



41 Perimeter Center East, Suite 250
Dunwoody, Georgia 30346
P (678) 382-6700
dunwoodyga.gov

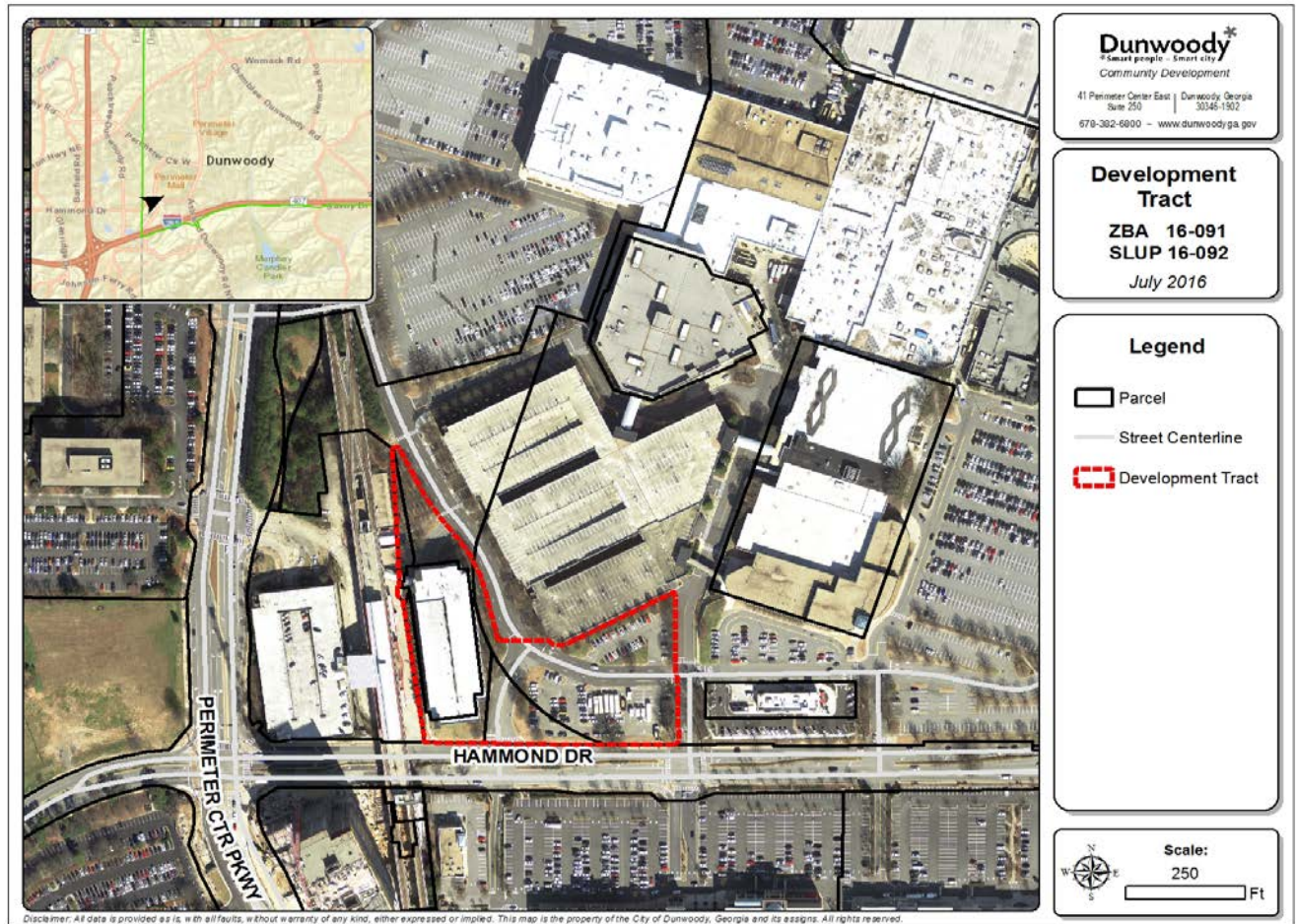
MEMORANDUM

To: City Council

From: John Olson, AICP

Date: September 26, 2016

Subject: SLUP 16-092: Jessica Hill of MMMLaw, attorney for the applicant, on behalf of Transwestern, applicant of a portion of 1134 Hammond Road and 4400 Ashford Dunwoody Drive, Dunwoody, GA 30346, seeks a Special Land Use Permit from Chapter 27, Section 27-73(b) to increase the building height in a C-1 (Local Commercial) District from 2 stories/35 feet to 20 stories/300 feet. The tax parcel of the property is 18-348-01-020 and 18 348 01 006.



BACKGROUND

The subject site is found on a portion of the Perimeter Mall campus, located at the northeast corner of Hammond Drive and the Marta rail line. The site is currently improved with a 119 space mall surface parking lot, 600-space MARTA parking deck (owned by Perimeter Mall,

LLC), and a small, southwest section of the Mall Loop Road. The area around the site consists of a Chick-fil-A outparcel to the east, the Dunwoody MARTA Station to the west, a 2,544-space Perimeter Mall parking deck to the north, and big box retail shopping center, across Hammond Drive to the south. Additionally, the State Farm Headquarters is currently under construction, across Hammond Drive to the southwest. The general vicinity of the area consists of a balance of shopping, restaurants, and office high-rise buildings. The site is zoned C-1 (Commercial) District and part of the pending Perimeter Center Overlay. According to the pending Perimeter Center Zoning Districts, the development parcel is envisioned as a PC-1 (Perimeter Center) District, which is intended to support higher density development in proximity to MARTA.

SITE PLAN ANALYSIS

The applicant (Perimeter Mall, LLC), on behalf of Transwestern (developer) seeks a Special Land Use Permit from Chapter 27, Section 27-73(b) to increase the maximum allowable building height in a C-1 (Local Commercial) District from 2 stories/35 feet to 20-stories/300-feet. It shall be noted that the subject SLUP request is associated with the following companion variance requests (case ZBA 16-091), which were heard by the Zoning Board of Appeals on September 1, 2016:

- 1.) to encroach the front yard setback for the construction of a twenty story office building and existing 600-car parking garage (Development Parcel);
- 2.) to encroach in the interior side yard setback for the construction of a twenty story office building (Development Parcel);
- 3.) to encroach the rear yard setback for the construction of a twenty story office building (Development Parcel);
- 4.) to encroach in the interior side yard setback for an existing 600-car parking garage (Development Parcel); and
- 5.) to encroach the interior side yard setback for a proposed pedestrian connection and existing parking structure (Mall Parcel)

The subject property is currently part of the total 85.5 acre Perimeter Mall campus, which is currently owned by Perimeter Center, LLC. In an effort to create a development parcel, a 3.94 acre parcel is proposed to be subdivided from the total acreage of the Mall property. Review of the submitted site plan indicates that the property takes on an irregular shape that looks like like the State of Idaho and has about 523 feet of frontage along Hammond Road and 663 feet of frontage along the MARTA line. A small cross-section of the Mall Loop Road passes thru the eastern portion of the site. Based on discussions with the applicant, the Mall will retain ownership of the roads running thru the site, but has agreed to grant air rights to the applicant in order to construct the parking deck and pedestrian connection.

Based on the plans submitted to staff, the future development parcel will include 456,840 square feet of office with ground floor retail and restaurant uses. To foster pedestrian activity from the Dunwoody MARTA Station, the proposal includes an elevated pedestrian connection between the proposed office building and the existing 600-space MARTA parking deck. The site plan also indicates the placement of an at grade pedestrian connection between the rear of the proposed office building and existing Mall parking deck. In an effort to improve traffic flow and create more walkable blocks, the applicant plans call for a reconfiguration of the Mall loop road in and around the site.

The development proposes to integrate streetscape improvements from the pending Hammond Drive Corridor Study. At Hammond Drive, the street frontage includes a 6-foot wide street buffer, 5-foot wide bicycle lane, 8-foot wide sidewalk, and public open space. To



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accomplish the streetscape improvements, the submitted site plan indicates that future right-of-way will be dedicated along Hammond Drive. To complete the improvements, the submitted tree plan indicates that three street trees will be lost.

PARKING ANALYSIS

Review of the site plan indicates that the Mall loop road will be reconfigured to improve pedestrian and vehicular circulation thru the site. To accomplish a realignment of the road, the applicant’s consultants anticipate that an additional 15 spaces will be lost from the Mall parking lot between the Chick-fil-A and the Mall (total =134 spaces). To give some flexibility to the interior road design, the architect has rounded the parking replacement number for the Mall from 134 to 140 spaces.

Based on the parking calculations submitted by the applicant, there will be no net loss of Mall parking, as the lost 140 spaces will be transferred to the existing 600 space parking deck with the balance of spaces available for office use. The site plan indicates that a five story, 767 space parking deck will also be constructed over a portion of the Mall loop road. Minus the 140 spaces that will be relocated to the existing deck, a total of 1,227 spaces will be provided for the proposed use, which exceeds the requirement of 1,186 spaces for the development. A summary of the required parking and parking spaces provided are summarized below:

				RATIO	REQUIRED PARKING CURRENT ORDINANCE
OFFICE AREA	456,840	GSF	3.3/1000		1,507 SPACES
RETAIL AREA	4,797	GSF	4.0/1000		20 SPACES
RESTAURANT AREA	8,000	GSF	6.67/1000		54 SPACES
TOTAL BUILDING AREA				469,637 GSF SUBTOTAL	1,581 SPACES
				LESS 25% REDUCTION FOR MARTA PROXIMITY	(376) SPACES
				TOTAL REQUIRED PARKING (ZONING)	1,131 SPACES
PARKING (NEW GARAGE UNDER OFFICE BLDG)					767 SPACES
PARKING (EXISTING GARAGE)					600 SPACES
				SUBTOTAL	1367 SPACES
LESS MALL SURFACE SPACES RELOCATING TO EXISTING GARAGE					(140) SPACES
TOTAL SPACES PROVIDED					1227 SPACES

It is important to make note that the 600-space parking deck is currently leased to MARTA, but owned by the Mall. In researching the parking, MARTA explained to staff that they conduct monthly parking counts for the deck. Based on their counts, they have determined that usage is very low, and therefore, plan to exit the lease within the next year. In response, the applicant has indicated plans to purchase the parking deck from the Mall, and ultimately, repurpose it for accessory parking for the future development and Mall customers. Staff would point out there is a second MARTA parking structure located on the



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western side of the Dunwoody MARTA Station. From a utilization perspective, MARTA has stated that they have no concerns as it related to the loss of the leased parking, as they have determined sufficient space is available in the second parking deck to meet their parking demands.

SURROUNDING LAND ANALYSIS

Direction	Zoning	Use	Current Land Use
N	C-1	Perimeter Mall Shopping Center	Commercial
S	C-1	Shopping Center	Commercial
E	C-1	Restaurant	Commercial
W	C-1	Dunwoody MARTA Station	Transportation

ZONING ANALYSIS

Procedural excerpts from the code as discussed herein are provided below. Portions of the Comprehensive Plan related to the Perimeter Center Character Area are attached for consideration.

Zoning Ordinance Analysis

Purpose:

Through the process of a Special Land Use Permit, the applicant has requested to increase the building height in a C-1 (Local Commercial) District from 2 stories/35 feet to 20 stories/300 feet.

Relevant Code Sections:

1. Section 27-97(b): The maximum building height (stories/feet) in a C-1 district is 2 stories and 35 feet.
2. Section 27-97(b)(4): Buildings in excess stated height limits may be approved through the special land use permit procedures of article V, division 3.

Dunwoody 2015-2035 Comprehensive Plan Analysis

The Comprehensive Plan serves as the City’s guiding policy document for land use decisions. It divides the city into context-specific “Character Areas.” The subject parcel is located in the “Perimeter Center Character Area”, which is envisioned to be a “visitor friendly ‘livable’ regional center with first-class office, retail, entertainment, hotels and high-end restaurants in a pedestrian and bicycle oriented environment.”

Review and Approval Criteria

Chapter 27, Section 27-359 identifies the following criteria to be applied by the department of planning, the planning commission, and the city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the city council unless satisfactory provisions and arrangements have been

made concerning each of the following factors, all of which are applicable to each application:

1. Whether the proposed use is consistent with the policies of the comprehensive plan; ***The future land use map in the Comprehensive Plan identifies the future land use of subject property as "Perimeter Center". The land use vision for the Perimeter Center is "livable regional center with office, retail, mixed-use, and multi-use residential buildings." Pursuant to the Dunwoody Comprehensive Plan, the subject site is also located in the 'Perimeter Center Character Area,' which encourages office and commercial uses. The vision for the Perimeter Center Character Area intends to create a pedestrian and bicycle oriented environment, reduce excessive surface parking near MARTA, and provide functional green space. Overall, the proposal to build a 20-story office building with ground floor retail and restaurant uses is consistent with the Comprehensive Plan.***
2. Whether the proposed use complies with the requirements of this zoning ordinance; ***The proposed office and commercial uses are permitted under the existing C-1 District; however, under the zoning category, a Special Land Use Permit is required for any building taller than 2 stories or 35 feet. The development parcel is currently part of the pending Perimeter Center Overlay, which proposes to amend the zoning to create a new PC-1 District. According to the proposed Perimeter Center Districts, the PC-1 District makes specific recommendations on building height wherein it allows 30 stories and 370 feet. Taking into consideration these recommendations, the proposal to develop a 20-story high rise office building with ground floor commercial use is complementary to the pending perimeter center zoning districts and the existing uses in the area.***
3. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district; ***The subject parcel is currently zoned C-1 and contains approximately 3.94 acres of land, which is adequate to create a mixed use, high rise development. The development provides adequate open space, off-street parking and does not exceed the maximum lot coverage allowance of 80%. As previously noted, the project will be constructed on an underutilized section of Mall surface parking, but there will be no net loss of parking for the Mall site.***
4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use; ***The proposal to increase the building height will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated.***
 - b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use; ***The proposed use is allowed under the existing C-1 zoning district, and therefore, will not create adverse impacts upon any adjoining land use. The request to increase the building height will have no impact concerning the hours of operation.***

- c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
An increase in the building height would not create adverse impacts upon any adjoining land use, as its manner of operation is similar to surrounding commercial and office uses nearby.
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
Due to new office jobs, a restaurant and other commercial uses, there would be some increases in the volume of traffic as a result of the development. However, with pedestrian connections to MARTA, it is anticipated that some of the traffic impacts will be mitigated.
- e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and
The size, scale and massing of proposed buildings are appropriate in relation to the size, scale and massing of adjacent and nearby lots and buildings as they exist today. As previously noted, the 17-story State Farm Headquarters is found diagonal to the site, across Hammond Drive.
- f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.
The proposed plan will not have an impact on any historic buildings, sites, districts, or archaeological resources. The area on the site which the applicant proposes to develop is already built upon with surface parking, roads, and a parking deck, all of which have no historic significance.
5. Whether public services, public facilities and utilities—including motorized and non-motorized transportation facilities—are adequate to serve the proposed use;
Public services, facilities and utilities are sufficient to the serve the proposed use. The adjacency to MARTA makes the site ideal for higher density development.
6. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;
Vehicular means of ingress and egress are not proposed to be changed as they currently exist and emergency vehicle access is proposed to be sufficient. It may be expected that traffic is increased as a function of the development; however, with the site's proximity to MARTA and I-285, it is unlikely that adjacent land uses will be adversely affected by the volume of cars created by the proposed use. Further, the pedestrian flow in and out of the site is greatly improved with sidewalks and elevated pedestrian walkways, allowing for safe and convenient access to MARTA.
7. Whether adequate provision has been made for refuse and service areas; and
The site plan proposes an interior garage service port designed for refuse and surface areas. Based on the design and layout, it is found within the



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building and hidden from public view, so provision for refuse and services appear to be adequate.

8. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

With the exception to the Perimeter Mall parking deck found north of the site, no negative shadow impact will occur to any adjoining building.

SUMMARY

An increase in building height to 20 stories/300 feet would be consistent with the vision of the Dunwoody Comprehensive Plan and future Perimeter Center Overlay, which emphasizes dense and walkable development near MARTA. In reviewing the request, the redevelopment would appear to have a positive impact on the area, as it will remove excessive surface parking near MARTA and transform the area into a walkable office and commercial center. Additionally, the proposed development is suitable in view of the use and development of adjacent properties.

PLANNING COMMISSION RECOMMENDATION

At their August 9, 2016 meeting, the Planning Commission heard the applicant's request for the subject SLUP. Following discussion with the applicant and staff, the Commission recommended approval with the following conditions:

1. The subject property shall be developed in accordance with the site plan and elevation packet received July 21, 2016 with changes to meet land development and zoning regulations.
2. The City of Dunwoody is allowed to use the triangular piece of land referenced by Bob Dallas above the eastern MARTA parking deck as a park at such time that the City should so choose.
3. The City and General Growth Properties will continue working together to develop what is referred to as 'Perimeter Park'.

STAFF RECOMMENDATION

Based on discussions with the City Attorney, Planning Commission conditions 2 and 3 have been removed as they refer to an off-site park that is not part of the subject property. Staff would also note that condition 4 has been revised from first reading. It states that in the event that a bike lane is added to the property immediately north, a bike lane shall be provided by the property owner. Based upon the findings and conclusions herein, Staff recommends **Approval** of a SLUP from Chapter 27, Section 27-73(b)(1) to increase maximum allowable building height in a C-1 (Commercial) District from (2) stories (35 feet) to 20 stories (300) with the following exhibits and conditions:

EXHIBIT A: Site plan and elevation packet, completed by Kimley Horn and Cooper Carry, received July 21, 2016

1. The subject property shall be developed in general conformity with Exhibit A above, with changes to meet land development and zoning regulations.
2. Prior to the issuance of a building permit, a final plat shall be reviewed and approved by the City of Dunwoody and recorded with DeKalb County.
3. The street improvements recommended in the Hammond Drive Corridor Study shall be incorporated into the development along the full street frontage.



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4. The westernmost site entrance from Hammond Drive shall be developed with minimum six-foot wide sidewalks. In the event a bike lane connection is provided on the property immediately north of the subject property, a bike lane shall be provided by the property owner. Nothing in this condition, however, shall require or obligate the owner of the property immediately north of the subject property to install bike lanes on its property.

Attachments

- Ordinance granting SLUP 16-092
- Planning Commission August 9, 2016 draft meeting minutes
- Exhibit A: Site Plan and Elevation packet received July 21, 2016
- Hammond Drive Corridor Study road section
- Renderings
- Maps
- Dunwoody Comprehensive Plan Excerpt
- SLUP Application Packet

STATE OF GEORGIA
CITY OF DUNWOODY

ORDINANCE 2016-XX-XX

**AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING
MAP FOR ZONING CONDITIONS OF LOT PARCEL NUMBERS 18 348 01 020
AND 18 348 01 006 IN CONSIDERATION OF SPECIAL LAND USE PERMIT
SLUP 16-092 (1134 Hammond Road and 4400 Ashford Dunwoody Drive)**

WHEREAS: Notice to the public regarding said modification to conditions of zoning has been duly published in The Dunwoody Crier, the Official News Organ of the City of Dunwoody, Georgia; and

WHEREAS, Applicant Transwestern seeks a Special Land Use Permit from Chapter 27, Section 27-73(b) to increase the building height in the C-1 (Local Commercial) Zoning District from 2 stories/35 feet to 20 stories/300 feet in order to construct a 456,840 square foot office building with retail on the first floor, which is currently part of the Perimeter Mall property but is being proposed for a subdivision; and

WHEREAS: To foster pedestrian activity from the MARTA Station, an elevated pedestrian connection is being proposed between the proposed office building and the existing MARTA parking deck; and

WHEREAS: The development proposes to integrate streetscape improvements from the pending Hammond Drive Corridor Study and, to achieve same, will dedicate future Right-of-Way along Hammond Drive; and

WHEREAS: The Mayor and City Council find that this SLUP request would be consistent with the vision of the Dunwoody Comprehensive Plan and future Perimeter Center Overlay and will have a positive impact on the area, transforming it into a walkable office and commercial center.

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby ordains and approves Special Land Use Permit 16-092 for this said property to allow an increase in building height from 2 stories/35 feet to 20 stories/300 feet. Development shall be in substantial compliance with the following exhibits and conditions:

EXHIBIT A: Site plan and elevation packet, completed by Kimley Horn and Cooper Carry, received July 21, 2016

- 1. The subject property shall be developed in general conformity with Exhibit A above, with changes to meet land development and zoning regulations.**
- 2. Prior to the issuance of a building permit, a final plat shall be reviewed and approved by the City of Dunwoody and recorded with DeKalb County.**
- 3. The street improvements recommended in the Hammond Drive Corridor Study shall be incorporated into the development along the full street frontage.**

4. The westernmost site entrance from Hammond Drive shall be developed with minimum six-foot wide sidewalks. In the event a bike lane connection is provided on the property immediately north of the subject property, a bike lane shall be provided by the property owner. Nothing in this condition, however, shall require or obligate the owner of the property immediately north of the subject property to install bike lanes on its property.

SO ORDAINED AND EFFECTIVE, this ____ day of _____, 2016.

Approved by:

Denis L. Shortal, Mayor

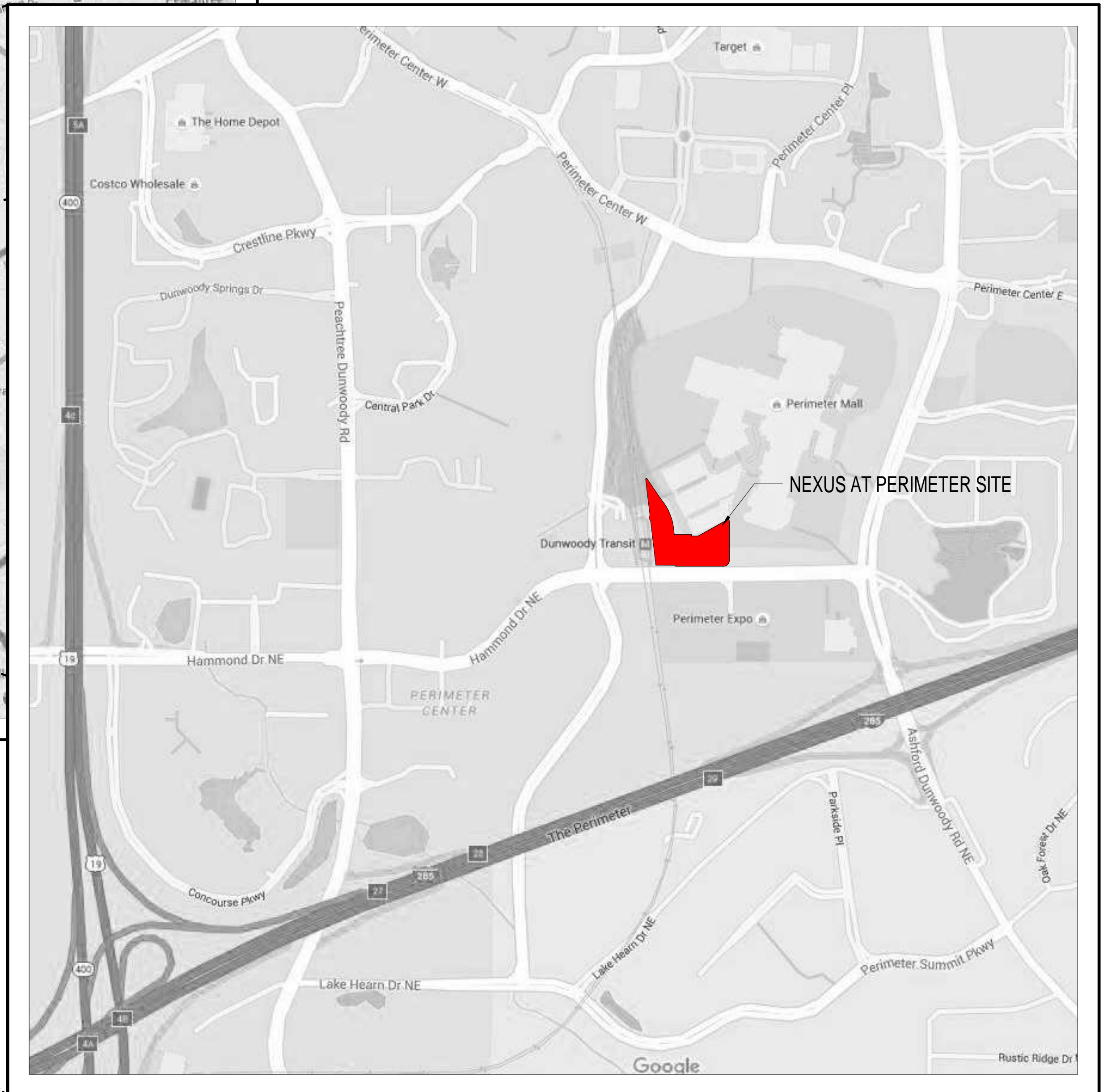
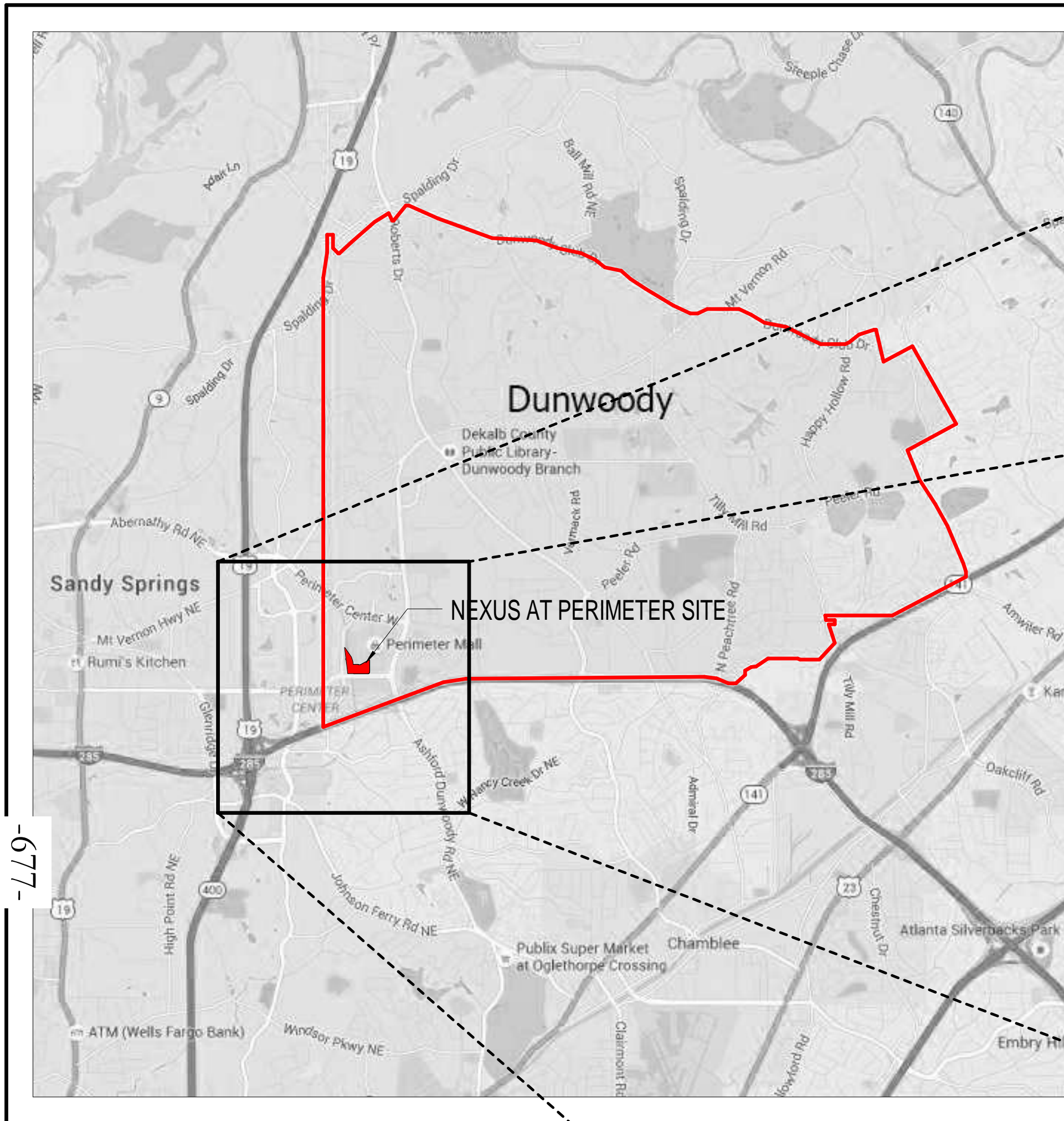
Attest:

Approved as to Form and Content

Sharon Lowery, City Clerk

City Attorney

SEAL

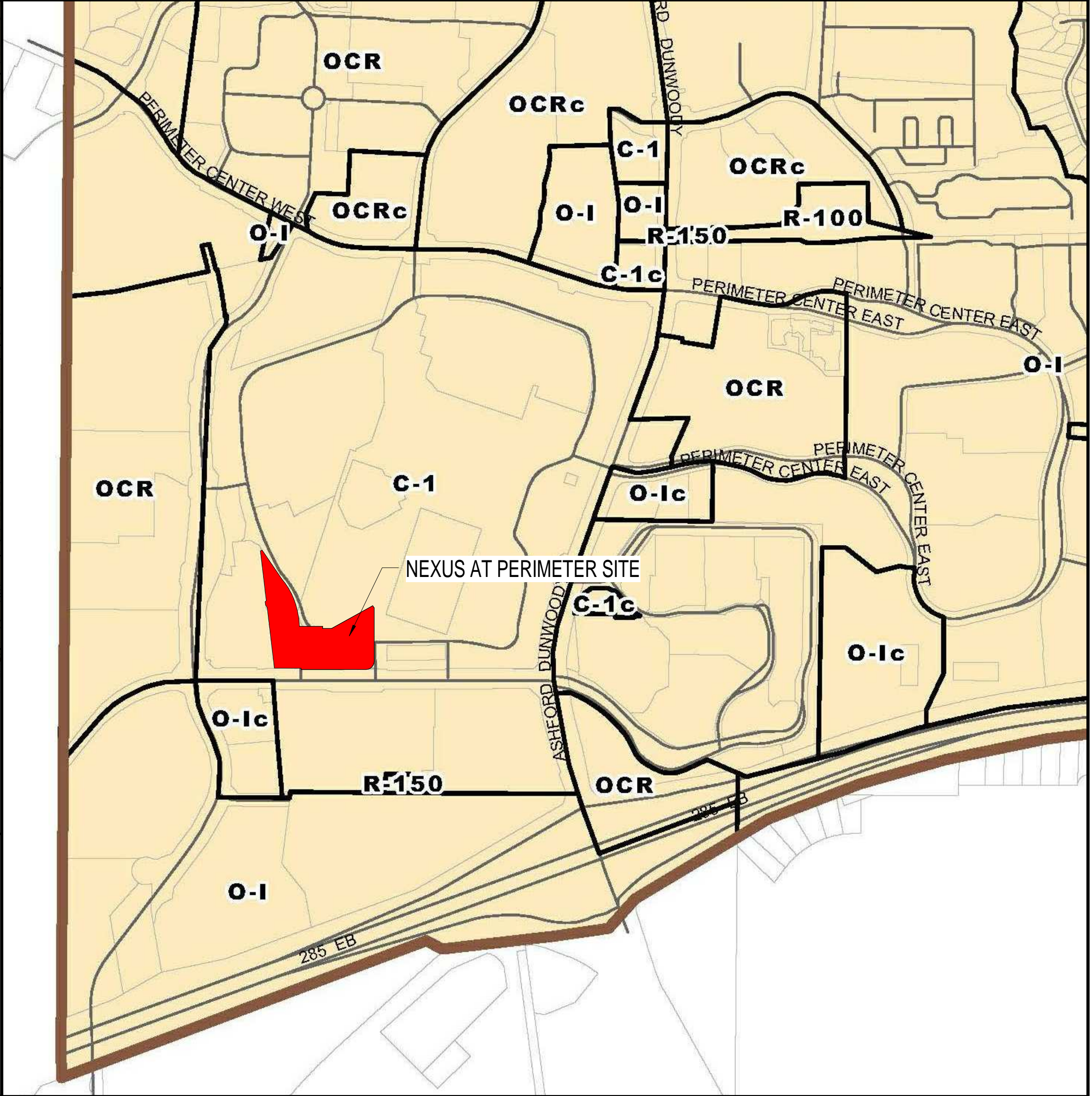
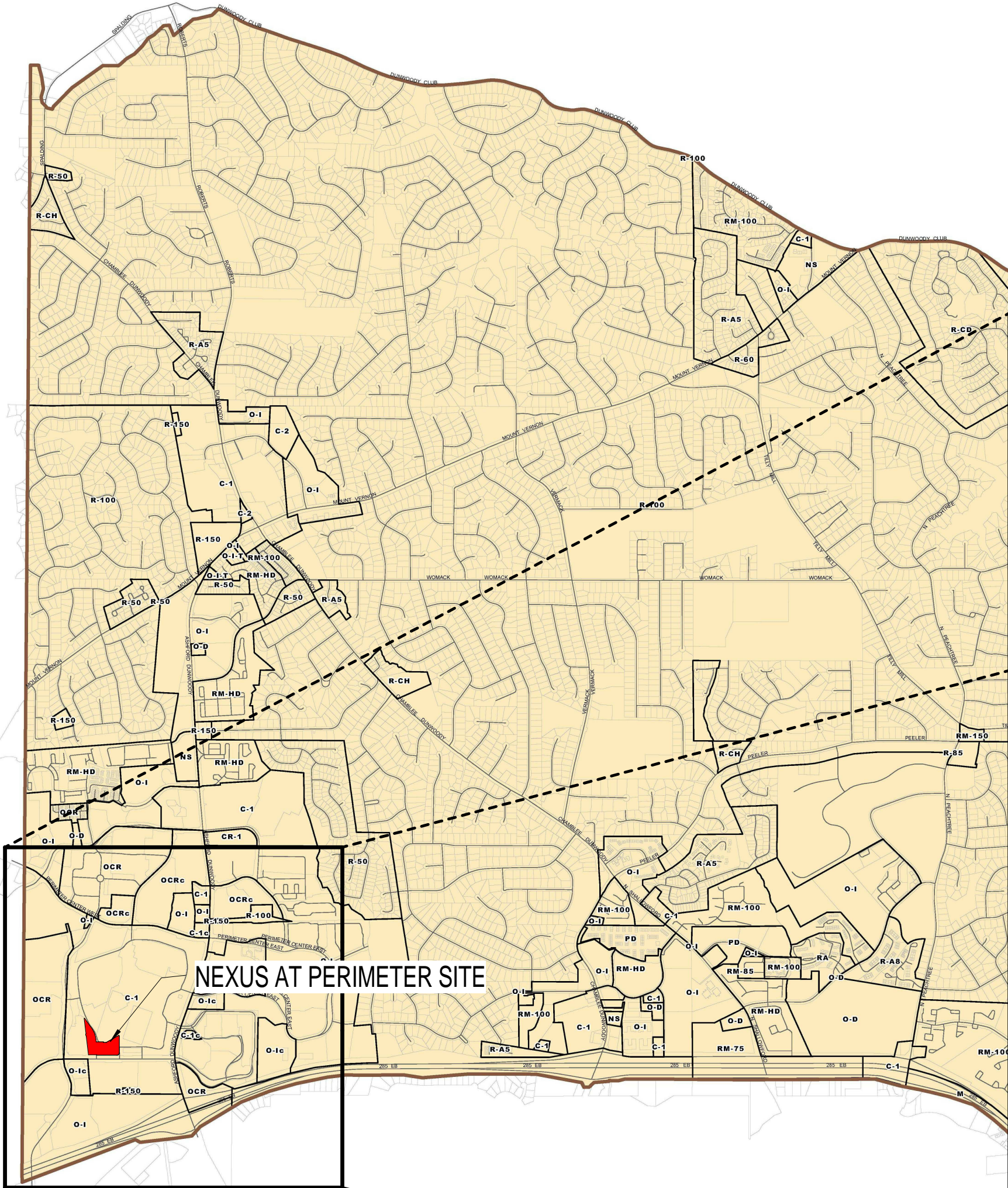


-677-

SITE LOCATION:
 1134 HAMMOND DRIVE
 DUNWOODY, DEKALB COUNTY, GEORGIA 30346

01-05-16

-678-

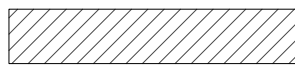





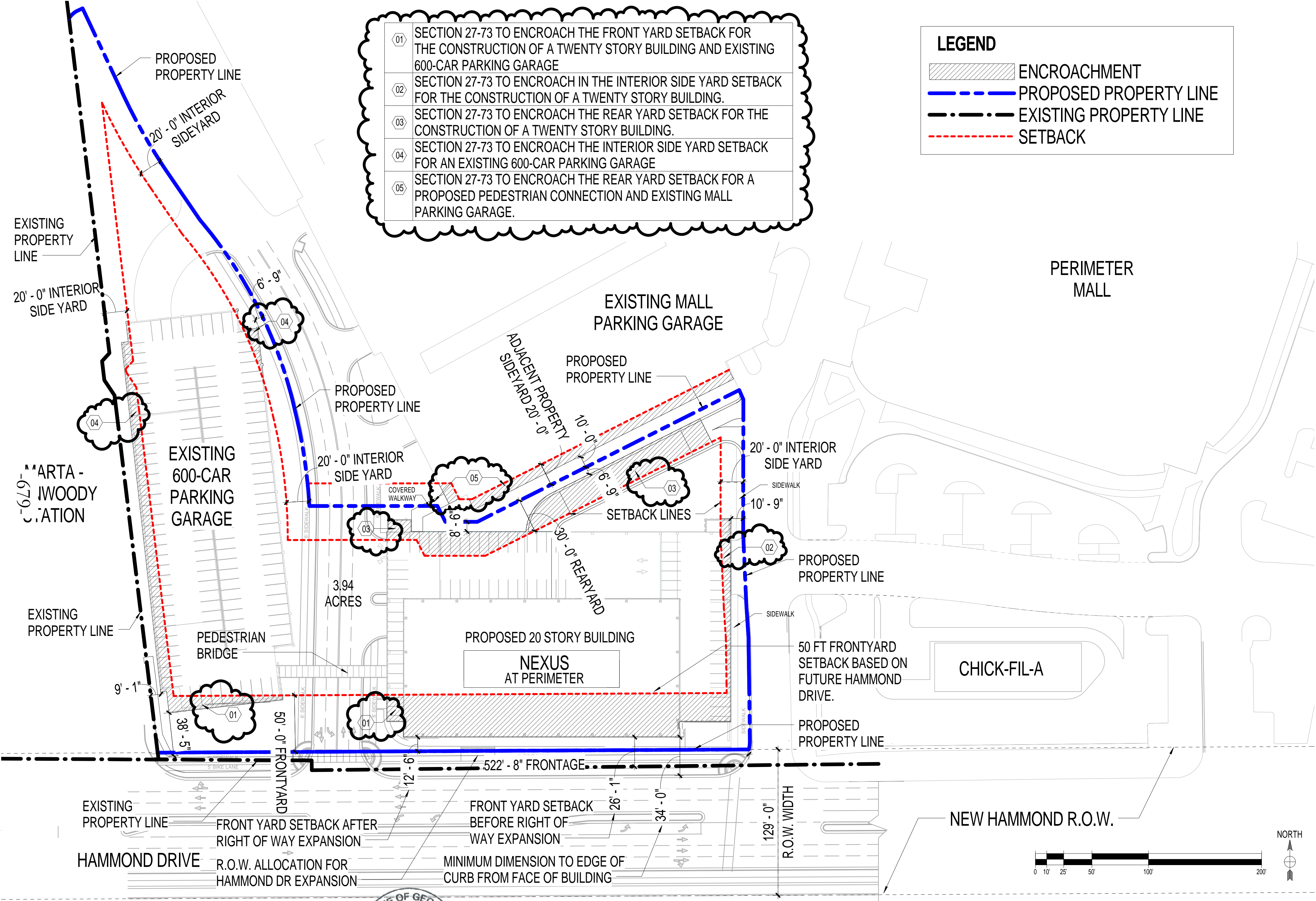
**CITY OF DUNWOODY
ZONING DESIGNATION C-1
LOCAL COMMERCIAL**

01-05-16

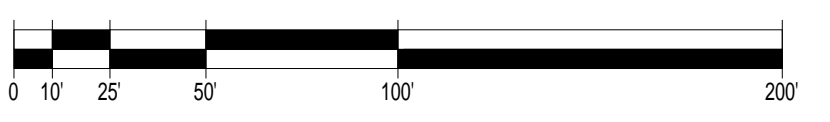
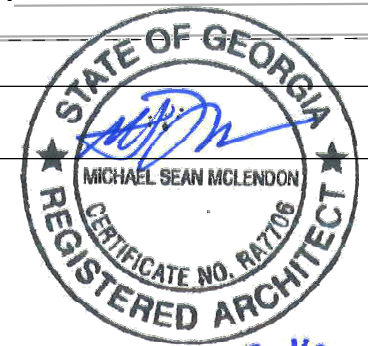
- 01 SECTION 27-73 TO ENCROACH THE FRONT YARD SETBACK FOR THE CONSTRUCTION OF A TWENTY STORY BUILDING AND EXISTING 600-CAR PARKING GARAGE
- 02 SECTION 27-73 TO ENCROACH IN THE INTERIOR SIDE YARD SETBACK FOR THE CONSTRUCTION OF A TWENTY STORY BUILDING.
- 03 SECTION 27-73 TO ENCROACH THE REAR YARD SETBACK FOR THE CONSTRUCTION OF A TWENTY STORY BUILDING.
- 04 SECTION 27-73 TO ENCROACH THE INTERIOR SIDE YARD SETBACK FOR AN EXISTING 600-CAR PARKING GARAGE
- 05 SECTION 27-73 TO ENCROACH THE REAR YARD SETBACK FOR A PROPOSED PEDESTRIAN CONNECTION AND EXISTING MALL PARKING GARAGE.

LEGEND

-  ENCROACHMENT
-  PROPOSED PROPERTY LINE
-  EXISTING PROPERTY LINE
-  SETBACK



PROJECT N° 20150155 | 7/20/2016 3:02:01 PM



SITE VARIANCE DIAGRAM

NEXUS AT PERIMETER CENTER
DUNWOODY, GA

#16.
COOPER CARRY

CITY OF DUNWOODY MUNICIPAL CODE
ZONING DISTRICT: C-1 LOCAL COMMERCIAL

SITE DATA:		REQUIRED	PROVIDED	VARIANCE REQUESTED
L1	SITE AREA	20,000 SF	178,161 SF	NO
L1	SITE AREA AFTER RIGHT OF WAY EXPANSION	20,000 SF	171,435 SF (3.94 ACRES)	NO
L2	MINIMUM LOT FRONTAGE	100'-0"	522'-8"	NO
S1	FRONT YARD SETBACK BEFORE R.O.W. EXPANSION	50'-0"	26'-1"	YES
S2	INTERIOR SIDE YARD SETBACK	20'-0"	10'-9"	YES
S3	REAR YARD SETBACK	30'-0"	6'-9"	YES
S1	FRONT YARD SETBACK AFTER R.O.W. EXPANSION	50'-0"	12'-6"	YES
C	MAXIMUM LOT COVERAGE	80% MAX	72.44%	NO
	MAXIMUM LOT COVERAGE AFTER R.O.W. EXPANSION	80% MAX	71.71%	NO
	MAX BUILDING HEIGHT (STORIES / FT.)	3 / 35'-0"	20 / 300'-0"	YES
	MAX BUILDING FLOOR AREA	NA	469,637 SF	NO

BUILDING DATA:	
OFFICE AREA GROSS LESS RETAIL AND RESTAURANT AREAS	456,840-SF
RETAIL AREA	4,797-SF
RESTAURANT AREA	8,000-SF
BUILDING HEIGHT (PROPOSED)	300'-0" VARIANCE REQUEST: 305'-0"
NUMBER OF STORIES	20 TOTAL (15 OFFICE) (5 PARKING) (1 LOBBY LEVEL SHARED OFFICE AND PARKING)

PARKING CALCULATIONS:				RATIO	REQUIRED PARKING CURRENT ORDINANCE
OFFICE AREA	456,840	GSF	3.3/1000		1,507 SPACES
RETAIL AREA	4,797	GSF	4.0/1000		20 SPACES
RESTAURANT AREA	8,000	GSF	6.67/1000		54 SPACES
TOTAL BUILDING AREA	469,637	GSF	SUBTOTAL		1,581 SPACES
LESS 25% REDUCTION FOR MARTA PROXIMITY					(376) SPACES
TOTAL REQUIRED PARKING (ZONING)					1,131 SPACES
PARKING (NEW GARAGE UNDER OFFICE BLDG)					767 SPACES
PARKING (EXISTING GARAGE)					600 SPACES
SUBTOTAL					1367 SPACES
LESS MALL SURFACE SPACES RELOCATING TO EXISTING GARAGE					(140) SPACES
TOTAL SPACES PROVIDED					1227 SPACES

LOT COVERAGE:	
BEFORE RIGHT OF WAY EXPANSION SECTION:	
TOTAL SITE AREA	178,161-SF
NEXUS BUILDING FOOTPRINT	55,026-SF
PARKING DECK FOOTPRINT (EXISTING)	40,283-SF
DRIVES / SIDEWALKS / BIKE LANES	33,746-SF
TOTAL IMPERVIOUS AREA	129,055-SF
TOTAL OPEN AREA	49,106-SF
PERCENTAGE IMPERVIOUS AREA	72.44%
FUTURE RIGHT OF WAY EXPANSION SECTION:	
REDUCED SITE AREA AFTER RIGHT OF WAY EXPANSION	171,435-SF
NEXUS BUILDING FOOTPRINT	55,026-SF
PARKING DECK FOOTPRINT (EXISTING)	40,283-SF
DRIVES / SIDEWALKS / BIKE LANES	27,628-SF
TOTAL IMPERVIOUS AREA	122,937-SF
TOTAL OPEN AREA	48,498-SF
PERCENTAGE IMPERVIOUS AREA AFTER R.O.W EXPANSION	71.71%

