

MEMORANDUM

To: Mayor & City Council

From: Steve Foote, AICP

Date: August 24, 2015

Subject: **CP 15-071:** Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Acadia Homes & Neighborhoods c/o Smith, Gambrell & Russell, LLP on behalf of CR V Perimeter LLC, seeks an amendment to the City of Dunwoody Comprehensive Land Use Plan to modify density allowances and/or classifications, to allow for construction of an 87-unit, fee simple townhome development. The subject property is located at 54 Perimeter Center East, Dunwoody, GA 30346, tax parcel ID 18-347-01-008; and 4340, 4348, 4356, 4364, 4372, 4380 and 4388 Old Georgetown Trail, Dunwoody, GA 30338, tax parcel IDs 18-346-05-052, 053, 054, 055, 056, 057, 058.



BACKGROUND

The site is located at 54 Perimeter Center East, Dunwoody, GA 30346 on the eastern side of Perimeter Center East, just north of Lincoln Parkway (private), and 4340, 4348, 4356, 4364, 4372, 4380 and 4388 Old Georgetown Trail, Dunwoody, GA 30338 on the west side of Old Georgetown Trail at the west end of Old Spring House Lane. The property consists of approximately 9.84 acres of land on eight vacant parcels. The applicant is proposing to

develop 7.544 acres and dedicate the remaining 2.3 acres to the City for use as public park space.

The applicant applied in April to amend the land use classification in the Comprehensive Plan from "Perimeter Center Transitional Sub-Area" to "High-Density Mixed-Use Sub-Area," each a sub-area of the Perimeter Center Character Area, for the property located at 54 Perimeter Center East. The current designation, Perimeter Center Transitional, limits the density to 12 units an acre and the applicant proposed to construct townhomes at a density of 13.5 units an acre. The High-Density Mixed-use Sub-Area does not contain a maximum density. The proposed plan has been amended, and a comp plan amendment is no longer needed for the property located at 54 Perimeter Center East, for the project to meet density requirements.

To incorporate the properties located at 4340, 4348, 4356, 4364, 4372, 4380 and 4388 Georgetown Trail, the applicant has applied to amend the Comprehensive Plan land use map for the portion of those properties to be retained for the development site from "Suburban Neighborhood" Character Area to "Perimeter Center" Character Area – Transitional Subarea. The portion to be donated as a park is proposed to remain within the "Suburban Neighborhood" Character Area.

This is a companion case to rezoning application RZ 15-071 which requests a rezoning of the properties from Office-Institution (O-I) District and Single-dwelling Residential-100 (R-100) District to Multi-dwelling Residential-85 (RM-85) District.

ANALYSIS

Review and Approval Criteria

In accordance with Georgia and local law, the following review and approval criteria shall be used in reviewing the respective amendment applications:

Section 27-335. Review and approval criteria.

- a. *Comprehensive Plan Land Use Map.* The following review and approval criteria must be used in reviewing and taking action on all comprehensive plan land use map amendments:
 1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property;
The proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby property. Townhomes are an appropriate transitional use between the high-intensity commercial uses and very low-intensity single family residential use. It is appropriate to apply the "Perimeter Center Sub-Area" standards to a property on the outside border of the district in this case. The encroachment of the development onto the existing residentially-zoned parcels will be minimal and there will be adequate buffering from nearby R-100 lots.
 2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property;

The proposed land use, multi-dwelling residential townhomes, is not expected to adversely affect the existing use or usability of adjacent or nearby property. The use is an appropriate transitional use. There will be a substantial buffer between the proposed development and the single-dwelling residential district to the east, both on the property with a multiuse path within a 50 foot transitional buffer and offsite with the future public greenspace.

3. Whether the proposed land use change will result in uses that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

The proposed uses are not anticipated to be overly burdensome on existing infrastructure.

4. Whether the amendment is consistent with the written policies in the comprehensive plan text;

The Suburban Neighborhood Character Area calls for, "stable, owner-occupied single family residential area that is characterized by a traditional suburban pattern of development with accessible sidewalks, extensive landscaping, and access to parks and functional greenspace, places of worship and schools." The proposed plan would transform approximately 2.3 acres of unbuildable privately owned land into usable park space and functional greenspace.

