

MEMORANDUM

To: Planning Commission

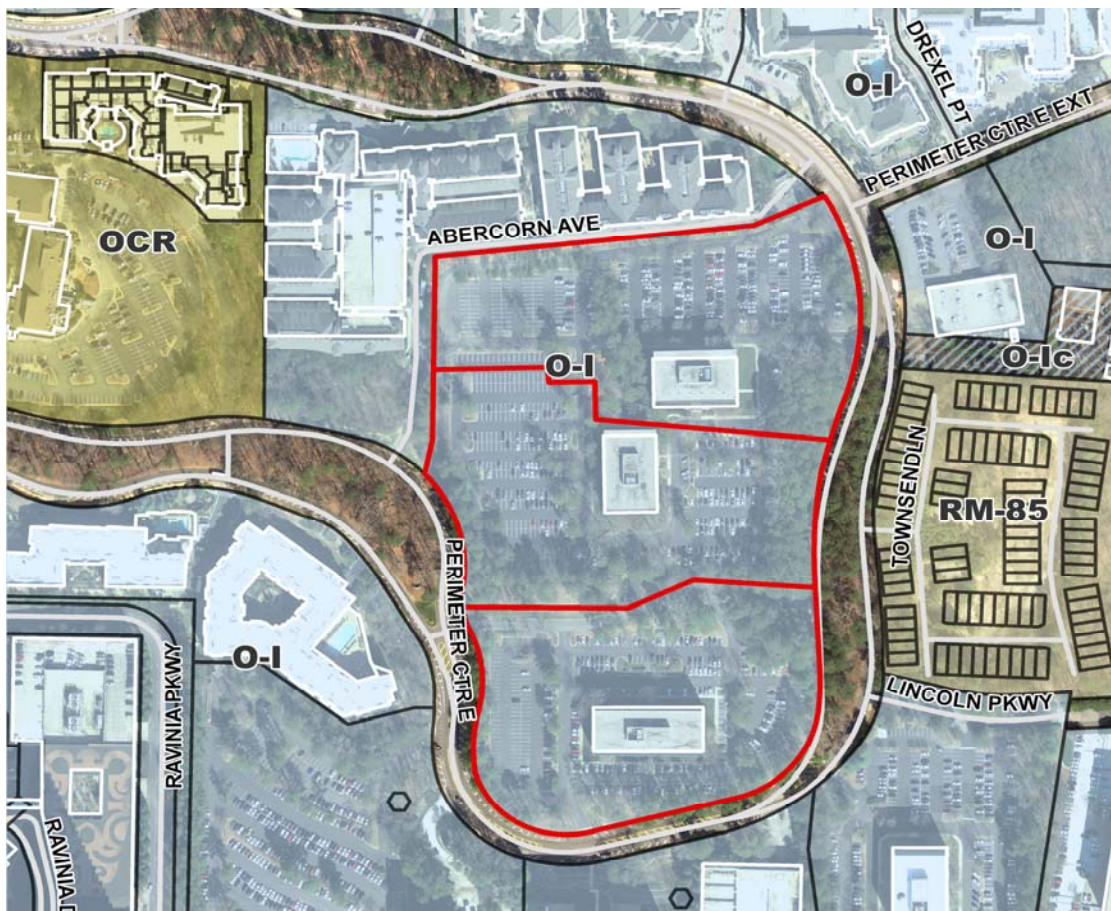
From: John Olson, AICP

Date: October 9, 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. **RZ18-02:** To rezone a property currently zoned O-I (Office-Institution) District to a PC-2 (Perimeter Center, Subarea 2) District.
2. **SLUP 18-02 A):** Special Land Use Permits from Chapter 27, Section 27-104(f)(2) to permit a Development of Regional Impact; and
3. **SLUP 18-02 B):** 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.



BACKGROUND

The subject property is approximately 19.4-acre site that consists of three tracts, near Ashford Dunwoody Road and I-285. The site is bounded along the north by Abercorn Avenue, a private and gated road used exclusively by residents' of the Savannah at Park Place apartments. The remainder of the site is encircled by Perimeter Center East, a four lane divided parkway. According to DeKalb County records, the project site contains two six-story office buildings that were constructed in 1974; further south, there is a five-story office building 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 subject to the City's stream buffer regulations.

There is an 87-unit townhome development under construction to the east, and five-story apartment complexes found to the north and west of the project site. To the south there is a 15-story, 381,432 square foot, glass office tower that is currently occupied by State Farm. The Ravinia Office park, which consists of three high-rise office buildings totaling 1.6 million square feet, is found past the Bell Perimeter Center Apartments, to the southwest of the site. This office park includes 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, the site 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 (Office-Institutional) zoning classification to the PC-2 (Perimeter Center District, Subarea 2) zoning classification. In addition, two Special Land Use Permits ("SLUP") have been submitted. These SLUP applications are submitted because: 1) the project qualifies as a Development of Regional Impact ("DRI"), whereby a SLUP is required per section 27-104(f)(2) of the Zoning Ordinance; and 2) a SLUP is required to modify the build-to-zone to achieve a desired urban character. Staff would note that the build-to-zone is identified as a range of specified building depth, as measured from the back of the street frontage, in which a certain percentage of the front building facade must be located. Section 27-105(b)(2)b requires that 50% 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 from 10'-30' to 0'-30'.

Grubb Properties is seeking to redevelop a largely underutilized and outdated office park into a vibrant mixed use development. As indicated on the submitted site plan, the owner plans to build four residential buildings with a maximum height of 14 stories and eight townhome units. In total, the residential buildings will contain a maximum of 900 new residential units, all of which will be for sale condo units. Two of the existing office buildings (Buildings 41 and 47), will remain. Along the south portion of the site, one five-story, 92,686 square foot office building (Building 53), will be eventually demolished to make way for a new 19-story office tower, containing up to 500,000 square feet of class A office space. 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, and residential 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 also includes more than 2 acres of park space with amenities. The owner has agreed to construct a pedestrian crossing over Perimeter Center East into a newly constructed 12-foot multi-use path that will bisect the subject property, and longer-term could extend to the Perimeter Mall and MARTA. Parking for the development will be shared amongst three parking decks that will not exceed a maximum of five stories. Also, several onstreet parking spaces will be included into the new street designs. Depending on financing availability for the residential units and market conditions, the project will be developed in phases with project build-out estimated to be achieved in approximately 10 years.

A Development of Regional Impact ("DRI") was reviewed by the Atlanta Regional Commission ("ARC") based upon the previous 2017 rezoning and SLUP applications for the project site that were withdrawn without prejudice in March 2018. As demonstrated through documentation submitted with the application, ARC has determined that the new proposal is not substantially different from the original DRI, as the mix of uses, site access, street layout has generally not changed; as well, the number of residential units is decreasing from 1,200 to 900 units. Because the ARC considers increases in project size when making its determinations, the initial 2017 DRI review remains valid with the updated proposal and no new review is deemed warranted.

PARKING ANALYSIS

Park at Perimeter Center East

SHARED PARKING ANALYSIS

Stand-Alone with No Sharing - PCE Overlay Requirements

Multifamily	Size	1 BD	2BD	Guest	SPACES
		50%	50%		
Units	900 Units	450 Units	450 Units		
Spaces Req'd.		450	900	152	1,502
Office	Size				SPACES
Square Feet	691,852 SF				
Spaces Req'd.	692	x	2.5 per 1,000 SF		1,730
Required Spaces per Perimeter Center Overlay					3,232

Shared Parking

Daytime Usage	Size	Usage	Ratio	PCE Requirement	SPACES
Office	691,852 SF	2,044 Spaces	3.0 per 1,000 SF	1,730 Spaces	
Multifamily	900 Units	330 Spaces	0.4 per Unit		2,374
Evening Usage	Size	Usage			SPACES
Office	691,852 SF	156 Spaces	0.2 per 1,000 SF		
Multifamily	900 Units	1,284 Spaces	2.5 per Unit	1,502 Spaces	1,440
Max Spaces Needed during Peak Usage					2,374
Proposed Shared Parking Spaces Constructed					2,393
Excess					19 Spaces

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 900 units of multifamily, and 691,852 SF of office, which would require 3,232 parking spaces by code. Utilizing Grubb's shared parking model, the proposed development would include approximately 2,393 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 3.0 spaces/1,000 SF of office and 0.4 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 2.5 spaces per unit. Both ratios are over the minimums required for their period of heaviest use. That would be 858 less parking spaces, or 27%, 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 10,551 trips and 9,157 new trips to the site. Off these trips, there are expected to be 623 new entrances and about 387 exits during peak morning hours. During peak evening hours, the numbers flip to 384

entrances and close to 627 exits. A breakdown of the site trip generation is highlighted in table 2 below:

Table 2: Trip Generation Summary: Revised 2018 Site Plan Density								
Land Use	Density	Daily Trips (24 Hours)	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Apartment (ITE 220)	900 units	5,578	445	89	356	513	333	180
General Office Building (ITE 710)	500,000 SF	4,461	693	610	83	638	108	530
Shopping Center (ITE 820)	12,000 SF	512	12	7	5	45	22	23
Total Gross Trips		10,551	1,150	706	444	1,196	463	733
<i>MIXED USE REDUCTIONS – Total</i>		<i>-226</i>	<i>-28</i>	<i>-14</i>	<i>-14</i>	<i>-60</i>	<i>-30</i>	<i>-30</i>
<i>ALTERNATIVE MODE REDUCTION – Total</i>		<i>-1,032</i>	<i>-112</i>	<i>-69</i>	<i>-43</i>	<i>-115</i>	<i>-44</i>	<i>-71</i>
<i>PASS-BY REDUCTION – Total</i>		<i>-136</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>-10</i>	<i>-5</i>	<i>-5</i>
Net New Trips		9,157	1,010	623	387	1,011	384	627

Overall, the 2018 proposed densities are projected to reduce project trips by 15% or 1,768 less total daily trips than the original densities proposed in 2017. Also, the 2018 proposed densities are projected to generate approximately 133 less total AM peak hour trips and 149 less total PM peak hour trips than the original proposal.

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.

SURROUNDING LAND ANALYSIS

Direction	Zoning	Use	Current Land Use
N	O-I	Apartment Complex	Multi-family
S	O-I	Office Building	Office
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, 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. Because the 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. 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, and furthering the goal of eventually achieving full walkability along a 12-foot path from the Georgetown area to the Perimeter Mall. 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. The desire to have housing, combined with a mix of office uses and retail uses within walking distance nearby, align with 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, and multi-unit buildings (owner occupied) are permitted by right. Also, the PC-2 District requirements for building heights would permit the 14-story residential towers 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 made up of an underdeveloped office complex. Due to its size, and surface parking infill potential, it would appear that the site has adequate land area for a proposed 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:

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

The 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.

- b. 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 1.38 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 relation to the PC-2 district requirements for building height and 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, mixed in with 1970's suburban 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 non-motorized 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 fact that this project is in early stages of review, 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 to be stop controlled and are anticipated to operate at an acceptable level-of-service at 2028 build out. Further, enhancements to the area 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".
2. 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 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, but is considered underutilized in term of meeting is full development potential. The request for rezoning to a PC-2 district is intended to align with the future land use policies of the Dunwoody 2015-2025 Comprehensive Plan and Perimeter Center Regulations. Furthermore, it will transform a suburban office complex into a livable job center, meeting the goals of the Perimeter LCI study.

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.

5. 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 policies of the Comprehensive Plan and recently adopted Perimeter Center zoning regulations, which provides support for approval.

6. 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 9,157 motor vehicle trips on to Perimeter Center East Road. In regards to schools, over the ten-year period for build out the number of public-school students will increase from zero in the initial years to 110 by the tenth year; this translates to an average growth of 11 students per year over the period. Due to the slow gradual increase over time, and fact that condo units attract fewer school age children (i.e. in 2018 the Manhattan condo development in Dunwoody only has 3 school aged children), it is anticipated that the additional enrollment from this development will not burdensome to the schools.

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 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 August 28, 2018

EXHIBIT B: Phasing Plan, completed by Kimley Horn, dated August 28, 2018

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 900 residential units in four stand-alone multi-story buildings, together with accessory space and associated parking structures, one of which will be lined with residential units along its frontage (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 height of the 20-story office tower found on the southern portion of the site as depicted in Exhibit “A” is hereby approved as a condition of zoning;
3. Two Special Land Use Permits, as more specifically described in the Application materials submitted in support of Cases SLUP 18-02A and SLUP 18-02B, 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 8, shall be developed concurrently with the adjacent phase of Development; provided, however, the 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 least fifty percent (50%) of the ground level north-south secondary linear street frontage of residential buildings B1, B2, and D1 as shown on the Conceptual Site Plan, together with the frontage of the townhomes lining Deck B, 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 (which shall not be required to meet the 20-foot depth requirement). At least 100 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;
6. 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;

7. 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;
8. 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;
9. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City to contribute no more than \$100,000 toward the design and construction of additional transportation infrastructure improvements located in the vicinity of the Development, such improvements to be determined and constructed by the City;
10. 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;
11. 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;
12. 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;
13. 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;
14. 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.
15. 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;
16. 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 consult with the Community Development Director, the Director of Public Works, and the Police Chief and/or Fire Chief prior to limiting 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;

17. 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;
18. 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;
19. 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;
20. The Owner will commit at least \$50,000 toward public art to be installed in the Main Park shown on the Conceptual Site Plan (Exhibit "A"). The Owner shall provide these funds in tandem with the construction of the Main Park and shall include a process to engage the local arts community to generate excitement around the art, the Park, and the bike/pedestrian path;
21. To the extent permitted by law or regulation, no more than ten percent (10%) of the residential units in the proposed development may be made available for rent by the owner(s) of such units at any one time. This requirement shall be included in any governing documents of any Property Owners' Association or Condominium Association, as applicable, to be formed in connection with this proposed development; and
22. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City to contribute up to fifty percent (50%) of the funds needed for the design and construction of a "best practices" multi-use bicycle facility connecting the Subject Property along Perimeter Center East to its southern intersection with Ashford-Dunwoody Road, such improvement to be designed and constructed at the direction of the Owner. Construction of this improvement shall begin no later than the date on which the Land Disturbance Permit is issued for the new office building designated as "Block D2" on the Site Plan, provided the City contribution has been made and the City has acquired any right-of-way necessary for the construction of such improvement. In no event shall the total of such contribution by the Owner exceed \$175,000.

Attachments

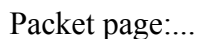
- Exhibit A: Site plan, completed by Kimley Horn, dated August 28, 2018
- Exhibit B: Phasing Plan, completed by Kimley Horn, dated August 28, 2018
- SLUP Application Packet
- Rezoning Application Packet
- Map
- Summary of Major Differences Between 2017 and 2018 Proposals
- Project Renderings
- Build-to-zone Site plan



Community Development

- Perimeter Center Overlay and Districts
- Dunwoody Comprehensive Plan Excerpt
- Shared Parking Analysis
- Future Multi-Use Trail

4800 Ashford Dunwoody Road
Dunwoody, GA 30346
Phone: (678) 382-6800
dunwoodyga.gov

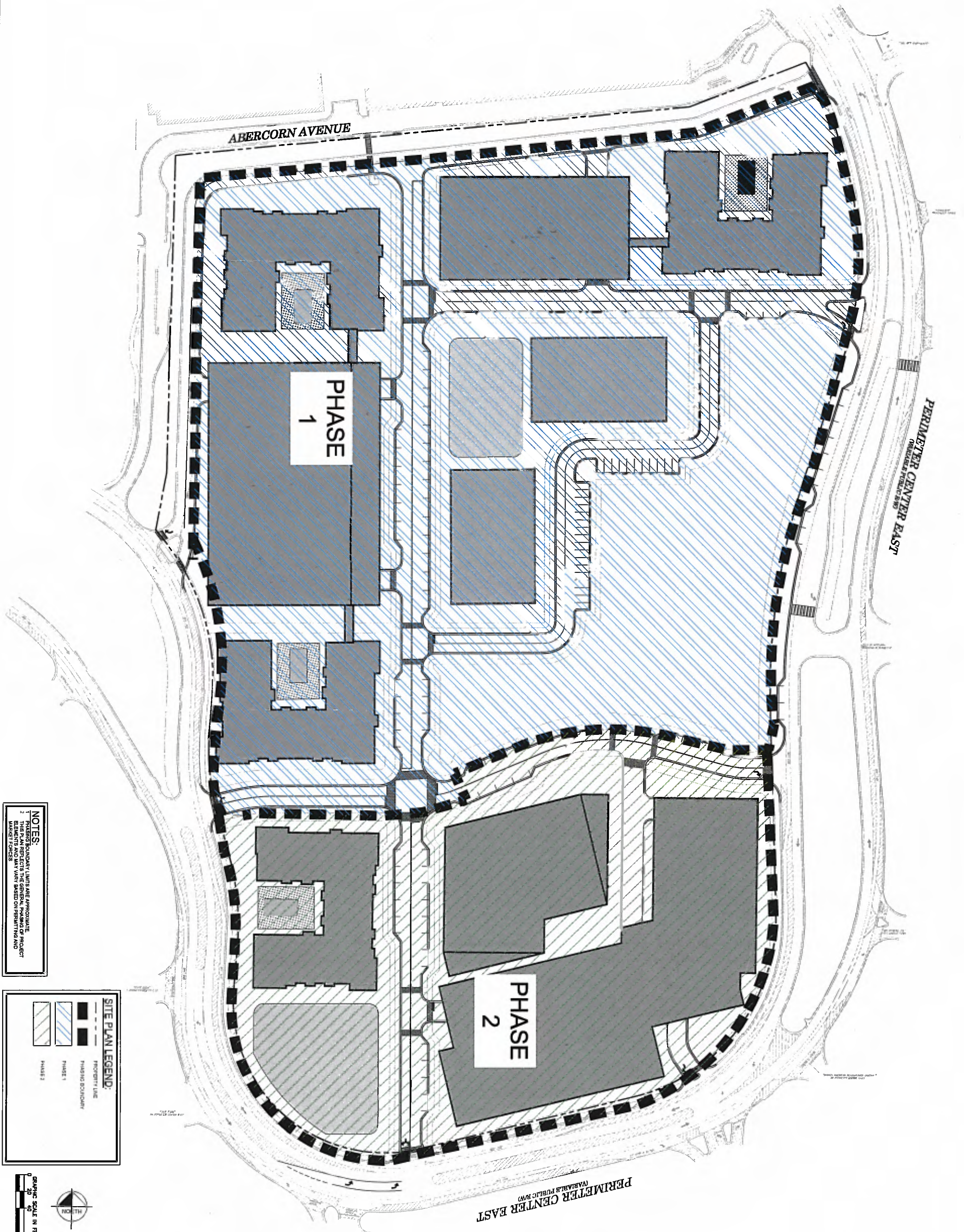


Drawing name: K:\CHL_P\1016740000_The Park\CA07\PlanSheets\30x42 drawings\2.00_TREE REPLACEMENT PLAN.dwg TREE REPLACEMENT PLAN Aug 29, 2016 4:23pm by carolyn.broder
This document together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and/or reference to this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Drawing name: K:\CHL_PRA\018740000_The Park\CAD\PlanSheets\30x42 drawings\C2-00 - SITE PLAN.dwg C2-01 - PHASING PLAN Aug 28 2018 9:06am by: Justin Houston

This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and/or reference to this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



NOTES:
1. PHASE BOUNDARY LIMITS ARE APPROXIMATE.
2. THIS PLAN REFLECTS THE GENERAL PHASING OF PROJECT BASED ON AVAILABLE INFORMATION.
3. BASED ON AVAILABLE INFORMATION.



SITE PLAN LEGEND:

- PROPERTY LINE
- PHASING BOUNDARY
- PHASE 1
- PHASE 2

GRAPHIC SCALE IN FEET

0 20 40

North Arrow

SHEET NUMBER C2-01	PROJECT THE PARK 41 47 & 43 PERIMETER CENTER EAST	CLIENT  GRUBB PROPERTIES 4601 PARK ROAD, SUITE 450 CHARLOTTE, NC 28209 PHONE: (704) 372-5616	SCALE 1" = 40'	DRAWN BY EF	DESIGNED BY JH	CHECKED BY JH	 © 2018 KIMLEY-HORN AND ASSOCIATES, INC. 817 W. PEACHTREE STREET, NW THE BILTMORE, SUITE 601 ATLANTA, GEORGIA 30308 PHONE (404) 419-8700 WWW.KIMLEY-HORN.COM	7		
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DATE 08/28/2018 PROJECT NO. 018740000	TITLE GENERAL PHASING PLAN							2		
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								REVISIONS	DATE	BY

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

troutman.com



David C. Kirk
david.kirk@troutman.com

September 4, 2018

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: Special Land Use Permit Applications 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, Inc. (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 two attached Special Land Use Permit ("SLUP") applications. These SLUP applications are submitted because: (1) 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 (2) 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 mixed-use development providing an attractive, sustainable, functional and pedestrian-friendly environment; a mix of Class A office, owner-occupied residential, and active streetfront 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 two completed Special Land Use Permit Applications (one each for the DRI and the Build-to Zone adjustment) bearing all necessary notarized signatures of the Owner and Applicant. 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 you know, the design documents presented during a zoning proceeding such as this are conceptual in nature. Further revisions and additional changes to some of these documents may occur as a result of review and comment by staff, members of the Planning Commission, citizens, and elected officials during the continued public review process, as well as from ongoing coordination with other agencies having review authority over various aspects of the redevelopment project. It is also possible changes may occur due to further design refinements by the Applicant and its design team. Should such changes occur we will provide additional supplemental information and documentation as needed.

Description of the Proposed Project

The proposed project (the "Project") consists of the redevelopment of a 19.4-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, will remain. 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; along with associated active streetfront space, structured parking (including one parking structure incorporating townhome units along its street frontage), streetscape, landscape, green space, and bicycle/pedestrian improvements. In total, the project is proposed to include up to 900 residential units, all of which will be "for sale" units. As indicated on the Phasing Plan submitted in connection with the requested rezoning, the Project will be developed in phases. If approved by the Mayor and Council, it is anticipated construction will begin in 2020 and Project build-out will be achieved in approximately ten years, depending on the availability of financing for the residential units and other 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 has separately submitted a request to rezone the Subject Property to the PC-2 (Perimeter Center District, Subarea 2) zoning classification in addition to its request for the Special Land Use Permits described herein.

Description of Requested Special Land Use Permits

Because the proposed project is of sufficient scale to warrant a Development of Regional Impact ("DRI") review, the Applicant is required to submit a Special Land Use Permit ("SLUP") application for the DRI, as required by Section 27-104(f)(2) of the Zoning Ordinance. Additionally, in order to create the desired urban character for the project, a SLUP application is included 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.

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 active streetfront 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 residential component, 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 bicycle and 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 bus and rail 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.

