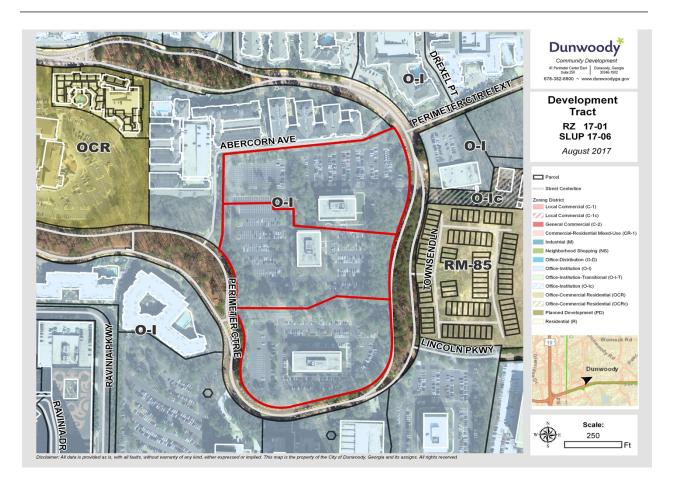
#### **MEMORANDUM**

- To: Mayor and City Council
- From: John Olson, AICP
- Date: March 26, 2018

# **Subject:** David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of Grubb Properties, owner of a portion of 41, 47, 53 Perimeter Center East, Dunwoody, GA 30346, seeks the following:

- 1. **RZ17-01:** To rezone a property currently zoned O-I (Office-Institution) District to a PC-2 (Perimeter Center) District.
- 2. **SLUP 17-05 A):** Special Land Use Permits from Chapter 27, Section 27-104(f)(2) to permit a Development of Regional Impact;
- 3. **SLUP 17-05 B):** Special Land Use Permits from Chapter 27, Section 27-104-6 to allow multi-unit residential, rental; and
- 4. **SLUP 17-05 C):** Special Land Use Permit from Chapter 27, Section 27-105b to modify the build-to-zone of a general building.

The tax parcel numbers for the site are 18 347 01 008, 18 347 01 009, and 18 347 01 010.



#### UPDATE SINCE 1<sup>ST</sup> READ OF February 5<sup>th</sup>, 2018

This item came before Council for First Read on February 5th. At the time of that meeting, the project was presented as a redevelopment of a 19.5-acre office zoned tract into a vibrant PC-2 zoned mixed-use development. The primary component of the proposal included the development of six residential buildings, containing up to 1,200 new residential units with a requested mix of 75 percent owner-occupied for-sale housing and 25 percent rental. Initial plans also included demolishing the southern five-story office building (known as Building 53) to construct a 19-story office tower with up to 500,000 square feet of Class A office space. Buildings 41 and 47 were to remain and be renovated to include a total of 12,000 square feet of retail on the ground level of each building. General comments were made concerning the number of units, the mix of apartment versus condo, traffic mitigation, project phasing, workforce housing, and several other items. To personally address a number of comments and requests made at First Read, Grubb Properties submitted a letter to City Staff and Council, dated February 22nd. These amendments were presented by staff at the February 26th meeting as follows:

- 1.) The overall density of the residential portion would be reduced down from 1,200 units to 980 units, including a reduction in apartments from 300 to 280 units;
- 2.) The overall density of the office portion would be reduced down from 500,000 square feet to up to 390,000 square feet;
- 3.) Grubb will contribute another \$100,000 toward traffic calming, pedestrian, and/or biking infrastructure improvements, within a half-mile of the site prior to pulling a permit for any additional office space;
- 4.) The total amount of 3-bedroom units will be reduced by 50% to just 5% of the entire residential portion of the development at build-out;
- 5.) A Certificate of Occupancy would not be issued for the second building until the park is constructed and the number of units are below the 280 unit rental cap;
- 6.) Grubb would offer a 50% discount on rent for officers in return for them performing some surveillance services. Two officers would be committed for this project, allowing one to cover when the other is unavailable. All other Dunwoody law enforcement officers would receive a 20% discount on any for-sale housing;
- 7.) Grubbs' intent is to engage the company "Copenhangize" -the world's premiere biking and pedestrian design experts out of Copenhagen, Denmark; and
- 8.) Grubb Properties will commit at least \$50,000 toward public art to be installed in the park space identified in the project. This funding would be made in tandem with the construction of the park project, and would include a process to engage the local arts community to generate excitement around the art, the park, and the bike/pedestrian path.

Since the February 26<sup>th</sup> meeting, no tangible updates have been made to the plans; however, it is of particular interest of the Grubb team to engage in discussions directly with the Mayor and the members of Council to determine how the plan can be further modified to gain approval. To find a path that works for the City and for Grubb, the applicant plans to defer the application at the March 26<sup>th</sup> meeting for a period of approximately 30 days.

#### BACKGROUND

The subject property is located on an approximately 19.5-acre tract that is found north of I-285, approximately 1/3 of a mile east of Ashford Dunwoody Road. The site is bounded along the north by Abercorn Avenue, a private and gated road used exclusively by the Savannah at Park Place apartment residents. The remainder of the site is encircled by Perimeter Center East, a four lane divided parkway. According to DeKalb County records, the site in question contains two six-story office buildings along the northern portion that were constructed in 1974 and one five-story office building further south that was constructed in 1972. The rest of the site consists of extensive surface parking, access drives, and several islands of mature trees. The property slopes from the north to the south by approximately 40 feet, and features some difficult topography throughout. There is a small open stream channel on the eastern edge of the site between two headwalls where the stream is channeled underground. There are several stormwater pipes on the subject property that empty into various places on and off-site and into the open channel. The open channel is classified as a stream per the city's GIS map, and therefore, is subject to the City's stream buffer regulations.

There is an 87-unit townhome development under construction to the east of the project site, and five-story apartment complexes to the north and west. To the south there is a 15-story, 381,432 square foot, glass office tower that is occupied by State Farm. Further southwest of the site is the location of Ravinia Office park. It consists of three high-rise office buildings totaling 1.6 million square feet, a 500-room hotel, conference center, restaurants, and parking for 5,000 cars.

The site in question is zoned O-I (Office-Institutional) District and is part of the Perimeter Center Overlay. According to Perimeter Center District regulations, the development parcel is envisioned as a PC-2 (Perimeter Center, Subarea 2) District, which is intended to support employment uses, residential buildings, and limited shopfront and retail services. According to the ARC Unified Growth Policy Map (UGPM), which is part of The Atlanta Region's Plan, this project is located in a Regional Employment Corridor as well as a Regional Center. Additionally, the subject site is part of the Perimeter's (LCI) study, "Perimeter @ The Center – Future", which calls for the transformation of the Perimeter from a suburban regional center to a thriving urban and livable mixed use community.

#### SITE PLAN ANALYSIS

Troutman Sanders LLP, attorney for Grubb Properties, the owner, seeks to rezone the subject property from its current O-I zoning classification to the PC-2 zoning classification. In addition, three special land use permits have been submitted as required per section 27-104(f)(2) to permit a Development of Regional Impact; section 27-104-6 to allow multi-unit residential, rental; and Section 27-105b to modify the build-to-zone. Staff would note that the build-to-zone is identified as a range of specified depth, as measured from the back of the street frontage, in which a certain percentage of the front building facade must be located. Section 27-105b requires 30% of a general building be located within a 10 to 30 foot build-to-zone. To achieve the desired urban form of a shopfront building, which are sited close to the street, the applicant is requesting a SLUP to modify the build-to-zone depth from 10 to 30 feet to 0 to 30 feet.

In line with the requests, Grubb Properties is seeking to build six residential buildings ranging in height from 12 to 16 stories. In total, the buildings will contain 1,200 new residential units with a mix of 75 percent owner-occupied for-sale housing and 25 percent

#11.

rental. The submitted site plan indicates that the developer plans to renovate the six-story office building now housing City Hall (Building 41) and the 6-story office immediately to the southwest (Building 47) to include ground level retail. Along the south portion of the site, closer to I-285, the developer plans to demolish the five-story, 92,686 square foot, office building (Building 53) to construct a 19-story office tower. The proposed development will be served by a new east to west primary street connection and a new north to south secondary street connection that will provide internal pedestrian and bicycle connectivity between the office, residential, retail components. As well, a new secondary street connection is proposed along the northern and eastern side of the lot. The submitted site plan also indicates that the existing streets and frontages along Perimeter Center East will be designed to meet the Perimeter Center Overlay requirements for landscape strips, sidewalks, and street trees. The development includes 2 acres of park space, and a 12-foot multi-use path that bisects the property. The developer has agreed to construct a pedestrian crossing over Perimeter Center East to connect into the multi-use path found east of the property.

The project will be developed in phases with project build-out estimated to be achieved in approximately 10 years, depending on market conditions. Because the project exceeds 600,000 square feet of mixed-use development in a regional center area type, it qualifies as Development of Regional Impact (DRI). As such, the project was reviewed by Georgia Regional Transportation Authority (GRTA) and Atlanta Regional Commission (ARC).

#### PARKING ANALYSIS

and-Alone with No S	Sharing				
Multifamily	Size	1 BC	2BD	Guest	SPAG
		50%	50%		
Units	1,200 Units	600 Units	600 Units		
Spaces Req'd.		600	1,200	152	1,9
Office	Size				SPAC
Square Feet	691,852 SF				
Spaces Reg'd.	692	×	2.5 per 1,000 SF		1,7
Required Spaces pe ared Parking		r Overlay			
	r Perimeter Center Size	r Overlay	Usage	Ratio	
Required Spaces pe ared Parking		r Overlay		Ratio 3.2 per 1,000 SF	3,6
Required Spaces pe ared Parking Daytime Usage	Size	r Overlay			SPAC
Required Spaces pe ared Parking Daytime Usage Office	Size 691,852 SF	r Overlay	2,180 Spaces	3.2 per 1,000 SF	SPAC
Required Spaces pe ared Parking Daytime Usage Office Multifamily	Size 691,852 SF 1,200 Units	r Overlay	2,180 Spaces 572 Spaces Usage	3.2 per 1,000 SF	SPAC
Required Spaces pe ared Parking Daytime Usage Office Multifamily Evening Usage	Size 691,852 SF 1,200 Units Size	r Overlay	2,180 Spaces 572 Spaces Usage	3.2 per 1,000 SF 0.5 per Unit	2,7 SPAC
Required Spaces pe Daytime Usage Office Multifamily Evening Usage Office	Size 691,852 SF 1,200 Units Size 691,852 SF 1,200 Units		2,180 Spaces 572 Spaces Usage 156 Spaces	3.2 per 1,000 SF 0.5 per Unit 0.2 per 1,000 SF	<u> </u>

Under the zoning requirements for the City of Dunwoody, the site is subject to a minimum parking standard of 2.5 spaces per 1,000 square feet of office space, approximately 1 space per bedroom for multifamily plus one additional space for 2+ bedroom units, and 4 spaces for every 1,000 square feet of retail. As noted, the fully built site would contain 1,200 units of multifamily, nearly 700,000 SF of office, and 12,000 square feet of retail space which would require 3,730 parking spaces by code. Utilizing Grubb's shared parking model, the proposed development would include approximately 2,800 parking spaces. According to Grubb's analysis, the parking number is achievable by pairing office and residential uses together. Each is a significant user of parking by itself, however, at different periods of the day. Office is a primarily daytime user of parking and multifamily is an evening and nighttime user. Without overbuilding parking, sharing structured parking allows for sustainable development of spaces that can serve all uses sufficiently at peak utilization.

This would allow for a 3.2 spaces/1,000 SF of office and 0.5 spaces per unit during daytime usage. During night usage, the ratio would be 0.2 spaces per 1,000 SF of office and the balance for multifamily at a ratio of 2.2 spaces per unit. Both ratios are over the minimums required for their period of heaviest use. That would be 882 less parking spaces, or 24%, than required under the current zoning requirement.

#### TRAFFIC ANALYSIS

The current site is served by seven (7) driveways of which the proposed development will be served by four (4) right-in/right-out driveways and three (3) full movement driveways. At build out, the project is anticipated to generate a gross total of 12,369 trips and a net total of 10,789 new trips to the site. Off these trips, there are expected to be 649 new entrances and about 494 exits during peak morning hours. During peak evening hours, the numbers flip to 482 entrances and close to 678 exits. A breakdown of the site trip generation is highlighted in table 1 below:

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	Table 1 Net New Trip Generation								
	Daily Traffic			AM Peak Hour			PM Peak Hour		
	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Gross Project Trips	<mark>12,369</mark>	6,184	6,185	1,297	735	562	1,361	571	790
Mixed-Use Reduction	-230	-115	-115	-28	-14	-14	-60	-30	-30
Alternative Mode Reduction	-1,214	-607	-607	-126	-72	-54	-131	-54	-77
Driveway Volumes	10,925	5,462	5,463	1,143	649	494	1,170	487	683
Pass-By Reduction	-136	-68	-68	0	0	0	-10	-5	-5
Net New Trips	10,789	5,394	5,395	1,143	<mark>649</mark>	<mark>494</mark>	1,160	<mark>482</mark>	<mark>678</mark>

Level of Service (LOS) is used to describe the operating characteristics of a road segment or intersection in relation to its capacity. The Highway Capacity Manual defines six levels-of-service, LOS A through LOS F, with A being the best and F being the worst. According to the traffic analysis submitted by the applicant, the five signalized intersections near the project have an acceptable LOS standard of E, and the 7 unsignalized driveways serving the site have an acceptable LOS standard of D. As referenced in Table 2 below, all study intersections are expected to operate at or above their acceptable level-of-service standard during the AM and PM peak hours for 2028 build-out conditions:

Table 2         2028 Intersection Levels-of-Service         LOS (delay in seconds)						
Intersection	Control	Acceptable LOS Std.	AM Peak Hour	PM Peak Hour		
<ol> <li>Ashford Dunwoody Road @ Perimeter Center West/Perimeter Center East</li> </ol>	Signal	E	D (53.0)	E (59.0)		
2. Ashford Dunwoody Road @ Perimeter Center East/Mall Drive	Signal	E	C (25.3)	E (68.9)		
3. Ashford Dunwoody Road @ Hammond Drive	Signal	E	D (41.8)	E (59.6)		
4. Ashford Dunwoody Road @ I-285 Westbound Ramps	Signal	E	E (59.2)	E (67.5)		
5. Ashford Dunwoody Road @ I-285 Eastbound Ramps	Signal	E	B (18.1)	B (16.9)		
<ol> <li>Perimeter Center East @ Perimeter Center East Extension/ Driveway #1</li> </ol>	EB Stop	D	C (18.4)	E (45.5)		
<ol> <li>Perimeter Center East @ Driveway #2</li> </ol>	EB Stop	D	B (11.1)	A (9.7)		

8. Perimeter Center East @ Driveway #3	EB Stop	D	B (10.8)	A (9.8)
9. Perimeter Center East @	NB Stop	D	E (20.2)	B (15.0)
Driveway #4	SB Stop	D	B (14.5)	B (12.1)
10. Perimeter Center East @	NB Stop	D	C (22.6)	C (16.7)
Driveway #5	SB Stop	D	B (13.4)	B (14.9)
11.Perimeter Center East @ Driveway #6	WB Stop	D	C (17.5)	C (17.6)
12.Perimeter Center East @ Driveway #7	WB Stop	D	B (11.9)	B (11.6)

### **DEVELOPMENT OF REGIONAL IMPACT FINDINGS**

On October 12, 2017, the Atlanta Regional Commission and Georgia Regional Transportation Authority completed a DRI review of the subject project in relation to the goals and policies of the Perimeter LCI study and local, state, federal and other agencies. According to the review, the project appears to manifest many aspects of regional policy in regards to the following:

- 1. It generally supports the existing Perimeter LCI plan;
- 2. Converts an underutilized parking lot to infill;
- 3. Proposes mixed-use development with a significant housing component;
- 4. Supports transit use given its proximity to MARTA; and
- 5. Offers the potential for residents to work and shop on site.

Overall, the review indicates the proposed project generally aligns with the Regional Development Guide's recommended range of densities and building heights in Regional Employment Corridors. As a condition of the review, GRTA noted that the developer must maintain the existing intersection configuration and laneage at Perimeter Center East and Driveway #2, identified as intersection number 7 in the traffic impact study. In response, staff has added this as condition number 13.

#### TREE ANALYSIS

According to the submitted tree plan, approximately 35 Specimen trees will be removed from the site and 263 trees will remain. To compensate for the tree loss that will result from the development, the applicant intends to plant 230 3-inch diameter hardwoods of black gum, maple and oak species.

Direction	Zoning	Use	Current Land Use	
N	O-I	Apartment Complex	Multi-family	
S	O-I	Office Building	Office	

#### SURROUNDING LAND ANALYSIS

E	RM-85	Multi-family	Townhomes
W	O-I	Apartment Complex	Multi-family

#### ZONING ANALYSIS FOR SPECIAL LAND USE PERMIT REQUESTS

Through the process of a Special Land Use Permit, the applicant has requested the review of a Development of Regional Impact, multi-unit residential (rental use), and a modification of the build-to-zone from 10 to 30 feet to 0 to 30 feet. 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 identified in the"2015-2035 Comprehensive Plan" (Plan) identifies the future land use of subject property as Perimeter Center, which is defined as a "livable regional center with office, retail, mixed-use, and multi-use residential buildings". According to the Plan, the subject site is also located within Perimeter Center Character Area and the intended PC-2 District. Considering the fact that this Character Area recommends a mixed use pedestrian development primarily made up of employment uses and limited shop front retail, residential, and services, it would appear that the proposed uses are consistent with the Plan.

It is also important to note that the Perimeter Center Character Area remains the city's most densely populated area without a park. However, this project will further the overarching goal of the Plan "to add new parkland" to Perimeter Center by creating a two acre park as a centerpiece. Equally as important, it will provide the assemblage necessary to extend a greenway trail across the site to the future "Perimeter Center East Park" located to the east of the project. Finally, as a large redevelopment area, the project supports the Plan's goal of improving transportation connectivity, specifically through the conversion of underutilized surface parking lots into a network of connected streets with new buildings developed near the streets. These elements, combined with a mix of uses, create conditions conducive to the Plan's goal to create a "live-work" environment.

2. Whether the proposed use complies with the requirements of this zoning ordinance; As previously noted, the applicant intends to rezone the site from O-I district to a PC-2 District. Review of the PC District Regulating map indicates that the proposed mix of uses comply with zoning, wherein office, multi-unit buildings (owner occupied), and commercial uses are permitted by right, and multi-unit residential are allowed by SLUP. Also, the PC-2 District requirements for building heights would permit the 16 and 14-story residential tower by right and allow the 19-story tower as a condition of the rezoning. Staff would note that the nearest residentially zoned lot outside

#### the Perimeter Center is 511 feet away from the subject property; as such, no portion of the site is within the 100-foot perimeter buffer where height is restricted to 3 stories or 42 feet.

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 O-I and contains approximately 19 acres of land, which is adequate to create a mixed use, multi-story development. The development provides adequate open space as required by zoning and demonstrates compliance with Perimeter Center Overlay streetscaping and frontage requirements. In fact, as an infill site, the project will remove several surface parking lots, thereby reducing impervious surface from 67% to 65%.

- 4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
  - 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 proposed use remains compatible with the adjoining mix of office and multi-family residential buildings, and therefore, will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration.

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 will not create any adverse impacts on adjoining land uses as adjacent and nearby properties include a similar mix of office buildings and multi-family residential buildings that have similar hours of operation.

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

The proposed use will not create any adverse impacts on adjoining land uses as adjacent and nearby properties include a similar manner of operation.

 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;

At build out the project will consist of approximately 1.7 million square feet of mixed use development; thus, it is anticipated that additional volumes of traffic will be generated beyond the boundaries of the site that may create some impacts on adjoining land uses. However, the submitted traffic impact study indicate that driveways and intersections at or near the project are projected to operate at or above their acceptable level of service standard during the AM and PM peak hours at 2028 build conditions.

c. 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** 

The size, scale and massing of proposed buildings are appropriate in relation to the PC-2 district requirements for building height and #11.

perimeter buffering. As a comparison, the overall development will maintain a lower height than the Ravinia Office complex, which is found south of the site.

- d. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources. The area on the site in which the applicant proposes to develop is already built upon with surface parking, roads, and 1970's era office buildings, all of which have no historic significance. As such, the proposed development will not have an impact on any historic buildings, sites, districts, or archaeological resources.
- 5. Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use; *According to the traffic analysis, all study intersections are expected to operate at or above their acceptable level-of-service standard during the AM and PM peak hours for 2028 build-out condition. Due to the conceptual nature of this project, sewer capacity has yet to be determined by the County.*
- 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;

In an effort to improve traffic flow, safety, and convenience, the subject site proposes seven (7) vehicular access locations along Perimeter Center East. Per the traffic impact study, the intersections are be stop controlled and are anticipated to operate at an acceptable level-of-service at 2028 build out. Further, enhancements to the areas pedestrian and bicycle network, including the provision for a new multi-use path, a greenway connection, and bike lanes on project drives, will greatly improve non-motorized access to the site.

- 7. Whether adequate provision has been made for refuse and service areas; and *The submitted site plan indicates that the interior refuse and service areas will be located with the parking structures, so provisions 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.

There will be no negative shadow impact to any other adjoining building.

### ZONING ANALYSIS FOR REZONING REQUESTS

The applicant has requested to rezone the subject site from O-I District to a PC-2 District. In accordance with the State Georgia law and Chapter 27, Section 27-334, identifies the following criteria must be applied by the department of planning, the Planning Commission, and the City Council in evaluating and deciding any application for a rezoning:

1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;

According to the Plan, the future land use of the subject property is noted as "Perimeter Center" wherein under the city's future development policy and future land use table (figure 16 of the Plan) PC-2 is identified as an acceptable zoning category. Furthermore, the regulating map found in Section 27-104-1 independently identifies PC-2 as the intended future zoning for the subject site. Therefore, a rezoning from an O-I district to a PC-2 district is fully supported by the "2015-2035 Comprehensive Plan".

- Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;
   The proposed mixed-use project is suitable in light of the existing mix of office, retail and multi-family residential uses in the area.
- 3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The property does have an economic use as currently zoned as O-I office. The request for rezoning to a PC-2 district, however, is intended to align with the future land use policies of the Dunwoody 2015-2025 Comprehensive Plan and Perimeter Center Regulations.

- 4. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; The rezoning proposal aligns with the mix of office, retail and multi-family uses in the area. Due to the similarity of adjoining uses, the zoning proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
- Whether there are other existing or changing conditions affecting the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal;
   The proposed use of the property is supported by the future development

The proposed use of the property is supported by the future development policies of the Comprehensive Plan and recently adopted Perimeter Center zoning regulations, which provides support for approval.

- Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and *The zoning proposal will not affect historic buildings, sites, districts or archaeological facilities.*
- 7. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. *At build out the development could be burdensome on existing streets, transportation facilities, and utilities as it is anticipated to add 10,789 motor vehicle trips on to Perimeter Center East Road. According to a statement from DeKalb County Schools, the development is anticipated to add 65 additional students when the development is fully constructed and Dunwoody Elementary, Peachtree Charter MS, and Dunwoody High School are all over capacity today. Considering the capacity issues, it is anticipated to that the additional enrollment from this development will be burdensome to the schools, as it will require additional classrooms on the campus.*

### PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard the subject request for SLUP17-05(A), (B), and (C) and rezoning RZ17-01 at their November 14, 2017 and December 12, 2017 meetings. During the meetings, the Planning Commission made several recommendations, and recommended approval of the request (4-0). In response to the Planning Commission's discussion, staff has been in communication with the applicant and other City Departments, and has provided updates to the application. A summary of the Planning Commission's recommendations and staff's response are listed below:

#### 1. Place a limitation on number of three bedroom units:

*Response:* The applicant has stated that the first residential building will contain no 3-bedroom units, and thereafter, no more than ten percent (10%) of the total residential units will be 3-bedroom units. To further reduce impacts to schools, the applicant has also agreed to provide at least fifty-percent (50%) of the total residential units as either 1-bedroom or studio units. These recommendations are listed as conditions 19 and 20 in the staff report;

2. Reduce the deck parking as much as possible through shared parking or other means:

*Response:* Pursuant to Section 27-204(g) of the Zoning Ordinance, staff is agreeable to working out a shared parking agreement which will substantially reduce the number of deck spaces. To allow for flexibility in reducing parking, Condition 18 reads that the total number of parking spaces located in parking structures may be adjusted downward to account for changes in the development, access to transit, or to account for shared parking;

#### 3. MARTA shuttle to the site should be an ongoing commitment:

*Response:* The applicant has noted that they are committed to maintaining the existing private shuttle service to the site. In effort to maintain funding and service, condition 14 states that the Owner will continue financial participation in the existing service between the Dunwoody MARTA rail station, the Development, and other developments in the Perimeter Center East area;

#### 4. The 2 acre park shall be constructed in the first phase not the second:

*Response:* Since the time of the first Planning Commission meeting, the applicant has revised the phasing plan to identify construction of the park in the first phase. To ensure it gets built early on in the first phase, condition 8 has been added. It requires construction to be completed prior to the issuance of a CO for any residential units in excess of the first 300 units.

#### 5. Look into providing some kind of workforce or affordable housing:

*Response:* To encourage long-term residents in the Development, annual rent increases for residents of the residential rental portion of the Development who have occupied their units for at least five years will be capped at no greater than the annual increase in the Consumer Price Index. This requirement has been added as condition 21;

# 6. Remove condition 10 concerning extending Ashford Dunwoody Road turn lane.

*Response:* According to the traffic study submitted by the applicant, the development will more than double the number of southbound left turning vehicles at

the Ashford Dunwoody Road and Perimeter Center West intersection during the AM peak traffic hour. The number of PM peak hour left turns will increase by more than 60% due to the development. These projected volumes correspond to an unacceptable level of delay for the southbound left turn. In order to mitigate the traffic impact the existing left turn lane needs to be lengthened by approximately 100 feet to a total length of 250 feet. At the request of the Public Works Department, this condition will remain as it's recommended in report.

- **7.** Reduce the height of the 16 story residential tower to 14 stories. *Response:* The applicant has agreed to reduce the height of the 16-story residential tower to 14 stories. This revision is provided in condition number 2 of the report.
- 8. Allow resident lounges as an active use along the street. *Response:* Resident lounges have been added as an acceptable active use to condition 6.
- **9.** Provide a pedestrian connection to the apartment complex to the north. Response: Verbiage has been added in condition 13, provided the Owner shall not be required to construct such connection if the owner of the adjacent property refuses to provide necessary easements for the construction and use of such pedestrian connection

#### STAFF RECOMMENDATION

Should the Mayor and Council approve the rezoning of the subject properties from O-I (Office-Institution) District to PC-2 (Perimeter Center) District and approve Special Land Use Permits from Chapter 27, Section 27-104(f)(2) to permit a Development of Regional Impact, Chapter 27, Figure 27-104-6 to allow multi-unit residential (rental), and Section 27-105(b) to modify the build-to-zone of a general building staff recommends approval be subject to the following conditions:

EXHIBIT A: Conceptual Site Plan, completed by Kimley Horn, dated October 18, 2017 EXHIBIT B: Phasing Plan, completed by Kimley Horn, dated October 18, 2017

- The Subject Property is hereby rezoned from the O-I (Office-Institution) zoning classification to the PC-2 (Perimeter Center District – Subarea 2) zoning classification to allow for the development of up to 700,000 square feet of office space in three multistory buildings, up to 1,200 residential units in six multi-story buildings, up to 12,000 square feet of accessory retail space, and associated parking structures (the "Development");
- Maximum building heights in the Development shall be governed by the requirements of the PC-2 District, as set forth in Figure 27-104-3 in Section 27-104(c)(1) of the Perimeter Center Overlay, except, to the extent that the additional building heights of the 19-story office tower found on the southern portion of the site as depicted in Exhibit "A" are hereby approved as a condition of zoning;
- 3. Three Special Land Use Permits, as more specifically described in the Application materials submitted in support of Cases SLUP17-05A, SLUP17-05B, and SLUP17-05C, are hereby approved;
- 4. The phasing of the Development's construction shall generally conform to the Phasing Plan attached as Exhibit "B." Except as otherwise provided in these conditions, the Owner shall have the sole right to determine the specific sequence of the buildings and other improvements with each Phase. Improvements on Perimeter Center East as indicated on the Conceptual Site Plan, with the exception of the multi-use trail described

in Condition 9, shall be developed concurrently with the adjacent phase of Development; provided, however, he Owner shall have the right, in its sole discretion, to construct any improvements shown on Perimeter Center East in advance of the adjacent phase's construction. The Owner agrees to consult with the City's Community Development Director on any changes to the proposed Phasing Plan;

- 5. At Development build-out, no more than twenty-five percent (25%) of the units in the residential component of the Development shall be rental units;
- 6. At least fifty percent (50%) of the ground level north-south secondary linear street frontage of residential buildings B1, B2, B3 and D2 as shown on the Conceptual Site Plan shall contain an active use to a depth of at least 20 feet from the face of such buildings. Such active uses may include, but shall not be limited to, retail space, restaurants or other food sales, building leasing areas, resident lounges, lobbies, fitness centers, cycle training and cycle maintenance areas, live-work units, and residential stoops. At least 150 linear feet of such active use space shall be designed so as to be capable of conversion to retail or restaurant space in response to market demand in the future. The particular mix of active uses and timing of conversion to retail or restaurant space shall be determined by the Owner in its sole discretion, following consultation with the Community Development Director;
- 7. Title to the Subject Property may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels or tax parcels would not meet all of the PC-2 requirements and these conditions (the "Requirements") following legal separation provided that (1) collectively, the separately-owned parcels or tax parcels meet all of the Requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities, (2) the Subject Property is not divided in a manner that prevents vehicular access to sufficient parking entrances or exits by occupants of any structure or prevents access to the entire Development by police, fire and emergency service personnel; provided, however, the Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks; (3) the owner of a resulting separate parcel or tax parcel previously developed pursuant to the Requirements shall be allowed to rebuild equal or lesser floor area of any structure located on such separate parcel or tax parcel; and (4) no additional signage will be allowed beyond that permissible for the entire Subject Property under the City of Dunwoody Sign Ordinance:
- 8. Construction of the proposed Main Park shown on the Conceptual Site Plan (Exhibit "A") shall be completed prior to the issuance of the Certificate of Occupancy for any residential units in excess the first 300 units constructed as part of the Development;
- 9. The portion of the multi-use path crossing of Perimeter Center East within the City right-of-way, as shown on the Conceptual Site Plan (Exhibit "A"), shall be constructed within six months of the issuance of the Phase I Land Disturbance Permit. The remaining portion of the multi-use path shall be constructed concurrently with the proposed Main Park shown on the Conceptual Site Plan in consultation with the City's Parks Director and Director of Public Works. Upon completion of the portion of the multi-use path crossing within the City right-of-way, the City shall assume all responsibility for that portion of the path crossing's maintenance, safety, and repair;
- 10. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City regarding extending the existing southbound left-turn lane on the northern intersection of Perimeter Center East and Ashford Dunwoody Road. Subject to the development agreement, the turn lane shall be designed and constructed with 250 feet of stacking, not including the taper; as well, the median cut found north of the intersection shall be closed off;
- 11.Prior to the issuance of a building permit, a final plat of the Subject Property shall be reviewed and approved by the City of Dunwoody and recorded with DeKalb County;

- 12. The owner shall maintain the existing intersection configuration and laneage at Perimeter Center East and Driveway #2, identified as intersection number 7 in the traffic impact study, as required by the Development of Regional Impact Review GRTA Notice of Decision dated October 5, 2017;
- 13. The Owner shall provide a TY2 transition yard type adjacent to the northern property line of the Subject Property. Within such TY2 transition yard, a pedestrian connection shall be provided between the Subject Property and the adjacent property to the north, at the approximate location indicated on the Conceptual Site Plan (Exhibit "A"); provided, however, the Owner shall not be required to construct such connection if the owner of the adjacent property to the north refuses to provide necessary easements for the construction and use of such pedestrian connection;
- 14. The Owner shall continue to participate financially on a pro rata basis in the existing private shuttle service between the Dunwoody MARTA rail station, the Development, and other developments in the Perimeter Center East area. Should operations of the existing private shuttle terminate, the Owner will work with the Director of Community Development, and staff of the Perimeter Community Improvement District, MARTA, and other parties as appropriate to participate in other private shuttle operations in the area and facilitate MARTA bus service improvements;
- 15.If the proposed Development's vertical construction or equipment exceeds 200 feet above ground level, a completed FAA Form 7460-1 ("Notice of Proposed Construction or Alteration") must be submitted to the Federal Aviation Administration.
- 16.It is understood that the precise layout of the proposed Development has not been finalized to the extent of producing construction drawings; however, the location of all buildings, streets, driveways, and pedestrian amenities such as plazas, parks, sidewalks, pathways, and other green space shall be substantially similar to that depicted in the Conceptual Site Plan attached hereto as Exhibit "A." As the Conceptual Site Plan is finalized for purposes of seeking a Land Disturbance Permit, the Owner agrees to consult with the City's Community Development Director on any minor changes to the proposed Site Plan. To the extent any construction activities or improvements associated with the Development may occur or be located on property owned by the City, the City will cooperate with the Owner and grant all easements necessary to construct the Development and associated improvements. The precise location of such easements shall be identified as construction drawings are finalized;
- 17.All streets internal to the Development shall be of the street type depicted on the Conceptual Site Plan and shall remain private. Once constructed, the general public shall have access to such streets, however; the Owner shall have the sole discretion to limit access to the streets for purposes of security, safety, or any other purpose. Pedestrian facilities, on-street parking, and bicycle facilities within the Development and on Perimeter Center East shall be constructed in general accordance with the Conceptual Site Plan, with minor variations subject to approval by the Director of Community Development and the Public Works Director;
- 18. The total number of parking spaces located in parking structures otherwise required by the Zoning Ordinance may be adjusted downward to reflect any changes in the square footage of any of the uses in the Development, to assure adequate parking, to account for access to transit, or to account for shared parking. Shared parking facilities may be approved by the Director of Community Development pursuant to Section 27-204(g) of the Zoning Ordinance. The Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks;
- 19.At Development build-out, no more than ten percent (10%) of the total residential units within the Development shall be 3-bedroom units or larger. The first residential building constructed shall contain no 3-bedroom units;

- 20.At Development build-out, at least fifty-percent (50%) of the total residential units in the Development shall be either 1-bedroom or studio units;
- 21.To encourage long-term residents in the Development, annual rent increases for residents of the residential rental portion of the Development who have occupied their units for at least five years shall be capped at no greater than the annual increase in the Consumer Price Index. Such rent increase caps shall be available to up to fifteen percent (15%) of the tenants of the residential rental portion of the Development at any one time, based on the length of tenancy; and
- 22. The parking structures will use compatible materials to the building and street level facades, shall incorporate architectural elements to provide visual screening of vehicles and interior lighting, and may provide sufficient open areas to allow natural ventilation. As building designs are finalized for purposes of seeking a Building Permit, the Owner agrees to consult with the City's Community Development Director on any minor variations from the Building Design Criteria.

#### **Attachments**

- Exhibit A: Site plan, completed by Kimley Horn, dated October 18, 2017
- Exhibit B: Phasing Plan, completed by Kimley Horn, dated October 18, 2017
- SLUP Application Packet
- Rezoning Application Packet
- Site Development Plans
- Renderings
- Architectural Renderings & Material Study
- Build-to-zone Site plan
- Map
- Perimeter Center Overlay and Districts
- Dunwoody Comprehensive Plan Excerpt
- Traffic Study
- Shared Parking Analysis
- DeKalb County School Impact Statement
- Parking Deck Examples

#### AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING CLASSIFICATION AND MAP FOR ZONING CONDITIONS OF TAX PARCELS 18 347 01 008, 18 347 01 009, and 18 347 01 010 (41, 47, and 53 Perimeter Center East) IN COSIDERATION OF A REZONING CASE RZ17-01 FROM OFFICE-INSTITUTION (O-I) DISTRICT TO PERIMETER CENTER SUBAREA 2 (PC-2) DISTRICT

- WHEREAS: David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of Grubb Properties, seeks permission to rezone property currently zoned Office-Institution (O-I) District to Perimeter Center Subarea 2 (PC-2) District to allow for the development of up to 700,000 square feet of office space in three multi-story buildings, up to 1,200 residential units in six multi-story buildings, up to 12,000 square feet of accessory retail space, and associated parking structures; and
- **WHEREAS:** The rezoning proposal aligns with the mix of office, retail and restaurant uses in the area. From a use or usability standpoint there should be no adverse effects to adjacent or nearby property. And;
- **WHEREAS:** The development of the subject property is consistent with the following policies of Comprehensive Plan: 1) encourage a "reduction in excessive surface parking"; 2) promote redevelopment with "high quality design standards and building materials"; 3) encourage development of "pedestrian and bicycle oriented environments"; 4) and create a "livable" regional center with a mix of uses. Additionally, as outlined in the Comprehensive Plan and Zoning Ordinance, the subject site is identified as a permitted location of a PC-2 District. It is the opinion of staff that the development is consistent with this designation, as it promotes a higher intensity of buildings with a mix of uses.; and
- **WHEREAS:** The Mayor and City Council find that the proposed Development will permit a use that is suitable in view of the use and development of near-by properties; and
- **WHEREAS:** Notice to the public regarding said rezoning and modification to conditions of zoning has been duly published in The Dunwoody Crier, the Official News Organ of the City of Dunwoody; and
- **WHEREAS:** A public hearing was held by the Mayor and City Council of the City of Dunwoody as required by the Zoning Procedures Act.

**NOW THEREFORE,** The Mayor and City Council of the City of Dunwoody hereby **ORDAIN AND APPROVE** the rezoning of said property from Office-Institution (O-I) District to Perimeter Center Subarea 2 (PC-2) District subject to the following exhibit and conditions:

EXHIBIT A: Conceptual Site Plan, completed by Kimley Horn, dated October 18, 2017 EXHIBIT B: Phasing Plan, completed by Kimley Horn, dated October 18, 2017

1. The Subject Property is hereby rezoned from the O-I (Office-Institution) zoning classification to the PC-2 (Perimeter Center District – Subarea 2) zoning classification to

#11.

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allow for the development of up to 700,000 square feet of office space in three multistory buildings, up to 1,200 residential units in six multi-story buildings, up to 12,000 square feet of accessory retail space, and associated parking structures (the "Development");

- 2. Maximum building heights in the Development shall be governed by the requirements of the PC-2 District, as set forth in Figure 27-104-3 in Section 27-104(c)(1) of the Perimeter Center Overlay, except, to the extent that the additional building heights of the 19-story office tower found on the southern portion of the site as depicted in Exhibit "A" are hereby approved as a condition of zoning;
- 3. Three Special Land Use Permits, as more specifically described in the Application materials submitted in support of Cases SLUP17-05A, SLUP17-05B, and SLUP17-05C, are hereby approved;
- 4. The phasing of the Development's construction shall generally conform to the Phasing Plan attached as Exhibit "B." Except as otherwise provided in these conditions, the Owner shall have the sole right to determine the specific sequence of the buildings and other improvements with each Phase. Improvements on Perimeter Center East as indicated on the Conceptual Site Plan, with the exception of the multi-use trail described in Condition 9, shall be developed concurrently with the adjacent phase of Development; provided, however, he Owner shall have the right, in its sole discretion, to construct any improvements shown on Perimeter Center East in advance of the adjacent phase's construction. The Owner agrees to consult with the City's Community Development Director on any changes to the proposed Phasing Plan;
- 5. At Development build-out, no more than twenty-five percent (25%) of the units in the residential component of the Development shall be rental units;
- 6. At least fifty percent (50%) of the ground level north-south secondary linear street frontage of residential buildings B1, B2, B3 and D2 as shown on the Conceptual Site Plan shall contain an active use to a depth of at least 20 feet from the face of such buildings. Such active uses may include, but shall not be limited to, retail space, restaurants or other food sales, building leasing areas, resident lounges, lobbies, fitness centers, cycle training and cycle maintenance areas, live-work units, and residential stoops. At least 150 linear feet of such active use space shall be designed so as to be capable of conversion to retail or restaurant space in response to market demand in the future. The particular mix of active uses and timing of conversion to retail or restaurant space shall be determined by the Owner in its sole discretion, following consultation with the Community Development Director;
- 7. Title to the Subject Property may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels or tax parcels would not meet all of the PC-2 requirements and these conditions (the "Requirements") following legal separation provided that (1) collectively, the separately-owned parcels or tax parcels meet all of the Requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities, (2) the Subject Property is not divided in a manner that prevents vehicular access to sufficient parking entrances or exits by occupants of any structure or prevents access to the entire Development by police, fire and emergency service personnel; provided, however, the Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks; (3) the owner of a resulting separate parcel or tax parcel previously developed pursuant to the Requirements shall be allowed to rebuild equal or lesser floor area of any structure located on such separate parcel or tax parcel; and (4) no additional signage will be allowed beyond that permissible for the entire Subject Property under the City of Dunwoody Sign Ordinance;

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- 8. Construction of the proposed Main Park shown on the Conceptual Site Plan (Exhibit "A") shall be completed prior to the issuance of the Certificate of Occupancy for any residential units in excess the first 300 units constructed as part of the Development;
- 9. The portion of the multi-use path crossing of Perimeter Center East within the City right-of-way, as shown on the Conceptual Site Plan (Exhibit "A"), shall be constructed within six months of the issuance of the Phase I Land Disturbance Permit. The remaining portion of the multi-use path shall be constructed concurrently with the proposed Main Park shown on the Conceptual Site Plan in consultation with the City's Parks Director and Director of Public Works. Upon completion of the portion of the multi-use path crossing within the City right-of-way, the City shall assume all responsibility for that portion of the path crossing's maintenance, safety, and repair;
- 10. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City regarding extending the existing southbound left-turn lane on the northern intersection of Perimeter Center East and Ashford Dunwoody Road. Subject to the development agreement, the turn lane shall be designed and constructed with 250 feet of stacking, not including the taper; as well, the median cut found north of the intersection shall be closed off;
- 11. Prior to the issuance of a building permit, a final plat of the Subject Property shall be reviewed and approved by the City of Dunwoody and recorded with DeKalb County;
- 12. The owner shall maintain the existing intersection configuration and laneage at Perimeter Center East and Driveway #2, identified as intersection number 7 in the traffic impact study, as required by the Development of Regional Impact Review GRTA Notice of Decision dated October 5, 2017;
- 13. The Owner shall provide a TY2 transition yard type adjacent to the northern property line of the Subject Property. Within such TY2 transition yard, a pedestrian connection shall be provided between the Subject Property and the adjacent property to the north, at the approximate location indicated on the Conceptual Site Plan (Exhibit "A"); provided, however, the Owner shall not be required to construct such connection if the owner of the adjacent property to the north refuses to provide necessary easements for the construction and use of such pedestrian connection;
- 14. The Owner shall continue to participate financially on a pro rata basis in the existing private shuttle service between the Dunwoody MARTA rail station, the Development, and other developments in the Perimeter Center East area. Should operations of the existing private shuttle terminate, the Owner will work with the Director of Community Development, and staff of the Perimeter Community Improvement District, MARTA, and other parties as appropriate to participate in other private shuttle operations in the area and facilitate MARTA bus service improvements;
- 15. If the proposed Development's vertical construction or equipment exceeds 200 feet above ground level, a completed FAA Form 7460-1 ("Notice of Proposed Construction or Alteration") must be submitted to the Federal Aviation Administration.
- 16. It is understood that the precise layout of the proposed Development has not been finalized to the extent of producing construction drawings; however, the location of all buildings, streets, driveways, and pedestrian amenities such as plazas, parks, sidewalks, pathways, and other green space shall be substantially similar to that depicted in the Conceptual Site Plan attached hereto as Exhibit "A." As the Conceptual Site Plan is finalized for purposes of seeking a Land Disturbance Permit, the Owner agrees to consult with the City's Community Development Director on any minor changes to the proposed Site Plan. To the extent any construction activities or improvements associated with the Development may occur or be located on property owned by the City, the City will cooperate with the Owner and grant all easements necessary to construct the Development and associated improvements. The precise location of such easements shall be identified as construction drawings are finalized;

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- 17. All streets internal to the Development shall be of the street type depicted on the Conceptual Site Plan and shall remain private. Once constructed, the general public shall have access to such streets, however; the Owner shall have the sole discretion to limit access to the streets for purposes of security, safety, or any other purpose. Pedestrian facilities, on-street parking, and bicycle facilities within the Development and on Perimeter Center East shall be constructed in general accordance with the Conceptual Site Plan, with minor variations subject to approval by the Director of Community Development and the Public Works Director;
- 18. The total number of parking spaces located in parking structures otherwise required by the Zoning Ordinance may be adjusted downward to reflect any changes in the square footage of any of the uses in the Development, to assure adequate parking, to account for access to transit, or to account for shared parking. Shared parking facilities may be approved by the Director of Community Development pursuant to Section 27-204(g) of the Zoning Ordinance. The Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks;
- 19. At Development build-out, no more than ten percent (10%) of the total residential units within the Development shall be 3-bedroom units or larger. The first residential building constructed shall contain no 3-bedroom units;
- 20. At Development build-out, at least fifty-percent (50%) of the total residential units in the Development shall be either 1-bedroom or studio units;
- 21. To encourage long-term residents in the Development, annual rent increases for residents of the residential rental portion of the Development who have occupied their units for at least five years shall be capped at no greater than the annual increase in the Consumer Price Index. Such rent increase caps shall be available to up to fifteen percent (15%) of the tenants of the residential rental portion of the Development at any one time, based on the length of tenancy; and
- 22. The parking structures will use compatible materials to the building and street level facades, shall incorporate architectural elements to provide visual screening of vehicles and interior lighting, and may provide sufficient open areas to allow natural ventilation. As building designs are finalized for purposes of seeking a Building Permit, the Owner agrees to consult with the City's Community Development Director on any minor variations from the Building Design Criteria.