-680-



01-05-16

SETBACK LINES

PERIMETER CENTER MALL

EXISTING PARKING GARAGE

MACY'S

EXISTING 600-CAR PARKING GARAGE

MARTA - DUNWOODY STATION

-681-

TRASH COMPACTOR

LOADING DOCK / SERVICE PORT

PEDESTRIAN BRIDGE ABOVE

4,700-SF PLAZA SPACE (0.1079 ACRES)

COVERED WALKWAY

RAMP UP

TRANSFORMERS

GENERATOR

RAMP ABOVE

MALL LOOP ROAD THROUGH PARKING DECK

VAN PARKING

BIKE RACKS

CHICK-FIL-A

OFFICE LOBBY

RESTAURANT

RETAIL

PROPOSED PROPERTY LINE

SEMI-PERVIOUS PAVING

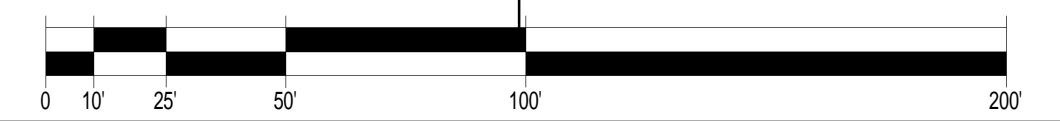
EXISTING PROPERTY LINE

HAMMOND DRIVE

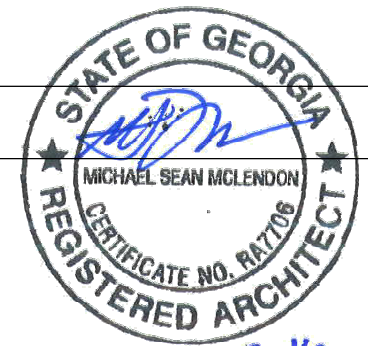
HATCHED REGION INDICATES RIGHT OF WAY

129'-0"

NORTH



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TRANSWESTERN

GROUND LEVEL SITE PLAN

NEXUS AT PERIMETER CENTER
DUNWOODY, GA

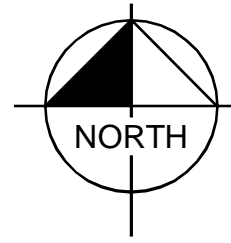
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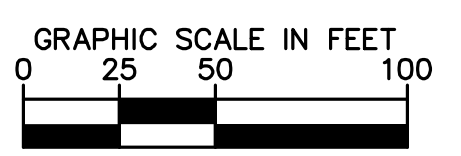
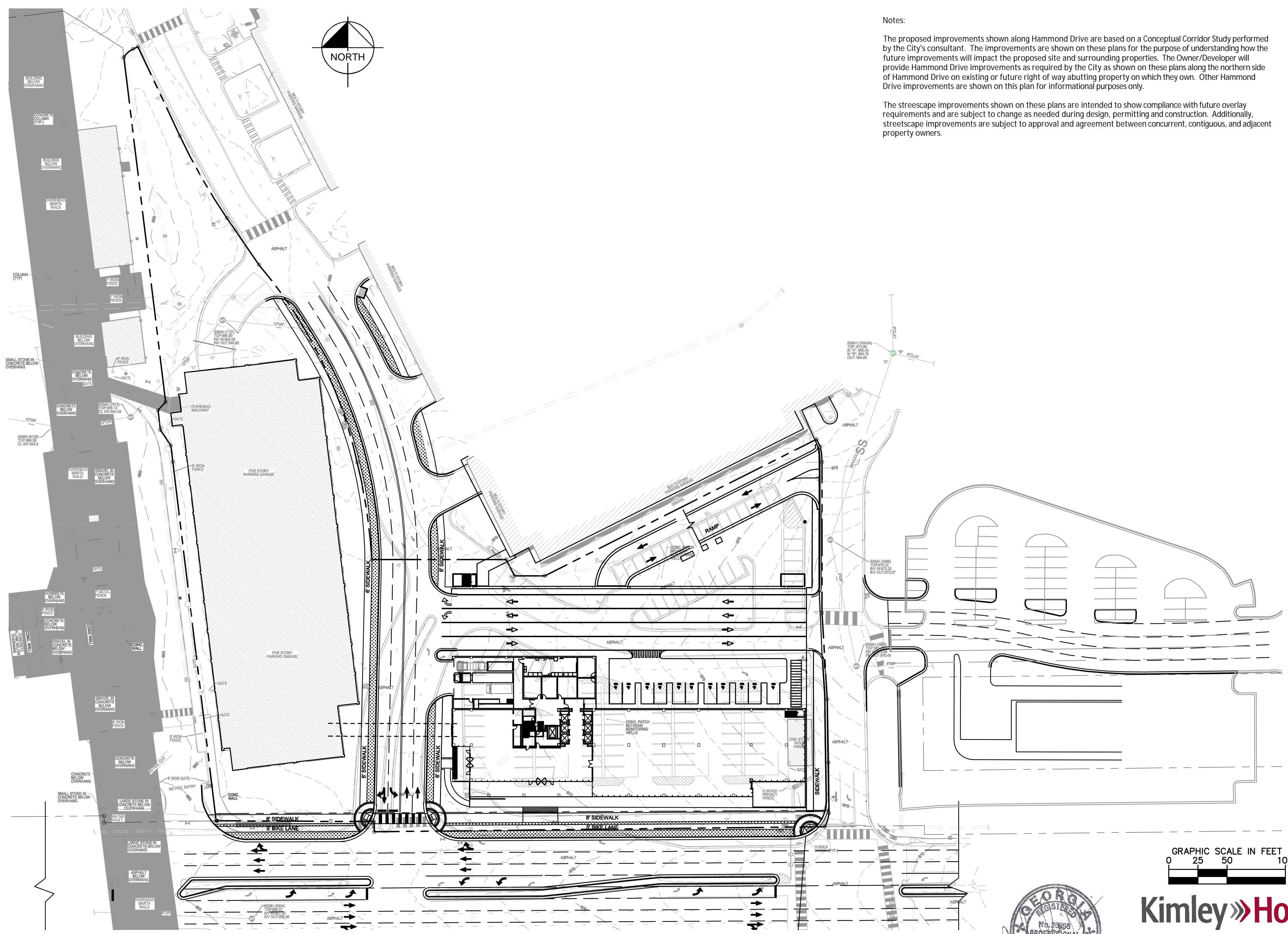
Notes:

The proposed improvements shown along Hammond Drive are based on a Conceptual Corridor Study performed by the City's consultant. The improvements are shown on these plans for the purpose of understanding how the future improvements will impact the proposed site and surrounding properties. The Owner/Developer will provide Hammond Drive improvements as required by the City as shown on these plans along the northern side of Hammond Drive on existing or future right of way abutting property on which they own. Other Hammond Drive improvements are shown on this plan for informational purposes only.

The streetscape improvements shown on these plans are intended to show compliance with future overlay requirements and are subject to change as needed during design, permitting and construction. Additionally, streetscape improvements are subject to approval and agreement between concurrent, contiguous, and adjacent property owners.



-682-

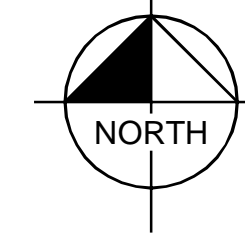
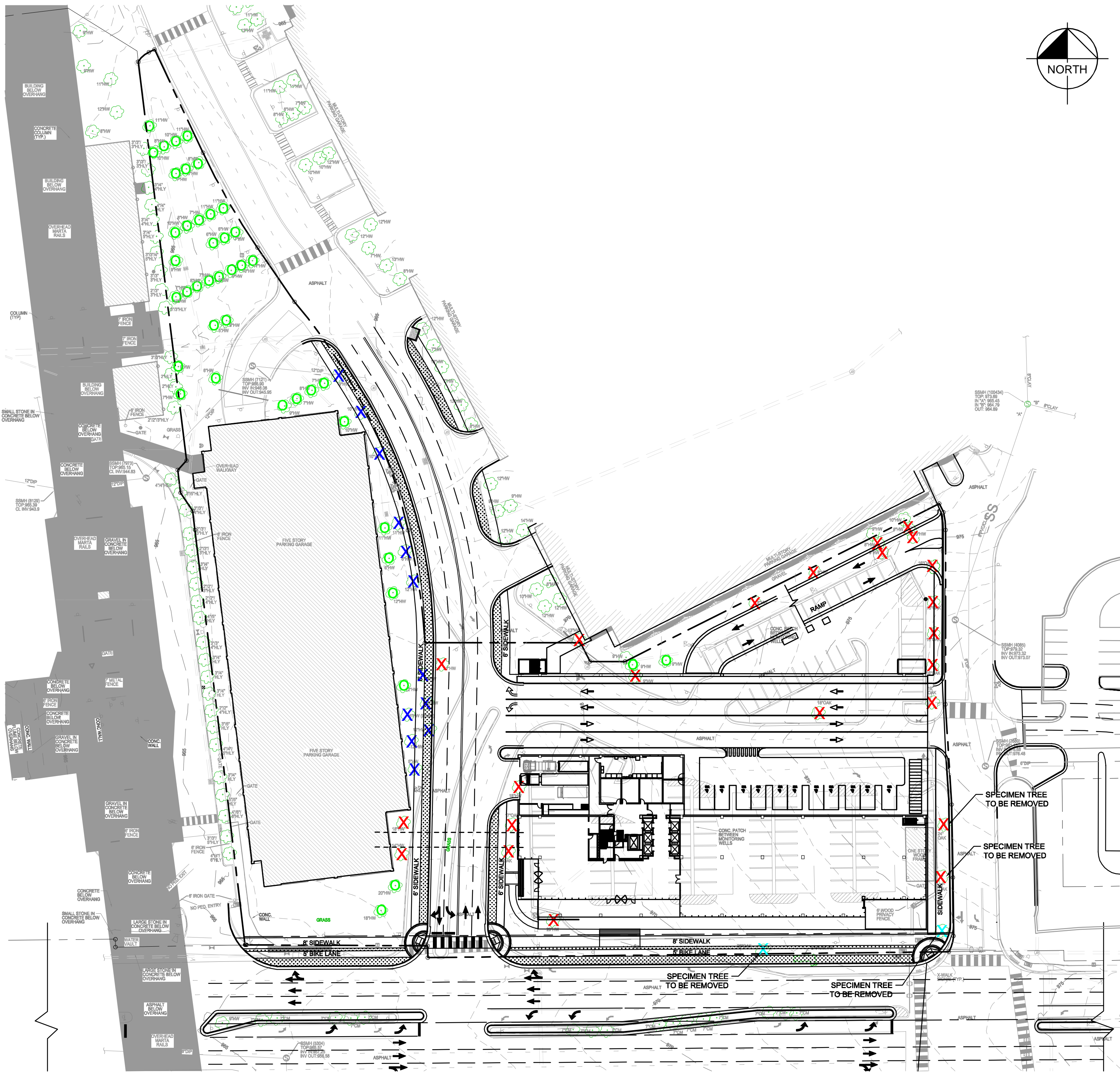


07.21.2016

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817 W. PEACHTREE STREET, NW
THE BILTMORE, SUITE 601
ATLANTA, GEORGIA 30308
PHONE (404) 419-8700
WWW.KIMLEY-HORN.COM

NEXUS AT PERIMETER | 1134 HAMMOND DRIVE | SITE PLAN EXHIBIT



TREE REMOVAL LEGEND:

- TREES TO BE SAVED
- ✗ TREES REQUIRING REMOVAL DUE TO PROJECT
- ✗ TREES REQUIRING REMOVAL DUE TO HAMMOND DRIVE IMPROVEMENT
- ✗ TREES REQUIRING REMOVAL DUE TO PRIMARY STREET SIDEWALK AND BIKE LANE

TREES TO BE SAVED

QUANTITY	DESCRIPTION	DIA (INCHES)	RTF	RTF TOTAL
3	HW	5	0.3	0.9
4	HW	6	0.3	1.2
8	HW	7	0.3	2.4
5	HW	8	0.5	2.5
9	HW	9	0.5	4.5
6	HW	10	0.6	3.6
6	HW	11	0.7	4.2
2	HW	12	0.8	1.6
1	HW	18	1.8	1.8
1	HW	20	2.2	2.2

TOTAL RTF **24.9**

REMOVED DUE TO SIDEWALK AND BIKE LANE

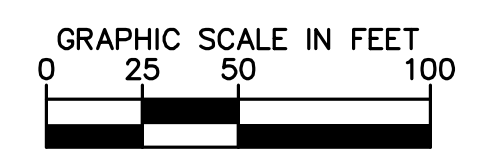
QUANTITY	DESCRIPTION	DIA (INCHES)	NOTES:
3	HW	5	
1	HW	6	
2	HW	9	
2	HW	10	
1	HW	11	
3	HW	12	

REMOVED DUE TO HAMMOND IMPROVEMENT

QUANTITY	DESCRIPTION	DIA (INCHES)	NOTES:
1	OAK	26	SPECIMEN TREE
1	MAPLE	30	SPECIMEN TREE

REMOVED DUE TO PROJECT

QUANTITY	DESCRIPTION	DIA (INCHES)	NOTES:
4	HW	8	
3	HW	9	
1	HW	11	
1	HW	13	
1	HW	14	
2	HW	15	
2	OAK	16	
1	OAK	17	
4	HW	18	
1	OAK	19	
1	HW	20	
1	OAK	24	SPECIMEN TREE
1	OAK	27	SPECIMEN TREE