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 summary 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 the proposed height for the proposed new office building in the Project exceeds the maximum permitted height by right, the Applicant has respectfully requested additional height be granted to that specific building through a zoning condition.

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 19.4-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 active streetfront 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 will 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 previously prepared for this project fully describes and evaluates the traffic impacts of the proposed development and recommends 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 new buildings on the site proposed to be located away 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 non-motorized 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 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 for a virtually identical project previously proposed by the Applicant in 2017, the impact of the proposed development on surrounding transportation facilities was evaluated under the Development of Regional Impact Review process. As demonstrated through documentation submitted with the rezoning application, the Atlanta Regional Commission has confirmed the initial DRI Review (DRI #2691)

and conclusions remain valid. In addition, a supplemental traffic analysis memorandum submitted with the rezoning application concludes the currently proposed densities will reduce project trips by approximately 15% compared to the previous proposal. 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.

l. 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. 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 with 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.

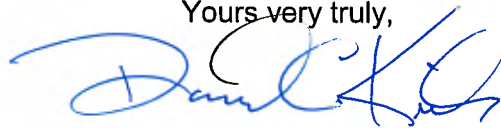
The proposed buildings should not create any negative shadow effects on any adjoining lots or buildings. The proposed residential buildings within the Project are not proposed to exceed the permitted height of the PC-2 district. The only building proposed to exceed the current maximum height, thus giving rise to the Applicant's request for a condition of zoning

allowing this slight height increase, is the proposed new office building located on the southern portion of the project near similarly-scaled buildings on nearby parcels located across Perimeter Center East. This building is proposed to not exceed 20 stories in height. 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 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

DRI

SPECIAL LAND USE PERMIT APPLICATION



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

* Applicant Information:

Company Name:	Grubb Properties, Inc.		
Contact Name:	David C. Kirk (Attorney for Applicant)		
Address:	Troutman Sanders LLP, 600 Peachtree Street, Suite 3000, Atlanta, GA 30308		
Phone:	404-885-3415	Fax:	404-962-6794
Email:	david.kirk@troutman.com		
Pre-application conference date (required):	July 31, 2018		

* Owner Information: ☐ Check here if same as applicant

Owner's Name:	PCE Atlanta Office, LLC		
Owner's Address:	c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209		
Phone:	704-372-5616	Fax:	N/A
Email:	poshaughnessy@grubbproperties.com		

* Property Information:

Property Address:	41, 47, 53 Perimeter Center East	Parcel ID:	18 347 03 010 18 347 03 009 18 347 03 008
Zoning Classification:	O-I (Rezoning Application submitted to change to PC-2)		
Requested Use of the Property:	Mixed-Use Development (office, residential, active street-level uses, structured parking, and park / greenspace)		

* Applicant Affidavit:

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

Applicant's Name:	David C. Kirk, as Attorney for Grubb Properties, Inc. and PCE Atlanta Office, LLC		
Applicant's Signature:		Date:	8/31/2018

* Notary:

Sworn to and subscribed before me this	31st	Day of	August	, 2018
Notary Public:	Gail H. Martin			
Signature:				
My Commission Expires:	3/27/2020			

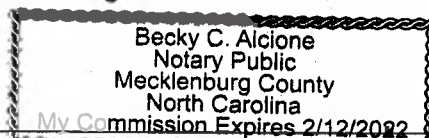
* Owner Affidavit:

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

Property Owner's Name:	Dan Schumacher - EVP, Grubb Management Inc. on behalf of PCE Atlanta Office LLC		
Property Owner's Signature:		Date:	8/29/18

* Notary:

Sworn to and subscribed before me this	29	Day of	August	, 2018
Notary Public:	Becky C. Alcione			
Signature:				
My Commission Expires:	2.12.22			





Additional Property Owner(s) Notarized Certification

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

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

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public: _____

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public: _____

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public: _____



Additional Applicant Notarized Certification

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

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

* Applicant:

Applicant Name: _____		
Signature: _____	Date: _____	
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		

* Applicant:

Applicant Name: _____		
Signature: _____	Date: _____	
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		

* Applicant:

Applicant Name: _____		
Signature: _____	Date: _____	
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		



Campaign Disclosure Ordinance

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.



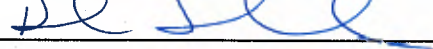
Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
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:** Dan Schumacher - EVP, Grubb Management Inc. on behalf of PCE Atlanta Office LLC

Signature:  Date: 8/29/18
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



Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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:

David C. Kirk, Attorney for Applicant

Signature:

David C. Kirk

Date:

8/31/2012

Address:

600 Peachtree Street, NE, Suite 3000, Atlanta, Georgia 30308

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

Date	Government Official	Official Position	Description	Amount

Exhibit A

Conceptual Site Plan

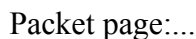


Exhibit B

Conceptual Landscape Plan

Drawing name: K:\CHL_PRJ\18740000_The Park\CAD\Drawings\200 TREE REPLACEMENT PLAN.dwg TREE REPLACEMENT PLAN Aug 29, 2018 4:23pm by caroline broder
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Please do not reproduce or use this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. It shall be without liability to Kimley-Horn and Associates, Inc.



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 a Zoning Amendment 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 Zoning Amendment/SLUP application is within 500 feet of property zoned for residential purposes. In the case of the current proposal, property located directly across Perimeter Center East from the Subject Property is within 500 feet and is zoned RM-85 (Multi-Dwelling Residential-85). This property 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, property 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 Tuesday, July 31, 2018. 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 July 11, 2018. 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 July 18, 2018 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 July 31, 2018 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 on August 5, 2018, made a presentation about the proposal, and answered attendees' questions.

3. Who was involved in the discussions?

At the Applicant-Initiated Meeting held on July 31, 2018, Applicant representatives included two representatives of the Property Owner/Applicant, two civil engineers working on the project, two of the project's architects, and the project's land use attorney. The meeting was attended by numerous community members and neighbors, including representatives of the Dunwoody Homeowners' Association, an employee of the DeKalb School Board, a member of

the local press, and several interested neighbors and residents. A sign-in sheet indicating the names of those in attendance is attached as Attachment "C - 4" to this summary report.

4. Suggestions and concerns raised by neighbors.

Following a presentation by a representative of Grubb Properties at the Applicant-Initiated Meeting, questions were raised about the timing of project implementation, the absence of residential units along the frontage of the parking structure facing the new north-south secondary street ("Deck B"), the absence of physical links between the parking structures and the residential buildings, the scale and mass of the southernmost deck ("Deck D"), and the potential for activating roof areas, in particular, those of the parking decks.

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

(a) The Applicant's representative explained that the elimination of the previously proposed rental residential component of the development will require the presale of approximately fifty percent (50%) of the units before a lender is likely to provide financing for that residential building. As such, the timing of project implementation is tied to factors not under the Applicant's control (i.e., market demand and financing institutions) and, unfortunately, no reasonable security can be offered as to a start date as it is not under the Applicant's control. Applicant stated that its goal is to build out the residential component of the Project as expeditiously as possible under existing market conditions.

(b) Regarding the concerns concerning the proposed elimination of residential units along the frontage of Deck B, the proposal has been modified to add up to eight (8) residential units (townhomes) along this frontage, to be built concurrently with the parking structure. The total number of units requested will remain at 900 units.

(c) Regarding the concerns expressed about the physical links between the parking structures and the residential buildings they serve, the project's design team has added such connections to accommodate residents.

(d) Regarding the concerns expressed regarding scale of Deck D, it was explained that the footprint shown is the maximum footprint based on a full buildout of 500,000 square feet of office. Should the envisioned anchor tenant require less square footage, the deck would shrink accordingly. Note that the illustration provided at the meeting was conceptual in nature and indicated the absolute maximum size of the deck whereas, in reality, it should ultimately have a smaller footprint. Much of the final scale and design of the deck will be dependent on the design preferences and parking needs of the future office building tenant, and there are options for reducing this footprint once the needs of the tenant are identified.

(e) Regarding the activation of roofs, the applicant explained at the meeting that green roofs would not be an option for the residential buildings due to various concerns, including water infiltration. The revised rendering shows the potential for covered parking using solar panels on the parking deck in response to the concern raised.

Attachment C – 1

Balasubramanian Madivanan
Chitralekha Madivanan
4487 Village Springs Run
Dunwoody, GA 30338

William S. Bulpitt
Judith H. Martin
4491 Village Springs Run
Dunwoody, GA 30338

Igor Lapayeva
Marina Lapayeva
4495 Village Springs Run
Dunwoody, GA 30338

Michael Rosen
4017 Townsend Lane
Dunwoody, GA 30346

Ajay Rachmalla
Swapna Pothedar
4009 Townsend Lane
Dunwoody, GA 30346

Shengchun Liu
4013 Townsend Lane
Dunwoody, GA 30346

Malcolm Farokh Elavia
Manissha Malcolm Elavia
4467 Village Springs Run
Dunwoody, GA 30338

Dineshkumar Patel
4481 Village Springs Run
Dunwoody, GA 30338

James H. Cowart
PO Box 88243
Atlanta, GA 30356

Robert Ledford
Lona Ledford
4373 Old Georgetown Trail
Dunwoody, GA 30338

Emerald Capital Investments
4060 Peachtree Road NE
Atlanta, GA 30319

Dickie L Slack
Ladonna Cherie Porter
4516 Timberlake LN
Kingsport, TN 37664

Jonathan Waldman
Ashley Waldman
4404 Old Georgetown Trail
Dunwoody, GA 30338

David R. Jones
Jamie Jones
4412 Old Georgetown Trail
Dunwoody, GA 30338

Jose A. Lopez-Zeno
Nora V. Sandoval
4420 Old Georgetown Trail
Atlanta, GA 30338

Katie E. Gangell
4361 Old Georgetown Trail
Dunwoody, GA 30338

Aaron Baird
Samantha Nowak
4351 Old Georgetown Trail
Dunwoody, GA 30338

Shelley Noble
4341 Old Georgetown Trail
Dunwoody, GA 30338

Melissa A. Stavropoulos
1463 Old Spring House Lane
Dunwoody, GA 30338

Kenneth R. Odom, Jr.
Christine S. Odom
1475 Old Spring House Lane
Dunwoody, GA 30338

Beverly Mack
1470 Old Spring House Lane
Dunwoody, GA 30338

Regina Hauck Hennessy
4362 Congress Court
Dunwoody, GA 30338

Judy Rivera
Velazquez Roman Modesto
4370 Congress Court
Dunwoody, GA 30338

Seth Morris
Lindsay Morris
1506 Congress Circle
Dunwoody, GA 30338

Shirley M. Thompson
1494 Congress Circle
Dunwoody, GA 30338

54 Perimeter Acquisitions LLC
1100 Peachtree Street NE
Atlanta, GA 30309

Attachment C – 2

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

Wednesday, July 11, 2018

VIA FIRST CLASS U.S. MAIL**Invitation to Community Meeting – Applications for Rezoning and Special Land Use Permits: 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, active street-level uses, 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). In addition, we will be requesting approval of two Special Land Use Permits related to the project.

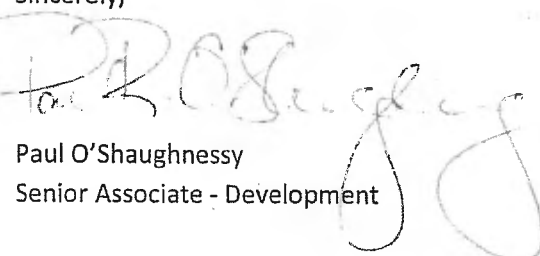
As part of the process, we are holding a community meeting to help inform you about the proposed project, inform ourselves about your interests and concerns regarding the project, provide an opportunity for you to ask questions, and create a forum through which we can begin efforts to resolve any concerns. 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: Tuesday, July 31, 2018
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 July 31.

Sincerely,



Paul O'Shaughnessy
Senior Associate - Development

Charlotte | Cary | Lexington4601 Park Road, Suite 450, Charlotte, NC 28209 | 704.372.5616 phone | 704.372.9882 fax | grubbproperties.com

Attachment C – 3

UPCOMING Mark your calendars

Brookhaven Mayor John Ernst's monthly town hall for July will focus on the city of Brookhaven's Zoning Ordinance Rewrite.

The town hall takes place Thursday, July 19, from 6-8 p.m. at Briarwood Recreation Center, 2235 Briarwood Way. The event serves as the fourth public meeting for the Zoning Ordinance Rewrite draft.

The meeting will begin with remarks from Mayor Ernst, and then

a presentation by the project managers. The public will have a chance to give input and ask questions about the process.

The purpose of the Zoning Ordinance Rewrite is to provide regulations to implement the land use policies identified in the City's Comprehensive Plan, Character Area Study and other planning and policy documents. The document is the result of months-long work by a steering committee that was comprised

of community residents and business owners appointed by the mayor and city council.

Two meetings to present the draft were previously held in June. In addition to the July 19 evening meeting, an additional meeting will take place earlier that day from 9 to 11 a.m. at City Hall, 4362 Peachtree Road.

The Zoning Ordinance Rewrite draft is now available through the city website and through the project website. Comments can be submitted online by creating an account and annotating the document directly through the consultant's CivicComment site.

...

Join the city of Dunwoody and ABC Easel, on Saturday, July 21, from 10 a.m. to 2 p.m. In creating a special keepsake with some help from your furry friends. Participants will design a beautiful Paw Print Keepsake on mat board using oil pastels, drawing pencils and design tools. Provided: Non-toxic paint, stencils, stamps, colored pencils, oil

pastels, a variety of design tools and mat board. Activities usually take 30 minutes to an hour, so registrants are welcome to come at their leisure during hours.

\$15 - Prior registration via City of Dunwoody Parks and Recreation.

For more information contact: abceasel@gmail.com or 678-478-3002. 4770 North Peachtree Road, Dunwoody, Georgia 30338.

...

The Dunwoody Nature Center Summer Concert Series sponsored by the city of Dunwoody last concert will feature Honeyboy and Boots, a melodic strings to folk and blues band.

The concert will be held July 21, from 7-9 p.m., with seating available on a first-come, first-served basis.

For adult concertgoers, the Dunwoody Nature Center will feature a rotating selection of craft beers chosen specifically for the evening's show. We will also have cold waters and other beverages available.

As always, the concerts are free to member families. Admission is \$5 for non-member adults, \$3 for non-member students, and free for children 3 and under. Bring your family and friends and your picnic dinner for a night full of live music, local craft beers, and great times! To view the concert band line up please check the event page. 5343 Roberts Drive, Dunwoody, Georgia 30338.

...

The 2018 Recreational Summer Camp at Pernoshal Park will be held July 23-26, 9 a.m. to 12 p.m. The camp is for players aged 4-12 (players born 2006-2013) and is focused on developing basic ball skills and a love of the game. The players will be split by both age and skill level. Cost for the camp is \$100. For more information and to register, please visit www.chiefsfc.org. 4575 North Shallowford Road, Dunwoody, Georgia 30338.

...

The Marcus Jewish Community Center of Atlanta (MJCCA) announces open registration for all Fall Youth Sports, including soccer, flag football, basketball, dance, gymnastics, tennis, and aquatics, for children from Pre-K to 8th grade. The MJCCA is located at 5342 Till Mill Road, Dunwoody.

To register, visit atlantajcc.org/youthsports or call 678-812-4060. Fall Youth Sports include: soccer - youth leagues, flag

football - youth leagues, basketball - youth leagues, dance - ballet, jazz, tap, and hip-hop, gymnastics - competition teams, boys' gymnastics, tumbling, and cheerleading classes, tennis - league play, private or group lessons, and clinics and aquatics - private and group lessons, as well as the Zaban Sharks year-round swim team.

...

A Novel Idea, a monthly literary evening featuring local and regional authors, will return Tuesday, Aug. 7 at Crema Espresso Gourmet with a night of love and romance.

Six romance novelists will discuss their books and read excerpts at the free event from 6:30 to 8:30 p.m. This month's featured authors are KG Fletcher, Iris Ray, Sherrie Morgan, Anna Schachner, Ricki Schultz and Anne Armistead.

Door prizes are awarded throughout the night. Food, beverages, beer and wine are available for purchase.

Typically held on the first Tuesday of each month, the event features a different genre each month, with Scary Stories/Southern Gothic scheduled Sept. 4 and Non-fiction/Memoir on Oct. 2.

For more information, call Kathy Florence at 404-680-9604.

DWC Home Tour sets October date

Save the date for the Dunwoody Woman's Club's 46th Annual Dunwoody Home Tour that will be held on Wednesday, Oct. 3, from 9:30 a.m. - 3 p.m.

Four outstanding private homes in Dunwoody and nearby Sandy Springs along with the beautiful and historic Donaldson-Bannister Farm will be on this year's home tour.

Tickets will be available beginning August 16 from any member of the Dunwoody Woman's Club and at the following Dunwoody merchants: Blooms of Dunwoody, Camelot Jewelers, Consigning Women, Donaldson-Bannister Farm, Lauderhills Fine Jewelry, LookinGood Hair Design, Piedmont Bank, Southern Comfort Consignments, and Under the Pecan Tree.

Tickets are \$30 in advance and \$35 on the day of the tour. All profits of the Home Tour are used to implement the club's charitable initiatives.

Public Notice

Grubb Properties will hold 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-1 (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, street-level active uses, and residential uses, along with structured parking and substantial greenspace. Grubb Properties will also seek approval of two Special Land Use Permits related to the proposed redevelopment project. The meeting will be held from 6:00 - 7:00 p.m. on Tuesday, July 31, 2018, at 47 Perimeter Center East, Suite 530, Dunwoody, Georgia 30346.

Because Local Matters Matter

Dunwoody's source for local news



Delivering weekly local news and sports to 23,000 homes and businesses in the Dunwoody, Sandy Springs, Chamblee and Brookhaven areas

Serving Dunwoody Since 1976
770-451-4147

www.thecrier.net

Attachment C – 4

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Katie O'Sullivan	3 Ravinia Kosullivan@preoffice.com
Sue Startow	Dunwoody Crier
Robert Ledford	4373 OLD GEORGETOWN TRIL DUNWOODY, GA 30338
ROBERT WITTENSTERN	1146 BORDEN COURT DUNWOODY, GA 30338
Adrienne Duncan	DHA

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Steve Ellet	4483 Kellogg Circle Dunwoody, GA 30338 sellet@gmail.com
Rob Trexler	5901 Peachtree Dunwoody Rd Atlanta GA 30328 RedA,STEAD
DAVID YOKE	david.yoke@dekalbschools.ga.org

GENERAL BUILDING
BUILD-TO-ZONE
**SPECIAL LAND USE
PERMIT APPLICATION**



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

*** Applicant Information:**

Company Name:	Grubb Properties, Inc.		
Contact Name:	David C. Kirk (Attorney for Applicant)		
Address:	Troutman Sanders LLP, 600 Peachtree Street, Suite 3000, Atlanta, GA 30308		
Phone:	404-885-3415	Fax:	404-962-6794
Email:	david.kirk@troutman.com		
Pre-application conference date (required):	July 31, 2018		

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

Owner's Name:	PCE Atlanta Office, LLC		
Owner's Address:	c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209		
Phone:	704-372-5616	Fax:	N/A
Email:	poshaughnessy@grubbproperties.com		

*** Property Information:**

Property Address:	41, 47, 53 Perimeter Center East	Parcel ID:	18 347 03 010 18 347 03 009 18 347 03 008
Zoning Classification:	O-I (Rezoning Application submitted to change to PC-2)		
Requested Use of the Property:	Mixed-Use Development (office, residential, active street-level uses, structured parking, and park / greenspace)		

*** Applicant Affidavit:**

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

Applicant's Name: David C. Kirk, as Attorney for Grubb Properties, Inc. and PCE Atlanta Office, LLC

Applicant's Signature: David C. Kirk Date: 8/31/2018

*** Notary:**

Sworn to and subscribed before me this	31st	Day of	August	, 20	18
Notary Public:	Gail H. Martin				
Signature:	<u>Gail H. Martin</u>				
My Commission Expires:	3/27/2020				

*** Owner Affidavit:**

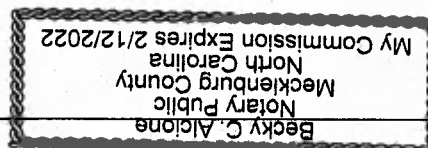
I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify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

Property Owner's Name: Dan Schumacher - EVP, Grubb Management Inc. on behalf of PCE Atlanta Office LLC

Property Owner's Signature: Dan Schumacher Date: 8/29/18

*** Notary:**

Sworn to and subscribed before me this	29	Day of	August	, 20	18
Notary Public:	Becky C. Algione				
Signature:	<u>Becky C. Algione</u>				
My Commission Expires:	2.12.22				



Packet page:...



Additional Applicant Notarized Certification

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

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

* Applicant:

Applicant Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		

* Applicant:

Applicant Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		

* Applicant:

Applicant Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public: _____		



Additional Property Owner(s) Notarized Certification

Community Development

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

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

*** Property Owner (If Applicable):**

Owner Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public:		

*** Property Owner (If Applicable):**

Owner Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public:		

*** Property Owner (If Applicable):**

Owner Name: _____		
Signature: _____		Date: _____
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____		
Notary Public:		

Campaign Disclosure Ordinance



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.



Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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:** Dan Schumacher - EVP, Grubb Management Inc. on behalf of PCE Atlanta Office LLC

Signature: [Signature] Date: 8/29/18
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



Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

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* Applicant / Owner: David C. Kirk, Attorney for Applicant

Signature: David C. Kirk Date: 8/31/2018
Address: 600 Peachtree Street, NE, Suite 3000, Atlanta, Georgia 30308

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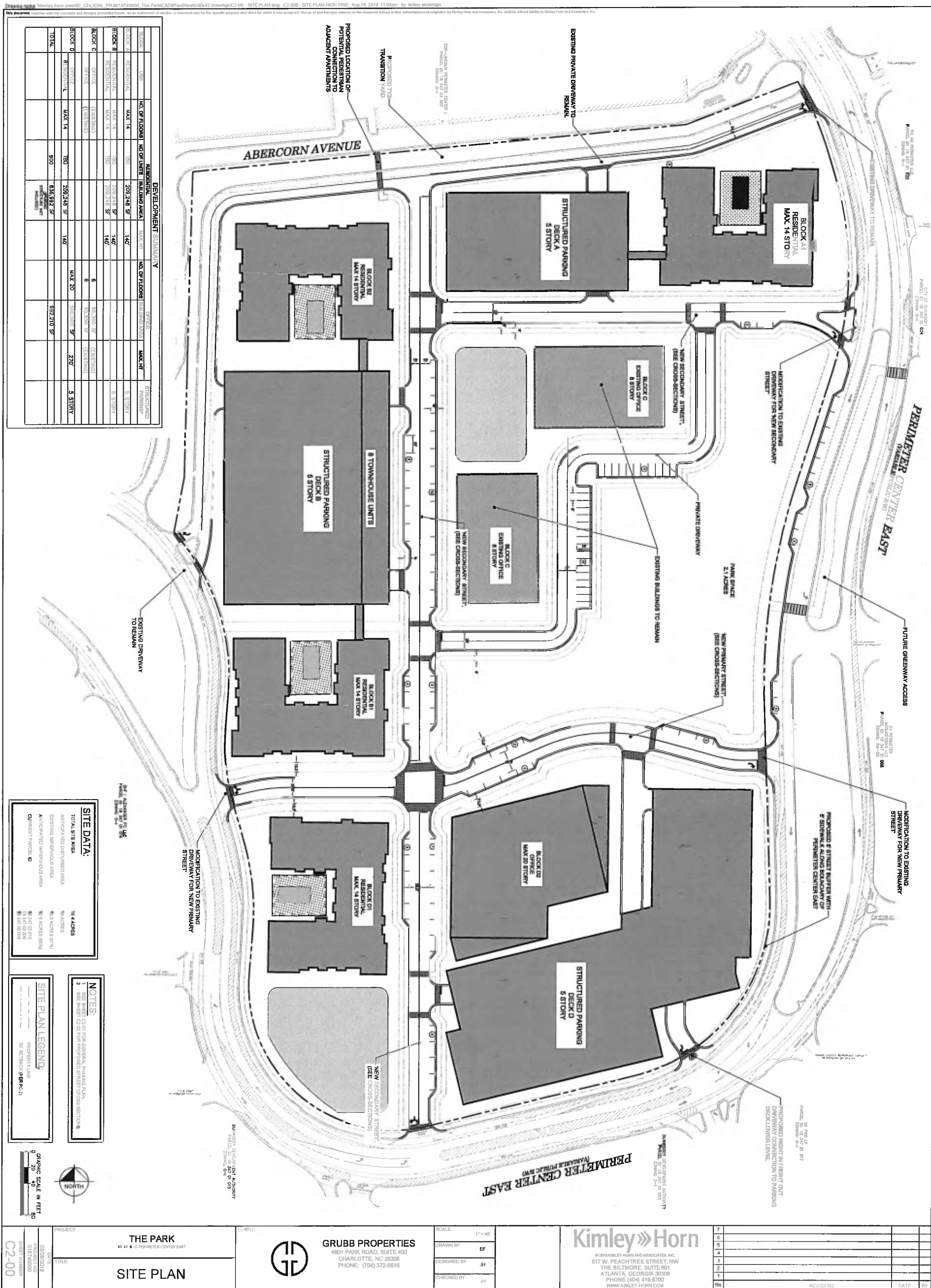


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Conceptual Landscape Plan



Exhibit C

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This summary report is provided in accordance with the City of Dunwoody's requirement that an applicant for a Zoning Amendment 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 Zoning Amendment/SLUP application is within 500 feet of property zoned for residential purposes. In the case of the current proposal, property located directly across Perimeter Center East from the Subject Property is within 500 feet and is zoned RM-85 (Multi-Dwelling Residential-85). This property 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, property 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 Tuesday, July 31, 2018. 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 July 11, 2018. 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 July 18, 2018 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 July 31, 2018 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 on August 5, 2018, made a presentation about the proposal, and answered attendees' questions.

3. Who was involved in the discussions?

At the Applicant-Initiated Meeting held on July 31, 2018, Applicant representatives included two representatives of the Property Owner/Applicant, two civil engineers working on the project, two of the project's architects, and the project's land use attorney. The meeting was attended by numerous community members and neighbors, including representatives of the Dunwoody Homeowners' Association, an employee of the DeKalb School Board, a member of

the local press, and several interested neighbors and residents. A sign-in sheet indicating the names of those in attendance is attached as Attachment "C - 4" to this summary report.

4. Suggestions and concerns raised by neighbors.

Following a presentation by a representative of Grubb Properties at the Applicant-Initiated Meeting, questions were raised about the timing of project implementation, the absence of residential units along the frontage of the parking structure facing the new north-south secondary street ("Deck B"), the absence of physical links between the parking structures and the residential buildings, the scale and mass of the southernmost deck ("Deck D"), and the potential for activating roof areas, in particular, those of the parking decks.

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

(a) The Applicant's representative explained that the elimination of the previously proposed rental residential component of the development will require the presale of approximately fifty percent (50%) of the units before a lender is likely to provide financing for that residential building. As such, the timing of project implementation is tied to factors not under the Applicant's control (i.e., market demand and financing institutions) and, unfortunately, no reasonable security can be offered as to a start date as it is not under the Applicant's control. Applicant stated that its goal is to build out the residential component of the Project as expeditiously as possible under existing market conditions.

(b) Regarding the concerns concerning the proposed elimination of residential units along the frontage of Deck B, the proposal has been modified to add up to eight (8) residential units (townhomes) along this frontage, to be built concurrently with the parking structure. The total number of units requested will remain at 900 units.

(c) Regarding the concerns expressed about the physical links between the parking structures and the residential buildings they serve, the project's design team has added such connections to accommodate residents.

(d) Regarding the concerns expressed regarding scale of Deck D, it was explained that the footprint shown is the maximum footprint based on a full buildout of 500,000 square feet of office. Should the envisioned anchor tenant require less square footage, the deck would shrink accordingly. Note that the illustration provided at the meeting was conceptual in nature and indicated the absolute maximum size of the deck whereas, in reality, it should ultimately have a smaller footprint. Much of the final scale and design of the deck will be dependent on the design preferences and parking needs of the future office building tenant, and there are options for reducing this footprint once the needs of the tenant are identified.

(e) Regarding the activation of roofs, the applicant explained at the meeting that green roofs would not be an option for the residential buildings due to various concerns, including water infiltration. The revised rendering shows the potential for covered parking using solar panels on the parking deck in response to the concern raised.

Attachment C – 1

Balasubramanian Madivanan
Chitralekha Madivanan
4487 Village Springs Run
Dunwoody, GA 30338

William S. Bulpitt
Judith H. Martin
4491 Village Springs Run
Dunwoody, GA 30338

Igor Lapayeva
Marina Lapayeva
4495 Village Springs Run
Dunwoody, GA 30338

Michael Rosen
4017 Townsend Lane
Dunwoody, GA 30346

Ajay Rachmalla
Swapna Pothedar
4009 Townsend Lane
Dunwoody, GA 30346

Shengchun Liu
4013 Townsend Lane
Dunwoody, GA 30346

Malcolm Farokh Elavia
Manissha Malcolm Elavia
4467 Village Springs Run
Dunwoody, GA 30338

Dineshkumar Patel
4481 Village Springs Run
Dunwoody, GA 30338

James H. Cowart
PO Box 88243
Atlanta, GA 30356

Robert Ledford
Lona Ledford
4373 Old Georgetown Trail
Dunwoody, GA 30338

Emerald Capital Investments
4060 Peachtree Road NE
Atlanta, GA 30319

Dickie L Slack
Ladonna Cherie Porter
4516 Timberlake LN
Kingsport, TN 37664

Jonathan Waldman
Ashley Waldman
4404 Old Georgetown Trail
Dunwoody, GA 30338

David R. Jones
Jamie Jones
4412 Old Georgetown Trail
Dunwoody, GA 30338

Jose A. Lopez-Zeno
Nora V. Sandoval
4420 Old Georgetown Trail
Atlanta, GA 30338

Katie E. Gangell
4361 Old Georgetown Trail
Dunwoody, GA 30338

Aaron Baird
Samantha Nowak
4351 Old Georgetown Trail
Dunwoody, GA 30338

Shelley Noble
4341 Old Georgetown Trail
Dunwoody, GA 30338

Melissa A. Stavropoulos
1463 Old Spring House Lane
Dunwoody, GA 30338

Kenneth R. Odom, Jr.
Christine S. Odom
1475 Old Spring House Lane
Dunwoody, GA 30338

Beverly Mack
1470 Old Spring House Lane
Dunwoody, GA 30338

Regina Hauck Hennessy
4362 Congress Court
Dunwoody, GA 30338

Judy Rivera
Velazquez Roman Modesto
4370 Congress Court
Dunwoody, GA 30338

Seth Morris
Lindsay Morris
1506 Congress Circle
Dunwoody, GA 30338

Shirley M. Thompson
1494 Congress Circle
Dunwoody, GA 30338

54 Perimeter Acquisitions LLC
1100 Peachtree Street NE
Atlanta, GA 30309

Attachment C – 2

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

Wednesday, July 11, 2018

VIA FIRST CLASS U.S. MAIL**Invitation to Community Meeting – Applications for Rezoning and Special Land Use Permits: 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, active street-level uses, 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). In addition, we will be requesting approval of two Special Land Use Permits related to the project.

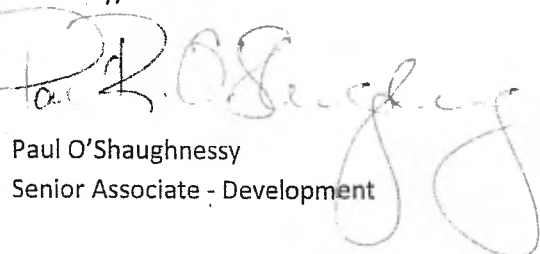
As part of the process, we are holding a community meeting to help inform you about the proposed project, inform ourselves about your interests and concerns regarding the project, provide an opportunity for you to ask questions, and create a forum through which we can begin efforts to resolve any concerns. 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: Tuesday, July 31, 2018
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 July 31.

Sincerely,



Paul O'Shaughnessy
Senior Associate - Development

Charlotte | Cary | Lexington4601 Park Road, Suite 450, Charlotte, NC 28209 | 704.372.5616 phone | 704.372.9882 fax | grubbproperties.com

Attachment C – 3

UPCOMING Mark your calendars

Brookhaven Mayor John Ernst's monthly town hall for July will focus on the city of Brookhaven's Zoning Ordinance Rewrite.

The town hall takes place Thursday, July 19, from 6-8 p.m. at Briarwood Recreation Center, 2235 Briarwood Way. The event serves as the fourth public meeting for the Zoning Ordinance Rewrite draft.

The meeting will begin with remarks from Mayor Ernst, and then

a presentation by the project managers. The public will have a chance to give input and ask questions about the process.

The purpose of the Zoning Ordinance Rewrite is to provide regulations to implement the land use policies identified in the City's Comprehensive Plan, Character Area Study and other planning and policy documents. The document is the result of months-long work by a steering committee that was comprised

of community residents and business owners appointed by the mayor and city council.

Two meetings to present the draft were previously held in June. In addition to the July 19 evening meeting, an additional meeting will take place earlier that day from 9 to 11 a.m. at City Hall, 4362 Peachtree Road.

The Zoning Ordinance Rewrite draft is now available through the city website and through the project website. Comments can be submitted online by creating an account and annotating the document directly through the consultant's CivicComment site.

...

Join the city of Dunwoody and ABC Easel, on Saturday, July 21, from 10 a.m. to 2 p.m. in creating a special keepsake with some help from your furry friends. Participants will design a beautiful Paw Print Keepsake on mat board using oil pastels, drawing pencils and design tools. Provided: Non-toxic paint, stencils, stamps, colored pencils, oil

pastels, a variety of design tools and mat board. Activities usually take 30 minutes to an hour, so registrants are welcome to come at their leisure during hours.

\$15 - Prior registration via City of Dunwoody Parks and Recreation.

For more information contact: abceasel@gmail.com or 678-478-3002. 4770 North Peachtree Road, Dunwoody, Georgia 30338.

...

The Dunwoody Nature Center Summer Concert Series sponsored by the city of Dunwoody last concert will feature Honeyboy and Boots, a melodic strings to folk and blues band.

The concert will be held July 21, from 7-9 p.m., with seating available on a first-come, first-served basis.

For adult concertgoers, the Dunwoody Nature Center will feature a rotating selection of craft beers chosen specifically for the evening's show. We will also have cold waters and other beverages available.

As always, the concerts are free to member families. Admission is \$5 for non-member adults, \$3 for non-member students, and free for children 3 and under. Bring your family and friends and your picnic dinner for a night full of live music, local craft beers, and great times! To view the concert band line up please check the event page. 5343 Roberts Drive, Dunwoody, Georgia 30338.

...

The 2018 Recreational Summer Camp at Pernoshal Park will be held July 23-26, 9 a.m. to 12 p.m. The camp is for players aged 4-12 (players born 2006-2013) and is focused on developing basic ball skills and a love of the game. The players will be split by both age and skill level. Cost for the camp is \$100. For more information and to register, please visit www.chiefsfc.org. 4575 North Shallowford Road, Dunwoody, Georgia 30338.

...

The Marcus Jewish Community Center of Atlanta (MJCCA) announces open registration for all Fall Youth Sports, including soccer, flag football, basketball, dance, gymnastics, tennis, and aquatics, for children from Pre-K to 8th grade. The MJCCA is located at 5342 Till Mill Road, Dunwoody.

To register, visit atlantajcc.org/youthsports or call 678-812-4060. Fall Youth Sports include: soccer - youth leagues, flag

football - youth leagues, basketball - youth leagues, dance - ballet, jazz, tap, and hip-hop, gymnastics - competition teams, boys' gymnastics, tumbling, and cheerleading classes, tennis - league play, private or group lessons, and clinics and aquatics - private and group lessons, as well as the Zaban Sharks year-round swim team.

...

A Novel Idea, a monthly literary evening featuring local and regional authors, will return Tuesday, Aug. 7 at Crema Espresso Gourmet with a night of love and romance.

Six romance novelists will discuss their books and read excerpts at the free event from 6:30 to 8:30 p.m. This month's featured authors are KG Fletcher, Iris Ray, Sherrie Morgan, Anna Schachner, Ricki Schultz and Anne Armistead.

Door prizes are awarded throughout the night. Food, beverages, beer and wine are available for purchase.

Typically held on the first Tuesday of each month, the event features a different genre each month, with Scary Stories/Southern Gothic scheduled Sept. 4 and Non-fiction/Memoir on Oct. 2.

For more information, call Kathy Florence at 404-680-9604.

DWC Home Tour sets October date

Save the date for the Dunwoody Woman's Club's 46th Annual Dunwoody Home Tour that will be held on Wednesday, Oct. 3, from 9:30 a.m. - 3 p.m.

Four outstanding private homes in Dunwoody and nearby Sandy Springs along with the beautiful and historic Donaldson-Bannister Farm will be on this year's home tour.

Tickets will be available beginning August 16 from any member of the Dunwoody Woman's Club and at the following Dunwoody merchants: Blooms of Dunwoody, Camelot Jewelers, Consigning Women, Donaldson-Bannister Farm, Lauderhills Fine Jewelry, LookinGood Hair Design, Piedmont Bank, Southern Comfort Consignments, and Under the Pecan Tree.

Tickets are \$30 in advance and \$35 on the day of the tour. All profits of the Home Tour are used to implement the club's charitable initiatives.

Public Notice

Grubb Properties will hold 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, street-level active uses, and residential uses, along with structured parking and substantial greenspace. Grubb Properties will also seek approval of two Special Land Use Permits related to the proposed redevelopment project. The meeting will be held from 6:00 - 7:00 p.m. on Tuesday, July 31, 2018, at 47 Perimeter Center East, Suite 530, Dunwoody, Georgia 30346.

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Attachment C – 4

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Katie O'Sullivan	3 Ravinia Kosullivan@prefoffice.com
Sue Stanton	Dunwoody Crier
Robert Ledford	4373 OLD GEORGETOWN TRAIL DUNWOODY, GA 30338
ROBERT WITTENSTERN	1146 BORDEN COURT DUNWOODY, GA 30338
Adrienne Duncan	DHA

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Steve Ellet	4483 Kellogg Circle Dunwoody, GA 30338 sellet@gmail.com
Rob Trexler	5901 Peachtree Dunwoody Rd Atlanta GA 30328 PDA, STE 400
DAVID YOKE	david.s.yoke@detrakhschools.ga.org

Troutman Sanders LLP
600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308-2216

troutman.com



David C. Kirk
david.kirk@troutman.com

September 4, 2018

VIA HAND DELIVERY

Mr. John Olson, AICP, Planning Manager
Department of Community Development
City of Dunwoody
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338

**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 is of sufficient scale to warrant a Development of Regional Impact ("DRI") review, I also am submitting under separate cover a Special Land Use Permit ("SLUP") application for the DRI, as required by Section 27-104(f)(2) of the Zoning Ordinance. Finally, in order to create the desired urban character for the project, a SLUP application is included 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. 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 bicycle/pedestrian-friendly environment; a mix of Class A office, residential, and active streetfront 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.

As you know, Grubb Properties submitted a similar application approximately a year ago but withdrew it in light of concerns expressed regarding both the scale of the project and its modest rental housing component. This application both reduces the scale of the proposed project and eliminates the rental housing element, while retaining the many community amenities included as part of the original proposal.

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.

- A Conceptual Site Plan and a preliminary Conceptual Landscape Plan containing all information required by Section 27-87(c)(2) of the City of Dunwoody's Zoning Ordinance, (Exhibit "A");
- A Survey (including a Tree Survey) and Legal Descriptions 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 Trip Generation Comparison Memorandum prepared by Kimley-Horn and a letter from Andrew Smith of the Atlanta Regional Commission confirming the DRI Review performed for the previous proposal (DRI #2691) remains valid for the current proposal (Exhibit "J");
- An updated Public School Impact Analysis commissioned by the Applicant and prepared by Bleakly Advisory Group (Exhibit "K"); and
- A check payable to the City of Dunwoody for the rezoning fee of \$2,000, along with the sign fee of \$270.

As is the case with any proposal of this nature, 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 internal reviews and 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 19.4-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, will remain. 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; along with associated active streetfront space, structured parking (including one parking structure incorporating townhome units along its street frontage), streetscape, landscape, green space, and bicycle/pedestrian improvements. In total, the project is proposed to include up to 900 residential units, all of which will be "for sale" units. As shown in Exhibit "C," the Project will be developed in phases. Elimination of the previously proposed rental residential component of the development will require the presale of approximately fifty percent (50%) of the units in a building before a lender is likely to provide financing for that residential building. As such, the timing of project implementation is tied to factors not under the Applicant's control (i.e., market demand and financing institutions) and, unfortunately, no reasonable security can be offered as to a start date as it is not under the Applicant's control. Once construction begins, it is anticipated Project build-out will be achieved in approximately ten years, depending on the ongoing availability of financing for the residential units and other 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 active streetfront 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 residential component, 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."

The design of the proposed Project will foster pedestrian and bicycle 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 other 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 rail and bus transit 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 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 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 housing, 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 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.

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. In connection with the previously submitted application, the impact of the proposed development on surrounding transportation facilities was thoroughly evaluated under the Development of Regional Impact ("DRI") Review process. The results of the DRI Review were previously provided to the City and remain valid, according to the Atlanta Regional Commission (please see Exhibit "J"). 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.

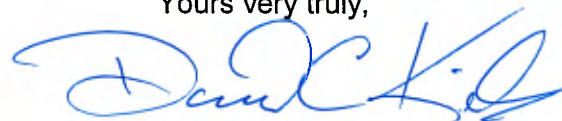
With regard to the anticipated impact on area schools, the applicant commissioned an independent analysis of the Project's impact on nearby public schools. A document containing the results of that analysis is attached hereto as Exhibit "K" and reports the conclusion that, among other things, the Project will add only 110 students over a ten-year period and 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.

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 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

Attachments

AMENDMENT APPLICATION



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

* Applicant Information:

Company Name:	Grubb Properties, Inc.		
Contact Name:	David C. Kirk (Attorney for Applicant)		
Address:	Troutman Sanders LLP, 600 Peachtree Street, Suite 3000, Atlanta, GA 30308		
Phone:	404-885-3415	Fax:	404-962-6794
Email:	david.kirk@troutman.com		
Pre-application conference date (required):	July 31, 2018		

* Owner Information: ☐ Check here if same as applicant

Owner's Name:	PCE Atlanta Office, LLC		
Owner's Address:	c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209		
Phone:	704-372-5616	Fax:	N/A
Email:	poshaughnessy@grubbproperties.com		

* Property Information:

Property Address:	41, 47, 53 Perimeter Center East	Parcel ID:	18 347 03 010 18 347 03 009 18 347 03 008
Current Zoning Classification:	O-I		
Requested Zoning Classification:	PC-2		

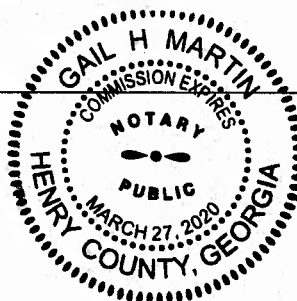
* Applicant Affidavit:

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

Applicant's Name:	David C. Kirk (Attorney for Applicant), Troutman Sanders LLP		
Applicant's Signature:		Date:	8/31/2018

* Notary:

Sworn to and subscribed before me this	31st	Day of	August	, 20	18
Notary Public:	Gail H. Martin				
Signature:					
My Commission Expires:	3/27/2020				





Additional Property Owner(s) Notarized Certification

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

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		
Signature:			Date: 8/29/18
Address:	c/o Grubb Properties, 4601 Park Road, Suite 450, Charlotte, NC 28209		
Phone:	704-372-5616	Fax:	N/A
Email:	poshaughnessy@grubbproperties.com		
Sworn to and subscribed before me this	29	Day of	August, 20 18
Notary Public:	Becky C. Alcione		
<div style="border: 1px solid black; padding: 5px; text-align: center;"> Becky C. Alcione Notary Public Mecklenburg County North Carolina My Commission Expires 2/12/2022 </div>			

* Property Owner (If Applicable):

Owner Name:			
Signature:			Date:
Address:			
Phone:		Fax:	
Email:			
Sworn to and subscribed before me this		Day of	, 20
Notary Public:			

* Property Owner (If Applicable):

Owner Name:			
Signature:			Date:
Address:			
Phone:		Fax:	
Email:			
Sworn to and subscribed before me this		Day of	, 20
Notary Public:			



Additional Applicant Notarized Certification

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

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

* Applicant:

Applicant Name: _____	
Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public:	

* Applicant:

Applicant Name: _____	
Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public:	

* Applicant:

Applicant Name: _____	
Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public:	

Campaign Disclosure Ordinance



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting an amendment.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.



Campaign Disclosure Statement

Community Development


4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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:** Dan Schumacher, on behalf of PCE Atlanta Office, LLC

Signature:  Date: 8/29/18
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



Campaign Disclosure Statement

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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: David C. Kirk, Attorney for Applicant

Signature: David C. Kirk Date: 8/31/2018

Address: 1000 Peachtree Street NE, Suite 3000, Atlanta, Georgia 30308

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

Date	Government Official	Official Position	Description	Amount

Thresholds for Additional Studies, Reports, & Forms



Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338
Phone: (678) 382-6800 | Fax: (770) 396-4828

Traffic Impact Study: When a project equals or exceeds the thresholds listed below, a Traffic Impact Study must be submitted. The Traffic Impact Study shall be prepared by a qualified traffic engineer or transportation planner in accordance with professional practices.