**SO ORDAINED,** this the <u>day of January</u>, 2018.

Approved by:

Approved as to Form and Content

Denis L. Shortal, Mayor

City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL

### AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING MAP FOR ZONING CONDITIONS OF TAX PARCELS 18 347 01 008, 18 347 01 009, and 18 347 01 010 IN CONSIDERATION OF SPECIAL LAND USE PERMIT SLUP SLUP 17-05 (A), (B), and (C) (41, 47, 53 PERIMETER CENTER EAST, DUNWOODY, GA 30346)

- **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 David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of Grubb Properties, seeks a Special Land Use Permit from Chapter 27, Section 27-104(f)(2) to permit a Development of Regional Impact; and
- WHEREAS: Applicant David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of Grubb Properties, further seeks a Special Land Use Permit from Chapter 27, Section 27-104-6 to allow multi-unit residential, rental; and
- WHEREAS: Applicant David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of Grubb Properties, further seeks a Special Land Use Permit from Chapter 27, Section 27-105b to modify the build-to-zone of a general building; and
- **WHEREAS:** The Mayor and City Council find that parts (A), (B), and (C), subject to the conditions recommended by staff in the Staff Memo of this SLUP request, would be consistent with the vision of the Dunwoody Comprehensive Plan and 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 Special Land Use Permit 17-05 (A), (B), and (C) for this said permit as requested. Development shall be in substantial compliance with the following exhibits and conditions:

EXHIBIT A: Conceptual Site Plan, completed by Kimley Horn, dated October 18,2017 EXHIBIT B: Phasing Plan, completed by Kimley Horn, dated October 18, 2017

- 1. The Subject Property is hereby rezoned from the O-I (Office-Institution) zoning classification to the PC-2 (Perimeter Center District Subarea 2) zoning classification to allow for the development of up to 700,000 square feet of office space in three multi-story buildings, up to 1,200 residential units in six multi-story buildings, up to 12,000 square feet of accessory retail space, and associated parking structures (the "Development");
- 2. Maximum building heights in the Development shall be governed by the requirements of the PC-2 District, as set forth in Figure 27-104-3 in Section 27-104(c)(1) of the Perimeter Center Overlay, except, to the extent that the additional building heights of the 16-story residential tower and 19-story office tower found on the southern portion of the site as depicted in Exhibit "A" are hereby approved as a condition of zoning;
- 3. Three Special Land Use Permits, as more specifically described in the Application materials submitted in support of Cases SLUP17-05A, SLUP17-05B, and SLUP17-05C, are hereby approved;
- 4. The phasing of the Development's construction shall generally conform to the Phasing Plan attached as Exhibit "B." Except as otherwise provided in these conditions, the Owner shall have the sole right to determine the specific sequence of the buildings and other improvements with each Phase. Improvements on Perimeter Center East as indicated on the Conceptual Site Plan, with the exception of the multi-use trail described in Condition 9, shall be developed concurrently with the adjacent phase of Development; provided,

however, he Owner shall have the right, in its sole discretion, to construct any improvements shown on Perimeter Center East in advance of the adjacent phase's construction. The Owner agrees to consult with the City's Community Development Director on any changes to the proposed Phasing Plan;

- 5. At Development build-out, no more than twenty-five percent (25%) of the units in the residential component of the Development shall be rental units;
- 6. At least fifty percent (50%) of the ground level north-south secondary linear street frontage of residential buildings B1, B2, B3 and D2 as shown on the Conceptual Site Plan shall contain an active use to a depth of at least 20 feet from the face of such buildings. Such active uses may include, but shall not be limited to, retail space, restaurants or other food sales, building leasing areas, , lobbies, fitness centers, cycle training and cycle maintenance areas, live-work units, and residential stoops. At least 150 linear feet of such active use space shall be designed so as to be capable of conversion to retail or restaurant space in response to market demand in the future. The particular mix of active uses and timing of conversion to retail or restaurant space shall be designed so as to be community Development Director;
- 7. Title to the Subject Property may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels or tax parcels would not meet all of the PC-2 requirements and these conditions (the "Requirements") following legal separation provided that (1) collectively, the separately-owned parcels or tax parcels meet all of the Requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities, (2) the Subject Property is not divided in a manner that prevents vehicular access to sufficient parking entrances or exits by occupants of any structure or prevents access to the entire Development by police, fire and emergency service personnel; provided, however, the Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks; (3) the owner of a resulting separate parcel or tax parcel previously developed pursuant to the Requirements shall be allowed to rebuild equal or lesser floor area of any structure located on such separate parcel or tax parcel; and (4) no additional signage will be allowed beyond that permissible for the entire Subject Property under the City of Dunwoody Sign Ordinance:
- 8. Construction of the proposed Main Park shown on the Conceptual Site Plan (Exhibit "A") shall be completed prior to the issuance of the Certificate of Occupancy for any residential units in excess the first 300 units constructed as part of the Development;
- 9. The portion of the multi-use path crossing of Perimeter Center East within the City right-of-way, as shown on the Conceptual Site Plan (Exhibit "A"), shall be constructed within six months of the issuance of the Phase I Land Disturbance Permit. The remaining portion of the multi-use path shall be constructed concurrently with the proposed Main Park shown on the Conceptual Site Plan in consultation with the City's Parks Director and Director of Public Works. Upon completion of the portion of the multi-use path crossing within the City right-of-way, the City shall assume all responsibility for that portion of the path crossing's maintenance, safety, and repair;
- 10. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City regarding extending the existing southbound left-turn lane on the northern intersection of Perimeter Center East and Ashford Dunwoody Road. Subject to the development agreement, the turn lane shall be designed and constructed with 250 feet of stacking, not including the taper; as well, the median cut found north of the intersection shall be closed off;
- 11. Prior to the issuance of a building permit, a final plat of the Subject Property shall be reviewed and approved by the City of Dunwoody and recorded with DeKalb County;
- 12. The owner shall maintain the existing intersection configuration and laneage at Perimeter Center East and Driveway #2, identified as intersection number 7 in the traffic impact study, as required by the Development of Regional Impact Review GRTA Notice of Decision dated October 5, 2017;
- 13. The Owner shall provide a TY2 transition yard type adjacent to the northern property line of the Subject Property. Within such TY2 transition yard, a pedestrian connection shall be provided between the Subject Property and the adjacent property to the north, at the approximate location indicated on the Conceptual Site Plan (Exhibit "A"); provided, however, the Owner shall not be required to construct such connection if the owner of the

adjacent property to the north refuses to provide necessary easements for the construction and use of such pedestrian connection;

- 14. The Owner shall continue to participate financially on a pro rata basis in the existing private shuttle service between the Dunwoody MARTA rail station, the Development, and other developments in the Perimeter Center East area. Should operations of the existing private shuttle terminate, the Owner will work with the Director of Community Development, and staff of the Perimeter Community Improvement District, MARTA, and other parties as appropriate to participate in other private shuttle operations in the area and facilitate MARTA bus service improvements;
- 15. If the proposed Development's vertical construction or equipment exceeds 200 feet above ground level, a completed FAA Form 7460-1 ("Notice of Proposed Construction or Alteration") must be submitted to the Federal Aviation Administration.
- 16. It is understood that the precise layout of the proposed Development has not been finalized to the extent of producing construction drawings; however, the location of all buildings, streets, driveways, and pedestrian amenities such as plazas, parks, sidewalks, pathways, and other green space shall be substantially similar to that depicted in the Conceptual Site Plan attached hereto as Exhibit "A." As the Conceptual Site Plan is finalized for purposes of seeking a Land Disturbance Permit, the Owner agrees to consult with the City's Community Development Director on any minor changes to the proposed Site Plan. To the extent any construction activities or improvements associated with the Development may occur or be located on property owned by the City, the City will cooperate with the Owner and grant all easements necessary to construct the Development and associated improvements. The precise location of such easements shall be identified as construction drawings are finalized;
- 17. All streets internal to the Development shall be of the street type depicted on the Conceptual Site Plan and shall remain private. Once constructed, the general public shall have access to such streets, however; the Owner shall have the sole discretion to limit access to the streets for purposes of security, safety, or any other purpose. Pedestrian facilities, on-street parking, and bicycle facilities within the Development and on Perimeter Center East shall be constructed in general accordance with the Conceptual Site Plan, with minor variations subject to approval by the Director of Community Development and the Public Works Director;
- 18. The total number of parking spaces located in parking structures otherwise required by the Zoning Ordinance may be adjusted downward to reflect any changes in the square footage of any of the uses in the Development, to assure adequate parking, to account for access to transit, or to account for shared parking. Shared parking facilities may be approved by the Director of Community Development pursuant to Section 27-204(g) of the Zoning Ordinance. The Owner shall have the right, in its sole discretion, to provide dedicated entry and secure access to all or any portion of the parking spaces within the parking decks;
- 19. At Development build-out, no more than ten percent (10%) of the total residential units within the Development shall be 3-bedroom units or larger. The first residential building constructed shall contain no 3-bedroom units;
- 20. At Development build-out, at least fifty-percent (50%) of the total residential units in the Development shall be either 1-bedroom or studio units;
- 21. To encourage long-term residents in the Development, annual rent increases for residents of the residential rental portion of the Development who have occupied their units for at least five years shall be capped at no greater than the annual increase in the Consumer Price Index. Such rent increase caps shall be available to up to fifteen percent (15%) of the tenants of the residential rental portion of the Development at any one time, based on the length of tenancy; and
- 22. The parking structures will use compatible materials to the building and street level facades, shall incorporate architectural elements to provide visual screening of vehicles and interior lighting, and may provide sufficient open areas to allow natural ventilation. As building designs are finalized for purposes of seeking a Building Permit, the Owner agrees to consult with the City's Community Development Director on any minor variations from the Building Design Criteria.

Approved by:

Denis L. Shortal, Mayor

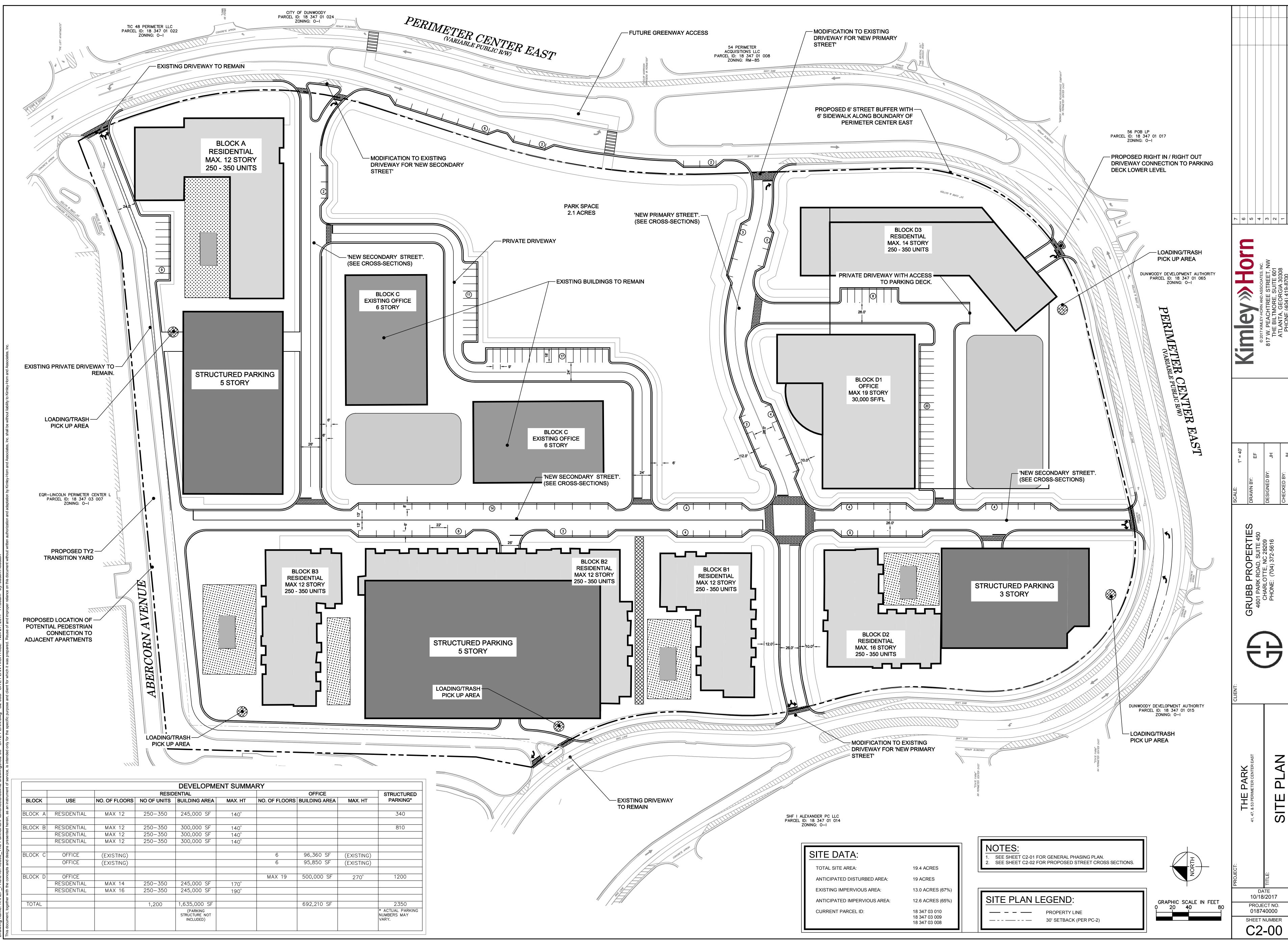
Attest:

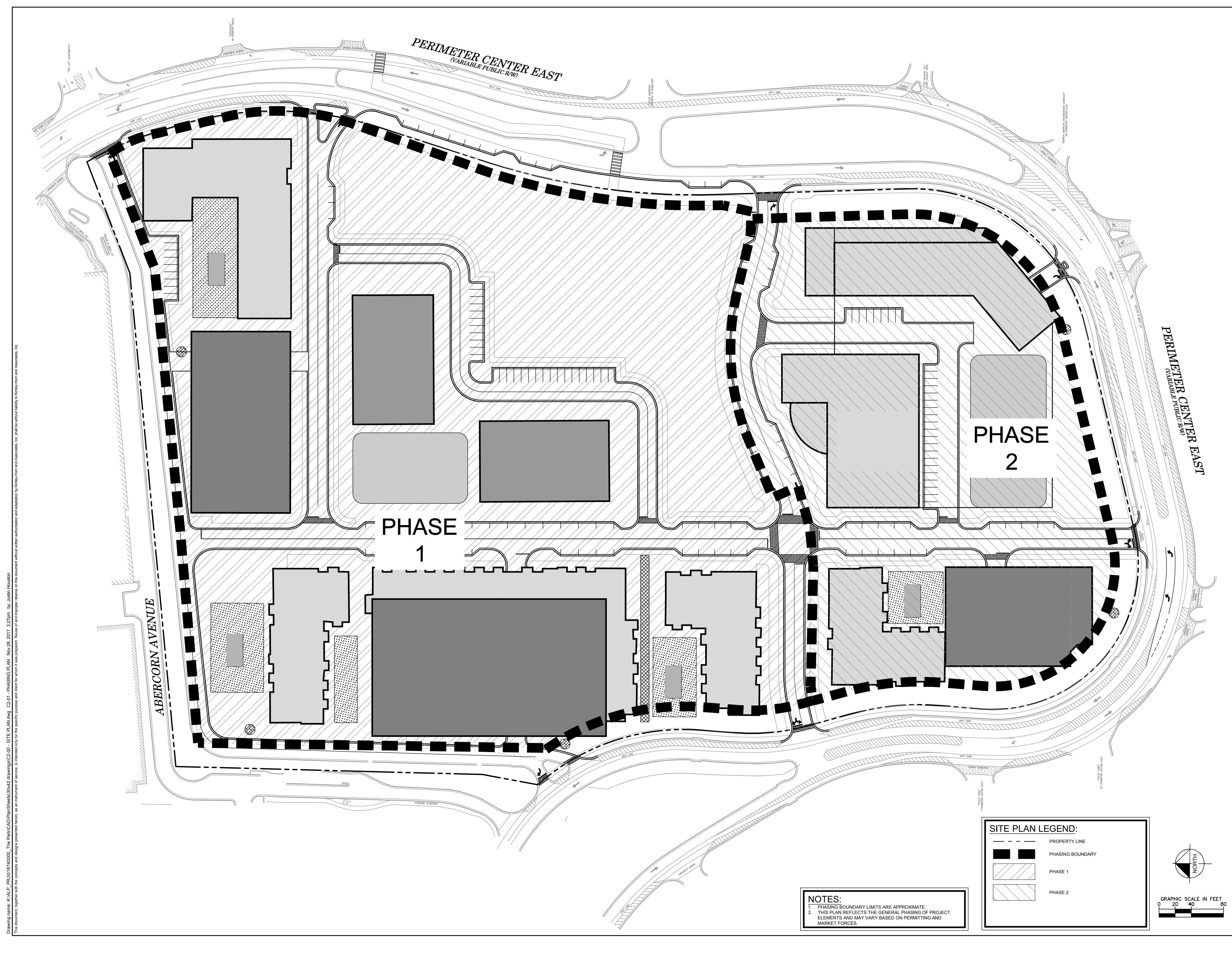
Approved as to Form and Content

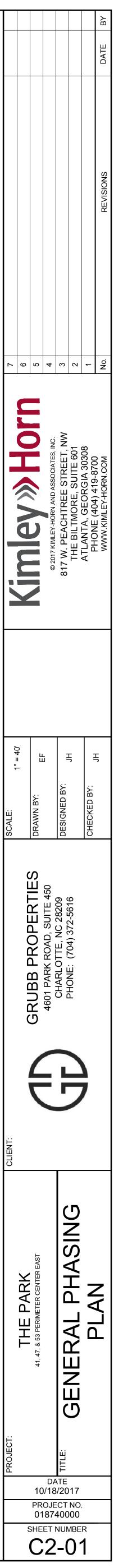
Sharon Lowery, City Clerk

City Attorney

SEAL







Troutman Sanders LLP 600 Peachtree Street NE, Suite 5200 Atlanta, GA 30308-2216

troutman.com

David C. Kirk david.kirk@troutman.com





October 20, 2017

#### VIA HAND DELIVERY

Mr. John Olson, AICP, Planning Manager Department of Community Development City of Dunwoody 41 Perimeter Center East, Suite 250 Dunwoody, Georgia 30346

# Re: AMENDED Special Land Use Permit Applications for 41, 47, & 53 Perimeter Center East ("The Park at Perimeter Center East")

Dear Mr. Olson:

This letter amends the Letter of Intent submitted to you on September 5, 2017 for the abovereferenced project by adding narrative related to an additional Special Land Use Permit ("SLUP") request identified during staff review. For convenience, I have referenced all three SLUP applications in this letter but have only attached the application materials for the additional SLUP request, enumerated as SLUP application number (3) below, as the materials submitted with applications (1) and (2) remain unchanged.

On behalf of the property owner PCE Atlanta Office, LLC, a Delaware limited liability company (the "Owner") and Grubb Properties (the "Applicant"), and in connection with an application to rezone the above-referenced property (the "Subject Property") from its current O-I (Office-Institutional) zoning classification to the PC-2 (Perimeter Center District, Subarea 2) zoning classification, I am pleased to provide for review by the City of Dunwoody the three attached Special Land Use Permit ("SLUP") applications. These SLUP applications are submitted because: (1) the Project includes multi-unit rental residential, so a SLUP is required by the Use Table contained in Figure 27-104-6 of the Zoning Ordinance, (2) the project qualifies as a Development of Regional Impact ("DRI"), so a SLUP is required by Section 27-104(f)(2) of the Zoning Ordinance, and (3) In order to create the desired urban character for the project, a SLUP is required to adjust the "Build-to Zone" for a General Building from 10' – 30' as set forth in the Table contained in Section 27-105(b)(2)b. of the Zoning Ordinance to 0' – 30' to accommodate the desired design. The requested rezoning and related SLUPs will provide for the redevelopment of the Subject Property, which currently contains three low-rise office buildings and an extensive surface parking field with limited pedestrian amenities, into a vibrant mixeduse development providing an attractive, sustainable, functional and pedestrian-friendly environment; a mix of Class A office, residential, and accessory retail uses; along with adequate



structured and on-street parking, and including significant associated green space, the centerpiece of which will be a new 2-acre park space.

Included with this letter are three completed Special Land Use Permit Applications (one each for the Multi-Unit Rental Residential, the DRI, and the Build-to Zone adjustment) bearing all necessary notarized signatures of the Owner and Applicants. Also attached to this letter is a check payable to the City of Dunwoody for the Special Land Use Permit application fee of \$500, and for the sign fee of \$270.

Attached to each application are the following supplemental materials required by the City of Dunwoody:

- A Conceptual Site Plan containing all information required by Section 27-87(c)(2) of the Zoning Ordinance, (Exhibit "A");
- A Conceptual Landscape Plan (Exhibit "B"); and
- A Neighbor Communications Summary Report (Exhibit "C").

As indicated above, the Owner and Applicant are aware the project qualifies for review as a DRI. As such, a detailed Traffic Impact Study is being prepared and will be submitted to the City and other appropriate agencies as part of the DRI process. Additionally, the results of the DRI Review will be provided to the City when such review is complete. Finally, the Owner and Applicant acknowledge changes are likely to be made to the Conceptual Site Plan for the proposed redevelopment, both through interaction with staff, City officials, and the community, as well as from ongoing coordination with other agencies having review authority over various aspects of the redevelopment project.

### **Description of the Proposed Project**

The proposed project (the "Project") consists of the redevelopment of a 19.5-acre tract that currently contains three multi-story office towers and associated surface parking into a unified and vibrant mixed-use development. Two of the existing buildings, comprising 191,852 square feet of office space, are planned to remain, with the potential repurposing of some ground floor space for accessory retail uses. One existing 92,686 square foot office building eventually will be demolished. New development will consist of a new office building containing up to 500,000 square feet of Class A office space; 4 new residential buildings including up to 1,200 total units; along with structured parking, streetscape, landscape, green space, and bicycle & pedestrian improvements. The Subject Property currently is zoned O-I (Office-Institutional), which places undesirable limitations on site design and development. To redevelop the Subject Property in the proposed unified manner and provide the flexibility for the Project to reflect the emerging vision of the Perimeter Center area as a pedestrian-friendly, mixed-use environment with connectivity other destinations in the area, the Applicant has requested the Subject Property be rezoned to the PC-2 (Perimeter Center District, Subarea 2) zoning classification. The Project



will be developed in phases. If approved by the Mayor and Council, it is anticipated construction will begin in late 2018 or 2019 and Project build-out will be achieved within approximately 10 years, depending on market conditions.

## Description of Requested Special Land Use Permits

Because the proposed project includes a multi-unit rental residential component and is of sufficient scale to warrant a Development of Regional Impact ("DRI") review, the Applicant is required to submit Special Land Use Permit ("SLUP") applications for the multi-unit rental residential, as required by the Use Table contained in Figure 27-104-6 of the Zoning Ordinance and for the DRI, as required by Section 27-104(f)(2) of the Zoning Ordinance. Additionally, as site and street section design has progressed staff has identified the need to adjust the Build-to Zone associated with a General Building from  $10^{\circ} - 30^{\circ}$  as set forth in the Table contained in Section 27-105(b)(2)b. of the Zoning Ordinance to  $0^{\circ} - 30^{\circ}$  to accommodate the desired design and building function.

# Special Land Use Permit Review and Approval Criteria

As set forth in Section 27-359 of the Zoning Ordinance, proposed Special Land Use Permits are evaluated in light of the following review and approval criteria.

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

The proposed Project conforms to the vision, goals, and policies of City of Dunwoody's 2015 – 2035 Comprehensive Plan (the "Plan") and, in particular, a number of the Plan's overarching goals and the portions of the Plan addressing the Perimeter Center Character Area.

The proposed Project supports the vision of the Plan to help make Dunwoody a "dynamic, innovative community, where individuals, families, and businesses can thrive through all stages of life and career" through the creation of a mixed-use, pedestrian-friendly development containing first-class office, residential, and accessory retail space in an attractive, sustainable, walkable environment with easy access to other transportation modes. These elements of the Project support the Plan's overarching goals to "nurture Dunwoody as a place to locate and grow business" to "increase connectivity and enhance transportation options for all forms of travel" and to "maintain a commitment to sustainable practices." The current extensive field of surface parking on the Subject Property will be eliminated as part of the redevelopment, thus satisfying another stated goal of the Plan, to "transform target redevelopment areas," such as the Perimeter Center area. The range of residential options, the Project's green space, and other Project amenities will support the Plan's goal of "making aging in place a more achievable reality."

The design of the proposed Project will foster pedestrian movements both internally and from the Subject Property to nearby transit, retail, restaurant, and housing opportunities, while providing easily accessible and safe off-street parking for automobile commuters and visitors.



As shown in the project renderings submitted with the rezoning application, and as required by the Perimeter Center Overlay District's regulations, the proposed Project also will support the Plan's call for high-quality design and materials. The Plan's vision for the addition of public gathering spaces and pocket parks will be satisfied through the creation of a mix of landscaped and hardscaped plazas, parkways, and outdoor spaces within the Project that will provide pedestrian linkages to existing and proposed civic and green space in the surrounding area. The centerpiece of the Project, a 2-acre park space, will offer much-needed green space to occupants of the Project, visitors, and the public at large, thus supporting the goal of the Plan to "expand the City's parks and greenspace."

In addition to its conformity with the Plan's policy and intent, the proposed Project also satisfies several of the goals and objectives of the Perimeter Center Livable Centers Initiative Study (the "LCI Study") and updates performed by the City in cooperation with the DeKalb Perimeter Community Improvement District ("DPCID"). The proposed Project will provide internal pedestrian connectivity between the office, residential, and park components of the development. In addition, pedestrian improvements will enhance pedestrian and green space connectivity external to the Project to other nearby developments, the MARTA system, and the emerging network of parks in the area, including the City's future "Perimeter Center East Park" located just to the east of the Project. Replacement of the extensive surface parking lot on the Subject Property with a vibrant, integrated, mixed-use development will stand as a model for retrofitting sites developed using outdated suburban models that favored single-occupant vehicle traffic and ignored the potential benefits of a vibrant pedestrian environment. The proposed Project will provide a sense of place for both workers and visitors to the development through plazas, walkways, green space, and an active pedestrian environment. Overall, the proposed Project intends to transform the Subject Property from an under-utilized suburban office model to a vibrant urban environment that takes advantage of and enhances both internal and external connections to transit, housing, and other nearby developments in the area.

# b. Whether the proposed use complies with the requirements of the City of Dunwoody's Zoning Ordinance.

The proposed use of the Subject Property as a high-quality mixed-use development is consistent with the intent and requirements of the newly-adopted PC-2 zoning district which are intended to foster "employment uses, residential buildings, and limited shopfront retail and services." As noted on the development statistics table on the Conceptual Site Plan (Exhibit "A"), the proposed development generally conforms to the use mix, height requirements, street and block configuration, site coverage, and open space requirements of the PC-2 District. To the extent proposed heights for some of the buildings in the Project exceed the maximum permitted height by right, the Applicant has respectfully requested additional height be granted to those specific buildings through a zoning condition.

Mr. John Olson, AICP, Planning Manager October 20, 2017 Page 5



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

The 19.5-acre Subject Property is currently underutilized and devotes far too much space to paved surface parking. The reconfigured site will utilize structured parking to meet off-street parking needs, will provide for a significant increase in green space – including the creation of a 2-acre park - through the conversion of surface parking, and provide a mix of residential, office, and limited accessory retail uses, all of which can easily be accommodated on the Subject Property.

### d. Whether the proposed use is compatible with adjacent properties and land uses.

The proposed use of the Property is not only suitable considering the use and development of adjacent and nearby properties but is compatible with and supportive of the use and development of such properties. Adjacent and nearby properties currently are developed or under development to include primarily a mix of office buildings, multi-family residential buildings, and town homes. The proposed use of the Subject Property as a high-quality mixed-use development will provide job opportunities for those living in nearby residential developments, recreational opportunities for nearby residents and workers alike, and enhanced pedestrian and bicycle connectivity within the Project itself and to nearby developments and nearby transit.

# e. 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 development.

The proposed use will not create any such adverse impacts upon any adjoining land uses as the proposed uses in the Project do not generate excessive noise, smoke, odor, dust or vibration. Furthermore, adjacent and nearby properties currently are developed to include a similar, and thus compatible, mix of office buildings and multi-family residential buildings.

# f. 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 will not create any such adverse impacts upon any adjoining land uses as adjacent and nearby properties currently are developed to include a similar mix of office buildings and multi-family residential buildings, with similar hours of operation.

# g. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use will not create any such adverse impacts upon any adjoining land uses as adjacent and nearby properties currently are developed to include a similar mix of office



buildings and multi-family residential buildings, which have similar operational characteristics to the proposed use of the Property.

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

The proposed use is not anticipated to create any such adverse impacts upon any adjoining land uses as adjacent and nearby properties. The Development of Regional Impact ("DRI") Analysis and Review will more fully describe and evaluate the traffic impacts of the proposed development and recommend steps and strategies for minimizing any impact on the surrounding road network. The Applicant respectfully submits that the Project's mix of uses will create a live-work environment where car travel may not be necessary for residents who also work on site or nearby. Likewise, the inclusion of convenient pedestrian and bicycle facilities will promote the use of alternative transportation modes and help to minimize vehicular trips.

# i. Whether 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.

The size, scale and massing of the buildings in the proposed Project are appropriate in relation to the size, scale, and massing of adjacent and nearby properties. Adjacent and nearby properties currently are developed or under development to include primarily a mix of office buildings, multi-family residential buildings, and town homes. The massing and height of the buildings on the Project site generally are similar to those of adjacent properties, with the taller buildings on the site proposed to be located toward the center and western edge of the Property, further from the single-family residentially zoned areas located at least 700 feet from the nearest property line, and closer to the more intense core of the Perimeter Center area. With regard to the townhome development underway across Perimeter Center East from the Property, the Project's central 2-acre green space lies directly across from such townhomes, offering an attractive green space.

# j. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archeological resources.

There are no known historic buildings, sites, districts or archeological resources on or adjacent to the Subject Property. Accordingly, the proposed Project will have no adverse effect on any such historic or archeological resources.

# k. Whether public services, public facilities and utilities – including motorized and nonmotorized transportation facilities – are adequate to serve the proposed use.

Public services, public facilities, and utilities – including motorized and non-motorized transportation facilities - are adequate to serve the proposed use. In fact, as part of the proposed Project, non-motorized public facilities will be substantially enhanced through the

#11.



provision of new multi-use paths and bike lanes on Project drives. In addition, the Project is proposed to create badly-needed green space through the creation of a 2-acre park space as the centerpiece of the development. As part of the zoning review process, the impact of the proposed development on surrounding transportation facilities will be evaluated under the Development of Regional Impact Review process. Enhancements to the pedestrian and bicycle network provided in connection with the Project will allow workers and visitors alike to walk and use non-motorized transportation to and from nearby residential and commercial developments. Utilities such as water, sewer, natural gas, electricity and telecommunications are readily available in the area and should have sufficient capacity to serve the proposed development.

# I. 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.

Careful site design has assured that adequate means of ingress and egress will be provided for non-motorized vehicles, motorized vehicles, pedestrians, and emergency vehicles. In fact, the adjustment in the Build-to Zone aligns more closely with the requirements for emergency fire equipment access than the existing Build-to Zone. As noted above, as part of the proposed Project, enhancements to the pedestrian and bicycle network provided in connection with the Project, such as new bikes lanes and a multi-use path, will allow workers and visitors alike to walk and use non-motorized transportation within the development as well as to and from nearby residential and commercial developments. In addition, pedestrian facilities along Perimeter Center East will be provided where none exist today. New private streets within the Project will enhance the street network in a manner consistent with the locations and street types set forth in the Perimeter Center Overlay. Further, as part of the zoning review process, the impact of the proposed development on surrounding transportation facilities will be evaluated under the Development of Regional Impact Review process. Finally, the project engineer has worked closely with the appropriate authorities to ensure the site is designed to provide adequate emergency vehicle access throughout the Project.

### m. Whether adequate provision has been made for refuse and service areas.

Adequate provisions have been made for refuse and service areas serving each of the buildings on the site. As shown on the Site Plan, the proposed new buildings will have refuse and service areas incorporated into the parking decks serving such buildings. The existing buildings that are proposed to remain will continue to be served generally in the manner they are currently served with functional enhancements and improvements made as the Project is constructed. Within the pedestrian realm, adequate refuse containers will be provided and any refuse collected on a regular basis.



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

The proposed buildings should not create any negative shadow effects on any adjoining lots or buildings. The proposed residential buildings along the eastern side of the Project are not proposed to exceed the permitted height of the PC-2 district. The only buildings proposed to exceed the current maximum height, thus giving rise to the Applicant's request for a condition of zoning allowing these slight height increases, are located to the southern and western portion of the project near similarly-scaled buildings on nearby parcels located across Perimeter Center East. This careful site design is intended to eliminate shadow effects on the single-family residential neighborhoods located well to the east of the Subject Property. In addition, the townhome development currently under construction across Perimeter Center East directly to the east of the Subject Property will benefit from the proximity to the new 2-acre park space within the Project, which will eliminate any shadow effect on these residences.

#### Conclusion

As demonstrated above, the Applicant respectfully submits the proposed Special Land Use Permits requested in connection with this Project fully meet the review and approval criteria established by the City. Accordingly, on behalf of the Applicant, I respectfully request the approval of the accompanying Multi-Unit Rental Residential Special Land Use Permit, the DRI Special Land Use Permit, and the General Building Build-to Zone Special Land Use Permit. I appreciate your thoughtful consideration of this request, I would be happy to answer any questions you may have, and I look forward to our continued work together on this exciting and important redevelopment project.

Yours very truly

David C. Kirk

/dck

Attachments

# SPECIAL LAND USE PERMIT APPLICATION



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

### \* Applicant Information:

Company Name:	Grubb Properties, Inc			
Contact Name:	David C. Kirk (Attorney	for Applicant), Trout	man Sanders LLP	
Address: 600 P	eachtree Street, Suite 52	.00, Atlanta, GA 303	08	
Phone: 404-885-34	15 Fax:	404-962-6794	Email:	David.Kirk@troutmansanders.com
	ference date (requir			
* Owner Inform	ation: 🗆 Check here	if same as appl	icant	
Owner's Name:	CE Atlanta Office, LLC			
Owner's Address:	c/o Grubb Properties, 4	601 Park Road, Suit	te 450, Charlotte, N	C 28209
Phone: 704-405-5	150 Fax:	N/A	Email:	arosti@grubbproperties.com
* Property Infor				
Property Address:	41, 47, 53 Perimeter Ce	nter East		Parcel ID: <sup>18 347 03 010, 18 347 03 009</sup>
Zoning Classificatio	n: O-I (Rezoning Appli	cation submitted to c	change to PC-2)	18 347 03 008
				il) including multi-family rental residential building
* Applicant Affic				
Applicant's Name: Applicant's Signatu <b>X Notary:</b>	David C. Kirk, as Attor re:	They for Grubb Prope	erties, Inc. and PCE	Atlanta Office, LLC Date: 10/19/2017
Sworn to and subso Notary Public: Signature: My Commission Exp	cribed before me thi andra I.Ca dia D.Cam Dires: July 5.	ichael ichael 2018	EXPIRE GEOR JULY 5, 2	
I hereby certify that to are determined to be ne Zoning Ordinance. I co associated actions.	the best of my knowledg cessary, I understand the applicant	e, this special land on the special land of the special land responsible (s) (if different) are	use applicatio <b>COU</b> e for filing additiona e authorized to act	materials as specified by the City of Dunwood on my behalf, pursuant to this application and
Property Owner's N	ame: Todd Williams	Chief Investment Of	ficer; Grubb Proper	ies, Inc.)
Property Owner's S	ignature:	XAJULLO	von -	Date: 10.18.17-
* Notary:				
Sworn to and subso	cribed before me thi	s8	_ Day of	CHRISTYLOTIE
Notary Public:( Signature:(	Unsb Lefts		—	Notary Public, North Carolina Mecklenburg County My Commission Expires
My Commission Ex	pires: November	21, 2019	- 1	Narenber 21,2019_
THY CONTINUESTON LA				

# 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?

×	Applicant /	Owner:	David C.	Kirk, a	s Attorney	for Grubb	Properties,	Inc.	and PCE	Atlanta	Office,	LLC
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Signature:	Dun C. Kih	Date:	10	119	12017
Address:	600 Peachtree Street, Suite 5200, Atlanta, GA 30308				

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

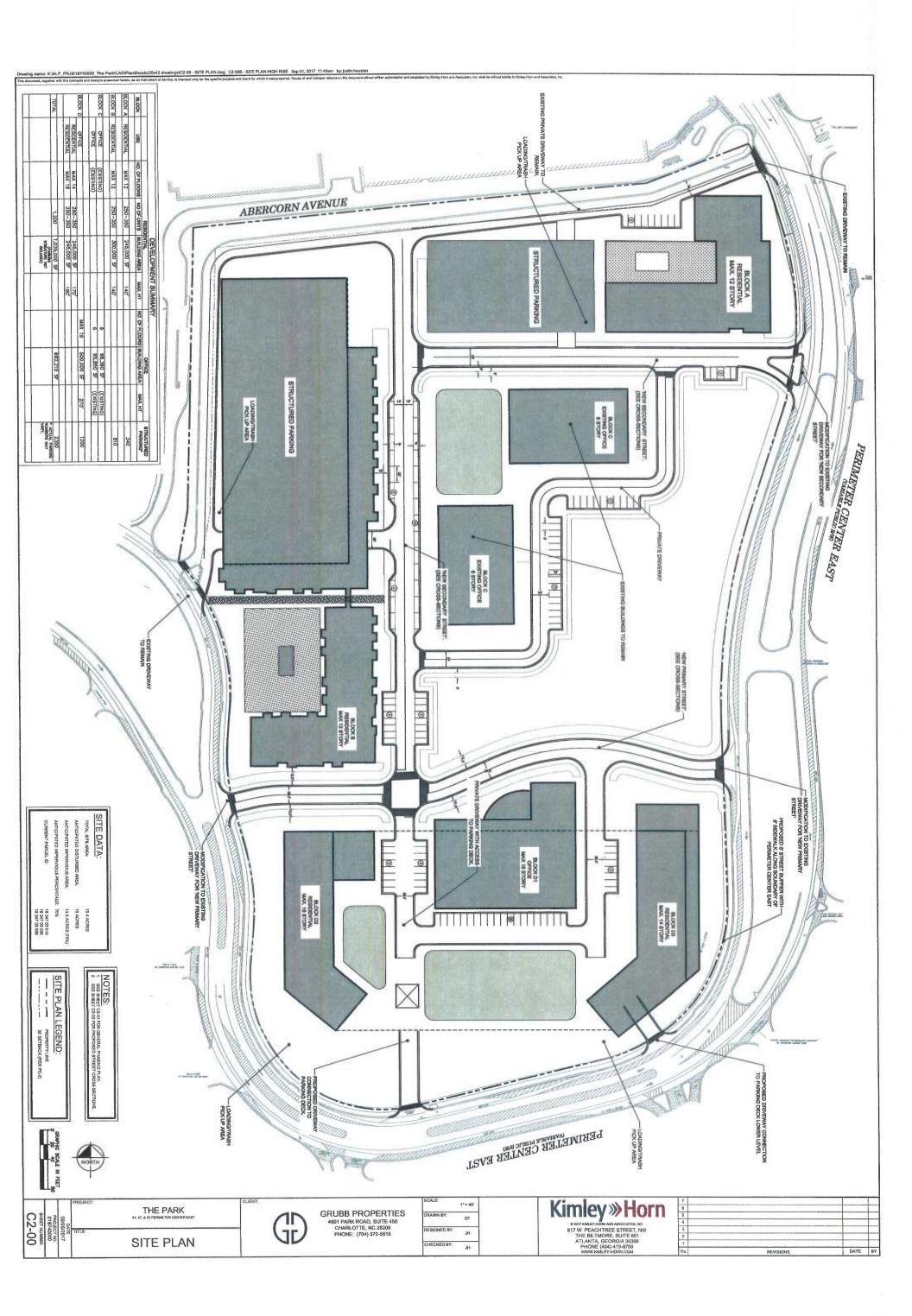
Applicant / Owner, Todd Williams, on behalf of PCE Atlanta Office, LLC			
Signature:	Date:	10.18.17	
Address: c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209			

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

Date	Government Official	Official Position	Description	Amount

# Exhibit A

# **Conceptual Site Plan**



# Exhibit B

# **Conceptual Landscape Plan**



## Exhibit C

# Neighbor Communications Summary Report

### Neighbor Communications Summary Report

This summary report is provided in accordance with the City of Dunwoody's requirement that an applicant for rezoning or Special Land Use Permit ("SLUP") conducts and documents neighbor communications prior to the submittal of an application for rezoning/SLUP when the subject property of the rezoning/SLUP application is within 500 feet of property zoned for residential purposes. In the case of the current proposal, one parcel within 500 feet is zoned RM-85 (Multi-Dwelling Residential-85) (Parcel # 18 347 01 008 located at 54 Perimeter Center East). This parcel currently is under development as a townhome community. Following is the information required by the City in connection with this neighbor communication effort.

### 1. Efforts to notify neighbors about the proposal.

As noted above, one parcel located within 500 feet of the Subject Property is zoned for residential purposes. As such, the Applicant was required to hold an "Applicant-Initiated Meeting" to provide an opportunity for interested citizens to learn more about the proposal and offer comments and concerns to the Applicant. To accomplish this, the Applicant scheduled the meeting for Monday, June 26, 2017. The Applicant then identified all residentially-zoned property within 1,000 feet of the subject property and sent a Letter to the property owner of record for each such parcel inviting them to the meeting. Attachment "C - 1" lists such properties and owners while Attachment "C - 2" provides a copy of the Letter mailed to such individuals on June 1, 2017. As required, a copy of the letter was provided to the Dunwoody Planner. In addition, a Public Notice was placed in the Dunwoody *Crier* newspaper on June 14 inviting the public at large to the Applicant-Initiated Meeting. A copy of the Public Notice published in the *Crier* is attached as Attachment "C - 3" to this summary report.

### 2. How information about the proposal was shared with neighbors.

The primary way in which information about the proposal was shared was through the Applicant-Initiated meeting held on June 26, 2017 at the Applicant's offices on the subject property. At this meeting, documentation was made available for inspection, including the proposed site plan and landscape plan, as well as projections of conceptual project renderings. Team members were available to share detailed information about the project scope, project phasing, and to answer attendees' questions. While not part of the required neighbor communication process, in addition to the formal Applicant-Initiated Meeting, members of the development team attended a meeting of the Dunwoody Homeowner's Association Board on May 7, 2017, made a presentation about the proposal, and answered attendees' questions.

### 3. Who was involved in the discussions?

At the Applicant-Initiated Meeting, Applicant representatives included a representative of the Property Owner, two civil engineers working on the project, the project architect, and the project's land use attorney. The meeting was attended by the City of Dunwoody's Community Development Director, Richard McLeod, as an observer, and the President of the Dunwoody Homeowners' Association ("DHA"), Mr. Robert Wittenstein. A sign-in sheet indicating Mr. Wittenstein's attendance is attached as Attachment "C - 4" to this summary report.

### 4. Suggestions and concerns raised by neighbors.

At the Applicant-Initiated Meeting, Mr. Wittenstein indicated DHA had concerns about (a) the potential visual impact of the uniformity of maximum 14-story building heights throughout the project, (b) the inclusion of a rental residential building in the project, (c) the proposed construction and occupancy of the proposed rental residential building as part of the initial phase of the project, prior to the construction of the three proposed owner-occupied residential buildings, and (d) the rental rates, construction type, and interior finish quality of the rental residential units.

