BOARD OF APPEALS APPLICATION

APPLICATION FOR VARIANCE, APPEAL, OR WAIVER

RECEIVED
JAN - 7 2019
CITY OF SNELLVILLE
PLANNING DEPARTMENT

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3514 Fax 770.985.3551 www.snellville.org

PAID
JAN 07 2019
BY:

DATE RECEIVED: _____

1905 SCENIC 10000C #1900011
BOA VARIANCE CASE# 19-01
PARCEL- 5056 086
BATH & BODY WORKS SUITE 10000 C

Applicant is: (check one)
- √ Owner's Agent
- Contract Purchaser
- Property Owner

Name (please print): Permit Advisors
Address: 8370 Wilshire Blvd. #330
City, State, Zip Code: Beverly Hills, CA 90211
Phone Number(s): (310) 275-7774 Fax:

Owner (if not the applicant): ☐ check here if there are additional property owners and attach additional sheets.

Name (please print): GRI-EQY (Presidential Markets) LLC
Address: C/O The Vireo Group
City, State, Zip Code: PO BOX 1211 Augusta, GA 30903
Phone Number(s): (760) 426-4150 Fax:

Contact Person: David Wikkeling-Marotta Phone: (310) 275-7774 Fax:
Cell Phone: E-mail: david@permitadvisors.com

Application for: (check one)
Appeal √ Variance from Zoning Ordinance Variance from Municipal Code Waiver of Development Regulations

Section(s) of Zoning Ordinance VARIANCE request is for: Section 12.4 Signs permitted / Section B-2 + 3
Section(s) of Municipal Code VARIANCE request is for:
Section(s) of Development Regulations WAIVER request is for:
Property Address/Location: Space No 10000C, 1905 Scenic Hwy District 5 Land Lot 56 Parcel(s) 086
State the purpose of this request: Variance for Signage requirements

At a minimum, the following items are required with submittal of this application. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

- √ Pre-submittal appointment shall be requested and completed a minimum of five (5) business days prior to Application deadline to ensure application is complete, accurate, and includes all required attachments/exhibits and required signatures;
- √ Payment of the appropriate application and public notice sign fees. Make checks payable to *City of Snellville*;
- √ Letter of Intent explaining the reason for the request for the variance, appeal, or waiver;
- √ The names, addresses, and original signatures of the owners of the subject parcel(s) and their agents, if any;
- √ Analysis of impact (if variance application) or details of grievance (if appeal) or details of waiver request (if waiver) as per Section 14.5;
- √ A current legal description of the subject parcel(s). If the property proposed for a variance, appeal, or waiver includes multiple parcels, provide a separate legal description for each individual parcel, together with a composite legal description for all parcels;
- √ Verification from county Tax Assessor that all property taxes have been paid and account is current (for all parcels subject to this application). Applicant to obtain confirmation of taxes paid using original Verification Sheet (attached);
- √ A Certificate of Title (for all parcels subject to this application);
- √ Map indicating the subject parcel(s) and the adjoining parcel(s), identified by property owner(s) name and tax parcel number;
- √ VARIANCE or WAIVER applications only: Nine (9) copies and one (1) original of the proposed Site and Concept Plan and one (1) 11" x 17" (or smaller) reduction of the plan, drawn to scale, showing: (a) north arrow; (b) district, land lot(s) and parcel number(s); (c) the dimensions with bearing and distance; (d) acreage; (e) location of the tract(s), (f) the present zoning and land use classification of all adjacent parcels, (g) the proposed location of structures, driveways, parking and loading areas; (h) the location and extent of required buffer areas; and (i) location of floodplains. Site and Concept Plan shall be prepared by an architect, engineer, landscape architect, or land surveyor whose Georgia state registration is current and valid. Site plan must be stamped and sealed by one of the four above-mentioned professionals no more than six (6) months prior to the date of submittal. All documents must be folded to 8-½" x 11";
- √ Nine (9) stapled or bound copies of: (a) completed application; (b) Letter of Intent; and (c), Any and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents.
- √ A CD-ROM containing a digital file of: (a) site plan in *.pdf* and *.dwg* file formats, (b) legal description(s) in *.pdf* file format, and (c) completed and signed Variance, Appeal, and Waiver application (and all supporting documents) in *.pdf* file format;

Lbrands

STORE DESIGN & CONSTRUCTION

January 3, 2019

Variance request for Bath & Body Works
LBrands
2342 Oak Road
Snellville, GA 30078

City of Snellville Board of Appeals,

Please accept our application for a variance regarding our gingham transom and main sign at our new location at 1095 Scenic Highway, Space 10000C, Snellville, GA 3410.

Bath & Body Works is requesting a variance to section 12.4 subsections B-2&3 of the zoning ordinance as it relates to our gingham transom and signage above the storefront. Bath & Body Works is requesting this variance so it can keep our current branding standards that are used both nationally and internationally. Our gingham pattern is what our customer recognizes the most about Bath & Body Works.

The gingham pattern will cover 100% of the transom glass from 9'-10" to 14'-11 1/2" A.F.F. and will allow us to keep our standard 11'-0" sales floor ceiling height. All glass below 9'-10" will be clear glazing open into the store. The gingham pattern is 4 colors and overall is 1 white and 3 blues that get applied to the inside of the glass and is illuminated from behind with dimmable LED lights. Specs and square footage for the new storefront design are included in this application for the signage and gingham transom.

Bath & Body Works would like to thank the board for its consideration of this variance in advance and look forward to working with you in the future.