Thresholds for Traffic Impact Study	
Use	Size
Single family residential	500 units
Multi-family residential	700 units
Office	300,000 square feet
Hospital	375 beds
Commercial	175,000 square feet
Hotel / Motel	600 rooms
Industrial	500,000 square feet
Any mixed-use development that exceeds 500 peak hours trips as based on the standards of the Institute of Transportation Engineers (ITE) Handbook.	

Development of Regional Impact (DRI): The Department of Community Affairs (DCA) has formulated development thresholds as listed on the next page. When a development meets or exceeds the thresholds, the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) shall review the project concurrently. Applicants shall first file the rezoning/use permit request with the City of Dunwoody. After the ARC/GRTA findings are complete, the rezoning/use permit request will be placed on the next available appropriate agenda. It is the applicant's responsibility to contact and follow all ARC and GRTA review procedures. For details, contact the ARC at www.georgiaplanning.com/planners/dri/ and GRTA at www.grta.org/dri/home/htm or at 404-463-3000.

Development of Regional Impact – Tiers and Development Thresholds	
Type of Development	Metropolitan Region
Office	Greater than 400,000 square feet
Commercial	Greater than 300,000 square feet
Wholesale & Distribution	Greater than 500,000 square feet
Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Housing	Greater than 400 new lots or units
Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
Hotel	Greater than 400 rooms
Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at 1,800 sq. ft. per unit toward the total gross sq. ft.); or covering more than 120 acres; or if any of the individual uses meet or exceed a threshold as identified herein
Airports	All new airports, runways and runway extensions
Attractions and Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
Post Secondary Schools	New school with a capacity of more than 2,400 students; or expansion by at least 25% of capacity
Waste Handling Facilities	New facility or expansion of use of existing facility by 50% or more
Quarries, Asphalt and Cement Plants	New facility or expansion of existing facility by 50%
Wastewater Treatment Facilities	New facility or expansion of existing facility by 50%
Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise storage capacity greater than 200,000 barrels
Water Supply Intakes/Reservoirs	New facilities
Intermodal Terminals	New facilities
Truck Stops	A new facility with more than three diesel fuel pumps; or containing a half acre of truck parking or 10 truck parking spaces
Any other development types not identified above (includes parking facilities)	1,000 parking spaces

Environmental Impact Report: Projects having any appreciable impact on the environment --either on site or in the region-- as a result of this proposed action may be required to submit an Environmental Impact Report detailing the impact as a result of the proposed project, and the attenuation measures (Erosion/Sediment Control Plan, water quality devices, noise & lighting barricades, etc.) proposed.



Environmental Site Analysis (ESA) Form

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

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

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. **CONFORMANCE WITH THE COMPREHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

- a. Wetlands
 - U. S. Fish and Wildlife Service, National Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
 - Georgia Geologic Survey (404-656-3214)
 - Field observation and subsequent wetlands delineation/survey if applicable
- b. Floodplain
 - Federal Emergency Management Agency (<http://www.fema.org>)
 - Field observation and verification
- c. Streams/stream buffers
 - Field observation and verification
- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
 - United States Geologic Survey Topographic Quadrangle Map
 - Field observation and verification
- e. Vegetation
 - United States Department of Agriculture, Nature Resource Conservation Service
 - Field observation
- f. Wildlife Species (including fish)
 - United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation
- g. Archeological/Historical Sites
 - Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

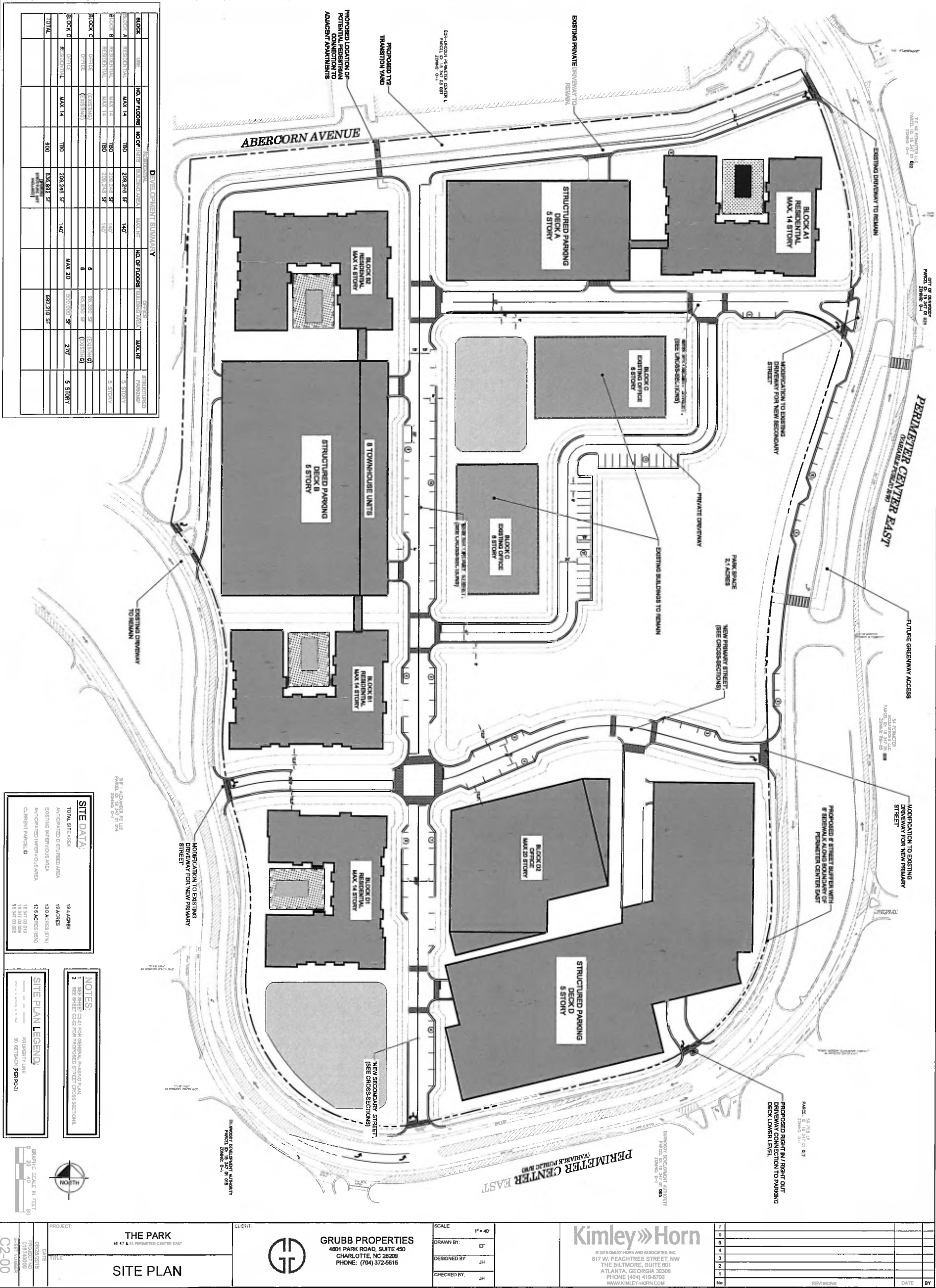
- a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.
- b. Protection of water quality
- c. Minimization of negative impacts on existing infrastructure
- d. Minimization on archeological/historically significant areas
- e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.
- f. Creation and preservation of green space and open space
- g. Protection of citizens from the negative impacts of noise and lighting
- h. Protection of parks and recreational green space
- i. Minimization of impacts to wildlife habitats

Exhibit A

Conceptual Site Plan
and
Conceptual Landscape Plan

Drawing name: \\kimley-horn.com\SE - CHL\CLB_PRAJ18740000 - The Park\CAD\PlanSheets\06-42 drawings\C2-00 - SITE PLAN.dwg C2-006 - SITE PLAN-HIGH RISE, Aug 28, 2018 11:05am by: kenny.kimley-horn.com

This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Review of and/or reference to this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Drawing name: K:\CHL_PRJ\2018740000_The Park\CAD\Sheet\30x42 drawings\2.00_TREE REPLACEMENT PLAN.dwg TREE REPLACEMENT PLAN Aug 29, 2018 4:23pm by: caroline.broder
This document, together with the concepts and designs presented herein, is an instrument of service, as intended only for the specific purpose and client for which it was prepared. Review of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Exhibit B

Survey (including Tree Survey)
and
Legal Descriptions

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 corner 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 corner 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.



SITE PHOTOGRAPH

[illegible]

TOPOGRAPHY RELY OF

41, 47, & 53 Perimeter Center East

FOI

GRUBB PROPERTIES

[illegible]

CLOSURE STATEMENT

CLOSURE STATEMENT

GRAPHIC SCALE

GRAPHIC SCALE

IF YOU DID

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PC EATLANTA OFFICE, LLC

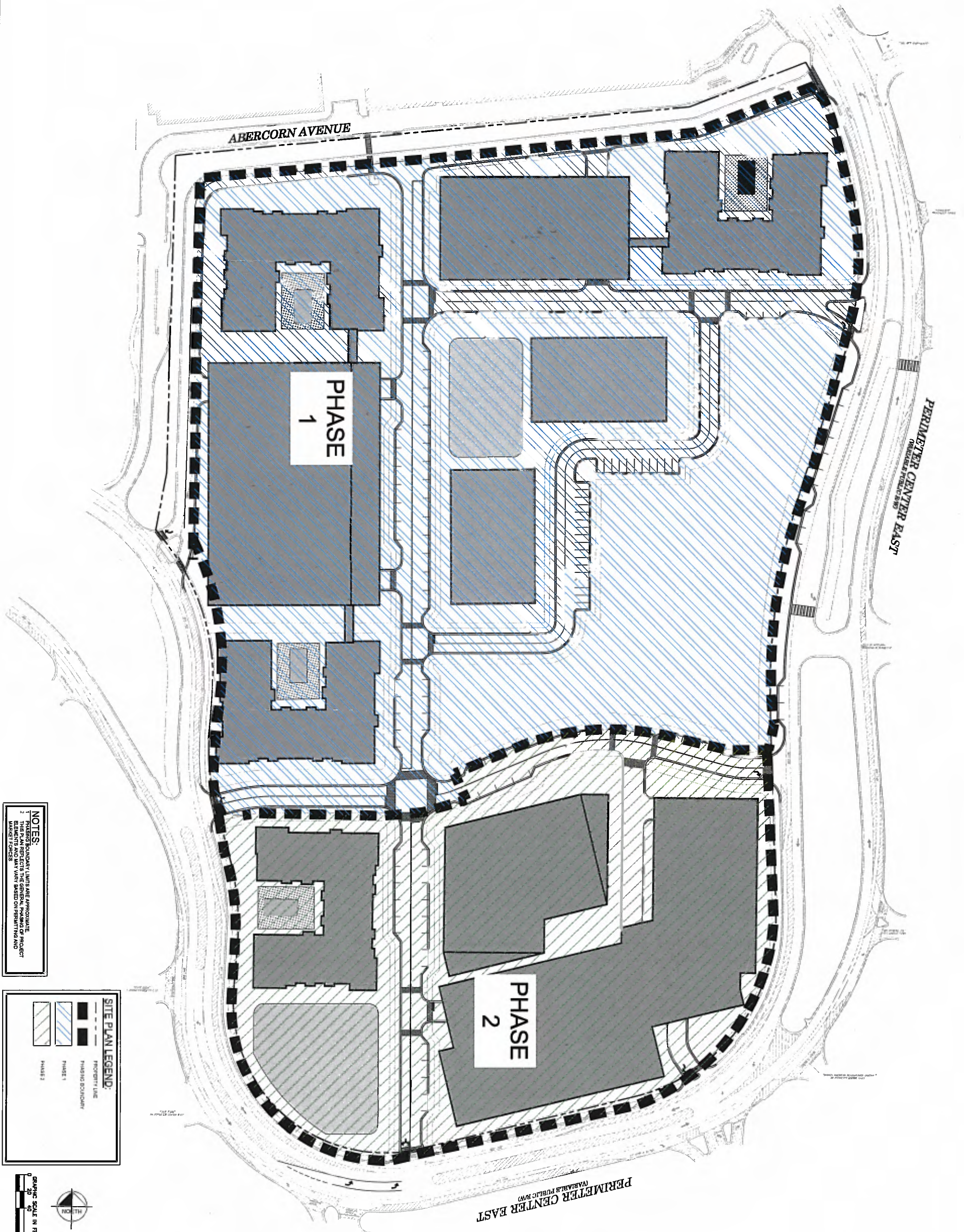
PCE ATLANTA OFFICE, LLC

PERIMETER CENTER EAST
4400 SOUTH PULASKI BLVD

Exhibit C

Proposed Phasing Plan

Drawing name: K:\CHL_PRA\018740000_The Park\CAD\PlanSheets\30x42 drawings\C2-00 - SITE PLAN.dwg C2-01 - PHASING PLAN Aug 28 2018 9:05am by: Justin Houston
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NOTES:
1. PHASE BOUNDARY LIMITS ARE APPROXIMATE.
2. THIS PLAN REFLECTS THE GENERAL PHASING OF PROJECT BASED ON AVAILABLE INFORMATION.
3. BASED ON AVAILABLE INFORMATION.

SITE PLAN LEGEND:

- PROPERTY LINE
- PHASING BOUNDARY
- PHASE 1
- PHASE 2

GRAPHIC SCALE IN FEET
0 20 40

North Arrow



PROJECT THE PARK 41-47 & 43 PERIMETER CENTER EAST	CLIENT  GRUBB PROPERTIES 4601 PARK ROAD, SUITE 450 CHARLOTTE, NC 28226 PHONE: (704) 372-5616	SCALE 1" = 40'	DRAWN BY EF	DESIGNED BY JH	CHECKED BY JH	 Kimley-Horn © 2018 KIMLEY-HORN AND ASSOCIATES, INC. 817 W. PEACHTREE STREET, NW THE BILTMORE, SUITE 601 ATLANTA, GEORGIA 30308 PHONE (404) 419-8700 WWW.KIMLEY-HORN.COM	7		
							6		
DATE 08/28/2018	PROJECT NO. 018740000	SHEET NUMBER C2-01	TITLE GENERAL PHASING PLAN	REVISIONS	DATE	BY	5		
							4		
							3		
							2		
							1		
							No		

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 a Zoning Amendment 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 Zoning Amendment/SLUP application is within 500 feet of property zoned for residential purposes. In the case of the current proposal, property located directly across Perimeter Center East from the Subject Property is within 500 feet and is zoned RM-85 (Multi-Dwelling Residential-85). This property 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, property 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 Tuesday, July 31, 2018. 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 July 11, 2018. 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 July 18, 2018 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 July 31, 2018 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 on August 5, 2018, made a presentation about the proposal, and answered attendees' questions.

3. Who was involved in the discussions?

At the Applicant-Initiated Meeting held on July 31, 2018, Applicant representatives included two representatives of the Property Owner/Applicant, two civil engineers working on the project, two of the project's architects, and the project's land use attorney. The meeting was attended by numerous community members and neighbors, including representatives of the Dunwoody Homeowners' Association, an employee of the DeKalb School Board, a member of

the local press, and several interested neighbors and residents. A sign-in sheet indicating the names of those in attendance is attached as Attachment "D - 4" to this summary report.

4. Suggestions and concerns raised by neighbors.

Following a presentation by a representative of Grubb Properties at the Applicant-Initiated Meeting, questions were raised about the timing of project implementation, the absence of residential units along the frontage of the parking structure facing the new north-south secondary street ("Deck B"), the absence of physical links between the parking structures and the residential buildings, the scale and mass of the southernmost deck ("Deck D"), and the potential for activating roof areas, in particular, those of the parking decks.

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

(a) The Applicant's representative explained that the elimination of the previously proposed rental residential component of the development will require the presale of approximately fifty percent (50%) of the units before a lender is likely to provide financing for that residential building. As such, the timing of project implementation is tied to factors not under the Applicant's control (i.e., market demand and financing institutions) and, unfortunately, no reasonable security can be offered as to a start date as it is not under the Applicant's control. Applicant stated that its goal is to build out the residential component of the Project as expeditiously as possible under existing market conditions.

(b) Regarding the concerns concerning the proposed elimination of residential units along the frontage of Deck B, the proposal has been modified to add up to eight (8) residential units (townhomes) along this frontage, to be built concurrently with the parking structure. The total number of units requested will remain at 900 units.

(c) Regarding the concerns expressed about the physical links between the parking structures and the residential buildings they serve, the project's design team has added such connections to accommodate residents.

(d) Regarding the concerns expressed regarding scale of Deck D, it was explained that the footprint shown is the maximum footprint based on a full buildout of 500,000 square feet of office. Should the envisioned anchor tenant require less square footage, the deck would shrink accordingly. Note that the illustration provided at the meeting was conceptual in nature and indicated the absolute maximum size of the deck whereas, in reality, it should ultimately have a smaller footprint. Much of the final scale and design of the deck will be dependent on the design preferences and parking needs of the future office building tenant, and there are options for reducing this footprint once the needs of the tenant are identified.

(e) Regarding the activation of roofs, the applicant explained at the meeting that green roofs would not be an option for the residential buildings due to various concerns, including water infiltration. The revised rendering shows the potential for covered parking using solar panels on the parking deck in response to the concern raised.

Attachment D – 1

Balasubramanian Madivanan
Chitralekha Madivanan
4487 Village Springs Run
Dunwoody, GA 30338

William S. Bulpitt
Judith H. Martin
4491 Village Springs Run
Dunwoody, GA 30338

Igor Lapayeva
Marina Lapayeva
4495 Village Springs Run
Dunwoody, GA 30338

Michael Rosen
4017 Townsend Lane
Dunwoody, GA 30346

Ajay Rachmalla
Swapna Pothedar
4009 Townsend Lane
Dunwoody, GA 30346

Shengchun Liu
4013 Townsend Lane
Dunwoody, GA 30346

Malcolm Farokh Elavia
Manissha Malcolm Elavia
4467 Village Springs Run
Dunwoody, GA 30338

Dineshkumar Patel
4481 Village Springs Run
Dunwoody, GA 30338

James H. Cowart
PO Box 88243
Atlanta, GA 30356

Robert Ledford
Lona Ledford
4373 Old Georgetown Trail
Dunwoody, GA 30338

Emerald Capital Investments
4060 Peachtree Road NE
Atlanta, GA 30319

Dickie L Slack
Ladonna Cherie Porter
4516 Timberlake LN
Kingsport, TN 37664

Jonathan Waldman
Ashley Waldman
4404 Old Georgetown Trail
Dunwoody, GA 30338

David R. Jones
Jamie Jones
4412 Old Georgetown Trail
Dunwoody, GA 30338

Jose A. Lopez-Zeno
Nora V. Sandoval
4420 Old Georgetown Trail
Atlanta, GA 30338

Katie E. Gangell
4361 Old Georgetown Trail
Dunwoody, GA 30338

Aaron Baird
Samantha Nowak
4351 Old Georgetown Trail
Dunwoody, GA 30338

Shelley Noble
4341 Old Georgetown Trail
Dunwoody, GA 30338

Melissa A. Stavropoulos
1463 Old Spring House Lane
Dunwoody, GA 30338

Kenneth R. Odom, Jr.
Christine S. Odom
1475 Old Spring House Lane
Dunwoody, GA 30338

Beverly Mack
1470 Old Spring House Lane
Dunwoody, GA 30338

Regina Hauck Hennessy
4362 Congress Court
Dunwoody, GA 30338

Judy Rivera
Velazquez Roman Modesto
4370 Congress Court
Dunwoody, GA 30338

Seth Morris
Lindsay Morris
1506 Congress Circle
Dunwoody, GA 30338

Shirley M. Thompson
1494 Congress Circle
Dunwoody, GA 30338

54 Perimeter Acquisitions LLC
1100 Peachtree Street NE
Atlanta, GA 30309

Attachment D – 2

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

Wednesday, July 11, 2018

VIA FIRST CLASS U.S. MAIL**Invitation to Community Meeting – Applications for Rezoning and Special Land Use Permits: 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, active street-level uses, 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). In addition, we will be requesting approval of two Special Land Use Permits related to the project.

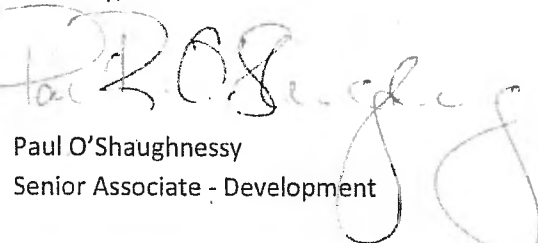
As part of the process, we are holding a community meeting to help inform you about the proposed project, inform ourselves about your interests and concerns regarding the project, provide an opportunity for you to ask questions, and create a forum through which we can begin efforts to resolve any concerns. 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: Tuesday, July 31, 2018
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 July 31.

Sincerely,



Paul O'Shaughnessy
Senior Associate - Development

Charlotte | Cary | Lexington

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

Attachment D – 3

UPCOMING Mark your calendars

Brookhaven Mayor John Ernst's monthly town hall for July will focus on the city of Brookhaven's Zoning Ordinance Rewrite.

The town hall takes place Thursday, July 19, from 6-8 p.m. at Briarwood Recreation Center, 2235 Briarwood Way. The event serves as the fourth public meeting for the Zoning Ordinance Rewrite draft.

The meeting will begin with remarks from Mayor Ernst, and then

a presentation by the project managers. The public will have a chance to give input and ask questions about the process.

The purpose of the Zoning Ordinance Rewrite is to provide regulations to implement the land use policies identified in the City's Comprehensive Plan, Character Area Study and other planning and policy documents. The document is the result of months-long work by a steering committee that was comprised

of community residents and business owners appointed by the mayor and city council.

Two meetings to present the draft were previously held in June. In addition to the July 19 evening meeting, an additional meeting will take place earlier that day from 9 to 11 a.m. at City Hall, 4362 Peachtree Road.

The Zoning Ordinance Rewrite draft is now available through the city website and through the project website. Comments can be submitted online by creating an account and annotating the document directly through the consultant's Civic Comment site.

...

Join the city of Dunwoody and ABC Easel, on Saturday, July 21, from 10 a.m. to 2 p.m. In creating a special keepsake with some help from your furry friends. Participants will design a beautiful Paw Print Keepsake on mat board using oil pastels, drawing pencils and design tools. Provided: Non-toxic paint, stencils, stamps, colored pencils, oil

pastels, a variety of design tools and mat board. Activities usually take 30 minutes to an hour, so registrants are welcome to come at their leisure during hours.

\$15 - Prior registration via City of Dunwoody Parks and Recreation.

For more information contact: abceasel@gmail.com or 678-478-3002. 4770 North Peachtree Road, Dunwoody, Georgia 30338.

...