# 5. What specific changes to the proposal were considered and/or made as a result of the communications?

(a) Regarding the concern expressed regarding the uniformity of building heights the Applicant changed the proposal to vary maximum heights of the proposed buildings. Within the PC-2 District and more than 500 feet from any single-family zoning district, the maximum permitted height of any building is 14-stories/180 feet. Any increase above this maximum may be approved as a condition of rezoning by the Mayor and Council. In response to Mr. Wittenstein's concerns on behalf of DHA regarding the uniformity of building heights, the Applicant proposes to construct buildings with heights ranging from 12 to 19 stories, with the taller buildings located further from the nearest single-family residential zoning district, which is nearly 700 feet to the east of the Subject Property's nearest boundary. The Applicant respectfully requests the Mayor and Council approve such building heights as a condition of rezoning.

(b) Regarding the inclusion of rental residential units as part of the project's housing options, the Applicant respectfully submits the construction of rental residential during the project's initial phase is essential to the project. During this initial phase, a parking structure must be constructed so the next phase, which replaces existing surface parking with the proposed park, may then proceed. Furthermore, the efficient parking design for the Project calls for sharing between office and rental residential uses given their complementary nature and opposite periods of usage intensity. Accordingly, in order to make the parking structure both financially and functionally possible, the rental residential building's construction must occur concurrently. The Applicant proposes no more than 25% of the residential units constructed as part of the project be rental units at project build out.

(c) At the same time, the Applicant understands the concerns raised by Mr. Wittenstein on behalf of DHA regarding the proposed phasing by which the construction of the rental residential building associated with the construction of the parking deck precedes the construction of any for sale residential component of the project. Accordingly, the developer intends to work with the City's representatives and the Dunwoody Homeowners' Association to provide the necessary assurances regarding the construction phasing for the owner-occupied residential component of the project.

(d) Regarding the concerns expressed regarding the rental rates, construction type, and interior finishes, it is important to understand the Applicant's extensive experience constructing and operating high-quality residential buildings in a variety of markets across the Southeast. As required by applicable building codes, the Applicant intends to use concrete & steel construction for all residential buildings, including the building proposed to contain the rental units. Rental rates have yet to be determined but are anticipated to be at market for the high-quality residential product that will be constructed as part of this project. This product will be comparable to the other residential communities the Applicant has constructed in other markets and contains high-end finishes, appliances, and amenities intended to appeal to young professionals. Attached to this Summary as Attachment "C - 5" are documents illustrating the high-quality construction and finishes typical of the Applicant's existing residential properties constructed in other markets.

## Attachment C – 1

	Address	Parcel	Owner Last Name	Owner First Name	Co-owner Last Name	Co-owner First Name	Mailing Address	City	State	Zip
1	4394 Old Georgetown Trail	18 346 05 051	Emerald Capital Investm	nents			4060 Peachtree Road NE	Atlanta	GA	30319
2	4396 Old Georgetown Trail	18 346 05 083	Slack	Dickie L	Porter	Ladonna Cherie	4516 Timberlake LN	Kingsport	TN	37664
3	4404 Old Georgetown Trail	18 346 05 082	Weaver	Elizabeth Anne			856 Penn Ave NE	Atlanta	GA	30308
4	4412 Old Georgetown Trail	18 346 05 081	Jones	David R.	Jones	Jamie	4412 Old Georgetown Trail	Dunwoody	GA	30338
5	4420 Old Georgetown Trail	18 346 05 080	Lopez-Zeno	Jose A.	Sandoval	Nora V.	4420 Old Georgetown Trail	Atlanta	GA	30338
9	4361 Old Georgetown Trail	18 346 02 014	Gangell	Katie E.			4361 Old Georgetown Trail	Dunwoody	GA	30338
7	4351. Old Georgetown Trail	18 346 02 015	Baird	Aaron	Nowak	Samantha	4351 Old Georgetown Trail	Dunwoody	GA	30338
00	4341 Old Georgetown Trail	18 346 02 001	Noble	Shelley			4341 Old Georgetown Trail	Dunwoody	GA	30338
6	4301 Old Georgetown Trail	18 346 03 050	Cowart	James H.			PO Box 88243	Atlanta	GA	30356
10	4373 Old Georgetown Trail	18 346 02 013	Ellet	Stephen R.	Ellet	Tracy Ledford	4483 Kellogg Cir	Atlanta	GA	30338
11	1463 Old Spring House Lane	18 346 03 002	Stavropoulos	Melissa A.			1463 Old Spring HouseLane	Dunwoody	GA	30338
12	1475 Old Spring House Lane	18 346 03 003	Odom, Jr.	Kenneth R.	Odom	Christine S.	1475 Old Spring House Lane	Dunwoody	GA	30338
13	1470 Old Spring HouseLane	18 346 02 002	Beverly	Mack			1470 Old Spring HouseLane	Dunwoody	GA	30338
14	4362 Congress Court	18 346 02 011	Hennessy	Regina Hauck			4362 Congress Court	Dunwoody	GA	30338
15	4370 Congress Court	18 346 02 012	Rivera	ybul	Roman Modesto	Velazquez	4370 Congress Court	Dunwoody	GA	30338
16	1506 Congress Circle	18 346 05 060	Spotsco Inc.				PO Box 88193	Atlanta	GA	30356
17	1494 Congress Circle	18 346 05 059	Thompson	Shirley M.			1494 Congress Circle	Dunwoody	GA	30338
18	54 Perimeter Center East	18 347 01 008	54 Perimeter Acquisition	ons LLC			1100 Peachtree Street NE	Atlanta	GA	30309
19	4467 Village Springs Run	18 350 01 025	Elavia	Malcolm Farokh	Elavia	Manissha Malcolm	4467 Village Springs Run	Dunwoody	GA	30338
20	4481 Village Springs Run	18 350 01 023	McWhorter	Roody Ernest	McWhorter	Sharon Kay	4481 Village Springs Run	Dunwoody	GA	30338
21	4487 Village Springs Run	18 350 01 022	Balasubramanian	Madivanan	Madivanan	Chitralekha	4487 Village Springs Run	Dunwoody	GA	30338
22	4491 Village Springs Run	18 350 01 021	Bulpitt	William S.	Martin	Judith H.	4491 Village Springs Run	Dunwoody	GA	30338

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Attachment C – 2

**GRUBB**PROPERTIES People who care. Places that matter.

June 1, 2017

### VIA FIRST CLASS U.S. MAIL

### Invitation to Community Meeting – Application for Rezoning 41, 47, and 53 Perimeter Center East

Dear Property Owner,

Grubb Properties, the owner of the property referenced above, is preparing an application seeking to rezone the property, which currently contains only office uses and surface parking lots, to allow for its redevelopment as a mixed-use project including office, retail, and residential uses, along with structured parking and substantial greenspace. The property is currently zoned O-I (Office - Institutional) and the requested zoning will be PC-2 (Perimeter Center, Subarea 2).

As part of the process, we are holding a community meeting to help inform you about the proposed project, inform ourselves about your interests and concerns regarding the project, provide an opportunity for you to ask questions, and create a forum through which we can begin efforts to resolve any concerns. You have received this invitation because DeKalb County's tax records show you as the owner of residentially-zoned property within 1,000 feet of the property.

The details of the meeting are as follows:

Date:	Monday, June 26, 2017
Time:	6:00 p.m. – 7:00 p.m.
Location:	Grubb Properties Atlanta Office
	47 Perimeter Center East, Suite 530
	Dunwoody, Georgia 30346

Thank you for your time and consideration. I look forward to seeing you on June 26.

Sincerely

Andrew Rosti, Associate Investments & Research

Attachment C – 3

### DUNWOODY CRIER

# St. Luke's assists refugee families with English classes

Over the past few months, members of Saint Luke's Presbyterian Church expressed interest in becoming better aware and connected to the community of resettled refugees in the Atlanta area, concentrated in Clarkston. Saint Luke's is well on its way to meeting its commitment to assist the Refugee Family Literacy Program's expansion at the Memorial Drive Presbyterian Church.

The Refugee Family Literacy Program, called Mommy and Me, offers English as a Second Language classes and an early childhood development program for their refugee women who have children under five years of age regardutionalit

gion. All are welcome. These students come from more than a dozen countries from around the world: Eritrea, Burna, Bhutan, Rwanda, Somalia, Sudan, Iraq, Afghanistan, Iran, The Democratic Republic of Congo, Ethiopia, Burundi, Liberia and Syria

What began in 2008 as a twoday-a-week community pro-gram with just four staff members trying to make a difference in their rapidly evolving neighborhood, now has a paid staff of 27, manages 20-30 weekly volunteers and runs almost 15 classes for over 200 adult and young students. Classrooms are being refur-

bished for the start of the 2017ool year in a s



Lydia Green and Allie Hearn

campus at Memorial Drive Presterian Church. Saturday rkdays have brought together lunteers from the Clarkston

Dinwoody has followed what called "the backdoor tax

increase" law for years with ad-

vertisements indicating it will

equilize revenues and expendi-

surfaced.

are heard

roll back the millage rate to

es. Little or no opposition

The lack of opposition may

be explained by the city's notes

on the matter. As the year goes

along, revenue projections de-

cline as property tax appeals

tax assessment freeze offsets

when Dunwoody incorporated

is paying more for the same

property as they did in 2009 with this credit," wrote the city

The result is that all of the

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most of the revenue increase.

DeKalb County's property

'No one owning a home

Council, from page 1

tised.

community, Mommy and Me staff and their families and members of Saint Luke's Presbyterian Church. Volunteers

share building skills and their enthusiasm and excitement as the project evolves.

## **Public Notice**

There will be a Community Meeting regarding an application to rezone property located at 41, 47, and 53 Perimeter Center East in the City of Dunwoody from the current O-I (Office - Institutional) zoning district to the PC-2 (Perimeter Center, Subarea 2) zoning district for the purposes of redeveloping the property as a mixed-use project including office, retail, and residential uses, along with structured parking and substantial greenspace. The meeting will be held from 6:00 - 7:00 p.m. on Monday, June 26, 2017, at 47 Perimeter Center East, Suite 530, Dunwoody, Georgia 30346.

## **Public Notice**

There will be a public information meeting on June 29, 2017, from 5:00 p.m. to 7:00 p.m. to discuss a proposed zoning amendment to allow a new parking deck, hotel and free standing restaurant at 121 Perimeter Center West. This meeting will be held at the Hampton Inn & Suites, located at 4565 Ashford Dunwoody

**Dental Implant** 

\$1155

Services:

Teeth Extractions

Dental Implants

General Anesthesia

Road, Dunwoody, Georgia 30346 in the Sterling Room.

M, Tu, Th: 8:00 am to 5 pm Wed: 10:00 am to 6 pm Fri: 8:00 am to Noon Office: 770-393-8500 Jaw Reconstructive Surgery

Lee "Mac" Whitesides DMD, MMSc. Board Certified Oral & Maxillofacial Surgeon

4700 Chamblee Dunwoody Rd. Suite 400, Dunwoody, GA 30338

www.onedayteeth.net

Consult fee \$100 • X-ray \$95 • Due at consultation \*Abutment and crown not included \*Cash only. Not valid with other coupons. New patients only. Certain restrictions apply. No Insurance. Must present coupon at consultation. Otter expires 12-31-17.

revenues is coming from commercial property or new real estate sales.

increase in the city's projected

### Traffic Calming

The traffic calming project for North Peachtree Road was once again on the Dunwoody city council agenda. Council members were expected to authorize funding for traffic calming measures for the nearly one-mile stretch of roadway starting at the intersection with Mt. Vernon Road.

Area residents petitioned the city last year for traffic calming due to excessive speeds on the 25 mph road. Traffic calming measures include seven median splitter islands and a neighborhood traffic circle at the intersection of North Peachtree Road and Saffron Drive.

The estimated cost is \$200,000 and Georgia Development Partners will construct the roadway improvements.

Council members were expected to discuss increasing the Hotel Motel Tax from five percent to eight percent. A recently signed House bill enables the city to increase the tax via an ordinance.

A strategic planning process, including the ordinance creation, was outlined in a memo to council members from Economic Development Director Michael Starling.

Hotel Motel Tax

A Hotel Motel Tax increase would provide funding for additional city projects. Čity staff will identify eligible projects, wrote Starling. Stakeholders and three council members will prioritize the project list.

"The city will host a public information open house to share the proposed ordinance and list of projects with residents and community members," wrote Starling.

The final ordinance is expected to be presented to council members at their Oct. 9 meeting.

### **Public Facilities**

Another recently signed House bill, (HB-435) allows the city to create a City of Dunwoody Public Facilities Authority. As described in the bill's text, the purpose is to provide buildings, facilities, equip-ment and services for the citizens in the city of Dunwoody

Starling wrote that a resolution would be presented to council members later this summer to create the authority and to adopt rules and proce-dures on how the authority would operate.

### New Officer

Police Officer Kasey Martin was expected to be sworn in as a Dunwoody officer. Martin was formerly a Doraville police officer.



Send your high resolution **Dravel photos with** The Otler To where in the work is ( conternance and the second

June 14, 2017

Page 16

Attachment C – 4

PLEASE SIGN IN

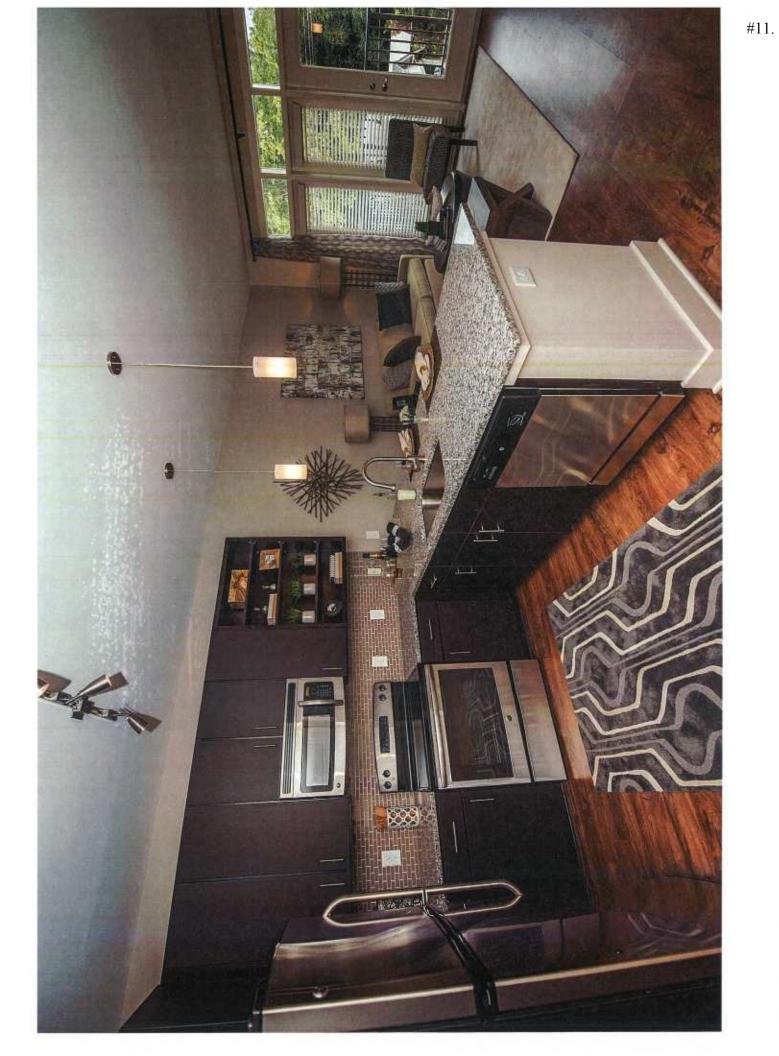
# PARK AT PERIMETER CENTER EAST APPLICANT-INITIATED MEETING SIGN-IN SHEET MONDAY, JUNE 26, 2017

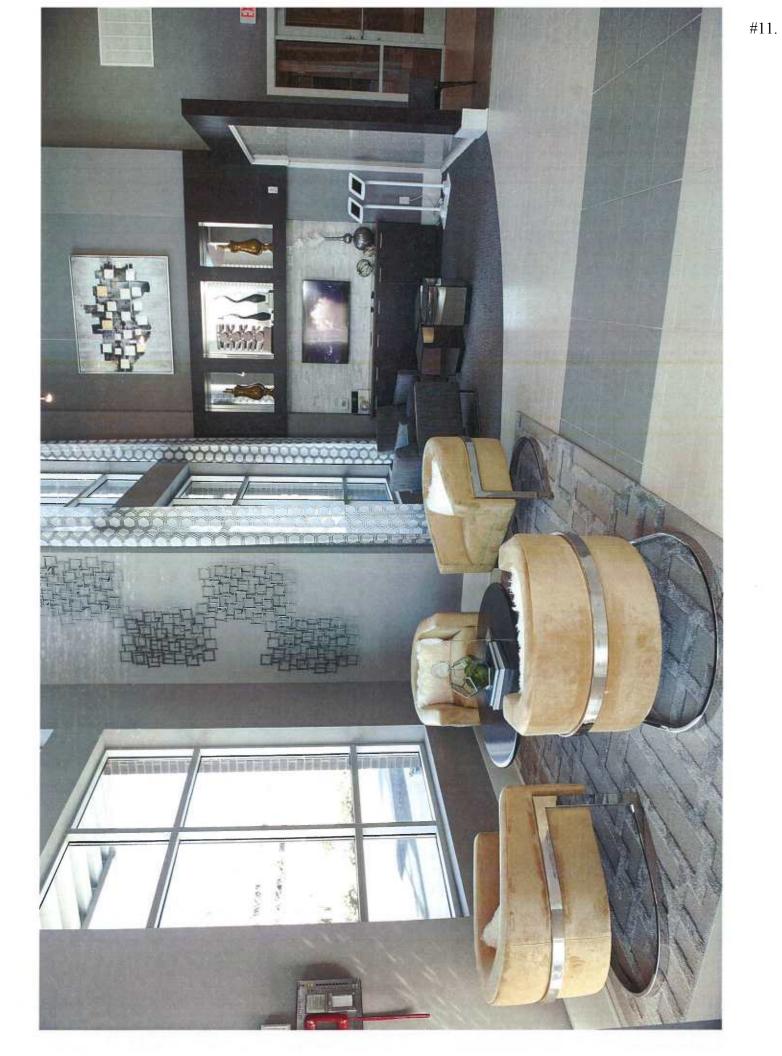
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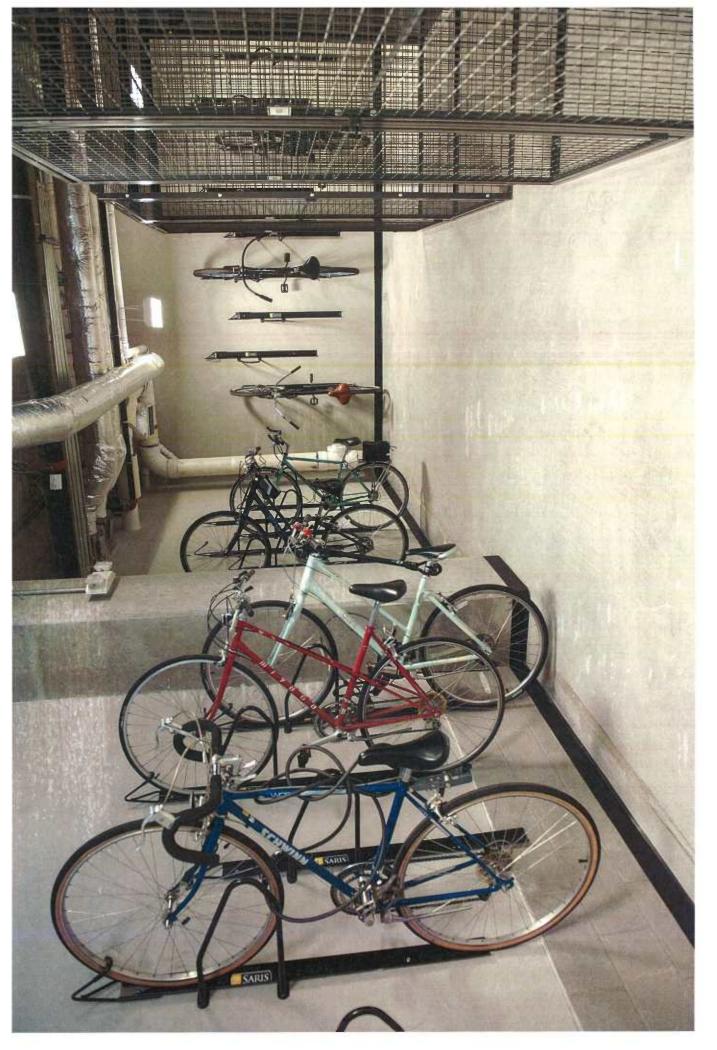
174

Attachment C – 5









#11.

DAVID C. KIRK, FAICP 404.885.3415 telephone 404.962.6794 facsimile david.kirk@troutmansanders.com



TROUTMAN SANDERS LLP Attorneys at Law Bank of America Plaza 600 Peachtree Street NE, Suite 5200 Atlanta, Georgia 30308-2216 404.885.3000 telephone troutmansanders.com

September 5, 2017

### VIA HAND DELIVERY

Mr. John Olson, AICP, Planning Manager Department of Community Development City of Dunwoody 41 Perimeter Center East, Suite 250 Dunwoody, Georgia 30346

# Re: Rezoning Application for 41, 47 & 53 Perimeter Center East ("The Park at Perimeter Center East")

Dear Mr. Olson:

On behalf of the property owner PCE Atlanta Office, LLC, a Delaware limited liability company (the "Owner"), and Grubb Properties (the "Applicant"), I am pleased to provide for review by the City of Dunwoody an application to rezone the above-referenced property (the "Subject Property") from its current O-I (Office-Institutional) zoning classification to the PC-2 (Perimeter Center District, Subarea 2) zoning classification, pursuant to Section 27-87 of the City of Dunwoody Zoning Ordinance (the "Zoning Ordinance"). In addition, because the proposed project includes a multi-unit rental residential component and is of sufficient scale to warrant a Development of Regional Impact ("DRI") review, I also am submitting under separate cover Special Land Use Permit ("SLUP") applications for the multi-unit rental residential, as required by the Use Table contained in Figure 27-104-6 of the Zoning Ordinance, and for the DRI, as required by Section 27-104(f)(2) of the Zoning Ordinance. This rezoning and related SLUPs will provide for the redevelopment of the Subject Property, which currently contains three low-rise office buildings and an extensive surface parking field with limited pedestrian amenities, into a vibrant mixed-use development providing an attractive, sustainable, functional and pedestrian-friendly environment; a mix of Class A office, residential, and accessory retail uses: along with adequate structured and on-street parking, and including significant associated green space, the centerpiece of which will be a new 2-acre park space.

Included with this letter are a completed Rezoning Application bearing all necessary notarized signatures and affidavits of the Owner and Applicant as well as the following materials required by the City of Dunwoody. #11.

### TROUTMAN SANDERS

Mr. John Olson, AICP September 5, 2017 Page 2

- A Conceptual Site Plan (incorporating a preliminary Conceptual Landscape Plan), containing all information required by Section 27-87(c)(2) of the Zoning Ordinance, (Exhibit "A");
- A Survey (including a Tree Survey) and Legal Description of the Subject Property (Exhibit "B");
- A Proposed Project Phasing Plan showing the anticipated sequence of Project construction (Exhibit "C");
- A Neighbor Communications Summary Report (Exhibit "D");
- A Completed Environmental Site Analysis Form (Exhibit "E");
- A Pedestrian Circulation Plan (Exhibit "F");
- A Conceptual Project Rendering and Elevation Drawing (Exhibit "G");
- Road Section Drawings (Exhibit "H");
- A Preliminary List of Sustainability Measures Proposed to be Employed by the Project (Exhibit "I");
- A Public School Impact Analysis commissioned by the Applicant and prepared by Bleakly Advisory Group (Exhibit "J"); and
- A check payable to the City of Dunwoody for the rezoning fee of \$2,000, along with the sign fee of \$270.

As indicated above, the Owner and Applicant are aware the project qualifies for review as a Development of Regional Impact ("DRI"). As such, a detailed Traffic Impact Study is being prepared and will be submitted to the City and other appropriate agencies as part of the DRI process. Additionally, the results of the DRI Review will be provided to the City when such review is complete. Finally, the Owner and Applicant acknowledge changes are likely to be made to the conceptual site plan for the proposed redevelopment, both through interaction with staff, City officials, and the community, as well as from ongoing coordination with other agencies having review authority over various aspects of the redevelopment project.

### **Description of the Proposed Project**

The proposed project (the "Project") consists of the redevelopment of a 19.5-acre tract that currently contains three multi-story office towers and associated surface parking into a unified and vibrant mixed-use development. Two of the existing buildings, comprising 191,852

### TROUTMAN SANDERS

Mr. John Olson, AICP September 5, 2017 Page 3

square feet of office space, will remain, with the potential repurposing of some ground floor space for accessory retail uses. One existing 92,686 square foot office building eventually will be demolished. New development will consist of a new office building containing up to 500,000 square feet of Class A office space; 4 new residential buildings including up to 1,200 total units; along with associated retail and restaurant space, structured parking, streetscape, landscape, green space, and pedestrian improvements. As shown in Exhibit "C," the Project will be developed in phases. If approved by the Mayor and Council, it is anticipated construction will begin in late 2018 or 2019 and Project build-out will be achieved in approximately ten years, depending on market conditions.

The Subject Property currently is zoned O-I (Office-Institutional), which places undesirable limitations on site design and development. In order to redevelop the Subject Property in the proposed unified manner and provide the flexibility for the Project to reflect the emerging vision of the Perimeter Center area as a pedestrian-friendly, mixed-use environment with connectivity to other destinations in the area, the Applicant respectfully requests the Subject Property be rezoned to the PC-2 (Perimeter Center District, Subarea 2) zoning classification.

### Zoning Map Amendment Review and Approval Criteria

As set forth in Section 27-335(b) of the Zoning Ordinance, proposed Zoning Map Amendments are evaluated in light of the following review and approval criteria.

# a. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The proposed Project conforms to the vision, goals, and intent of the City of Dunwoody's 2015 – 2035 Comprehensive Plan (the "Plan") and, in particular, a number of the Plan's overarching goals and portions of the Plan addressing the Perimeter Center Character Area.

The proposed Project supports the vision of the Plan to help make Dunwoody a "dynamic, innovative community, where individuals, families, and businesses can thrive through all stages of life and career" through the creation of a mixed-use, pedestrian-friendly development containing first-class office, residential, and retail space in an attractive, sustainable, walkable environment with easy access to other transportation modes. These elements of the Project support the Plan's overarching goals to "nurture Dunwoody as a place to locate and grow business," to "increase connectivity and enhance transportation options for all forms of travel," and to "maintain a commitment to sustainable practices." The current extensive field of surface parking on the Subject Property will be eliminated as part of the redevelopment areas," such as the Perimeter Center area. The range of residential options, the Project's green space, other Project amenities, and proximity to the Perimeter Center core area will support the Plan's goal of "making aging in place a more achievable reality."

### TROUTMAN SANDERS

Mr. John Olson, AICP September 5, 2017 Page 4

The design of the proposed Project will foster pedestrian movements both internally and through the Subject Property to nearby transit, retail, restaurant, and housing opportunities, while providing easily accessible and safe off-street parking for automobile commuters and visitors. As shown in the project renderings attached as Exhibit "G" and as required by the Perimeter Center Overlay District's regulations, the proposed Project also will support the Plan's call for high-quality design and materials. The Plan's vision for the addition of public gathering spaces and green space will be satisfied through the creation of a mix of landscaped and hardscaped plazas, outdoor spaces, as well as new landscaped private streets including bike lanes and multi-use paths within the Project that will provide pedestrian linkages to existing and proposed civic and green space in the surrounding area. The centerpiece of the Project, a 2-acre park space, will offer much-needed green space to occupants of the Project, visitors, and the public at large, thus supporting the goal of the Plan to "expand the City's parks and green space."

In addition to its conformity with the Plan's policy and intent, the proposed Project also satisfies a number of the goals and objectives of the Perimeter Center Livable Centers Initiative Study (the "LCI Study") and updates performed by the City in cooperation with the DeKalb Perimeter Community Improvement District ("DPCID"). The proposed Project will provide internal pedestrian connectivity between the office, residential, and retail components of the development. In addition, pedestrian improvements will enhance pedestrian and green space connectivity external to the Project to other nearby developments, the MARTA system, and the emerging network of parks in the area, including the future "Perimeter Center East Park" located just to the east of the Project.

Replacement of the extensive surface parking lot on the Subject Property with a vibrant, integrated, mixed-use development will stand as a model for retrofitting sites developed using outdated suburban models that favored single-occupant vehicle traffic and ignored the potential benefits of a vibrant pedestrian environment and adequate green space. The proposed Project will provide a sense of place for workers, residents, and visitors to the development through plazas, walkways, multi-use trails, green space, and an active pedestrian environment. Overall, the proposed Project intends to transform the Subject Property from an under-utilized suburban office model to a vibrant urban environment that takes advantage of and enhances both internal and external connections to transit and other nearby developments.

# b. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

The zoning proposal will allow for uses that are not only suitable in light of the use and development of adjacent and nearby properties but also compatible with and supportive of the use and development of such properties. Adjacent and nearby properties currently are developed to include primarily a mix of office buildings and multi-family residential buildings. A town home development located directly across Perimeter Center East from the proposed park space is currently under construction as well. The proposed use of the Subject



Mr. John Olson, AICP September 5, 2017 Page 5

Property as a high-quality mixed-use development will provide job opportunities for those living in nearby residential developments; retail and recreational opportunities for nearby residents and workers alike; and enhanced pedestrian and bicycle connectivity within the Project itself and to nearby developments and transit services.

# c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

While the Subject Property has some economic use as currently zoned in the O-I classification, such current zoning unnecessarily limits the Owner's and Applicant's ability to create the type of development proposed herein that will support and help achieve the City's goals as expressed in the Plan and benefit the City and its residents as a whole, in addition to the Owner.

# d. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The zoning proposal will have no adverse impact on adjacent or nearby properties and, in fact, will enhance the use, usability, and value of such properties by allowing for the creation of a high-quality mixed-use development that will provide job opportunities, accessible retail options, increased green space, and enhanced pedestrian and bicycle connections to points within the Project, to surrounding developments in the Perimeter Center Character Area, and to nearby transit.

# e. Whether there are other existing or changing conditions affecting the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal.

As the Perimeter Center area has evolved into the premier business location in the Atlanta region, the density of development has increased and a more urban development form has emerged, both through the natural progression of development and through the guiding hand of a regulatory environment that encourages mixed-use development and greater pedestrian connectivity.

In addition, the regulatory environment has evolved, with the City, the DeKalb Perimeter Community Improvement District and stakeholders in the area developing new zoning regulations, including both the PC-2 regulations and the Perimeter Center Overlay District regulations, intended to transform the Perimeter Center area into a vibrant activity center that is livable and pedestrian-friendly. This Project supports the City's goals of attractive building design, enhanced residential and employment opportunities, and active street-level retail and pedestrian amenities in the Perimeter Center area. The Owner and Applicant respectfully submit the proposed Project is consistent with these regulatory changes and supports the vision such policies and regulations are intended to achieve.



Mr. John Olson, AICP September 5, 2017 Page 6

# f. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archeological resources.

There are no known historic buildings, sites, districts or archeological resources on or adjacent to the Subject Property. Accordingly, the zoning proposal will have no adverse effect on any such historic or archeological resources.

### g. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The zoning proposal will not result in a use that overburdens surrounding streets, transportation facilities, utilities, or schools. During the City's review of this application, the impact of the proposed development on surrounding transportation facilities will be thoroughly evaluated under the Development of Regional Impact ("DRI") Review process. This process has begun and the results of the DRI Review will be provided to the City when complete. The Applicant is aware that state regulations governing the DRI Review process prevent the City from taking final action on the rezoning application (and the accompanying Special Land Use Permit applications) until the City has received the final DRI report from the Atlanta Regional Commission and the Georgia Regional Transportation Authority. Enhancements to the pedestrian and bicycle network provided in connection with the Project will allow workers and visitors alike to walk or bike to and from nearby residential and commercial developments. Utilities such as water, sewer, natural gas, electricity, and telecommunications are available in the area and are believed to have sufficient capacity to serve the proposed development.

With regard to the anticipated impact on area schools, the applicant commissioned an independent analysis of the Project's impact on nearby public schools. A document containing the results of that analysis is attached hereto as Exhibit "J" and reports the conclusion that, among other things, the Project will have a "very substantial net positive fiscal impact" on the DeKalb County school system.

As demonstrated above and through the accompanying documentation, the Applicant respectfully submits the proposed Zoning Map Amendment requested in connection with this Project fully meets the review and approval criteria established by the City. Should you believe any additional information would be helpful to your review of this application, please do not hesitate to let me know and I will work with our team to respond in a timely manner.



Mr. John Olson, AICP September 5, 2017 Page 7

### Conclusion

Accordingly, on behalf of the Applicant and Property Owner, I respectfully request the approval of this request to rezone the Property from its current O-I classification to the proposed PC-2 classification, as well as the approval of the accompanying Multi-Unit Rental Residential Special Land Use Permit and the DRI Special Land Use Permit applications. I appreciate your thoughtful consideration of this request, I would be happy to answer any questions you may have, and I look forward to working with you on this exciting and important redevelopment project.

Yours very truly,

David C. Kirk

/dck Attachments

# AMENDMENT APPLICATION



Phone: (678) 382-6800 | Fax: (770) 396-4828

### \* Applicant Information:

Company Name:	Grubb Properties	, Inc.		
Contact Name:	David C. Kirk (Attorne	ey for Applicant), Trout	man Sanders LLP	
Address: 600 P	eachtree Street, Suite	5200, Atlanta, GA 303	808	
Phone: 404-885-3415	Fax:	404-962-6794	Email:	David.Kirk@troutmansanders.com
Pre-application con	ference date (req	uired): June 26, 201	7	
* Owner Inform	ation: 🗆 Check he	re if same as app	licant	
Owner's Name: PC	E Atlanta Office, LLC			
Owner's Address:	o Grubb Properties, 4	601 Park Road, Suite	450, Charlotte, NC	28209
Phone: 704-405-515	50 Fax:	N/A	Email:	arosti@grubbproperties.com
* Property Infor				18 347 03 010, 18 347 03 009,
Property Address:	41, 47, 53 Perimeter	Center East		Parcel ID: 18 347 03 008
Current Zoning Cla	ssification: O-I			
Requested Zoning	Classification: PC-	-2		
* Applicant Affic	davit:		· · · · · ·	
I hereby certify that to determined to be neces	the best of my knowle ssary, I understand th	nat I am responsible	for filing additional	correct and complete. If additional materials are materials as specified by the City of Dunwoody n the owner's behalf, pursuant to this application
Applicant's Name:	David C. Kirk (Att	orney for Applicant),	routman Sanders Ll	LP
Applicant's Signatu	re: Di	JC. KJ	2	Date: 9 1 2017
* Notary:				,
Sworn to and subso	cribed before me t	his 15+	_ Day of See	tember , 2017
Notary Public: <u>Sa</u>	ndra I. Ca	rmichael		
Signature:	ha D. Car	ichael		
My Commission Exp	pires: Joly 5.	2018		



# Additional Property Owner(s) Notarized Certification



I hereby certify that to the best of my knowledge, this amendment 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 (If Applicable):

Owner Name: PCE Atlanta Office, LLC		
		Date: 8.31 . 17
Address: c/o Grubb Properties, 4601 Park Road, Suite 450, C	harlotte, NC 28209	
Phone: Fax: N/A	Email:	arosti@grubbproperties.com
Sworn to and subscribed before me this 3	Day of	vst , 20 17
Notary Public: CHRISTY LOTTE Notary Public, North Carolina Mecklenburg County My Commission Expires North Mecklenburg County My Commission Expires North Carolina My Commission Expires		
Property Owner (If Applicable):		
Owner Name:		
Signature:		
Address:		
Phone:Fax:	Email:	
Sworn to and subscribed before me this	Day of	, 20
Notary Public:		
Property Owner (If Applicable):		
Owner Name:		
Signature:		
Address:		
Phone:Fax:	Email:	
Sworn to and subscribed before me this	Day of	, 20
Notary Public:		

# 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?

Applicant / Owner: David C. Kirk, as Attorney for Grubb Properties, Inc. and PCE Atlanta Office, LLC

Signature:	Dim	C.K-L	Date:	9	1	2017	
Address:	600 Peachtree Street, Suite 8	5200, Atlanta, GA 30308					

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?

*	Applicant /	Owner:	▲ Todd Williams,	on behalf of PCE Atlanta Office, LLC	

Signature	Autom	Date:	8.31.17	
Address:	c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209			

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

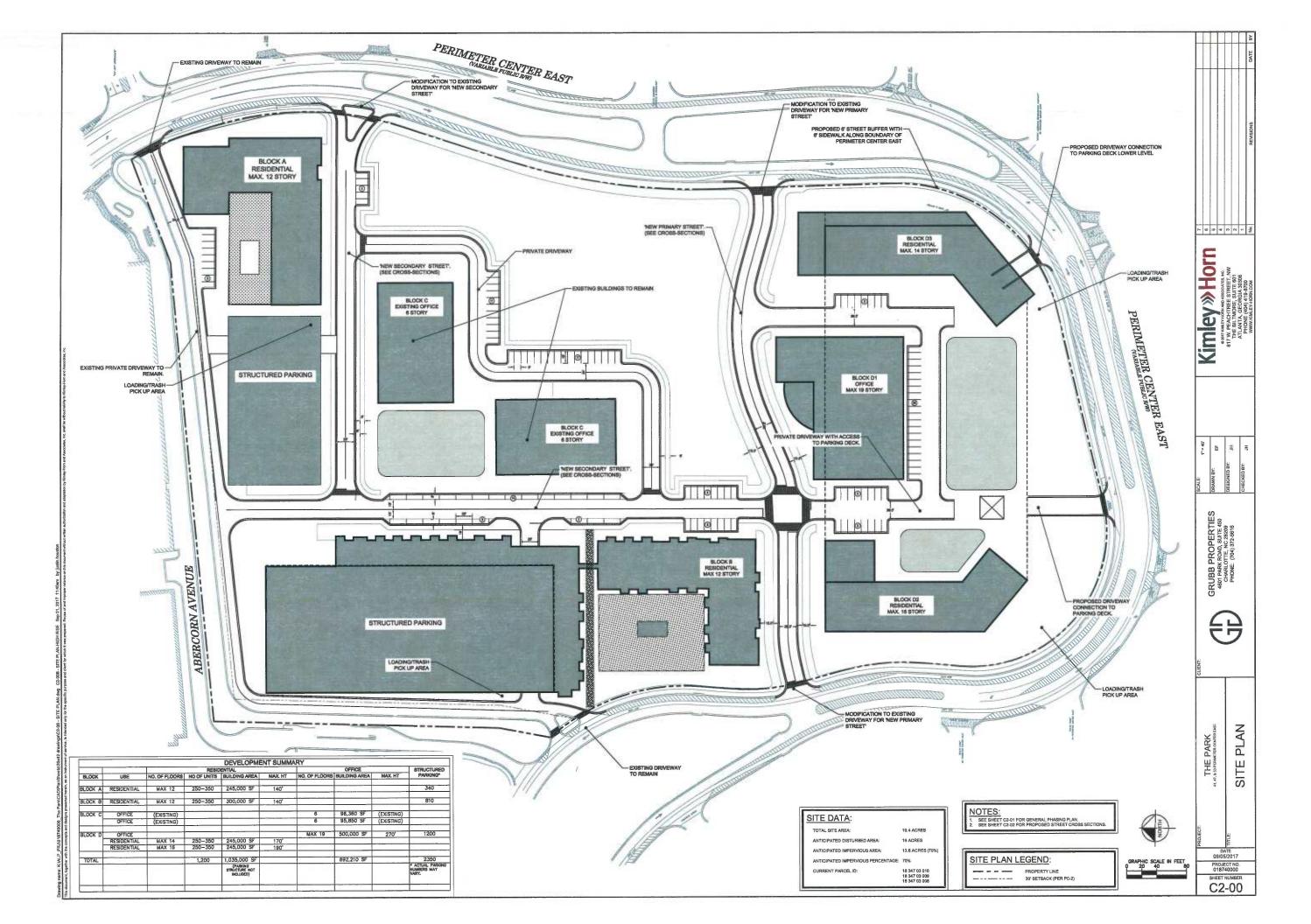
Date	Government Official	Official Position	Description	Amount
			-	

# List of Exhibits

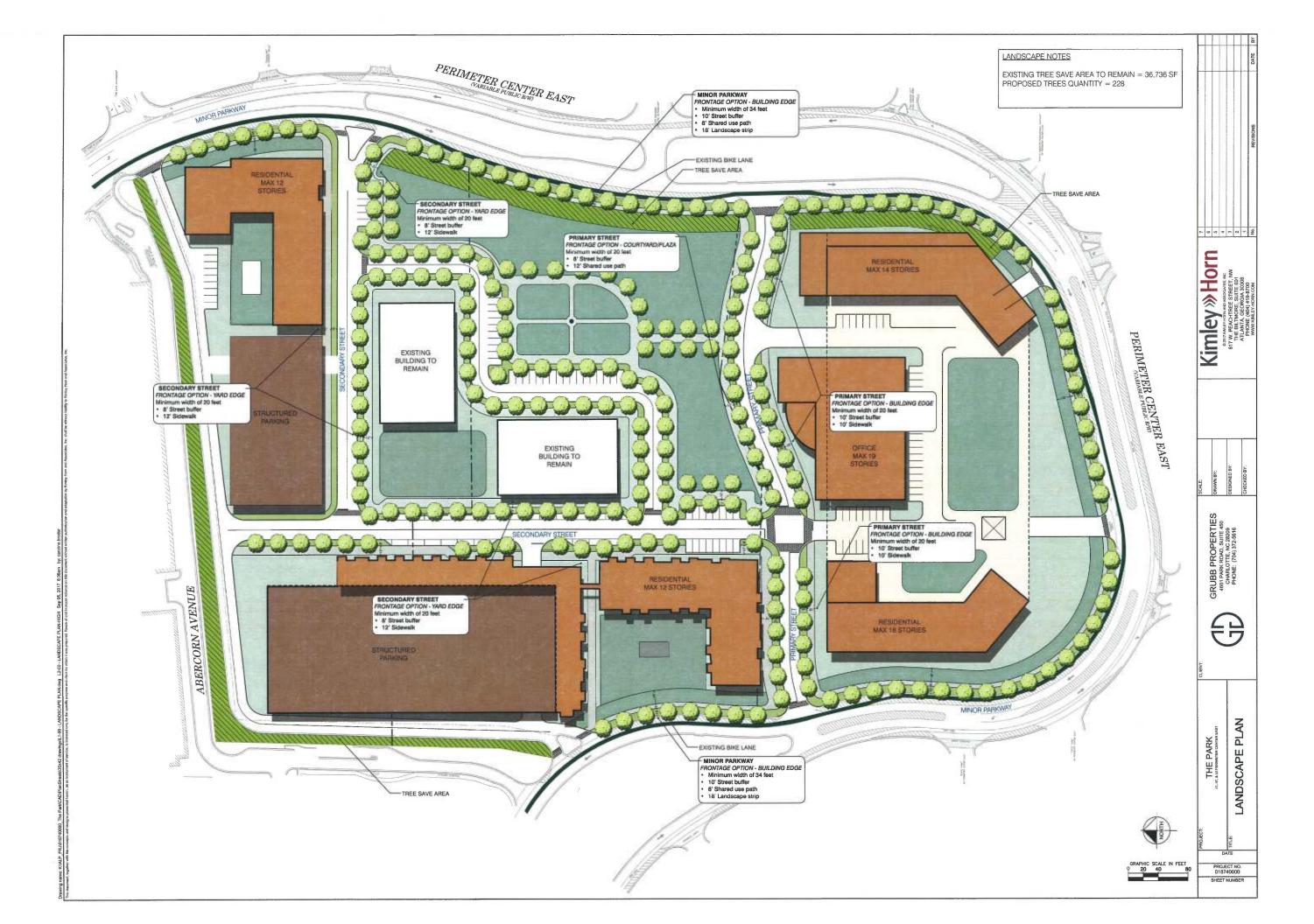
Exhibit A	Conceptual Site Plan & Conceptual Landscape Plan
Exhibit B	Survey and Legal Descriptions
Exhibit C	Proposed Phasing Plan
Exhibit D	Neighbor Communications Summary Report
Exhibit E	Environmental Site Analysis Form
Exhibit F	Pedestrian Circulation Plan
Exhibit G	Conceptual Project Elevation Drawings
Exhibit H	Road Section Drawings
Exhibit I	Proposed Sustainability Measure
Exhibit J	

## Exhibit A

Conceptual Site Plan and Conceptual Landscape Plan



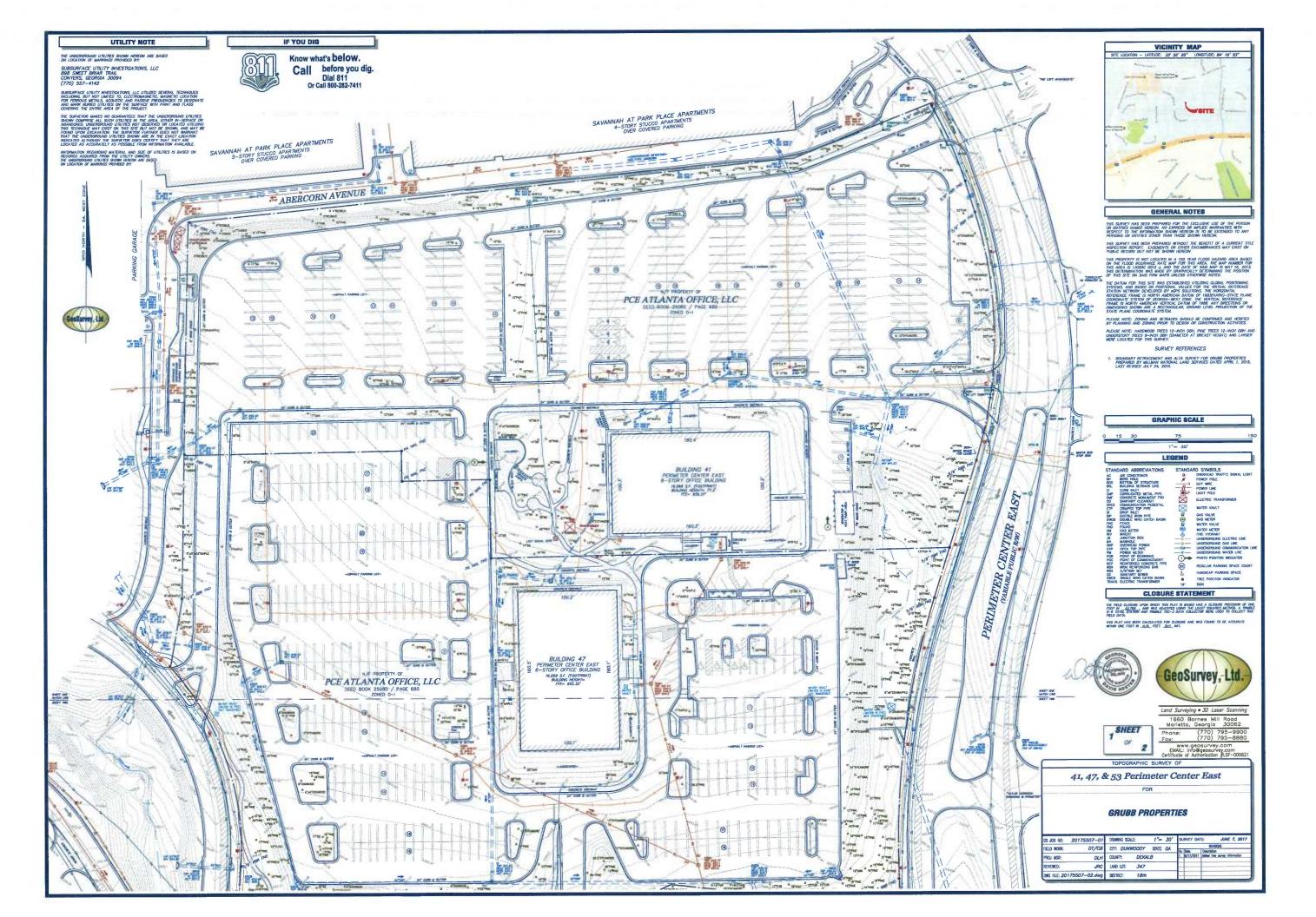
#11.