Thank you for your consideration of this matter,

Ed Kunzelman

VP, Store Design & Construction
Bath & Body Works LLC

If request is for an APPEAL, please discuss your grievance in detail. You may attach additional sheets and provide additional documentation as appropriate:

A VARIANCE from the terms of the Snellville Zoning Ordinance or Development Regulations shall not be granted by the Board of Appeals unless and until the applicant has **demonstrated** the following. You may attach additional sheets and provide additional documentation as appropriate:

1) **Demonstrate** that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.
See attached

2) **Demonstrate** that literal interpretation of the provisions of the Zoning Ordinance or Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance or Development Regulations.
See attached

3) **Demonstrate** that the special conditions and circumstances do not result from the actions of the applicant.
See attached

4) **Demonstrate** that granting the variance (or waiver) requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance or Development Regulations to other lands, structures, or buildings in the same zoning district. See attached

Please Note: Non-conforming uses of adjacent properties cannot be considered as grounds to justify a variance. Peculiar conditions or circumstances which are the result of actions of the owner of property covered by this application cannot be considered as grounds justifying a variance. A "use variance", i.e. a variance for the purpose of using land or a structure, or combination thereof for a purpose prohibited by the present zoning classification of the property covered by this application will not be granted.

Exhibit A

ELEVATION	WALL SIGNAGE SQ. FT.	TRANSOM GLASS SQ. FT.	TOTAL SQ. FT.	ALLOWED BY SIGN ORDINANCE SQ. FT.	VARIANCE REQUESTED SQ. FT.
Facing Storefront	80.07	161.07	241.14	60	+ 118.14

1. Bath and Body Works is requesting this variance for additional square footage and 100% window coverage for both our gingham transom and façade sign so it can meet our current national branding standards.
2. The ordinance does not allow for us to have our national branding standards in the transom glass above the entry doors. The square footage allowed does not allow for Bath & Body Works to brand as others around the Atlanta areas have been allowed. Some example stores in the near-by area are at Hiram Pavilion, Lawrenceville Marketplace, Fayette Pavilion and many more.
3. The variance request is due to make sure our branding standards are met by Bath & Body Works and not the actions of the applicant.
4. Approval of this variance will not give Bath & Body Works any special privilege other than keeping our branding standards dictated from LBrands corporate.

BOARD OF APPEALS CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below, or as attached, is authorized to make this application. The undersigned is aware that, should this request be denied by Board of Appeals, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

1/4/19

Signature of Applicant — Date

Rafael Montes Notary Public
~~David Armando Morales~~

Type or Print Name and Title

Notary Seal

1-4-19

Signature of Notary Public — Date

RAFAEL MONTES
Commission # 2112229
Notary Public - California
Los Angeles County
My Comm. Expires May 18, 2019

OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance and/or Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the Zoning Ordinance and punishable under Section 16.3 of the Zoning Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the waiver is granted, shall be deemed a violation of the Development Regulations and punishable under Section 13.5.2 of the Development Regulations. If an application for a variance or waiver is denied by the Board of Appeals, a reapplication for such for such variance or waiver may not be made earlier than twelve (12) months from the date of the original application.

☐ Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

1-7-19

Signature of Owner — Date

Julie Teague, SVP Prop. Mgr.

Type or Print Name and Title

Notary Seal

1-7-19

Signature of Notary Public — Date

STEPHANIE E. QUEBEDEAUX
NOTARY PUBLIC
COLUMBIA COUNTY, GEORGIA
MY COMM. EXPIRES
4/17/2021

LEASE EXTENSION AND RELOCATION AGREEMENT

THIS LEASE EXTENSION AND RELOCATION AGREEMENT ("Agreement"), is made this 19th day of December, 2018 (the "Effective Date") by and between GRI-EQY (Presidential Markets) LLC, a Delaware limited liability company, successor-in-interest to Cousins Properties Incorporated, a Georgia corporation, as landlord ("Landlord"); and BATH & BODY WORKS, LLC, a Delaware limited liability company, successor-in-interest to BATH & BODY WORKS, INC., a Delaware corporation, d/b/a Bath & Body Works, as tenant ("Tenant").

WITNESSETH:

WHEREAS, Landlord's predecessor-in-interest and Tenant's predecessor-in-interest entered into that certain Lease dated November 7, 2000 (the "Original Lease"), as amended by that certain First Amendment to Lease dated April 23, 2001 (the "First Amendment"), that certain letter agreement dated January 27, 2003 (the "Letter Agreement"), that certain Second Lease Amendment Agreement dated May 12, 2006 (the "Second Amendment"), that certain Third Lease Amendment Agreement dated November 8, 2010 on Landlord's copy and dated November 11, 2010 on Tenant's copy (the "Third Amendment"), and that certain Fourth Lease Amendment Agreement dated January 19, 2011 (the "Fourth Amendment") (the Original Lease, as modified by the foregoing and this Agreement, is collectively referred to as the "Lease"), pursuant to which Tenant leases from Landlord approximately three thousand (3,000) square feet, commonly known as Space No. 1100, located at 1905 Scenic Highway, Suite 1100, Snellville, Georgia 30078 ("Original Premises") located in a shopping development known as Presidential Markets ("Shopping Center"); and

WHEREAS, the current term of the Lease ("Lease Term") expires on March 31, 2021; and

WHEREAS, Tenant has no remaining option to extend the Lease Term; and

WHEREAS, the parties hereto desire to relocate the Original Premises to certain Relocation Premises (as more particularly described herein), extend the Lease Term and amend certain terms of the Lease, all as hereinafter provided.

NOW, THEREFORE, in consideration of the foregoing and the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the mutual promises contained herein, the parties hereto, intending to be legally bound, agree as follows:

1. Recitals. Each of the foregoing recitals and representations forms a material part of this Agreement and is incorporated herein by this reference.