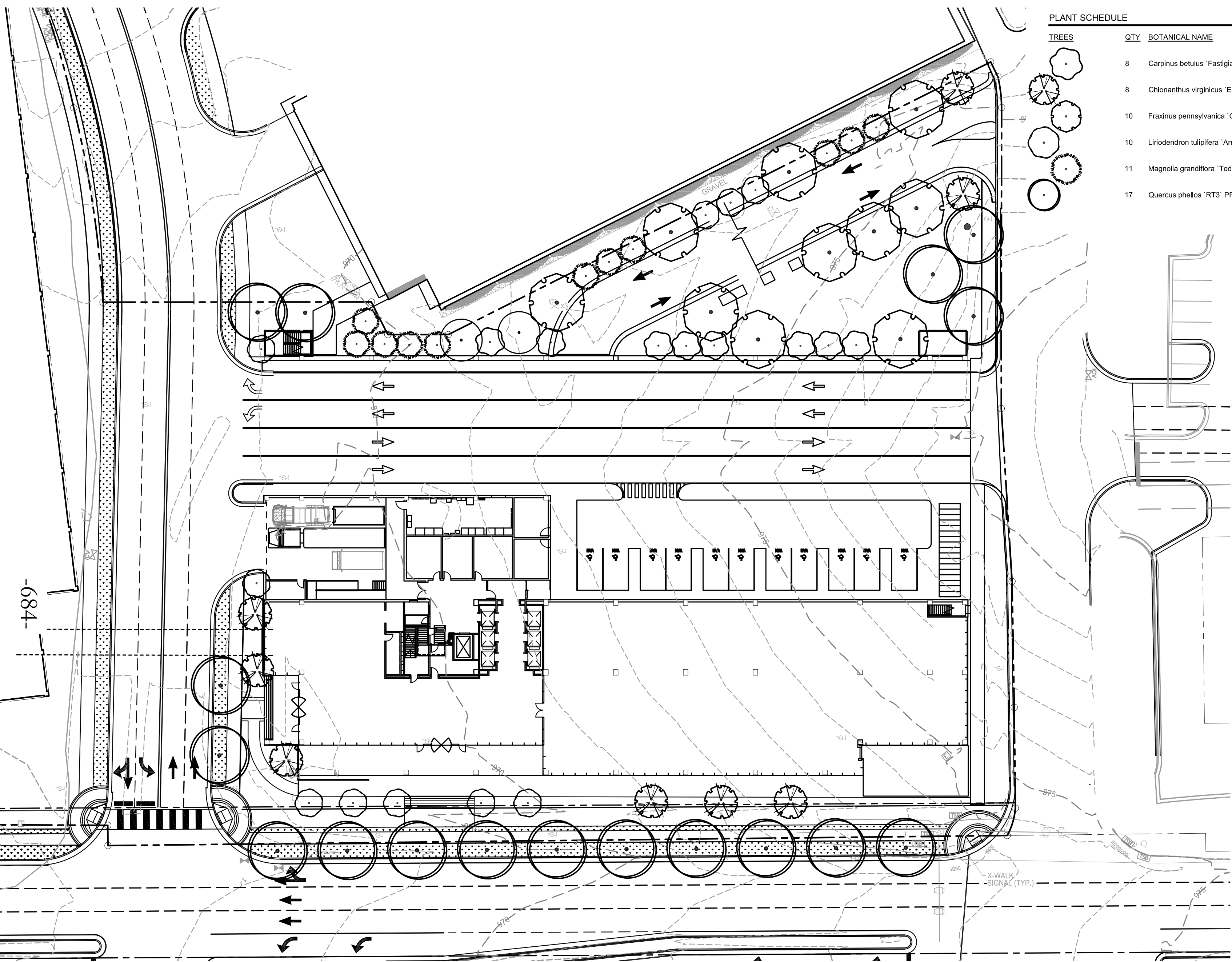


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07.21.2016

NEXUS AT PERIMETER | 1134 HAMMOND DRIVE | TREE SAVE & TREE REMOVAL EXHIBIT



PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	MIN CAL	MIN SIZE	REMARKS	TDF	TAL
	8	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	B & B	3"Cal	14'-16' ht		0.6	
	8	Chionanthus virginicus 'Emerald Knight'	Emerald Knight Fringetree	B & B		14'-16' ht	Multi-Stem	0.6	4.8
	10	Fraxinus pennsylvanica 'Oconee'	Green Ash	B & B	4"Cal	16'-18' ht		0.7	7.0
	10	Liriodendron tulipifera 'Arnold'	Arnold Tulip Poplar	B & B	3"Cal	14'-16' ht		0.6	6.0
	11	Magnolia grandiflora 'Teddy Bear'	Teddy Bear Southern Magnolia	B & B		10'-12' ht		0.6	6.6
	17	Quercus phellos 'RT3' PP16,44	Upperton Willow Oak	B & B	4"Cal	16'-18' ht		0.7	11.9

GRAND TOTAL = 41.1 TDF
 SPECIMEN REPLACEMENT TOTAL = 23.7 TDF
 SITE REPLACEMENT TOTAL = 17.4 TDF

SPECIMEN TREE REPLACEMENT

15.7 SPECIMEN RTF TO BE REMOVED. 15.7 X 1.5 = 23.55
 REQUIRED SPECIMEN REPLACEMENT UNITS.
 23.7 SPECIMEN REPLACEMENT UNITS PROVIDED.

REQUIREMENT SATISFIED

TREE REPLACEMENT DENSITY FACTOR CALCULATIONS

SITE ACREAGE = 4.1 ACRES
 SITE DENSITY FACTOR = 20 (UNITS PER ACRE)
 1.88 ACRES x 20 (UNITS PER ACRE) = 82 UNITS

RRD (REQUIRED REPLACEMENT DENSITY) = 82 UNITS
 TDF (TREE DENSITY FACTOR) = 17.4 UNITS
 RTF (REMAINING TREE FACTOR) = 24.9
 RRD = TDF + RTF
 82 = 24.9 + 17.4 = -39.7
 DEFICIT OF -39.7 UNITS. DEFICIT TREE DENSITY UNITS TO BE PAID TO THE CITY OF DUNWOODY TREE REPLACEMENT FUND.

TREE REPLACEMENT DENSITY NOT SATISFIED

TREE BANK CALCULATIONS

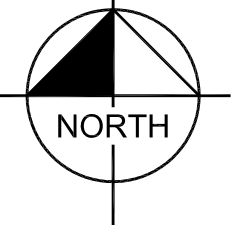
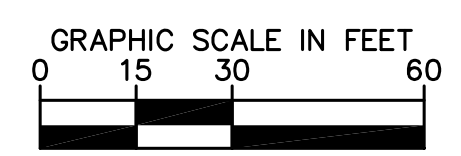
CONTRIBUTION FOR DEFICIT OF -39.7 TREE DENSITY UNITS TO BE DETERMINED FROM THE FEE SCHEDULE FOR THE COMMUNITY DEVELOPMENT DEPARTMENT.

REPLACEMENT QUANTITY REQUIREMENTS

NO SINGLE TREE SPECIES MAY BE USED FOR MORE THAN 35% OF REPLACEMENT TREES
REQUIREMENT SATISFIED

UNDERSTORY TREES MAY CONSTITUTE NO MORE THAN 25% OF REQUIRED REPLACEMENT TREES
REQUIREMENT SATISFIED

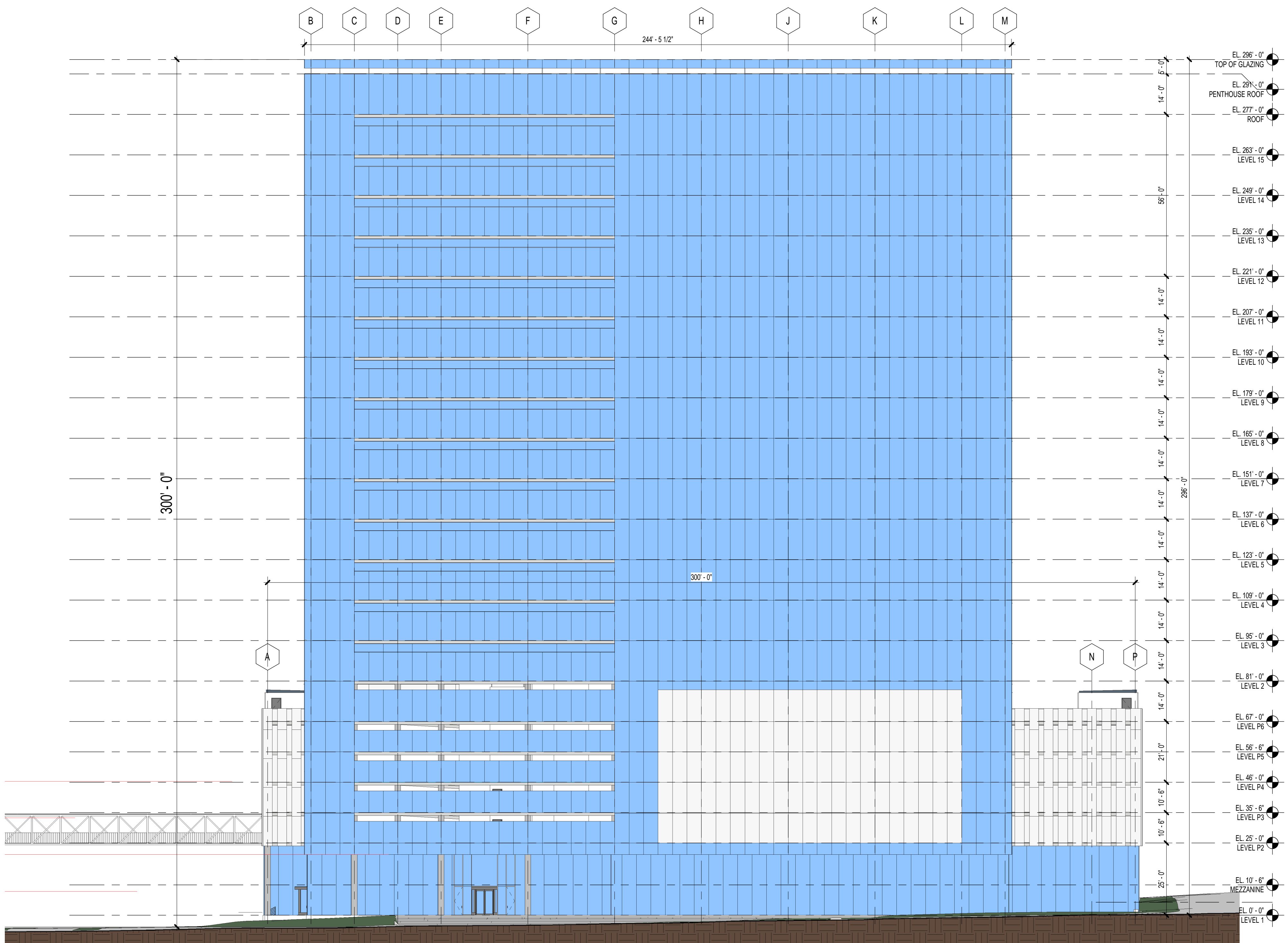
EVERGREENS MAY NOT BE USED FOR MORE THAN 25% OF IN NON BUFFER AREAS
REQUIREMENT SATISFIED



07.20.2016



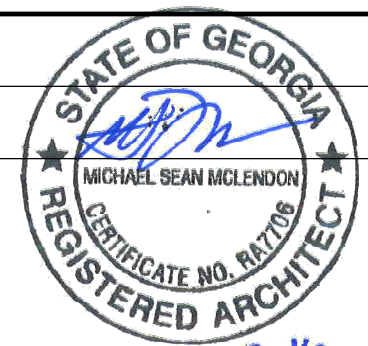
-685-



-989-

1 ELEVATION - SOUTH
 A10 SCALE: 3/64" = 1'-0"

PROJECT N° 20150155 | 6/30/2016 1:19:26 PM



ELEVATION - SOUTH
 NEXUS AT PERIMETER CENTER
 DUNWOODY, GA



M L K J H G F E D C B

EL. 296'-0" TOP OF GLAZING
 EL. 291'-0" PENTHOUSE ROOF
 EL. 277'-0" ROOF
 EL. 263'-0" LEVEL 15
 EL. 249'-0" LEVEL 14
 EL. 235'-0" LEVEL 13
 EL. 221'-0" LEVEL 12
 EL. 207'-0" LEVEL 11
 EL. 193'-0" LEVEL 10
 EL. 179'-0" LEVEL 9
 EL. 165'-0" LEVEL 8
 EL. 151'-0" LEVEL 7
 EL. 137'-0" LEVEL 6
 EL. 123'-0" LEVEL 5
 EL. 109'-0" LEVEL 4
 EL. 95'-0" LEVEL 3
 EL. 81'-0" LEVEL 2
 EL. 67'-0" LEVEL P6
 EL. 56'-6" LEVEL P5
 EL. 46'-0" LEVEL P4
 EL. 35'-6" LEVEL P3
 EL. 25'-0" LEVEL P2
 EL. 10'-6" MEZZANINE
 EL. 0'-0" LEVEL 1