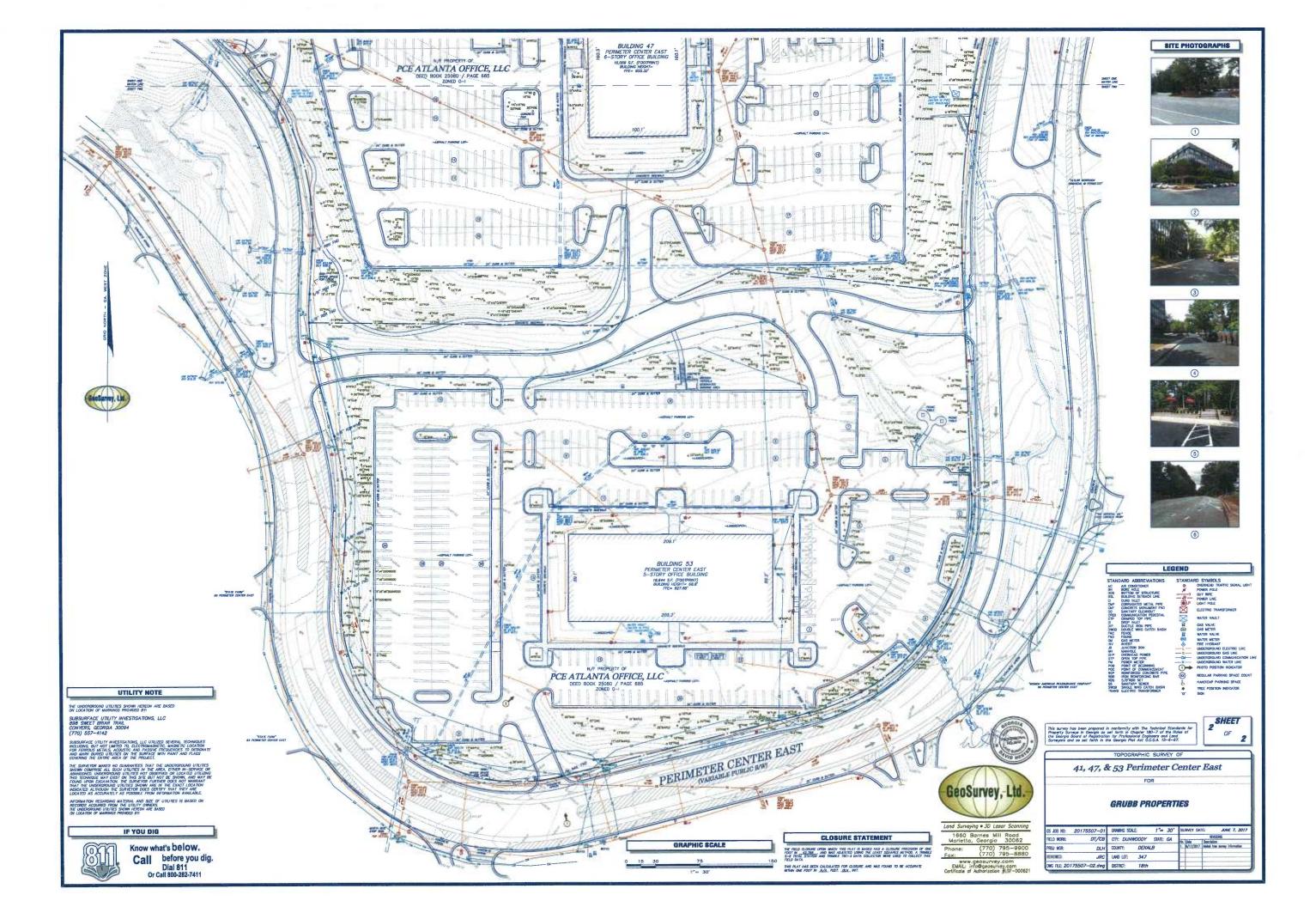


## Exhibit B

Survey (including Tree Survey) and Legal Descriptions



#11.



#11.

Tract 1 Building 41

ALL THAT TRACT or parcel of land lying and being in Land Lot 347 of the 18th District of DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a point the intersection formed by the Southerly right of way of the North leg of Perimeter Center East (variable right of way) and the Easterly right of way of Ashford-Dunwoody Road (120 foot right of way);

Thence proceed Easterly and Southeasterly along the Southerly and Southwesterly right of way of the North leg of Perimeter Center East (variable right of way) for a distance of 2112.32 feet to 1/2" rebar found and the true POINT OF BEGINNING of the parcel herein described;

Thence by the next four courses continuing along said Perimeter Center East right-of-way line, on a curve to the right having a radius of 369.327 feet on arc distance of 85.90 feet (said arc having a chord distance of 85.71 feet on a bearing of South 24 degrees 25 minutes 45 seconds East and a central angle of 13 degrees 19 minutes 36 seconds) to on iron pin set;

Thence South 17 degrees 45 minutes 58 seconds East a distance of 33.01 feet to an Iron pin set: Thence on a curve to the right having a radius of 417.658 feet on arc distance of 255.10 feet (said arc having a chord distance of 251.15 feet on a bearing of South 00 degrees 19 minutes 08 seconds East and a central angle of 34 degrees 59 minutes 42 seconds) to a 1/2" rebar found;

Thence South 17 degrees 13 minutes 42 seconds West a distance of 91.97 feet to a 1/26 rebar found at the northeasterly comer of lands now or formerly of RB 41/47 PCE LLC;

Thence by the next five courses along said RB 41/47 PCE LLC lands, South 88 degrees 51 minutes 29 seconds West a distance of 463.26 feet to an iron pin set;

Thence North 01 degrees 09 minutes 30 seconds West a distance of 79.45 feet to a MAG nail found; Thence South 89 degrees 00 minutes 27 seconds West a distance of 88.51 feet to a MAG nail found; Thence North 00 degrees 59 minutes 59 seconds West a distance of 30.49 feet to a MAG nail found; Thence South 88 degrees 59 minutes 04 seconds West a distance of 218.65 feet to a 1/2" rebar found on the easterly line of lands now or formerly of EQR-Lincoln Perimeter Center LLC:

Thence by the next three courses along said EQR-Lincoln Perimeter Center LLC lands,

North 00 degrees 55 minutes 02 seconds East a distance of 235.31 feet to a 1/2" rebar found; Thence North 84 degrees 05 minutes 32 seconds East a distance of 614.68 feet to a 1/2M rebar found Thence North 68 degrees 20 minutes 27 seconds East a distance of 148.01 feet to the POINT OF BEGINNING and containing within said bounds 6.3226 acres of land,

Being the same property conveyed to RB 41/47 OCE LLC, a Delaware limited liability company, by Limited Warranty Deed from GA-Perimeter Center LLC, a Delaware limited liability company, of record in Deed Book 19631, Page 67, Clerk of Superior Court for DeKalb County, Georgia, dated February 2, 2007.

#### Tract 2 Building 47

ALL THAT TRACT or parcel of land lying and being in Land Lot 347 of the 18th District of DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a point the intersection formed by the Southerly right of way of the North leg of Perimeter Center East (variable right of way) and the Easterly right of way of Ashford-Dunwoody Road (120 foot right of way);

Thence proceed Easterly, Southeasterly and Southerly along the Southerly, Southwesterly and Westerly right of way of the North leg of Perimeter Center East (variable right of way) for a distance of 2578.29 feet to a 1/2" iron pin found and the true POINT OF BEGINNING of the parcel herein described;

Thence by the next three courses along said Perimeter Center East (North Leg) right-of-way line, South 17 degrees 13 minutes 42 seconds West a distance of 52.80 feet to an iron pin set;

Thence on a curve to the left having a radius of 840.02 feet an arc distance of 286.33 feet (said arc having a chord distance of 284.95 feet on a bearing of South 07 degrees 23 minutes 18 seconds West and a central angle of 19 degrees 31 minutes 48 seconds) to an iron pin set;

Thence South 02 degrees 18 minutes 06 seconds East a distance of 30.44 feet to a 1/2~iron pin found at the northeasterly comer of lands now or formerly of RB 53 PCE LLC;

Thence by the next three courses along said RB 53 PCE LLC lands, North B3 degrees 48 minutes 23 seconds West a distance of 233.25 feet to a 1/2" iron pin found:

Thence South 65 degrees 15 minutes 46 seconds West a distance of 138.50 feet to a 1jt iron pin found; Thence North 89 degrees 18 minutes 26 seconds West a distance of 311.45 feet to a 1/2" iron pin found on the easterly right-of-way line of Perimeter Center East (South Leg) point;

Thence by the next three courses along said Perimeter Center East (South Leg) right-of-way line, on a curve to the right having a radius of 263.31 feet an arc distance of 29.31 feet (said arc having a chord distance of 29.29 feet on a bearing of North 00 degrees 35 minutes 14 seconds East and a central angle of 6 degrees 22 minutes 40 seconds) to an iron pin set; Thence North 03 degrees 46 minutes 34 seconds East a distance of 44.40 feet to on iron pin set;

Thence on a curve to the left having a radius of 271.593 feet an arc distance of 217.93 feet (said arc having a chord distance of 212.13 feet on a bearing of North 19 degrees 12 minutes 40 seconds West and a central angle of 45 degrees 58 minutes 32 seconds) to a 1/2" iron pin found at the southeasterly corner of lands now or formerly of EQR-Lincoln Perimeter Center LLC;

Thence by the next two courses along said EQR-Lincoln Perimeter Center LLC lands, North 09 degrees 57 minutes 20 seconds East a distance of 69.42 feet to a 1/2" iron pin found;

Thence North 00 degrees 55 minutes 02 seconds East a distance of 145.47 feet to a 1/2" iron pin found at the southwesterly corner of lands now or formerly of RB 41/4-7 PCE LLC;

Thence by the next five courses along said RB 4- 1/4-7 PCE LLC lands, Thence North 88 degrees 59 minutes 04 seconds East a distance of 218.65 feet to a MAG nail found;

Thence South 00 degrees 59 minutes 59 seconds East a distance of 30.49 feet to a MAG nail found; Thence North 89 degrees 00 minutes 27 seconds East a distance of 88.51 feet to a MAG nail found; Thence South 01 degrees 09 minutes 30 seconds East a distance of 79.45 feet to an iron pin set: Thence North 88 degrees 51 minutes 29 seconds East a distance: of 463.26 feet to the POINT OF BEGINNING and containing within said bounds 6.7752 acres of land.

Being the same property conveyed to RB 41/47 OCE LLC, a Delaware limited liability company, by Limited Warranty Deed from GA-Perimeter Center LLC, a Delaware limited liability company, of record in Deed Book 19631, Page 79, Clerk of Superior Court for DeKalb County, Georgia, dated February 2, 2007. Tract 3 Building 53

All that tract or parcel of land lying and being in Land Lot 347 of the 18th District of DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a point on the intersection formed by the Southerly right of way of the North leg of Perimeter Center East (variable right of way) and the Easterly right of way of Ashford-Dunwoody Road (120 foot right of way);

Thence proceed Easterly, Southeasterly and Southerly along the Southerly, Southwesterly and Westerly right of way of the North leg of Perimeter Center East (variable right of way) for a distance of 2947.86 feet to a 1/2" iron pin found and the true POINT OF BEGINNING of the parcel herein described; Thence by the next eight courses along said Perimeter Center East right-of-way line. South 02 degrees 18 minutes 06 seconds East a distance of 205.42 feet to an iron pin set;

Thence on a curve to the right having a radius of 220.76 feet on arc distance of 301.17 feet (said arc having a chord distance of 278.35 feet on a bearing of South 36 degrees 46 minutes 52 seconds West and a central angle of 78 degrees 09 minutes 55 seconds) to an iron pin set:

Thence South 75 degrees 51 minutes 54 seconds West a distance of 261.71 feet to a PK nail set; Thence on a curve to the right having a radius of 180.32 feet an arc distance of 340.69 feet (said arc having a chord distance of 292.23 feet on a bearing of North 50 degrees 00 minutes 36 seconds West and a central angle of 108 degrees 15 minutes 01 seconds) to an iron pin set;

Thence North 04 degrees 06 minutes 54 seconds East a distance of 52.47 feet to on iron pin set; Thence on a curve to the left having a radius of 309.42 feet an arc distance of 108.01 feet (said arc having a chord distance of 107.46 feet on a bearing of North 05 degrees 53 minutes 06 seconds West and a central angle of 20 degrees 00 minutes 01 seconds) to an iron pin set;

Thence North 15 degrees 54 minutes 06 seconds West a distance of 58.08 feet to a PK nail set; Thence on a curve to the right having a radius of 263.31 feet an arc distance of 61.12 feet (said arc having a chord distance of 60.98 feet on a bearing of North 09 degrees 15 minutes 06 seconds West and a central angle of 13 degrees 17 minutes 59 seconds) to a 1/2" rebar found at the southwesterly corner of lands now or formerly of RB 41/47 PCE LLC;

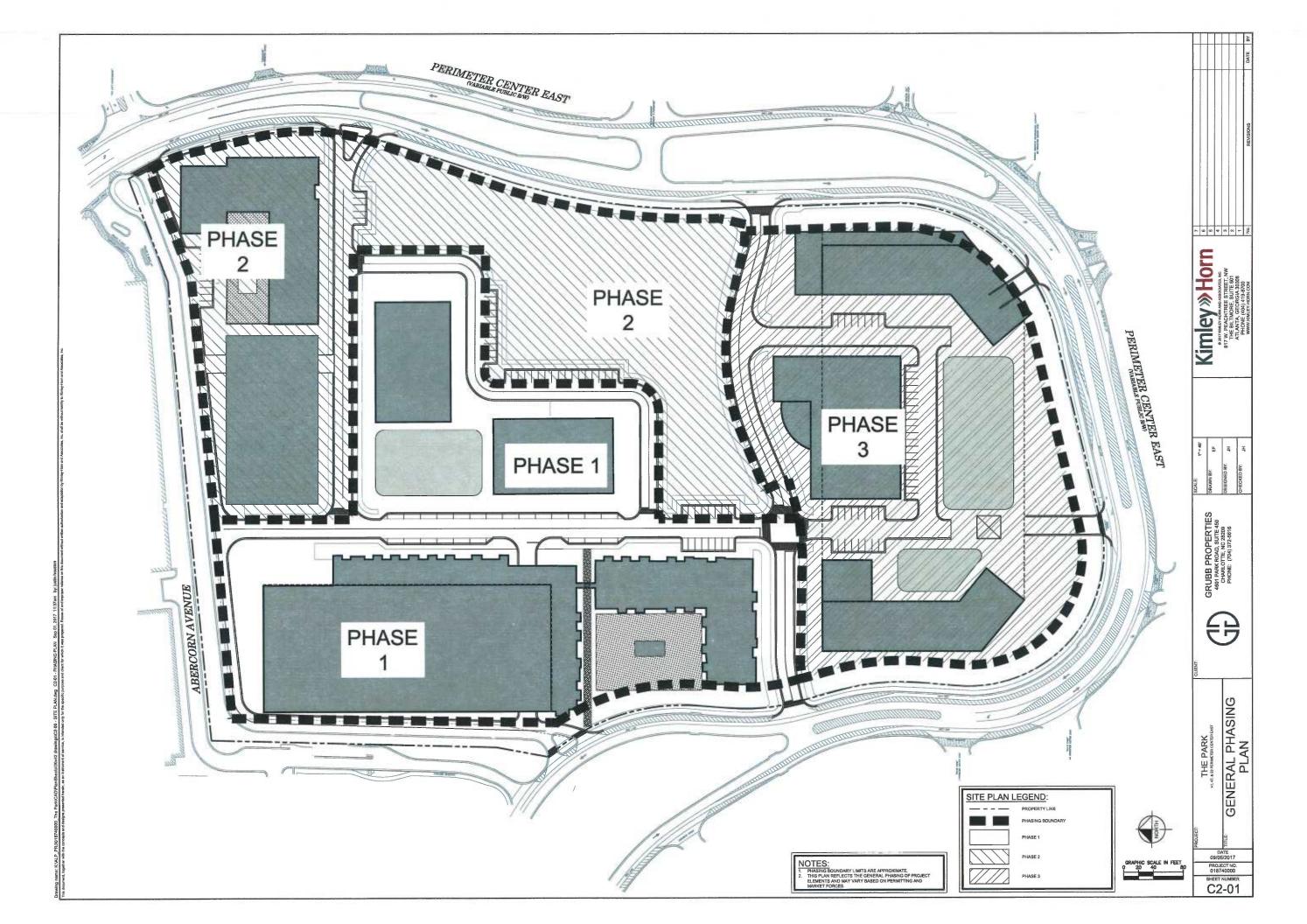
Thence by the next three courses along said RB 41/47 PCE LLC lands, South 89 degrees 18 minutes 26 seconds East a distance of 311.45 feet to a 1/2"rebar found;

Thence North 65 degrees 15 minutes 46 seconds East a distance of 138.50 feet to a 1/2"rebar found; Thence South 83 degrees 48 minutes 23 seconds East a distance of 233.25 feet to the POINT OF BEGINNING and containing within said bounds 6.3976 acres of land.

Being the same property conveyed to RB 53 OCH LLC, a Delaware limited liability company, by Limited Warranty Deed from GA-Perimeter Center LLC, a Delaware limited liability company, of record in Deed Book 19631, Page 153, Clerk of Superior Court for DeKalb County, Georgia records, dated February 2, 2007.

# Exhibit C

# Proposed Phasing Plan



#11.

# Exhibit D

Neighbor Communications Summary Report

### **Neighbor Communications Summary Report**

This summary report is provided in accordance with the City of Dunwoody's requirement that an applicant for rezoning or Special Land Use Permit ("SLUP") conducts and documents neighbor communications prior to the submittal of an application for rezoning/SLUP when the subject property of the rezoning/SLUP application is within 500 feet of property zoned for residential purposes. In the case of the current proposal, one parcel within 500 feet is zoned RM-85 (Multi-Dwelling Residential-85) (Parcel # 18 347 01 008 located at 54 Perimeter Center East). This parcel currently is under development as a townhome community. Following is the information required by the City in connection with this neighbor communication effort.

#### 1. Efforts to notify neighbors about the proposal.

As noted above, one parcel located within 500 feet of the Subject Property is zoned for residential purposes. As such, the Applicant was required to hold an "Applicant-Initiated Meeting" to provide an opportunity for interested citizens to learn more about the proposal and offer comments and concerns to the Applicant. To accomplish this, the Applicant scheduled the meeting for Monday, June 26, 2017. The Applicant then identified all residentially-zoned property within 1,000 feet of the subject property and sent a Letter to the property owner of record for each such parcel inviting them to the meeting. Attachment "D - 1" lists such properties and owners while Attachment "D - 2" provides a copy of the Letter mailed to such individuals on June 1, 2017. As required, a copy of the letter was provided to the Dunwoody Planner. In addition, a Public Notice was placed in the Dunwoody *Crier* newspaper on June 14 inviting the public at large to the Applicant-Initiated Meeting. A copy of the Public Notice published in the *Crier* is attached as Attachment "D - 3" to this summary report.

#### 2. How information about the proposal was shared with neighbors.

The primary way in which information about the proposal was shared was through the Applicant-Initiated meeting held on June 26, 2017 at the Applicant's offices on the subject property. At this meeting, documentation was made available for inspection, including the proposed site plan and landscape plan, as well as projections of conceptual project renderings. Team members were available to share detailed information about the project scope, project phasing, and to answer attendees' questions. While not part of the required neighbor communication process, in addition to the formal Applicant-Initiated Meeting, members of the development team attended a meeting of the Dunwoody Homeowner's Association Board on May 7, 2017, made a presentation about the proposal, and answered attendees' questions.

#### 3. Who was involved in the discussions?

At the Applicant-Initiated Meeting, Applicant representatives included a representative of the Property Owner, two civil engineers working on the project, the project architect, and the project's land use attorney. The meeting was attended by the City of Dunwoody's Community Development Director, Richard McLeod, as an observer, and the President of the Dunwoody Homeowners' Association ("DHA"), Mr. Robert Wittenstein. A sign-in sheet indicating Mr. Wittenstein's attendance is attached as Attachment "D - 4" to this summary report.

#### 4. Suggestions and concerns raised by neighbors.

At the Applicant-Initiated Meeting, Mr. Wittenstein indicated DHA had concerns about (a) the potential visual impact of the uniformity of maximum 14-story building heights throughout the project, (b) the inclusion of a rental residential building in the project, (c) the proposed construction and occupancy of the proposed rental residential building as part of the initial phase of the project, prior to the construction of the three proposed owner-occupied residential buildings, and (d) the rental rates, construction type, and interior finish quality of the rental residential units.

# 5. What specific changes to the proposal were considered and/or made as a result of the communications?

(a) Regarding the concern expressed regarding the uniformity of building heights the Applicant changed the proposal to vary maximum heights of the proposed buildings. Within the PC-2 District and more than 500 feet from any single-family zoning district, the maximum permitted height of any building is 14-stories/180 feet. Any increase above this maximum may be approved as a condition of rezoning by the Mayor and Council. In response to Mr. Wittenstein's concerns on behalf of DHA regarding the uniformity of building heights, the Applicant proposes to construct buildings with heights ranging from 12 to 19 stories, with the taller buildings located further from the nearest single-family residential zoning district, which is nearly 700 feet to the east of the Subject Property's nearest boundary. The Applicant respectfully requests the Mayor and Council approve such building heights as a condition of rezoning.

(b) Regarding the inclusion of rental residential units as part of the project's housing options, the Applicant respectfully submits the construction of rental residential during the project's initial phase is essential to the project. During this initial phase, a parking structure must be constructed so the next phase, which replaces existing surface parking with the proposed park, may then proceed. Furthermore, the efficient parking design for the Project calls for sharing between office and rental residential uses given their complementary nature and opposite periods of usage intensity. Accordingly, in order to make the parking structure both financially and functionally possible, the rental residential building's construction must occur concurrently. The Applicant proposes no more than 25% of the residential units constructed as part of the project be rental units at project build out.

(c) At the same time, the Applicant understands the concerns raised by Mr. Wittenstein on behalf of DHA regarding the proposed phasing by which the construction of the rental residential building associated with the construction of the parking deck precedes the construction of any for sale residential component of the project. Accordingly, the developer intends to work with the City's representatives and the Dunwoody Homeowners' Association to provide the necessary assurances regarding the construction phasing for the owner-occupied residential component of the project.

(d) Regarding the concerns expressed regarding the rental rates, construction type, and interior finishes, it is important to understand the Applicant's extensive experience constructing and operating high-quality residential buildings in a variety of markets across the Southeast. As required by applicable building codes, the Applicant intends to use concrete & steel construction for all residential buildings, including the building proposed to contain the rental units. Rental rates have yet to be determined but are anticipated to be at market for the high-quality residential product that will be constructed as part of this project. This product will be comparable to the other residential communities the Applicant has constructed in other markets and contains high-end finishes, appliances, and amenities intended to appeal to young professionals. Attached to this Summary as Attachment "D - 5" are documents illustrating the high-quality construction and finishes typical of the Applicant's existing residential properties constructed in other markets.

Attachment D – 1

	Address	Parce	Owner Last Name	Owner First Name	Co-owner Last Name	Co-owner First Name	Mailing Address	City	State	Zip
1	4394 Old Georgetown Trail	18 346 05 051	Emerald Capital Investm	ments			4060 Peachtree Road NE	Atlanta	GA	30319
								Τ	TAI	17004
2	4396 Old Georgetown Trail	18 346 05 083	Slack	Dickie L	Porter	Ladonna Cherie	4516 Himberlake LN	Kingsport	N	3/004
3	4404 Old Georgetown Trail	18 346 05 082	Weaver	Elizabeth Anne			856 Penn Ave NE	Atlanta	GA	30308
4	4412 Old Georgetown Trail	18 346 05 081	Jones	David R.	Jones	Jamie	4412 Old Georgetown Trail	Dunwoody	GA	30338
5	4420 Old Georgetown Trail	18 346 05 080	Lopez-Zeno	Jose A.	Sandoval	Nora V.	4420 Old Georgetown Trail	Atlanta	GA	30338
9	4361 Old Georgetown Trail	18 346 02 014	Gangell	Katie E.			4361 Old Georgetown Trail	Dunwoody	GA	30338
2	4351 Old Georgetown Trail	18 346 02 015	Baird	Aaron	Nowak	Samantha	4351 Old Georgetown Trail	Dunwoody	GA	30338
∞	4341 Old Georgetown Trail	18 346 02 001	Noble	Shelley			4341 Old Georgetown Trail	Dunwoody	GA	30338
6	4301 Old Georgetown Trail	18 346 03 050	Cowart	James H.			PO Box 88243	Atlanta	GA	30356
10	4373 Old Georgetown Trail	18 346 02 013	Ellet	Stephen R.	Ellet	Tracy Ledford	4483 Kellogg Cir	Atlanta	GA	30338
11	1463 Old Spring House Lane	18 346 03 002	Stavropoulos	Melissa A.			1463 Old Spring HouseLane	Dunwoody	GA	30338
12	1475 Old Spring House Lane	18 346 03 003	Odom, Jr.	Kenneth R.	Odom	Christine S.	1475 Old Spring House Lane	Dunwoody	GA	30338
13	1470 Old Spring HouseLane	18 346 02 002	Beverly	Mack			1470 Old Spring HouseLane	Dunwoody	GA	30338
14	4362 Congress Court	18 346 02 011	Hennessy	Regina Hauck			4362 Congress Court	Dunwoody	GA	30338
15	4370 Congress Court	18 346 02 012	Rivera	Judy	Roman Modesto	Velazquez	4370 Congress Court	Dunwoody	GA	30338
16	1506 Congress Circle	18 346 05 060	Spotsco Inc.				PO Box 88193	Atlanta	GA	30356
17	1494 Congress Circle	18 346 05 059	Thompson	Shirley M.			1494 Congress Circle	Dunwoody	GA	30338
18	54 Perimeter Center East	18 347 01 008	54 Perimeter Acquisitions LLC	ins LLC			1100 Peachtree Street NE	Atlanta	GA	30309
19	4467 Village Springs Run	18 350 01 025	Elavia	Malcolm Farokh	Elavia	Manissha Malcolm	4467 Village Springs Run	Dunwoody	GA	30338
20	4481 Village Springs Run	18 350 01 023	McWhorter	Roody Ernest	McWhorter	Sharon Kay	4481 Village Springs Run	Dunwoody	GA	30338
21	4487 Village Springs Run	18 350 01 022	Balasubramanian	Madivanan	Madivanan	Chitralekha	4487 Village Springs Run	Dunwoody	GA	30338
22	4491 Village Springs Run	18 350 01 021	Bulpitt	William S.	Martin	Judith H.	4491 Village Springs Run	Dunwoody	GA	30338

GA	Dunwoody	4495 Village Springs Run	Marina	Lapayeva	Igor	Lapavev	18 350 01 020	
- 1	GA	Dunwoody GA	95 Village Springs Run Dunwoody 0	a [4495 Village Springs Run Dunwoody [0	ayeva Marina 4495 Village Springs Run Dunwoody K	or  Lapayeva  Marina  4495 Village Springs Run  Dunwoody	payev lgor [Lapayeva [Marina [4495 Village Springs Run [Dunwoody ]6	1020   Lapayev   Igor   Lapayeva   Marina   4495 Village Springs Run   Dunwoody   K

Attachment D – 2

**GRUBB**PROPERTIES People who care. Places that matter.

June 1, 2017

#### VIA FIRST CLASS U.S. MAIL

#### Invitation to Community Meeting – Application for Rezoning 41, 47, and 53 Perimeter Center East

Dear Property Owner,

Grubb Properties, the owner of the property referenced above, is preparing an application seeking to rezone the property, which currently contains only office uses and surface parking lots, to allow for its redevelopment as a mixed-use project including office, retail, and residential uses, along with structured parking and substantial greenspace. The property is currently zoned O-I (Office – Institutional) and the requested zoning will be PC-2 (Perimeter Center, Subarea 2).

As part of the process, we are holding a community meeting to help inform you about the proposed project, inform ourselves about your interests and concerns regarding the project, provide an opportunity for you to ask questions, and create a forum through which we can begin efforts to resolve any concerns. You have received this invitation because DeKalb County's tax records show you as the owner of residentially-zoned property within 1,000 feet of the property.

The details of the meeting are as follows:

Date:	Monday, June 26, 2017	
Time:	6:00 p.m. – 7:00 p.m.	
Location:	Grubb Properties Atlanta Office	
	47 Perimeter Center East, Suite 530	
	Dunwoody, Georgia 30346	

Thank you for your time and consideration. I look forward to seeing you on June 26.

Sincerely

Andrew Rosti, Associate Investments & Research

Attachment D – 3

#11.

# St. Luke's assists refugee families with English classes

Over the past few months, members of Saint Luke's Presbyterian Church expressed interest in becoming better aware and connected to the community of resettled refugees in the Atlanta area, concentrated in Clarkston. Saint Luke's is well on its way to meeting its commitment to assist the Refugee Family Literacy Program's expansion at the Memorial Drive Presbyterian Church.

The Refugee Family Literacy Program, called Mommy and Me, offers English as a Second Language classes and an early childhood development program for their refugee women who have children under five years of age regardless of race, nationality or reli-

gion. All are welcome. These students come from more than a dozen countries from around the world: Eritrea, Burma, Bhutan, Rwanda, Somalia, Sudan, Iraq, Afghanistan, Iran, The Demo-cratic Republic of Congo, Ethiopia, Burundi, Liberia and Syria

What began in 2008 as a twoday-a-week community program with just four staff members trying to make a difference in their rapidly evolving neighborhood, now has a paid staff of 27, manages 20-30 weekly volunteers and runs almost 15 classes for over 200 adult and young students.

Classrooms are being refurbished for the start of the 2017-18 school year in a second



Lydia Green and Allie Hearn

campus at Memorial Drive Presbyterian Church. Saturday workdays have brought together volunteers from the Clarkston

Dunwoody has followed what's called "the backdoor tax

increase" law for years with ad-

vertisements indicating it will

not roll back the millage rate to

equalize revenues and expendi-

res. Little or no opposition

The lack of opposition may

be explained by the city's notes

on the matter. As the year goes

along, revenue projections de-

Council, from page 1-

community, Mommy and Me staff and their families and members of Saint Luke's Presbyterian Church. Volunteers

share building skills and their enthusiasm and excitement as the project evolves.

#### **Public Notice**

There will be a Community Meeting regarding an application to rezone property located at 41, 47, and 53 Perimeter Center East in the City of Dunwoody from the current O-I (Office - Institutional) zoning district to the PC-2 (Perimeter Center, Subarea 2) zoning district for the purposes of redeveloping the property as a mixed-use project including office, retail, and residential uses, along with structured parking and substantial greenspace. The meeting will be held from 6:00 - 7:00 p.m. on Monday, June 26, 2017, at 47 Perimeter Center East, Suite 530, Dunwoody, Georgia 30346.

### **Public Notice**

from 5:00 p.m. to 7:00 p.m. to discuss a proposed zoning amendment to allow a new parking deck, hotel and free standing restaurant at 121 Perimeter Center West. This meeting will be held at the Hampton Inn & Suites, located at 4565 Ashford Dunwoody Road, Dunwoody, Georgia 30346 in the Sterling Room.

There will be a public information meeting on June 29, 2017,

**Dental Implant** 

\$1155\*

Services:

Teeth Extractions

General Anesthesia

Jaw Reconstructive Surgery

Dental Implants



cline as property tax appeals are heard DeKalb County's property tax assessment freeze offsets

tised.

has surfaced.

most of the revenue increase. "No one owning a home when Dunwoody incorporated is paying more for the same

property as they did in 2009 with this credit," wrote the city finance department. The result is that all of the

increase in the city's projected revenues is coming from commercial property or new real estate sales.

#### **Traffic Calming**

The traffic calming project for North Peachtree Road was once again on the Dunwoody city council agenda. Council members were expected to authorize funding for traffic calming measures for the nearly one-mile stretch of roadway starting at the intersection with Mt. Vernon Road.

Area residents petitioned the city last year for traffic calming due to excessive speeds on the 25 mph road. Traffic calming measures include seven median splitter islands and a neighborhood traffic circle at the intersection of North Peachtree Road and Saffron Drive.

The estimated cost is \$200,000 and Georgia Development Partners will construct the roadway improvements.

Council members were expected to discuss increasing the Hotel Motel Tax from five percent to eight percent. A recently signed House bill enables the city to increase the tax via an ordinance.

A strategic planning process, including the ordinance creation, was outlined in a memo to council members from Economic Development Director Michael Starling.

**Hotel Motel Tax** 

A Hotel Motel Tax increase would provide funding for additional city projects. City staff will identify eligible projects, wrote Starling. Stakeholders and three council members will prioritize the project list.

"The city will host a public information open house to share the proposed ordinance and list of projects with residents and community mem-bers," wrote Starling.

The final ordinance is expected to be presented to council members at their Oct. 9 meeting.

#### **Public Facilities**

Another recently signed House bill, (HB-435) allows the city to create a City of Dunwoody Public Facilities Authority. As described in the bill's text, the purpose is to provide buildings, facilities, equipment and services for the citizens in the city of Dunwoody.

Starling wrote that a resolution would be presented to council members later this summer to create the authority and to adopt rules and procedures on how the authority would operate.

#### New Officer

Police Officer Kasey Martin was expected to be sworn in as a Dunwoody officer. Martin was formerly a Doraville police officer.



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Hours: M, Tu, Th: 8:00 am to 5 pm Wed: 10:00 am to 6 pm Fri: 8:00 am to Noon Office: 770-393-8500

Lee "Mac" Whitesides DMD, MMSc. Board Certified Oral & Maxillofacial Surgeon 4700 Chamblee Dunwoody Rd. Suite 400, Dunwoody, GA 30338

www.onedayteeth.net

Consult fee \$100 • X-ray \$95 • Due at consultation \*Abutment and crown not included \*Cash only. Not valid with other coupons. New patients only. Certain restrictions apply. No Insurance. Must present coupon at consultation. Offer expires 12-31-17.

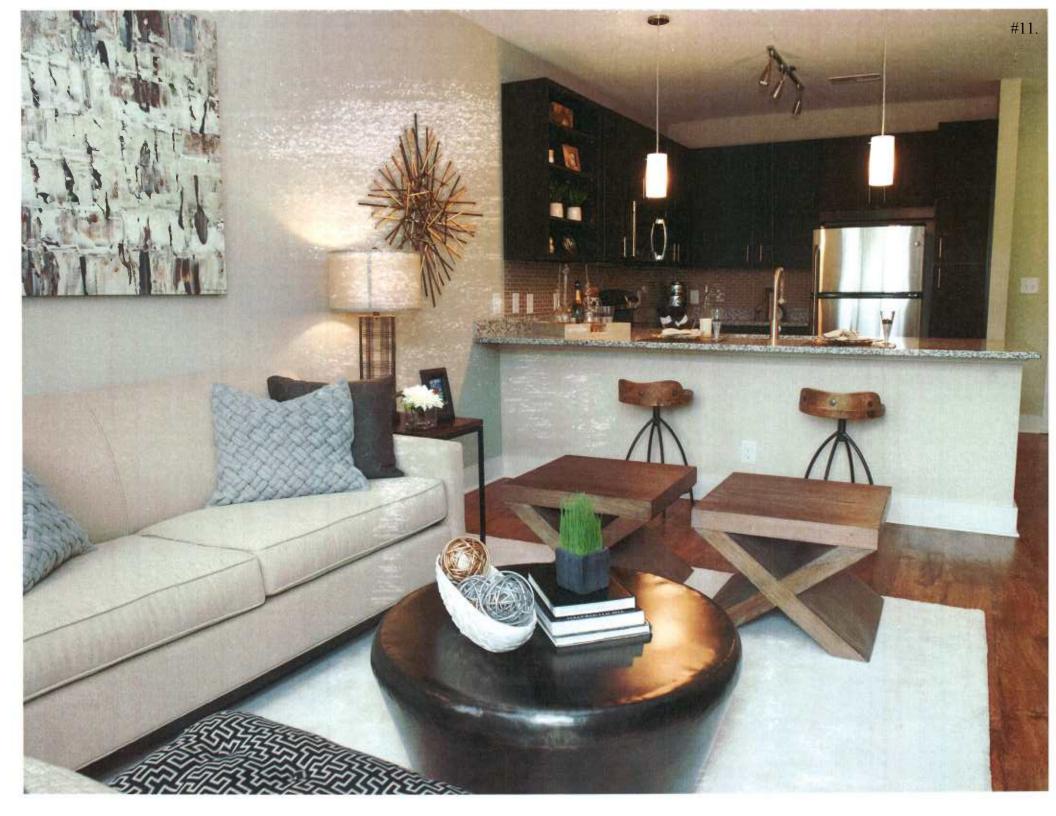
PLEASE SIGN IN

#### PARK AT PERIMETER CENTER EAST APPLICANT-INITIATED MEETING SIGN-IN SHEET MONDAY, JUNE 26, 2017

NAME	ADDRESS/EMAIL
ROBERT WITTENSTEIN	1146 BORDEAU CT, DUNWOODY 30338 robertLw@mindspring.com

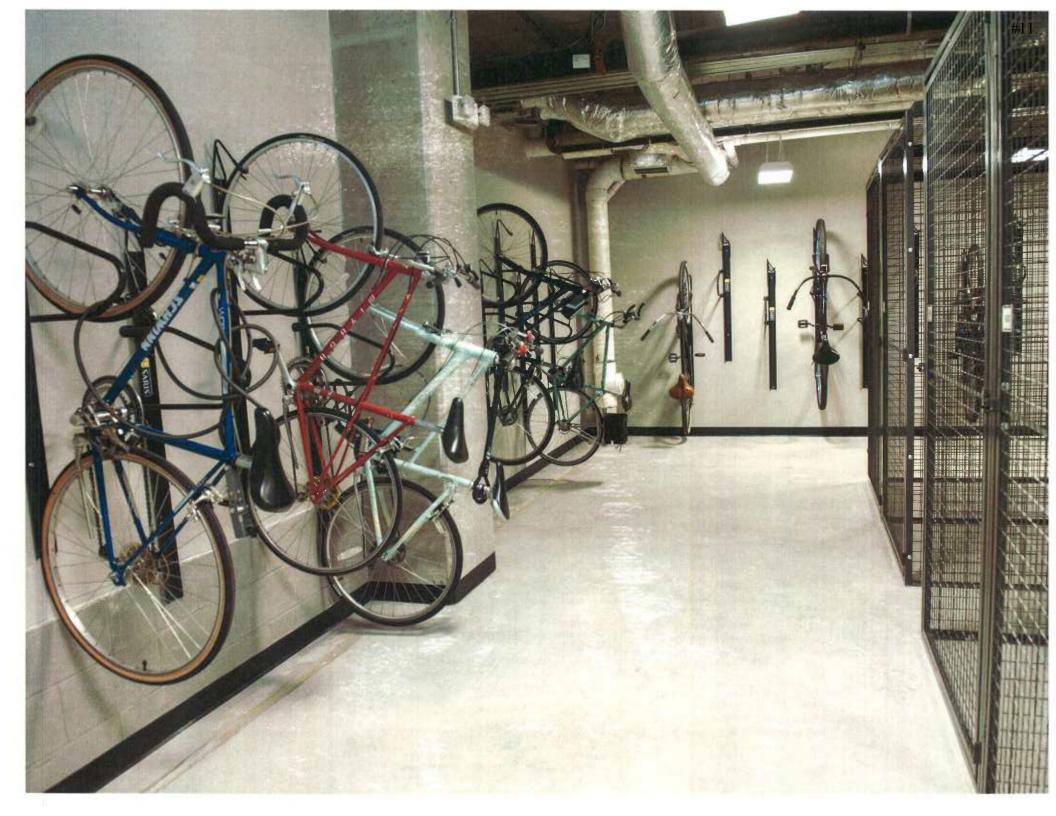
#11.

Attachment D – 5









# Exhibit E

# Environmental Site Analysis Form

### **Environmental Site Analysis (ESA) Form**

#### 1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The proposed Project consists of the redevelopment of a 19.5 acre site made up of 3 tracts (the "Subject Property") that currently contains 3 multi-story office towers and extensive surface parking into a unified and vibrant mixed-use, pedestrian-friendly development including up to 500,000 square feet of new Class A office space up to 1,200 units of multi-family residential in four new buildings; with associated retail and restaurant space, structured parking, streetscape, landscape, green space, as well as transportation and pedestrian improvements.

In addition to the three existing office towers (two of which will remain) and surface parking fields, the Subject Property includes limited internal pedestrian facilities with associated landscaping, landscaped islands in the parking fields, and landscaped areas adjacent to the existing buildings. The site elevation rises substantially from the southwest portion of the Subject Property to the north end of the property.

All surrounding properties are currently developed or under development for a variety of uses. Adjacent property to the south is developed as multi-story office space. The adjacent property to the east is developed as multi-story office space and a townhome development that is currently under construction. The adjacent property to the north is developed as multi-family residential apartment project. The adjacent property to the west is also developed as a multi-family residential project.

Attached as Attachment "E-1" is a site plan under consideration for the proposed project.

The proposed development conforms to the policy and intent of Dunwoody's Comprehensive Plan (the "Plan") and, in particular, the portions of the Plan addressing the Perimeter Center Character Area. The proposed development supports the vision of the Plan to create a mixeduse, transit-oriented development containing first-class office, residential, retail, and restaurants in an attractive, inviting pedestrian-friendly environment. The current extensive field of surface parking on the Property will be eliminated as part of the redevelopment, with portions redeveloped as a contiguous green space for use by the development and the community as a whole, thus satisfying another stated goal of the Plan.