2. Relocation Premises. Subject to the terms and conditions hereinafter set forth, Landlord and Tenant hereby agree to relocate the Original Premises to those certain premises commonly known as Space No. 10000C containing approximately five thousand (5,000) square feet (which premises is herein referred to as the "Relocation Premises") designated by cross-hatching and identified as the "Premises" on Exhibit "B" attached hereto and made a part hereof.

3. Condition of the Relocation Premises. Tenant hereby agrees that it accepts the Relocation Premises in its "AS IS" physical condition as of the Delivery Date (as defined below) and acknowledges and agrees that, except as otherwise expressly provided in this *Section 3*, Landlord is not obligated to (i) make any improvements or perform any work, alterations, repairs or replacements with respect thereto, (ii) obtain any building permits, certificates of occupancy or any other permits, licenses or governmental approvals, or (iii) spend any money, for the purpose of improving or repairing the Relocation Premises. Except as expressly set forth below in this *Section 3*, Landlord makes no representations or warranties regarding the Relocation Premises or the suitability of the Relocation Premises for Tenant's business. As of the Delivery Date, the Relocation Premises shall, at Landlord's sole cost and expense, be free of all other tenants or occupants. In the

IN WITNESS WHEREOF, the parties hereto have executed this Agreement under their respective seals as of the date set forth above.

WITNESS:

LANDLORD:

GRI-EQY (Presidential Markets) LLC,
a Delaware limited liability company

By: GRI-EQY I, LLC,
a Delaware limited liability company,
its sole member

By: Global Retail Investors, LLC,
a Delaware limited liability company,
Its sole member

By: First Washington Realty, Inc.
a Maryland corporation,
Its manager

By: _____ [SEAL]
Name: Jeffrey S. Distenfeld
Title: Executive Vice President

WITNESS:

TENANT:

BATH & BODY WORKS, LLC,
a Delaware limited liability company

By: _____ [SEAL]
Name: James L. Bersani
Title: President, Real Estate

Name: James Harris

APPROVED	
LEGAL	FINANCE
BEW	MG

BILL DETAIL

Tax Account

Mailing Address:
GRI-EOY (PRESIDENTIAL MARKETS) LLC
4350 E WEST HWY STE 400
BETHESDA , MD 20814-4426

SITUS:
1905 SCENIC HWY

Tax District:
SNELLVILLE

Parcel ID	Property Type	Last Update
R5056 086	Real Property	1/7/2019 3:55:29 PM

Legal Description

GA HWY 124

Tax Values

Description	Market Value	Assessed Value
Land	$1,036,700.00	$414,680.00
Improvement	$2,119,100.00	$847,640.00
Total	$3,155,800.00	$1,262,320.00

Class Codes 344-Strip Shopping Center

Assessments

Operation		Net Tax	Savings
School Taxes		$24,993.94	$0.00
STATE OF GEORGIA TAXES		$0.00	$0.00
City of Snellville Taxes		$5,791.52	$0.00
County Incorporated No Police		$14,338.68	$0.00
	Sub Total	$45,124.14	$0.00
Bond		**Net Tax**	**Savings**
School Taxes		$2,461.52	$0.00
County Incorporated No Police		$0.00	$0.00
	Sub Total	$2,461.52	$0.00
Special Assessment		**Net Tax**	**Savings**
SNELLVILLE STORMWATER FEES		$844.03	$0.00
	Sub Total	$844.03	$0.00
	Total Tax	$48,429.69	$0.00

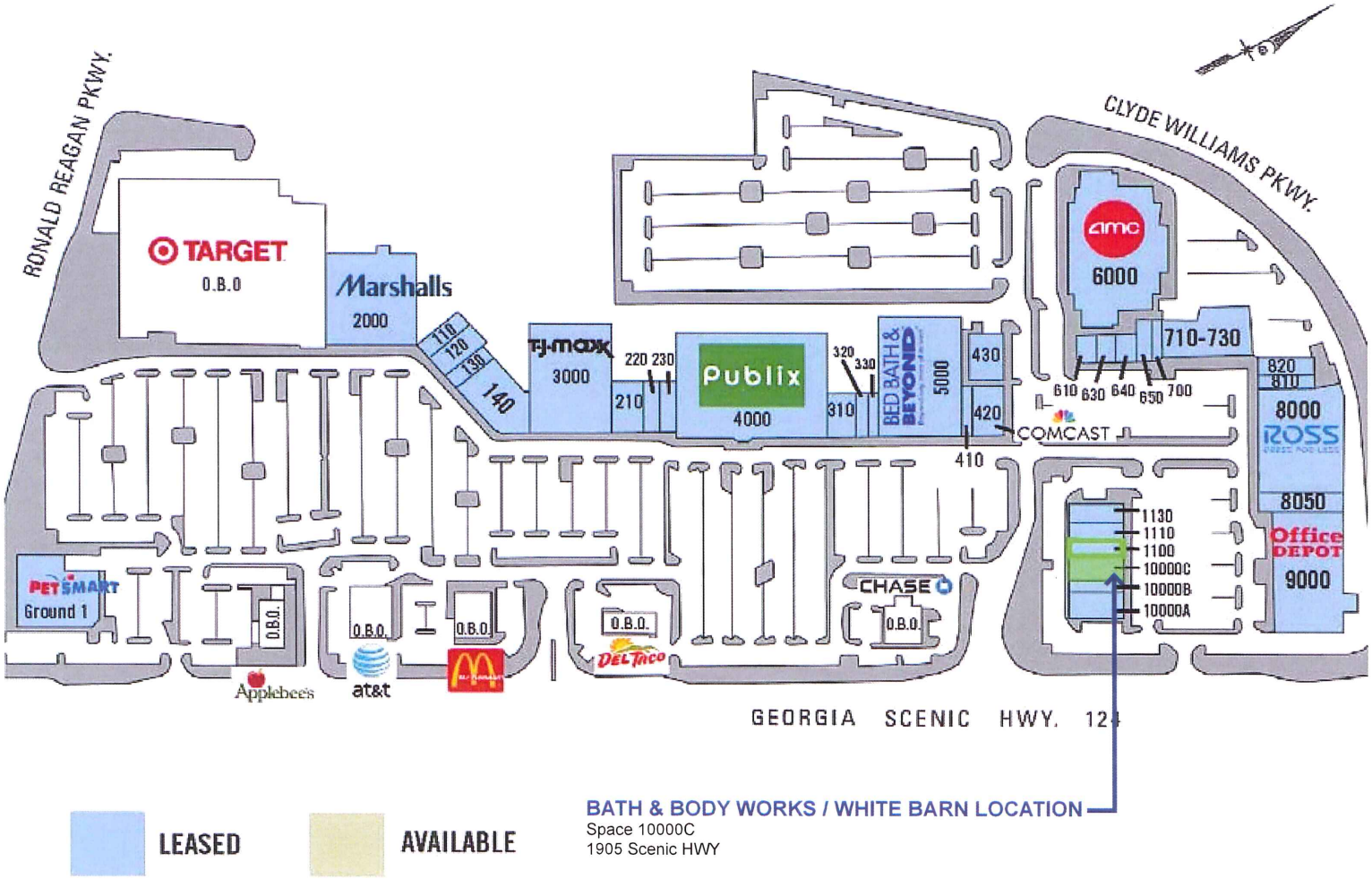
Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	23559192	10/15/2018	2018	$0.00	$0.00	$0.00	$0.00
Total Due:				$0.00	$0.00	$0.00	$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2018	23559192	B18.59502	$48,429.69	9/28/2018