The amendment is consistent with many of the goals of the Comp Plan, in that it will include amenities and provide functional greenspace; reduce surface parking and promote livable centers near the MARTA station, although not in an immediately surrounding area of the station; create bike and pedestrian options to connect with the rest of the City, and promote and establish new connectivity. The development will be in an area that provides closer access to medical, recreational and other necessary services, than many areas of the City, such as hospitals, greenspace and trails, and the many services that are offered in the PCID.

The Suburban Neighborhood Character Area has two goals:

- 1. Encourage paths, connectivity, and sidewalks.***
- 2. Identify potential trail easements.***

Although the applicant is proposing to amend the Comp Plan to remove portions of the 7 lots from the Suburban Neighborhood Character Area, the plan will achieve the two above goals of that Area.

5. Whether there are environmental impacts or consequences resulting from the proposed change;

Potential environmental consequences from the proposed constructed will be mitigated as a result of the required improvements from the land development ordinances (e.g.: stormwater detention). Construction of retaining walls for the twelve foot wide concrete trail will be located in the City's 75-foot stream buffer, and those improvements are exempt from the regulations of the stream buffer requirements per Sec. 16-79(12), exempting multi-use trails and related improvements.

6. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near city boundary lines;
There are no impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near city boundary lines.
7. Whether there are other existing or changing conditions affecting the use and development of the affected land areas that support either approval or denial of the proposed land use change; and
While the Perimeter Center Zoning Code, in the drafting phase now, will not be effective to be applied to this project, the applicant has made efforts to comply with portions of the proposed code; therefore, this project, as proposed would not be out of context substantially with future development enforced under the pending regulations. Gated developments are prohibited in the proposed text, so the proposal to gate the project is not supported by the text.
8. Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.
There are no impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

RECOMMENDATION

Community Council

At their Special Called May meeting, the Community Council heard the applicant's request to amend the Comprehensive Plan. After some discussion with the applicant and staff related to the nature of the project and the proposed use of the subject property specifically, a motion was made to recommend approval of the request. The motion was voted and passed (4 – 0).

Planning Commission

At their regularly scheduled July meeting, the Planning Commission heard the applicant's request to amend the Comprehensive Plan. After some discussion with the applicant and staff related to the nature of the project and the proposed use of the subject property specifically, a motion was made to recommend approval of the request with the conditions as presented by staff in addition to the following condition. The motion was voted and passed (6 – 1).

Staff Recommendation

Based on the above analysis and findings, staff has determined that the requested amendments to the official zoning map meet the requirements of Chapter 27, §27-335. Therefore, staff recommends the amendment to the Comprehensive Plan be **approved**.

Attachments

- Perimeter Center Character Area, Suburban Neighborhood Character Area

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2015-XX-XX

**RESOLUTION TO REVISE THE DUNWOODY COMPREHENSIVE LAND
USE MAP TO AMEND THE PARCELS ON
4340/4348/4356/4364/4372/4380/4388 OLD GEORGETOWN
TRAIL, DUNWOODY, GEORGIA, FROM SUBURBAN NEIGHBORHOOD
CHARACTER AREA TO PERIMETER CENTER CHARACTER AREA FOR
CONSTRUCTION OF MULTI-DWELLING RESIDENTIAL TOWNHOMES
IN THAT CHARACTER AREA**

WHEREAS, the City of Dunwoody's Comprehensive Land Use Plan, adopted in 2010, provides vision and direction for the City of Dunwoody; and

WHEREAS, as part of the City's Comprehensive Plan Land Use Map, the City adopted the Future Land Use Map for the Perimeter Center Character area; and

WHEREAS, the Property at 4340/4348/4356/4364/4372/4380/4388 Old Georgetown Trail, Tax Parcel Numbers 18 346 05 052/053/054/055/056/057/058, is located on the west side of Old Georgetown Trail at the west end of Old Spring House Lane; and

WHEREAS, in order to incorporate said Property into the proposed multi-dwelling townhome development planned by applicant, the Future Land Use Map encompassing those Parcels needs to be amended from the existing Suburban Neighborhood Character Area to Perimeter Center Traditional Character Area, with the portion of the Property proposed to be donated as a park remaining as a Suburban Neighborhood Character Area; and