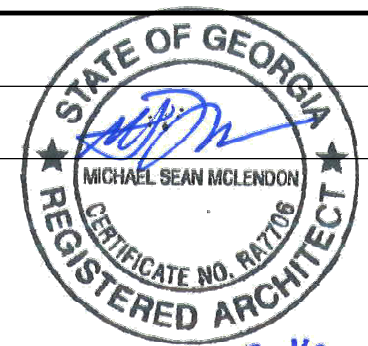
-687-

P N

A

1 ELEVATION - NORTH
 A11 SCALE: 3/64" = 1'-0"

PROJECT N° 20150155 | 6/30/2016 1:19:38 PM

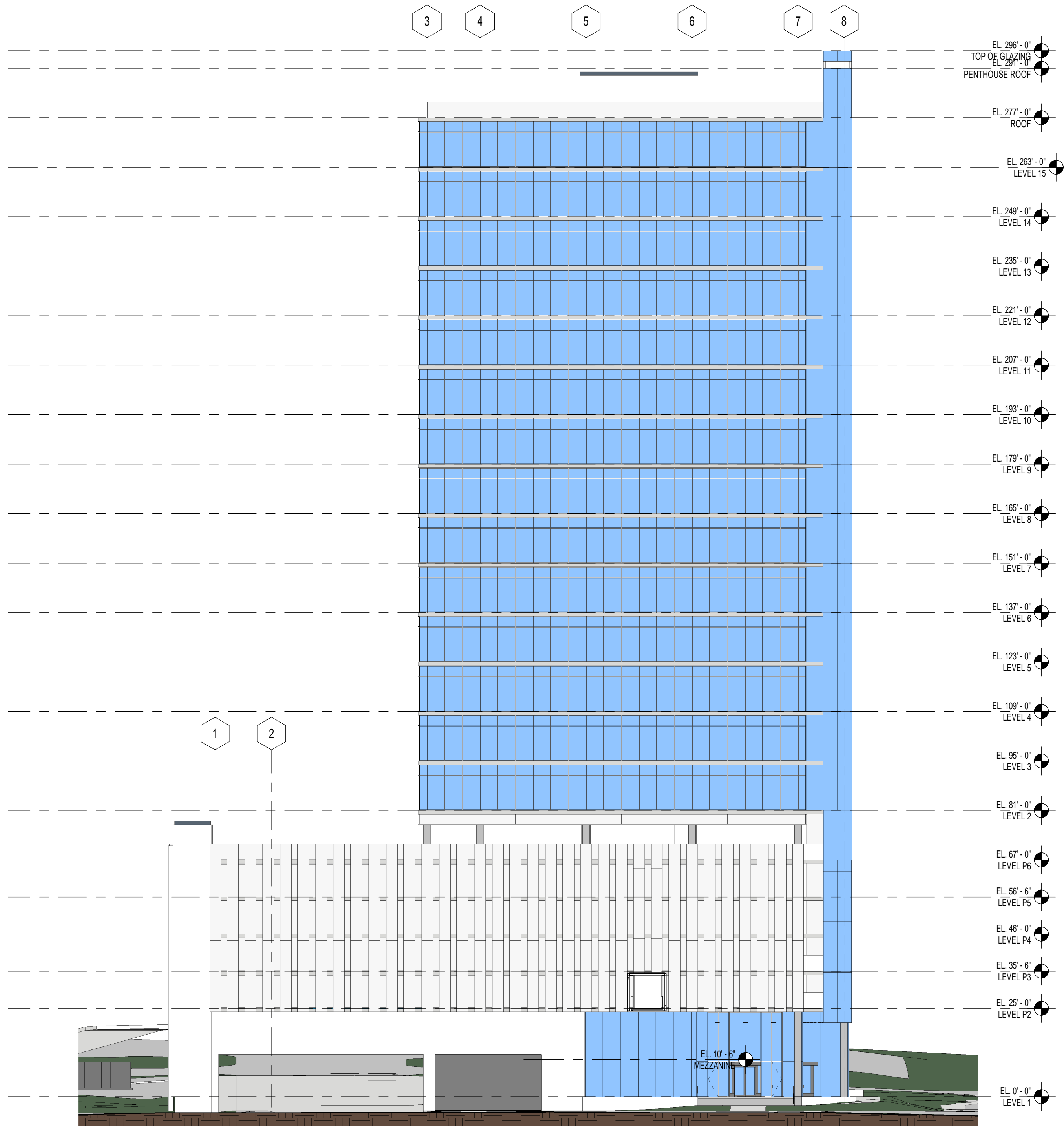


ELEVATION - NORTH
 NEXUS AT PERIMETER CENTER
 DUNWOODY, GA

#16.
 COOPER CA

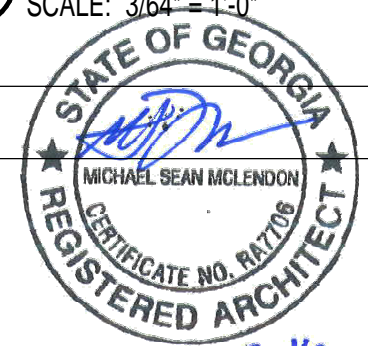
01-05-16

-688-

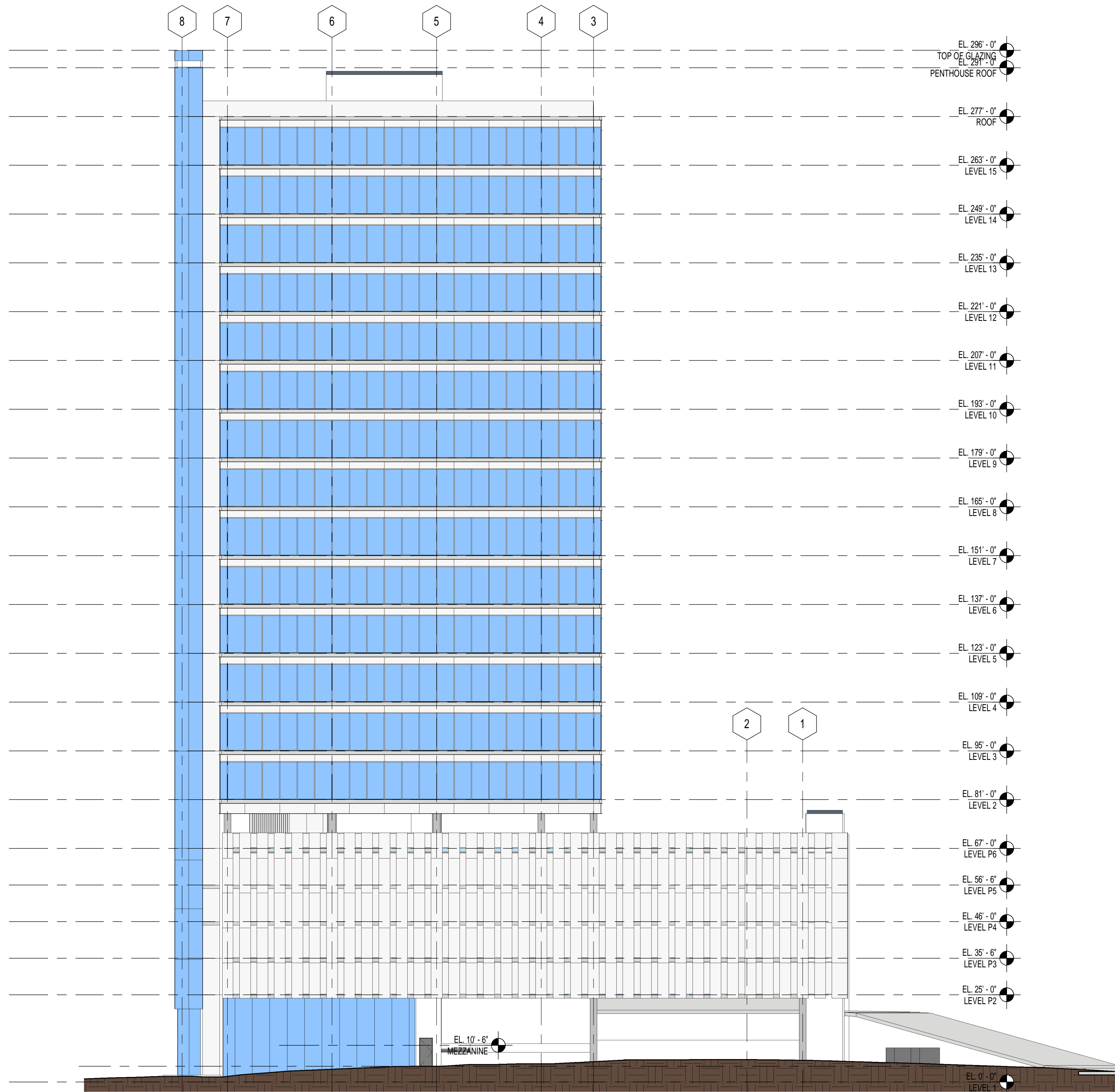


1
A12

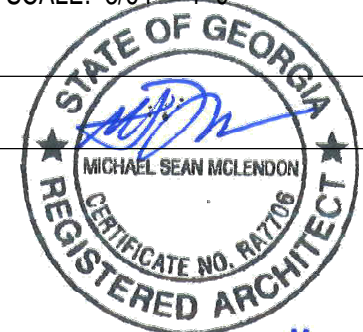
ELEVATION - WEST
SCALE: 3/64" = 1'-0"



-689-



1 ELEVATION - EAST
 A13 SCALE: 3/64" = 1'-0"



CITY OF DUNWOODY
AUGUST 9, 2016
PLANNING COMMISSION MINUTES

The Planning Commission of the City of Dunwoody held a Meeting on August 9, 2016 at 6:00 PM. The meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for the meeting were the following:

Voting Members: Paul Player, Chair
Bob Dallas, Vice-Chair
Kirk Anders, Commission Member
Bill Grossman, Commission Member
Richard Grove, Commission Member
Renate Herod, Commission Member
Thomas O'Brien, Commission Member

Also Present: Steve Foote, Community Development Director
John Olson, City Planner
Andrew Russell, Planning Coordinator
Ronnie Kurtz, Planning Technician

A. CALL TO ORDER

Bob Dallas called the meeting to order.

Kirk Anders motioned to approve Bob as chair for meeting. Richard Grove seconded.

Passed For: 4 (Anders, Dallas, Grove, O'Brien); Against: 0; Abstain: 0; Absent: 3 (Grossman, Herod, Player)

B. ROLL CALL

Bill Grossman, Renate Herod, and Paul Player arrived after approval of the minutes, before discussion of new business.

C. MINUTES

1. Approval of Meeting Minutes from July 12, 2016 Planning Commission Meeting

Richard Grove motioned to approve both sets of minutes. Kirk Anders seconded.

Passed For: 3 (Anders, Dallas, Grove); Against: 0; Abstain: 1 (O'Brien);

Absent: 3 (Grossman, Herod, Player)

2. Approval of Meeting Minutes from July 12, 2016 Planning Commission Special Called Meeting

Approved under Item C.1.

~~D. ORGANIZATIONAL AND PROCEDURAL ITEMS~~ (Item D moved to after Item F to allow time for more Commission members to arrive)

E. UNFINISHED BUSINESS

No unfinished business.

F. NEW BUSINESS

1. SLUP 16-091: David Blumenthal, on behalf of Dirk Laukien, owner of 5490 Chamblee Dunwoody Road, Dunwoody, GA 30338, seeks a Special Land Use Permit from Chapter 27-97(g)(1) to exceed the maximum allowed parking in the Dunwoody Village Overlay District. The tax parcel number is 18 366 01 013.

Andrew Russell presented on behalf of staff and recommended approval of the application with conditions. Andrew responded to questions from the Commission.

Den Webb, attorney for the applicant, presented on behalf of application. Den stated the owner of the Shoppes of Dunwoody, located behind the subject site, is supportive of the request and the project.

No one spoke in opposition.

The Board asked questions of the applicant and staff. Richard Grove asked staff questions regarding the parking space regulations in the Dunwoody Village Overlay and whether the Commission might expect to hear similar requests in the future. Bob Dallas asked the applicant questions regarding bicycle accommodations. Kirk Anders asked for the required stacking capacity for a bank.

Staff responded that the site meets vehicular stacking regulations.

Bob Dallas motioned to approve the Special Land Use Permit with the following conditions:

1. The subject property shall be developed in accordance with the site plan and elevations, completed by Travis Pruitt and Associates, dated July 22, 2016.
2. The applicant shall move the off-street sidewalk so that it is a

minimum of 10-feet from the curb.

Kirk Anders seconded.

Passed For: 7; Against: 0; Abstain: 0; Absent: 0

2. SLUP 16-092: Transwestern, applicant of a portion of 1134 Hammond Road and 4400 Ashford Dunwoody Drive, Dunwoody, GA 30346, by Jessica Hill, attorney for the applicant, seeks a.) Special Land Use Permit from Chapter 27, Section 27-73(b)(1) to increase the building height in a C-1 (Commercial) District from 2 stories/35 feet to 20 stories/300 feet. The tax parcel numbers are 18 348 01 020 and 18 348 01 006.

John Olson presented on behalf of staff and recommended approval of the application with conditions.

Jessica Hill, attorney for the applicant, presented on behalf of the application. Jessica stated the design and proposal have been created in conjunction with city staff. Jessica stated the project is consistent with the comprehensive plan, and the applicant is amicable to staff's recommendations.

No one spoke in opposition.

Renate Herod asked about parking availability and if a traffic study had been executed.

Kirk Anders asked for clarification of who will own the parking spaces and why so many will be needed for the project

Bill asked if any major tenant had been identified, and if the development would be profitable without tax-free municipal bonds.

Trent Germano, representative of applicant, Transwestern, replied that it is a speculative building that would not begin being built until there was enough pre-leasing. Trent stated that without the bonds for title program, the lease rate would be too high compared to market to attract investors.

Thomas O'Brien asked if any study had been done to determine how much the office tenants use public transit. Trent stated that MARTA and GRTA say 25-30% of commuters use public transit.

Bob Dallas noted that he distributed a study about a central park in the Perimeter area. Bob stated the study for the location of a park includes a portion of the parcel in question.

Bob Dallas motioned to approve the Special Land Use Permit with the

following conditions:

1. The subject property shall be developed in accordance with the site plan and elevation packet, dated July 21, 2016 with changes to meet land development and zoning regulations.
2. The City of Dunwoody is allowed to use the triangular piece of land referenced by Bob Dallas above the eastern MARTA parking deck as a park at such time that the City should so choose.
3. The City and General Growth Properties will continue working together to develop what is referred to as 'Perimeter Park.'

Bill Grossman seconded.

Passed For: 6 (Dallas, Grossman, Grove, Herod, Player, O'Brien);
Against: 1 (Anders); Abstain: 0; Absent: 0

D. ORGANIZATIONAL AND PROCEDURAL ITEMS (Item D moved from before Item E)

1. Elect Vice-Chair

Kirk Anders motioned to approve Bob Dallas as Vice Chair. Bill Grossman seconded.

Passed For: 7; Against: 0; Abstain: 0; Absent: 0

G. OTHER BUSINESS

H. PUBLIC COMMENT

Bill Baker, GM for Perimeter Mall, gave an update on discussions about the park with City stakeholders in relation to 'Perimeter Park.'

I. COMMISSION COMMENT

Kirk Anders asked for an update on the status of the Perimeter Overlay plan.

Steve Foote, Community Development Director, stated the City hopes to adopt it by the end of the year.

Richard Grove stated he would like info about precedents from similar cases in the packet moving forward.

Paul Player stated he believes the mayor does not have the authority to

remove someone from a board for being on a DHA member.

J. ADJOURN

Bob Dallas motioned to Adjourn Motion to Adjourn. Renate Herod seconded.

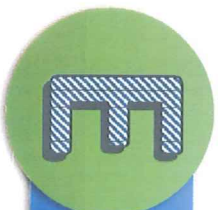
Passed For: 7; Against: 0; Abstain: 0; Absent: 0

Approved by:

Chair

Attest:

Secretary

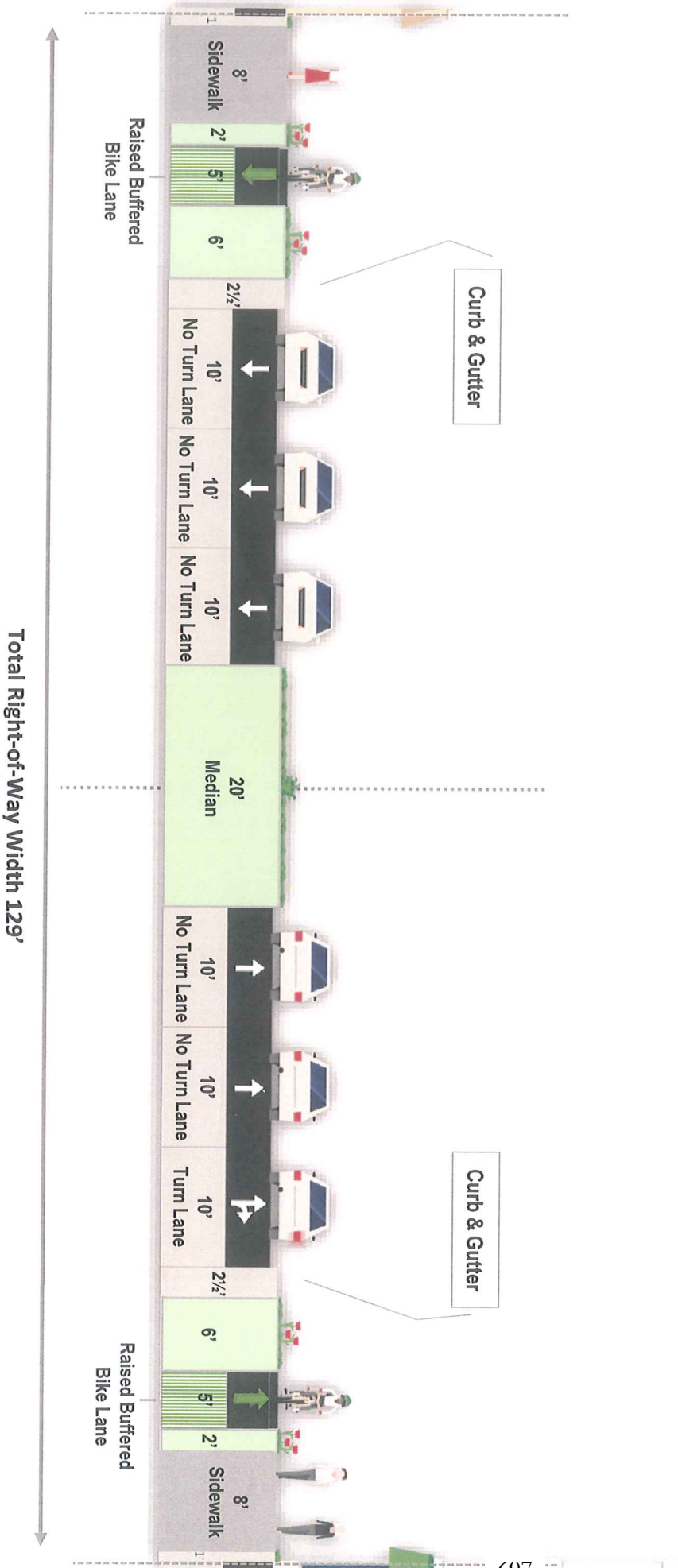


TYPICAL SECTION

PERIMETER CENTER PARKWAY TO ASHFORD DUNWOODY ROAD *(facing east)*

Total width: 129'
6 – 10' Lanes
Raised, Buffered Bike Lane
Sidewalk

Right-of-Way Center Line
Edge of Right-of-Way



-699-



PROJECT N° 20150155

August 9, 2016

STREET LEVEL RENDERING

 **TRANSWESTERN**[®]

NEXUS at Perimeter
Dunwoody, Georgia

 #16.
COOPER CARRY



-700-

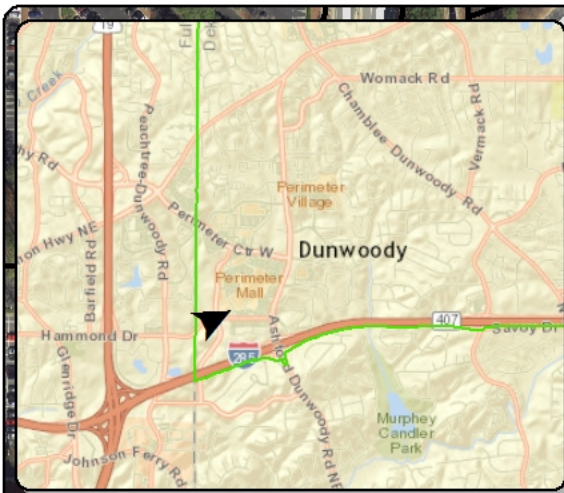
PROJECT N° 20150155 | August 9, 2016

AERIAL RENDERING

TRANSWESTERN[®]

NEXUS at Perimeter
Dunwoody, Georgia





Dunwoody*
 *Smart people - Smart city
 Community Development

41 Perimeter Center East | Dunwoody, Georgia
 Suite 250 | 30346-1902
 678-382-6800 ~ www.dunwoodyga.gov

Development Tract

ZBA 16-091
SLUP 16-092

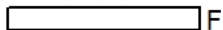
July 2016

Legend

-  Parcel
-  Street Centerline
-  Development Tract



Scale:
 250




















Disclaimer: All data is provided as is, with all faults, without warranty of any kind, either expressed or implied. This map is the property of the City of Dunwoody, Georgia and its assigns. All rights reserved.