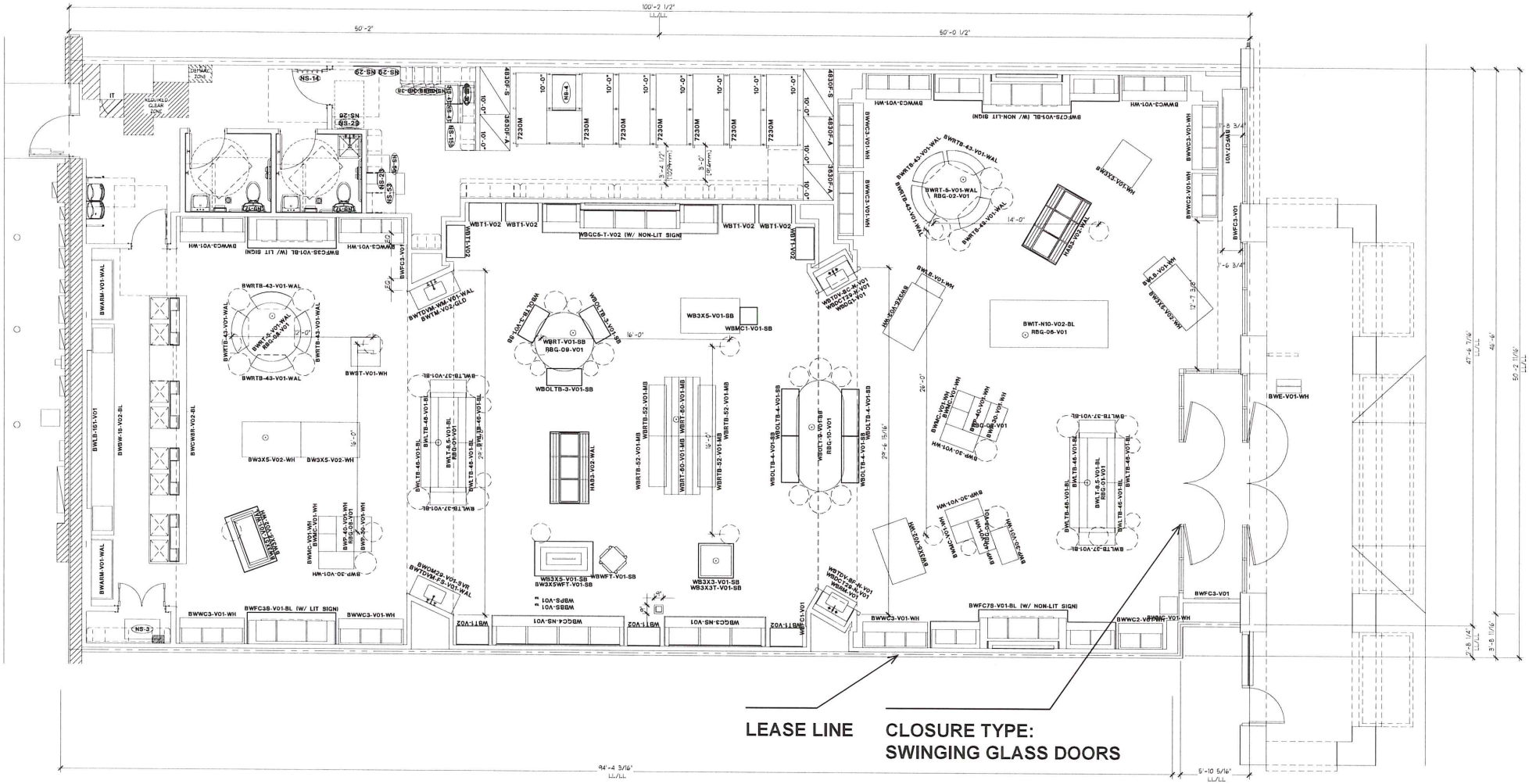
Mall Plan


RONALD REAGAN PKWY.
CLYDE WILLIAMS PKWY.
TARGET
O.B.O
Marshalls
2000
110
120
130
140
TJ-maxx
3000
220 230
210
Publix
4000
320
330
310
BED BATH & BEYOND
5000
430
420
410
amc
6000
710-730
610 630 640 650 700
COMCAST
820
810
8000
ROSS
8050
Office DEPOT
9000
1130
1110