The Dunwoody Nature Center Summer Concert Series sponsored by the city of Dunwoody last concert will feature Honey-boy and Boots, a melodic strings to folk and blues band.

The concert will be held July 21, from 7-9 p.m., with seating available on a first-come, first-served basis.

For adult concertgoers, the Dunwoody Nature Center will feature a rotating selection of craft beers chosen specifically for the evening's show. We will also have cold waters and other beverages available.

As always, the concerts are free to member families. Admission is \$5 for non-member adults, \$3 for non-member students, and free for children 3 and under. Bring your family and friends and your picnic dinner for a night full of live music, local craft beers, and great times! To view the concert band line up please check the event page. 5343 Roberts Drive, Dunwoody, Georgia 30338.

...

The 2018 Recreational Summer Camp at Pernoishal Park will be held July 23-26, 9 a.m. to 12 p.m. The camp is for players aged 4-12 (players born 2006-2013) and is focused on developing basic ball skills and a love of the game. The players will be split by both age and skill level. Cost for the camp is \$100. For more information and to register, please visit www.chiefsfc.org. 4575 North Shallowford Road, Dunwoody, Georgia 30338.

...

The Marcus Jewish Community Center of Atlanta (MJCCA) announces open registration for all Fall Youth Sports, including soccer, flag football, basketball, dance, gymnastics, tennis, and aquatics, for children from Pre-K to 8th grade. The MJCCA is located at 5342 Till Mill Road, Dunwoody.

To register, visit atlantajcc.org/youthsports or call 678-812-4060. Fall Youth Sports include: soccer - youth leagues, flag

football - youth leagues, basketball - youth leagues, dance - ballet, jazz, tap, and hip-hop, gymnastics - competition teams, boys' gymnastics, tumbling, and cheerleading classes, tennis - league play, private or group lessons, and clinics and aquatics - private and group lessons, as well as the Zaban Sharks year-round swim team.

...

A Novel Idea, a monthly literary evening featuring local and regional authors, will return Tuesday, Aug. 7 at Crema Espresso Gourmet with a night of love and romance.

Six romance novelists will discuss their books and read excerpts at the free event from 6:30 to 8:30 p.m. This month's featured authors are KG Fletcher, Iris Ray, Sherrie Morgan, Anna Schachner, Ricki Schultz and Anne Armistead.

Door prizes are awarded throughout the night. Food, beverages, beer and wine are available for purchase.

Typically held on the first Tuesday of each month, the event features a different genre each month, with Scary Stories/Southern Gothic scheduled Sept. 4 and Non-fiction/Memoir on Oct. 2.

For more information, call Kathy Florence at 404-680-9604.

DWC Home Tour sets October date

Save the date for the Dunwoody Woman's Club's 46th Annual Dunwoody Home Tour that will be held on Wednesday, Oct. 3, from 9:30 a.m. - 3 p.m.

Four outstanding private homes in Dunwoody and nearby Sandy Springs along with the beautiful and historic Donaldson-Bannister Farm will be on this year's home tour.

Tickets will be available beginning August 16 from any member of the Dunwoody Woman's Club and at the following Dunwoody merchants: Blooms of Dunwoody, Camelot Jewelers, Consigning Women, Donaldson-Bannister Farm, Lauderhills Fine Jewelry, LookinGood Hair Design, Piedmont Bank, Southern Comfort Consignments, and Under the Pecan Tree.

Tickets are \$30 in advance and \$35 on the day of the tour. All profits of the Home Tour are used to implement the club's charitable initiatives.

Public Notice

Grubb Properties will hold 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, street-level active uses, and residential uses, along with structured parking and substantial greenspace. Grubb Properties will also seek approval of two Special Land Use Permits related to the proposed redevelopment project. The meeting will be held from 6:00 - 7:00 p.m. on Tuesday, July 31, 2018, at 47 Perimeter Center East, Suite 530, Dunwoody, Georgia 30346.

Because Local Matters Matter

Dunwoody's source for local news



Delivering weekly local news and sports to 23,000 homes and businesses in the Dunwoody, Sandy Springs, Chamblee and Brookhaven areas.

Serving Dunwoody Since 1976
770-451-4147

www.thecrier.net

Attachment D – 4

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Katie O'Sullivan	3 Ravinia Kasullivan@preoffice.com
Sue Starton	Dunwoody Crier
Robert Ledford	4373 OLD GEORGETOWN TRIL DUNWOODY, GA 30338
ROBERT WITTENSTERN	1146 BORDEN COURT DUNWOODY, GA 30338
Shirley Duncan	DHA

PARK AT PERIMETER CENTER EAST
 APPLICANT-INITIATED MEETING SIGN-IN SHEET
 TUESDAY, JULY 31, 2018

NAME	ADDRESS/EMAIL
Steve Ellet	4483 Kellogg Circle Dunwoody, GA 30338 sellet@gmail.com
Rob Frexian	5901 PEACHTREE DUNWOODY RD ATLANTA GA 30328 BEDGA,STE4700
DAVID YOKE	david-s-yoke@dekalbschools.ga.org

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 19.4 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 900 units of for-sale multi-family residential in up to four new buildings and in townhome units integrated into one of the main parking structures; along with associated active streetfront 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 currently 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 southern portion of the Subject Property to the north end of the Subject 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 properties to the east are 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 apartment project.

Attached as Attachment "E-1" is a conceptual site plan 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 mixed-use, transit-oriented development containing first-class office, residential, and active streetfront uses in an attractive, inviting pedestrian-friendly environment. The current extensive field of surface parking on the Subject 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 bicycle & 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, and other active 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 bicycle and 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.

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

a. Wetlands – There are no wetlands that exist on the Subject Property 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 Subject Property located within the 100-Year Floodplain.

c. Streams/Stream Buffers – There are no streams located on the Subject Property, or within 75' of the Subject Property.

d. Slopes exceeding 25 percent over a 10-foot rise in elevation – There are a few areas on the Subject Property 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 Subject Property and are not proposed to be impacted given their location.

e. Vegetation – Given the developed condition of the Subject Property, there are no significant areas of vegetation on site.

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 in accord with recommendations from the Development of Regional Impact Review and the City of Dunwoody.
- 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-story residential buildings, and structured 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

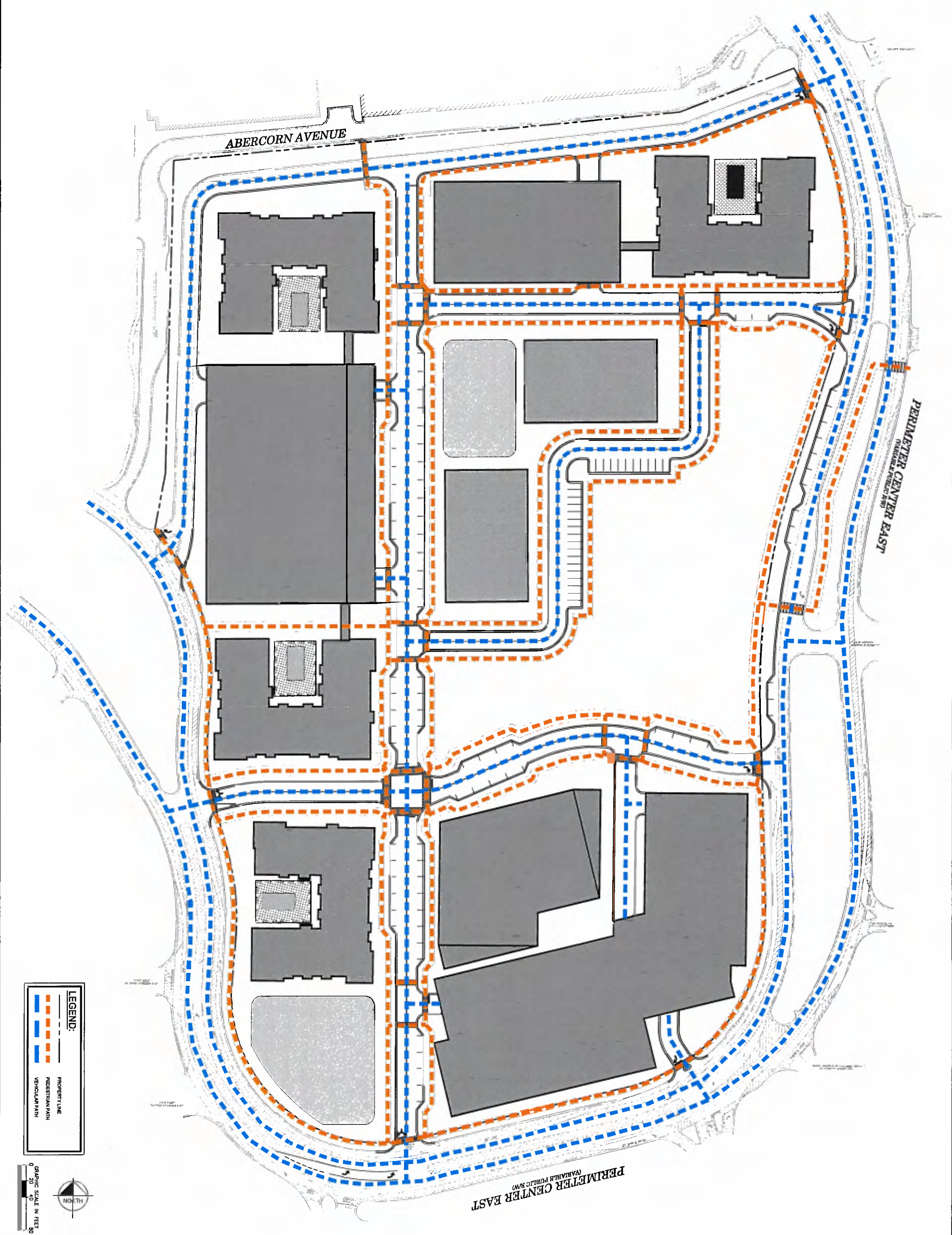
Project Site Plan

Exhibit F

Pedestrian Circulation Plan

Drawing name: K:\CHL_PRA\16740000_The Park\Access\2017-08-22 Vehicular and Pedestrian Access\2-00 SITE PLAN.dwg VEH and PED ACCESS Aug 30, 2018 8:23am by Justin Houston

This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Review of and proper reliance on this document without written confirmation of adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.





C2-03	SHEET NUMBER	PROJECT:	THE PARK 41 47 & 53 PERIMETER CENTER EAST	CLIENT:	 GRUBB PROPERTIES 4601 PARK ROAD, SUITE 450 CHARLOTTE, NC 28209 PHONE: (704) 372-5616	SCALE:	1" = 40'	 © 2018 KIMLEY-HORN AND ASSOCIATES, INC. 817 W. PEACHTREE STREET, NW THE BILTMORE, SUITE 601 ATLANTA, GEORGIA 30308 PHONE (404) 419-8700 WWW.KIMLEY-HORN.COM	7					
		DATE:	08/22/2018			DRAWN BY:	EF		6					
		TITLE:	VEHICULAR & PEDESTRIAN ACCESS PLAN			DESIGNED BY:	JH		5					
						CHECKED BY:	JH		4					
											3			
											2			
											1			
											No	REVISIONS	DATE BY	

Exhibit G

Conceptual Project Elevation Drawings



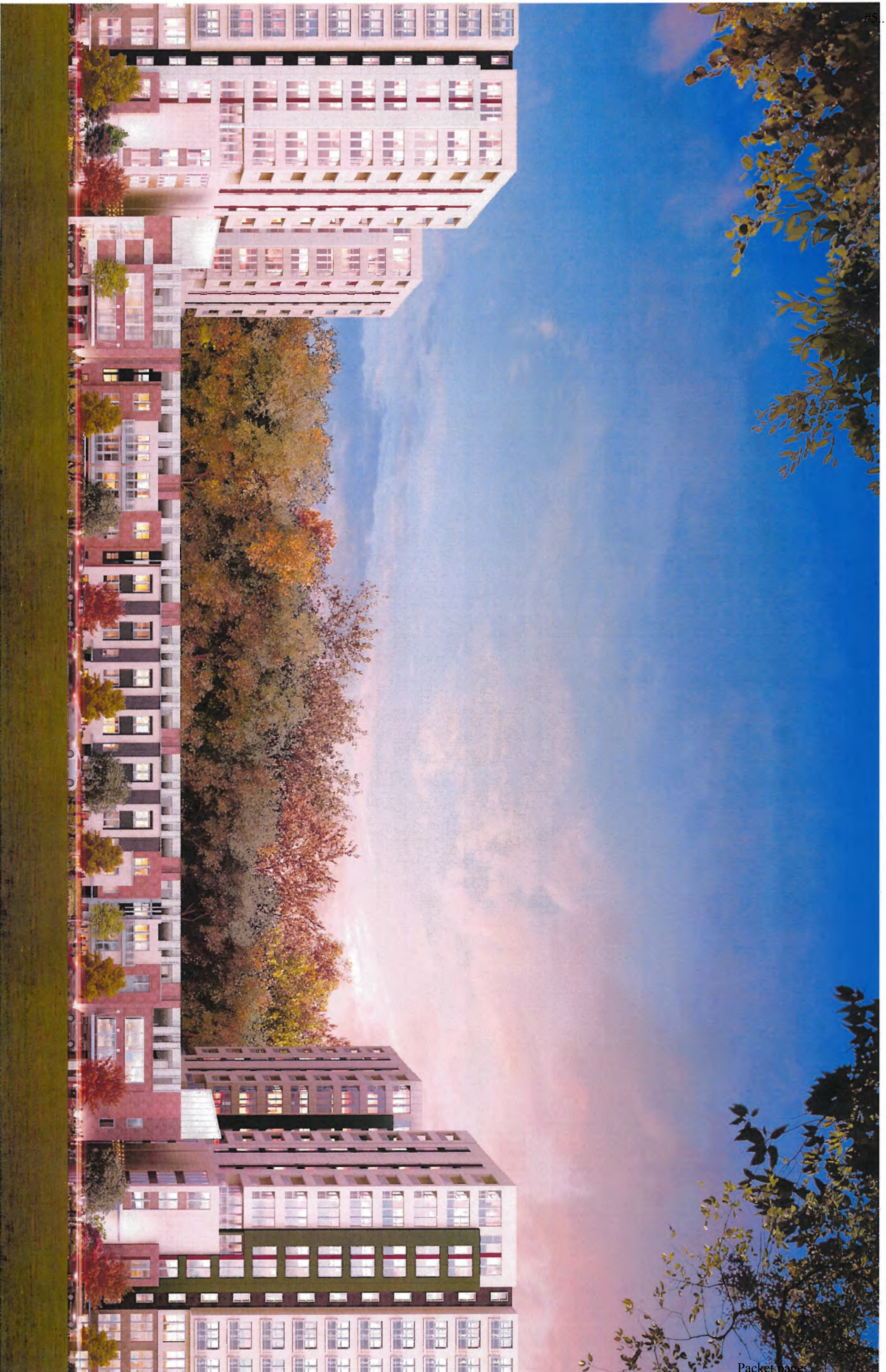
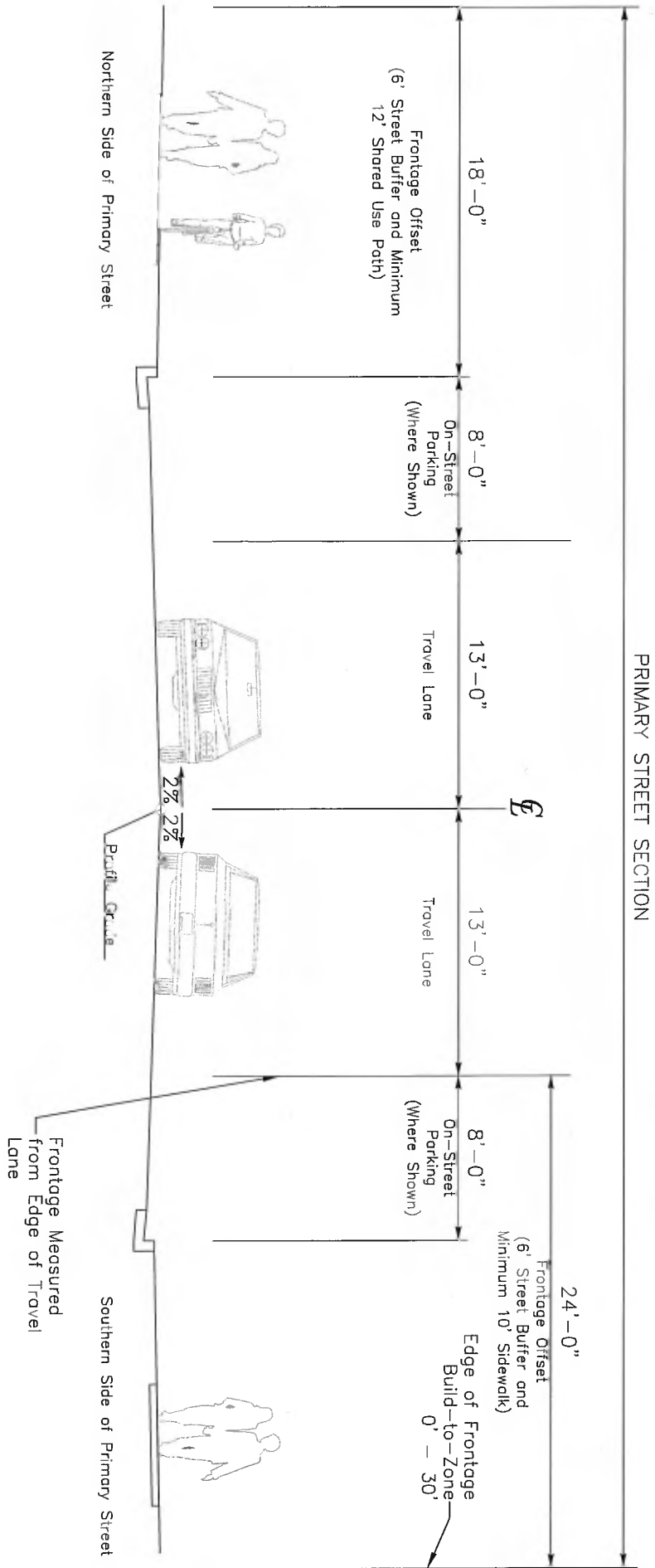
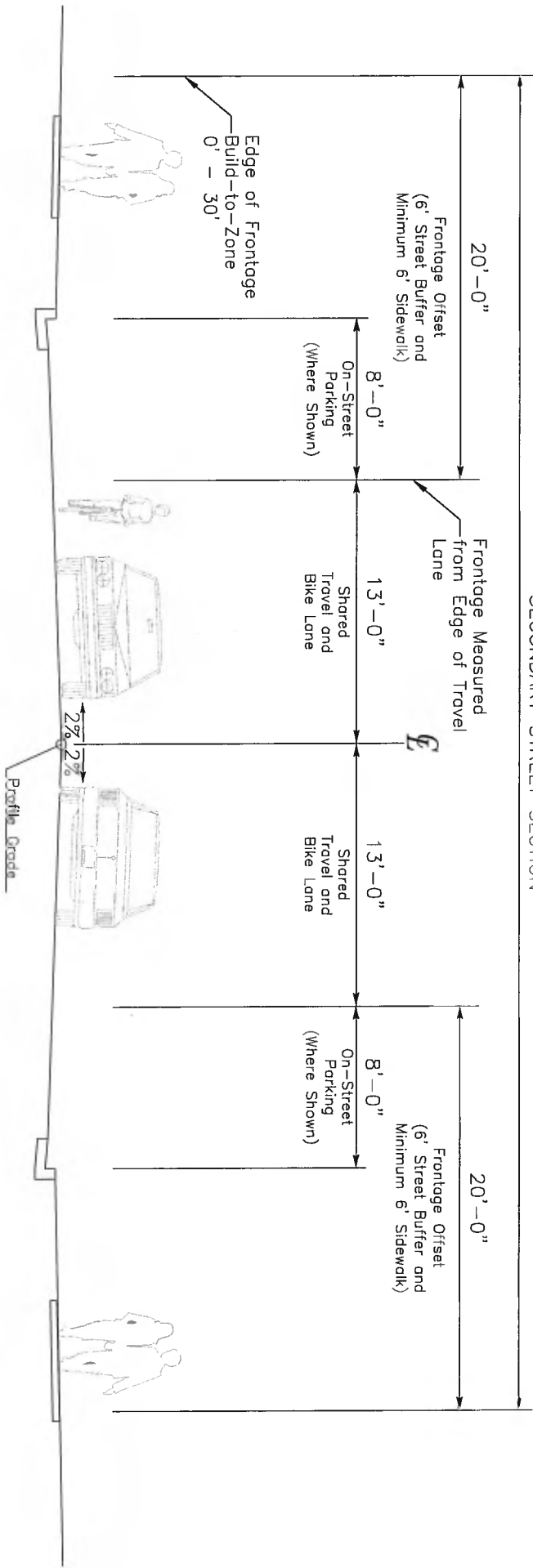


Exhibit H

Road Section Drawings

Drawing name: K:\C1E_PRA\018740000_The Park\CAD\PlanSheets\30x42 drawings\C2-02 SITE PLAN.dwg C2-02 - CROSS SECTIONS & UNIT MILES Jun 26, 2016 10:46am by Justin Houshoun
This document, together with the concepts and designs presented herein, is an instrument of service, to be used only for the specific purpose and shall be which it was prepared. Review of and reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.





C2-02	SHEET NUMBER	DATE 06/27/2018	PROJECT		CLIENT		SCALE		 © 2016 KIMLEY HORN AND ASSOCIATES, INC. 817 W. PEACHTREE STREET, NW THE BILTMORE, SUITE 601 ATLANTA, GEORGIA 30308 PHONE (404) 419-8700 WWW.KIMLEY-HORN.COM	1					
			THE PARK 41.47 & 51 PERIMETER CENTER EAST		 GRUBB PROPERTIES 4801 PARK ROAD, SUITE 450 CHARLOTTE, NC 28209 PHONE: (704) 372-5616		1" = 40'			6					
			TITLE				DRAWN BY			4					
			STREET CROSS SECTIONS				DESIGNED BY: JH			3					
							CHECKED BY: JH			2					
										1					
										No	REVISIONS			DATE	BY

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 Efficiency 3 points
National Green Building Standard protocols are followed on all Grubb Properties assets to assure compliance with the most current sustainable design & engineering practices. Office properties in the Project will incorporate current industry standards for energy efficiency (such as LEED), depending on tenant mix, which should result in an improvement of at least 10% over energy code for building energy efficiency.

TRANSPORTATION CATEGORY

- Enhanced Bicycle Amenities Measure 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.

ALTERNATIVE

- Alternative Measure 3 points
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

Exhibit J

Traffic Impact Comparison and DRI Validation



MEMORANDUM

To: Mr. Paul O'Shaughnessy, Grubb Properties, Inc.