WHEREAS, the Mayor and City Council find that Townhomes are an appropriate transitional use between the high-density commercial uses and very low-density single family residential uses, and is not expected to adversely affect the existing use or usability of adjacent properties; and

WHEREAS, the Mayor and Council find that this Comprehensive Plan Amendment is consistent with many of the goals of the

**STATE OF GEORGIA
CITY OF DUNWOODY**

RESOLUTION 2015-XX-XX

Comprehensive Plan in that it will include amenities and provide for functional greenspace, promote livable centers near MARTA, create bike and pedestrian options to connect with the rest of the City and establish new connectivity.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Dunwoody that by passage of this Resolution the City of Dunwoody Mayor and City Council hereby revise the City of Dunwoody Comprehensive Plan to amend the above-stated Property from a "Suburban Neighborhood Character Area" to "Perimeter Center Character Area – Traditional Sub Area" on the City's Future Land Use Map as a minor amendment pursuant to the Department of Community Affairs Regulations.

SO RESOLVED AND EFFECTIVE, this ____ day of _____, 2015.

Approved:

Michael G. Davis, Mayor

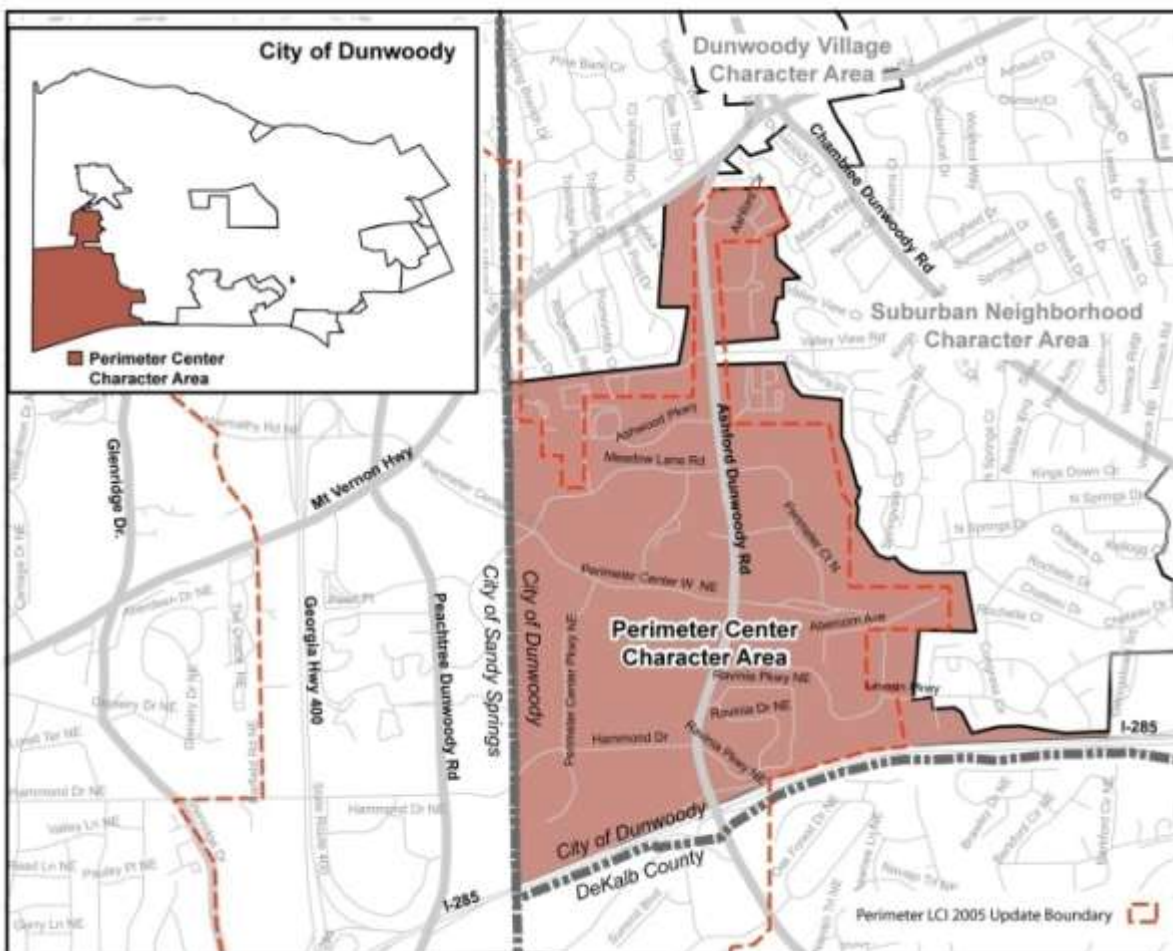
Attest:

Sharon Lowery, City Clerk

(Seal)



Perimeter Center



Vision/Intent

To create a “livable” regional center with first-class office, retail and high-end restaurants in a pedestrian and bicycle-oriented environment that serves as a regional example of high quality design standards. The City of Dunwoody works in partnership with the Perimeter Community Improvement Districts (PCIDs) to implement and compliment the framework plan and projects identified in the Perimeter Center Livable Centers Initiative study (LCI) and its current and future updates.

By 2030, the area successfully adds public gathering space and pocket parks, continues to create transportation alternatives, mitigates congestion, and reduces remaining excessive surface parking. The area creates the conditions of possible true “live-work” environment. All future development continues to emphasize high quality design standards and building



materials and incorporates the current national best practices on energy efficiency, where possible.

The City of Dunwoody recognizes the value of creating mixed-use, transit-oriented development within walking distance of public transit stations. However, the City has concerns about the impact of such development on the City's infrastructure and schools. To ensure proper controls on residential growth in the PCID, the City recommends zoning changes to require Special Land Use Permits (SLUP) for future high-density housing projects.

Future Development

The boundary of the Character Area designation extends slightly beyond the boundary of the PCIDs/LCI study area to include either existing commercial or to provide a transition where the Character Area abuts adjacent Suburban Character. The locator map also shows where the PCIDs/LCI boundary extends both west into Sandy Springs and into unincorporated DeKalb County, south of I-285.

The first section identifies the City's intent for the area outside the PCIDs; the subsequent section incorporates components which lie within the City of Dunwoody boundaries.

Outside the Perimeter CIDs/LCI:

Development within the Perimeter Center Character Area that abuts the Suburban Character area should demonstrate conformance with the principles of a transitional area. Unless accompanied by an exceptional buffering and usable open space provisions, density should be no greater than 4-8 units to the acre and commercial should be very low intensity (under 20,000 square feet).



1999 parking lot conditions in the Perimeter Center area



2009 conditions above (outparcel development); the City envisions continuing the trend of converting existing surface parking to better uses, ideally including pocket park and green space

Within the Perimeter CIDs/LCI study area: In 2000, the Perimeter CIDs engaged in a Livable Cities Initiative study to craft a vision and strategy for the Fulton and DeKalb Perimeter Community Improvement Districts. This process resulted in a future land use plan that divided the CIDs into defined, development sub-areas -- **Transitional, High-Density, and Transit Village** -- indicated below. Where located within the Dunwoody City limits, new development should conform to the intent of these areas, as described below. In 2005, the Perimeter CIDs went through a process to update a LCI and document potential growth strategies for each area. The City will partner with the PCIDs for a future update and amend this Comprehensive Plan, if appropriate.