1100
10000C
10000B
10000A
PETSMART
Ground 1
O.B.O.
Applebee's
at&t
DEL TACO
CHASE
GEORGIA SCENIC HWY. 124
BATH & BODY WORKS / WHITE BARN LOCATION
Space 10000C
1905 Scenic HWY
LEASED
AVAILABLE

Existing Photos

SIGNAGE VARIANCE - BATH & BODY WORKS

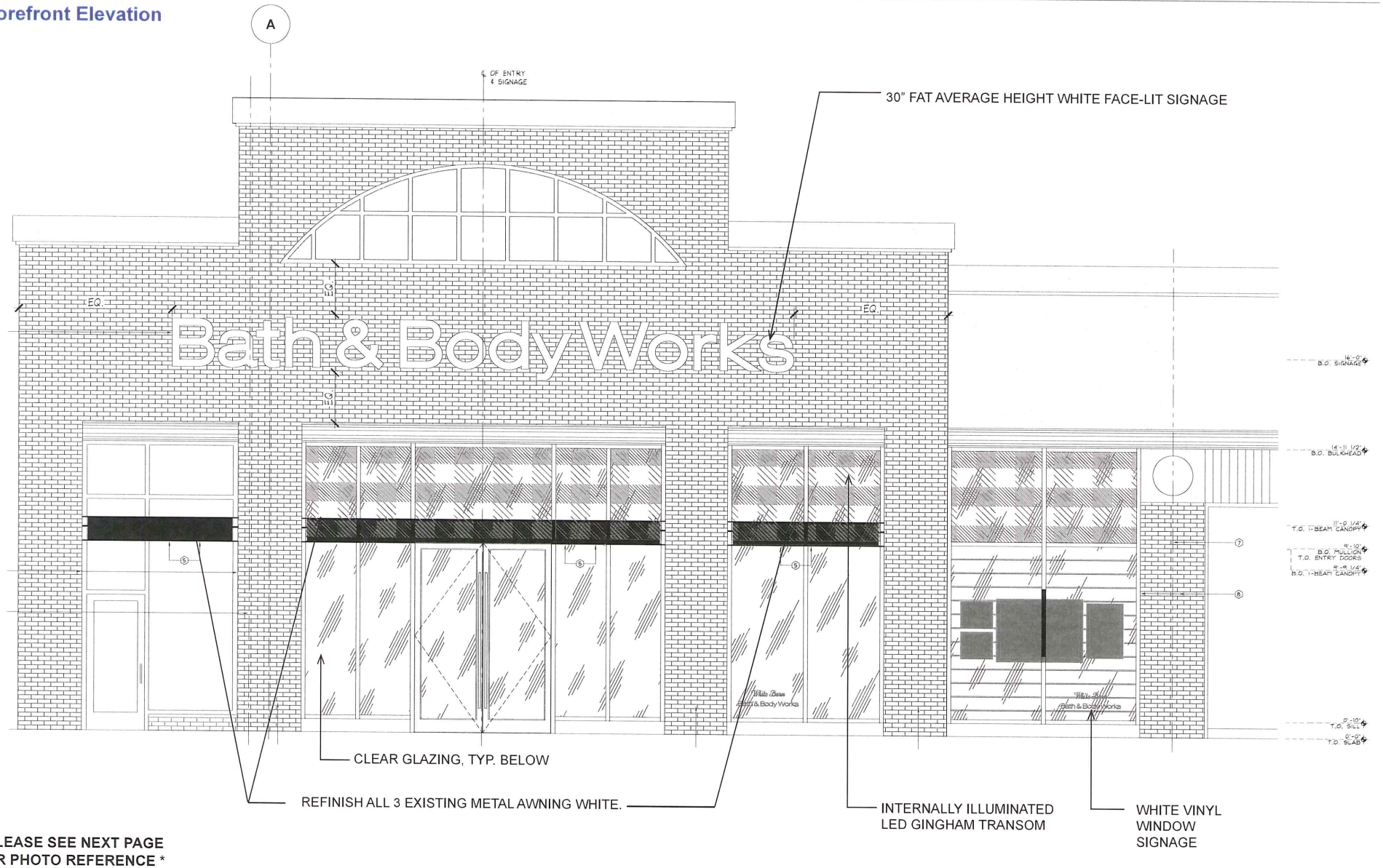
Floor Plan



SCALE: 1/8"= 1'-0"