From: Ms. Elizabeth Johnson, P.E., PTOE

Date: August 29, 2018

RE: *The Park at Perimeter Center – Dunwoody, GA – Traffic Memorandum*

Kimley-Horn is pleased to provide this memorandum regarding the project traffic for the currently proposed *Park 2.0* development in the City of Dunwoody, Georgia. The proposed *Park at Perimeter Center* development was originally analyzed as DRI #2691, submitted in September 2017 and approved in October 2017. DRI #2691 contemplated 1,200 residential units, 500,000 SF of new office space, and 12,000 SF of retail. It should be noted that the existing 92,686 SF of office space will be demolished as a part of this project, however to present a more conservative analysis, the demolished land uses were not accounted for in the trip generation. Since the approval of DRI #2691, the residential land use density has been reduced from 1,200 units to 900 units for the currently proposed *Park 2.0* development, while the office and retail land uses remain constant. This memo presents a comparison of the expected trip generation for the proposed densities.

TRIP GENERATION

Project traffic, for the purposes of this evaluation, is defined as the vehicle trips expected to be generated by the proposed development. Anticipated trip generation for the *Park at Perimeter Center* development was calculated using rates and equations contained in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Edition, 2012. This analysis compared the projected trips generated by the following three land uses: Apartment (ITE Code 220), Office (ITE Code 710), and Shopping Center (ITE Code 820). The density and the anticipated project trip generation are summarized in **Table 1** and **Table 2**.

Table 1: Trip Generation Summary: DRI #2691 (September 2017)								
Land Use	Density	Daily Trips (24 Hours)	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Apartment (ITE 220)	1,200 units	7,396	592	118	474	678	441	237
General Office Building (ITE 710)	500,000 SF	4,461	693	610	83	638	108	530
Shopping Center (ITE 820)	12,000 SF	512	12	7	5	45	22	23
Total Gross Trips		12,369	1,297	735	562	1,361	571	790
<i>MIXED USE REDUCTIONS – Total</i>		-230	-28	-14	-14	-60	-30	-30
<i>ALTERNATIVE MODE REDUCTION – Total</i>		-1,214	-126	-72	-54	-131	-54	-77
<i>PASS-BY REDUCTION – Total</i>		-136	0	0	0	-10	-5	-5
Net New Trips		10,925	1,143	649	494	1,160	482	678

Table 2: Trip Generation Summary: Revised 2018 Site Plan Density

Land Use	Density	Daily Trips (24 Hours)	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Apartment (ITE 220)	900 units	5,578	445	89	356	513	333	180
General Office Building (ITE 710)	500,000 SF	4,461	693	610	83	638	108	530
Shopping Center (ITE 820)	12,000 SF	512	12	7	5	45	22	23
Total Gross Trips		10,551	1,150	706	444	1,196	463	733
<i>MIXED USE REDUCTIONS – Total</i>		-226	-28	-14	-14	-60	-30	-30
<i>ALTERNATIVE MODE REDUCTION – Total</i>		-1,032	-112	-69	-43	-115	-44	-71
<i>PASS-BY REDUCTION – Total</i>		-136	0	0	0	-10	-5	-5
Net New Trips		9,157	1,010	623	387	1,011	384	627

As shown in **Table 1** and **Table 2**, the 2018 proposed densities are projected to generate approximately 1,768 less total daily trips (884 in; 884 out) than the original densities proposed in DRI #2691.

Also shown in **Table 1** and **Table 2**, the 2018 proposed densities are projected to generate approximately 133 less total AM peak hour trips (26 in; 107 out) and 149 less total PM peak hour trips (98 in; 51 out) than the original densities proposed in DRI #2691.

Table 3: Percentage Difference: Proposed 2017 and 2018 Densities

	September 2017 Trip Generation	August 2018 Trip Generation	Percentage Reduction
Total Gross Trips	12,369	10,551	15%
Net New Trips	10,925	9,157	16%

As shown in **Table 3**, there is an approximately 15% reduction in total gross trips between the densities proposed as a part of DRI #2691 in September 2017 and the 2018 proposed densities. Additionally, there is a 16% reduction in the projected net new project trips between the two scenarios.

SUMMARY

Based on the findings above, the proposed 2018 densities are projected to generate approximately 1,768 less total daily trips (884 in; 884 out) than the original densities proposed in DRI #2691 (September 2017). Also, the proposed 2018 densities are projected to generate approximately 133 less total AM peak hour trips (26 in; 107 out) and 149 less total PM peak hour trips (98 in; 51 out) than the original densities proposed in DRI #2691. The proposed 2018 densities are projected to reduce project trips by approximately 15% compared to the proposed densities in DRI #2691.

The project trips for the proposed development was estimated using rates and equations contained in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Edition, 2012 in order to be consistent with DRI #2691. It should be noted that the 10th Edition of the ITE *Trip Generation Manual* has been released, but was not available at the time of DRI #2691.



Mr. Paul O'Shaughnessy, August 29, 2018

We hope this information is helpful. If you have any questions concerning this letter or need additional information, please do not hesitate to contact me.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in black ink that reads "Elizabeth Johnson".

Elizabeth Johnson, P.E., PTOE
Project Manager

A handwritten signature in black ink that reads "Harrison D. Forder".

Harrison Forder, E.I. (AL)
Project Analyst

Attachments:

- Trip Generation Analysis (9th Edition)
- September 2017 DRI #2691 Site Plan
- Revised 2018 Site Plan

Trip Generation Analysis (9th Ed.) The Park at Perimeter Center DRI #2691 - September 2017 City of Dunwoody, GA								
Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Site Traffic								
220 Apartment	1,200 d.u.	7,396	592	118	474	678	441	237
710 General Office Building	500,000 s.f.	4,461	693	610	83	638	108	530
820 Shopping Center	12,000 s.f. gross leasable area	512	12	7	5	45	22	23
Gross Trips		12,369	1,297	735	562	1,361	571	790
Residential Trips		7,396	592	118	474	678	441	237
Mixed-Use Reductions		-100	-11	-1	-10	-28	-17	-11
Alternative Mode Reductions		-730	-58	-12	-46	-65	-42	-23
Adjusted Residential Trips		6,566	523	105	418	585	382	203
Office Trips		4,461	693	610	83	638	108	530
Mixed-Use Reductions		-58	-12	-10	-2	-22	-9	-13
Alternative Mode Reductions		-440	-68	-60	-8	-62	-10	-52
Adjusted Office Trips		3,963	613	540	73	554	89	465
Retail Trips		512	12	7	5	45	22	23
Mixed-Use Reductions		-68	-5	-3	-2	-10	-4	-6
Alternative Mode Reductions		-44	0	0	0	-4	-2	-2
Pass By Reductions (Based on ITE Rates)		-136	0	0	0	-10	-5	-5
Adjusted Retail Trips		264	7	4	3	21	11	10
Mixed-Use Reductions		0	0	0	0	0	0	0
Alternative Mode Reductions		0	0	0	0	0	0	0
Pass By Reductions (Based on ITE Rates)		0	0	0	0	0	0	0
Adjusted Restaurant Trips		0	0	0	0	0	0	0
Other Non-Residential Trips		0	0	0	0	0	0	0
Mixed-Use Reductions		0	0	0	0	0	0	0
Alternative Mode Reductions		0	0	0	0	0	0	0
Adjusted Other Non-Residential Trips		0	0	0	0	0	0	0
Mixed-Use Reductions - TOTAL		-226	-28	-14	-14	-60	-30	-30
Alternative Mode Reductions - TOTAL		-1,214	-126	-72	-54	-131	-54	-77
Pass-By Reductions - TOTAL		-136	0	0	0	-10	-5	-5
New Trips		10,793	1,143	649	494	1,160	482	678
Driveway Volumes		10,929	1,143	649	494	1,170	487	683

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Trip Generation Analysis (9th Ed.) The Park at Perimeter Center New Land Use Densities - August 2018 City of Dunwoody, GA								
Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Site Traffic								
220 Apartment	900 d.u.	5,578	445	89	356	513	333	180
710 General Office Building	500,000 s.f.	4,461	693	610	83	638	108	530
820 Shopping Center	12,000 s.f. gross leasable area	512	12	7	5	45	22	23
Gross Trips								
		10,551	1,150	706	444	1,196	463	733
Residential Trips		5,578	445	89	356	513	333	180
Mixed-Use Reductions		-100	-11	-1	-10	-28	-17	-11
Alternative Mode Reductions		-548	-44	-9	-35	-49	-32	-17
Adjusted Residential Trips		4,930	390	79	311	436	284	152
Office Trips		4,461	693	610	83	638	108	530
Mixed-Use Reductions		-58	-12	-10	-2	-22	-9	-13
Alternative Mode Reductions		-440	-68	-60	-8	-62	-10	-52
Adjusted Office Trips		3,963	613	540	73	554	89	465
Retail Trips		512	12	7	5	45	22	23
Mixed-Use Reductions		-68	-5	-3	-2	-10	-4	-6
Alternative Mode Reductions		-44	0	0	0	-4	-2	-2
Pass By Reductions (Based on ITE Rates)		-136	0	0	0	-10	-5	-5
Adjusted Retail Trips		264	7	4	3	21	11	10
Mixed-Use Reductions		0	0	0	0	0	0	0
Alternative Mode Reductions		0	0	0	0	0	0	0
Pass By Reductions (Based on ITE Rates)		0	0	0	0	0	0	0
Adjusted Restaurant Trips		0	0	0	0	0	0	0
Other Non-Residential Trips		0	0	0	0	0	0	0
Mixed-Use Reductions		0	0	0	0	0	0	0
Alternative Mode Reductions		0	0	0	0	0	0	0
Adjusted Other Non-Residential Trips		0	0	0	0	0	0	0
Mixed-Use Reductions - TOTAL		-226	-28	-14	-14	-60	-30	-30
Alternative Mode Reductions - TOTAL		-1,032	-112	-69	-43	-115	-44	-71
Pass-By Reductions - TOTAL		-136	0	0	0	-10	-5	-5
New Trips		9,157	1,010	623	387	1,011	384	627
Driveway Volumes		9,293	1,010	623	387	1,021	389	632

k:\alp_prj\018740000_the park eng traffic\park 2.0 memo\trip generation.xlsx\2018 new densities

Kirk, David C.

From: Andrew Smith <ASmith@atlantaregional.org>
Sent: Tuesday, July 10, 2018 4:44 PM
To: Kirk, David C.
Cc: Dan Schumacher; Paul O'Shaughnessy; Houston, Justin; Richard McLeod; Emily Estes
Subject: RE: DRI # 2691 - Park at Perimeter Center
Attachments: Letter Regarding DRI 269107032018_104641.pdf; Site Plan.pdf

David,

Thanks for your email. I was out all of last week and am catching up now.

Per our DRI rules, ARC may determine that a previously submitted DRI is subject to a new review if the project changes are substantial enough. Examples of changes that may lead the RC to determine that an additional comment opportunity is warranted include, but are not limited to, a substantial increase in project size or a substantial change in the mix of uses. In making its determination, the RC considers such factors as whether the potential for project impacts will change substantially for the altered project and whether significant time has passed since the previous DRI process (thus increasing likelihood that affected parties' views on the project have changed).

Based on the information submitted (attached), ARC's view is that the new proposal is not substantially different from DRI 2691 so as to warrant a new review. Specifically it is unchanged in terms of mix of uses, and the number of residential units is decreasing whereas ARC considers increases in project size when making its determinations. Site access remains unchanged as well. Finally, the review of DRI 2691 took place less than a year ago, decreasing the likelihood that affected parties' views on the project have changed.

The information in our DRI 2691 Final Report from 10/11/2017 remains substantially the same in relation to the new proposal – although if we were to conduct a new review, it is probable that our Transportation Access & Mobility Division's comments would be somewhat different, given that trip generation for the new project would presumably be different (in this case, lower) and therefore the DRI traffic study would be different.

If there are changes to the new proposed project that may cause a DRI review threshold to be met or exceeded, that information should be submitted to ARC so that another review determination can be made at that time. Please feel free to contact me with any questions.

Best,

Andrew Smith

Principal Planner, Community Development

Atlanta Regional Commission

P | 470.378.1645

asmith@atlantaregional.org

atlantaregional.org

International Tower

229 Peachtree Street NE | Suite 100

Atlanta, Georgia 30303

From: Kirk, David C. [mailto:david.kirk@troutmansanders.com]

Sent: Tuesday, July 3, 2018 10:53 AM

To: Andrew Smith <ASmith@atlantaregional.org>

Cc: Dan Schumacher <dschumacher@grubbproperties.com>; Paul O'Shaughnessy

<poshaughnessy@grubbproperties.com>; Houston, Justin <Justin.Houston@kimley-horn.com>; Richard McLeod
<Richard.McLeod@dunwoodyga.gov>

Subject: DRI # 2691 - Park at Perimeter Center

Good Morning, Andrew. I hope you are well. The attached letter and site plan relate to our conversation last week concerning the continued validity of DRI Review #2691 (Park at Perimeter Center). I submitted the "Pre-Application Review Application" to the City of Dunwoody last Friday (June 29) and expect to submit the Rezoning and SLUP applications in the near future. Once you have had the opportunity to review the attached, please let me know if you have any questions or concerns. I appreciate your assistance with this important matter.

Best regards,

David

David C. Kirk

Direct: 404.885.3415

david.kirk@troutman.com

troutman sanders

600 Peachtree Street, NE, Suite 3000

Atlanta, GA 30308

troutman.com

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Troutman Sanders LLP
600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308-2216

troutman.com



David C. Kirk
david.kirk@troutman.com

July 3, 2018

VIA ELECTRONIC DELIVERY
& FIRST CLASS U.S. MAIL

Mr. Andrew Smith
Principal Planner, Community Development
Atlanta Regional Commission
International Tower
229 Peachtree Street, NE, Suite 100
Atlanta, Georgia 30303

Re: DRI Review #2691 (The Park at Perimeter Center) - Request for Determination of Continued Validity

Dear Andrew:

As you and I discussed late last week, the rezoning and special land use permit applications submitted to the City of Dunwoody that gave rise to the above-referenced Development of Regional Impact ("DRI") Review were withdrawn without prejudice on March 26, 2018. Following additional discussions with City of Dunwoody representatives, rezoning and special land use permit applications for a substantially identical project have been prepared and will soon be submitted to the City of Dunwoody. A comparison of the initial DRI submittal and the current proposal is below:

<u>Project Element</u>	<u>Initial Proposal</u>	<u>Current Proposal</u>
Residential Units	1,200 (maximum of 25% rental)	1,200 (all "for sale" units)
Net New Office Space	500,000 square feet	375,000 square feet
Retail or Other Active Street Level Uses	12,000 square feet (+/-)	12,000 square feet (+/-)

For your information, I also have included a copy of the preliminary site plan for the current proposal which indicates the location of all site access points. When compared to the original DRI submittal, this indicates the project location, site acreage, and all proposed project access points are identical. As you can see, the only substantive differences between the two proposals are the reduction in proposed new office space by approximately 125,000 square feet and the elimination of any rental housing component.

Mr. Andrew Smith
July 3, 2018
Page 2



I am writing to request your formal written determination that the analysis, findings, and recommendations contained in the ARC Final Report for DRI #2691, completed October 11, 2017, remain valid with regard to the current proposal outlined above.

Should you have any questions or need any additional information, please do not hesitate to contact me at your convenience. Thanks so much for your attention to this important matter.

Yours very truly,

A handwritten signature in blue ink, appearing to be "David C. Kirk", written over a circular blue stamp.

David C. Kirk

/dck

Enclosure

cc: Mr. Dan Schumacher
Mr. Paul O'Shaughnessy
Mr. Richard McLeod
Justin M. Houston, P.E.

Drawing name: K:\C2K_PRAJ018740000_The Park\CAD\DWG\Sheets\0042.dwg;C2-00 - SITE PLAN.dwg C2-00B - SITE PLAN-HIGH RISE Jun 28, 2018 2:47pm by Justin Houston

This document, together with the concepts and designs presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Review of and reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

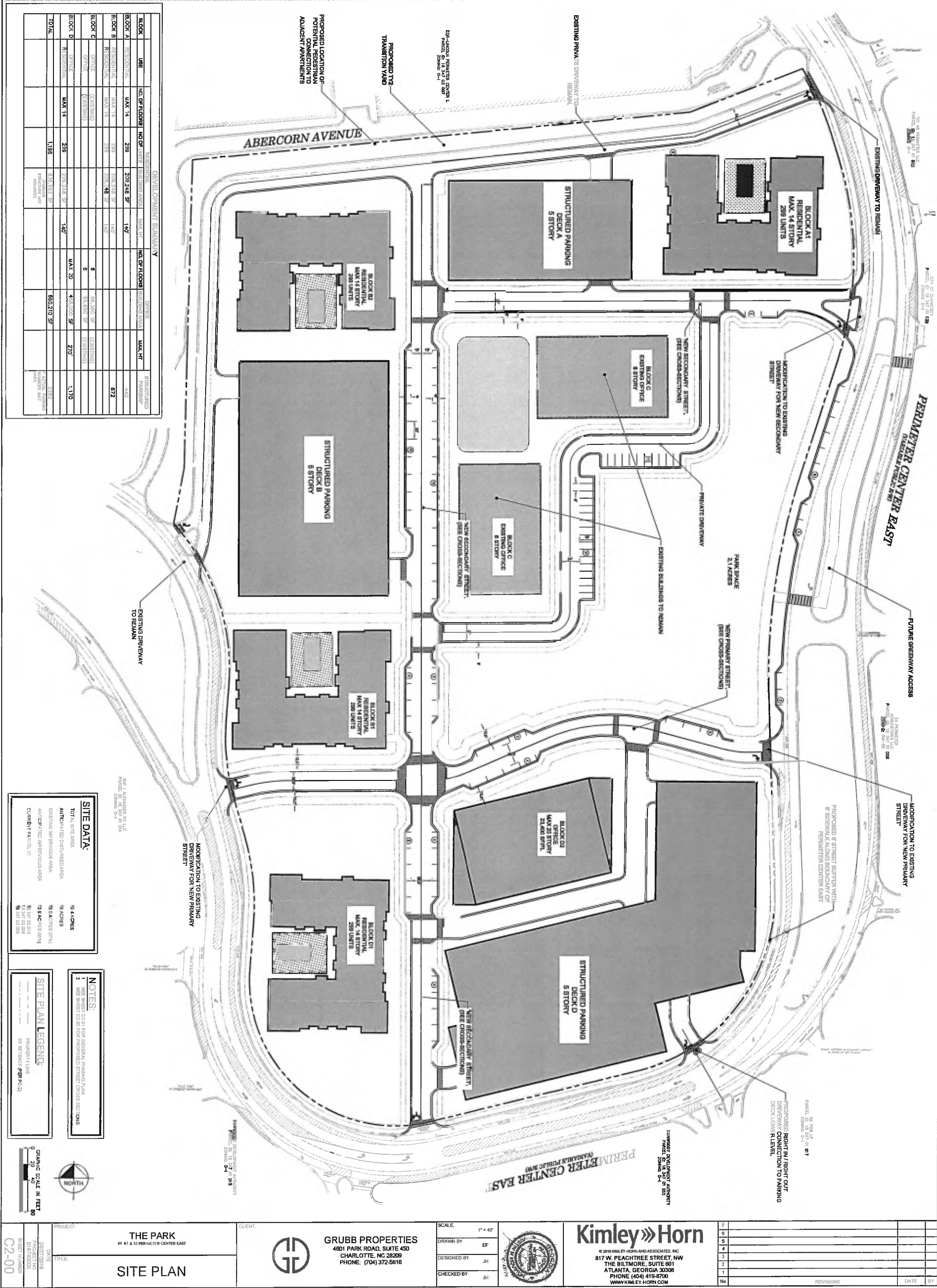


Exhibit K

School Impact Analysis



Bleakly Advisory Group

August 30, 2018

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 900 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 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:

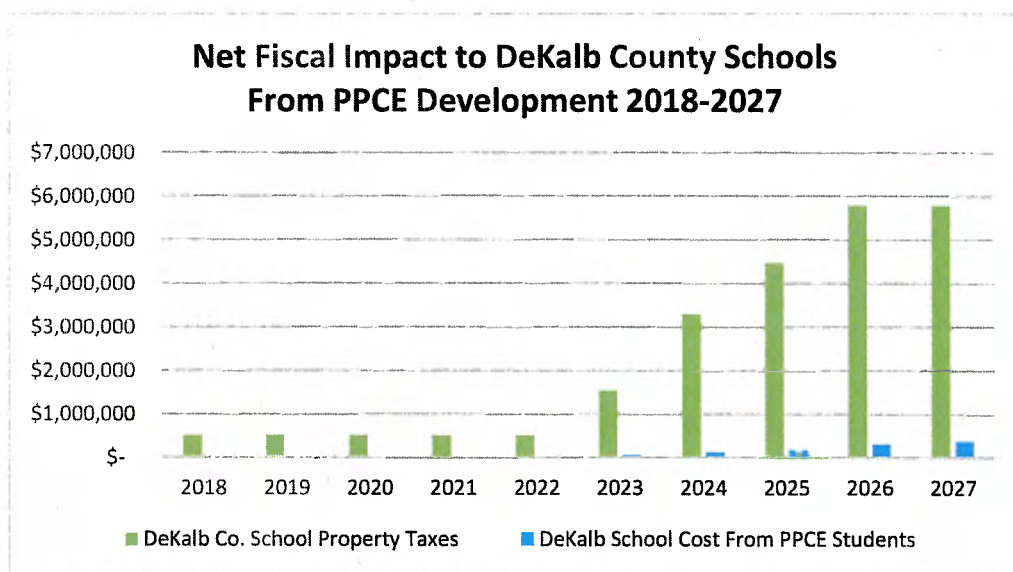
- **A Dramatic Expansion of the Tax Digest for DeKalb County Schools**—over the ten-year development period, the taxable value of property at PPCE will increase from \$21.8 million value of the two existing office buildings that will be retained, to \$247 million by 2027— an 11-fold increase in the taxable 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

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Schools—increasing from \$508,000 collected today on the two existing buildings which will remain to nearly \$5.8 million annually by the tenth year of development, (based on today's school millage rate). As with property values, this represents an 11-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 110 students by the tenth year—an annual growth rate of approximately 11 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 \$61,000 in 2023 when the first students enter the DeKalb School system to \$378,000 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 \$5.4 million annually by the tenth year. Over the ten-year period the cumulative net fiscal impact to DeKalb County Schools will be \$22.4 million.



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



BleaklyAdvisoryGroup

August 30, 2018

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.