The design of the proposed development will foster pedestrian movements both internally and through the Property to nearby office and housing developments, as well as the future greenway path, while providing easily accessible and safe off-street parking for automobile commuters and visitors. The proposed development also will support the Plan's call for high-quality design and materials. The Plan's vision for the addition of public gathering spaces and pocket parks will be satisfied through the creation a 2-acre park space as a central element of the development, as well as through of a mix of landscaped and hardscaped plazas, parkways, and other outdoor spaces within the development that will provide pedestrian linkages to other existing and proposed civic and green space in the surrounding area.

In addition to its conformity with the Plan's policy and intent, the proposed development also satisfies a number of the goals and objectives of the Perimeter Center Livable Centers Initiative Study (the "LCI Study") and updates performed by the City in cooperation with the Perimeter Community Improvement District ("PCID").

The proposed development will provide internal pedestrian connectivity between the office, residential, retail, and restaurant components of the development. In addition, pedestrian improvements will enhance pedestrian and green space connectivity external to the site to other nearby developments and the emerging network of parks in the area. The replacement of the extensive surface parking on the Property with a vibrant, integrated, mixed-use development will stand as a model for retrofitting sites developed using outdated suburban models that favored single-occupant vehicle traffic and ignored the potential benefits of a vibrant pedestrian environment. The proposed development will provide a sense of place for workers, residents, and visitors to the development through the central park space, plazas, walkways, additional green space, and an active pedestrian environment, including sidewalks and other amenities. Overall, the proposed development intends to transform the Property from an under-utilized suburban office model to a vibrant urban environment that takes advantage of and enhances both internal and external connections to transit, housing, and other nearby developments in the area.

#### 2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

**a.** Wetlands – There are no wetlands that exist on site based on observation and the National Wetlands Inventory map from the US Fish and Wildlife.

**b.** Floodplain – Based on FEMA Firm Map 13089C0012, effective on May 16, 2013, there are no portions of the site located within the 100-Year Floodplain.

c. Streams/Stream Buffers - There are no streams located on the site, or within 75' of the site.

**d.** Slopes exceeding 25 percent over a 10-foot rise in elevation – There are a few areas on the site where the site slopes are greater than 25 percent over a 10-foot rise in elevation. These areas are located along the perimeter of the area next to Perimeter Center East and along the northwestern property boundary. These areas are a very limited portion of the site and are not proposed to be impacted given their location.

**e.** Vegetation – Given the developed condition of the proposed development site, there are no significant areas of vegetation.

**f.** Wildlife Species (including fish) – Given the developed condition of the Subject Property, there are no wildlife species existing on site.

**g.** Archeological/Historical Sites – There are no known historic buildings, sites, districts or archeological resources on or adjacent to the Subject Property. Accordingly, the zoning proposal will have no adverse effect on any such historic or archeological resources.

### 3. PROJECT IMPLEMENTATION MEASURES

The following measures will be enforced during implementation of the proposed development program:

**a. Protection of environmentally sensitive areas** – The proposed development has taken into consideration the previously mentioned environmentally sensitive areas. The majority of the existing steep slope areas will be left undisturbed by the proposed site development.

**b.** Protection of water quality – Compliance with current State & City of Dunwoody stormwater code requirements and NPDES requirements during construction and redevelopment of the site will greatly improve water quality in stormwater discharge flows from the project area.

**c.** Minimization of negative impacts on existing infrastructure – Critical infrastructure will be protected during the redevelopment of the site, with traffic congestion impacts identified and mitigated per traffic study recommendations, as well as City of Dunwoody and GRTA Notice of Decision recommendations.

**d.** Minimization of impacts on archeological/historically significant areas - There are no known historic buildings, sites, districts or archeological resources on or adjacent to the Subject Property. Accordingly, the zoning proposal will have no adverse effect on any such historic or archeological resources.

**e.** Minimization of negative impacts on environmentally stressed communities – There are no such communities located on or adjacent to the Subject Property. Accordingly, the zoning proposal will have no negative impacts on environmentally stressed communities.

**f.** Creation and preservation of green space and open space – The proposed development will utilize multistory office, multi-family residential buildings, and parking to reduce the impervious footprint on the site. Additionally, the redevelopment program will provide substantial green space and open space associated with the proposed zoning classification.

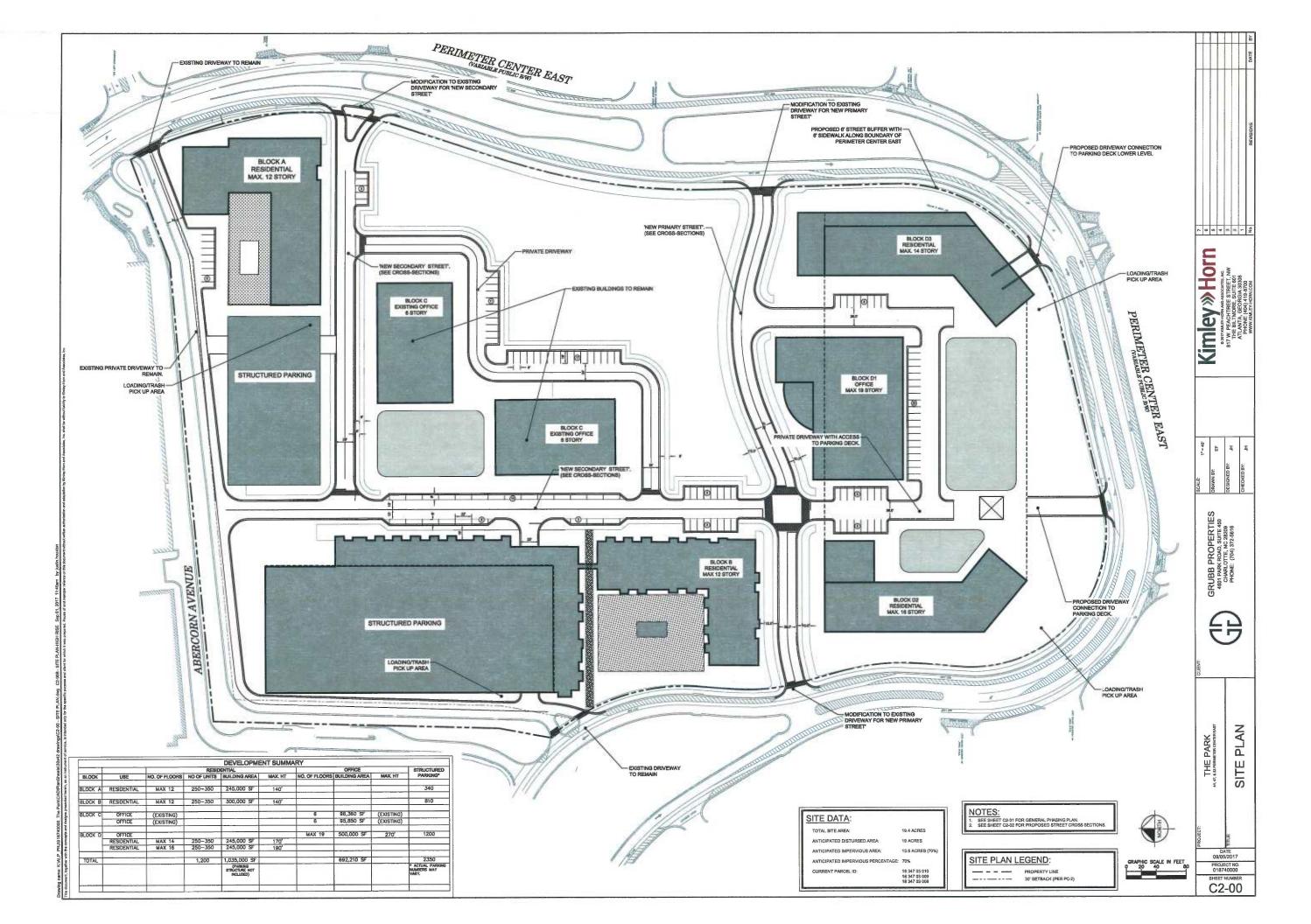
**g.** Protection of citizens from the negative impacts of noise and lighting – Due to the location of the Subject property and the nature of the surrounding uses, it is not anticipated there will be any such impacts.

**h.** Protection of parks and recreational green space – Existing parks and recreational green space areas will not be impacted by the proposed redevelopment program. In fact, redevelopment of the site as proposed will increase the amount of green space in the City through the addition of a 2-acre central green space, among other landscaping enhancements.

**i.** Minimization of impacts to wildlife habitats – Given the developed condition of the site, there are no wildlife habitats within the proposed development area.

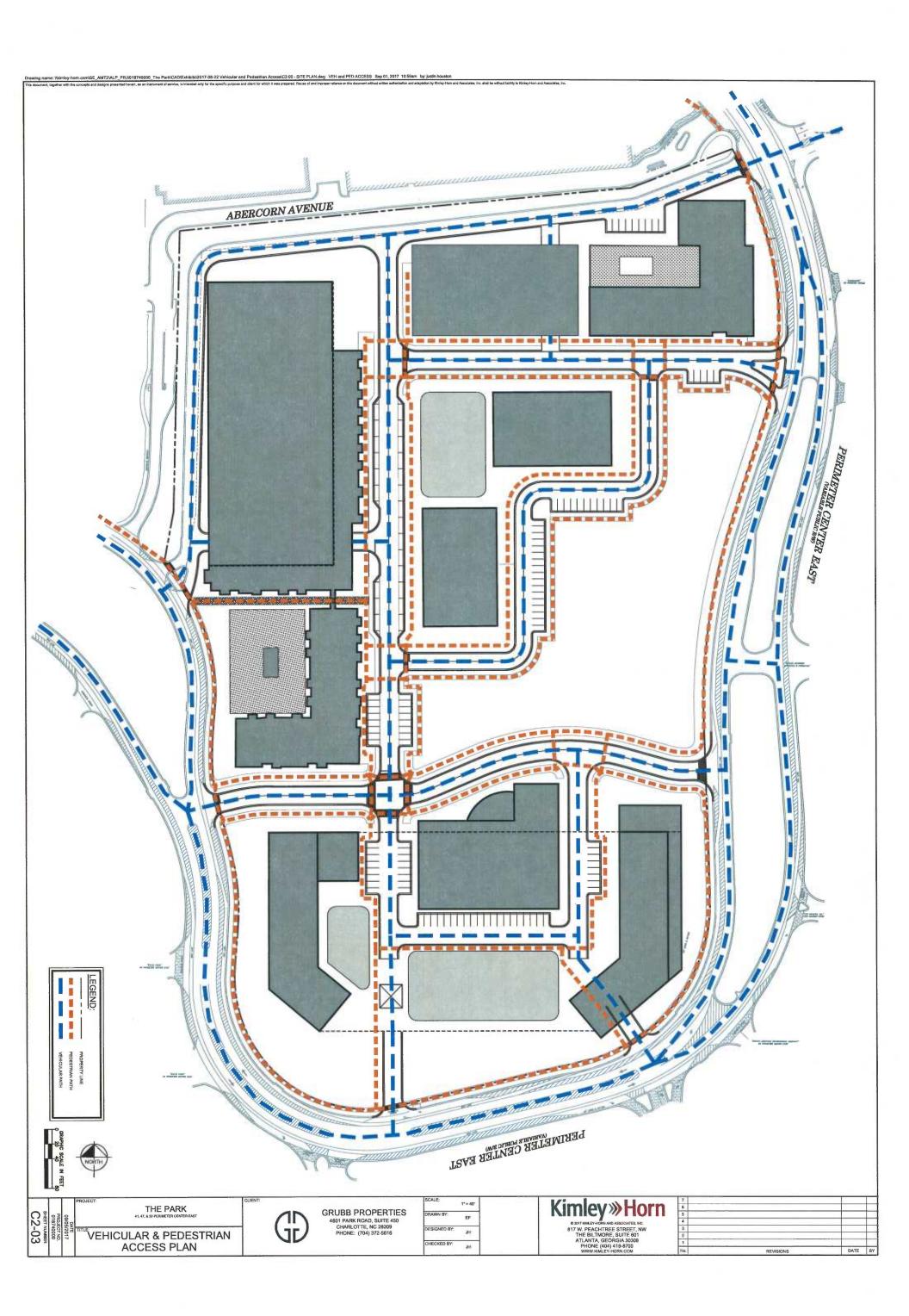
Attachment E -1

**Project Site Plan** 



# Exhibit F

# Pedestrian Circulation Plan



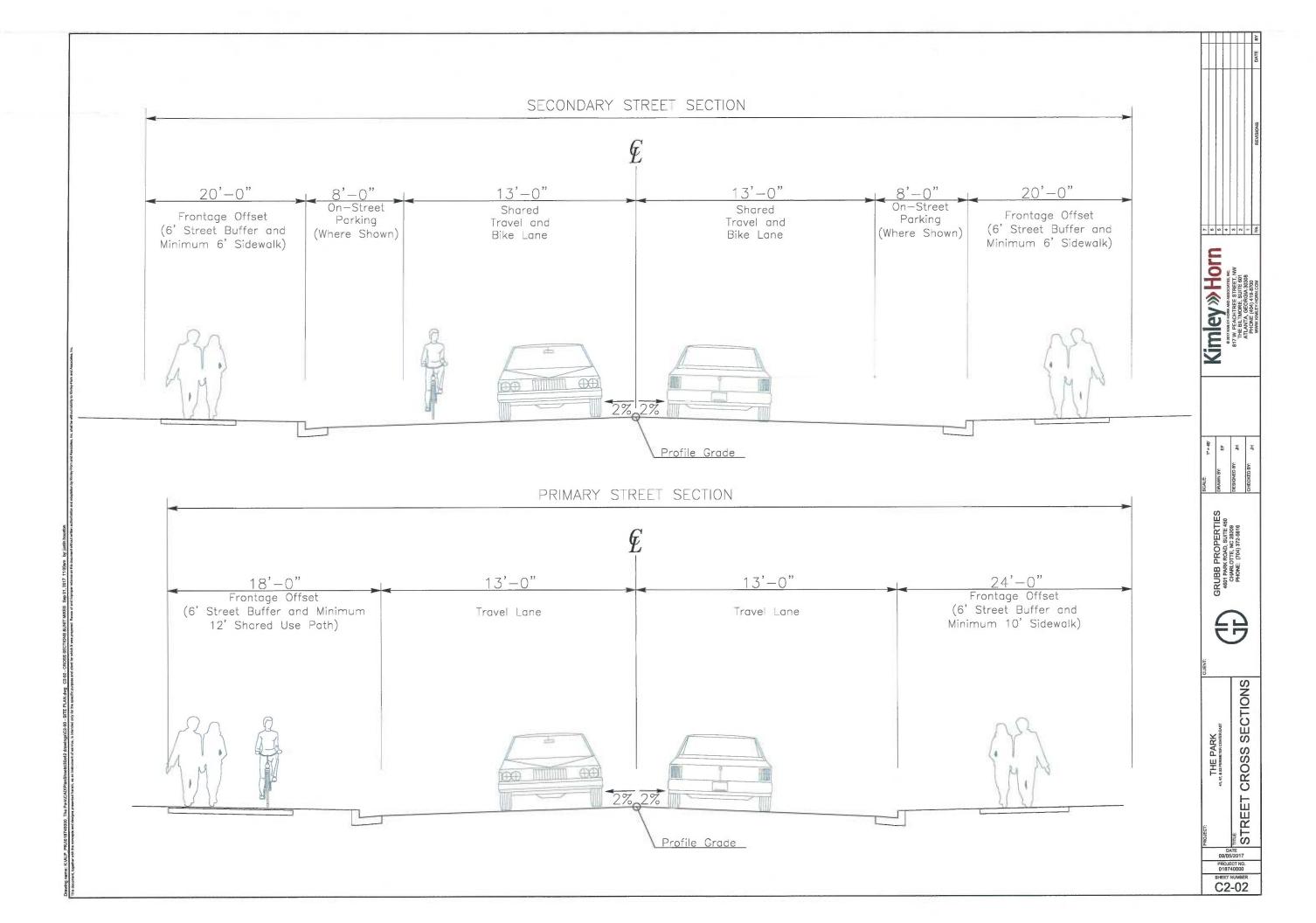
## Exhibit G

## Conceptual Project Elevation Drawings



## Exhibit H

Road Section Drawings



#11.

## Exhibit I

## Proposed Sustainability Measures

## **Proposed Sustainability Measures**

## **GRUBB PROPERTIES**

### PARK AT PERIMETER CENTER EAST - CITY OF DUNWOODY, GEORGIA

The following list provides anticipated Sustainability Measures in the development plans, as such measures are described in Section 27-104(g) of the City of Dunwoody Zoning Ordinance. Additional measures may be added and these measures may be modified, enhanced, or replaced during the review of the Project by City of Dunwoody officials and could be subject to change during the construction phase of the Project due to technological changes and the advancement of sustainable design and engineering practices.

#### CATEGORY

#### ANTICIPATED POINTS

#### **ENERGY CATEGORY**

Building Energy Efficiency3 pointsNational Green Building Standard protocols are followed on all Grubb Properties assetsto assure compliance with the most current sustainable design & engineering practices.Office properties in the Project will incorporate current industry standards for energyefficiency (such as LEED), depending on tenant mix, which should result in animprovement of at least 10% over energy code for building energy efficiency.

#### TRANSPORTATION CATEGORY

• <u>Enhanced Bicycle Amenities Measure</u> 2 points *All Grubb Properties assets include a commitment to bicycle repair area, lockable storage and facilities as well as premier access to these facilities from prominent roadway and pedestrian connections. Shower facilities are contemplated to be included in the Project.* 

#### <u>ALTERNATIVE</u>

<u>Alternative Measure</u>

Grubb Properties intends to transform and set aside property for common use as a park, including the 2-acre area in the center of the campus for a primary "green" as well as pocket parks and greens throughout the remainder of the Project.

#### TOTAL ANTICIPATED POINTS

8 points

3 points

## Exhibit J

## School Impact Analysis



September 1, 2017

Andrew Rosti Associate, Investments Grubb Properties, Inc. 4601 Park Road Suite 450 Charlotte, NC 28209

Re: School Impacts Analysis for The Park at Perimeter Center East-Dunwoody, Georgia

#### Dear Andrew:

This letter report presents our analysis of the potential fiscal impacts to DeKalb County Schools from the future development of Park at Perimeter Center East (PPCE) mixed use development that is being contemplated by Grubb Properties, Inc. in Dunwoody, Georgia.

Grubb Properties has acquired an existing office park in the Perimeter Center area of Dunwoody and has renovated and re-tenanted the three existing buildings. The company is seeking approval from the City of Dunwoody to create a more mixed-use development which would have 500,000 SF of new office space and 1,200 residential units, including rental apartments and condominium units along with structured parking to accommodate all the uses on the site. The new development plan will take up to ten years to complete as the new components will be staged to come on line when market demand justifies. This area of Dunwoody has seen increasing development activity due to its excellent regional access, MARTA accessibility, and the recent arrival of State Farm's regional headquarters and the U.S. headquarters of Mercedes Benz nearby. The Perimeter Center area continues its evolution from its historic role as a regional shopping and office location to the Atlanta region's largest mixed-use suburban center.

## **Executive Summary**

The redevelopment of the Park at PCE will create a more intensive development on the existing 19.5 acres of the site through the addition of 500,000 SF of new office space, designed to attract high-end corporate clients and the creation of a lively mix of 300 rental apartment units and 900 for-sale condominium units, all in a stacked flat configuration. The fiscal impacts from the redevelopment of the Park at PCE to the DeKalb County Schools, which operate the public-school system in the City of Dunwoody, can be summarized as follows:

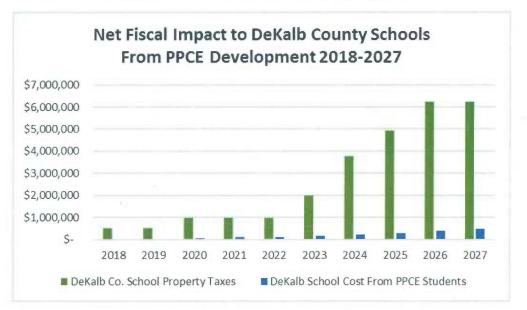
• A Dramatic Expansion of the Tax Digest for DeKalb County Schools—over the ten-year development period, the taxable value of property at PPCE will increase from \$21.8 million value

*Fiscal Impacts to DeKalb County Schools by Development of the Park at Perimeter Center East Grubb Properties, Inc. Page 2* 



of the two existing office buildings that will be retained, to \$267 million by 2027— a 12-fold increase in the taxable value of the property.

- A Dramatic Increase in School Property Taxes for DeKalb County Schools—This increase in property values at PPCE will result in a dramatic increase in property taxes paid to DeKalb County Schools—increasing from \$508,000 collected today on the two existing buildings which will remain to \$6.3 million annually by the tenth year of development, (based on today's school millage rate). As with property values this represents more than 12-fold increase in property taxes generated by the development.
- Gradual Growth in the Number of DeKalb School Students living at PPCE—Over the next ten years the projected number of students enrolled in the DeKalb County Schools will increase from zero today to 101 students by the tenth year—an annual growth rate of approximately 10 students per year.
- As DeKalb Student Growth Occurs Educational Costs Funded from Property Taxes Increases— As the number of DeKalb County School Students living at PPCE gradually increases, the portion of their related education costs that comes from local sources will increase gradually as well. From \$52,000 in 2020 when the first students enter the DeKalb School system to \$477,000 in annual education costs by the tenth year.
- PPCE will Generate a Very Substantial Positive Net Fiscal Impact (revenues minus costs) to DeKalb County Schools—In each of the first ten years DeKalb County Schools will receive a significant positive net fiscal impact from the redevelopment of PPCE. It will increase from \$508,000 in 2018 to \$5.7 million annually by the tenth year. Over the ten-year period the cumulative net fiscal impact to DeKalb County Schools will be \$25.3 million.



The balance of this report documents these findings regarding the fiscal impacts of PPCE to DeKalb County Schools.



## **Development Overview**

Grubb Properties is seeking approvals from the City of Dunwoody to redevelop a 19.5-acre parcel, known as the Park at Perimeter Center East, which they acquired several years ago. The property is currently developed as three mid-rise office buildings, with a total of 285,000 SF of space, including extensive greenspace and surface parking for the office tenants. The property is located on the east side of Ashford Dunwoody Road, in Perimeter Center area, near Perimeter Mall, and near to Park Place, an open-air retail center of shops and restaurants. Presented below is the proposed conceptual site plan for the redevelopment of the Park at Perimeter Center East as proposed by Grubb Properties.



The first element of the redevelopment will be a resident building and associated parking structure located on the northern half of the site. As demand occurs, a second residential building and structured



parking will follow and planned to deliver in conjunction with the new 2-acre park. Following the completion of the development's north parcel, the south parcel will be redeveloped as such time as an anchor tenant is identified to support the demolition of 53 Perimeter Center East and the construction of a new 500,000 SF office building. Two further residential developments will occur either concurrently or after the office development's completion.

Pdi	k at Perimeter Center	Last	
Buildings	Land Use	SF/Units	Operational
Existing Buildings			
41 PCE	office	95,000	Existng
47 PCE	Office	95,000	Existing
New Development			
Block A	Rental Apartments	300	2020
Block B	Owner Stacked Flats	300	2023
Block E	Office	500,000	2024
	Owner Stacked Flats	300	2025
	Owner Stacked Flats	300	2026
Subtotal New Development			
	Office	500,000	
	<b>Owner Stacked Flats</b>	900	
	Rental Apartments	300	
Total Development			
	Office	690,000	
	Owner Stacked Flats	900	
	Rental Apartments	300	

The development plan for PPCE is summarized on the following exhibit.

Source: Grubb Properties, LLC

## Estimating Education Costs from Students at PPCE

PPCE is in the City of Dunwoody, which is in DeKalb County. As a result, public school students from Dunwoody attend the DeKalb County School System. DeKalb is the third largest school system in the state with over 114,000 students enrolled and over 137 educational facilities throughout the County. Dunwoody has its own high school, middle school, and several elementary schools within the City limits. Dunwoody also is served by many private schools in the immediate area.

A review of budgetary data for the DeKalb County School Board indicates that for the FY 2017 school the total budget for the year is \$1.739 billion. Of that total, \$1.334 billion will be generated in the current year from various revenue sources. Property taxes account for \$511 million of the revenues generated by the school system, with significant other funding from state and federal resources. We estimate that 38.3% of DeKalb County School current year revenue comes from property tax sources.

According to the State Department of Education, in 2016 the DeKalb School System had 114,310 students enrolled. Dividing the DeKalb County Schools budget by the number of students in the system yields a

*Fiscal Impacts to DeKalb County Schools by Development of the Park at Perimeter Center East Grubb Properties, Inc. Page 5* 



per student education cost of \$12,336. Of this total per student cost 38.3% comes from the property tax or \$4,724 per student. Thus, in consideration of local education costs this is the portion of local educational costs that would be necessary to generate from property taxes to cover the cost of educating a student in the DeKalb County School System. We have used this per student cost in our estimate of educational costs from the future development of PPCE.

The next issue is estimating the number of new DeKalb School students that would be generated from new development at PPCE.

#### School Aged Children in Dunwoody

The U.S. Census through its American Community Survey makes current estimates of the number of children in households by cities and counties from baseline data from the 2010 census. Shown below is the estimate of how many children in Dunwoody are enrolled in Kindergarten to 12<sup>th</sup> grade in 2015, which is the most recent data available.

	Owner	Renter
Duwoody Households with Children Present		
Occupied Housing Units	10,373	9,010
% Households with No Children	64.50%	76.50%
Households with No Children	6,691	6,893
% Households with Children	36.5%	25%
Households with Children	3,786	2,207
% Households with Children 6-17	19.9%	9.2%
Households with Children 6-17	2,064	829
The Proportion of School-Aged Childen in Public	c School	
Children 6-17 years old	7,632	
Children 6-17 in public school (73%)	5,571	
The Number of Public School-Aged Children Per	Household b	y Tenure
% of Children 6-17 years old by tenure	0.647	0.353
Children 6-17 years old by tenure	3,605	1,967
Children 6-17 years per household by tenure	0.35	0.22

Source: U.S. Census Bureau: American Community Survey, BAG

As shown above, there are 10,373 owner housing units and 9,010 renter housing units in the City of Dunwoody. Census data for the City indicates 36.5% of owner households have one or more children present. And 19.9% of owner households have children who are between the ages of 6 and 17—which roughly conforms to the number of students in Kindergarten through 12<sup>th</sup> grade. Among renter households, 25% have one or more children present and 9.2% have children present between the ages of 6 and 17 years old. Thus, in Dunwoody there are 2,064 owner households with one or more children between 6 and 17 and 829 renter households with one or more children from 6 to 17 years old present.

In Dunwoody, there are 7,632 children between the ages of 6 and 17. Census data shows that in Dunwoody 73% of children attend public school and 27% attend some form of private school. (The proportion of private school students is very high in Dunwoody at 27%. County-wide the proportion of



private school students is only 12%, likely indicating the many private school choices available to Dunwoody families and their higher incomes allowing more of them to choose a private school option.)

Census data also indicates the <u>number</u> of children present by household tenure. This allows us to estimate the number of public school students by household tenure using this ratio. As shown in the table above, 65% of the children ages 6 to 17 live in owner-occupied housing and 35% live in rental housing. This means there are 3,605 children aged 6-17 in owner unit or .35 children per owner unit. Rental households have 1,967 children living with them, or an average of .22 children ages 6 to 17 per rental household in Dunwoody. Thus, overall in the City of Dunwoody there are .35 school aged children in DeKalb County Schools in a typical owner-occupied household and .22 school-aged children in DeKalb County Schools in a typical renter-occupied household.

## The Number of Public School Students from the Park at Perimeter Center East

The ratios derived above provide an overall method for determining the current ratio of the average number of public school students in Dunwoody by tenure type. A more precise estimate for the number of public school students who will reside at PPCE can be made based on data generated for detailed household demographics by tenure, unit type and number of bedrooms in the unit.

This estimate is based on data generated by the Center for Urban Policy Research of Rutgers University in 2006 for the state of Georgia from a study funded by the Fannie Mae Foundation. This data provides the most accurate multipliers for residents and school aged children by tenure and number of bedrooms in the unit, available at the state level. It is based on a special analysis of U.S. Census data. Since the 1970s, the Center for Urban Policy Research at Rutgers University has been recognized nationally for their expertise on fiscal impact analysis, having authored the definitive research on this topic for over four decades under the direction of Dr. George Sternlieb, Dr. Robert Burchell and Dr. David Listokin. We have used these per person and per student multipliers in numerous studies and their results have been confirmed by results in the field.

While the data is now more than a decade old, the critical ratios it is based on change only very gradually over time. For example, the number of persons per household in DeKalb County has essentially remained the same over the past fifteen years, from 2.64 persons per household in 2000 to 2.63 persons per household in 2015 according to the U.S. Census Bureau, indicating the stability in household metrics.

Presented below is an estimate of the number of residents and public school students that will be living at PPCE once it is completed, according to the development plan outlined earlier. This exhibit shows the number of occupied units per new residential building, and based on the number of those units and their bedroom configuration estimates the number of residents and school public school students that will be living in each building and for all residential buildings collectively.



	Total Units	Occupied Units	Persons/ Unit	Total Persons	School Aged Children/Unit	Total School-Aged Children	Total Public School Students**
Block A Rental Apartments							
1 bedroom	225	214	1.52	325	0.08	17	
2 bedroom	75	71	1.98	141	0.16	<u>11</u>	
subtotal	300	285		466		29	21
Block B Owner Stacked Flats							
1 bedroom	135	128	1.39	178	0.07	9	
2 bedroom	<u>165</u>	157	<u>1.66</u>	260	0.17	27	
subtotal	300	285		438		36	26
Block E-1 Owner Stacked Flats							
1 bedroom	135	128	1.39	178	0.07	9	
2 bedroom	150	143	1.66	237	0.17	24	
3 bedroom*	<u>15</u>	<u>14</u>	1.93	28	0.27	<u>4</u>	
subtotal	300	271		415		37	27
Block E-2 Owner Stacked Flats							
1 bedroom	135	128	1.39	178	0.07	9	
2 bedroom	150	143	1.66	237	0.17	24	
3 bedroom*	15	14	<u>1.93</u>	28	0.27	4	
subtotal	300	285		442		37	27
Total Residents/Public School Students	1,200	1,126		1,762		138	101

\*BAG estimate for total persons/ school-aged children

\*\* Dunwoody public school ratio of 73% per U.S. Census Bureau

Source: Rutgers University CUPR," Fannie Mae Foundation, Residential Demographic Multipliers (Georgia)", 2006, BAG

Based on the application of the per resident and per pupil multipliers for both renter- and owner-occupied units by bedroom type, we have estimated that there will be 1,762 residents living in the four residential buildings at PPCE. We estimate there will be 101 public school students combined from the four residential buildings. Block A and B will have slightly fewer public school students since they will not include any three-bedroom units and there will be a significant number of one-bedroom units which typically generate the fewest school aged children. The condominium units In Block E-1 and Block E-2 will have a slightly higher number of public school students due to the lower ratio of one-bedroom units and the inclusion of some three-bedroom units which tend to attract slightly more students.

The reason that the number of public school students is relative low, compared to the average for Dunwoody overall by tenure type presented earlier, is due to the unique characteristics of the proposed units. As these projections indicate, stacked flat rental apartments and condominiums tend to appeal primarily to two groups: the first are affluent renters by choice, often single individuals or couples without children who are part of the Millennial generation and have not formed families as yet, or the second, Generation X or Baby Boomer households with no children present in the household, often empty nesters or childless couples or "mingles" living together. Also, the rents and sales prices for these units will skew them to more affluent households with incomes in the \$60,000 to \$150,000 range, which tend to be more single, and/or adult-only households.



## The Net Fiscal Impacts to DeKalb County Schools from PPCE Development

This final section of the report estimates the property taxes that will be generated by the PPCE development and compares those revenues to the cost of educating the new public-school students from the development to determine the **net fiscal impact** of the development to DeKalb County Schools.

Shown below is an estimate of the property taxes which will be generated from the PPCE development at build-out. As shown, the construction of the four new residential buildings and the new office building plus the two existing office buildings which will remain, will generate approximately \$6.3 million in property taxes to the DeKalb County Schools. This represents 1.3% of the total revenue the DeKalb Schools anticipate from property taxes in 2017.

فستجرز فالمطالب الم	والمفرولية ومصادا	Pa	rk at Pe	erimeter	Cer	iter East		يقل الجريا				
Buildings	Land Use	SF/Units	Development Value /SF/Unit		Appraised Value/SF/Unit			Assessed		Taxable		Total
							Va	lue SF/Unit	Value/SF/Unit			Taxable Value
Existing Buildings												
41 PCE	Office	94,734					\$	115.85	\$	115.85		10,974,934
47 PCE	Office	95,298					\$	113.06	\$	113.06		10,774,392
Subtotal Existing Dev	velopment											21,749,326
New Development												
Block A	Owner Stacked Fla	300	\$	400,000	\$	400,000	\$	160,000.0	\$	147,500	\$	44,250,000
Block B	Rental Apartments	300	\$	205,000	\$	164,000	\$	65,600.0	\$	65,600	\$	19,680,000
Block E	Office	500,000	\$	425	\$	375	\$	150	\$	150	\$	75,000,000
Block E-1	Owner Stacked Fla	300	\$	383,500	\$	450,000	\$	180,000.0	\$	167,500	\$	50,250,000
Block E-2	Owner Stacked Fla	300	\$	425,000	\$	500,000	\$	200,000.0	\$	187,500	\$	56,250,000
Subtoal New Develop	ment										\$	245,430,000
Total Development Va	lue										\$	267,179,326
Estimated Property Ta	xes DeKalb County	Schools										
	Millage Rate										Pro	perty Taxes
DeKalb County Schools	0.023380										\$	6,246,653

Source: DeKalb Tax Commissioner property data base, BAG

As the proposed redevelopment of PPCE could take as long as a decade to complete, both the growth in new school revenues and public school enrollment will be a gradual process, occurring as each building is constructed and occupied over the next ten years.

We have prepared a ten-year forecast for the annual net fiscal impact to the schools over the period to understand the potential growth in revenues and public educational costs and their net fiscal impact to DeKalb County Schools. As shown on the following page, over the next ten years the redevelopment of PPCE will generate an estimated \$21.7 million in property tax revenues to DeKalb County Schools— increasing from \$508,000 in the first year to \$6.3 million at build-out in the tenth year.

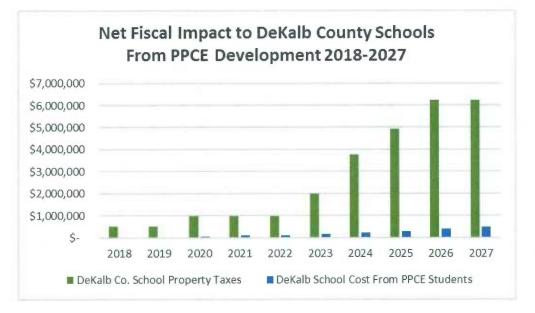
Over the ten-year period the number of public school students will increase from zero in the initial years to 101 by the tenth year, an average growth of ten students per year over the period. The educational costs associated with the new public school students covered by local property taxes will increase from zero in the first two years to \$477,000 per year by the tenth year—for a cumulative educational cost of \$1.8 million over the period.

Thus, the net fiscal impact (the increase in school revenue minus educational costs) to DeKalb County Schools from new public-school students from PPCE will be very positive, with a surplus of \$25.3 million



*Fiscal Impacts to DeKalb County Schools by Development of the Park at Perimeter Center East Grubb Properties, Inc. Page 9* 

over the ten-year period. And, over the ten-year period there will be a positive net fiscal impact in each year.



Please call if you have any questions regarding this analysis. We appreciated the opportunity to work for Grubb Properties, Inc. on this assignment.

Very truly yours,

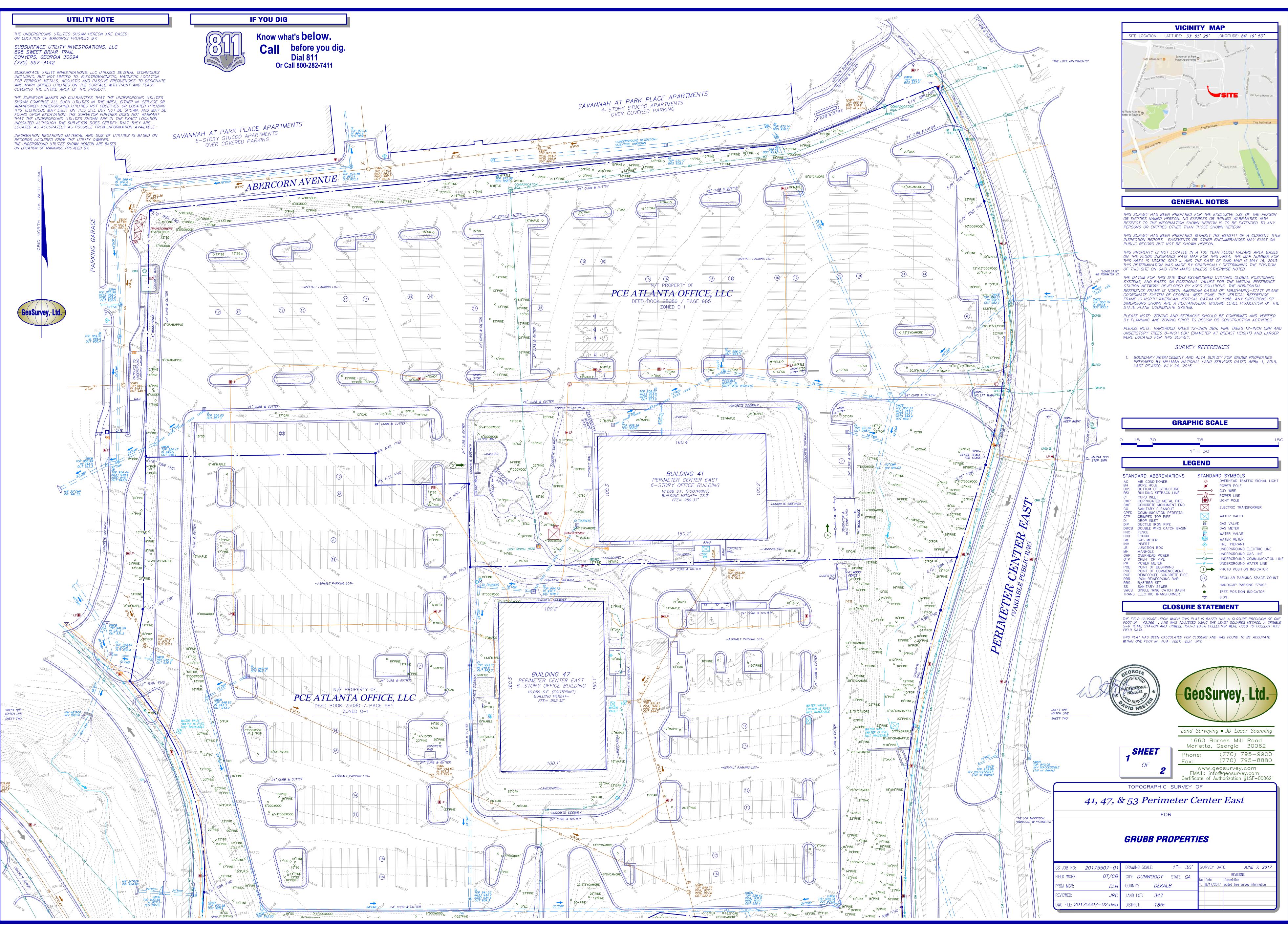
Kenneth D. Bleakly Jr

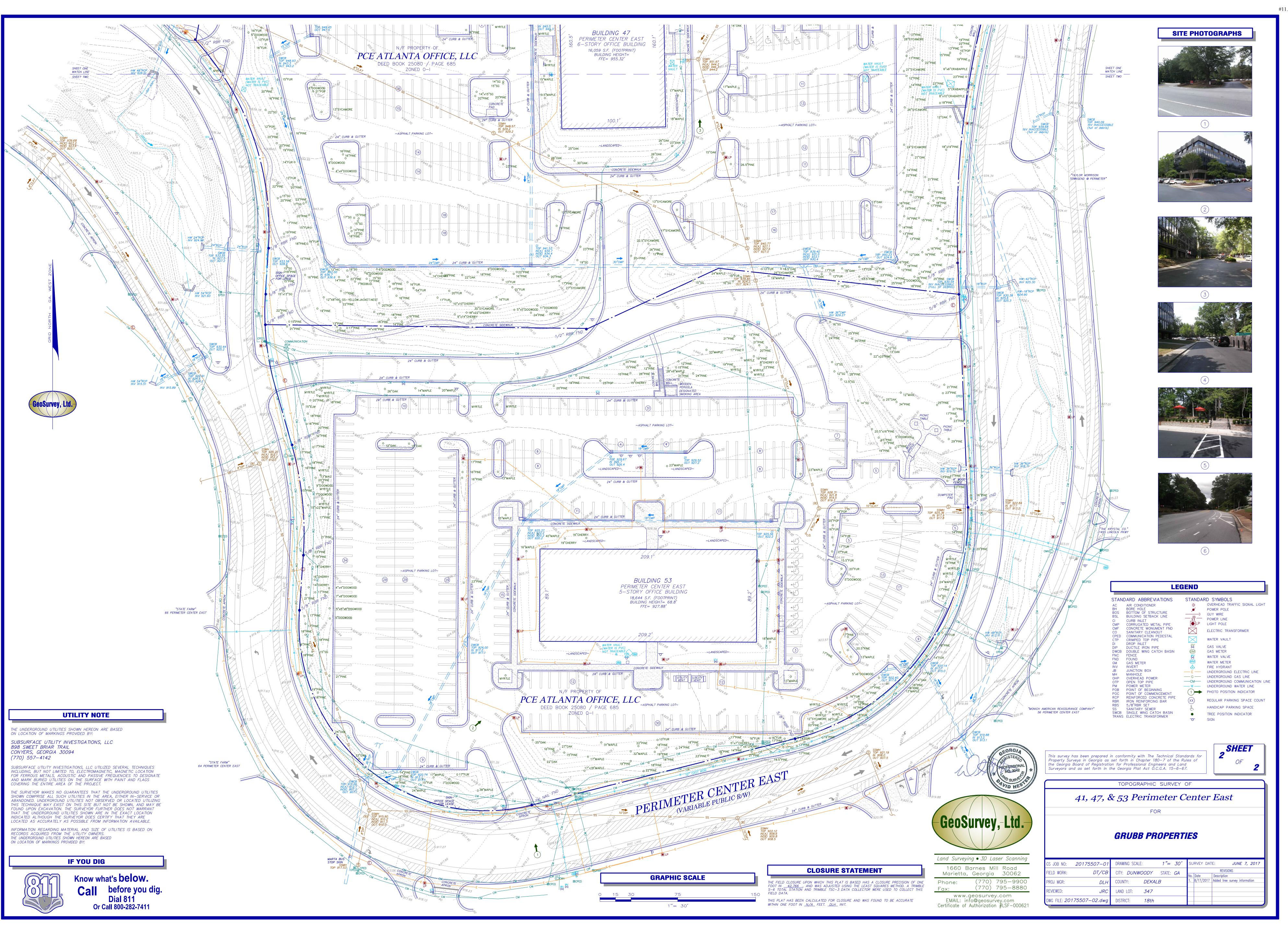
Kenneth D. Bleakly, Jr. Founder/Chairman

	2018		2019		2020		2021	2022	2023		2024		2025	2026	2027	Cumulaltive
					2020			and Bada	LULJ		LULA		2025	2020	2027	2018-2027
Existing Office Taxable Value	\$ 21,749,392	\$2	1,749,392	\$2	1,749,392	\$	21,749,392	\$ 21,749,392	\$ 21,749,392	\$	21,749,392	\$	21,749,392	\$ 21,749,392	\$ 21,749,392	
New Development Taxable Values																
Block B-Rental				\$1	9,680,000	\$	19,680,000	\$ 19,680,000	\$ 19,680,000	\$	19,680,000	\$	19,680,000	\$ 19,680,000	\$ 19,680,000	
Block A Owner									\$ 44,250,000	\$	44,250,000	\$	44,250,000	\$ 44,250,000	\$ 44,250,000	
Block E Office										\$	75,000,000	\$	75,000,000	\$ 75,000,000	\$ 75,000,000	
Block E-1 Owner												\$	50,250,000	\$ 50,250,000	\$ 50,250,000	
Block E-2 Owner														\$ 56,250,000	\$ 56,250,000	
Total Taxable Value	\$ 21,749,392	\$2	1,749,392	\$4	1,429,392	\$ .	41,429,392	\$ 41,429,392	\$ 85,679,392	\$	160,679,392	\$	210,929,392	\$ 267,179,392	\$ 267,179,392	
School Property Taxes	\$ 508,501	\$	508,501	\$	968,619	\$	968,619	\$ 968,619	\$ 2,003,184	\$	3,756,684	\$	4,931,529	\$ 6,246,654	\$ 6,246,654	\$ 27,107,56
Estimated Public Students																
Existing Office	0		0		0		0	0	0		0		0	0	0	
Block B-Rental					11		21	21	21		21		21	21	21	
Block A Owner									13		26		26	26	26	
Block E Office											0		0	0	0	
Block E-1 Owner													13	27	27	
Block E-2 Owner														13	27	
Total Public Students	0		0		11		21	21	34		47		60	87	101	
DeKalb Schools Per Pupil Property Taxes	\$ 4,724	\$	4,724	\$	4,724	\$	4,724	\$ 4,724	\$ 4,724	\$	4,724	\$	4,724	\$ 4,724	\$ 4,724	
DeKalb School Cost From PPCE Students	\$ 	\$	1000	\$	51,964	\$	99,204	\$ 99,204	\$ 160,616	\$	222,028		283,440	\$ A DECEMBER OF	\$ 477,344	\$ 1,805,00
Net Fiscal Impact (Surplus) to DeKalb Schools	\$ 508,501	\$	508,501	\$	916,655	\$	869,415	869,415	\$ 1,842,568	Ś	3,534,656	Ś	4,648,089	\$ 5,835,447	\$ 5,769,311	\$ 25,302,55
Source: Grubh Properties BAG																