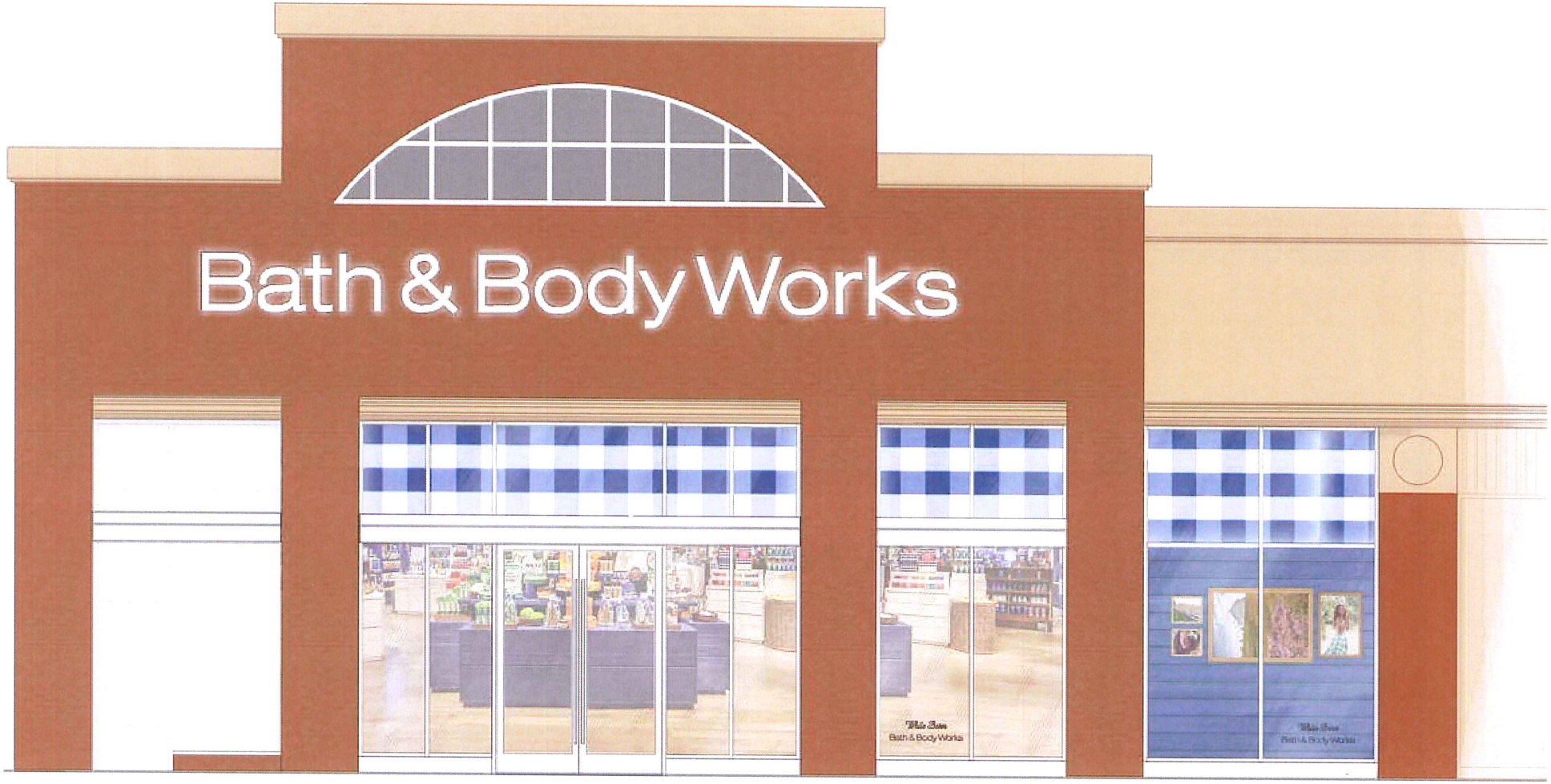
SIGNAGE VARIANCE - BATH & BODY WORKS

Storefront Elevation



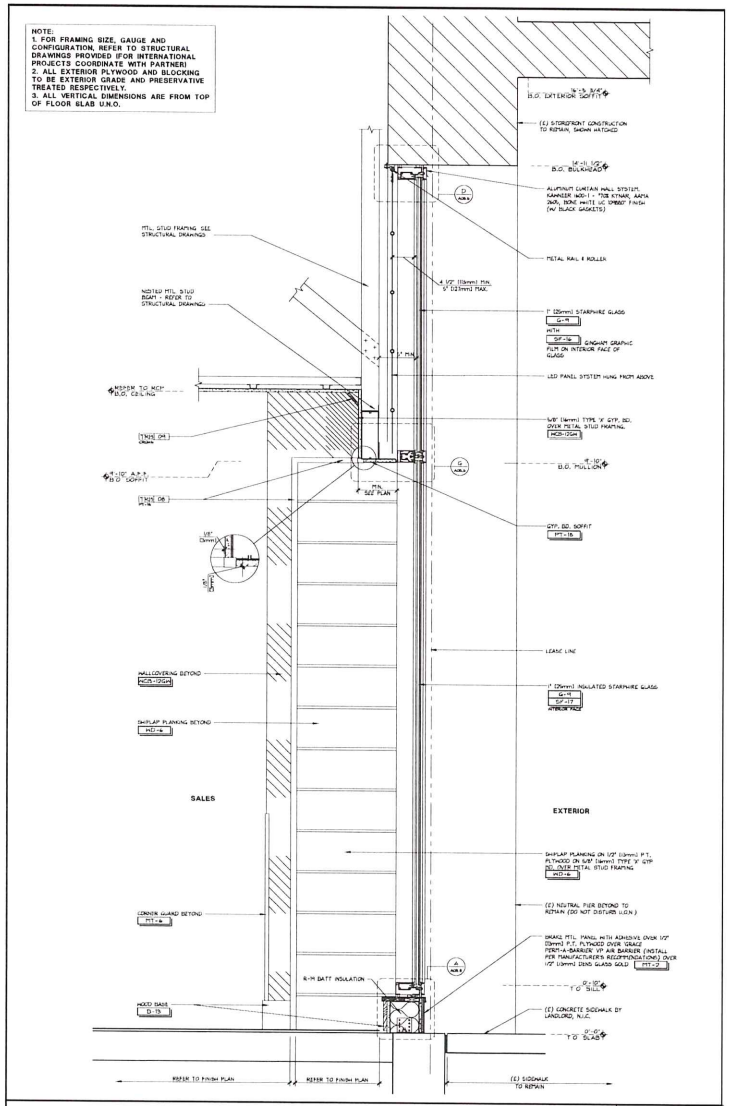
*** PLEASE SEE NEXT PAGE FOR PHOTO REFERENCE ***

Storefront Rendering

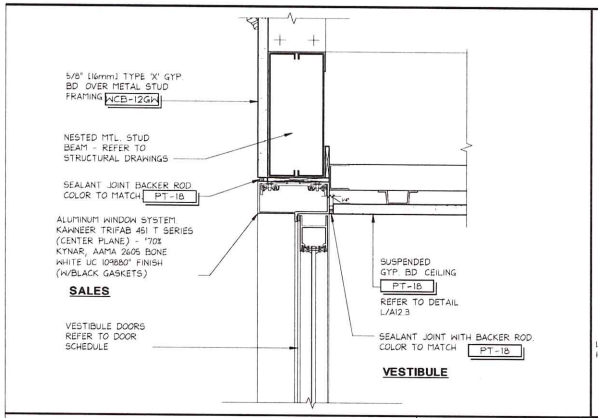


SCALE: 1/4" = 1'-0"

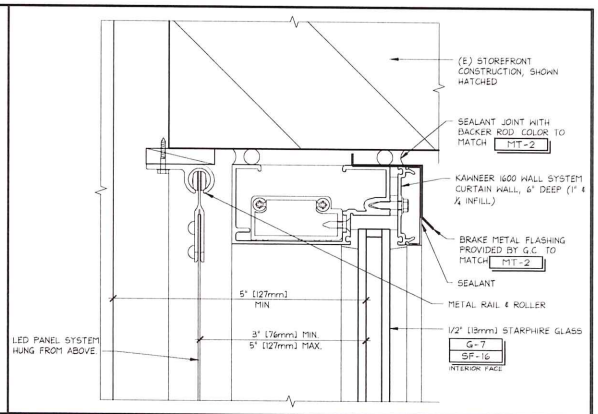
Section & Details of LED Illuminated Transom



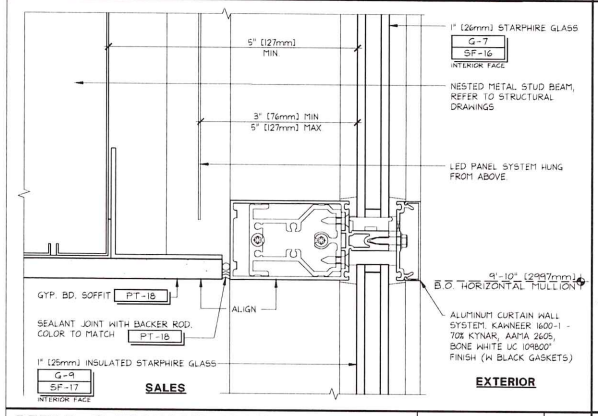