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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 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:

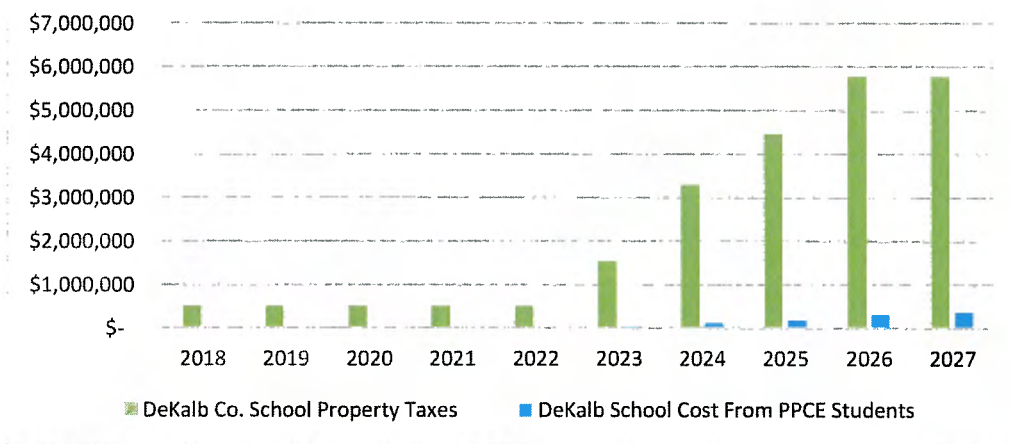
- **A Dramatic Expansion of the Tax Digest for DeKalb County Schools**—over the ten-year development period, the taxable value of property at PPCE will increase from \$21.8 million value of the two existing office buildings that will be retained, to \$247 million by 2027— an 11-fold increase in the taxable value of the property.

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- **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 nearly \$5.8 million annually by the tenth year of development, (based on today's school millage rate). As with property values, this represents an 11-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 110 students by the tenth year—an annual growth rate of approximately 11 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 \$61,000 in 2023 when the first students enter the DeKalb School system to \$378,000 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 \$5.4 million annually by the tenth year. Over the ten-year period the cumulative net fiscal impact to DeKalb County Schools will be \$22.4 million.

Net Fiscal Impact to DeKalb County Schools From PPCE Development 2018-2027



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 17-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.

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. Further residential development will occur either concurrently or after the office development's completion.

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

Park at Perimeter Center East			
Buildings	Land Use	SF/Units	Operational
Existing Buildings			
41 PCE	Office	95,000	Existing
47 PCE	Office	95,000	Existing
New Development			
Block A	Owner Stacked Flats	300	2023
Block E	Office	500,000	2024
Block E-1	Owner Stacked Flats	300	2025
Block E-2	Owner Stacked Flats	300	2026
Subtotal New Development			
	Office	500,000	
	Owner Stacked Flats	900	
Total Development			
	Office	690,000	
	Owner Stacked Flats	900	

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 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 12th grade in 2015, which is the most recent data available.

City of Dunwoody School-Aged Children by Household Tenure		
	Owner	Renter
Dunwoody 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 Children in Public 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 by 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, B06

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 12th 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 number 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.



Park at Perimeter Center East Estimated Residents and Public-School Students							
	Total Units	Occupied Units	Persons/ Unit	Total Persons	School Aged Children/Unit	Total School- Aged Children	Total Public- school Students**
Block A Owner Stacked Flats							
1 bedroom	135	128	1.39	178	0.07	9	
2 bedroom	<u>165</u>	<u>157</u>	<u>1.66</u>	<u>260</u>	<u>0.17</u>	<u>27</u>	
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>	<u>1.93</u>	<u>28</u>	<u>0.27</u>	<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*	<u>15</u>	<u>14</u>	<u>1.93</u>	<u>28</u>	<u>0.27</u>	<u>4</u>	
subtotal	300	285		442		37	27
Total Residents/Public-school Students	900	841		1,296		110	80

*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 owner-occupied units by bedroom type, we have estimated that there will be 1,296 residents living in the three residential buildings at PPCE. We estimate there will be 110 public-school students combined from the three residential buildings. Block A will have the lowest number of 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 families.

The reason that the number of public-school students is relatively 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 condominiums tend to appeal primarily to two groups: The first are 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



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 three new residential buildings, and the new office building plus the two existing office buildings which will remain, will generate approximately \$5.8 million in property taxes to the DeKalb County Schools. This represents 1.14% of the total revenue the DeKalb Schools anticipate from property taxes in 2017.

Park at Perimeter Center East							
Buildings	Land Use	SF/Units	Development Value /SF/Unit	Appraised Value/SF/Unit	Assessed Value SF/Unit	Taxable Value/SF/Unit	Total Taxable Value
Existing Buildings							
41 PCE	Office	94,734			\$115.85	\$115.85	\$10,974,933.90
47 PCE	Office	95,298			\$113.06	\$113.06	\$10,774,391.88
Subtotal Existing Development							\$21,749,325.78
New Development							
Block A	Owner Stacked Flats	300	\$400,000	\$400,000	\$160,000	\$147,500	\$44,250,000
Block E	Office	500,000	\$425	\$375	\$150	\$150	\$75,000,000
Block E-1	Owner Stacked Flats	300	\$383,500	\$450,000	\$180,000	\$167,500	\$50,250,000
Block E-2	Owner Stacked Flats	300	\$425,000	\$500,000	\$200,000	\$187,500	\$56,250,000
Subtotal New Development							\$225,750,000
Total Development Value							\$247,499,326
Estimated Property Taxes DeKalb County Schools							
Millage Rate							Property Taxes
DeKalb County Schools	0.023380						\$5,786,534.24

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.

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

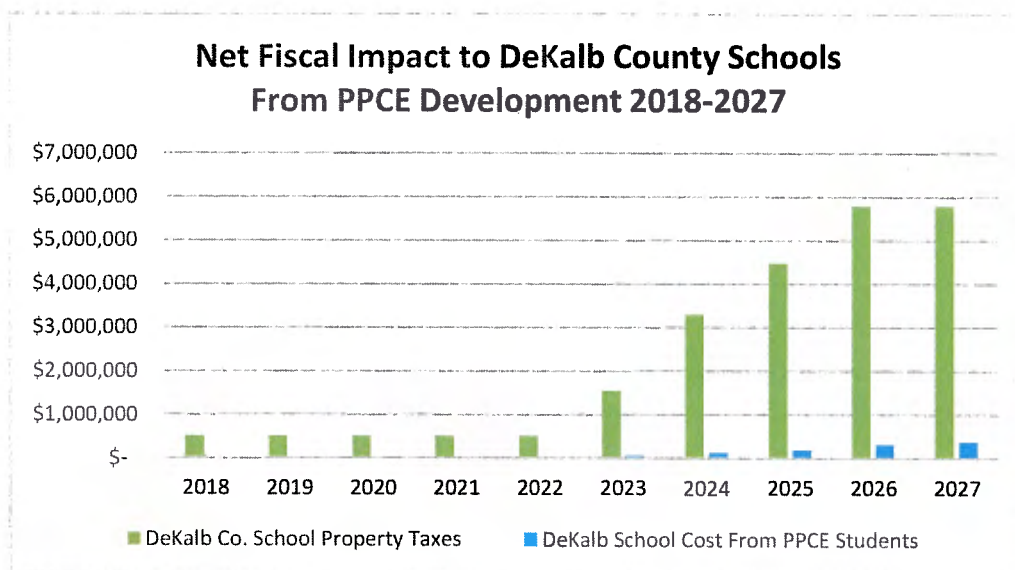
Page 8



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 \$23.4 million in property tax revenues to DeKalb County Schools—increasing from \$508,000 in the first year to \$5.8 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 110 by the tenth year, an average growth of 11 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 five years to \$378,140 per year by the tenth year—for a cumulative educational cost of \$1.06 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 \$22.4 million 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

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



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Park at Perimeter Center East Incremental DeKalb Co. School Fiscal Impacts 2018-2027												
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	Cumulative 2018-2027	
Existing Office Taxable Value	\$ 21,749,392	\$ 21,749,392	\$ 21,749,392	\$ 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 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	\$ 21,749,392	\$ 21,749,392	\$ 21,749,392	\$ 21,749,392	\$ 65,999,392	\$ 140,999,392	\$ 191,249,392	\$ 247,499,392	\$ 247,499,392		
School Property Taxes	\$ 508,501	\$ 508,501	\$ 508,501	\$ 508,501	\$ 508,501	\$ 1,543,066	\$ 3,296,566	\$ 4,471,411	\$ 5,786,536	\$ 5,786,536	\$ 23,426,618	
Estimated Public Students												
Existing Office	0	0	0	0	0	0	0	0	0	0		
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	0	0	0	13	26	39	66	80		
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	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 61,412	\$ 122,824	\$ 184,236	\$ 312,004	\$ 378,140	\$ 1,058,615	
Net Fiscal Impact (Surplus) to DeKalb Schools	\$ 508,501	\$ 508,501	\$ 508,501	\$ 508,501	\$ 508,501	\$ 1,481,654	\$ 3,173,742	\$ 4,287,175	\$ 5,474,532	\$ 5,408,396	\$ 22,368,003	

Source: Grubb Properties, BAG



Terms and Conditions Governing this Research and Report

Accuracy of Report: Every reasonable effort will be made to ensure that the data developed in this assignment reflect the most accurate and timely information possible and is believed to be reliable. This consulting assignment will be based on estimates, assumptions and other information developed by Bleakly Advisory Group ("BAG") from its independent research efforts, general industry knowledge and consultations with the client and its representatives for this assignment. No responsibility is assumed for inaccuracies in reporting by the client, its agents or representatives or any other data source used in preparing or presenting this study. The research and reports are based on information that is current as of the date of the report. BAG assumes no responsibility to update the information after the date of the report. The research may contain prospective financial information, estimates or opinions that represent our view of reasonable expectations at a particular point in time, but such information, estimates or opinions are not offered as predictions or as assurances that a particular outcome will occur. Actual results achieved during the period covered by our prospective analysis may vary from those described on our research and report and variations may be material. Therefore, nor warranty or representation is made by BAG that any of the projected values or results contained in the work product from this assignment will actually be achieved.

Usage of Report: The research product may not be used, in whole or in part, in any public or private offering of securities or other similar purpose by the client without first obtaining the prior written consent of BAG.

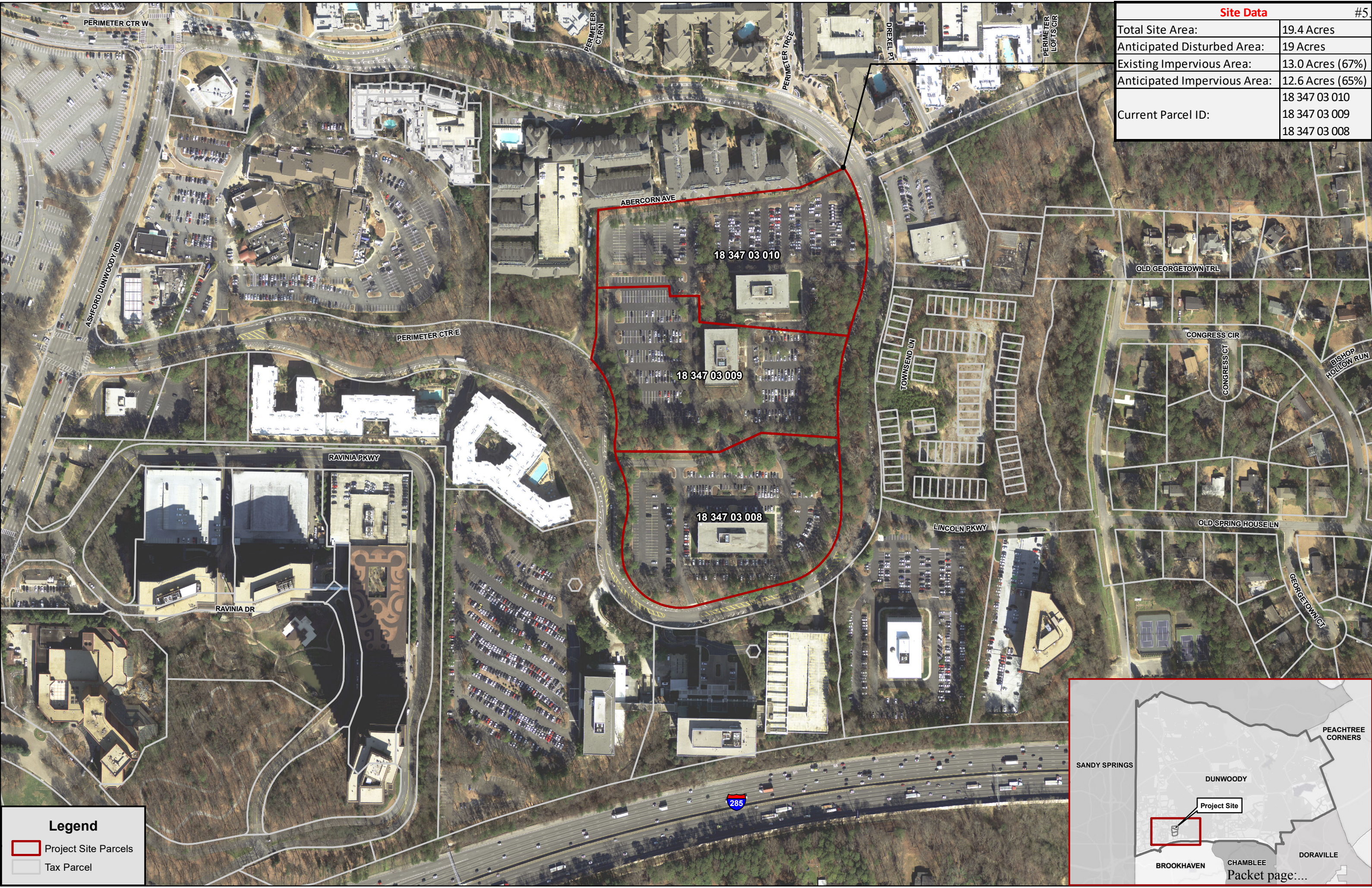
Termination: Should you determine to terminate this agreement for any reason you agree to so notify BAG via letter and agree to pay for work completed by BAG up to the date of the notification of termination.

Entirety of Agreement: The terms and conditions of this agreement embody the entirety of the agreement and understanding between the parties hereto and there are no other agreements and understandings, oral or written, with reference to the matter hereof that are not merged herein and superseded hereby. No alternation, change or modification of the terms of the agreement shall be valid unless made in writing and signed by both parties.

Dispute Resolution: If a dispute arises out of or related to this agreement, or the breach thereof, the parties will attempt to settle the matter through amicable discussion. If no agreement can be reached, the parties agree to use mediation before resorting to a judicial forum. The cost of the third-party mediator will be shared equally by the parties.

Limitation of Liability: The client agrees that as a result of any mediation or legal action resulting from this assignment BAG's maximum liability is limited to the fees it receives for the assignment.

Governing Law: The agreement shall be governed by the laws of the State of Georgia.



Site Data		#5
Total Site Area:	19.4 Acres	
Anticipated Disturbed Area:	19 Acres	
Existing Impervious Area:	13.0 Acres (67%)	
Anticipated Impervious Area:	12.6 Acres (65%)	
Current Parcel ID:	18 347 03 010	
	18 347 03 009	
	18 347 03 008	

Legend

Project Site Parcels

Tax Parcel

SANDY SPRINGS

DUNWOODY

BROOKHAVEN

CHAMBLEE

PEACHTREE CORNERS

DORAVILLE

Project Site

Packet page:...

Grubb Properties – Park at Perimeter Center East Rezoning/SLUPs

Summary of Major Differences between 2017 and 2018 Proposals

(Current as of September 4, 2018)

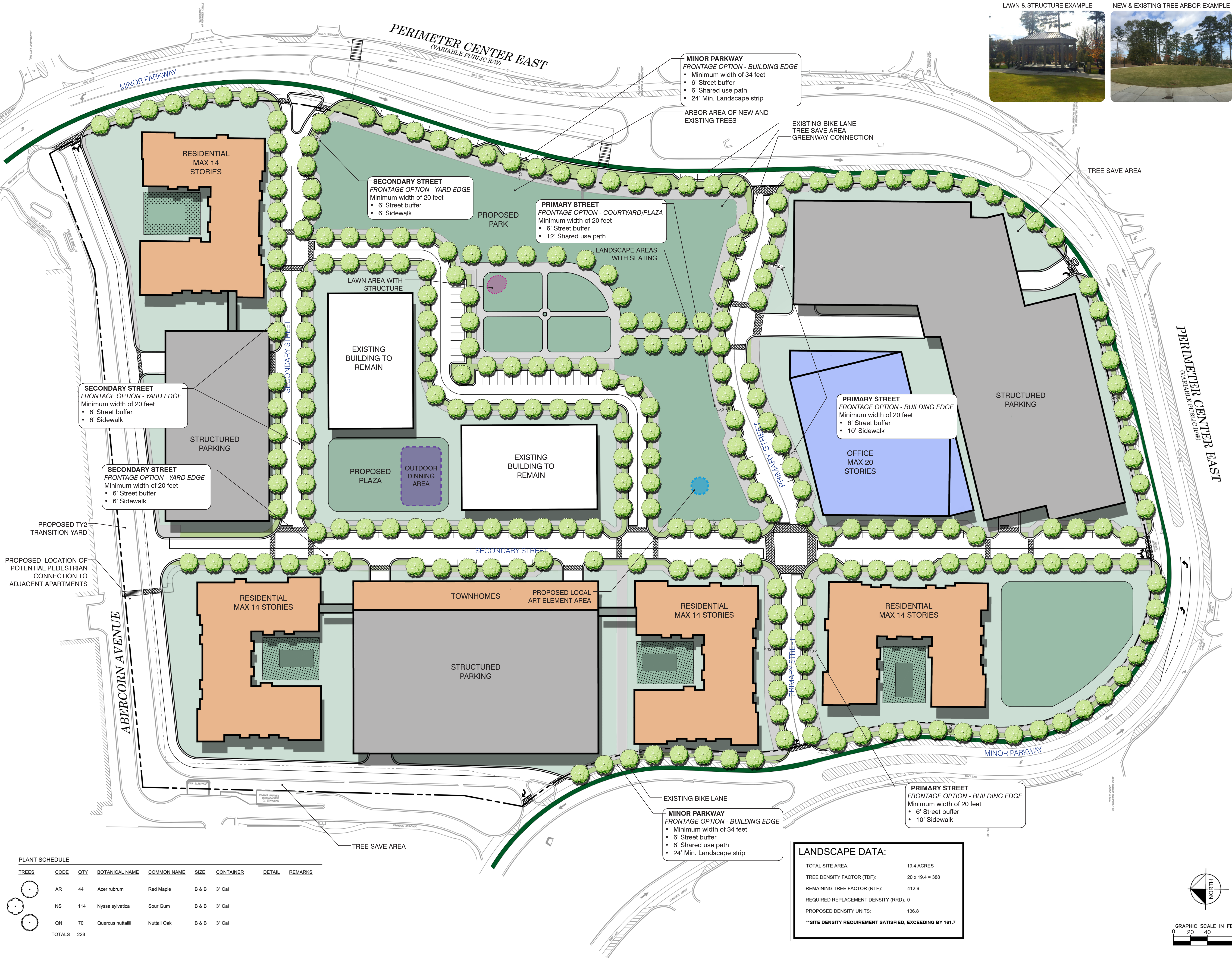
	Original Proposal (2017)	Current Proposal (2018)
Total Residential Units	1,200	900
Rental Units	25% maximum	0
“For Sale” Units	75% or more	100% (900)
Residential Structures	6 (5 towers/1 wrapped)	5 (4 towers/1 wrapped)

In addition:

- The footprints for the residential towers have been modified to more of a “U” shape; the residential units (townhomes) on the north-south secondary street frontage of Parking Deck “B” remain;
- The Block D3 (SE) residential tower has been eliminated;
- The building envelope/footprint for the new office tower (D2) has been slightly modified and the associated underground parking replaced with structured parking to serve the proposed new office tower and the SW residential tower (D1);
- Pedestrian connections have been created between the parking structures and the residential towers;
- The structured parking adjacent to the SW residential tower (D1) has been eliminated; and
- The SW residential tower (D1) has been moved slightly north toward the main intersection of the east-west primary street and the north-south secondary street to enhance the pedestrian environment and allow for additional greenspace on the southern portion of the site.







LAWN & STRUCTURE EXAMPLE



NEW & EXISTING TREE ARBOR EXAMPLE



PROJECT:	THE PARK	DATE:	9/26/2018
CLIENT:	GRUBB PROPERTIES 4601 PARK ROAD, SUITE 450 DUBLIN, VA 22028 PHONE: (703) 572-5616	PROJECT NO.:	018740000
DESIGNED BY:		SHEET NUMBER:	L1-01
CHECKED BY:		DATE:	
SCALE:	1" = 40'	REVISIONS:	
DRAWN BY:		BY:	
DESIGNED BY:		DATE:	
CHECKED BY:		DATE:	
Kimley-Horn			
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PERIMETER CENTER

Vision/Intent

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

In the future, the area should add public gathering space and pocket parks, venues for live music and entertainment and continue to create transportation alternatives, mitigate congestion, and reduce remaining excessive surface parking. The area creates the conditions of possible true “live-work” environment. All future development continues to emphasize high quality design standards and building materials and incorporates the current national best practices on energy efficiency, where possible.

The City of Dunwoody recognizes the value of creating mixed-use, transit-oriented development within walking distance of public transit stations. However, the City has concerns about the impact of such development on the City’s infrastructure and schools.

