reviewed and approved by the Planning & Development Director.
2. The applicant shall move the sidewalk along New Peachtree Road behind the existing tree at the east end of the lot so that it is not located beside the street as currently proposed, unless deemed to be infeasible per the Planning and Development Director
3. The applicant shall pay a fee in lieu of the installation of the streetscape along Chamblee Dunwoody Road, not to exceed \$125,000, for the construction of the Rail Trail Phase 3.
4. The applicant shall provide to the city all temporary and permanent easements for the construction of and access to the Rail Trail along the property.
5. The mural signage shall be as depicted in the DCI application.
6. The applicant shall provide documentation that the backflow preventer and water meter may not be moved to a location further from the project entrance and public right-of-way prior to its installation, or shall move the equipment to a preferred location

as determined by the Planning and Development Director and allowed by DeKalb Watershed.

7. Prior to the issuance of a demolition permit or LDP, the applicant shall document that there will be no impact on MARTA right-of-way, shall provide to the City a record of approval by MARTA of vibration criteria in order to prevent damage to rail equipment and crane safety plans.

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. 260-5(a)(6) to allow a roof sign.
4. Variance from Sec. 260-9(a)(5)(a) to allow the maximum sign area to exceed 200 sf per multi-tenant building to a maximum of 4,050 sf.
6. Variance from Sec.260-9(a)(5)(c) to increase the allowable number of signs per facade over 200 feet from two to six on the front façade.
7. Variance from Sec. 230-27(a)(1) to allow exterior building materials to include metal.
8. Variance from Sec. 230-27(a)(6) to reduce the required fenestration from 65% to 50% along New Peachtree Road and 0% along Chamblee Dunwoody Road.
9. Variance from Sec. 230-27(a)(7) to allow for each street-facing façade to not be treated architecturally as a primary façade.
10. Variance from Sec. 230-26(e) to reduce the landscape zone requirement from five feet to 0 feet.
12. Variance from Sec. 230-26(g) to eliminate the supplemental zone requirement on both street frontages.
13. Variance from Sec. 230-6(d)(1); to exceed the maximum two-foot retaining wall height adjacent to a sidewalk to a maximum of 3.5 feet.
14. Variance from Sec. 230-30(a)(2) to increase the allowable open space hardscape or paved materials from 25% to 45%.
16. Variance from Sec. 250-7(a)(1) to allow off street surface parking to be located between the building and the street along both street frontages.
17. Variance from Sec. 250-7(a)(12)(b) to eliminate the required five-foot pathway from parking aisles to the building entrance.
18. Variance from Sec. 250-4(c) to allow bicycle parking to not be located in the supplemental zone.
19. Variance from Sec. 250-2 to reduce the minimum number of required parking spaces from 507 to 193.
21. Variance from Sec. 250-20(a)(6) to reduce the number of required loading spaces from two to one.

22. Variance from Sec. 230-27(g) to allow accessory mechanical systems to be located between the building and the street.
24. Variance from Sec. 230-1(a) to increase the maximum building height from the maximum 60 feet to 130 feet.
  1. Waiver from Sec. 350-2(a)(2)(a) to reduce the minimum driveway spacing requirement from 244 feet to 157 feet;
  2. Waiver from Sec. 350-2(a)(1)(e) to allow the driveway and drive aisles between the sidewalk and building;
  3. Waiver from Sec. 350-2(a)(1)(h) to eliminate the pedestrian walkways connecting parking to sidewalks and building entrances;
  4. Waiver from Sec. 350-2(a)(1)(c) to increase the maximum driveway width of 24 feet for a two-way entrance to 26 feet;
  5. Waiver from Sec. 320-21(a)(1) to eliminate the landscape island location requirements;
  6. Waiver from Sec. 320-21(a)(3) to reduce the width of the required 10-foot-wide landscape strip separating vehicles from sidewalks to approximately 5 feet and to reduce planting requirements;
  7. Waiver from Sec. 320-21(a)(4) to eliminate the five-foot grass strip with curb for head-to-head parking;
  8. Waiver from Sec. 320-21(a)(5) to reduce the required perimeter parking area landscape strip from five feet to as little as one foot.

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

2. Variance from Sec. 260-9(a)(4)(a) to allow the maximum wall sign area to increase from 200 sf to a maximum of 300 sf per tenant.
3. Variance from Sec. 260-9(a)(4)(b) to allow tenant facades less than 100 feet in length to exceed the maximum of one sign per façade.
5. Variance from Sec. 260-9(a)(5)(b) to allow facades less than 200 feet in length to exceed the maximum of one sign per façade.
11. Variance from Sec. 230-26(f) to reduce the required sidewalk clear zone from ten feet to four feet along New Peachtree Road and to zero feet along Chamblee Dunwoody Road.
15. Variance from Sec. 230-1(a) to increase the maximum impervious surface area from 80% to 85%.
20. Variance from Sec. 250-8(a)(1) to reduce the minimum number of required compact parking spaces from 51 to 16.
23. Variance from Sec. 250-7(a)(8) to eliminate inter-parcel connectivity requirements.

**Staff-recommended conditions, with amendments based on Design Review Board recommendations:**

Staff conditions, with amendments from the September 25, 2019 Design Review Board meeting recommendations, are as follows (**additions, deletions**):

1. The development shall be constructed in substantial conformity with the DCI Application and plans received September 11, 2019, with revisions required by conditions of approval as reviewed and approved by the Planning & Development Director.
2. The applicant shall move the sidewalk along New Peachtree Road behind the existing tree at the east end of the lot so that it is not located beside the street as currently proposed, unless deemed to be infeasible per the Planning and Development Director
3. The applicant shall pay a fee in lieu of the installation of the streetscape along Chamblee Dunwoody Road, not to exceed \$125,000, for the construction of the Rail Trail Phase 3.
4. The applicant shall provide to the city all temporary and permanent easements for the construction of and access to the Rail Trail along the property.
5. The mural signage shall be as depicted in the DCI application.
6. The applicant shall provide documentation that the backflow preventer and water meter may not be moved to a location further from the project entrance and public right-of-way prior to its installation, or shall move the equipment to a preferred location as determined by the Planning and Development Director and allowed by DeKalb Watershed.
7. Prior to the issuance of a demolition permit or LDP, the applicant shall document that there will be no impact on MARTA right-of-way, shall provide to the City a record of approval by MARTA of vibration criteria in order to prevent damage to rail equipment and crane safety plans.
8. The proposed sidewalk along New Peachtree Road shall be re-routed behind the existing tree near the northeast property line.
- ~~9. The mural signage shall be as depicted in the DCI application.~~
10. **The applicant shall add additional mural signage to the northeast silo façade.**
11. **Artistic murals that do not include verbiage shall not be counted toward wall signage limits.**
12. **The Board recommends approval of variances #1-6 as proposed.**
13. **The Board recommends approval of metal as a building material.**
14. **A minimum 8'-wide staircase shall be installed at the corner of Chamblee Dunwoody Road and New Peachtree Road connecting the parking lot to the sidewalk and the applicant shall provide safe access from the building to the staircase.**
15. **Add windows providing a minimum of 50% fenestration on the approximately 27'-wide southern portion of the façade facing Chamblee Dunwoody Road.**
16. **The City Engineer shall review and verify that the access locations along North Peachtree Road are acceptable and safe.**

**Attachments:**

- 1 – DCI Plan Book
- 2 – Application and Letter of Intent
- 3 – Maps











Case Number: PZ2019-508

DRB Meeting: September 25, 2019

City Council Work Session (public hearing): October 10, 2019

City Council Meeting: October 15, 2019