SECTION THRU WINDOW & SOFFIT | 1 1/2" = 1'-0" | 42D-A083-B03-SECT | A 09.27.17



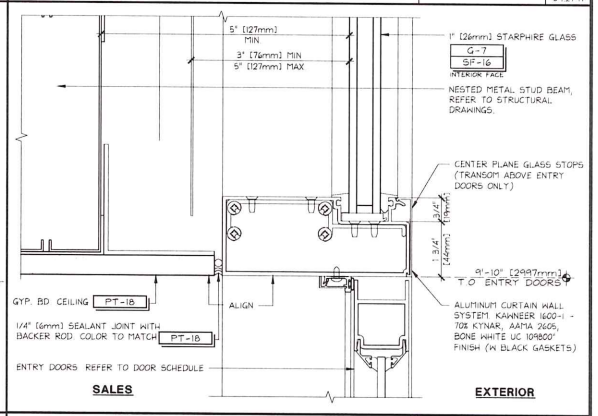
DETAIL @ DOOR HEAD | 3" = 1'-0" | 42D-A085-C00-DETL | H 06.01.16



DETAIL @ BULKHEAD | 6" = 1'-0" | 42D-A085-D00-DETL | D 09.27.17



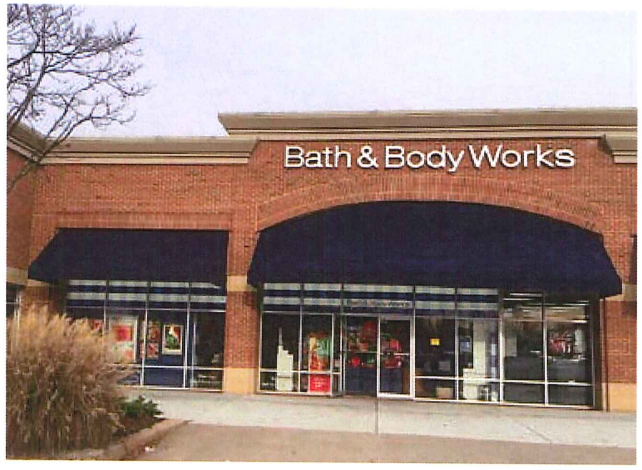
DETAIL @ TRANSOM ABOVE WINDOW (SINGLE SET OF DOORS) | 6" = 1'-0" | 42D-A085-G00-DETL | G 09.27.17