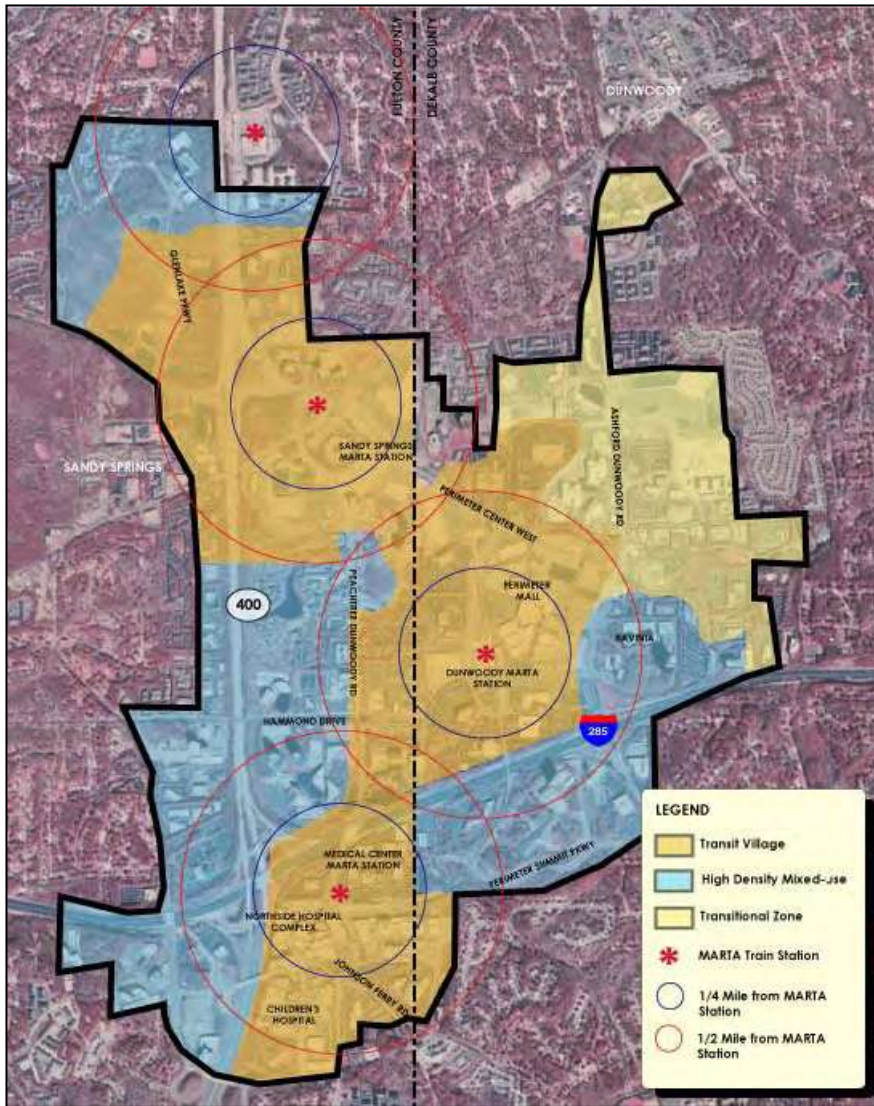


FIGURE 4: Perimeter Center LCI Framework Plan: development types

A Community Improvement District (CID)

is an authorized self-taxing district dedicated to infrastructure improvements within its boundaries. The PCIDs are governed by two boards – one each for Fulton and DeKalb. The PCIDs spent or leveraged public funds to invest \$55 million in Dunwoody alone; over \$7 million from ARC's LCI program was directed to the PCIDs. This makes it one of the most, if not the most, successful CIDs in the region. The PCIDs' mission focuses exclusively on transportation improvements:

To work continuously to develop efficient transportation services, with an emphasis on access, mobility, diversification and modernization.

Zoned when the area was under unincorporated DeKalb County jurisdiction, several of the parcels located within the City's character area remain undeveloped. As actual market values adjust in the post-recession climate, the City anticipates opportunities to establish development



regulations to provide appropriate recreation and open space amenities for the public, especially where open space potential is identified within the Perimeter LCI “Transit Village” and “Transitional” section described further below.

Perimeter Center - Transit Village:

Transit Village Sub-Area:

Defined by a half-mile radius around the existing MARTA Stations, the Transit Village area will develop as an urban district promoting a mix of residential, commercial and institutional uses. This decision is based on the location of major transit infrastructure which provides opportunities for alternative transportation.

The desire is to generate a “Town Center” near Perimeter Mall to reinforce business development and a sense of identity for the area emerged. The plan argues the vision for the Perimeter Mall “Transit Village” can serve as the “prototype spearheading development at other MARTA Stations.”