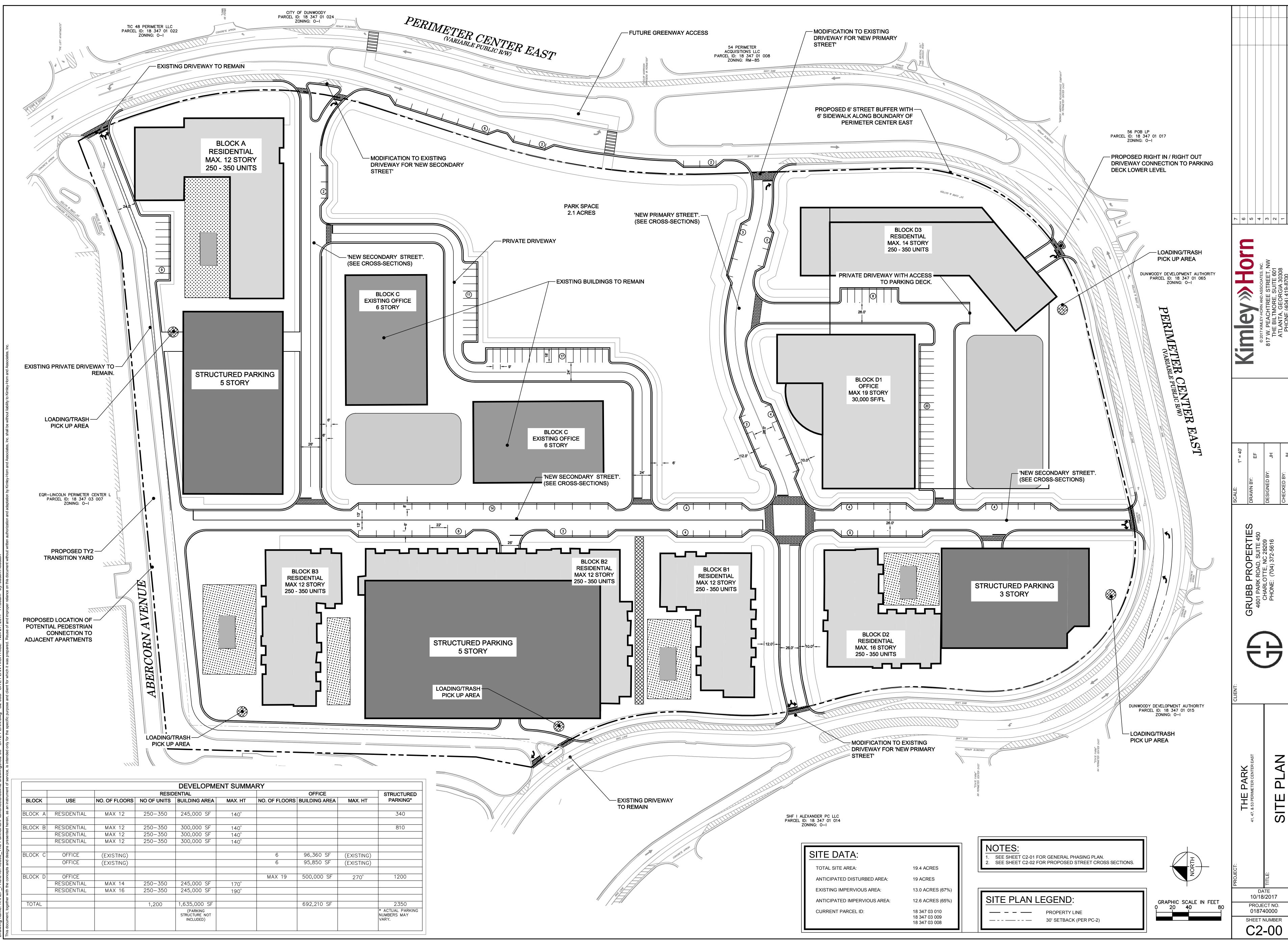
Source: Grubb Properties, BAG

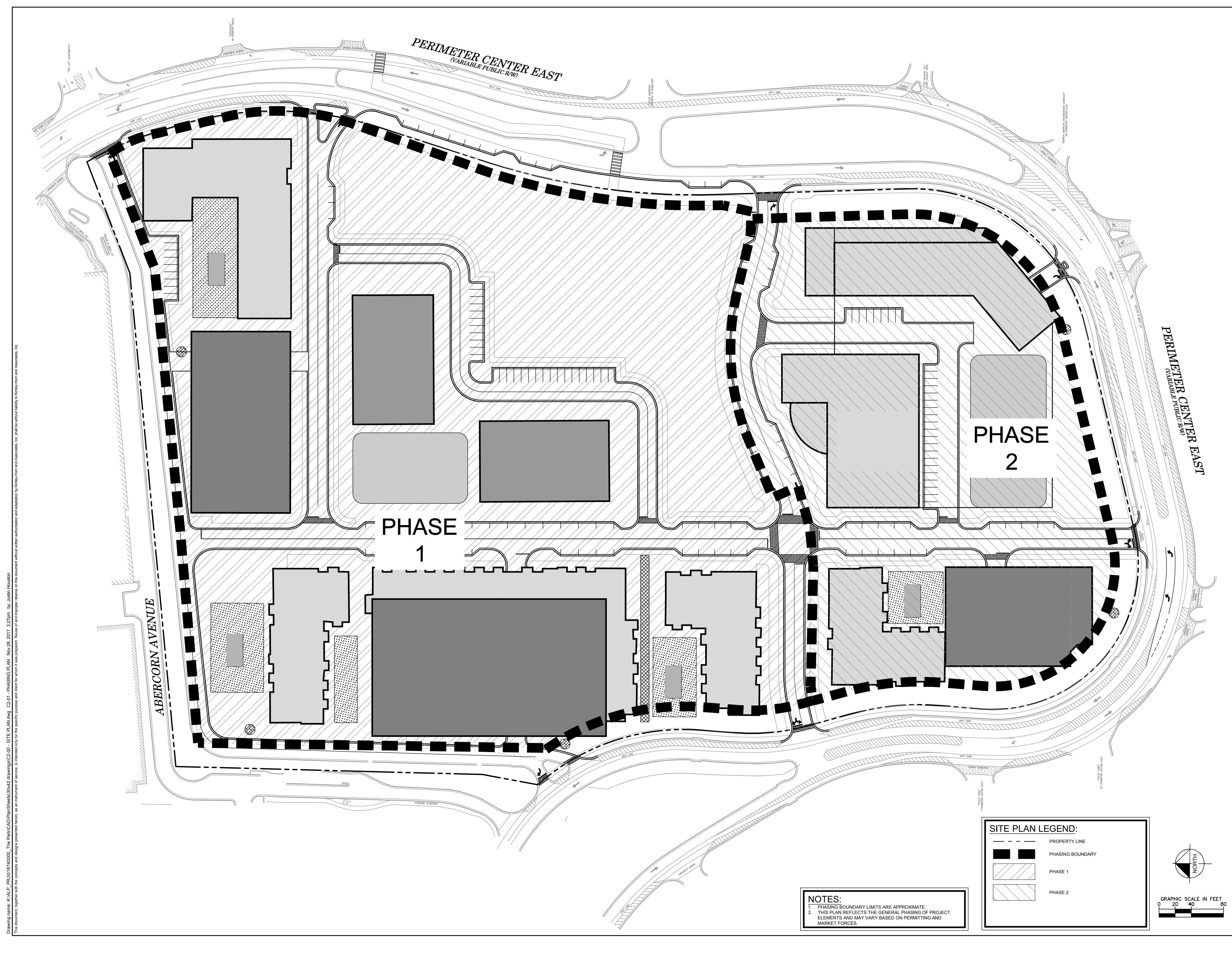


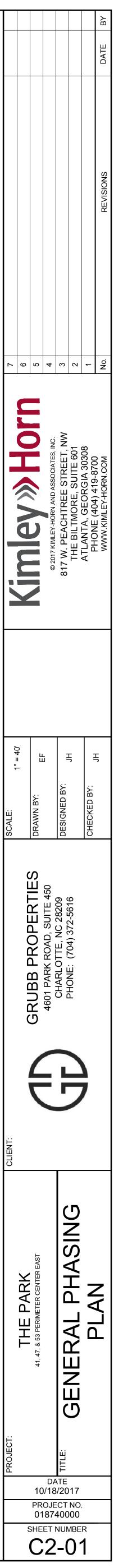


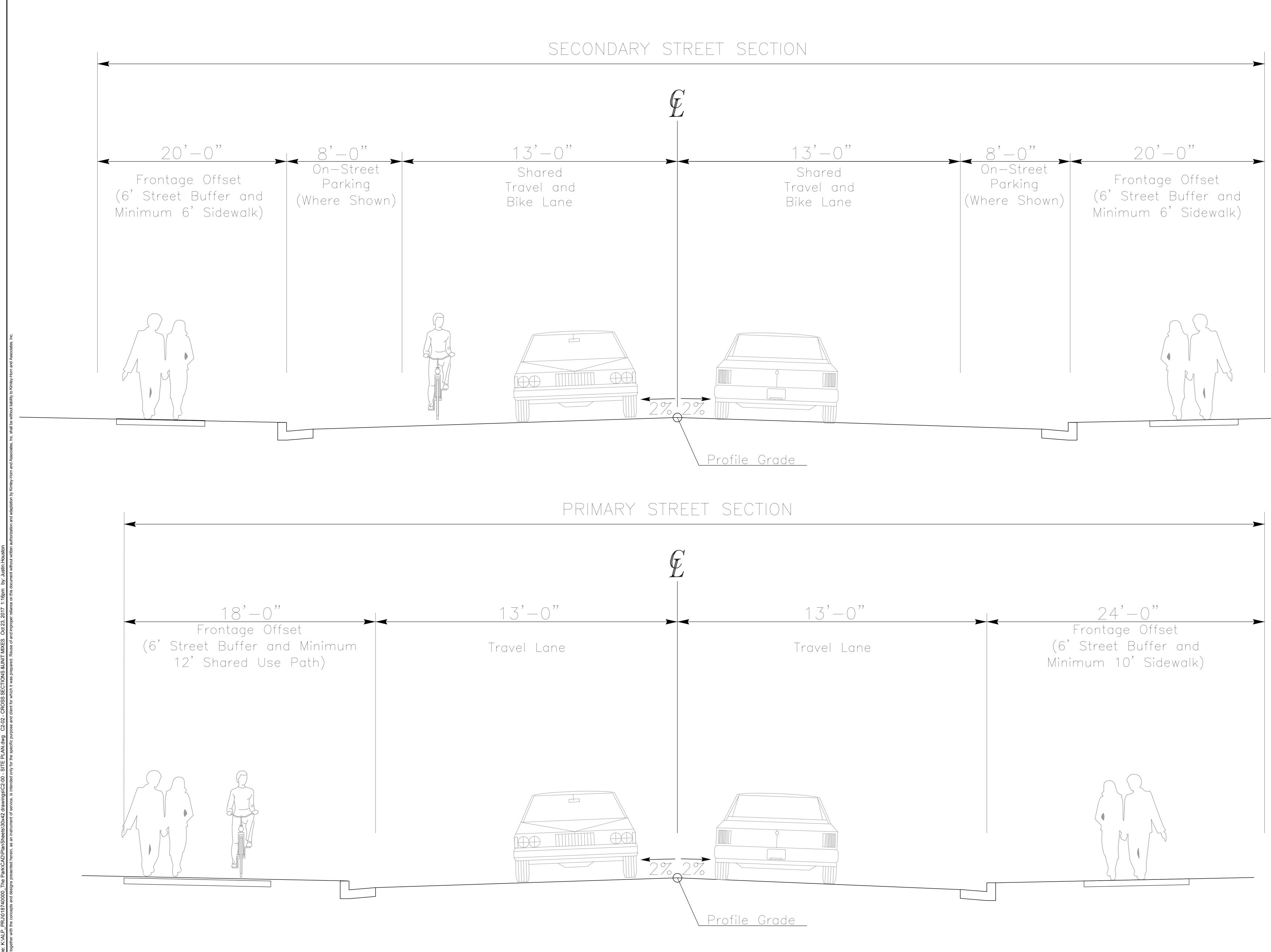


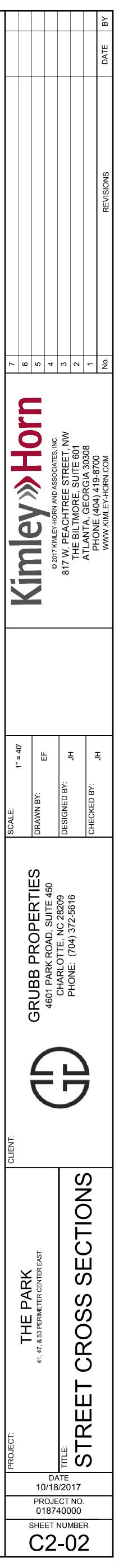
1"= <i>30</i> '	SU	RVEY DAT	E: JUNE 7, 2017
state: <i>GA</i>			REVISIONS
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ALB	1.	8/17/2017	Added tree survey information
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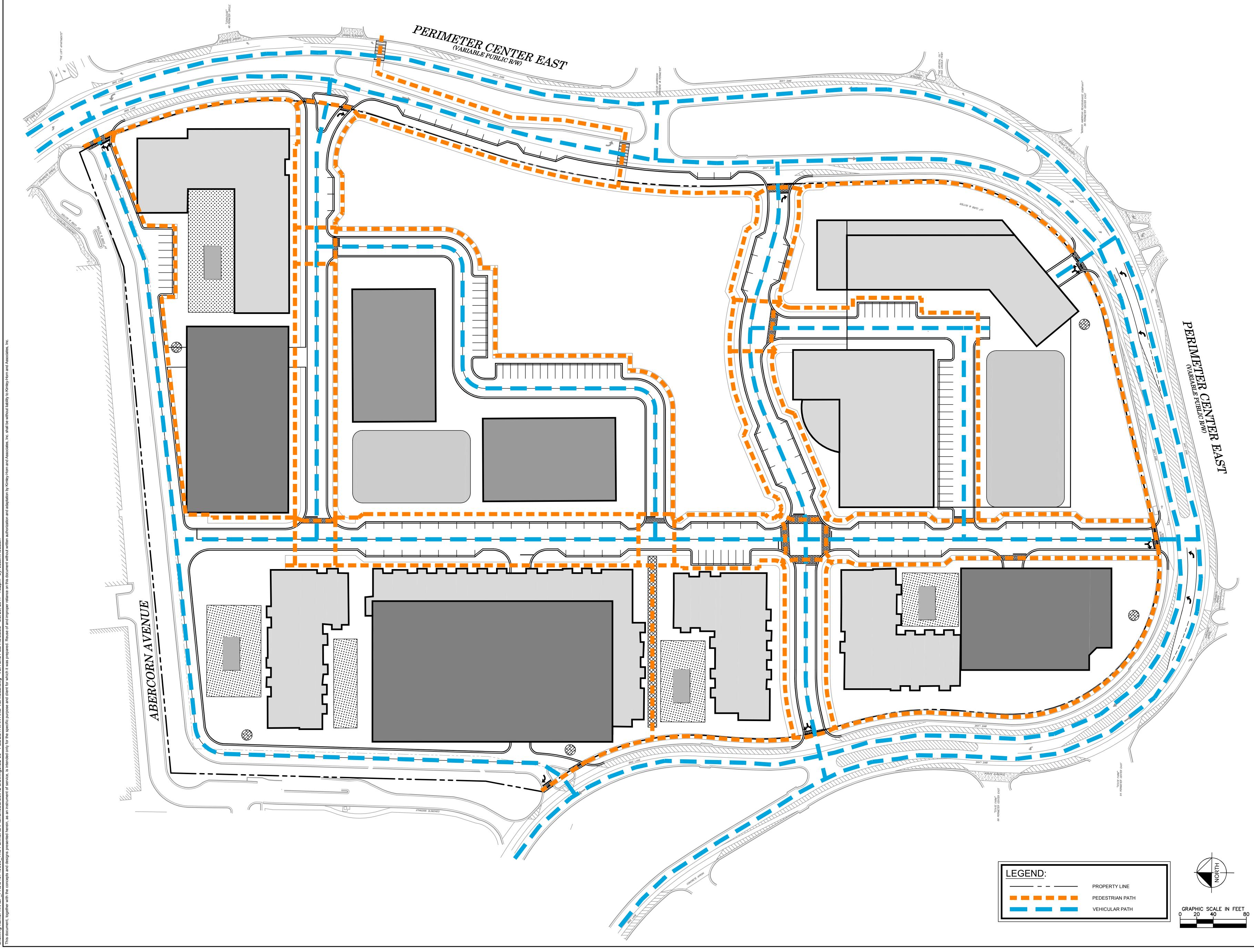




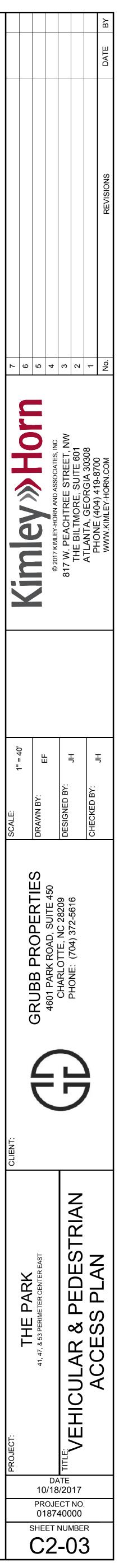


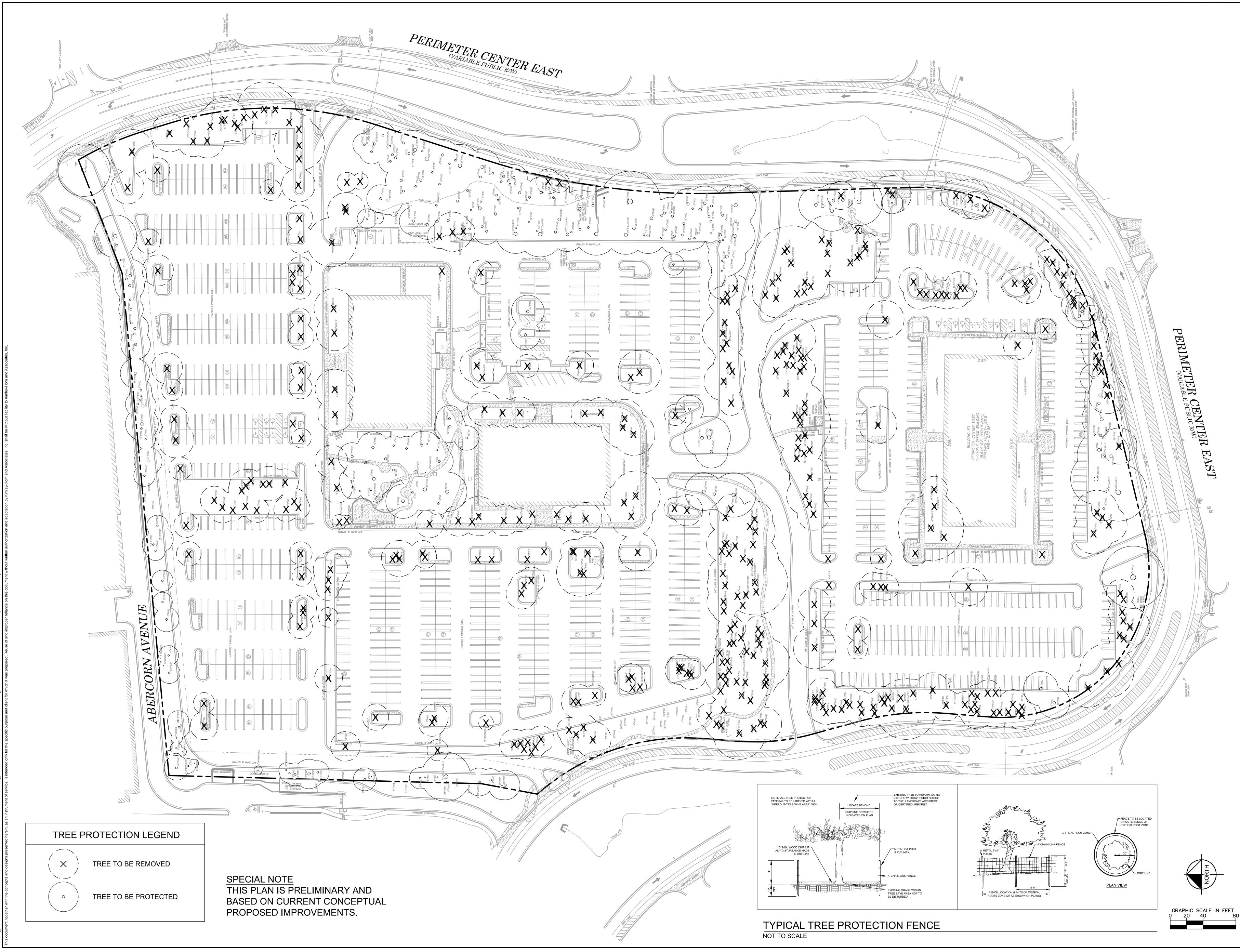


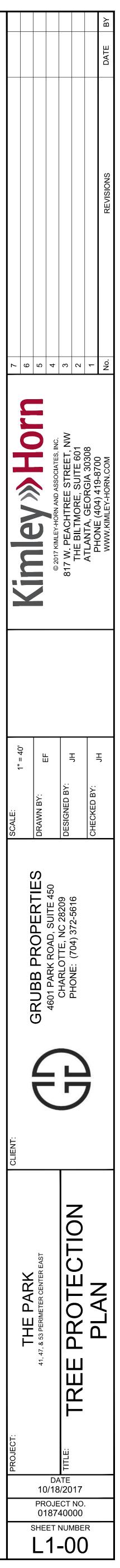




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3H (INCHES)	SPECIES	TREES TO BE RE QUANTITY	UNITS	TOTAL INCHES	5 TOTAL UNITS	DBH (INCHES)	SPECIES
18	BIRCH	1	1.8	18	1.8	8	CHERRY
10	CHERRY	1	1.0	14	1.1	10	CHERRY
16	CHERRY	1	1.4	16	1.4	14	CHERRY
5	CRABAPPLE	1	0.3	5	0.3	14	CHERRY
9	CRABAPPLE	1	0.5	9	0.5		
4	DOGWOOD	2	0.5	8	0.2	22	CHERRY
	DOGWOOD		0.1	8 5		6	DOGWOOD
5		1			0.3	8	DOGWOOD
6	DOGWOOD	1	0.3	6	0.3	9	DOGWOOD
7	DOGWOOD	2	0.3	14	0.6	10	DOGWOOD
8	DOGWOOD	1	0.5	8	0.5	11	DOGWOOD
10	DOGWOOD	2	0.6	20	1.2	12	MAGNOLIA
8	FUR	1	0.5	8	0.5	16	MAPLE
9	FUR	1	0.5	9	0.5	19	MAPLE
13	FUR	3	0.9	39	2.7	33	MAPLE
14	FUR	1	1.1	14	1.1	40	MAPLE
11	HICKORY	10	0.7	110	7	24	OAK
15	MAGNOLIA	2	1.2	30	2.4	25	OAK
9	MAPLE	1	0.5	9	0.5		
12	MAPLE	1	0.8	12	0.8	26	OAK
						27	ΟΑΚ
14	MAPLE	1	1.1	14	1.1	30	ΟΑΚ
17	MAPLE	1	1.6	17	1.6	34	PINE
18	MAPLE	1	1.8	18	1.8	22	SYCAMORE
22	MAPLE	1	2.6	22	2.6	35	SYCAMORE
32	MAPLE	1	5.6	32	5.6	TOTALS	
33	MAPLE	1	5.9	33	5.9		
38	MAPLE	1	7.9	38	7.9		
12	OAK/HARDWOOD	3	0.8	36	2.4		
13	OAK/HARDWOOD	2	0.9	26	1.8		
13	OAK/HARDWOOD	1	1.8	18	1.8		
18 21	OAK/HARDWOOD	1	1.8 2.4	18	2.4		
32	OAK/HARDWOOD	1	5.6	32	5.6	DBH (INCHES)	SPECIES
40	OAK/HARDWOOD	1	8.7	40	8.7	3	BLACK GUM
11	PINE	1	0.7	11	0.7	3	MAPLE
12	PINE	17	0.8	204	13.6	3	ΟΑΚ
13	PINE	17	0.9	221	15.3	TOTALS	
14	PINE	17	1.1	238	18.7		
15	PINE	15	1.2	225	18		
16	PINE	19	1.4	304	26.6		
17	PINE	15	1.6	255	24		
18	PINE	18	1.8	324	32.4		
18 19	PINE	18	2	324 247	26	<b></b>	
20	PINE	6	2.2	120	13.2		CAPE DAT
21	PINE	8	2.4	168	19.2		
22	PINE	4	2.6	88	10.4	TOTAL SIT	E AREA:
23	PINE	7	2.9	161	20.3		
24	PINE	2	3.1	48	6.2	TREE DEN	SITY FACTOR (TDF)
25	PINE	3	3.4	75	10.2		G TREE FACTOR (R
26	PINE	3	3.7	78	11.1		U INEE FAULUK (K
28	PINE	1	4.3	28	4.3	REQUIRED	REPLACEMENT DE
29	PINE	1	4.6	29	4.6		
12	POPLAR	1	0.8	12	0.8	PROPOSE	D DENSITY UNITS:
13	POPLAR	3	0.9	39	2.7		
15 14	POPLAR	2		28	2.7		NSITY REQUIREMEN
			1.1				
15	POPLAR	1	1.2	15	1.2		
16	POPLAR	2	1.4	32	2.8	L	
17	POPLAR	3	1.6	51	4.8		
18	POPLAR	1	1.8	18	1.8		
4	REDBUD	1	0.1	4	0.1		
5	REDBUD	3	0.3	15	0.9		
12	SOURGUM	3	0.8	36	2.4		
13	SOURGUM	1	0.9	13	0.9		
14	SOURGUM	3	1.1	42	3.3		
15	SOURGUM	3	1.1	45	3.6		
15 16	SOURGUM			45 16			
		1	1.4		1.4		
17	SOURGUM	2	1.6	34	3.2		
19	SOURGUM	1	2	19	2		
24	SOURGUM	1	3.1	24	3.1		
12	SYCAMORE	1	0.8	12	0.8		
16	SYCAMORE	1	1.4	16	1.4		
17	SYCAMORE	1	1.6	17	1.6		
21	SYCAMORE	1	2.4	21	2.4		
22	SYCAMORE	1	2.6	22	2.6		
22	SYCAMORE	2	3.1	48	6.2		
26	SYCAMORE	1	3.7	26	3.7		
	SYCAMORE	1	4	27	4		
27	SYCAMORE	1	4.3	28	4.3		
27 28							
	UNDERSTORY	1	0.1	4	0.1		
28		1 1		4 6	0.1 0.3		

## SPECIMEN TREES TO BE REMOVED

QUANTITY	UNITS	TOTAL INCHES	
QOANTITY1	0.5	8	0.5
1	0.6	10	0.6
2	1.1	28	2.2
1	1.2	15	1.2
1	2.6	22	2.6
4	0.3	24	1.2
1	0.5	8	0.5
2	0.5	18	1
2	0.6	20	1.2
3	0.7	33	2.1
1	0.8	12	0.8
1	1.4	16	1.4
1	2	19	2
1	5.9	33	5.9
1	8.7	40	8.7
1	3.1	24	3.1
2	3.4	50	6.8
3	3.7	78	11.1
1	4	27	4
2	4.9	60	9.8
1	6.3	34	6.3
1	2.6	22	2.6
1	6.7	35	6.7
35		636	82.3

## TREES TO BE PLANTED

QUANTITY	UNITS	TOTAL INCHES	TOTAL UNITS
116	0.6	348	69.6
44	0.6	132	26.4
70	0.6	210	42
230		690	138

## CAPE DATA: 19.4 ACRES

IENT SATISFIED,	EXCEEDING BY 162.9
S:	138
DENSITY (RRD):	0
(RTF):	412.9
DF):	20 x 19.4 = 388



RED MAPLE

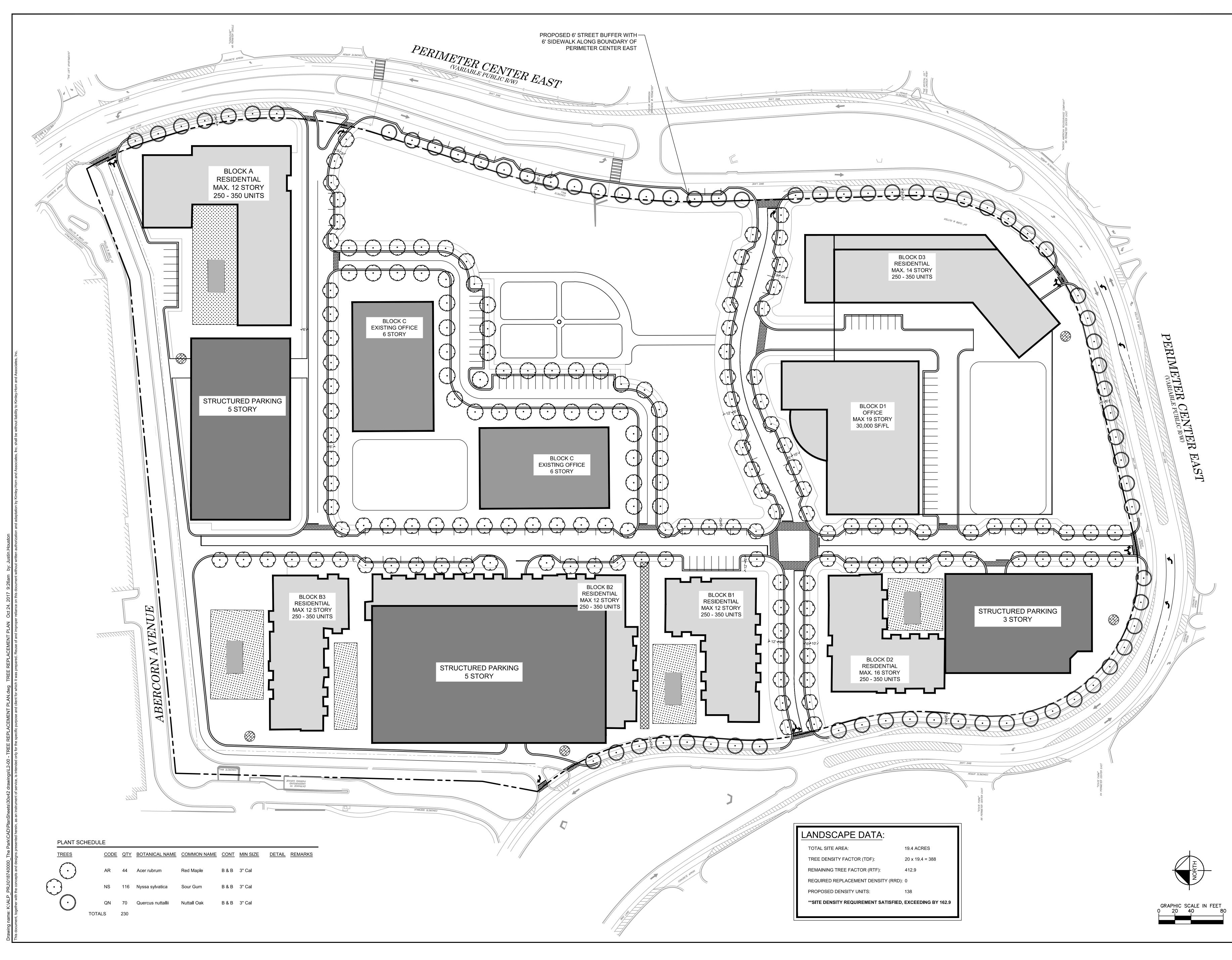


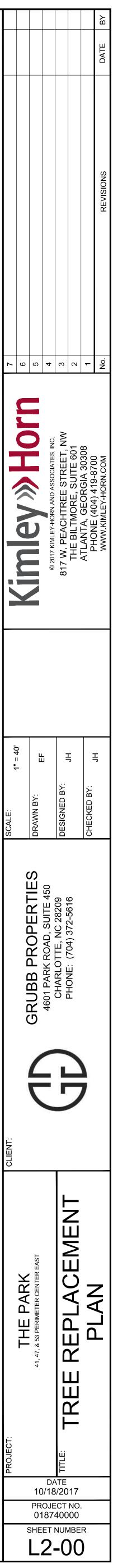
NUTTALL OAK

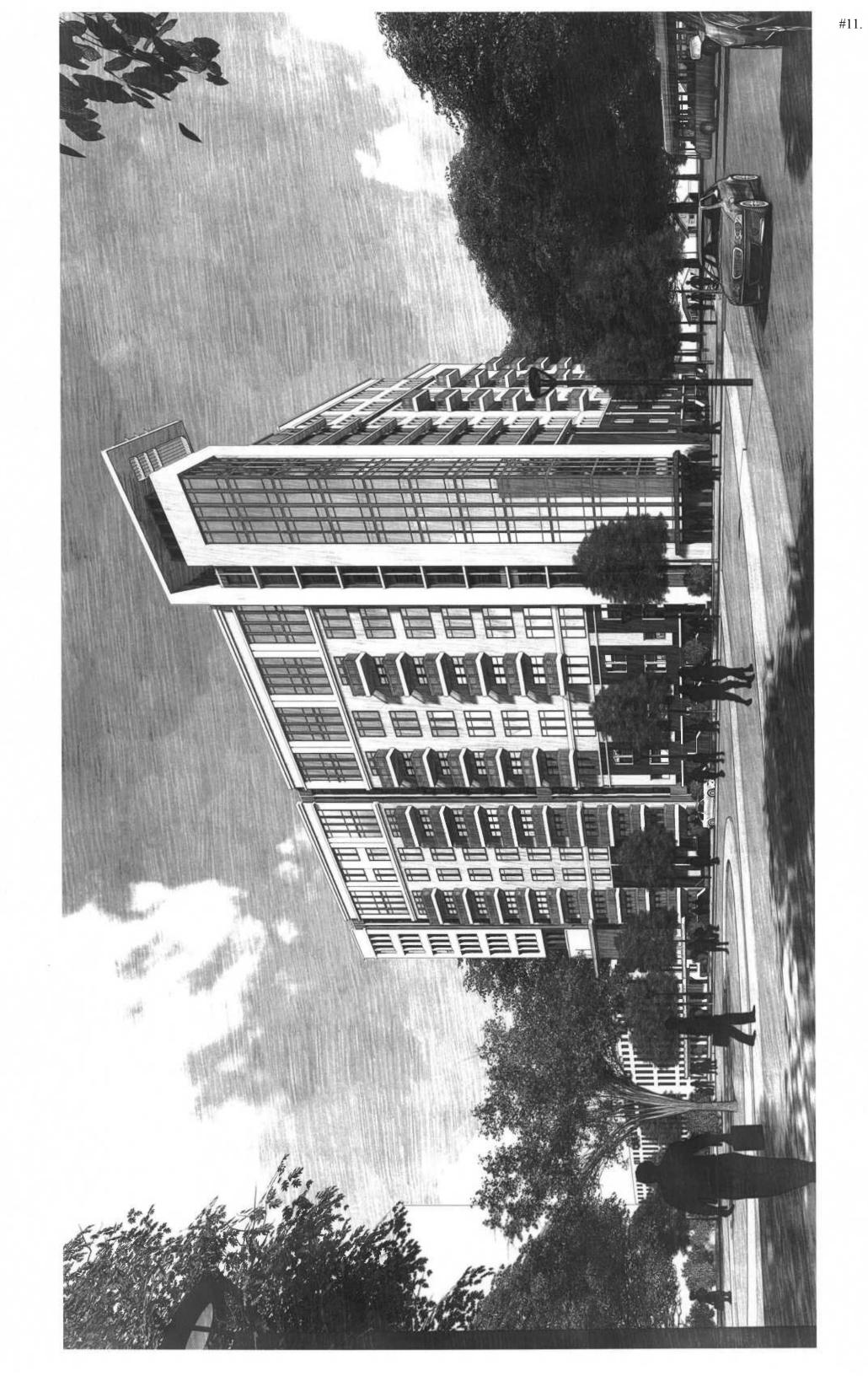


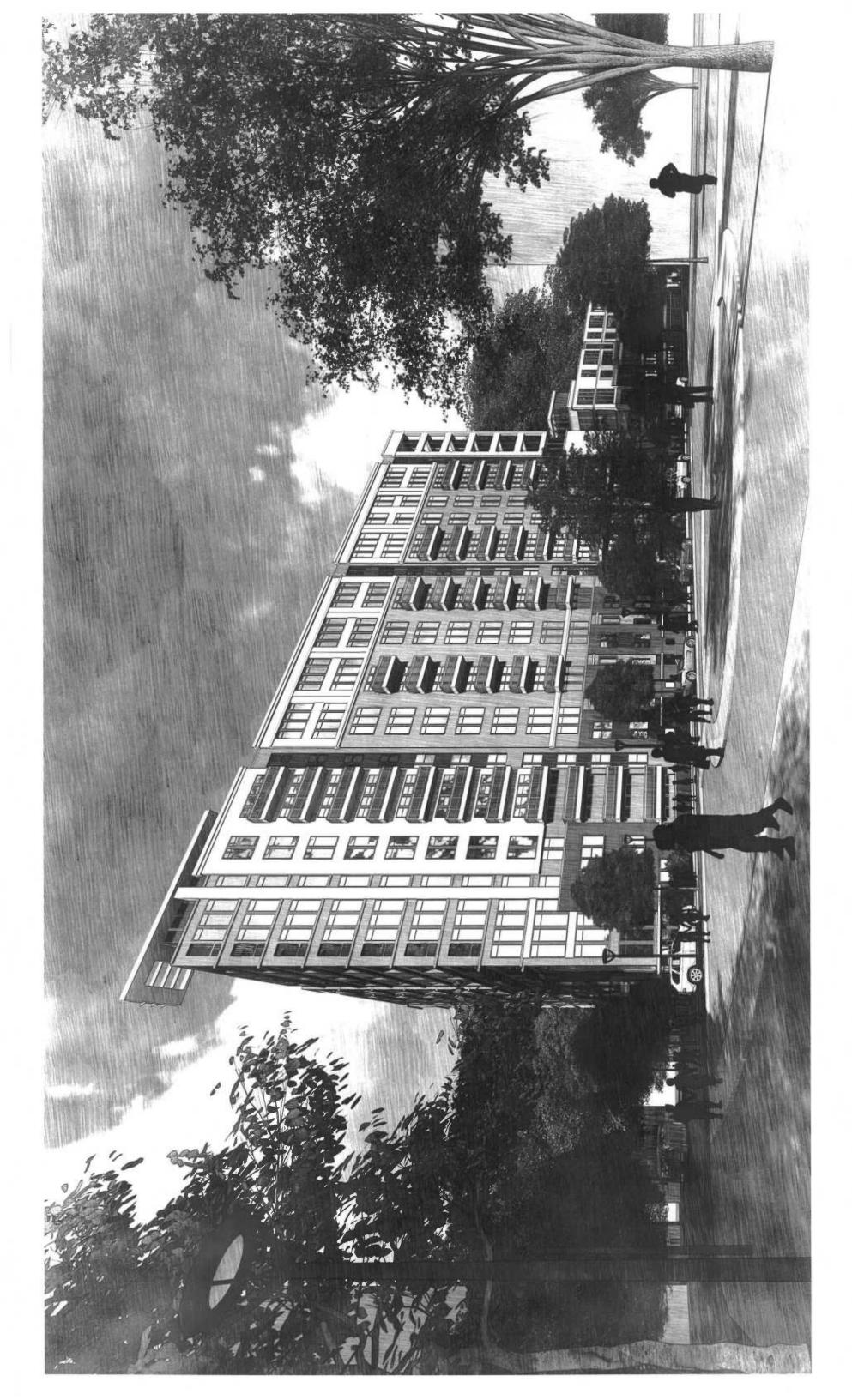
BLACK GUM

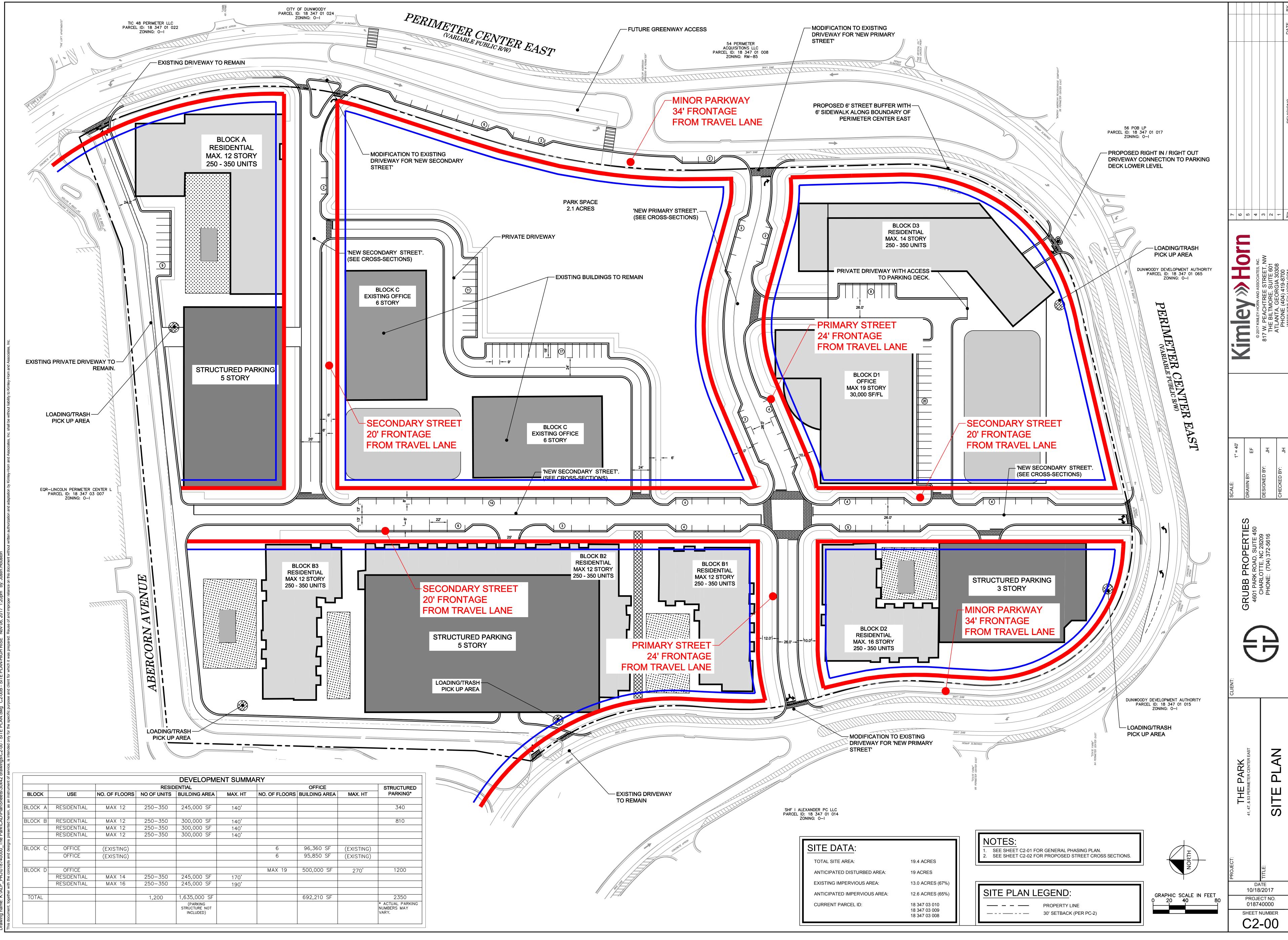
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Kimlev » Horn <sup>7</sup>	© 2017 KIMLEY-HORN AND ASSOCIATES, INC.	817 W. PEACHTREE STREET, NW 3 THE BILTMORE, SUITE 601 2 2 2 2	A LAN LA, GEORGIA 30300 PHONE (404) 419-8700 WWW.KIMLEY-HORN.COM No. No.
SCALE: 1" = 40'	DRAWN BY: EF	DESIGNED BY: JH	CHECKED BY: JH
	50 50	CHAKLOLLE, NC 28209 PHONE: (704) 372-5616	
CLIENT:		し	
THE PARK	41, 47, & 53 PERIMETER CENTER EAST	TREE DENSITY	INFORMATION
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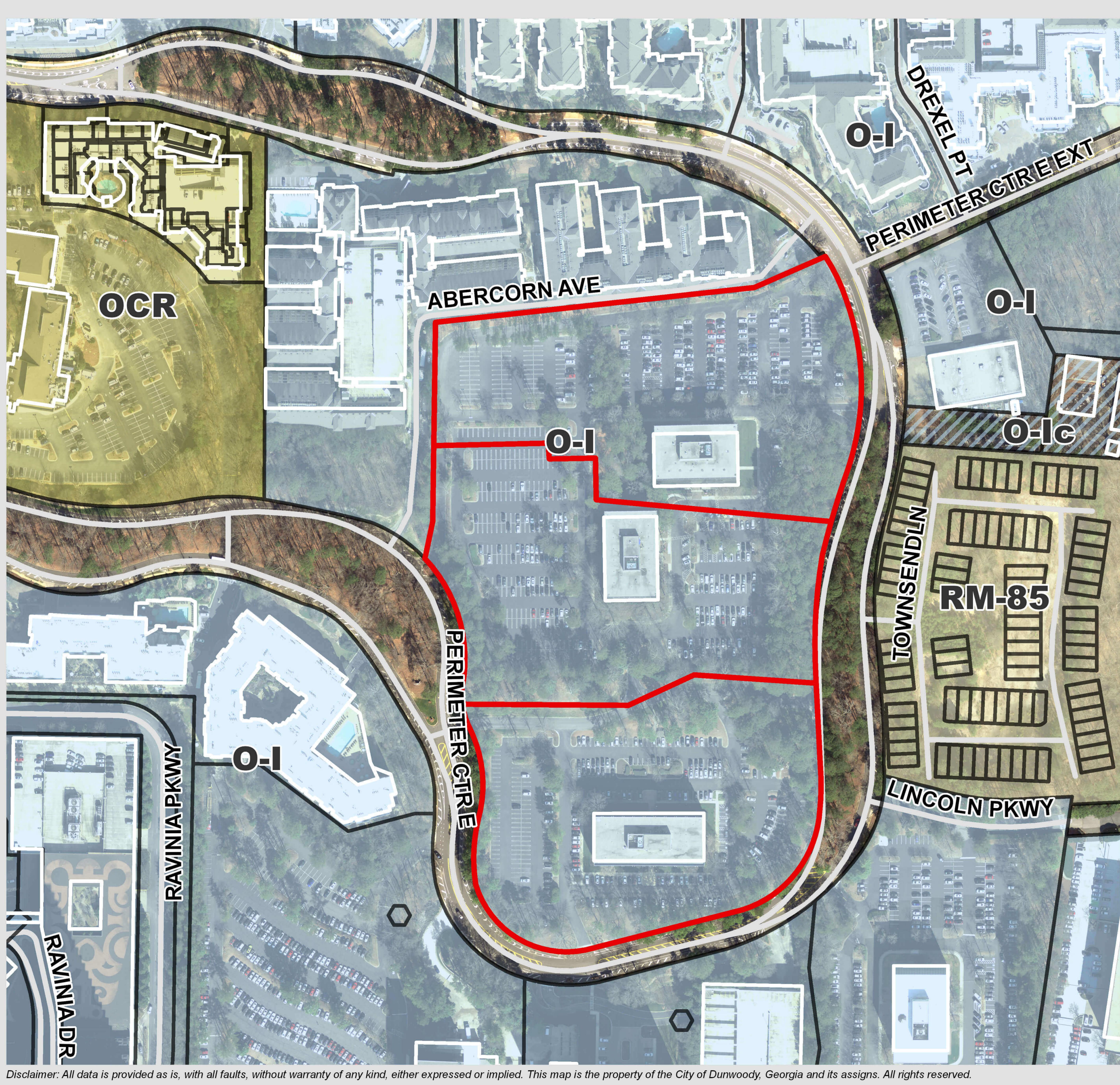