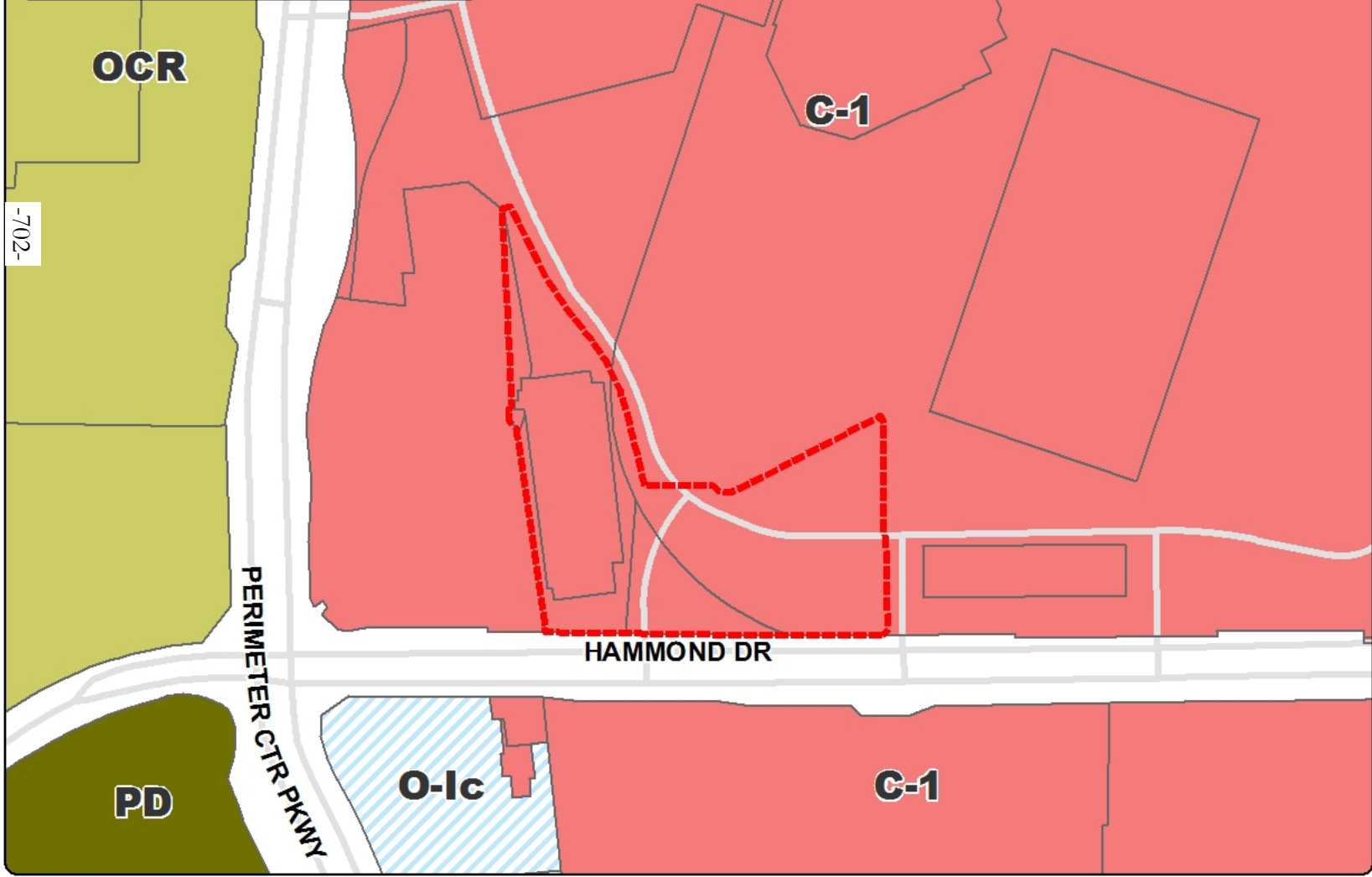
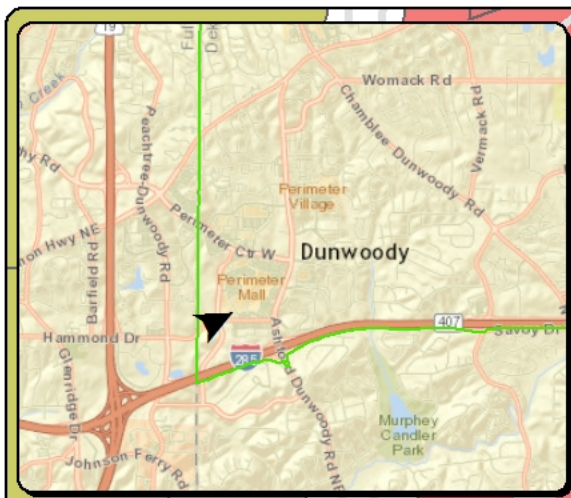
Development Tract

ZBA 16-091
SLUP 16-092

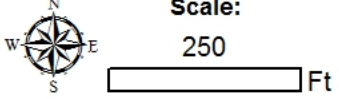
July 2016

Legend

-  Parcel
-  Street Centerline
-  Development Tract
- Zoning District**
-  Local Commercial (C-1)
-  Local Commercial (C-1c)
-  General Commercial (C-2)
-  Commercial-Residential Mixed-Use (CR-1)
-  Industrial (M)
-  Neighborhood Shopping (NS)
-  Office-Distribution (O-D)
-  Office-Institution (O-I)
-  Office-Institution-Transitional (O-I-T)
-  Office-Institution (O-Ic)
-  Office-Commercial Residential (OCR)
-  Office-Commercial Residential (OCRC)
-  Planned Development (PD)
-  Residential (R)



Scale:
250
Ft



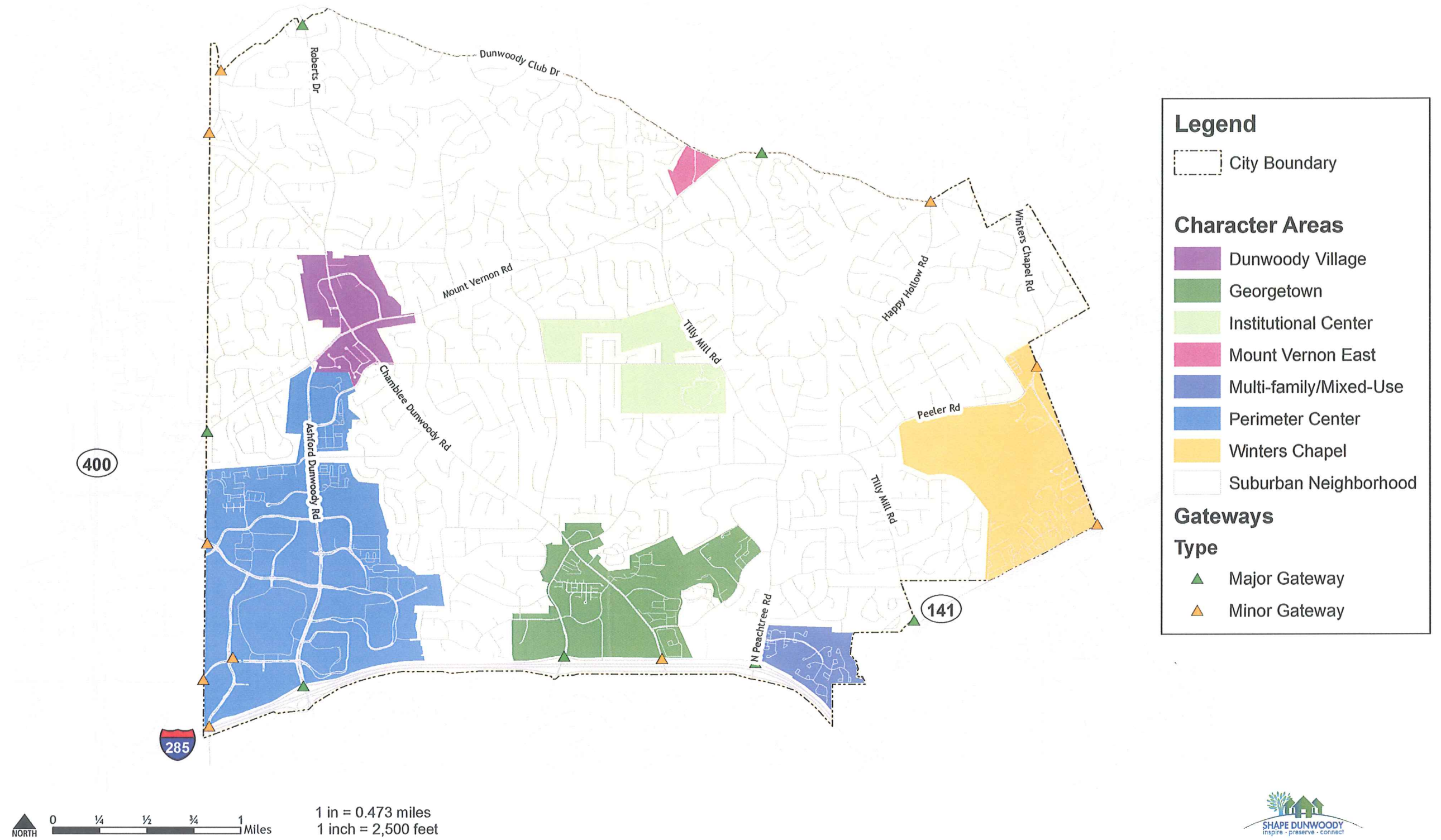


FIGURE 4: Character Areas Map

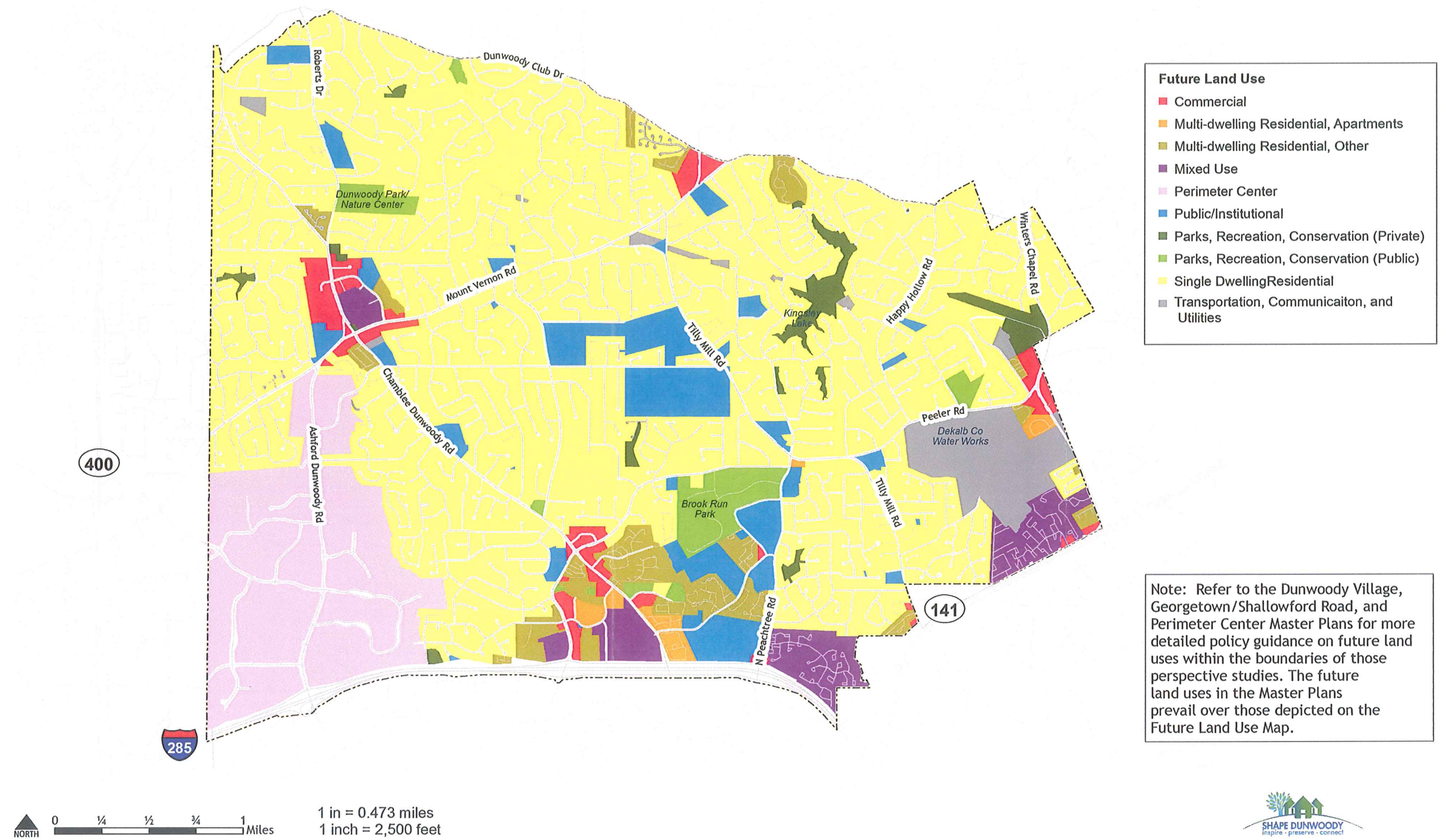


FIGURE 17: Future Land Use Map

PERIMETER CENTER

Vision/Intent

Perimeter Center will be a visitor friendly “livable” regional center with first-class office, retail, entertainment, hotels, and high-end restaurants in a pedestrian and bicycle-oriented environment. The area will serve as a regional example of high quality design standards. The City of Dunwoody works in partnership with the Perimeter Community Improvement Districts (PCIDs) and adjacent communities 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.

In the future, the area should add public gathering space and pocket parks, venues for live music and entertainment and continue to create transportation alternatives, mitigate congestion, and reduce 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.

Future Development

The Perimeter Center Character Area will be divided into four subareas (PC-1, PC-2, PC-3, and PC-4) which match the draft proposed overlay district outline that the City is reviewing as part of the Perimeter Center Zoning Code. This area was the subject of a previous LCI Study. The cities of Dunwoody, Sandy Springs, and Brookhaven work in partnership with the Perimeter Community Improvement Districts (PCIDs) to implement and complement the framework plan and projects identified in the Perimeter Center Livable Centers Initiative study (LCI) and its current and future updates.