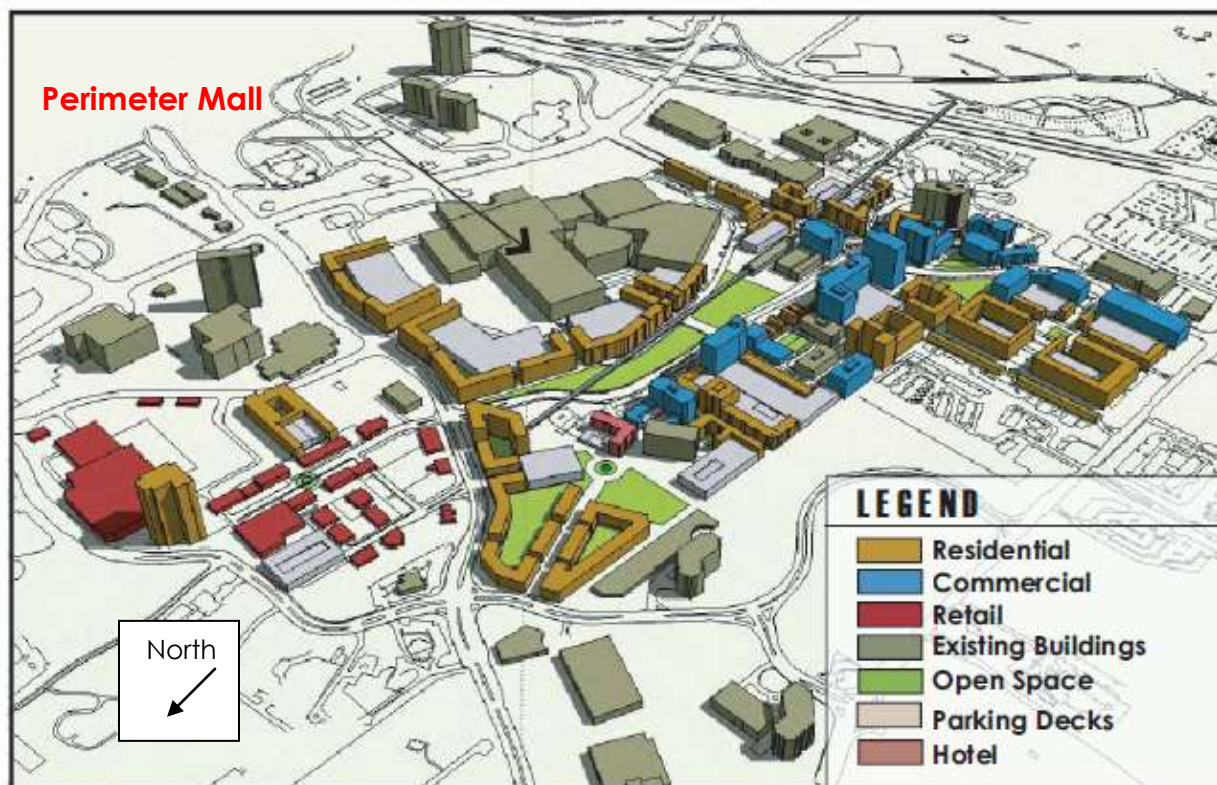


FIGURE 5: Plan-view Perimeter Center Parkway Build-Out with Linear Park and Green Space



FIGURE 6: Transit Village Vision: *Perimeter Focus: Envisioning a New Atlanta Center Update* (LCI 2005) [EDITOR'S NOTE: Cannot change the name of official documents.]

High-Density Mixed-Use sub-area:

This development sub-area currently has a concentration of commercial uses, mostly due to accessibility from I-285. The Ravinia complex on the north side of I-285 includes an upscale hotel (Crown Plaza) and two high-rise office towers. The parcels north of Ravinia are a part of the Perimeter Center East commercial properties, owned by Equity Office Properties. These buildings vary from low-density offices built in the 1970s (such as 77 Perimeter Center West) to high-rise buildings (including the former Philips regional headquarters) fronting I-285. The City envisions continuing commercial development along with encouraging compatible uses to balance office expansion.