Community Development 41 Perimeter Center East Dunwoody, Georgia 30346-1902 Suite 250 678-382-6800 ~ www.dunwoodyga.gov

# Development Tract RZ 17-01 SLUP 17-06

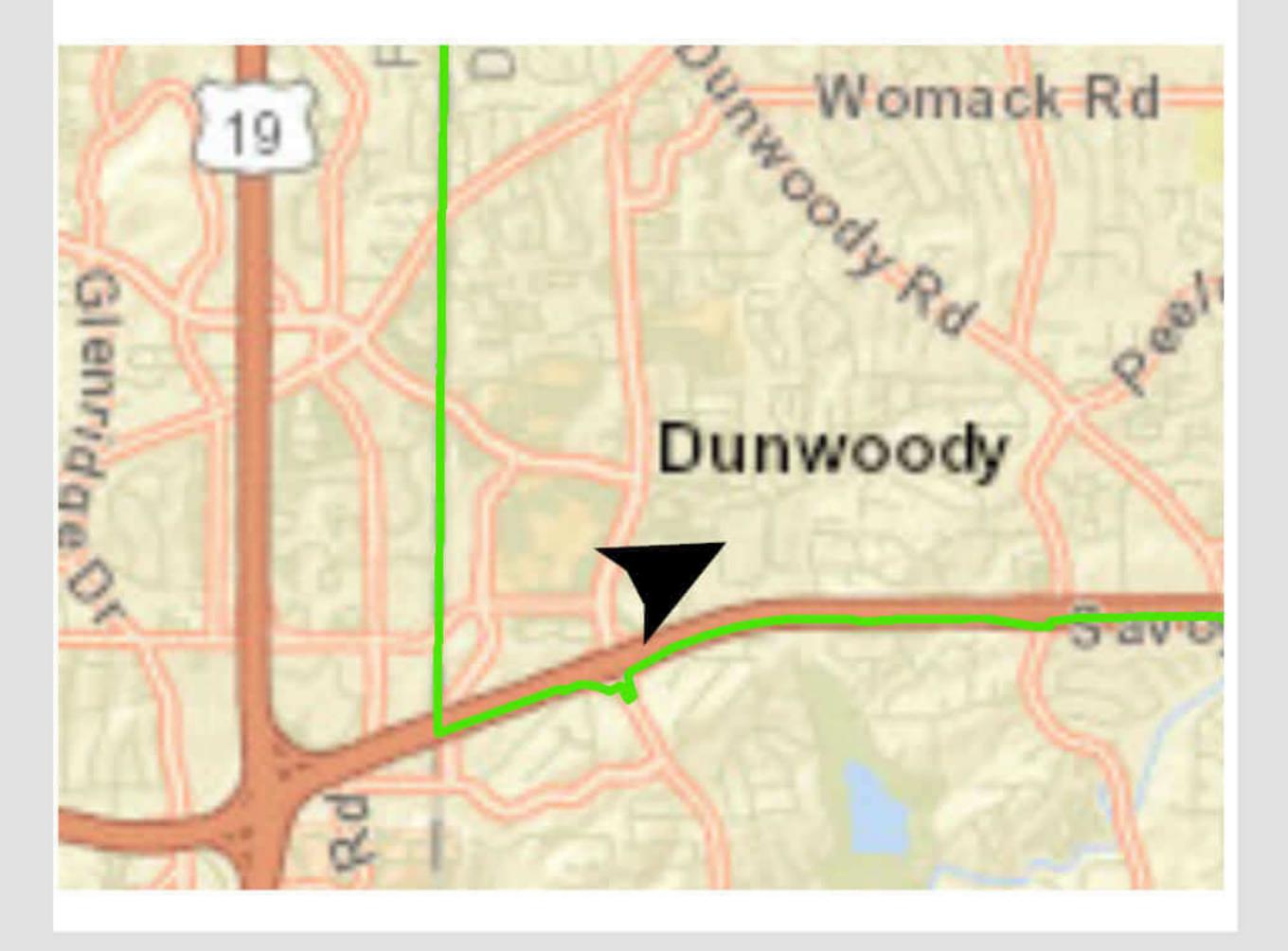
August 2017

# Parcel

Street Centerline

## 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

### 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







A 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.



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- Appendix B Land Use and Zoning Maps
- Appendix C Proposed Site Plan
- Appendix D Trip Generation Analysis
- Appendix E Intersection Volume Worksheets
- Appendix F Programmed Project Fact Sheets

## Available Upon Request

Raw Traffic Count Data *Synchro* Capacity Analyses

## EXECUTIVE SUMMARY

This report presents the analysis of the anticipated traffic impacts of the proposed The Park at Perimeter Center East development located in the City of Dunwoody, Georgia. The approximate 19.5-acre site is bordered by Perimeter Center East to the east, west, and south; Abercorn Avenue borders the site to the north. The proposed development will be mixed-use, consisting of residential, office (some of which is existing), and retail land uses. The project will consist of approximately 1.7 million square feet of new construction and will include five new buildings.

The project is a Development of Regional Impact (DRI) and is subject to Georgia Regional Transportation Authority (GRTA) and Atlanta Regional Commission (ARC) review due to the project size exceeding 600,000 SF of mixed-use development in a regional center area type. The DRI trigger for this development is submittal of the Rezoning Application to the City of Dunwoody. The DRI was formally triggered with the filing of the Initial DRI Information (Form 1) on May 18, 2017 by the City of Dunwoody.

The proposed project is expected to be completed by 2028. The project site currently contains three office buildings and extensive surface parking. Two of these buildings, consisting of 192,210 SF of office space, are proposed to remain. The third office building, consisting of 92,686 SF, will be demolished. The development, at full build-out, will consist of the following proposed land uses and densities:

Residential: 1,200 units

Office (proposed): 500,000 SF

Retail: 12,000 SF

It should be noted that the 500,000 SF of proposed office space does not account for the square footage of the demolished property. Additionally, the 12,000 SF of retail space will exist within the 192,210 SF of existing office space to remain (to consist of 12,000 SF of retail space and 180,210 SF of office space). Upon build-out, this site will consist of 1,200 residential units, 12,000 SF of retail, and 587,524 SF of office space. In order to present a more conservative analysis, the demolished land uses were not accounted for in the trip generation analysis for this traffic study.

The DRI analysis includes an estimation of the overall vehicle trips projected to be generated by the development, also known as gross trips. Reductions to gross trips are also considered in the analysis, including mixed-use reductions, alternative transportation mode reductions, and pass-by trip reductions.

*Mixed-use reductions* occur when a site has a combination of different land uses that interact with one another. For example, people living in a residential development may walk to work or to the restaurants and retail instead of driving off-site or to the site. This reduces the number of vehicle trips that will be made on the roadway, thus reducing traffic congestion. These types of reductions are expected at The Park at Perimeter Center East development – including residents walking to retail land uses as well as residents working in the office development.

Alternative modes reductions are taken when a site can be accessed by modes other than motor vehicles (i.e. walking, bicycling, transit, etc.). As The Park at Perimeter Center East development is located within regional proximity to transit and increased pedestrian facilities, a 10% alternative mode reduction was taken. The project site is located adjacent to the MARTA Bus Route 150 with service seven days a week, connecting Dunwoody Village to the Dunwoody MARTA Rail Station. Additionally, the project site is located approximately 0.85 miles from the Dunwoody MARTA Rail station, which is served by the MARTA Rail Red Line with service seven days a week.

**Pass-by reductions** are taken for retail and restaurant trips only. Traffic normally traveling along a roadway may choose to visit a retail or restaurant establishment that is along the vehicle's path. These trips were already on the road and would therefore only be new trips on the driveways. For The Park at Perimeter Center East development, a percentage of the retail/restaurant trips will already be on the adjacent roadways. Therefore, a percentage of these will be considered pass-by. Pass-by reductions were taken for only the retail land uses.

Capacity analyses were performed throughout the study network for the Existing 2017 conditions, the Projected 2028 No-Build conditions, and the Projected 2028 Build conditions.

- Existing 2017 conditions represent traffic volumes that were collected in September 2016 and April 2017 by performing AM and PM peak hour turning movement counts.
- Projected 2028 No-Build conditions represent the existing traffic volumes grown for eleven (11) years at 0.5 percent per year throughout the study network plus project trips from the following already approved DRIs and developments:
  - DRI #2501 Park Center (approved in 2015)
  - Currently under construction townhomes located directly east of proposed site
- Projected 2028 Build conditions represent the Projected 2028 No-Build conditions with the addition of the project trips that are anticipated to be generated by The Park at Perimeter Center East development. Also included are the seven (7) proposed site access driveways in addition to the existing study network intersections.

Based on the Projected 2028 No-Build conditions (<u>includes</u> background traffic growth and project trips from DRI #2501 and townhomes but <u>excludes</u> The Park at Perimeter Center East project traffic), all of the study intersections operate within the acceptable level-of-service (LOS) standard of E.

Based on the Projected 2028 Build conditions (*includes* background traffic growth and project trips from DRI #2501, townhomes, and <u>includes</u> The Park at Perimeter Center East project traffic plus the site access driveways), all study intersections are projected to operate within the acceptable level-of-service (LOS) standard of *E*, with the exception of some unsignalized side-street movements. However, to improve traffic flow, the following improvements at the proposed site driveways are recommended:

- Perimeter Center East @ Driveway #1 (Int. #6)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #2 (Int. #7)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #3 (Int. #8)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #4 (Int. #9)
  - On the site, construct one egress lane exiting the site.
  - On the site, construct one ingress lane entering the site.
  - Restripe the eastbound approach to consist of one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane.
  - Provide adequate sight distance for vehicles exiting the site.
- Perimeter Center East @ Driveway #5 (Int. #10)
  - Restripe the eastbound approach to consist of one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane.
- Perimeter Center East @ Driveway #6 (Int. #11)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #7 (Int. #12)
  - Maintain the existing intersection configuration and laneage.

#### **1.0 PROJECT DESCRIPTION**

#### 1.1 Introduction

This report presents the analysis of the anticipated traffic impacts of the proposed The Park at Perimeter Center East development located in the City of Dunwoody, Georgia. The approximate 19.5-acre site is bordered by Perimeter Center East to the east, west, and south; Abercorn Avenue borders the site to the north.

The proposed development will be mixed-use, consisting of residential, office (some of which is existing), and retail land uses. The project will exceed 600,000 square feet of mixed-use development in a regional center area type and therefore, the proposed development is a Development of Regional Impact (DRI) and is subject to Georgia Regional Transportation Authority (GRTA) and Atlanta Regional Commission (ARC) review.

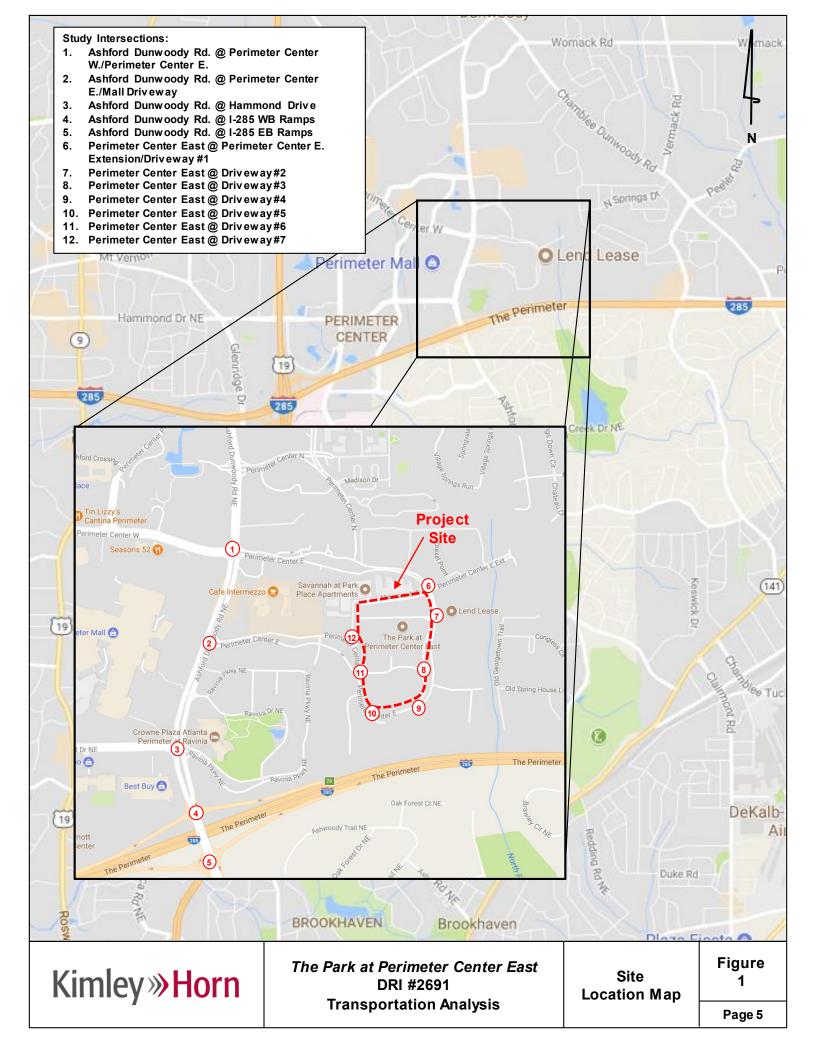
**Figure 1** provides the site location of The Park at Perimeter Center East development, and **Figures 2** and **3** provide an aerial view of the project site and surrounding area. The City of Dunwoody Zoning Map and ARC's *PLAN 2040 Unified Growth Policy Map* are included in Appendix A.

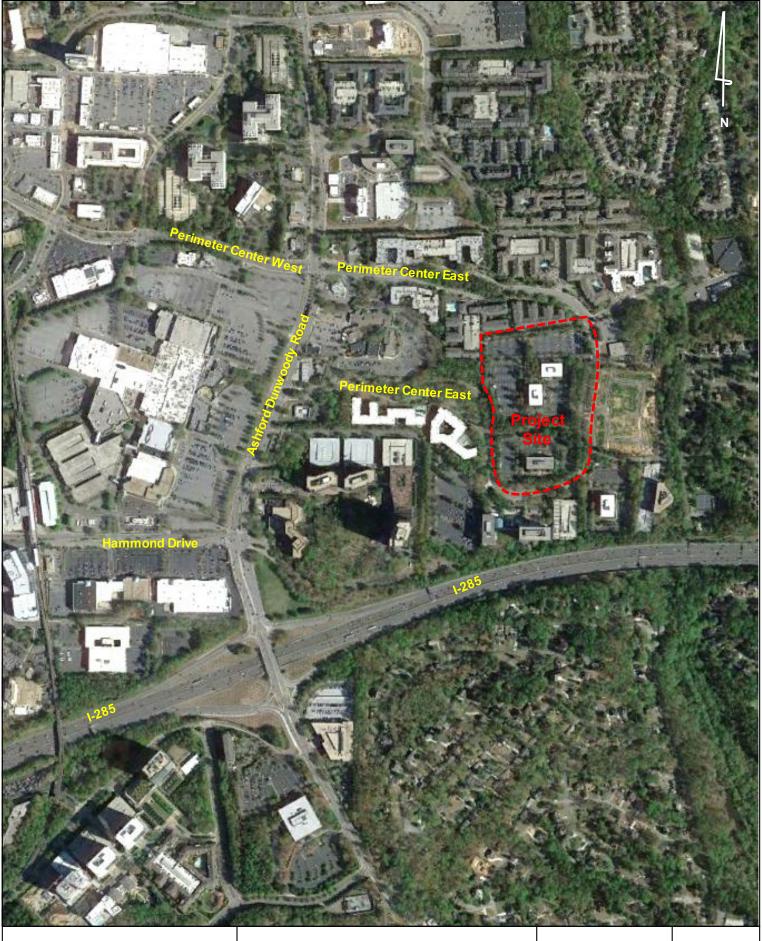
The proposed project is expected to be completed by 2028, and this analysis will consider the full buildout of the proposed site in 2028. A summary of the proposed land-uses and density at full build-out is provided below in **Table 1**.

	able 1 d Land Uses
Residential	1,200 units
Office	500,000 SF
Retail	12,000 SF

The property currently consists of 192,210 SF of occupied office space in two 6-story office buildings which will remain. The project site contains an additional 92,686 SF office building which will be demolished.

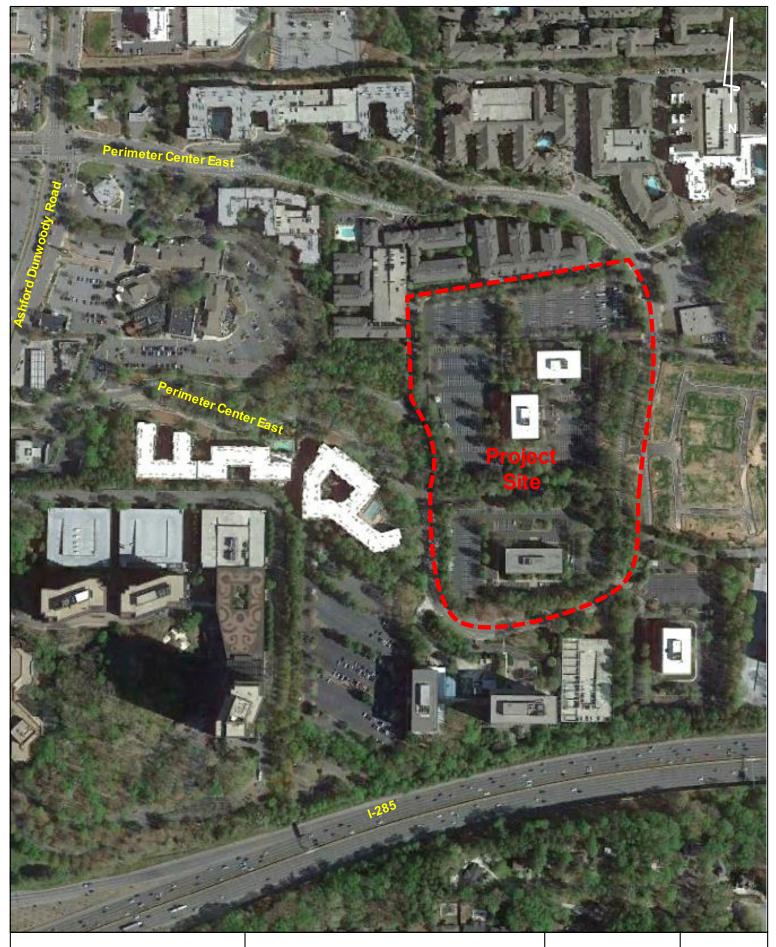
It should be noted that 12,000 SF of retail space will exist within the 192,210 SF of existing office space to remain (to consist of 12,000 SF of retail space and 180,210 SF of office space). Additionally, there will be 500,000 SF of proposed office space that does not account for the square footage of the demolished property. Upon build-out, this site will consist of 1,200 residential units, 12,000 SF of retail, and 587,524 SF of office space.





# Kimley **»Horn**

The Park at Perimeter Center East DRI # 2691 Transportation Analysis Site Aerial – Zoomed Out Figure 2 Page 6



# Kimley **»Horn**

The Park at Perimeter Center East DRI # 2691 Transportation Analysis Site Aerial – Zoomed In Figure 3 Page 7

#### 1.2 Site Plan Review

The proposed development is located on an approximately 19.5-acre site in the City of Dunwoody. The project site is bordered by Perimeter Center East to the east, west, and south; Abercorn Avenue borders the site to the north. The proposed development will be mixed-use, consisting of approximately 1.7 million square feet of new construction consisting of residential, retail, and office land uses. The project will include five new buildings with two existing buildings to remain.

The property currently consists of 192,210 SF of occupied office space in two 6-story office buildings which will remain. The project site contains an additional 92,686 SF office building which will be demolished.

It should be noted that 12,000 SF of retail space will exist within the 192,210 SF of existing office space to remain (to consist of 12,000 SF of retail space and 180,210 SF of office space). Additionally, there will be 500,000 SF of proposed office space that does not account for the square footage of the demolished property. Upon build-out, this site will consist of 1,200 residential units, 12,000 SF of retail, and 587,524 SF of office space. In order to present a more conservative analysis, the demolished land uses were not accounted for in the trip generation analysis for this traffic study.

The project site is currently zoned Office-Institutional (O-I) and is proposed to be zoned PC-2 (Perimeter Center, Subarea 2). The project site is also located in a Regional Center area and a Regional Employment Corridor area according to *PLAN 2040 Unified Growth Policy Map*. Additionally, the project site is within and adheres to the recommendations in the most recent Perimeter LCI which qualifies The Park at Perimeter Center East development for GRTA's expedited review. A reference of the proposed site plan is provided in Appendix C.

A full-sized site plan consistent with GRTA's Site Plan Guidelines is also being submitted as part of the review package.

#### 1.3 Site Access

The project site is currently served by seven (7) driveways. The proposed development will be served by three (3) right-in/right-out driveways and four (4) full movement driveways, all along Perimeter Center East. A summary of the proposed site access points follows:

- 1. Driveway 1 an existing driveway that serves as the eastbound approach of the Perimeter Center East at Perimeter Center East Extension intersection. Driveway 1 is currently a stop controlled full-movement driveway and is proposed to remain as a stop controlled full-movement driveway.
- Driveway 2 an existing driveway located approximately 600 feet south of the intersection of Perimeter Center East at Perimeter Center East Extension. Driveway 2 is currently a stopcontrolled right-in/right-out driveway. Driveway 2 is proposed to remain as a right-in/right-out driveway.
- Driveway 3 an existing stop-controlled right-in/right-out driveway located on Perimeter Center East, approximately 860 feet south of the intersection of Perimeter Center East at Perimeter Center East Extension to remain.
- 4. Driveway 4 a proposed stop-controlled full-access movement driveway located along Perimeter Center East, approximately 425 feet south of the intersection of Driveway #3. This driveway will provide lower level access to the proposed shared parking facility within the site.
- 5. Driveway 5 an existing full movement driveway located on Perimeter Center East approximately 1,000 feet south of the intersection of Perimeter Center East @ Abercorn Avenue.

- 6. Driveway 6 an existing full movement driveway. Driveway 6 is located on Perimeter Center East, approximately 400 feet south of Abercorn Avenue.
- 7. Driveway 7 an existing stop-controlled right-in/right-out driveway located on Perimeter Center East, approximately 100 feet east of Abercorn Avenue.

The proposed site access points provide vehicular access to the entire development. Internal private roadways throughout the site provide access to all buildings and parking facilities. See referenced site plan in Appendix C for a visual representation of vehicular access and circulation throughout the proposed development. The site driveways and internal roadways mentioned above provide access to all parking on the site. Shared parking will be utilized to the greatest extent possible. Some on-street parking will be provided and approximately 2,350 structured parking spaces will be provided.

#### 1.4 Bicycle and Pedestrian Facilities

Pedestrian facilities (sidewalks) currently exist along very little of the project site frontage. There are currently existing bicycle lanes along Perimeter Center East surrounding the site. There are no bicycle or pedestrian projects programmed in the vicinity of the project site that will be completed prior to the build-out of the Park at Perimeter Center East development.

#### 1.5 Transit Facilities

The project site is located adjacent to MARTA Bus Route 150, with service seven days a week, connecting Dunwoody Village to the Dunwoody MARTA Rail Station. Additionally, the project site is located approximately 0.85 miles from the Dunwoody MARTA Rail station, which is served by the MARTA Rail Red Line with service seven days a week.

#### 2.0 TRAFFIC ANALYSES, METHODOLOGY AND ASSUMPTIONS

#### 2.1 Growth Rate

Background traffic is defined as expected traffic on the roadway network in future year(s) absent the construction and opening of the proposed project. Background traffic can include a base growth rate based on historical count data as well as population growth data and estimates as well as trips anticipated from nearby or adjacent other projects. Based on methodology outlined in the GRTA Letter of Understanding (LOU), a 0.5 percent per year background traffic growth rate was used for all roadways. This background growth rate was used to account for other development activity in the area.

In addition to the background traffic growth rate, the addition of the following developments was incorporated into the background traffic:

- DRI #2501 Park Center (approved in 2015)
- Currently under construction townhomes located directly east of proposed site

#### 2.2 Traffic Data Collection

Weekday peak hour turning movement counts were collected in September 2016 and April 2017 at the study intersections during the AM and PM peak periods. Traffic counts were grown eleven years to the projected build-out year of 2028. The morning and afternoon peak hours varied some between the intersections. Peak hours for all intersections are shown in **Table 2**.

Table 2 Peak Hour Summary		
Intersection	AM Peak Hour	PM Peak Hour
<ol> <li>Ashford Dunwoody Road at Perimeter Center East/Perimeter Center West</li> </ol>	8:00-9:00	5:15-6:15
2. Ashford Dunwoody Road at Perimeter Center East/Mall Drive	8:00-9:00	4:15-5:15
3. Ashford Dunwoody Road at Hammond Drive	7:45-8:45	4:15-5:15
4. Ashford Dunwoody Road at I-285 Westbound Ramps	7:45-8:45	4:15-5:15
5. Ashford Dunwoody Road at I-285 Eastbound Ramps	7:45-8:45	4:00-5:00

The collected peak hour turning movement traffic counts are available upon request.

#### 2.3 Detailed Intersection Analysis

Level-of-service (LOS) is used to describe the operating characteristics of a road segment or intersection in relation to its capacity. LOS is defined as a qualitative measure that describes operational conditions and motorists' perceptions within a traffic stream. The *Highway Capacity Manual* defines six levels-of-service, LOS A through LOS F, with A being the best and F being the worst. Level-of-service analyses were conducted at all intersections within the study network using *Synchro Professional, Version 9.0*. Existing traffic signal phasing and timing data were retrieved from the Perimeter Traffic Operations Program (PTOP) for available intersections. Timing data was measured and verified in the field for all study intersections. All intersection signal timings were optimized using *Synchro Professional, Version 9.0*.

Levels-of-service for signalized intersections are reported for the intersection as a whole. One or more movements at an intersection may experience a low level-of-service, while the intersection as a whole may operate acceptably.

Levels-of-service for unsignalized intersections, with stop control on the minor street only, are reported for the side street approaches and the major street left-turn movements. Low levels-of-service for side street approaches are not uncommon, as vehicles may experience significant delays in turning onto a major roadway.

### 3.0 STUDY NETWORK

#### 3.1 Gross Trip Generation

Traffic for the proposed land uses and densities were calculated using methodology contained in the *Institute of Transportation Engineers' (ITE) Trip Generation Manual, Ninth Edition*. Gross trips generated are displayed below in **Table 3**.

		G	Ta ross Trip	ble 3 o Generat	tion					
Land Use	ITE	D	aily Traff	ic	AM	Peak Ho	our	PM	Peak H	our
(Intensity)	Code	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
High-Rise Apartment (1,200 dwelling units)	222	7,396	3,698	3,698	592	118	474	678	441	237
General Office Building (500,000 SF)	710	4,461	2,230	2,231	693	610	83	638	108	530
Shopping Center (12,000 SF)	820	512	256	256	12	7	5	45	22	23
Total Gross Trips		12,369	6,184	6,185	1,297	735	562	1,361	571	790

### 3.2 Trip Distribution

The directional distribution and assignment of new project trips was based on the project land uses, a review of the land use densities and road facilities in the area, engineering judgment, and methodology discussions with the Georgia Regional Transportation Authority (GRTA), Atlanta Regional Commission (ARC), Georgia Department of Transportation (GDOT), and the City of Dunwoody.

#### 3.3 Level-of-Service Standards

For the purposes of this traffic analysis, a level-of-service standard of E was assumed for all intersections along Ashford Dunwoody Road, due to the DRI location adjacent to a fixed transit guideway facility (as defined by regional policies per GRTA Technical Guidelines Section 3-102.E. Transportation Analysis). The level-of-service standard of D was assumed for all other intersections, none of which are along Ashford Dunwoody Road.

#### 3.4 Study Network Determination

A general study area was determined based on a review of land uses and population densities in the area as well as a review of peak hour traffic counts and engineering judgement. As the Park at Perimeter Center East development is located in the Perimeter LCI, it qualifies for GRTA Expedited Review, consistent with the GRTA Letter of Understanding. The study area was agreed upon during methodology discussions with GRTA, ARC, GDOT, and City of Dunwoody staff, and includes the following twelve (12) intersections described in **Table 4**.

The study network includes five (5) signalized intersections as noted in **Table 4**, as well as all site driveways.

Table 4 Intersection Control Summary	
Intersection	Control
1. Ashford Dunwoody Road at Perimeter Center East/Perimeter Center West	Signal
2. Ashford Dunwoody Road at Perimeter Center East/Mall Drive	Signal
3. Ashford Dunwoody Road at Hammond Drive	Signal
4. Ashford Dunwoody Road at I-285 Westbound Ramps	Signal
5. Ashford Dunwoody Road at I-285 Eastbound Ramps	Signal

Each of the above listed intersections was analyzed for the Existing 2017 conditions, the Projected 2028 No-Build conditions, and the Projected 2028 Build conditions. The Projected 2028 No-Build conditions represent the existing traffic volumes grown for eleven (11) years at 0.5 percent per year throughout the study network plus the addition of the following developments:

- DRI #2501 Park Center (approved in 2015)
- Currently under construction townhomes located directly east of proposed site

The Projected 2028 Build conditions add the project trips associated with the Park at Perimeter Center East development to the Projected 2028 No-Build conditions.

#### 3.5 Existing Roadway Facilities

Roadway classification descriptions for the entire study area are provided in Table 5.

		able 5 Classifications	
Roadway	No. of Lanes	Posted Speed Limit (MPH)	GDOT Classification
Perimeter Center East	2	35	Local Road
Abercorn Avenue East	2	35	Local Road
Ashford Dunwoody Road	4	35	Minor Arterial
Perimeter Center West	2	35	Minor Arterial
Hammond Drive	6	45	Minor Arterial-Regional Thoroughfares Network

### 4.0 TRIP GENERATION

As stated previously, gross trips associated with the proposed development were estimated using the *Institute of Transportation Engineers' (ITE) Trip Generation Manual, Ninth Edition, 2012*, using equations where available. Trip generation for this proposed development is calculated based upon the following land uses: High-Rise Apartment (ITE 222), General Office Building (ITE 710), Shopping Center (ITE 820).

Mixed-use vehicle trip reductions were taken according to the *ITE Trip Generation Handbook, Third Edition, 2012.* Because the Third Edition does not include guidance on daily internal capture, the *ITE Trip Generation Handbook, Second Edition, 2004* was used for daily volumes. Total internal capture and vehicle trip reduction between the land uses is expected to be 1.86% daily, 2.20% for the AM peak hour, and 4.40% for the PM peak hour as a result of the anticipated interaction between the residential, office, retail, and restaurant land uses within the proposed development.

Due to the Park at Perimeter Center East development being located in a regional center and the adjacent land uses in the area, an alternative transportation (walking, bicycle, and transit) reduction was applied for the project trips. An alternative transportation mode reduction of 10%, consistent with GRTA's Letter of Understanding, was applied to all land uses for this study.

Pass-by reductions were determined according to the *ITE Trip Generation Handbook, Third Edition,* 2014. Per ITE guidance, the pass-by trip reduction rate for the proposed retail land use is 34% for the PM peak hour. Per GRTA's DRI Technical Guidelines, the total pass-by trips associated with the development may be limited to 15% of the adjacent roadway's traffic volume. Based on traffic count data, 15% of the adjacent roadway's traffic volume is not the limiting factor for pass-by trip reduction (results in a pass-by trip reduction rate of 15% for the PM peak hour). It should be noted that pass-by trips are not new trips to the roadway network, rather, they are vehicles already traveling along the existing roadway network that stop to visit the retail and restaurant land uses. No pass-by reductions were taken for the AM peak hour as pass-by trips are minimal in the morning for retail and restaurant land uses.

		Ne	Tab t New Trij	ole 6 o Genera	tion				
	D	aily Traffi	ic	AN	l Peak Ho	our	PM	l Peak Ho	our
	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Gross Project Trips	12,369	6,184	6,185	1,297	735	562	1,361	571	790
Mixed-Use Reduction	-230	-115	-115	-28	-14	-14	-60	-30	-30
Alternative Mode Reduction	-1,214	-607	-607	-126	-72	-54	-131	-54	-77
Driveway Volumes	10,925	5,462	5,463	1,143	649	494	1,170	487	683
Pass-By Reduction	-136	-68	-68	0	0	0	-10	-5	-5
Net New Trips	10,789	5,394	5,395	1,143	649	494	1,160	482	678

The total (net) trips generated and analyzed in this report are listed in Table 6.

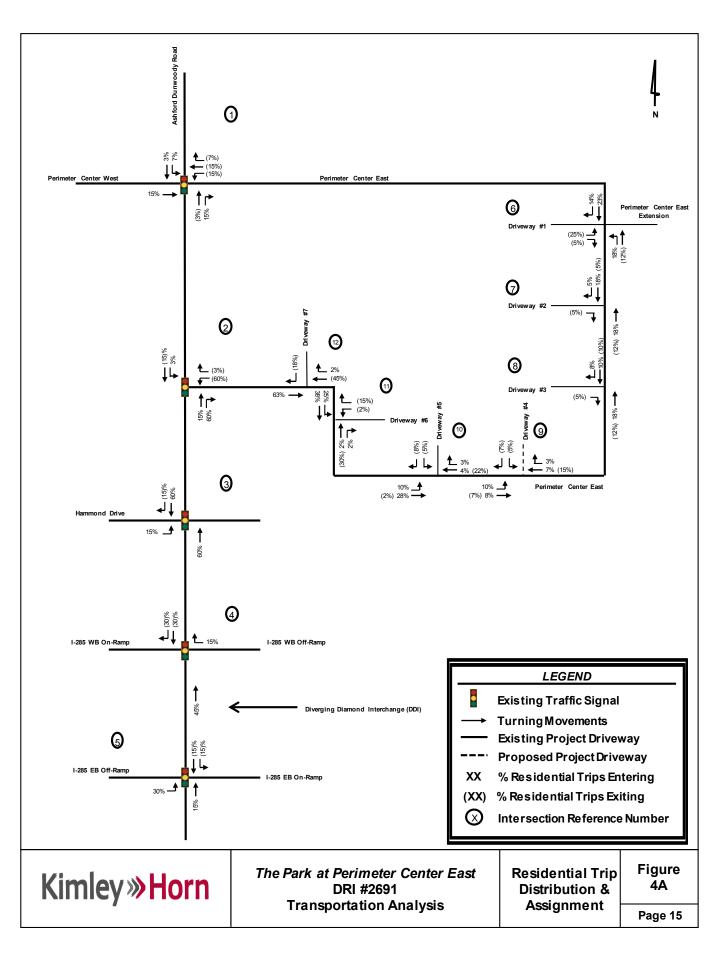
A more detailed trip generation analysis summary table is provided in Appendix D.

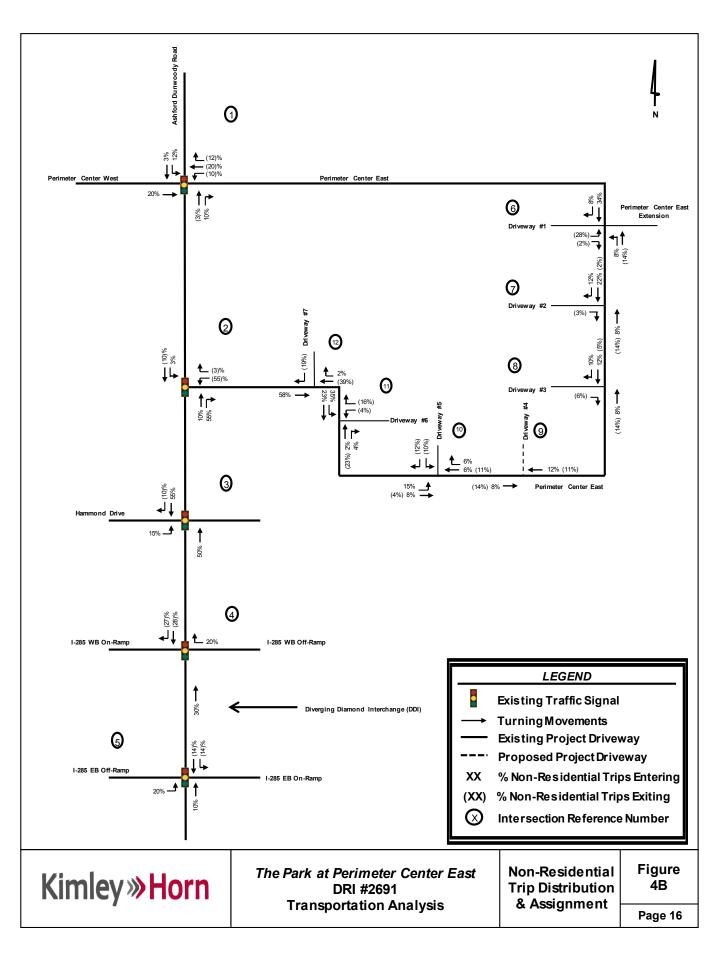
### 5.0 TRIP DISTRIBUTION AND ASSIGNMENT

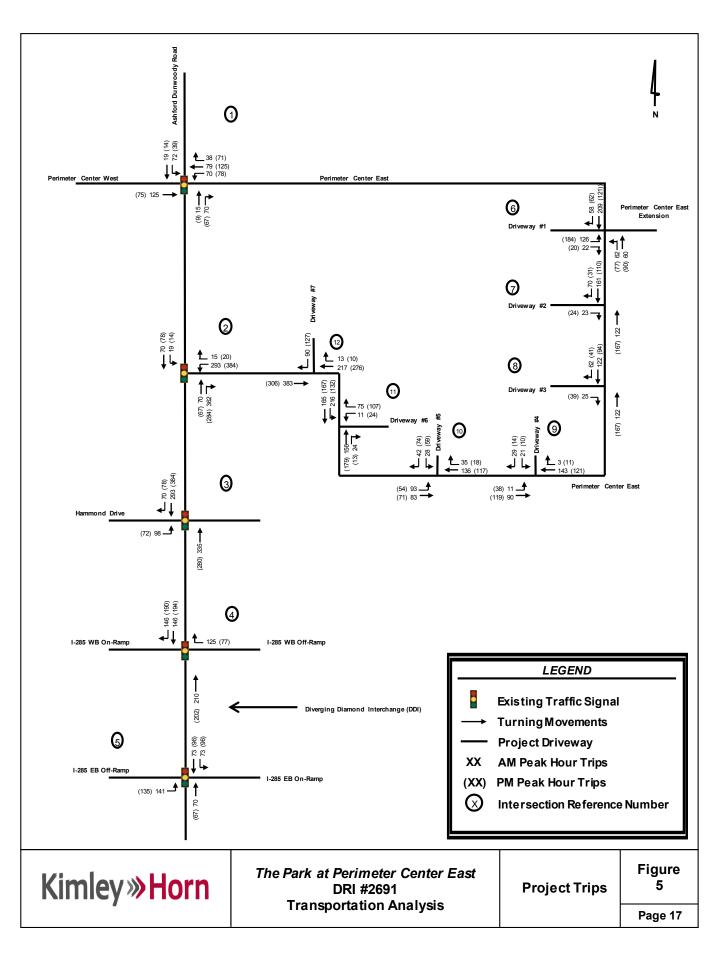
New trips were distributed onto the roadway network using the percentages developed as described in *Section 3.2* of this report, and as agreed to during methodology discussions with GRTA, ARC, GDOT, and City of Dunwoody staff.

**Figures 4A** and **4B** display the anticipated distribution and assignment of residential and non-residential project trips, respectively, throughout the study roadway network. These trip assignment percentages were applied to the net new trips expected to be generated by the development, and the volumes were assigned to the roadway network. The combined peak hour project trips by turning movement throughout the study network, anticipated to be generated by the proposed The Park at Perimeter Center East development, are shown on **Figure 5**.

Detailed intersection volume worksheets are provided in Appendix E.