For specific recommendations on height, density and use refer to the provisions of the Perimeter Center Overlay District and Zoning, available from the Dunwoody Community Development Department.



FIGURE 13: Perimeter Center Character Area Map

PC-1: Intended to apply to the central core area of Perimeter Center, including the area directly surrounding the Dunwoody MARTA train station. This district allows for the highest intensity of buildings, a high level of employment uses, and active ground story uses and design that support pedestrian mobility.

PC-2: Made up primarily of employment uses and limited shop front retail, residential, and services.

PC-3: A smaller scale, less intensive commercial district, permitting both shop front and office buildings.

PC-4: Made up primarily of residential uses at a scale that provides a transition between the intensity of Perimeter Center and the surrounding single-family residential neighborhoods.

Action Items



▲ Perimeter Mall



▲ Housing in Perimeter Center

- New development will include amenities and provide public functional green space.
- New development will be mindful of 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.
- Create bicycle, pedestrian and non-auto related transportation options to connect with the rest of the City of Dunwoody.
- The 2012 PCID Commuter Trail System Master Plan proposed a network of commuter trails connecting to the MARTA station.
- The 2012 PCID Perimeter Circulator Implementation report recommended circulator transit to provide first/ last mile connectivity for commuters and reduction in CID area congestion.
- The PCIDs have proposed Perimeter Park at the Dunwoody MARTA Station.
- Work with the Perimeter Transportation Management Association (TMA) to actively reduce automobile dependency and emerge as a leader in alternative transportation for the region.
- 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.
- Look for ways to encourage live entertainment for the benefit of visitors and residents.

COMMUNITY IMPROVEMENT DISTRICT (CID)

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.

SPECIAL LAND USE PERMIT APPLICATION



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

*** Applicant Information:**

Company Name: Transwestern
 Contact Name: Henry Spain
 Address: 3340 Peachtree Road, Suite 1000, Atlanta, GA 30326
 Phone: (404) 842-6572 Fax: (404) 842-6573 Email: henry.spain@transwestern.com
 Pre-application conference date (required): _____

*** Owner Information:** Check here if same as applicant

Owner's Name: ~~Perimeter Mall, LLC~~ Perimeter Mall, LLC
 Owner's Address: 110 North Wacker Drive, Chicago, IL 60606
 Phone: _____ Fax: _____ Email: _____

*** Property Information:**

Property Address: a portion of 1134 Hammond Drive and 4400 Ashford Dunwoody Drive Parcel ID: 18 348 01 020 & 18 348 01 006
 Zoning Classification: C-1
 Requested Use of the Property: Office and Commercial - seeking height increase

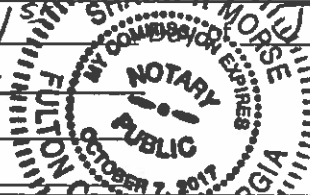
*** Applicant Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: Transwestern
 Applicant's Signature: [Signature] Date: 6/23/2016 7/1/16

*** Notary:**

Sworn to and subscribed before me this 1st day of July, 2016
 Notary Public: Shawn R Morse
 Signature: Shawn R Morse
 My Commission Expires: 10/7/2017



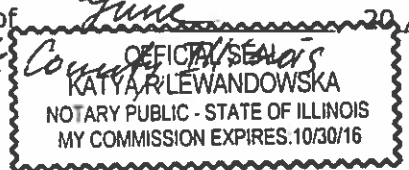
*** Owner Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name: Perimeter Mall, LLC
 Property Owner's Signature: By: [Signature] Date: 6-30-2016
Authorized Signatory

*** Notary:**

Sworn to and subscribed before me this 30th Day of June, 2016
 Notary Public: Katya R. Lewandowska, Cook County, Illinois
 Signature: [Signature]
 My Commission Expires: 10-30-2016




Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? YES NO

*** Applicant / Owner:**

Signature: <u></u>	Date: <u>7/1/16</u>
Address: <u>3343 Peachtree Road, Suite 1000, Atlanta GA 30326</u>	

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
 Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? YES NO

* Applicant / Owner: Perimeter Mall, LLC

Signature:	<u>By: [Signature]</u>	Date: <u>6-30-2016</u>
Address:	<u>110 North Wacker Drive, Chicago, IL 60606</u>	

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

#16.

Tax Parcel List

The property includes portions of the following tax parcels:

18 348 01 006
18 348 01 020
18 348 01 030
18 348 01 012
18 348 01 028

SLUP REQUEST
Project Summary and Neighbor Communications Summary

This application requests a special land use permit to increase the allowable height in the C-1 district from 2 stories to 20 stories. The applicant proposes to redevelop a portion of the existing Perimeter Mall surface parking lot along Hammond Drive with a 20 story office building with ground floor commercial use. The development will utilize the existing MARTA parking deck on the east side of the MARTA station to accommodate a portion of the parking for the new building. MARTA will continue to utilize the parking deck on the western side of the station for their parking needs. The development will have an elevated pedestrian connection between the proposed office building, the existing MARTA deck and the station. The development also proposes a covered pedestrian connection at grade between the rear of the proposed office building and the existing Mall parking deck to provide a covered pedestrian connection between the office building and the Mall.

The 140 surface parking spaces for the Mall being displaced by the new office building will be accommodated in the existing MARTA deck with the balance of the 600 space deck being available for the use by the office building.

The development proposal incorporates the proposed Hammond Drive road widening and streetscape improvements into the project design. The proposal also incorporates the pending Perimeter Center Overlay provisions into the project design.

With regard to the required neighbor communications, the subject property is not within 500 feet of any residential zoning district. Included in the application is a copy of the zoning map as well as aerials that show the site location and the surrounding commercial and office development. Properties within 500 feet of the subject property are zoned C-1 and O-I conditional.

SLUP CRITERIA - DUNWOODY

a. Whether the proposed use is consistent with the policies of the comprehensive plan;

The subject property is located in the Perimeter Center character area pursuant to the comprehensive plan adopted in 2015. This area is envisioned to be a “visitor friendly ‘livable’ regional center with first-class office, retail, entertainment, hotels and high-end restaurants in a pedestrian and bicycle oriented environment.” Within the Perimeter Center character area, the subject property is located in the PC-1 district, which is proposed for the highest intensity of buildings, high level of employment uses and active ground story uses and design that support pedestrian mobility. Action items within this character area include “reduce surface parking and promote livable centers in the immediate areas surrounding MARTA station.” The proposal to develop a maximum 20 story office building with ground floor commercial use to replace an existing, underutilized surface parking lot and repurpose an existing underutilized MARTA parking deck is consistent with the stated policies of the comprehensive plan.

b. Whether the proposed use complies with the requirements of this zoning ordinance;

The proposed office and commercial uses are permitted under the existing C-1 zoning category. This special land use permit request is to increase the allowable height of the improvements on the subject property. The zoning ordinance is currently proposed for amendment to create a new zoning PC-1 zoning district category that would allow a maximum height of 30 stories on the subject property and properties in the immediate area. This proposed change to the zoning ordinance further evidences the appropriateness of additional height on the subject property.

c. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;

The proposal to increase the allowable height enables the applicant to develop the site while still meeting the lot coverage requirements and off street parking. Setback variances have been requested to accommodate the subdivision of the property from the balance of the Perimeter Mall property and to accommodate the proposed road widening and improvement of Hammond Drive. The proposed Perimeter Center Overlay is contemplated to provide a streetscape requirement in lieu of the required front yard setback, which the applicant is providing in accordance with the recommendations of the City of Dunwoody and the proposed plans.

d. **Whether the proposed use is compatible with adjacent properties and land uses, including consideration of factors 1-6 below:**

The property is adjacent to Perimeter Mall, the Dunwoody MARTA station, a Chick-fil-A outparcel at Perimeter Mall and across the street from a big box retail shopping center. The new State Farm office headquarters is being developed diagonally across Hammond Drive from the property. Nearby uses consist of a variety of office and commercial uses, with several office high rise office buildings in the general vicinity of the property. The proposal to develop a high rise office building with ground floor commercial use is complementary to the uses in the area.

1. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;**

This application requests an increase in height for uses that are already allowed under the zoning district. No adverse impact on adjoining land due to noise, smoke, odor, dust or vibration will occur if this application is approved.

2. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;**

The increase in height allowed will not impact the hours of operation of the tenants in the proposed office and commercial building. The height does not impact the hours of operation.

3. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;**

An increase in height will not create an adverse impact on adjoining land by reason of the manner of operation of the proposed office and commercial building. The height does not impact the manner of operation.

4. **Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;**

The proposed increase in height will not change the character of the vehicles accessing the site but it will increase the traffic generated from the property. Notwithstanding the foregoing, the applicant does not anticipate the impact to be overly burdensome. From a transportation perspective, the adjacency to the MARTA station, the proximity to the I-285 interchange and the distance from single family neighborhoods make the site the logical location for increased height and high intensity use. The proximity to the MARTA station and the proposed pedestrian connection from the project to the MARTA station will

encourage transit ridership to help mitigate the transportation impact. The applicant is performing a traffic study to submit to document the traffic impact of this project and the traffic study will be provided prior to public hearings.

5. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;

The adjacent property is developed with Perimeter Mall, a Chick-fil-A and the MARTA station, all of which are low rise commercial and transportation uses. Notwithstanding the foregoing, the State Farm office headquarters being located diagonally from the property is under development and is significantly taller than the proposed 20 story building. In addition, the property across Hammond Drive is proposed for a 25 story mixed use building with office, hotel and retail uses. High rise office buildings are located east, west and north of the site. The proposal is appropriate in relation to the scale and massing of adjacent and nearby properties.

6. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

The property is currently utilized as a surface parking lot. No historic buildings, sites, districts or archaeological resources are impacted.

e. Whether public services, public facilities and utilities—including motorized and non-motorized transportation facilities—are adequate to serve the proposed use;

The development has the appropriate public services, facilities and utilities currently available to it. Further, the proximity of the site to the Dunwoody MARTA station makes it uniquely situated for the increase in height proposed.

f. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;

The project will utilize the existing Mall driveways to access the site from Hammond Drive. One of the driveways is a signalized intersection. Streetscape improvements on Hammond Drive and internal to the site consistent with the proposed Perimeter Center Overlay and the proposed Hammond Drive improvement project will be implemented as a part of the development to improve the pedestrian experience. An elevated pedestrian walkway will be added to connect the office building directly to the existing MARTA parking deck and the MARTA station to enhance the pedestrian connection to MARTA. The means of ingress and egress to the site are adequate to serve the project.

g. Whether adequate provision has been made for refuse and service areas; and

Refuse will be addressed internally within the building in a loading and service area.

h. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

The immediate area includes high rise office buildings, including the State Farm office headquarters under construction and other high rise developments approved and existing. Perimeter Mall and MARTA consist of the the majority of the adjoining property and both parties are involved in the project. Perimeter Mall currently owns the property proposed for development and MARTA is releasing its interest under a lease for the existing MARTA parking deck to facilitate the development. The proposed height will not create a negative shadow impact on any adjoining lot or building, particularly considering the commercial nature of development in the area and the height of other office buildings in the immediate vicinity.

PROPERTY DESCRIPTION
Nexus Perimeter Project- Transwestern Site

Being all that tract or parcel of land lying and being in Land Lot 348 of the 18th District, City of Dunwoody, Dekalb County, Georgia and being more particularly described as follows:

Commencing at the point of intersection of the easterly right-of-way line of Perimeter Center Parkway (having a variable width right-of-way) and the northerly right-of-way line of Hammond Drive (having a variable width right-of-way); thence, leaving the aforesaid right-of-way line of Perimeter Center Parkway and running with the said right-of-way line of Hammond Drive South 40° 23' 32" East, 12.81 feet; thence, North 47° 54' 09" East, 15.61 feet to a concrete monument found; thence, South 40° 26' 52" East, 12.96 feet; thence, South 43° 16' 03" West, 14.14 feet; thence, South 42° 28' 39" East, 33.02 feet; thence, South 67° 05' 52" East, 16.35 feet; thence, North 82° 49' 09" East, 30.20 feet; thence, North 89° 28' 25" East, 190.00 feet; thence, South 00° 31' 35" East, 5.89 feet; thence, North 89° 00' 40" East, 96.11 feet to a PK Nail Found and the POINT OF BEGINNING.

Thence, from said POINT OF BEGINNING as thus established and leaving the aforesaid right-of-way line of Hammond Drive and running with property now or formerly owned by Metropolitan Atlanta Rapid Transit Authority per Deed Book 8898, Page 643 as recorded among the Land Records of Dekalb County, Georgia

1. North 06° 53' 43" West, 309.97 feet to a point; thence,
2. North 06° 53' 44" West, 14.22 feet to a point; thence,
3. North 33° 49' 24" West, 16.14 feet to a point; thence,
4. North 06° 53' 35" West, 17.00 feet to a point; thence,
5. North 42° 47' 39" East, 9.61 feet to a point; thence,
6. North 06° 53' 35" West, 297.91 feet to a point; thence, leaving the aforesaid property of Metropolitan Atlanta Transit Authority
7. 10.72 feet along the arc of a curve deflecting to the right, having a radius of 18.59 feet and a chord bearing and distance of North 48° 18' 20" East, 10.57 feet to a point; thence,
8. North 64° 49' 30" East, 4.58 feet to a point; thence,
9. South 25° 10' 33" East, 84.49 feet to a point; thence,
10. 81.24 feet along the arc of a curve deflecting to the left, having a radius of 504.00 feet and a chord bearing and distance of South 29° 47' 38" East, 81.15 feet to a point; thence,
11. South 34° 24' 42" East, 48.70 feet to a point; thence,
12. 191.00 feet along the arc of a curve deflecting to the right, having a radius of 394.00 feet and a chord bearing and distance of South 26° 25' 56" East, 189.14 feet to a point; thence,
13. 84.50 feet along the arc of a curve deflecting to the right, having a radius of 470.88 feet and a chord bearing and distance of South 08° 33' 02" East, 84.39 feet to a point; thence,
14. North 89° 57' 29" East, 115.29 feet to a point; thence,
15. South 26° 52' 41" East, 15.72 feet to a point; thence,
16. North 89° 57' 29" East, 26.03 feet to a point; thence,
17. North 63° 18' 46" East, 260.79 feet to a point; thence,
18. South 25° 48' 44" East, 7.13 feet to a point; thence,
19. 13.27 feet along the arc of a curve deflecting to the right, having a radius of 60.28 feet and a chord bearing and distance of South 06° 50' 50" East, 13.25 feet to a point; thence,
20. South 00° 03' 37" West, 129.35 feet to a point; thence,
21. South 03° 34' 32" East, 74.38 feet to a point; thence,
22. South 00° 59' 04" East, 54.11 feet to a point; thence,
23. South 00° 39' 20" East, 43.35 feet to a point; thence,

24. 12.32 feet along the arc of a curve deflecting to the right, having a radius of 29.59 feet and a chord bearing and distance of South 16° 39' 31" West, 12.23 feet to a point on the aforesaid right-of-way line of Hammond Drive; thence, running with the said right-of-way line of Hammond Drive
25. South 89° 21' 16" West, 386.43 feet to a point; thence,
26. North 00° 36' 11" West, 8.70 feet to a point; thence,
27. North 89° 41' 31" West, 135.44 feet to the POINT OF BEGINNING, containing 179,006 square feet or 4.1094 acres of land, more or less.

Described property is subject to all rights-of-way (public and private) and easements, both recorded and unrecorded.