Notable, the interchange at Ashford Dunwoody Road is one of the major transportation bottleneck locations in the Perimeter area. Current road patterns require all of the traffic on Ravinia Drive and Perimeter Center East to converge on to Ashford Dunwoody Road. Given the commercial nature of the developments on both these roads, morning and afternoon rush hour



times create huge congestion issues south of Perimeter Center West. Similar issues are created south of I-285 at Ashford Dunwoody Road, where vehicular traffic from offices at Perimeter Summit and Lake Hearn backs up during peak hours. The recent interchange improvements at Ashford Dunwoody Road are aimed at reducing congestion on Ashford Dunwoody Road, on both sides of I-285.

Additionally, the PCIDs completed the Perimeter Center Parkway Bridge (flyover) in 2007. This bridge provides much needed vehicular, pedestrian and bicycle accessibility connecting the Dunwoody MARTA Station to Perimeter Summit. The parkway improvements were achieved through a collaborative partnership between the Atlanta Regional Commission's Livable Centers Initiative, Georgia's Fast Forward bond program and DeKalb County.

The City also envisions realizing the goal of **expanding the open space** from the trails behind the Ravinia Towers to additional areas in the future. A public plaza would also be appropriate at Perimeter Summit, to serve the large number of residents and employees that will be using the complex. Public art such as sculptures or fountains could enhance these open spaces. This would anticipate a conversion of excess parking into usable pocket parks. A pocket park is defined as a small area – 2,500 sq. ft. to 1 acre – of open space for active or passive recreation within a development.

In 2009, the PCIDs broke ground on the nearly \$18 million half-diamond interchange at Hammond Drive and GA 400.

Construction will include building entrance and exit ramps from Hammond Drive to GA 400 and replace the four-lane Hammond overpass with a nine-lane, higher bridge to meet current and future traffic volumes. This will provide alternative access to the area. The project had been planned for more than 15 years.

Perimeter Center Transitional Sub-Area:

Geared specifically towards protecting the single-family communities that become vulnerable to density pressures given high land prices, this sub-area actively discourages incompatible infill and loss of neighborhood character. The City of Dunwoody intends to establish a "buffer zone" where transitional regulations can be put in place to offer contextual sensitivity. The plan envisions low and medium density office and some residential. The City of Dunwoody considers up to 8 units maximum to the acre "low density" and up to 12 units to the acre "medium density."

Two areas of potential open space, as indicated on the development opportunities map below, are identified. They include surface parking that could be converted into more appropriate uses, including usable open space amenities.