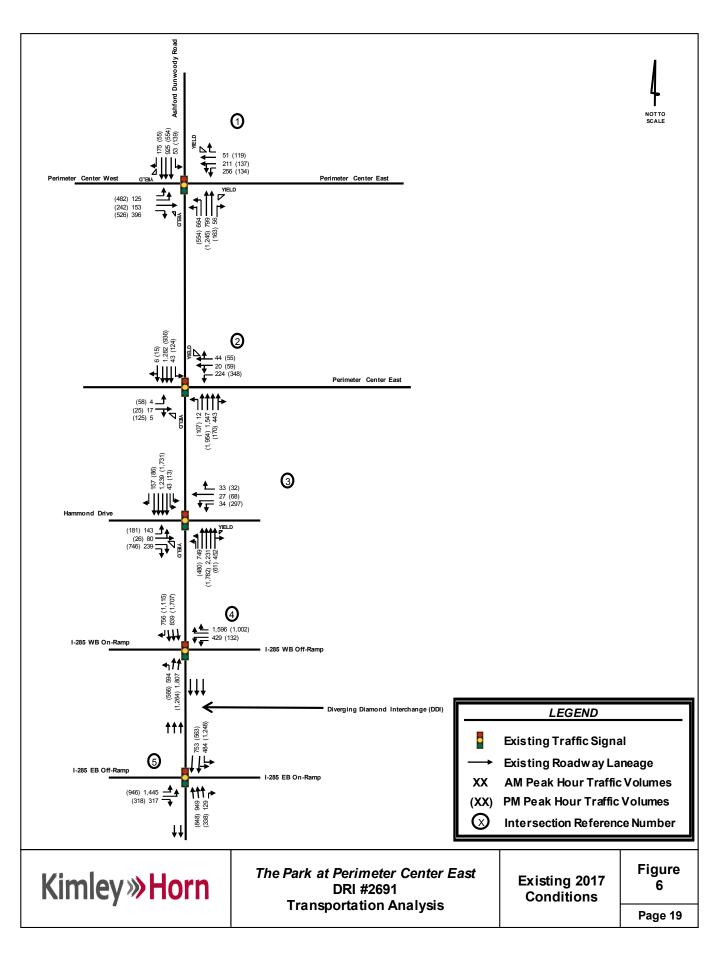
#### 6.0 TRAFFIC ANALYSIS

#### 6.1 Existing 2017 Conditions

The observed existing peak hour traffic volumes were entered into *Synchro 9.0,* and capacity analyses were performed for the AM and PM peak hours. The existing peak hour traffic volumes are displayed in **Figure 6**, and the results of the capacity analyses for the Existing 2017 conditions are shown in **Table 7**. Detailed *Synchro* analysis reports are available upon request.

	Existing 2017 Interse	ble 7 ction Levels- r in seconds)		ce	
	Intersection	Control	LOS Std.	AM Peak Hour	PM Peak Hour
1.	Ashford Dunwoody Road @ Perimeter Center West/Perimeter Center East	Signal	Е	D (44.3)	D (49.1)
2.	Ashford Dunwoody Road @ Perimeter Center East/Mall Drive	Signal	E	B (13.1)	D (37.3)
3.	Ashford Dunwoody Road @ Hammond Drive	Signal	Е	C (32.4)	D (43.8)
4.	Ashford Dunwoody Road @ I-285 Westbound Ramps	Signal	E	C (24.7)	C (26.0)
5.	Ashford Dunwoody Road @ I-285 Eastbound Ramps	Signal	E	B (16.3)	B (16.3)

As shown in Table 7, all study intersections currently operate at or above their acceptable level-of-service standard during the AM and PM peak hours for the Existing 2017 conditions. Therefore, there are no recommended improvements for the Existing 2017 conditions scenario.



#### 6.2 Projected 2028 No-Build Conditions

To account for growth in the vicinity of the proposed development, the existing traffic volumes were increased for eleven (11) years at 0.5 percent per year throughout the study network. These volumes were entered into *Synchro 9.0*, and capacity analyses were performed. The Projected 2028 No-Build conditions were analyzed using existing roadway geometry and existing intersection control types, plus the projected trips from DRI #2501 and the townhomes development which are scheduled to be completed by 2020.

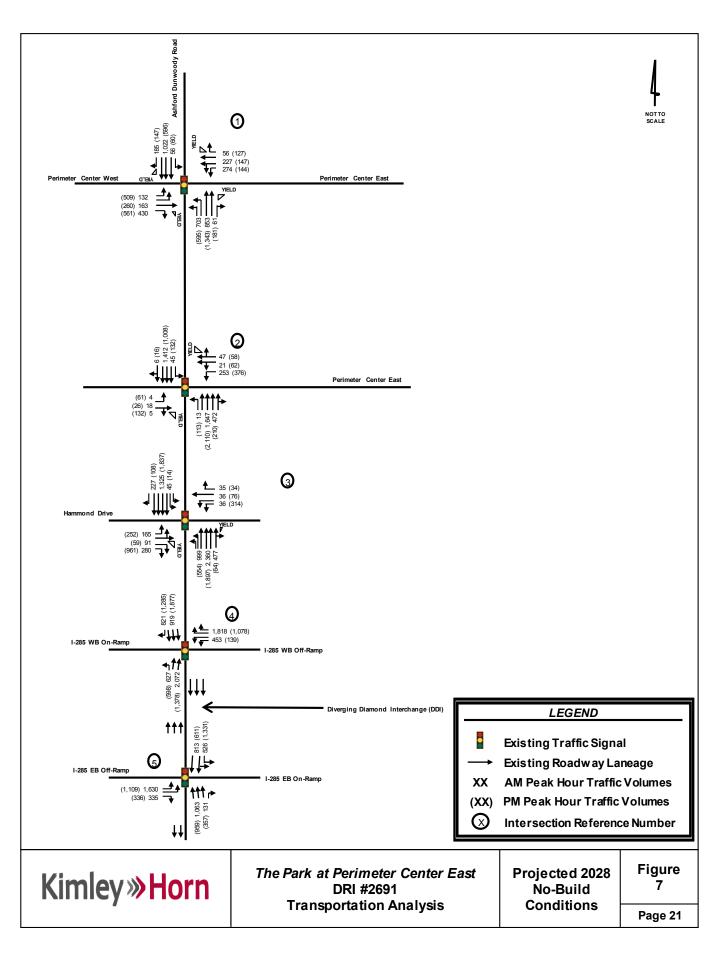
The Projected 2028 No-Build conditions incorporate the addition of the following developments:

- DRI #2501 Park Center (approved in 2015)
- Currently under construction townhomes located directly east of proposed site

The intersection laneage and traffic volumes for the Projected 2028 No-Build conditions are shown in **Figure 7**. The results of the capacity analyses for the Projected 2028 No-Build are shown in **Table 8**. Detailed *Synchro* analysis reports are available upon request.

	Projected 2028 No-Build In	able 8 ntersection L y in seconds		-Service	
	Intersection	Control	LOS Std.	AM Peak Hour	PM Peak Hour
1.	Ashford Dunwoody Road @ Perimeter Center West/Perimeter Center East	Signal	E	D (44.4)	D (50.3)
2.	Ashford Dunwoody Road @ Perimeter Center East/Mall Drive	Signal	Е	B (14.2)	D (38.6)
3.	Ashford Dunwoody Road @ Hammond Drive	Signal	Е	C (34.1)	D (55.0)
4.	Ashford Dunwoody Road @ I-285 Westbound Ramps	Signal	E	E (56.4)	C (34.6)
5.	Ashford Dunwoody Road @ I-285 Eastbound Ramps	Signal	E	B (16.7)	B (16.6)

As shown in Table 8, all intersections operate acceptably in the Projected 2028 No-Build conditions.



#### 6.3 Projected 2028 Build Conditions

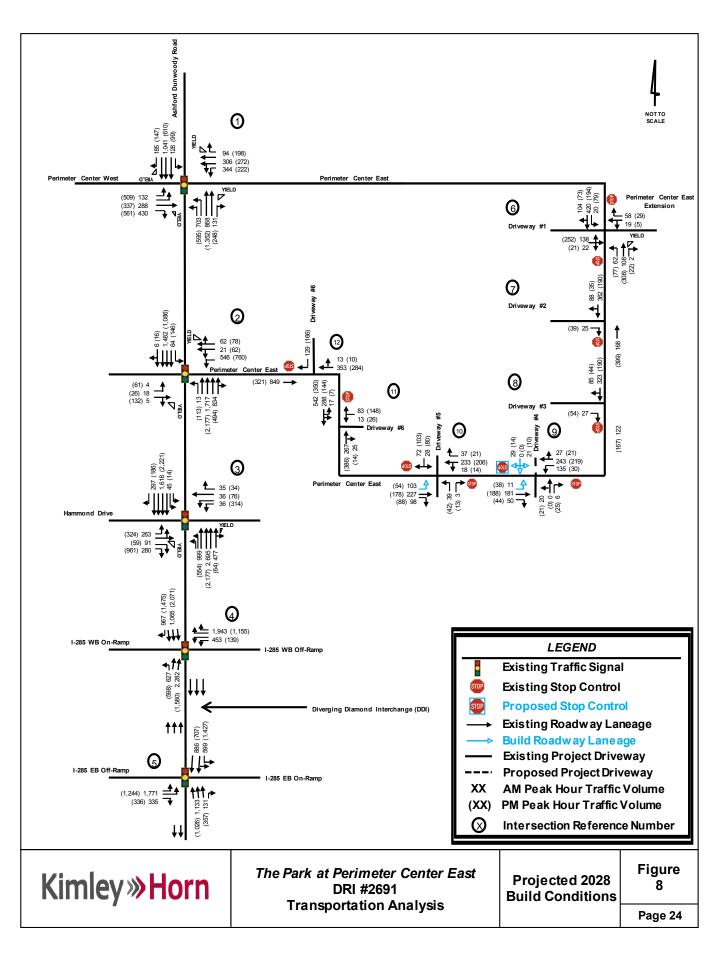
The traffic associated with the proposed The Park at Perimeter Center East development was added to the Projected 2028 No-Build volumes. These volumes were then entered into *Synchro 9.0*, and capacity analyses were performed. The Projected 2028 Build conditions were analyzed using the proposed laneage and intersection control types shown in the DRI site plan.

The intersection laneage and traffic volumes used for the Projected 2028 Build conditions are shown in **Figure 8**. The results of the capacity analyses for the Projected 2028 Build conditions with proposed laneage and control types are shown in **Table 9**. Detailed *Synchro* analysis reports are available upon request.

Tal Projected 2028 Build Inte LOS (delay			-Service	
Intersection	Control	LOS Std.	AM Peak Hour	PM Peak Hour
<ol> <li>Ashford Dunwoody Road @ Perimeter Center West/Perimeter Center East</li> </ol>	Signal	E	D (53.0)	E (59.0)
<ol> <li>Ashford Dunwoody Road @ Perimeter Center East/Mall Drive</li> </ol>	Signal	Е	C (25.3)	E (68.9)
<ol> <li>Ashford Dunwoody Road @ Hammond Drive</li> </ol>	Signal	Е	D (41.8)	E (59.6)
<ol> <li>Ashford Dunwoody Road @ I-285 Westbound Ramps</li> </ol>	Signal	E	E (59.2)	E (67.5)
<ol> <li>Ashford Dunwoody Road @ I-285 Eastbound Ramps</li> </ol>	Signal	E	B (18.1)	B (16.9)
<ol> <li>Perimeter Center East @ Perimeter Center East Extension/ Driveway #1</li> </ol>	EB Stop	D	C (18.4)	E (45.5)
7. Perimeter Center East @ Driveway #2	EB Stop	D	B (11.1)	A (9.7)
8. Perimeter Center East @ Driveway #3	EB Stop	D	B (10.8)	A (9.8)
0 Desimptor Contor Foot @ Drivewow #4	NB Stop	D	E (20.2)	B (15.0)
9. Perimeter Center East @ Driveway #4	SB Stop	D	B (14.5)	B (12.1)
10. Perimeter Center East @ Driveway #5	NB Stop	D	C (22.6)	C (16.7)
	SB Stop	D	B (13.4)	B (14.9)
11. Perimeter Center East @ Driveway #6	WB Stop	D	C (17.5)	C (17.6)
12. Perimeter Center East @ Driveway #7	WB Stop	D	B (11.9)	B (11.6)

As shown in **Table 9**, all intersections are projected to operate at or above their acceptable level-ofservice standard during the AM and PM Peak Hours in the Projected 2028 Build conditions, with the exception of some unsignalized side-street movements. However, to improve traffic operations, the following improvements at the proposed site driveways are recommended:

- Perimeter Center East @ Driveway #1 (Int. #6)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #2 (Int. #7)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #3 (Int. #8)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #4 (Int. #9)
  - On the site, construct one egress lane exiting the site.
  - On the site, construct one ingress lane entering the site.
  - Restripe the eastbound approach to consist of one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane.
  - Provide adequate sight distance for vehicles exiting the site.
- Perimeter Center East @ Driveway #5 (Int. #10)
  - Restripe the eastbound approach to consist of one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane.
- Perimeter Center East @ Driveway #6 (Int. #11)
  - Maintain the existing intersection configuration and laneage.
- Perimeter Center East @ Driveway #7 (Int. #12)
  - Maintain the existing intersection configuration and laneage.



### 7.0 INGRESS/EGRESS ANALYSIS

Vehicular access to the Park at Perimeter Center East development is proposed at seven (7) locations. Site driveway locations are discussed in Section 1.3. Six driveways are currently stop-controlled and are proposed to remain as such in the Projected 2028 Build conditions. There is one additional proposed driveway which will also operate as stop-controlled.

The proposed site driveways provide vehicular access to the entire development. Internal private roadways throughout the site provide access to all buildings and parking facilities.

Capacity analyses were performed for the proposed site driveway intersections (Int. #6, #7, #8, #9, #10, #11, and #12) using *Synchro 9.0*. The results of the capacity analyses for this intersection (LOS, delay, and recommended laneage) are reported in *Section 6.3* of this report. Based on the Projected 2028 Build conditions, the proposed site driveway intersections are anticipated to operate at an acceptable level-of-service.

#### 8.0 IDENTIFICATION OF PROGRAMMED PROJECTS

According to ARC's Transportation Improvement Program, the Regional Transportation Improvement Program, GDOT's Construction Work Program (none at this time), City of Dunwoody's programmed projects, and the GA STIP, the following projects are programmed or planned to be completed by the respective years within the vicinity of the proposed development. The identified projects are listed in **Table 10** below.

		Р	Table 10 rogrammed Improvements
#	Year	Project ID	Description
1	2030	AR-409A	Revive 285 – I-285 North Corridor High Capacity Rail Service – Protective Right-of-Way Acquisition from Cumberland/Galleria Area to Perimeter Center
2	2030	AR-ML-200	Revive 285 – I-285 North Managed Lanes and Collector/Distributor Lane Improvements from I-75 North to I-85 North
3	2030	DK-401	Revive 285 – I-285 North Collector Distributor Lanes from Ashford Dunwoody Road to SR 141 (Peachtree Industrial Boulevard)
4	2040	DK-400	Revive 285 – I-285 North Bridge Replacement and Interchange Improvements at Ashford Dunwoody Road
5	2040	AR-410A	Revive 285 – I-285 North Corridor High Capacity Rail Service – Protective Right-of-Way Acquisition from Perimeter Center to Doraville
6	TBD	DK-440	Medical Center to Dunwoody MARTA Pedestrian/Bicycle and Transit Connectivity Improvements

Fact sheets for projects 1-6 can be found in Appendix F.

### 9.0 INTERNAL CIRCULATION ANALYSIS

Internal roadways throughout the site provide vehicular access to all buildings and parking on the site. The proposed site driveways will provide access to buildings on the site. A detailed copy of the proposed site plan with internal site roadways is provided in Appendix C and a full-sized site plan is attached to the report.

Mixed-use vehicle trip reductions were taken according to the *ITE Trip Generation Handbook, Third Edition, 2012.* Because the Third Edition does not include guidance on daily internal capture, the *ITE Trip Generation Handbook, Second Edition, 2004* was used for daily volumes. Total internal capture and vehicle trip reduction between the land uses is expected to be 1.86% daily, 2.20% for the AM peak hour, and 4.40% for the PM peak hour as a result of the anticipated interaction between the residential, office, retail, and restaurant land uses within the proposed development.

#### **10.0** COMPLIANCE WITH COMPREHENSIVE PLAN ANALYSIS

The project site currently consists of approximately 284,896 SF of occupied office space. 92,686 SF of this office space will be demolished and 192,210 SF will remain. The project site is currently zoned Office-Institutional (O-I) and is proposed to be zoned PC-2 (Perimeter Center, Subarea 2). The project site is also located in a Regional Center area and a Regional Employment Corridor area according to *PLAN 2040 Unified Growth Policy Map*.

The most recent LCI study for Perimeter CID, *Perimeter @ The Center – Future Focus* focuses on creating high density mixed-use transit villages surrounding MARTA stations that promote connectivity, specifically via pedestrian walkways. The Park at Perimeter Center development is consistent with the goals of the LCI as it consists of approximately 1.7 million square feet of mixed-use development. The land use maps are provided in Appendix B.



# тето

Re:	Park at Perimeter Center East – Shared Parking Analysis
Date:	October 11, 2017
CC:	To File
From:	Grubb Properties, Inc.
То:	City of Dunwoody

#### <u>Summary</u>

Grubb Properties ("Grubb") is advancing on the proposed rezoning of the site at The Park at Perimeter Center East in Dunwoody, GA that would create a master-planned, mixed-use development on the site currently improved with three office buildings. The plan calls for phased development of a maximum of 1,200 new multifamily units (for-sale, owner occupied and for-rent), a new office asset of 500,000 square feet, a new green space element to be enjoyed by the public, and structured parking to serve the current and new uses on site. The full development will maintain the office structures at 41 and 47 Perimeter Center East, but will likely involve the demolition of 53 Perimeter Center East.

#### **Proposed Shared Parking**

Grubb Properties is committed to the practice of utilizing shared parking between complementary uses in new development activity. Over the years, the firm has studied, perfected, and implemented structured shared parking facilities. The discipline helps to eliminate the overbuilding of parking spaces that is a significant generator of traffic. In addition, it brings sustainable development practices to sites that usually were home to under-utilized excess surface parking. The new elements can improve the local environment and storm water management system for an area.

Presently, The Park at Perimeter Center East is home to three office buildings with over 284,000 SF of office space and 1,086 surface parking spaces. The ratio of parking spaces per 1,000 SF of office space is 3.82, which is well above market standards and local building codes. For much of a typical day, parking space utilization is not heavy, and, the site was built during a time when storm water mitigation was not a core development principal.

Grubb has filed a petition to rezone the property to allow for the development of a master-planned, mixed-use development that would add multifamily residential and new office space to the property. The density of the site under such a plan would increase and be more in line with the development patterns of Perimeter Center. Per the building codes for the City of Dunwoody and the Perimeter Center Overlay, the site would be subject to minimum parking development standards. These standards require 2.5 spaces per 1,000 SF of office space and approximately 1 space per bedroom for multifamily. Given Grubb's proposal, the fully built site would contain 1,200 units of multifamily and nearly 700,000 SF of office space and require 3,682 parking spaces by code. Utilizing Grubb's shared parking model, the proposed development would include approximately 2,800 parking spaces. This would allow for a 3.2 spaces/1,000 SF of office and 0.5 spaces per unit during daytime usage. During night usage, the ratio would be 0.2 spaces per 1,000 SF of office and the balance for multifamily at a ratio of 2.2 spaces per unit. Both ratios are over the minimums required for their period of heaviest use. That would be 882 less parking spaces, or 24%, than required under the current building code. As the table on the following page will illustrate, this is achievable by pairing office and residential uses together. Each is a significant user of parking by itself, however, at different periods of the day. Office is a primarily daytime user of parking and multifamily is an evening and nighttime user. Sharing structured parking allows for the efficient and sustainable development of spaces that can serve each sufficiently at its peak utilization without overbuilding parking. With less overbuilt parking, there are fewer underutilized spaces which will help to eliminate unnecessary traffic.

Based on this analysis, Grubb would seek relief from the parking requirements as outlined in the Perimeter Center Overlay and approval to build shared structured parking.

#### Park at Perimeter Center East SHARED PARKING ANALYSIS

#### Stand-Alone with No Sharing

Multifamily	Size	1 BD	2BD	Guest	SPACE
warthanny	5120	50%	50%	Guest	51 AC
Units	1,200 Units	600 Units	600 Units		
Spaces Req'd.	1,200 01113	600 600	1,200	152	1,952
Spaces neg u.		000	1,200	152	1,557
Office	Size				SPACE
Square Feet	691,852 SF				
Spaces Req'd.	692	x	2.5 per 1,000 SF		1,73
Required Spaces pe	er Perimeter Center	Overlay			3,68
ared Parking					
<b>ared Parking</b> Daytime Usage	Size		Usage	Ratio	SPACI
-	Size 691,852 SF		Ŭ	Ratio 3.2 per 1,000 SF	SPACI
Daytime Usage			Ŭ		
Daytime Usage	691,852 SF		2,180 Spaces	3.2 per 1,000 SF	2,75
Daytime Usage Office Multifamily	691,852 SF 1,200 Units		2,180 Spaces 572 Spaces Usage	3.2 per 1,000 SF	2,75
Daytime Usage Office Multifamily Evening Usage	691,852 SF 1,200 Units Size		2,180 Spaces 572 Spaces Usage	3.2 per 1,000 SF 0.5 per Unit	2,75
Daytime Usage Office Multifamily Evening Usage	691,852 SF 1,200 Units Size 691,852 SF 1,200 Units	e	2,180 Spaces 572 Spaces Usage 156 Spaces	3.2 per 1,000 SF 0.5 per Unit 0.2 per 1,000 SF	2,75 SPAC
Daytime Usage Office Multifamily Evening Usage Office Multifamily	691,852 SF 1,200 Units Size 691,852 SF 1,200 Units d during Peak Usag		2,180 Spaces 572 Spaces Usage 156 Spaces	3.2 per 1,000 SF 0.5 per Unit 0.2 per 1,000 SF	SPACI 2,75 SPACI 1,44 2,75 2,79

	DeKalb County School District Zoning Review Comments	Analysis Da	ate: 10/6/2017
Submitted to:	City of Dunwoody	Parcel#	18 347 03 009/008/010
Name of Development: Location:	The Park at Perimeter Center East 41, 47, & 53 Perimeter Center East		
Description:	Mixed-use, infill development in the Perimeter Center Offic and 900 Owner-Occupied Flats.	e Park includ	ing 300 Rental Flats
Impact of Development:	This development, if approved, is expected to be home to The apartment block is expected to house a total of 27 stu	dents: 14 stud	dents at Dunwoody ES,

4 students at Peachtree Charter MS, 4 students at Dunwoody HS, 4 students at Dunwoody ES, 4 students at Peachtree Charter MS, 4 students at Dunwoody HS, 4 students at another DeKalb school, and 1 in a private school. The three condominium blocks are expected to house a total of 38 students: 13 students at Dunwoody ES, 3 students at Peachtree Charter MS, 7 students at Dunwoody HS, 2 students at another DeKalb school, and 8 students in private schools. Because all three neighborhood schools are over capacity, the additional enrollment from this development will require additional portable classrooms on the campuses.

Current Condition of Schools	Dunwoody ES	Peachtree Charter MS	Dunwoody HS	Other DCSD Schools	Private Schools	Total
Capacity	1,089	1,244	1,505			
Portable Classrooms	3	16	8			
Enrollment (Oct. 2017)	1,092	1,572	1,982			
Seats Available	-3	-328	-477			
Utilization (%)	100.3%	126.4%	131.7%			
New students from development	27	12	11	6	9	65
New Enrollment	1,119	1,584	1,993	]		
New Seats Available	-30	-340	-488			
New Utilization	102.8%	127.3%	132.4%			

Summary	of Student Calculati	ons	
	APT (300)	MF (900)	TOTAL
Dunwoody ES	14	13	27
Peachtree Charter MS	4	8	12
Dunwoody HS	4	7	11
Other DSCD Schools	4	2	6
Private Schools	1	8	9
Total	27	38	65

Ηοι	ising 1: 308 Apa	rtments		
Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
	0.047527	0.006031	0.002522	0.056081
Elementary				
Middle	0.012304	0.002895	0.001039	0.016238
High	0.011821	0.003378	0.001039	0.016238
Total	0.0717	0.0123	0.0046	0.0886
Student Calculations				
Proposed Units 300	7			
Unit Type APT				
Cluster Dunwoody	/			
	,			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	14.26	1.81	0.76	16.83
Middle	3.69	0.87	0.31	4.87
High	3.55	1.01	0.31	4.87
Total	21.50	3.69	1.38	26.57
	Attend Home	Attend other	Private	
Anticipated Students	School	DCSD School	School	Total
Dunwoody ES	14	2	1	17
Peachtree Charter MS	4	1	0	5
Dunwoody HS	4	1	0	5
Total	22	4	1	27

#### Housing 1: 308 Apartments

	Attend Home	Attend other	Private	
Yield Rates	School	DCSD School	School	Total
Elementary	0.013924	0.002532	0.003806	0.020262
Middle	0.008861	0.000000	0.001903	0.010764
High	0.007595	0.000000	0.002854	0.010449
Total	0.0304	0.0025	0.0086	0.0415
Student Calculations Proposed Units 900 Unit Type MF Cluster Dunwoody	]			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	12.53	2.28	3.43	18.24
Middle	7.97	0.00	1.71	9.69
High	6.84	0.00	2.57	9.40
Total	27.34	2.28	7.71	37.33
	Attend Home		Private	
Anticipated Students	School	DCSD School	School	Total
Dunwoody ES	13	2	3	18
Peachtree Charter MS	8	0	2	10
Dunwoody HS	7	0	3	10
Total	28	2	8	38

Housing 2: 900 Condo Flats

















METAL PANEL FIBER CEMENT MASONRY STRING LIGHTS MASONRY NATURAL STONE MASONRY FIBER CEMENT FIBER CEMENT MASONRY LARGE UNIT MASON	MASONRY MASONRY MASONRY STOOPS IRY MASONRY FIBER CEMENT STRING LIGHTS LA









February 22, 2018

The Hon. Mayor and City Council of Dunwoody 4800 Ashford-Dunwoody Road Dunwoody, GA 30338

Re: Park at Perimeter Center East Zoning Request

Dear Mayor Shortal and City Council Members,

I regret that I am unable to attend next Monday night's meeting due to a family obligation. However, I wanted to personally address a number of the comments and requests you made at our last meeting to see if we can satisfy these concerns. I have outlined my thoughts regarding what I heard from you below, but please don't take this as a comprehensive list as Todd Williams and other members of our team will be there to listen to any other concerns. They are as follows:

- The park, the bike path, and the pedestrian connections It is our intent to engage Copenhagenize, the world's premiere biking and pedestrian design experts out of Denmark, to make sure we have not only well-designed bike and walking paths, but ones that will truly entice many of our residents and tenants to choose walking and biking over driving. We believe great design will help to change habits and reduce the impact our development will have on the traffic and road infrastructure compared to a project without these types of goals and commitment.
- Given that traffic is a top concern, we are willing to make commitments in addition to the contribution we are making to the intersection improvement on Ashford-Dunwoody Road; the commitments to a design that doesn't follow the historical auto-centric designs but actually puts the pedestrian, the bicyclist and the transit user first; and the large lease we recently secured with Veritas, a company with few peak-hour commutes. To help further reduce the concern:
  - We will reduce the overall density of the residential portion by 220 units;
  - We will reduce the overall density of the office portion by 110,000 square feet; and
  - We will contribute another \$100,000 toward traffic calming, or ideally pedestrian or biking infrastructure improvements, within a half-mile of our site prior to pulling a permit for any additional office space, given that office, while the greatest benefactor for a municipality's bottom-line, is also the greatest generator of peak traffic.
- Given my inability to answer the Mayor's question about whether the 3-bedroom units would be rental or forsale, we would agree to reduce the total amount of our 3-bedroom units by 50% to just 5% of the entire residential portion of the development at build-out, which, when combined with the reduction in the total count of homes, should help alleviate this concern.
- As far as the specific request for law enforcement, we would offer a 50% discount on rent for officers in return for them performing some surveillance services. We would commit to two officers for this project, allowing one to cover when the other is unavailable. All other Dunwoody law enforcement officers would receive a 20% discount on any for-sale housing. We believe this commitment will help the City of Dunwoody attract and retain

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officers who want to be a part of the community and will also benefit the residents and workers in our development by providing enhanced public safety.

Grubb Properties will commit at least \$50,000 toward public art to be installed in the park space identified in the
project. This funding would be made in tandem with the construction of the park project, and would include a
process to engage the local arts community to generate excitement around the art, the park, and the
bike/pedestrian path.

I believe the above addresses the concerns I heard, with the exception of the rental versus for-sale issue, which I discuss more below. However, if I have missed anything else, I apologize and I hope that you will be able to reach a viable resolution with Todd Williams or defer final action until I am in attendance.

I would like to again address a few of the concerns over the mix of rental units versus condominiums. First, I neglected to mention that Grubb Properties is the single-largest seller of condominiums in North Carolina via conversion of rental to for-sale housing. As a company, we have sold over 3,500 condominiums that were initially built as rental units. We have found this to be a far superior business model to building ground-up for-sale condominiums, not only because of financing, but also because of the conflict that often arises from buyers putting deposits down on homes they have not seen. We have found that no matter how exact the plans are, the finished product is rarely what the buyer envisioned and buyer remorse occurs. As a result, the outcome is favorable for neither us nor the buyer. This has been exacerbated by how difficult it is for young folks to secure home loans today. With regards to the timing of converting rental units to condominiums, we will not build any additional rental units until the park is completed and enough units in the first phase have been converted to condominiums such that the total number of rental units does not exceed 280 units.

Second, I think it is important to understand the difference between the quality high-rise buildings we are proposing and those 1980s wood-frame apartments that were referred to as our neighbors in the meeting. The quality of a high-rise building like we have proposed is one that will be a true asset for Dunwoody. I believe the renderings we provided at our last meeting bear this out.

In addition, I have always believed that you don't want to discriminate on whether someone is a renter or a homeowner; you want to focus strictly on whether their home is an asset or a liability. We believe our professionally designed, high-quality buildings will not only be an asset once completed, but we pride ourselves on delivering buildings that actually improve over time. This is a philosophy rare among the development community which often embraces the concept "build them cheap and flip them quickly." Our mindset was driven into the DNA of our company by our former chairperson, Rochelle Grubb, and we embrace it because it is good for the communities we build, it is important to our reputation as we go to new communities and, importantly, it enhances the value of the adjacent buildings we will continue to own.

Finally, our approach to rental housing is unique. We have some of the highest standards for qualifying to move in to our properties of any management company, and we do more than any other company to create an authentic community. One of our rental properties has over 98 families who have lived there on average for over a decade because of our commitment to capping rents for any residents living with us for five years or longer. Our current product is designed primarily for the 35-and-under single female because she tends to be one of the best neighbors. She is often a school

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teacher, a nurse, or works in marketing. But more importantly, she is a wonderful neighbor to our second-mostattracted demographic, the recent retiree.

In summary, we want the City of Dunwoody to be as proud of our plans for The Park at Perimeter Center East as we are, and we are willing to spend the time necessary to make sure you are comfortable with our plans. Therefore, we are not asking for a rush vote on Monday night, but would welcome additional dialogue if folks still have concerns. Thank you for all you do to protect the future of Dunwoody. We have enjoyed being a part of the community for the last several years and look forward to remaining a part of it for many years to come.

Sincerely,

Cha

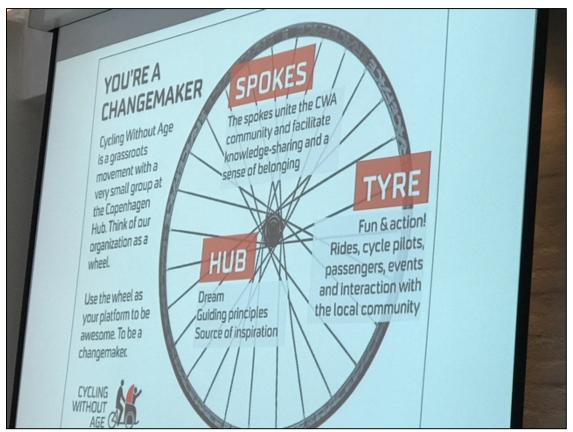
Clay Grubb, CEO

P.S. Being from the Barbecue Capital of the World, Lexington, NC, I look forward to serving Lexington's finest BBQ to the entire community at the grand opening of Dunwoody's newest 2-acre park at The Park at Perimeter Center East.

CC: Mr. Eric Linton Ms. Jessica Guinn Mr. Richard McLeod Mr. John Olson

### **Cycle Center**





## Morrison – Charlotte, NC



# **Ratcliffe – Charlotte, NC**



# Link Apartments<sup>®</sup> Glenwood South – Raleigh, NC







March 22, 2018

Dear Mayor Shortal and City Council,

There are two kinds of folks we find in most communities: those who look through the windshield at where the community is headed, and those who look in the rearview mirror at the way it has always been. At Grubb Properties, our motto is "People who care. Places that matter." We view ourselves as problem-solvers who truly enhance communities. We are not merchant builders who cut corners to maximize immediate returns. I think our reputation speaks for itself, but given that we are newer to Dunwoody, I would encourage you to call any of the following mayors to ask their opinions about having Grubb Properties in their communities:

- Mayor Knox White, Greenville, SC, (864) 467-4590
- Mayor Vi Lyles, Charlotte, NC, (704) 336-2241
- Mayor Allen Joines, Winston-Salem, NC, (336) 727-2058
- Mayor Pam Hemminger, Chapel Hill, NC, (919) 968-2714
- Mayor Nancy McFarlane, Raleigh, NC, (919) 996-3050

Over two years of meetings and discussions with many of you, your staff, other community leaders, and residents of Dunwoody, we have heard the following issues: 1) there is too much congestion, 2) there is not enough green space, and 3) the schools are overcrowded. I believe our plans will provide new solutions to Dunwoody to help mitigate these problems. In the interest of compromise, however, I would like to propose an alternative to our current zoning request. We would be willing to reduce our request to a single portion with 198 units in a high-rise tower, currently labeled as Block A. Given that home ownership is a core value of the Dunwoody community, we would build these as condominiums. However, acknowledging that 80% of Millennials, our core demographic, struggle with making their first home purchase, we would finance the units as rental units and then provide seller financing to make homeownership a reality.

We would commit to having every unit sold within five years of receipt of our permit to start construction. Grubb Properties has sold more than 3,500 condominiums under this exact strategy, so we are confident we will be successful. However, should we fail to complete the conversion within five years, we would contribute \$3,000 to the school system for each unsold unit, a risk of nearly \$600,000 in penalties. On top of that, we would have breached the trust between Grubb Properties and the City, which we realize could result in the City being unwilling to let us move forward with future phases of the project.

This revised proposal would allow us to develop trust with the City regarding our program, and would also benefit the community by mitigating the crime risk posed by a dark and vacant 18-acre surface parking lot. With the move of the City of Dunwoody from Park at Perimeter Center East, that site no longer has the crime deterrent of 100 parked police vehicles. Having residents living in and around the site will discourage any loiterers.

Building trust within a community is very important to Grubb Properties. The revised plan would allow us the opportunity to demonstrate the quality of the buildings we construct and to show how committed we are to the communities where we work. If the first phase is successful and we earn the trust of the community as expected, we will

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begin discussions about additional rezoning requests. This step will allow us to plan new infrastructure in and around Park at Perimeter Center East before making any major changes.

Rather than seeking to embrace the communities that are either looking out of the windshield or looking back in the rearview mirror, at Grubb Properties we are focused on a new perspective – one that involves getting folks out of their cars altogether. As part of that effort, we have enlisted Copenhagenize, an expert planning and design team that works to improve communities' mobility networks without relying on cars. Grubb Properties is the first private developer to work with this innovative group, showing our commitment to getting people out of their cars. We design our projects first for the pedestrian, second for the biker, third for the transit rider – and only after those three have been accommodated do we design for the car.

This requires some new thinking about transportation patterns on behalf of all of us, who too often get stuck on the design for the typical car-first model. Our goal is to get hundreds of Dunwoody residents to start walking and riding their bikes within their communities and to destinations like the restaurants and shops at Park Place and the Mall. With expert design and planning by Copenhagenize, using non-car forms of transportation will be easy, fun, and efficient.

The problem with studies is that they are based on what is in the rearview mirror. Some formula says if a development has 1,200 units, it must include 65 school kids. The reality is that the average four-bedroom townhome across the street is likely to include two to three kids per home, while the 480-square-foot studio high-rise apartment isn't likely to have a single school kid. My understanding is that the other high-rise residential community in the Dunwoody area has only two school-aged children in the entire building. In the last 1,079 units we built, only three kids are among the resident portfolio.

Most communities in America are seeing a decline in the number of elementary-school-age kids entering their school systems. I think it comes down to the simple fact that young people face economic barriers to having a baby, starting a family, and buying a home – the basic process of committing to a community like Dunwoody. We have seen a dramatic decline in birthrates over the past decade. The fact is that these young folks, as well as people looking to downsize, need a creative real estate company like Grubb Properties, which cut its teeth on helping families become homeowners, to give them more options for living in Dunwoody.

At Grubb Properties our vision is "working together to enhance life and community through the creation and management of exceptional real estate environments." I hope the City of Dunwoody will deem us worthy enough to allow us all to work together to enhance the Perimeter Center East neighborhood.

We would be happy to work with you and your staff to make the necessary adjustments to the proposed plans and conditions so they align with this suggested compromise. I look forward to the opportunity to discuss this in more detail with you Monday evening. Thank you for your time and consideration.

Sincerely,

Chan

**Clay Grubb** 

Atlanta | Cary | **Charlotte** | Lexington 4601 Park Road, Suite 450, Charlotte, NC 28209 | 704.372.5616 phone | 704.372.9882 fax | grubbproperties.com

From:	Kirk, David C.
To:	John Olson; Richard McLeod
Cc:	Clay Grubb; Todd Williams; Andrew Rosti
Subject:	Park at PCE - Request for Deferral
Date:	Monday, March 19, 2018 2:15:44 PM
Attachments:	image001.png

Dear John & Richard – As we discussed this morning, Grubb Properties respectfully requests the Mayor & Council defer consideration of the Park at Perimeter Center East Rezoning (RZ17-01) and Special Land Use Permit (SLUP 17-05 A, B, C) applications for a period of approximately 30 days to allow for further discussions and adjustments to the proposed plan of development. Of particular interest to the Grubb Properties team is the chance to engage in discussions directly with Mayor Shortal and the members of Council to determine how the project may be modified in order to gain their approval. We believe the proposed plan reflects both the letter and spirit of the PC-2 Zoning District and Perimeter Center Overlay recently adopted by the Mayor and Council and, consistent with that belief, both the staff and the Planning Commission have offered recommendations of approval, with reasonable conditions. Yet, despite several iterations of the plan in response to comments and questions raised by the Mayor and members of the City Council during public meetings, it seems we have yet to satisfy their concerns. We firmly believe direct discussions would be helpful to us and to the Mayor and Councilmembers interested in finding a path forward that works both for the City and for Grubb Properties. Accordingly, we remain committed to constructive dialogue with the Mayor and Council, staff, and other members of the community and are hopeful they will recognize this commitment, grant the requested deferral, and commit to such dialogue in the coming days.

Thank you for your continued thoughtful assistance with this important matter.

Best regards,

David

#### David C. Kirk

troutman sanders Direct: 404.885.3415 david.kirk@troutman.com

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From:	Clay Grubb
To:	Terry Nall; Kirk, David C.; Denis Shortal; Pam Tallmadge; Jim Riticher; Tom Lambert; Lynn Deutsch; John Heneghan
Cc:	Eric Linton; Jessica Guinn; Richard McLeod; John Olson; Todd Williams; Andrew Rosti; Emily Ethridge; Houston, Justin
Subject:	Re: Park at Perimeter Center East - Letter from Clay Grubb
Date:	Friday, March 23, 2018 6:22:53 AM

Terry,

Thank you for the detailed questions and I look forward to discussing them in person Monday night. As I mentioned initially, we believe a proposed redevelopment of the Park at Perimeter Center site should be built thoughtfully over a 10 to 15 year period. As we all know the only thing for certain is change and if we try to predict what the world will be like in a decade, the only thing I am certain about is that it will be different than I predict. While we believe we have created the best development plan for the site based on what we know today, we understand the City Council's reluctance to approve it all today and be at the mercy of a developer's whims a decade from now. Therefore, instead of asking for approval of our entire plan at one time, we thought it would make the most sense to ask for approval of just Phase I of the plan with the intention of coming back in 2 years to ask for Phase II, then in later years subsequent phases. This way the City Council controls how much new product is built at any given time and it eliminates the risk of approving some large portion of the property and it potentially being sold to a developer in which they are unfamiliar.

It is our goal for subsequent phases to be built as condominiums and not go through the rental conversion process, which we think will be easier to achieve once the product has been proven to be successful. However, we feel a real sense of urgency, given the amount of vacant surface parking that will be unoccupied late at night, to do something immediate. Therefore, to do this first phase we have to go through the rental conversion process because we are unable to secure financing for condominiums at this location at this point in the cycle. As a result, we have chosen to lower the density of Phase I for two reasons. The first is that having a smaller unit offering is easier to convert to condominiums than a larger building. The second reason was that a smaller building is not efficient to run as an apartment community; therefore, the City Council would have greater comfort in our being incentivized to convert to condominium ownership as quickly as possible.

I realize this doesn't answer all your questions and I look forward to discussing in person Monday night. Personally, I would love to see us approve just Phase I Monday night and not defer the petition any longer, but I also don't want to ask the City Council to approve anything they are not comfortable will enhance their community. It is my personal goal that Grubb Properties maintains control over all development rights and builds each phase out over the next fifteen years with City Council's blessing and support. It is my intent that we work together to create a better community and we are committed to bringing our resources to bear to play a more active role than you have seen from others in the development community.

Should have other questions prior to Monday, please feel free to email them. Otherwise, I look forward to seeing you Monday evening. Thank you for all your patience and consideration through this process.

Sincerely,

Clay

From: Terry Nall <Terry.Nall@dunwoodyga.gov>

Sent: Thursday, March 22, 2018 8:51 PM

To: Kirk, David C.; Denis Shortal; Pam Tallmadge; Jim Riticher; Tom Lambert; Lynn Deutsch; John Heneghan; Terry Nall Ce: Eric Linton; Jessica Guinn; Richard McLeod; John Olson; Clay Grubb; Todd Williams; Andrew Rosti; Emily Ethridge; Houston, Justin Subject: RE: Park at Perimeter Center East - Letter from Clay Grubb

David,

Thanks for passing on the latest letter. I have a few questions to help me understand the new details. I will ask these questions on Monday night at Council meeting, plus others I may have that night.

Would you please clarify. How many residential units are you proposing now? The reason I'm asking is what seems to be conflicting statements, as outlined below:

Excerpt #1: "We would be willing to reduce our request to a single portion with 198 units in a high-rise tower, currently labeled as Block A."...."However, should we fail to complete the conversion within five years, we would contribute \$3,000 to the school system for each unsold unit, a risk of nearly \$600,000 in penalties." (suggesting a max of 198 units).

Excerpt # 2: "Some formula says if a development has 1,200 units, it must include 65 school kids...In the last 1,079 units we built, only three kids are among the resident portfolio."

Unless I'm just misreading it, Excerpt #1 suggests you're reducing total units down to 198. Excerpt #2 is generic formula discussion, but sounds like you're still thinking well over 1,000 units.

Regardless of how many residential units you plan overall, your letter suggests you're still building all residential units as rental units with the idea of converting later to owner-occupied condominiums. Am I correct or will you build any as owner-occupied condos from the very beginning without going through the rental mode?

Lastly, is your request still for an entitlement of the entirety of the acreage and if so, are you still planning a mixed ownership structure that might spin off parcels to other developers before constructing the site plan? Unless I missed it, your letter didn't address this, which was a question from our last Council meeting.

As a friendly reminder, this Monday will be our third Council meeting to discuss this request and per your letter's request, would be yet another deferral, if granted, and lead to a fourth Council meeting.

Terry Nall Dunwoody City Council Member (At Large) Cell: (404) 915-6693 Email: Terry.Nall@DunwoodyGA.gov

From: Kirk, David C. [david.kirk@troutmansanders.com] Sent: Thursday, March 22, 2018 5:58 PM To: Denis Shortal; Pam Tallmadge; Jim Riticher; Tom Lambert; Terry Nall; Lynn Deutsch; John Heneghan Cc: Eric Linton; Jessica Guinn; Richard McLeod; John Olson; Clay Grubb; Todd Williams; Andrew Rosti; Emily Ethridge; Houston, Justin Subject: Park at Perimeter Center East - Letter from Clay Grubb

Dear Mayor Shortal and Members of Council -

On behalf of the Grubb Properties team, I want to provide you with the attached letter from Clay Grubb describing the result of our continued good faith efforts to address the concerns expressed by many of you at the recent Council meetings. The letter proposes a significant reduction in the scope and scale of the application that is before you. Please give this proposal your thoughtful consideration. Mr. Grubb will be at Monday evening's meeting and looks forward to the opportunity to discuss this proposal in more detail, whether through direct remarks or in response to questions you may have.

Should you have any questions prior to Monday's meeting, please do not hesitate to contact Mr. Grubb, any member of the Grubb team, or me.

We look forward to seeing you this coming Monday evening.

Best regards,

David

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