Future Development

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

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

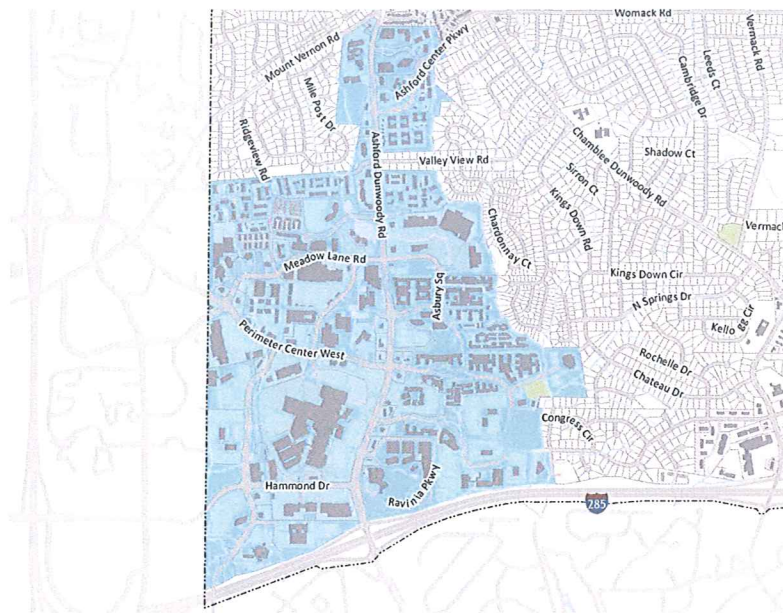


FIGURE 13: Perimeter Center Character Area Map

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

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

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

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

Action Items



▲ Perimeter Mall



▲ Housing in Perimeter Center

- New development will include amenities and provide public functional green space.
- New development will be mindful of school capacity issues and applicants will work with Board of Education and City for better resolution of school issues.
- Reduce surface parking and promote livable centers in the immediate areas surrounding MARTA station.
- Encourage hotel and convention development near MARTA in order to foster commerce along the mass transportation route.
- Achieve a lifelong-community for residents who can age in place with safe access to medical, recreational and other necessary services.
- Create bicycle, pedestrian and non-auto related transportation options to connect with the rest of the City of Dunwoody.
- The 2012 PCID Commuter Trail System Master Plan proposed a network of commuter trails connecting to the MARTA station.
- The 2012 PCID Perimeter Circulator Implementation report recommended circulator transit to provide first/ last mile connectivity for commuters and reduction in CID area congestion.
- The PCIDs have proposed Perimeter Park at the Dunwoody MARTA Station.
- Work with the Perimeter Transportation Management Association (TMA) to actively reduce automobile dependency and emerge as a leader in alternative transportation for the region.
- Work to strengthen Board of Education relationship for creative solutions to school capacity.
- Work with the PCIDs' boards to implement vision.
- Coordinate with the City of Sandy Springs for LCI Updates and implementation.
- Coordinate with the Atlanta Regional Commission (ARC) for implementation of future LCI study updates.
- Coordinate with MARTA regarding Bus Rapid Transit (BRT) (or other regional service) and urban design surrounding all transit stations.
- Look for ways to encourage live entertainment for the benefit of visitors and residents.

COMMUNITY IMPROVEMENT DISTRICT (CID)

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

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


G R U B B P R O P E R T I E S
People who care. Places that matter.
memo

To: City of Dunwoody
From: Grubb Properties, Inc.
CC: To File
Date: September 13, 2018
Re: **Park at Perimeter Center East – Shared Parking Analysis**

Summary

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 900 new multifamily units (for-sale), 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 eventual 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 zoning requirements 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 900 units of multifamily and nearly 700,000 SF of office space and require 3,232 parking spaces by code. Utilizing Grubb's shared parking model, the proposed development would include approximately 2,300 parking spaces. This would allow for a 3.0 spaces/1,000 SF of office and 0.4 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 2.5 spaces per unit. Both ratios are over the minimums required for their period of heaviest use. That would be 858 less parking spaces, or 27% less, 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 under-utilized spaces which will help to eliminate unnecessary traffic.

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

Park at Perimeter Center East

SHARED PARKING ANALYSIS

Stand-Alone with No Sharing - PCE Overlay Requirements

Multifamily	Size	1 BD	2BD	Guest	SPACES
		50%	50%		
Units	900 Units	450 Units	450 Units		
Spaces Req'd.		450	900	152	1,502

Office	Size				SPACES
Square Feet	691,852 SF				
Spaces Req'd.	692	x	2.5 per 1,000 SF		1,730

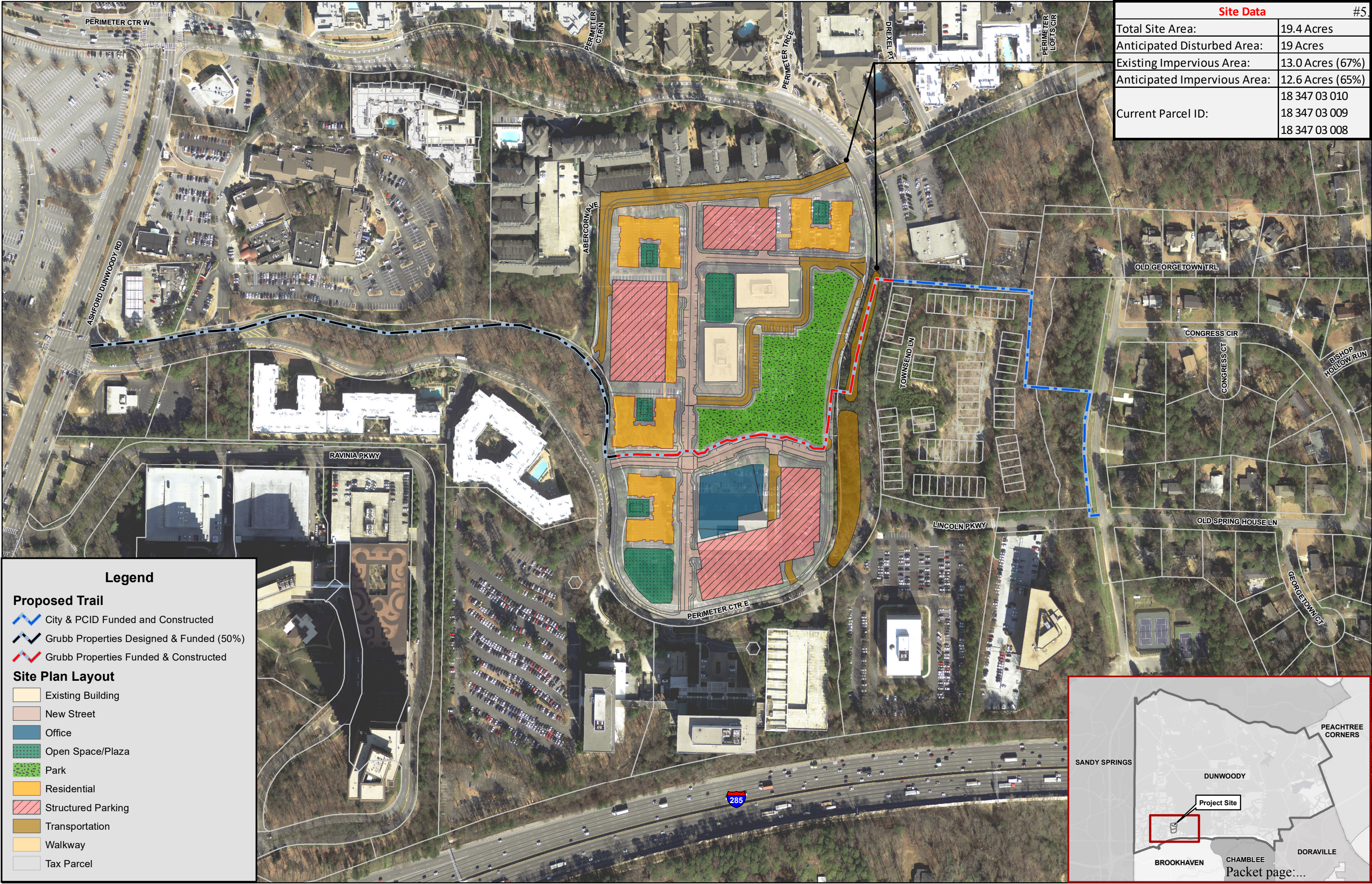
Required Spaces per Perimeter Center Overlay	3,232
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Shared Parking

Daytime Usage	Size	Usage	Ratio	PCE Requirement	SPACES
Office	691,852 SF	2,044 Spaces	3.0 per 1,000 SF	1,730 Spaces	
Multifamily	900 Units	330 Spaces	0.4 per Unit		2,374

Evening Usage	Size	Usage			SPACES
Office	691,852 SF	156 Spaces	0.2 per 1,000 SF		
Multifamily	900 Units	1,284 Spaces	2.5 per Unit	1,502 Spaces	1,440

Max Spaces Needed during Peak Usage	2,374
Proposed Shared Parking Spaces Constructed	2,393
Excess	19 Spaces



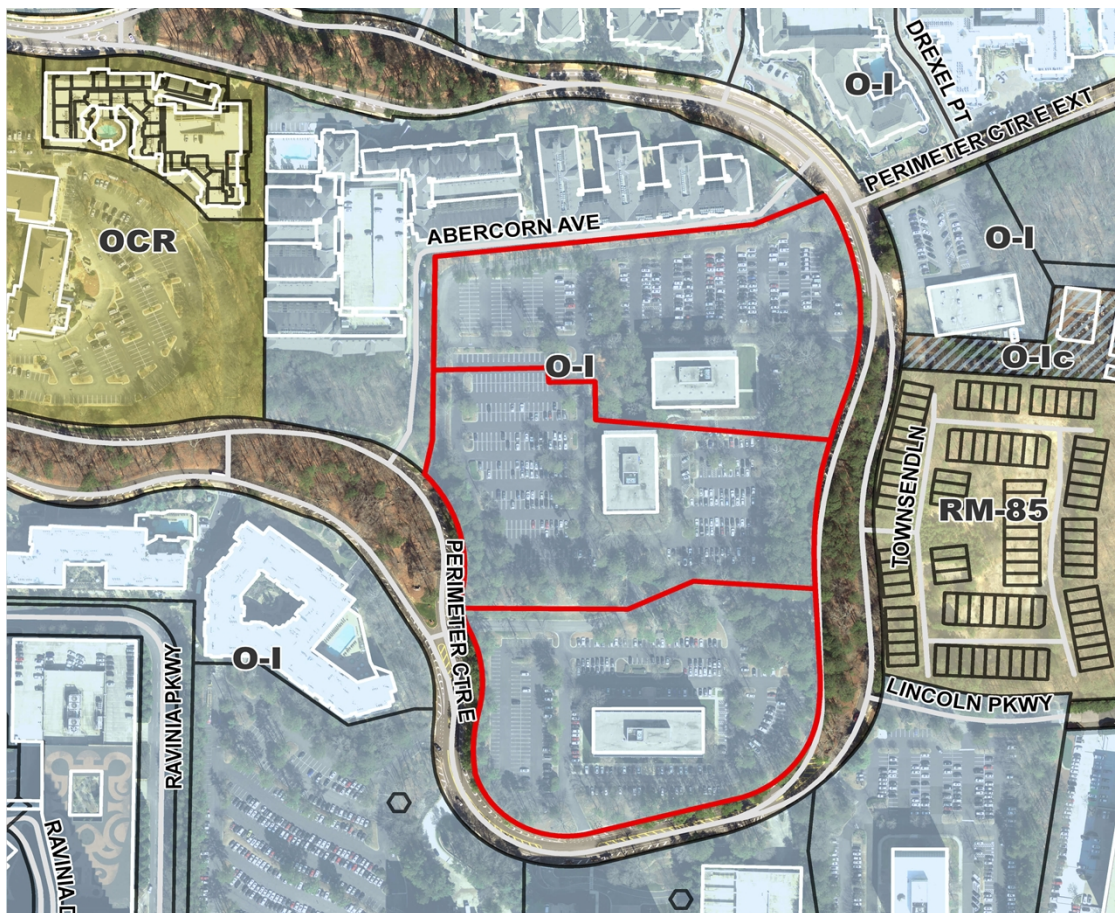
MEMORANDUM

To: City Council
From: John Olson, AICP
Date: November 5, 2018

Subject: David C. Kirk of Troutman Sanders LLP, attorney for the owner, on behalf of PCE Atlanta Office, LLC, owner of a portion of 41, 47, 53 Perimeter Center East, Dunwoody, GA 30346, seeks the following:

1. **RZ18-02:** To rezone a property currently zoned O-I (Office-Institution) District to a PC-2 (Perimeter Center, Subarea 2) District.
2. **SLUP 18-02 A):** Special Land Use Permits from Chapter 27, Section 27-104(f)(2) to permit a Development of Regional Impact; and
3. **SLUP 18-02 B):** 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.



BACKGROUND

The subject property is approximately 19.4-acre site that consists of three tracts, near Ashford Dunwoody Road and I-285. The site is bounded along the north by Abercorn Avenue, a private and gated road used exclusively by residents' of the Savannah at Park Place apartments. The remainder of the site is encircled by Perimeter Center East, a four lane divided parkway. According to DeKalb County records, the project site contains two six-story office buildings that were constructed in 1974; further south, there is a five-story office building 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 subject to the City's stream buffer regulations.

There is an 87-unit townhome development under construction to the east, and five-story apartment complexes found to the north and west of the project site. To the south there is a 15-story, 381,432 square foot, glass office tower that is currently occupied by State Farm. The Ravinia Office park, which consists of three high-rise office buildings totaling 1.6 million square feet, is found past the Bell Perimeter Center Apartments, to the southwest of the site. This office park includes 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, the site 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 PCE Atlanta Office, LLC, the owner, seeks to rezone the subject property from its current O-I (Office-Institutional) zoning classification to the PC-2 (Perimeter Center District, Subarea 2) zoning classification. In addition, two Special Land Use Permits ("SLUP") have been submitted. These SLUP applications are submitted because: 1) the project qualifies as a Development of Regional Impact ("DRI"), whereby a SLUP is required per section 27-104(f)(2) of the Zoning Ordinance; and 2) a SLUP is required to modify the build-to-zone to achieve a desired urban character. Staff would note that the build-to-zone is identified as a range of specified building depth, as measured from the back of the street frontage, in which a certain percentage of the front building facade must be located. Section 27-105(b)(2)b requires that 50% 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 from 10'-30' to 0'-30'.

Grubb Properties is seeking to redevelop a largely underutilized and outdated office park into a vibrant mixed use development. As indicated on the submitted site plan, the owner plans to build four residential buildings with a maximum height of 14 stories and eight townhome units. In total, the residential buildings will contain a maximum of 900 new residential units, all of which will be for sale condo units. Two of the existing office buildings (Buildings 41 and 47), will remain. Along the south portion of the site, one five-story, 92,686 square foot office building (Building 53), will be eventually demolished to make way for a new 20-story office tower, containing up to 500,000 square feet of class A office space. 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, and residential 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 also includes more than 3 acres of park space with amenities. The owner has agreed to construct a pedestrian crossing over Perimeter Center East into a newly constructed 12-foot multi-use path that will bisect the subject property, and longer-term could extend to the Perimeter Mall and MARTA. Parking for the development will be shared amongst three parking decks that will not exceed a maximum of five stories. Also, several onstreet parking spaces will be included into the new street designs. Depending on financing availability for the residential units and market conditions, the project will be developed in phases with project build-out estimated to be achieved in approximately 10 years.

A Development of Regional Impact ("DRI") was reviewed by the Atlanta Regional Commission ("ARC") based upon the previous 2017 rezoning and SLUP applications for the project site that were withdrawn without prejudice in March 2018. As demonstrated through documentation submitted with the application, ARC has determined that the new proposal is not substantially different from the original DRI, as the mix of uses, site access, street layout has generally not changed; as well, the number of residential units is decreasing from 1,200 to 900 units. Because the ARC considers increases in project size when making its determinations, the initial 2017 DRI review remains valid with the updated proposal and no new review is deemed warranted.

PARKING ANALYSIS

Park at Perimeter Center East						
SHARED PARKING ANALYSIS						
Stand-Alone with No Sharing - PCE Overlay Requirements						
Multifamily	Size	1 BD	2BD	Guest	SPACES	
		50%	50%			
Units	900 Units	450 Units	450 Units			
Spaces Req'd.		450	900	152	1,502	
Office	Size					SPACES
Square Feet	691,852 SF					
Spaces Req'd.	692	x	2.5 per 1,000 SF			1,730
Required Spaces per Perimeter Center Overlay						3,232
Shared Parking						
Daytime Usage	Size	Usage		Ratio	PCE Requirement	SPACES
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Max Spaces Needed during Peak Usage						2,374
Proposed Shared Parking Spaces Constructed						2,393
Excess						19 Spaces

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 900 units of multifamily, and 691,852 SF of office, which would require 3,232 parking spaces by code. Utilizing Grubb's shared parking model, the proposed development would include approximately 2,393 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 3.0 spaces/1,000 SF of office and 0.4 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 2.5 spaces per unit. Both ratios are over the minimums required for their period of heaviest use. That would be 858 less parking spaces, or 27%, 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 10,551 trips and 9,157 new trips to the site. Of these trips, there are expected to be 623 new entrances and about 387 exits during peak morning hours. During peak evening hours, the numbers flip to 384

entrances and close to 627 exits. A breakdown of the site trip generation is highlighted in table 2 below:

Table 2: Trip Generation Summary: Revised 2018 Site Plan Density								
Land Use	Density	Daily Trips (24 Hours)	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Apartment (ITE 220)	900 units	5,578	445	89	356	513	333	180
General Office Building (ITE 710)	500,000 SF	4,461	693	610	83	638	108	530
Shopping Center (ITE 820)	12,000 SF	512	12	7	5	45	22	23
Total Gross Trips		10,551	1,150	706	444	1,196	463	733
<i>MIXED USE REDUCTIONS – Total</i>		-226	-28	-14	-14	-60	-30	-30
<i>ALTERNATIVE MODE REDUCTION – Total</i>		-1,032	-112	-69	-43	-115	-44	-71
<i>PASS-BY REDUCTION – Total</i>		-136	0	0	0	-10	-5	-5
Net New Trips		9,157	1,010	623	387	1,011	384	627

Overall, the 2018 proposed densities are projected to reduce project trips by 15% or 1,768 less total daily trips than the original densities proposed in 2017. Also, the 2018 proposed densities are projected to generate approximately 133 less total AM peak hour trips and 149 less total PM peak hour trips than the original proposal.

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.

SURROUNDING LAND ANALYSIS

Direction	Zoning	Use	Current Land Use
N	O-I	Apartment Complex	Multi-family
S	O-I	Office Building	Office
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, 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. Because the 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. 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, and furthering the goal of eventually achieving full walkability along a 12-foot path from the Georgetown area to the Perimeter Mall. 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. The desire to have housing, combined with a mix of office uses and retail uses within walking distance nearby, align with 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, and multi-unit buildings (owner occupied) are permitted by right. Also, the PC-2 District requirements for building heights would permit the 14-story residential towers by right and allow the 20-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 made up of an underdeveloped office complex. Due to its size, and surface parking infill potential, it would appear that the site has adequate land area for a proposed 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:

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

The 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.

- b. 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 1.38 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 relation to the PC-2 district requirements for building height and 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, mixed in with 1970's suburban 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 non-motorized 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.
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 to 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 Comprehensive Plan, the future land use of the subject property is noted as "Perimeter Center". Under Perimeter Center's future development policy and land use table (figure 16 of the Plan), PC-2 is listed 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".
2. 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 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 currently zoned as O-I office; however, the site is considered underutilized in term of meeting is full

development potential because of extensive surface parking. The request for rezoning to a PC-2 district is intended to align with the future land use policies of the Dunwoody 2015-2025 Comprehensive Plan, Perimeter LCI Study, defined in "Perimeter @ The Center – Future Focus, 2011 –A Ten Year LCI Update", and the Perimeter Center Regulations. In this regard, it will transform a suburban office complex into a pedestrian friendly, livable job center that ensures environmental sustainability and quality development.

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.
5. 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 policies of the Comprehensive Plan and recently adopted Perimeter Center zoning regulations, which provides support for approval.
6. 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 9,157 motor vehicle trips on to Perimeter Center East Road. In regards to schools, over the ten-year period for build out the number of public-school students will increase from zero in the initial years to 80 public students by the tenth year; this translates to an average growth of 8 students per year over the period. Due to the slow gradual increase over time, and fact that condo units attract fewer school age children (i.e. in 2018 the Manhattan condo development in Dunwoody only has 3 school aged children), it is anticipated that the additional enrollment from this development will not be burdensome to the schools.

PLANNING COMMISSION

The Planning Commission heard the subject requests for RZ18-02 and SLUP18-02(A) and (B) at their October 9, 2018 meeting. Following discussion, the Planning Commission recommended approval of the request (7-0) with the following condition:

- No more than 10% of units may be rented at any one time and short-term rentals (i.e. VRBO, AirBnb) shall be prohibited.

This condition has been included as condition number 23 in this memo.

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 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 August 28, 2018

EXHIBIT B: Phasing Plan, completed by Kimley Horn, dated August 28, 2018

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 900 residential units in four stand-alone multi-story buildings, together with accessory space and associated parking structures, one of which will be lined with residential units along its frontage (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 height of the 20-story office tower found on the southern portion of the site as depicted in Exhibit "A" is hereby approved as a condition of zoning;
3. Two Special Land Use Permits, as more specifically described in the Application materials submitted in support of Cases SLUP 18-02A and SLUP 18-02B, 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 8, shall be developed concurrently with the adjacent phase of Development; provided, however, the 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 least fifty percent (50%) of the ground level north-south secondary linear street frontage of residential buildings B1, B2, and D1 as shown on the Conceptual Site Plan, together with the frontage of the townhomes lining Deck B, 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 (which shall not be required to meet the 20-foot depth requirement). At least 100 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;
6. 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;

7. 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;
8. 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;
9. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City to contribute no more than \$100,000 toward the design and construction of additional transportation infrastructure improvements located in the vicinity of the Development, such improvements to be determined and constructed by the City;
10. 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;
11. 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;
12. 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;
13. 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;
14. 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.
15. 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;

16. 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 consult with the Community Development Director, the Director of Public Works, and the Police Chief and/or Fire Chief prior to limiting 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;
17. 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;
18. 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;
19. 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;
20. The Owner will commit at least \$50,000 toward public art to be installed in the Main Park shown on the Conceptual Site Plan (Exhibit "A"). The Owner shall provide these funds in tandem with the construction of the Main Park and shall include a process to engage the local arts community to generate excitement around the art, the Park, and the bike/pedestrian path;
21. To the extent permitted by law or regulation, no more than ten percent (10%) of the residential units in the proposed development may be made available for rent by the owner(s) of such units at any one time. This requirement shall be included in any governing documents of any Property Owners' Association or Condominium Association, as applicable, to be formed in connection with this proposed development; and
22. Pursuant to O.C.G.A Section 36-71-1, et seq., the Owner shall enter into a Development Agreement with the City to contribute up to fifty percent (50%) of the funds needed for the design and construction of a "best practices" multi-use bicycle facility connecting the Subject Property along Perimeter Center East to its southern intersection with Ashford-Dunwoody Road, such improvement to be designed and constructed at the direction of the Owner. Construction of this improvement shall begin no later than the date on which the Land Disturbance Permit is issued for the new office building designated as "Block D2" on the Site Plan, provided the City contribution has been made and the City has acquired any right-of-way necessary for the construction of such improvement. In no event shall the total of such contribution by the Owner exceed \$175,000.

23. No more than 10% of units may be rented at any one time and short-term rentals (i.e. VRBO, AirBnb) shall be prohibited.

Attachments

- Exhibit A: Site plan, completed by Kimley Horn, dated August 28, 2018
- Exhibit B: Phasing Plan, completed by Kimley Horn, dated August 28, 2018
- SLUP Application Packet
- Rezoning Application Packet
- Map
- Summary of Major Differences Between 2017 and 2018 Proposals
- Project Renderings
- Build-to-zone Site plan
- Perimeter Center Overlay and Districts
- Dunwoody Comprehensive Plan Excerpt
- Shared Parking Analysis
- Future Multi-Use Trail