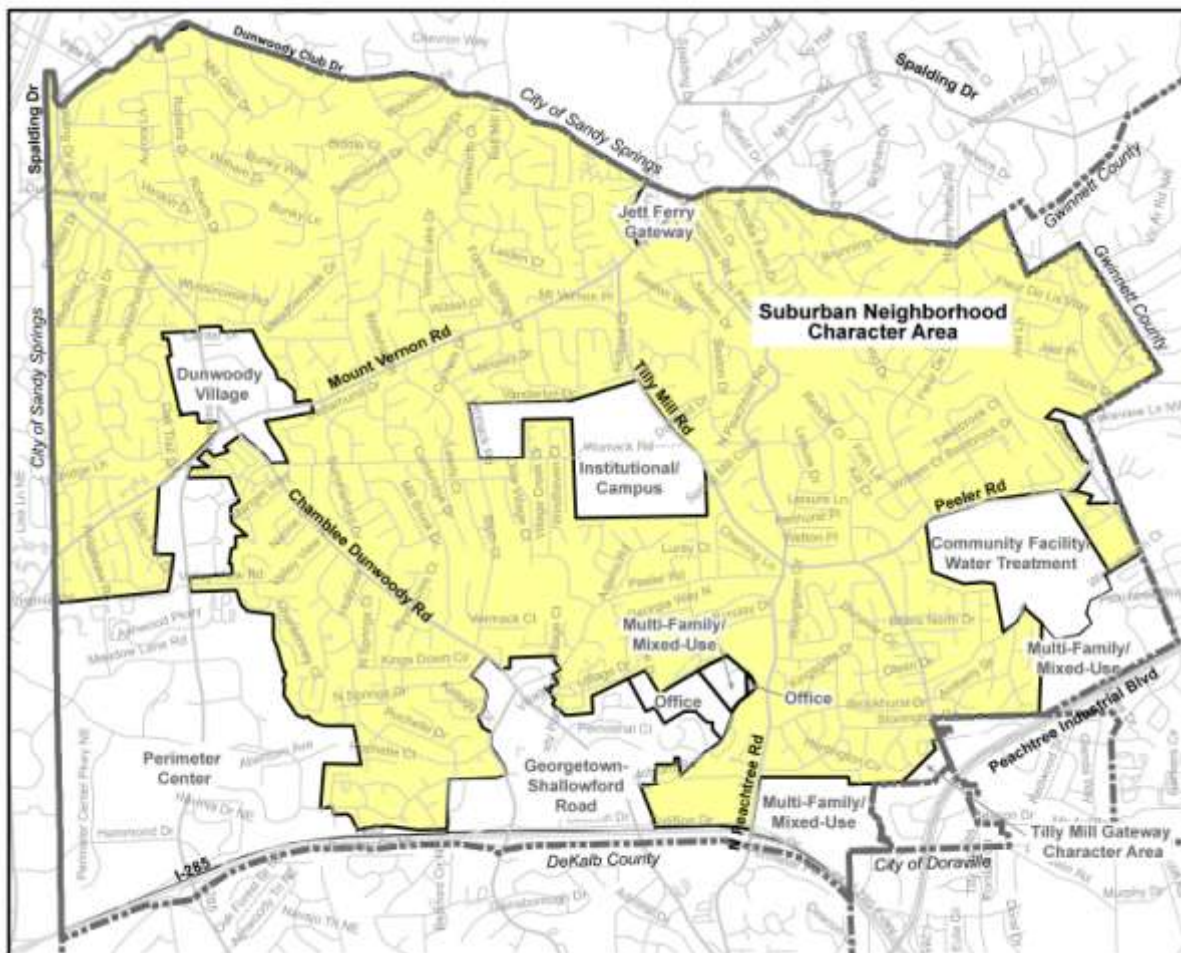


Perimeter Center Character Area Goals

- Land Use
 - New residential development will include amenities and provide public functional green space
 - New residential development will address school capacity issues and applicants will work with Board of Education and City for better resolution of school issues
 - Reduce surface parking and promote livable centers in the immediate areas surrounding MARTA station
 - Encourage hotel and convention development near MARTA in order to foster commerce along the mass transportation route
 - Achieve a lifelong-community for residents who can age in place with safe access to medical, recreational and other necessary services
- Transportation and Circulation
 - Create bicycle, pedestrian and potential golf cart options to connect with the rest of the City of Dunwoody
 - Work with the Perimeter Transportation Management Association (TMA) to actively reduce automobile dependency and emerge as a leader in alternative transportation for the region
 - Promote/establish new connectivity
- Intergovernmental Coordination
 - Work to strengthen Board of Education relationship for creative solutions to school capacity
 - Work with the PCIDs' boards to implement vision
 - Coordinate with the City of Sandy Springs for LCI Updates and implementation
 - Coordinate with the Atlanta Regional Commission (ARC) for implementation of future LCI study updates
 - Coordinate with MARTA regarding Bus Rapid Transit (BRT) (or other regional service) and urban design surrounding all transit stations



Suburban Neighborhood



Vision/Intent

Stable, owner-occupied single-family residential area that is characterized by a traditional suburban pattern of development with accessible sidewalks, extensive landscaping, and access to parks and functional greenspace, places of worship and schools.

Future Development

- **Height:** Up to 2 story typical although high quality, 3 story attached residential units (townhomes) may be appropriate if and only if featuring high quality architectural treatment and only where existing townhomes currently allowed by past zoning



- **Form:** Traditional homes with quality building materials, high quality design, streetscaping, and pedestrian and bicycle amenities
- **Uses:** Single-family residential, public gathering spaces, places of worship, office-residential or neighborhood scale commercial at key intersections (less than 10,000 square feet); townhomes only where existing townhomes currently allowed by zoning
- **Density:** Maximum residential density up to 4 units to the acre

Goals

- Encourage paths, connectivity, and sidewalks
- Identify potential trail easements