DETAIL @ TRANSOM ABOVE ENTRY (SINGLE SET OF DOORS) | 6" = 1'-0" | 42D-A085-C00-DETL | C 09.27.17

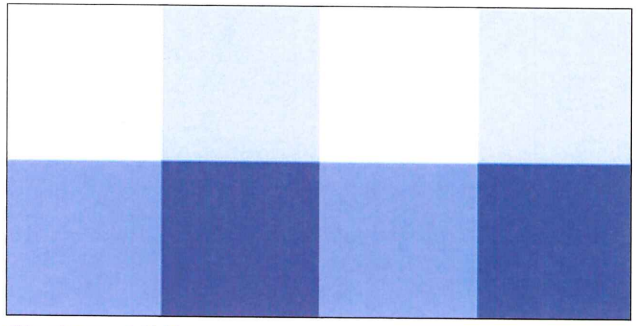
Example Storefront & Finishes

Hiram Pavilion

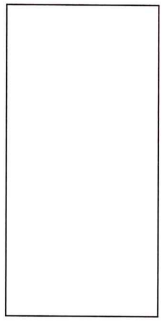


Lawrenceville Marketplace

Fayette Pavilion



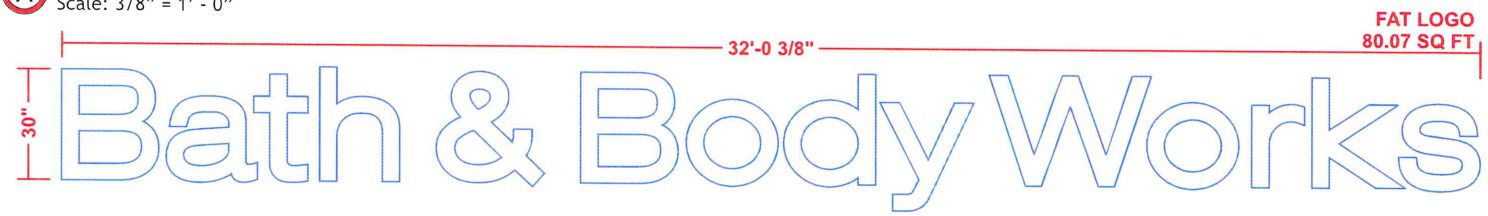
Gingham - Lit Transom



White Metal

A FACE LIT ILLUM. CHANNEL LETTERS - ELEVATION

Scale: 3/8" = 1' - 0"

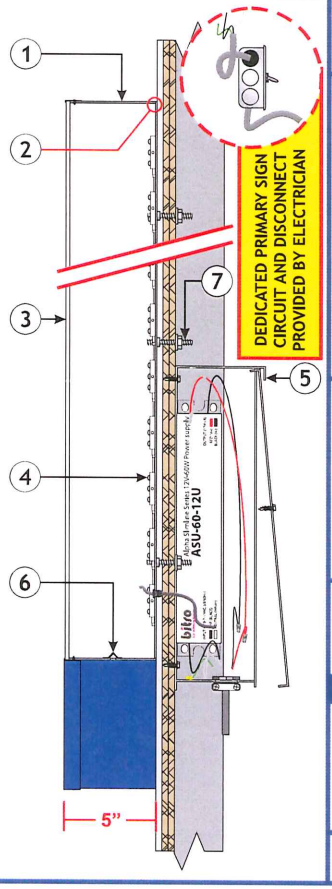


SIGN - DETAILS

1. 5" DEEP ALUMINUM LETTERS WITH ROUTED ALUMINUM BACKS PAINTED TO MATCH SW PT-19 IT'S ALL ABOUT THE BLUE (UFN 1554796), INTERIOR SURFACES PAINTED HIGH GLOSS WHITE
2. LETTER RETURNS & BACKS ARE CAULKED TO ELIMINATE LIGHT LEAKS
3. 3/16" THICK #7328 WHITE ACRYLIC LETTER FACES WITH 3/4" TRIM CAP SECURED TO LETTER WITH SELF TAPPING SCREW (TO MATCH RETURNS)
4. BITRO PLUS 6500K WHITE LED UNITS (PLACED END-TO-END) TO ILLUMINATE LETTERS
5. BITRO ASU-60-12U LED DRIVER (120-277 VOLT) CONTAINED IN PAIGE 980054C SNAP 2 ENCLOSURE
6. DRAIN HOLE IN BOTTOM OF LETTER RETURN WITH LIGHT COVER
7. LETTERS MOUNT FLUSH TO SURFACE WITH REQUIRED FASTENERS

FACE LIT ILLUMINATED CHANNEL LETTERS - SECTION

SCALE: N.T.S.



BBW30FL

Ruggles SIGN
93 Industry Drive
PO Box 349
Versailles, KY 40383
859.879.1199

WSA ISA MEMBER MSA

Bath & Body Works

STORE 1750
SPACE 10000C

PRESIDENTIAL MARKET CENTER
GEORGE HWY 124 & RONALD REAGAN PARKWAY
SNELLVILLE, GA 30078

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

RUGGLES SIGN DOES NOT PROVIDE PRIMARY ELECTRICAL TO SIGN LOCATION!

c UL us Suitable for Wet Locations
UL label located on top of signs

Submittal Date: 11/06/18
Plan Issue/Rev Date:
Acct Rep: Ashley Abney
Designer: Jaye Williams

REVISIONS

r1: 12/17/18 r6:
r2: 12/21/18 r7:
r3: r8:
r4: r9:
r5: r10: