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MEMORANDUM

To: City Council

From: Madalyn Smith, Senior Planner

Date: May 13, 2024

Subject: RZ 23-03 – 245 Perimeter Center Parkway, Parcel ID# 18 329 04 011

REQUEST

James F. George, on behalf of the owners of 245 Perimeter Center Parkway, requests a rezoning from PDC to PDC to amend the zoning conditions of case RZ 15-072 to allow the development of a mixed use project including office, hotel, and multifamily residential with associated retail, restaurant, amenity space, and structured parking.

APPLICANT

Property Owner: KDC PARK CENTER INVESTMENTS TWO LLC	Petitioner: James F. George	Representative: David Kirk
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PLANNING COMMISSION, 2.13.24

The Planning Commission held a public hearing on February 13, 2024. There were no public comments.

The applicant proposed alternative language for condition #6 to read “6. The Owner shall commit \$50,000 toward the cost of public art of a consistent type and scale with the three pieces of public art voluntarily installed by the Owner in connection with the development of Park Center Buildings 2 and 3. Such public art shall be located within the green space at the south end of the site, in a specific location to be selected by the Owner in its sole discretion. Prior to the installation of public art on the property, the Owner shall share its proposal for public art integration on the subject site at a regularly scheduled Dunwoody Art Commission meeting. Installation of the public art shall be done in tandem with the construction of Building 4. Issuance of the Certificate of Occupancy is contingent upon either the installation of the required public art or the owner shall post a bond of \$50,000, to be returned upon confirmation of completed installation.”

Following the discussion, Commissioner Erika Harris moved to approve RZ 23-03, subject to staff conditions but amending condition 6 as proposed by the applicant; Commissioner Scott Brown seconded, motion passed 7-0.

The updated language for condition #6 is reflected in this memo and the proposed ordinance.

CITY COUNCIL, 4.8.2024

The City Council held a public hearing on April 8, 2024. There were no public comments.

Staff answered questions from the Council. No changes were made to the proposed ordinance.

DEVELOPMENT REVIEW COMMITTEE

The Development Review Committee provides a staff recommendation. The Committee consists of members from the offices of City Management, Community Development, Planning and Zoning, Public Works, and Economic Development. Members present at the December 5th filing meeting include: Eric Linton, Richard McLeod, Paul Leonhardt, Michael Smith, and Michael Starling.

At the December 5th filing meeting, the committee voted unanimously to recommend approval of the request RZ 23-03.

BACKGROUND & PROPOSED DEVELOPMENT



Figure 1. Subject site, currently undeveloped

The site is located at 245 Perimeter Center Parkway, Dunwoody, GA 30346, on the west side of Perimeter Center Parkway and the south side of Hammond Road. The lot is the last remaining piece of the Park Center development which abuts the Fulton County line to the west and vacant land owned by the City to the south. The applicant seeks permission to rezone the subject property from PDC to PDC; this rezoning does not affect the zoning classification of the property, but rather is an amendment of the zoning conditions of case RZ 15-72, as it relates to the future development of the subject parcel. The 2015 Overall Development Plan, which sets the limits and zoning regulations for the development, entitled the applicant to the following:

- 1.8 million square feet of office space
- 90,000 square feet of retail/restaurant space
- 7,000 structured parking spaces
- Maximum height of 35 stories above the plaza level
- The subject property was not addressed and was left as greenspace

Based on the proposal above, a DRI (development of regional impact study) was completed along with the 2015 rezoning and was approved. As a part of that process, the applicant conducted a detailed Traffic Impact Study which included Trip Generation and Access Analysis. The recommendations from the 2015 DRI were fulfilled with the development of Park Center buildings 2 & 3. In 2023, the applicant has submitted its plans to the Atlanta Regional Commission, which compared the anticipated traffic impacts with the 2015 DRI plans. The now-proposed development of the subject property would not create worse impacts so, per the Community Development Director and the Atlanta Regional Commission, another DRI was not necessary.

Since 2015, two office buildings, Park Center buildings 2 & 3, have been constructed and completed in 2021 and 2022. Following these developments, the property is currently entitled to the remaining 729,613 SF of office, 33,586 SF of restaurant/retail, and 2,833 structured parking spaces. The applicant proposes to construct a new building, Building 4, on the subject property and requests to construct up to 300,000 SF of office space, 300 multi-family residential units, 175 hotel rooms, 22,000 square feet of restaurant/retail, and 1,565 square feet of structured parking spaces, with a maximum building height of 37 stories. The request for multi-family residential and a hotel are not permitted under the 2015 Overall Development Plan and are new uses requested.

SITE PLAN & BUILDING ANALYSIS

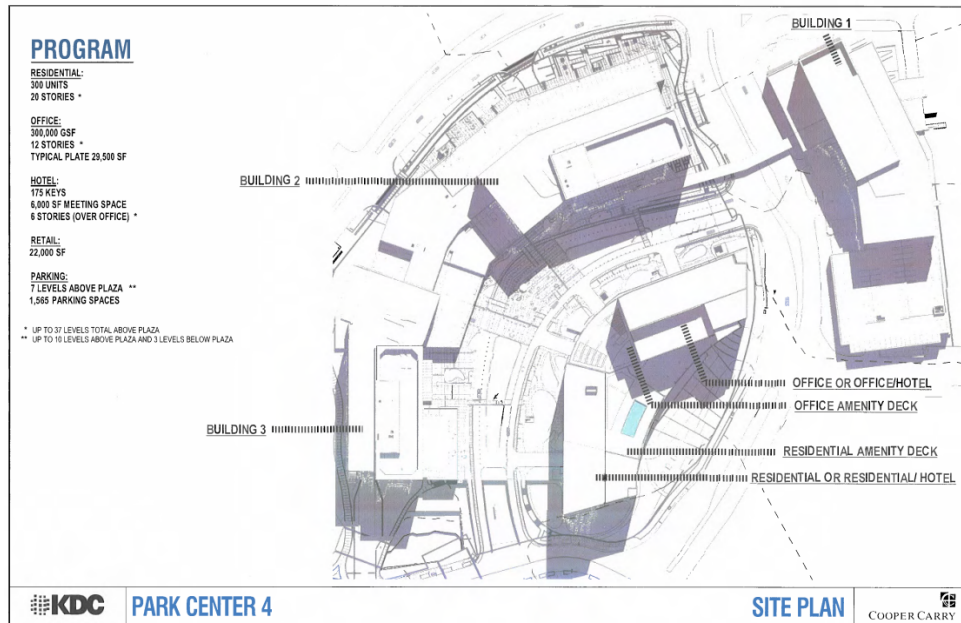


Figure 2. Site Plan

The applicant proposed to develop the subject site with a building consisting of a parking podium with ground floor retail/restaurant and two towers, one residential tower and one hotel/office tower. Vehicular access would occur through the existing entrances, no new entrances are proposed; the main access is provided from Perimeter Center Parkway. The presence of Georgia Power easements prevents the building from being built to the street.

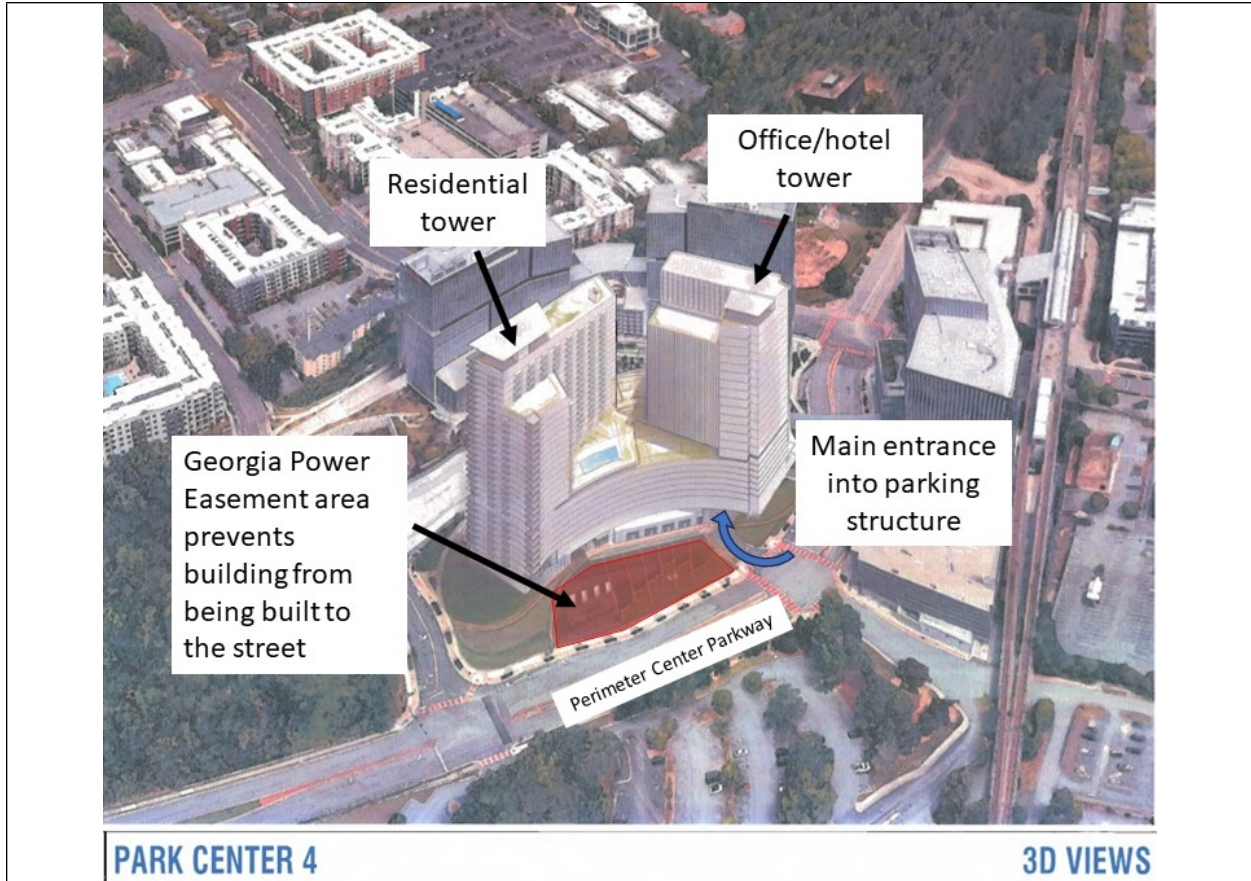


Figure 3. Rendering

During the construction of Buildings 2 & 3, stormwater infrastructure was installed; this infrastructure was constructed in anticipation of the construction of Building 4. The owner also satisfied several conditions of approval, which included construction of the Springwood Connector, construction of sidewalks, a multi-use path along the western property line, and a direct pedestrian connection to the Dunwoody MARTA station. The conditions of approval from the 2015 zoning will remain the same, with additional conditions proposed by staff.

The applicant has stated their intent for the architecture to be harmonious with the current Park Center development and construct the building with high quality materials, which are noted in the Overall Development Plan. The parking structure is a large podium that will be highly visible from the street, so care should be taken to properly screen this portion of the building.

SURROUNDING LAND ANALYSIS

Direction	Zoning	Use	Current Land Use

N	OCR	Vacant	Vacant – Future High Street phase
S	O-I	Institutional	Vacant – City-owned
E	O-I O-I	Commercial (Future) Commercial	Lodging/Office
W	Sandy Springs	Commercial	Lodging/Multi-family Residential

COMPREHENSIVE PLAN, PERIMETER CENTER, & EDGE CITY 2.0 ANALYSIS

The scale, high quality design, mix of uses, and transit accessibility align with the vision prescribed for the Perimeter Center by the Comprehensive Plan, the Perimeter Center overlay and district regulations, and Edge City 2.0.

This section of the Perimeter Center is designated for the “highest intensity of buildings, a high level of employment uses, and active ground story uses and design that support pedestrian mobility” (Sec. 27-104 (b)) in the zoning district regulations pertaining to Perimeter Center. The introduction of another mixed-use building to the Park Center campus will serve to further activate the area around the Dunwoody MARTA station.

Per Edge City 2.0, the Perimeter Center has the opportunity and capacity to grow in population and new housing units are needed to meet the demand and walkable, amenity rich mixed-use buildings represent part of that demand. The proximity to office, retail, and transit meets the vision of the comprehensive plan to create a “true live-work environment” with an appropriate mix of uses including office, lodging, and residential that allows permanent residents, workers, and visitors to enjoy the amenities of the Perimeter Center without needing a car.

ZONING AMENDMENT REVIEW AND APPROVAL CRITERIA

Chapter 27, Section 27-335 identifies criteria for evaluating applications for zoning amendments. No application for an amendment 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 zoning proposal is in conformity with the policy and intent of the 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;
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
- (4) Whether the zoning proposal will 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;

- (6) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and
- (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.

The current zoning of this property is Planned Development District (PD). PD districts are not subject to regulations dictated by the zoning ordinance; instead, the uses and site and building regulations are dictated by the Overall Development Plan (ODP). The existing ODP from 2015, which covers the entirety of Park Center, does not anticipate residential multi-family dwelling units. Due to this designation, development of this property with the proposed mix of uses at this site requires a zoning map amendment.

The applicant proposes to amend the ODP for the subject property to allow Building 4 to have the following proportion of uses:

- Up to 300,000 SF of office
- Up to 175 hotel rooms
- Up to 22,000 SF of restaurant/retail/other permitted uses
- Up to 300 multi-family residential units

Additional residential development within such close proximity to the Dunwoody MARTA station, Campus 244, High Street, and the mall will serve to further activate this area of Perimeter Center. New residential units will complement the surrounding uses, by allowing nearby employees an opportunity to live within walking distance to their job; additional residential units will also further support the new retail, restaurant, and entertainment nearby. A number of the retail spaces at Park Center were intended to cater to office employees. Due to remote work and overall office space vacancy, the number of customers is much lower than initially anticipated. Adding hotel and apartment units to the mix will diversify the customer base with people working remotely or visiting the area.

The proposed use mix reduces both peak AM and PM hour traffic and thus reduces the development's impact on congestion. Car dependency is further reduced by the increasing walkability of the Perimeter Center and the proximity to the Dunwoody MARTA station, which would provide future residents with convenient commute alternatives.

The current economic conditions, which began during the global COVID-19 pandemic, have significantly reduced the need for new office development and as demonstrated in the Edge City 2.0 study, the need for residential development is very strong, especially near MARTA. Overall, development of Building 4 under the current entitlements, as an office building, is not feasible and the proposed mix of uses would be a benefit to the Park Center campus and the surrounding area.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Based on the above analysis and findings, staff has determined that the requested rezoning meets the requirements of Chapter 27, §27-335. Therefore, staff recommends the application RZ 23-03 be approved subject to the following exhibit(s) and condition(s):

**Exhibit 1: Overall Development Plan (ODP), dated February 6, 2023, and associated exhibits.
Exhibit 2: GRTA Notice of Decision, dated June 30, 2015.**

Development of the site shall be conditioned to the following:

1. The Conditions of Approval associated with the previous rezoning, RZ 15-72, of the Subject Property and adjacent parcels, which were fully satisfied at the time of the development of Buildings 2 and 3, are as follows:
 - a. Development of the site shall be substantially consistent with the recommendations in the GRTA Notice of Decision, referenced as Exhibit 2 in this Ordinance.
 - b. Dedication of right-of-way (ROW) in conjunction with all required project improvements identified herein and future ROW required along Hammond Drive identified in 2008 Hammond Drive Corridor Study.
 - c. Preserve ROW on Perimeter Center Parkway for a future additional southbound left turn lane at Campus Way (formerly Goldkist Drive).
 - d. In the event the East-West Connector Road is not constructed by the Owner or the City prior to the issuance of a Certificate of Occupancy for the third building, an additional right turn lane eastbound from Hammond Drive to Perimeter Center Parkway South shall be constructed by the owner.
2. Development of the Subject Property shall be substantially consistent with the Overall Development Plan, referenced as Exhibit 1 in this Ordinance.
3. Construction of Building 4 will allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space and other permitted uses, and up to 1,565 off-street parking spaces within the parking decks.
4. The maximum height of Building 4 shall not exceed 37 stories above plaza level grade and the height of the residential tower shall be a minimum of 15 stories.
5. Where the Overall Development Plan does not supplant requirements of Chapter 16, Land Development, the provisions in the chapter shall apply.
6. The Owner shall commit \$50,000 toward the cost of public art of a consistent type and scale with the three pieces of public art voluntarily installed by the Owner in connection with the development of Park Center Buildings 2 and 3. Such public art shall be located within the green space at the south end of the site, in a specific location to be selected by the Owner in its sole discretion. Prior to the installation of public art on the property, the Owner shall share its proposal for public art integration on the subject site at a regularly scheduled Dunwoody Art Commission meeting. Installation of the public art shall be done in tandem with the construction of Building 4. Issuance of the Certificate of Occupancy is contingent upon either the installation of the required public art or the owner shall post a bond of \$50,000, to be returned upon confirmation of completed installation.
7. A collective total of at least 3.00 acres of greenspace (including landscaping, buffers, and natural areas) shall be provided on the site containing Park Center Buildings 2, 3, and 4.
8. Prior to issuance of the land disturbance permit, the applicant shall submit a final landscape plan for review and approval by the Community Development Director.

ATTACHMENTS

- RZ 23-03 Application
- Exhibit 1
- Exhibit 2
- Exhibit 3

AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING CLASSIFICATION AND MAP FOR ZONING CONDITIONS OF LOT PARCEL NUMBER 18 329 04 011 IN CONSIDERATION OF ZONING CASE RZ-15-072 (245 PERIMETER CENTER PARKWAY) FROM PLANNED DEVELOPMENT, CONDITIONAL (PDc) DISTRICT TO PLANNED DEVELOPMENT, CONDITIONAL (PDc) ZONING DISTRICT

WHEREAS: KDC PARK CENTER INVESTMENTS TWO LLC, seeks permission to rezone property currently zoned Planned Development, conditional (PDc) District to Planned Development, conditional (PDc) District to amend the zoning conditions of case RZ 15-072 to allow the development of a mixed use project including office, hotel, and multifamily residential with associated retail, restaurant, amenity space, and structured parking; and

WHEREAS: the subject property, Tax Parcel 18 329 04 011, is located on western side of Perimeter Center Parkway, to the south and east of Park Center Buildings 2 and 3 and the existing plaza, and Springwood Connector to the south, and consists of approximately 2.56 acres; and

WHEREAS: the rezoning case RZ 15-72 entitled the owner to build up to 1.8 million square feet of Class A Office Space and up to 90,000 square feet of retail and restaurant space, as well as up to 7000 structured parking spaces, streetscape, landscape, green space and pedestrian improvements and a pedestrian bridge for connectivity over Perimeter Center Parkway for general public access to the Dunwoody MARTA Station; and

WHEREAS: the owner has currently constructed two buildings, Park Center Buildings 2 & 3, consisting of 1,070,387 million square feet of Class A Office Space and 56,414 square feet of retail and restaurant space, as well as 4,117 structured parking spaces, streetscape, landscape, green space and satisfied the conditions of zoning of case RZ 15-72, including pedestrian improvements and a pedestrian bridge for connectivity over Perimeter Center Parkway for general public access to the Dunwoody MARTA Station; and

WHEREAS: the owner has requested to amend the remaining entitlements for the construction of Park Center Building 4 on the subject property to allow up to 300,000 SF of office space, 300 multi-family residential units, 175 hotel rooms, 22,000 square feet of restaurant/retail, and 1,565 structured parking spaces ; and

WHEREAS: the applicant has submitted an Overall Development Plan (ODP) as required by PD Zoning and an application which includes a Neighborhood Communications Summary Report, Conceptual Renderings and Section Drawings, a Pedestrian Circulation Plan, a Vehicular Circulation Plan, and a Topographic Survey of the site; and

WHEREAS: the proposed amendment to the development project does not require a re-review of the originally approved Development of Regional Impact (DRI); and

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2024-XX-XX

WHEREAS: the PD Zoning is intended to provide a means of accomplishing specific objectives, including providing flexibility, unity and diversity in land planning and development, to encourage innovation in residential, commercial and industrial development and renewal, to encourage more efficient use of land and public services, and to lessen the burden of traffic; and

WHEREAS: the Mayor and City Council find that the proposed Development Plan will meet the Comprehensive Plan goals of reducing surface parking, promoting livable centers in the immediate areas surrounding the MARTA station, and foster commerce; and

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

WHEREAS: A public hearing was held by the Mayor and City Council of the City of Dunwoody as required by the Zoning Procedures Law.

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAIN AND APPROVE** the rezoning of said property from Planned Development, conditional (PDc) District to Planned Development, conditional (PDc) District, subject to the following exhibits and conditions:

Exhibit 1: Overall Development Plan (ODP), dated May 13, 2024, and associated exhibits.

Exhibit 2: GRTA Notice of Decision, dated June 30, 2015.

Development of the site shall be conditioned to the following:

1. The Conditions of Approval associated with the previous rezoning, RZ 15-72, of the Subject Property and adjacent parcels, which were fully satisfied at the time of the development of Buildings 2 and 3, are as follows:
 - a. Development of the site shall be substantially consistent with the recommendations in the GRTA Notice of Decision, referenced as Exhibit 2 in this Ordinance.
 - b. Dedication of right-of-way (ROW) in conjunction with all required project improvements identified herein and future ROW required along Hammond Drive identified in 2008 Hammond Drive Corridor Study.
 - c. Preserve ROW on Perimeter Center Parkway for a future additional southbound left turn lane at Campus Way (formerly Goldkist Drive).
 - d. In the event the East-West Connector Road is not constructed by the Owner or the City prior to the issuance of a Certificate of Occupancy for the third building, an additional right turn lane eastbound from Hammond Drive to Perimeter Center Parkway South shall be constructed by the owner.
2. Development of the Subject Property shall be substantially consistent with the Overall Development Plan, referenced as Exhibit 1 in this Ordinance.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2024-XX-XX

- 3. Construction of Building 4 will allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space and other permitted uses, and up to 1,565 off-street parking spaces within the parking decks.
- 4. The maximum height of Building 4 shall not exceed 37 stories above plaza level grade and the height of the residential tower shall be a minimum of 15 stories.
- 5. Where the Overall Development Plan does not supplant requirements of Chapter 16, Land Development, the provisions in the chapter shall apply.
- 6. The Owner shall commit \$50,000 toward the cost of public art of a consistent type and scale with the three pieces of public art voluntarily installed by the Owner in connection with the development of Park Center Buildings 2 and 3. Such public art shall be located within the green space at the south end of the site, in a specific location to be selected by the Owner in its sole discretion. Prior to the installation of public art on the property, the Owner shall share its proposal for public art integration on the subject site at a regularly scheduled Dunwoody Art Commission meeting. Installation of the public art shall be done in tandem with the construction of Building 4. Issuance of the Certificate of Occupancy is contingent upon either the installation of the required public art or the owner shall post a bond of \$50,000, to be returned upon confirmation of completed installation.
- 7. A collective total of at least 3.00 acres of greenspace (including landscaping, buffers, and natural areas) shall be provided on the site containing Park Center Buildings 2, 3, and 4.
- 8. Prior to issuance of the land disturbance permit, the applicant shall submit a final landscape plan for review and approval by the Community Development Director.

SO ORDAINED AND EFFECTIVE, this the ___ day of _____, 2024.

Approved by:

Approved as to Form and Content

Lynn P. Deutsch, Mayor

City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL

RZ 23-03

PARK CENTER – SITE 4

Overall Development Plan

FINAL – May 13, 2024

Overall Development Plan

Pursuant to Section 27-87(c) of the Dunwoody Zoning Ordinance (the " Ordinance"), the Applicant offers the following Overall Development Plan ("ODP") for the proposed development of the 2.56-acre Subject Property.

The Subject Property is the remaining undeveloped portion of a 13.042-acre parcel that was rezoned from the O-I (Office Institutional) zoning classification to the PD (Planned Development) zoning classification pursuant to Ordinance 2015-08-16 (RZ-15-072) on August 24, 2015, to allow for the development of up to 1.8 million square feet of office space in three multi-story buildings (Buildings 2, 3, and 4), up to 90,000 square feet of retail and restaurant space, together with other permitted uses, and up to 7,000 parking spaces in structured parking (the "Original Entitlements"). An Overall Development Plan was incorporated as a condition of the 2015 rezoning (the "2015 ODP") and has guided the development of the property since 2015. During that time Buildings 2 and 3 have been completed, as well as all of the required public improvements associated with the project¹. Both the completed buildings, as well as the Subject Property, participated in the costs and share the benefit of and ongoing maintenance responsibility for these public improvements created pursuant to the 2015 rezoning. Thus, the Subject Property contributes now and will contribute into the future to any maintenance, improvement, and repair costs for the internal roadways and pedestrian paths, landscaping, storm water facilities, and the like that are common to the development as a whole.

The following Original Entitlements remain and represent what *could* be developed on the Subject Property under the current zoning:

- Up to 729,613 square feet of office space.
- Up to 33,586 square feet of space for retail, restaurant, and other permitted uses.
- Up to 2,883 parking spaces.

The application now submitted for consideration affects only the future development of the Subject Property/Building 4 and requests a modification to the 2015 zoning, as applied to the Subject Property, to add multi-family residential as a permitted use which, in turn, will allow for a greater mix of uses allowed by right on the Subject Property, including office, hotel, and multi-family residential, along with retail, restaurant, and other permitted uses.

¹ Among these public improvements are a pedestrian bridge across Perimeter Center Parkway providing access to the MARTA Dunwoody Station; the new Springwood Connector Road; a multi-use path along the western perimeter of the development; as well as right-of-way dedications, road improvements, streetscapes, sidewalks, and bike lanes along all road frontages.

Development Standards Text

1. The Subject Property shall be rezoned from PD (Planned Development) zoning classification to the PD (Planned Development) zoning classification, with a change of Conditions, to allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses, structured parking and service areas, as well as any additional hardscape, landscape, green space, and pedestrian improvements. The restaurant and retail uses need not be accessory to the office, hotel, or residential uses and shall not be required to have entrances from the interior lobby of the office, hotel, or residential portions of the building. Uses permitted by right shall include vertical mixed-use buildings (including office, residential, and hotel), private clubs or lodges, cultural exhibits, day care, places of worship, essential utility facilities, restaurants, food trucks, other eating and drinking establishments, animal services, communication services (other than telecommunication towers), telecommunication antennas mounted to buildings, construction and building sales and services, financial services (insurance, banks, credit unions, brokerage and investment services), food and beverage retail sales, training and conference facilities, medical services, office or consumer services, personal improvement services, consumer repair or laundry services, research and testing services, retail sales, indoor entertainment and spectator sports, indoor sports and recreation facilities – participant, and vehicle sales and rental (indoor only). Uses permitted by special land use permit shall include educational services, hospitals, telecommunication towers, outdoor entertainment and spectator sports, non-accessory parking, and outdoor sports and recreation facilities – participant.

2. 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, driveways, and pedestrian amenities such as plazas, sidewalks, and green space shall be substantially similar to that depicted in the Conceptual Site Plan prepared by Cooper Carry, submitted December 5, 2023, and attached hereto as Exhibit "A-1" (the "Site Plan"). As the Site Plan is finalized, 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 not unreasonably refuse to grant easements, permits, or applicable approvals to the Owner as may be required for the construction of the development and associated improvements. The precise nature and location of any such easements, permits, or other approvals shall be identified as construction drawings are finalized.

3. It is understood that the architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation, and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "A-2." The building facades may include natural stone, brick, glass, and metal panels or other materials approved by the Director of Community Development. Cementitious panels and EIFS are not permitted on the façade for ground-floor retail and may not compose more than 20% of the façade above the ground floor. For the purposes of this condition, both the plaza and the Perimeter Center Parkway façade floor levels shall be

considered as ground floors. The parking garage will use compatible materials to the building and street level retail facades and may provide sufficient open areas to allow natural ventilation. The massing will be similar to that shown in Exhibit "A-2" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Site Plan. However, Building 4 shall consist of a residential tower, at least 15 stories in height above plaza level, which may also contain the hotel use. The Owner may also construct another separate and distinct tower, not to exceed 37 stories above plaza level, containing office uses, a combination of office and hotel uses, or a separate hotel use. The footprint of either tower, exclusive of any associated amenity space, may not exceed 55% of the overall Building 4 footprint. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing/materials/ aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development.

4. The development will include retail, lobby/amenity, circulation, and service space below the plaza level; parking, lobby space for office, hotel, and residential uses, retail, restaurants, and other uses permitted by right at the plaza level; up to 3 levels of parking below the plaza level, up to 10 levels of parking above the plaza level; and up to 27 stories of office, residential, and hotel/lodging space, excluding any penthouse, above the top level of parking and buildings. The total height of any single building shall not exceed 37 stories above plaza level grade and the height of the residential tower shall be a minimum of 15 stories above plaza level.

5. The development shall include a minimum of 3 Off-Street Dumpster Spaces and a minimum of 2 Off-Street Loading Berths (12' x 55' x 14') at locations determined by the Owner in its sole discretion, but shall not be visible to the right of way on Perimeter Center Parkway.

6. The development may include up to 1,565 off-street parking spaces within the parking decks for all permitted uses. Up to 40 % of all parking spaces may be compact spaces (8' x 15'). The Owner shall install 8 electric vehicle charging stations and conduit for 16 additional charging stations. Such charging stations and conduit shall be distributed at the Owner's discretion between areas providing resident parking and office/hotel/retail parking. The total number of parking spaces may be adjusted in proportion to any changes in the square footage of any of the uses in the development or to assure adequate parking for each individual use. 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 designated for use by occupants of the office, residential, or lodging portion of the development.

7. Bicycle racks shall be installed in various locations outside of Building 4 in publicly accessible places on the Subject Property to be selected by the Owner. The bicycle racks shall be capable of providing parking for a total of at least 20 bicycles. Additional bike parking must be provided to meet the minimum standards prescribed in Sec. 27-202 of the Dunwoody Zoning Ordinance; additional parking can be provided within the proposed structure.

8. Ground-mounted mechanical equipment shall be allowed, provided such equipment is screened from view by a solid fence, solid wall, dense hedge, or combination of such features. Such screening may be provided for the existing Georgia Power switching cubicles (which serve

properties other than Park Center) adjacent to Perimeter Center Parkway only if permission is granted in writing by the owner of such switching cubicles.

9. The Subject Property was included in the calculations for the maximum impervious and semi-pervious cover on the property subject to RZ-15-072, and thus was accounted for in the overall design and implementation of the stormwater management and retention program for the Park Center 2, 3, and 4 development.

10. Shopfront buildings/uses shall be included along at least 60% of the frontage of the building facing the interior central park/plaza of the development and 50% of the frontage of the building facing Perimeter Center Parkway. Building entrances and lobbies with associated elevators and stairs shall be considered shopfront uses.

11. Planters and plantings shall be provided on the top of exposed levels of any parking decks. No such requirement shall apply to the roof of any other multi-story structure on the Subject Property.

12. The project will be developed in general accordance with the Conceptual Landscape Plan prepared by Cooper Carry and attached hereto as Exhibit "A-3." The applicant shall submit a final landscape plan for review and approval by the Community Development Director.

14. The on-site pedestrian circulation plan for the proposed development, indicating the general location of pedestrian facilities allowing for movement to, from, and through the development, including adjacent parcels, is indicated on Exhibit "A-4." Should any facilities included in the on-site pedestrian circulation system be located in the parking deck for the project, such facilities may be differentiated through the use of striping. No additional connections to abutting properties or between streets shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development. With regard to internal connections, the on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas, and similar amenity features.

15. Title to the Subject Property or any improvements thereon may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels or units would not meet all of the ODP requirements following legal separation provided that (1) collectively, the separately-owned parcels meet all of the ODP requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities, (2) where uses are limited to a particular amount of floor area in the ODP, the owner of the Subject Property will, by virtue of a recorded instrument, apportion such uses that may be placed on any individual parcel or unit and the amount of floor area that may be dedicated to a particular use; (3) 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 parcel 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 designated for use by occupants of the office, retail, hotel, or residential portions of the development; (4) the owner of a resulting separate tax parcel developed pursuant to the ODP shall be allowed to rebuild equal or lesser floor area of any structure located on such separate tax parcel; and (5) no additional signage will be allowed beyond that permissible for the entire Subject Property under the City of Dunwoody code.

16. Construction of Building 4, when considered together with the development of Park Center 2 & 3 and overall site, shall satisfy the requirements of Section 27-104(g) of the Dunwoody Zoning Ordinance by employing the Sustainability measures illustrated on Exhibit “A-5.”

17. The treatment of the parking structure façade shall use the materials described in Section 3 of the Development Standards Text, screen vehicles, and allow for natural ventilation. The conceptual design and proposed materials shall be provided to the Community Development Director for review and approval prior to final design and permitting.

18. Balconies shall be provided on no less than 75% of the residential units and shall have a minimum depth of 5 feet from the exterior wall and 5 feet in width.

Additional Required Elements of the ODP

a. Sketch Plan – The Conceptual Site Plan for the proposed development of the Subject Property is provided as Exhibit “A-1” (the “Site Plan”). It is anticipated that slight variations will be made to the Site Plan for the proposed development of the Subject Property, through interaction with staff, City officials, and the community, as well as from ongoing coordination with any federal, state, or county agencies having review and approval authority over various aspects of the development project.

b. Type and location of all intended uses – The development of the Subject Property is proposed to include a building containing a mix of office, residential, and lodging/hotel uses, street and plaza level retail, restaurant, and other permitted uses, pedestrian connections and amenities, transportation improvements, green space, landscaping, plazas, and structured parking generally located as depicted on the Site Plan.

c. Expected gross land area of all intended uses including open space – The gross land area of the Subject Property is 2.56 acres and is currently undeveloped except for public and private infrastructure installed pursuant to the requirements of RZ-15-072. The Subject Property will be developed with structures containing parking, street and plaza level retail and restaurant uses, and a mixed-use building containing office, residential, and lodging/hotel uses adjacent to and atop the retail and restaurant uses. Significant land area has previously been provided subject to the 2015 ODP for improved pedestrian amenities and transportation system improvements. An *approximate* breakdown of the gross land area of the overall Park Center 2, 3, and 4 development, including the Subject Property, for the various uses is as follows:

- Pedestrian amenities (sidewalks, plazas, etc.) – 2.20 acres +/-

- Building footprints (office, hotel, residential, retail, restaurant, parking structure) – 5.42 acres +/-
- New transportation system improvements – 2.12 acres +/-
- Green space (landscaping, buffers, and natural areas) – 3.00 acres +/-

d. Gross floor area for all buildings or structures, including a statement pertaining to the appropriateness of the intensity of the suggested uses relative to policies and standards contained within the comprehensive plan – The proposed development will contain up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses, structured parking and service areas, as well as any additional streetscape, landscape, green space, and pedestrian improvements.

The proposed development of the Subject Property conforms to the PD zoning in place (with the addition of residential as an allowed use), the policy and intent of Dunwoody's Comprehensive Plan (the "Plan"), and the portions of the Plan addressing the Perimeter Center Character Area and the "PC-1" subarea in the area directly surrounding the Dunwoody MARTA Station. The proposed development supports the vision of the Plan to create a true live-work environment in an attractive, inviting, pedestrian-friendly environment with easy access to MARTA's Dunwoody rail station and other transportation modes.

The design of the proposed development will foster pedestrian movements not only internally between uses on the Subject Property and the other buildings within the Park Center development, but also externally between the Subject Property and nearby uses while providing easily accessible and safe transit access, off-street parking for automobile commuters and visitors, as well as service functions (deliveries, refuse collection, etc.). As outlined more fully herein, the proposed development also will support the Plan's call for high-quality design and materials.

In addition to its conformity with the Plan's policy and intent, the proposed development also responds to a key finding of the Dunwoody Edge City 2.0 Study (the "Edge City Study") completed in January 2023 and accepted by the City. This key finding, supported by a thorough market analysis, demonstrates the demand for between 6,040 and 9,330 multi-family residential units over the next 20 years. While the Edge City Study acknowledges the nearby High Street project will account for 1/3 to 1/2 of this demand if built as planned, additional demand for several thousand multi-family residential units still remains and can be met, in part, by the proposed development of the Subject Property.

e. Architectural elevations of all proposed building sides, a description of the types of exterior treatments of buildings, a site plan to scale, density calculations - The architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation, and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "A-2." The building facades may include natural stone, brick, glass, and metal panels or other materials approved by the Director of Community Development. Cementitious panels and EIFS are not permitted on the façade for ground-floor retail and may not compose more than 20% of the façade above the ground floor. For the purposes of this condition, both the plaza and the Perimeter Center Parkway façade floor levels shall be considered as ground floors. The massing will be similar to that shown in Exhibit "A-2" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Site Plan. However, Building 4 shall consist of a residential tower, at least 15 stories in height above plaza level, which may also

contain the hotel use. The Owner may also construct another separate and distinct tower, not to exceed 37 stories above plaza level, containing office uses, a combination of office and hotel uses, or a separate hotel use. The footprint of either tower, exclusive of any associated amenity space, may not exceed 55% of the overall Building 4 footprint. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing, materials, or aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development.

A conceptual Site Plan depicting the overall development is attached hereto as Exhibit "A-1."

f. Circulation plan – The pedestrian circulation plan for the Subject Property, indicating the location and direction of pedestrian movement to, from, and through the overall Park Center development, is included as Exhibit "A-4."

g. Street documentation – The Subject Property is bound on the east by Perimeter Center Parkway and on the south by the Springwood Connector. Both these roads are shown on the Survey provided with the Applicant's Letter of Intent. Perimeter Center Parkway has a variable right-of-way with two travel lanes in each direction, bike lanes, partial medians and turn lanes at main intersections. Springwood Connector, which was constructed by the Owner and dedicated to the City pursuant to the 2015 ODP, has a variable right-of-way with one travel lane in each direction, bike lanes, and a center turn lane, along with turn lanes at main driveways and intersections. In addition, there are sidewalks/paths adjacent to the roadways on each frontage (six (6) feet wide on Springwood Connector and ten (10) feet wide on Perimeter Center Parkway). The 10-foot sidewalk/path on Perimeter Center Parkway, as currently constructed, meets the intent of the Dunwoody Trail Master Plan (Adopted May 22, 2023, and prepared by the PATH Foundation) and shall not be required to be upgraded, due to the presence of utility easements.

h. Parking analysis – The development of the proposed building on the Subject Property will include up to approximately 1,565 parking spaces. These will be intended for use by office tenants and visitors, hotel users and staff, residents and their visitors, and for restaurant and retail users. It is anticipated there will be significant shared-parking opportunities among the uses, particular during evenings and on weekends when the office occupancy will be lower. Some or all of the parking spaces intended for use by office tenants, hotel guests, and residential occupants will have dedicated entry and secured access for security purposes.

i. A tree plan showing the existing trees on site that are six inches in diameter at breast height or greater for hardwoods and 16 inches in diameter at breast height for other trees – A tree survey was previously provided to the City in connection with the 2015 rezoning of the Park Center 2, 3, and 4 development and the associated tree replacement plan has been fully satisfied by the Owner in connection with the development of Buildings 2 and 3.

j. Existing site survey and a grading plan – A survey of the Subject Property, prepared by Terramark Land Surveying, Inc., and last updated September 26, 2022, was provided with the Applicant’s Letter of Intent as Exhibit “E.” The Subject Property was previously rough graded in connection with the development of Park Center 2 and 3. A final grading plan for the Subject Property will be prepared prior to Park Center 4’s development.

k. Any other information deemed necessary by staff for planning review – The development approved by the Dunwoody Mayor and Council pursuant to Ordinance 2015-08-16 qualified for review as a Development of Regional Impact (“DRI”) by the Atlanta Regional Commission (“ARC”) and the Georgia Regional Transportation Authority (“GRTA”). As such, a detailed Traffic Impact Study was prepared and submitted to the City, ARC, and GRTA as part of the DRI process. The GRTA Notice of Decision, dated June 20, 2015 (DRI #2501), was incorporated as an exhibit to Ordinance 2015-08-16 and all transportation improvements required by that Notice of Decision have been fully completed by the Owner and dedicated to the City as appropriate. In connection with the current application, the Applicant, its traffic engineers, and the City communicated with staff of the Atlanta Regional Commission (“ARC”), which “has determined that a new DRI review is not required.” An email from Mr. Donald P. Shockley, ARC’s Plan Review Manager, confirming this determination is attached as Exhibit “I” to the Letter of Intent for this Application.

EXHIBIT A-1
Conceptual Site Plan

PROGRAM

RESIDENTIAL:
300 UNITS
20 STORIES *

OFFICE:
300,000 GSF
12 STORIES *
TYPICAL PLATE 25,000 SF

HOTEL:
175 KEYS
6,000 SF MEETING SPACE
6 STORIES (OVER OFFICE) *

RETAIL:
22,000 SF

PARKING:
7 LEVELS ABOVE PLAZA **
1,565 PARKING SPACES

* UP TO 37 LEVELS TOTAL ABOVE PLAZA

** UP TO 10 LEVELS ABOVE PLAZA AND 3 LEVELS BELOW PLAZA

BUILDING 2

BUILDING 3

BUILDING 1

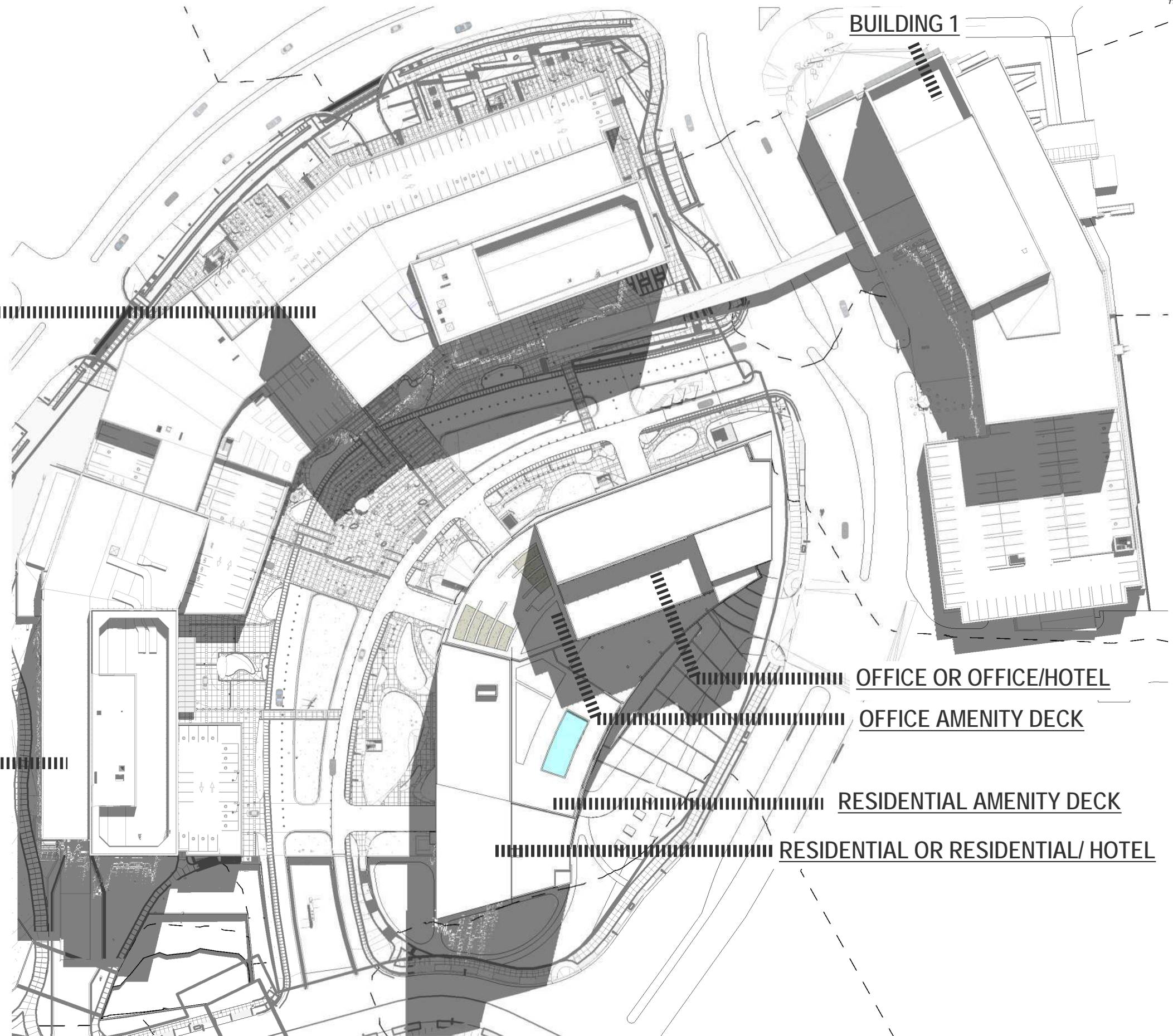


EXHIBIT A-2
Conceptual Project Rendering/Elevation



PARK CENTER 4

3D VIEWS



EXHIBIT A-3
Conceptual Landscape Plan

ORNAMENTAL TREES



Service Berry



Yoshino Cherry

GRASSES

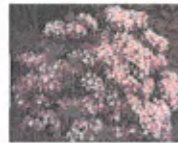


Feather Reed Grass



Bluestem

SHRUBS



Dwarf Mountain Laurel



Kaleidoscope Abelia



Henry's Garnet Sweetspire



Florida Hobblebush



Inkberry Holly



Oakleaf Hydrangea



Lenten Rose



Joe Pye Weed



Holly Fern

GROUNDCOVERS



Canadian Wild Ginger

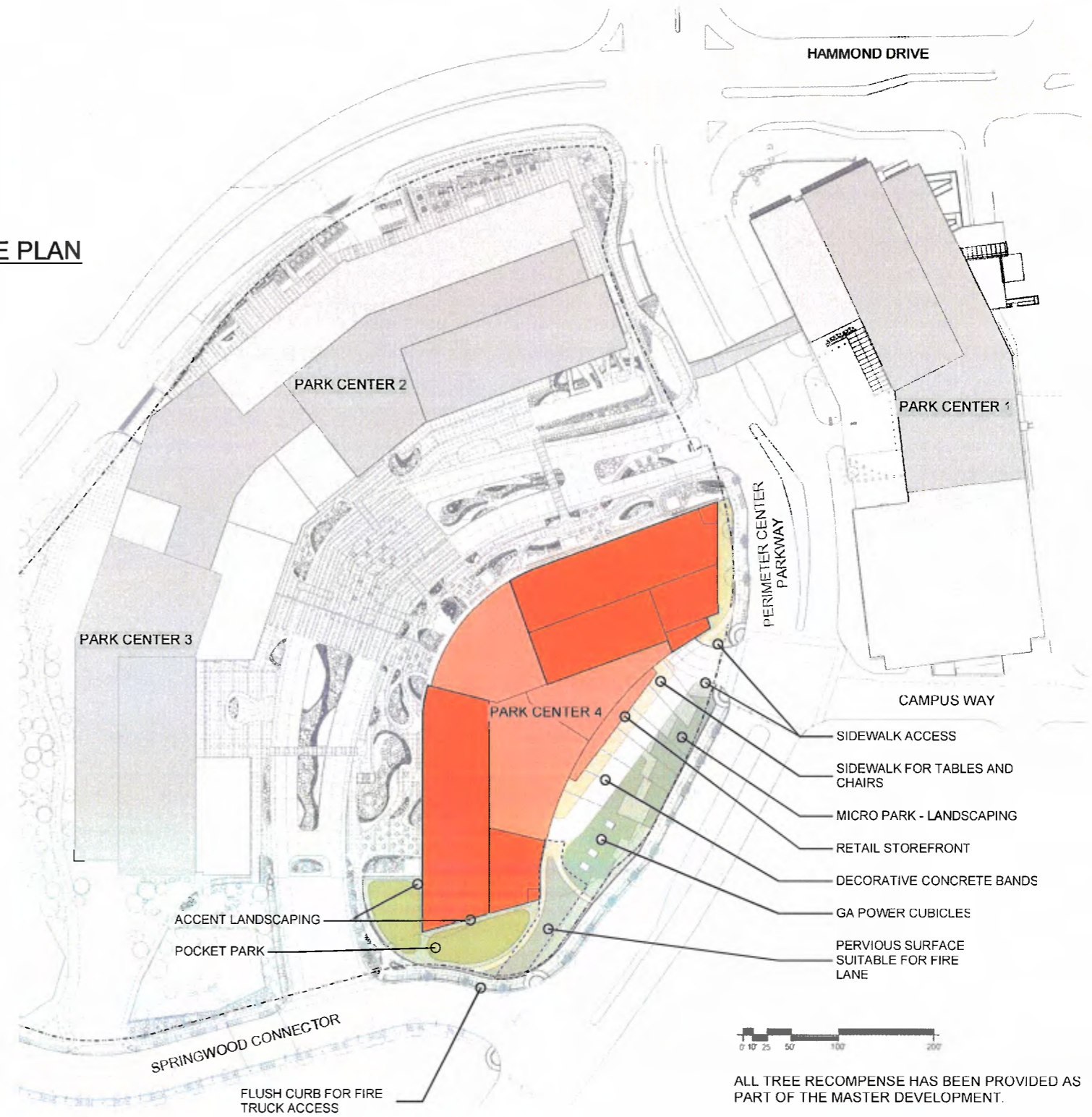


Japanese Spurge



Pennsylvania Sedge

SITE PLAN









PARK CENTER 4 - CONCEPTUAL LANDSCAPE PLAN

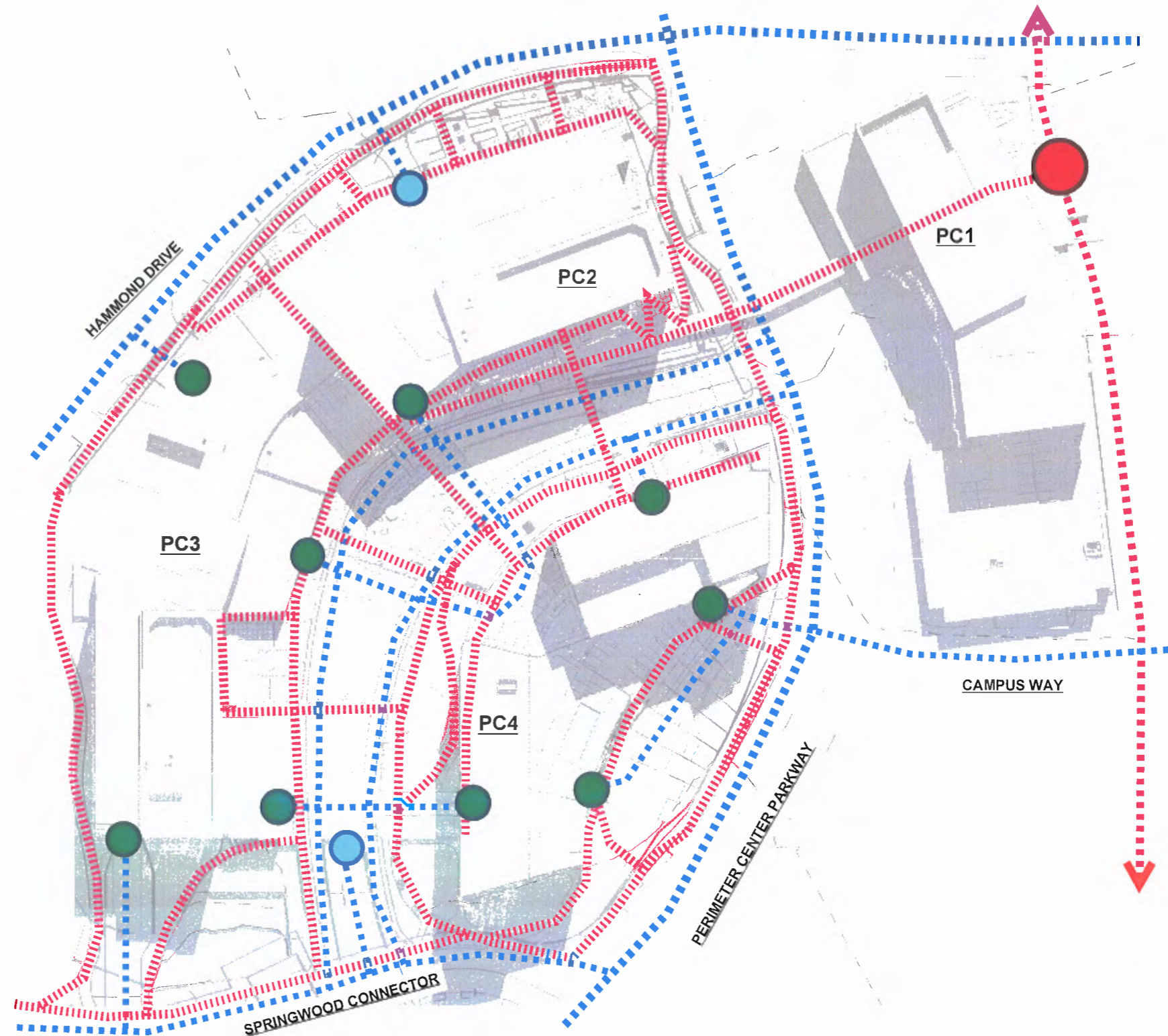
10.24.2023



EXHIBIT A-4
Pedestrian Circulation Plan

LEGEND

-  MARTA LINE
-  MARTA STATION
-  PEDESTRIAN PATH
-  VEHICULAR PATH
-  PARKING ENTRANCE
-  SERVICE ENTRANCE



CIRCULATION

Exhibit A-5
Sustainability Measures

Dunwoody Sustainability Plan 2021

A1a: Greenspace
Over 100,000 SF green roof over parking

A2a: Trees
No net tree loss and maintained the 75' stream bank buffer.

A3a: Pollinator Protection
Planted pollinator friendly plantings over the parking garage

A4a: Land use
Park center was built on an already developed site and replaced an expansive surface parking lot with a transit oriented, mixed use development.

B: Water Quality
Provided non-potable irrigation

C: Transportation and Air Quality
Provides bike parking
Provides protected Bike lanes
Constructed dual MARTA Station
Pedestrian Bridge
12' Multi-use Trail
10' Sidewalk along Perimeter Center
Built Springwood Connector with 6' sidewalk on both sides

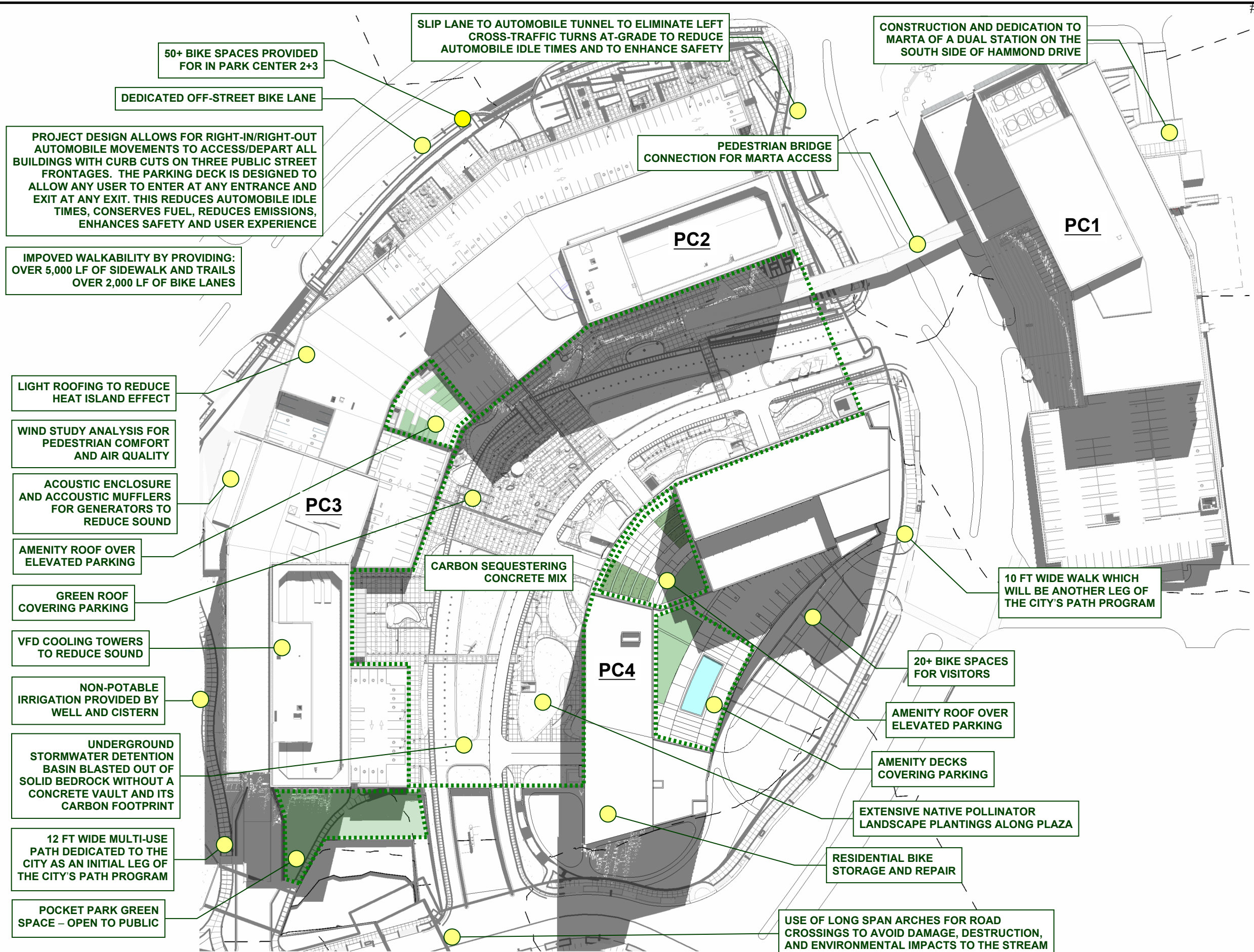
D: Resource efficiency
Existing Campus is LEED Gold
Recycling facilities for all buildings

Perimeter Center Overlay District

PC4 is part of the condo agreement which has a financial obligation to support the ongoing cost and maintenance of the campus sustainable features.

Heat Island	2
Water Efficient Landscaping	1
Transportation Access	4

Points Achieved	7
Points Required	7



**NOTICE OF DECISION**

To: Doug Hooker, ARC
(via electronic mail) Sonny Deriso, GRTA
Bob Voyles, GRTA

Dick Anderson, GRTA
Al Nash, GRTA

To: Mayor Michael Davis, City of Dunwoody
(via electronic mail and certified mail) James George, KDC Real Estate Development & Investments

From: Chris Tomlinson, GRTA Executive Director

Copy: Kirk Fjelstul, GRTA
(via electronic mail) Laura Beall, GRTA
Jon West, DCA
Jon Tuley, ARC
Patrick Allen, GDOT Dist 7
Greg Floyd, MARTA

Steve Foote, City of Dunwoody
Michael Smith, City of Dunwoody
David Kirk, Troutman Sanders
John Walker, Kimley-Horn & Associates
Kristen Wescott, City of Sandy Springs

Date: June 30, 2015

Re: **DRI 2501 Park Center**

Summary: This Notice of Decision for DRI 2501 Park Center replaces the previous one issued for DRI 1520 245 Perimeter Center on August 30, 2007.

Exhibit 2

Notice of Decision for Request for Expedited Review of DRI 2501 Park Center

The purpose of this notice is to inform KDC Real Estate Development & Investments (the Applicant), City of Dunwoody (the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding DRI 2501 Park Center (the DRI Plan of Development). GRTA has completed an Expedited Review for the DRI Plan of Development pursuant to sections 3-101 and 3-102 of the *Procedures and Principles for GRTA Development of Regional Impact Review* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Sections 3-101 and 3-102.F. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

This decision will become final and no further review will be required, unless: (1) a request for review by the Land Development Committee is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-502 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, or (2) an appeal by the Applicant is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-501, or (3) an appeal by the local government is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-501. If GRTA staff receives a request for review or an appeal, you will receive another notice from GRTA, and the Land Development Committee will hear the appeal or request for Expedited Review at its August 12, 2015 regular meeting.

The notice of decision is based upon review of the applicant's DRI Review Package. The Review Package includes site plan and transportation analysis prepared by Kimley-Horn and Associates dated June 15, 2015 and received by GRTA on June 15, 2015. The review also includes confirmation from the City of Dunwoody and the Atlanta Regional Commission received by GRTA on June 11, 2015 that the Livable Centers Initiative (LCI) criterion has been met.

Approval of the above referenced DRI by expedited review shall not constitute GRTA approval of any subsequent material modifications to the proposed DRI by the local government such that the proposed DRI is no longer eligible for approval by expedited review.



Chris Tomlinson
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian and Transit Access

- Provide sidewalks along all property frontages, as shown on plan.
- Provide sidewalks along both sides of the internal roadway.
- Provide pedestrian accessibility to the site from adjacent public rights-of-way (Hammond Drive, Perimeter Center Parkway, and Future East-West Connector Road).
- Provide safe pedestrian crossings at intersections with Perimeter Center Parkway and with Hammond Drive.
- Relocate MARTA bus stop(s) on Hammond Drive as needed, in coordination with and approved by MARTA transit provider.

Road Connectivity

- Allow for the Future East-West Connector Road along the southern property line:
 - Connecting between Peachtree Dunwoody Road and Perimeter Center Parkway;
 - For vehicular, bicycle and pedestrian access; and
 - With an alignment and profile, as approved by both the City of Sandy Springs and City of Dunwoody.

Access Management

- Provide internal connectivity between all site access driveways except for service driveways.
- A maximum of one full movement site access point along Hammond Drive and one full movement site access point along Perimeter Center Parkway is allowed, excluding Future East-West Connector Road.

Roadway Improvement Conditions to GRTA Notice of Decision:

Hammond Drive at Perimeter Center Parkway

- Provide an additional westbound left turn lane along Hammond Drive.
- Provide an additional northbound left turn lane along Perimeter Center Parkway.

Hammond Drive and Site Driveway P1

- Provide a dedicated westbound left turn lane along Hammond Drive.

Perimeter Center Parkway at Site Driveway P4/Gold Kist Road

- Provide a dedicated northbound left turn lane along Perimeter Center Parkway.

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

Therefore, staff recommends the application RZ 23-03 be approved subject to the following exhibit(s) and condition(s):

Exhibit 1: Overall Development Plan (ODP), dated May 13, 2024, and associated exhibits.

Exhibit 2: GRTA Notice of Decision, dated June 30, 2015.

Development of the site shall be conditioned to the following:

1. The Conditions of Approval associated with the previous rezoning, RZ 15-72, of the Subject Property and adjacent parcels, which were fully satisfied at the time of the development of Buildings 2 and 3, are as follows:
 - a. Development of the site shall be substantially consistent with the recommendations in the GRTA Notice of Decision, referenced as Exhibit 2 in this Ordinance.
 - b. Dedication of right-of-way (ROW) in conjunction with all required project improvements identified herein and future ROW required along Hammond Drive identified in 2008 Hammond Drive Corridor Study.
 - c. Preserve ROW on Perimeter Center Parkway for a future additional southbound left turn lane at Campus Way (formerly Goldkist Drive).
 - d. In the event the East-West Connector Road is not constructed by the Owner or the City prior to the issuance of a Certificate of Occupancy for the third building, an additional right turn lane eastbound from Hammond Drive to Perimeter Center Parkway South shall be constructed by the owner.
2. Development of the Subject Property shall be substantially consistent with the Overall Development Plan, referenced as Exhibit 1 in this Ordinance.
3. Construction of Building 4 will allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space and other permitted uses, and up to 1,565 off-street parking spaces within the parking decks.
4. The maximum height of Building 4 shall not exceed 37 stories above plaza level grade and the height of the residential tower shall be a minimum of 15 stories.
5. Where the Overall Development Plan does not supplant requirements of Chapter 16, Land Development, the provisions in the chapter shall apply.
6. The Owner shall commit \$50,000 toward the cost of public art of a consistent type and scale with the three pieces of public art voluntarily installed by the Owner in connection with the development of Park Center Buildings 2 and 3. Such public art shall be located within the green space at the south end of the site, in a specific location to be selected by the Owner in its sole discretion. Prior to the installation of public art on the property, the Owner shall share its proposal for public art integration on the subject site at a regularly scheduled Dunwoody Art Commission meeting. Installation of the public art shall be done in tandem with the construction of Building 4. Issuance of the Certificate of Occupancy is contingent upon either the installation of the required public art or the owner shall post a bond of \$50,000, to be returned upon confirmation of completed installation.

7. A collective total of at least 3.00 acres of greenspace (including landscaping, buffers, and natural areas) shall be provided on the site containing Park Center Buildings 2, 3, and 4.
8. Prior to issuance of the land disturbance permit, the applicant shall submit a final landscape plan for review and approval by the Community Development Director.

Troutman Pepper Hamilton Sanders LLP
Bank of America Plaza, 600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308
David C. Kirk, Partner
david.kirk@troutman.com



December 5, 2023

VIA HAND DELIVERY

Mr. Richard McLeod, MPA
Director of Community Development
City of Dunwoody
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338

**Re: Application for Major Change to Conditions of Approval for RZ-15-072
(245 Perimeter Center Parkway)**

Dear Mr. McLeod:

On behalf of the property owner KDC Park Center Investments Two LLC (the "Applicant"), I am pleased to provide for review by the City of Dunwoody an application for a Major Change of Zoning Conditions (the "Application") for the above-referenced property (the "Subject Property") which is currently zoned PDc (Planned Development, Conditional), as provided under Section 27-326 of the City of Dunwoody Zoning Ordinance (the "Zoning Ordinance"). Approval of this Application will provide for the development of the Subject Property, which is the last vacant portion of the three-building Park Center development approved pursuant to RZ-15-072 on August 24, 2015. The proposed development ("Park Center 4") will be a vibrant, attractive mixed-use building containing a complementary mix of office, hotel, residential, retail, and restaurant uses as well as associated amenity space and structured parking.

Included with this letter is a completed Amendment Application bearing all necessary notarized signatures of the Owner and Applicants and the following materials required by the City of Dunwoody.

- A Draft Overall Development Plan (the "ODP") for the proposed development of Park Center 4 identifying the allowable land uses within Park Center 4, providing a conceptual site plan (incorporating a preliminary conceptual landscape plan), containing all information required by Section 27-87(c)(2) of the Zoning Ordinance, and providing the required development standards text (Exhibit "A")¹;
- A Neighbor Communications Summary Report (Exhibit "C");

¹ Because the Application requests a major modification of the conditions approved as part of RZ-15-072, also attached as Exhibit "B" is a complete copy of these original conditions of approval with annotations indicating the status of each condition.

- A Completed Environmental Site Analysis Form (Exhibit "D");
- A Legal Description and Survey of the Subject Property (Exhibit "E");
- Site Photos – including a Rendering of the Project provided in support of the original rezoning of the Park Center property pursuant to RZ-15-072 (Exhibit "F");
- A Pedestrian Circulation Plan (Exhibit "G");
- A Conceptual Site Plan and Project Rendering/Elevation (Exhibit "H"); and
- A check payable to the City of Dunwoody for the rezoning fee of \$2,650.00.

The original three-building project approved by RZ-15-072 (Park Center 2, 3, and 4) qualified for review as a Development of Regional Impact (the "DRI" or "DRI 2501"). As such, a detailed Traffic Impact Study was prepared and submitted to the City and other appropriate agencies as part of the DRI process. The results of the DRI review were provided to the City, the recommended conditions of DRI 2501 incorporated into the conditions of approval for RZ-15-072, and all of DRI 2501's conditions fulfilled in connection with the development of previous two buildings (Park Center 2 and 3). In connection with the current application, the Applicant, its traffic engineers, and the City communicated with staff of the Atlanta Regional Commission ("ARC"), which "has determined that a new DRI review is not required." An email from Mr. Donald P. Shockey, ARC's Plan Review Manager, confirming this determination is attached hereto as Exhibit "I."

Finally, to the extent changes are made to the conceptual site plan and the ODP for the proposed development of Park Center 4 through ongoing review by and interaction with staff, City officials, and the community, such changes will be reflected in the documents presented to the City for final approval.

Description of the Proposed Project

The Subject Property is the last undeveloped parcel in a multi-parcel redevelopment for which PD zoning, with extensive conditions, was approved by the Mayor and City Council in 2015. At the time, it was envisioned the parcel would be developed primarily as a multi-story office building, with associated street- and plaza-level retail uses and structured parking. However, the office market has changed dramatically in the last few years such that stand-alone office space is not considered an economically feasible use of the Subject Property, particularly in light of the existing office space in Park Center 2, Park Center 3, and nearby buildings compared to the demand for office space.

As the original conditions of zoning did not allow the use of the Subject Property for residential purposes, the Applicant is requesting the Subject Property be rezoned from PD (Planned Development) zoning classification to the PD (Planned Development) zoning classification, with

a change of conditions, to allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses as currently allowed, up to 1,565 parking spaces and service areas, as well as additional landscape, green space, and pedestrian improvements. The building height is not planned to extend more than 37 stories above the existing Plaza Level.

The Subject Property is 2.56 acres (+/-) in size and was part of a larger 13.042-acre property that was rezoned to PDc in 2015 for the development of Park Center 2, 3, and 4. The current request does not seek to change the zoning classification of the Subject Property, only to modify the conditions of approval and Overall Development Plan adopted as part of the original zoning case (RZ-15-072) to eliminate conditions no longer applicable, allow the multi-family residential use, reference a revised site plan, and incorporate other appropriate and necessary changes.

Review and Approval Criteria for a Major Change to Conditions of Approval

As set forth in Section 27-337(a)(2) of the Zoning Ordinance, "major changes to conditions attached to approved [zoning] amendments must be processed as a new amendment in accordance with the procedures" used for new amendments, including the evaluation of such proposed major changes in light of the following review and approval criteria contained in Section 27-335(b) of the Zoning Ordinance.

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

The Major Change Proposal conforms to the policy and intent of the City of Dunwoody 2020 - 2024 Comprehensive Plan (the "Plan") and, in particular, the portions of the Plan addressing the Perimeter Center Character Area and the Plan's Future Land Use Map. The proposed Project supports the vision of the Plan to create a mixed-use development containing first-class office, retail, residential, entertainment, hotel, and high-end restaurants in an attractive, inviting pedestrian and bicycle-friendly environment with easy access to MARTA's Dunwoody rail station and other transportation modes.

The design of the proposed Project will continue to foster pedestrian movements both internally and through the Subject Property to nearby transit and retail opportunities, while providing easily accessible and safe off-street parking for residents, commuters, and visitors. As outlined more fully in the Overall Development Plan ("ODP"), 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 enhanced from that provided in earlier phases of the Park Center development through the creation of a mix of landscaped and hardscaped amenities, and outdoor areas within the Project that will provide pedestrian linkages to 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 Project also satisfies a number of the goals and objectives of the Edge City 2.0 Final Report completed by the City of Dunwoody in January 2023 in cooperation with the Perimeter Community Improvement District ("PCID"). The proposed Project will help meet the significant demand for multi-family residential development identified in the Edge City 2.0 Report. It will provide internal pedestrian connectivity between the office, hotel, residential, retail, and restaurant components of the development, as well as enhanced pedestrian and green space connectivity external to the Project to and from other nearby developments, the MARTA system, and the emerging network of parks in the area, including the potential civic space located north of the Dunwoody MARTA station and the future City park to the South. The proposed Project will provide a sense of place for residents, workers, and visitors through plazas, walkways, green space, bicycle facilities, and an active pedestrian environment, including sidewalk dining areas and other amenities that were developed in connection with Park Center 2 and 3 and will be enhanced through the development of the Subject Property. Overall, the proposed Project intends to complete the transformation of the Subject Property and adjacent portions of the Park Center Project from an under-utilized suburban office model to a vibrant 24-hour community that takes advantage of and enhances both internal and external connections to transit, housing, and other nearby developments in the area.

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 Major Change Proposal will allow for uses that are not only suitable in light of the use and development of adjacent and nearby properties but compatible with and supportive of the use and development of such properties. The proposed use of the Subject Property as a high-quality mixed-use development will provide residential opportunities for those working in nearby offices or who choose to commute to other office developments via the adjacent MARTA station, a hotel convenient to MARTA rail, as well as opportunities for residents and commuters using the nearby MARTA rail station to access nearby employment, shopping, and dining opportunities. The Project also will provide enhanced pedestrian connectivity within the Project itself and to nearby developments and transit.

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

Due to significant changes in the market in recent years, the site is not economically developable as previously envisioned. The current zoning conditions unnecessarily limit the Owner's ability to include a residential component as part of the development and thereby create the type of development that will support and help achieve the community's goals and benefit the City 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 Major Change Proposal will have no adverse effect on adjacent or nearby properties and, in fact, will enhance the use, usability, and value of such properties by allowing for the completion of the Park Center mixed-use development that will provide high-quality residential and job opportunities, a hotel convenient both to the MARTA Dunwoody Station and nearby shopping, dining, and office development, accessible retail and restaurant options, and enhanced pedestrian and bicycle connections to the nearby MARTA rail station, points within the Project, and surrounding developments in the Perimeter Center Character Area and beyond.

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 greater pedestrian connectivity and access to transit. Over the last several years, the demand for office development has softened such that the development of the Subject Property primarily for office space, as originally envisioned, has become unrealistic. At the same time, the City's Edge City 2.0 Study has identified a growing need for multi-family residential units, particularly in the vicinity of the Dunwoody MARTA Station, and acknowledges that projects currently under development are insufficient to meet this need. The addition of a residential component to this focused, integrated development in close proximity to the Dunwoody MARTA station provides supporting grounds for the approval of the Major Change Proposal.

In addition, the regulatory environment continues to evolve, with the City, PCID, ARC, and other stakeholders in the area working to focus the highest intensity of buildings, multi-family residential development, employment, and active street-level retail and pedestrian amenities in areas surrounding the Dunwoody MARTA Station. The proposed Project is consistent with these regulatory changes and supports the vision such regulations are intended to achieve.

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

The Subject Property was previously cleared and graded. As a result, there are no known historic buildings, sites, districts, or archeological resources on or adjacent to the Subject Property. Accordingly, the Major Change Proposal will have no adverse effect on any 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.

Mr. Richard McLeod
December 5, 2023
Page 6



The Major Change Proposal will not result in a use that overburdens surrounding streets, transportation facilities, utilities or schools. As part of the zoning review process associated with the original zoning of the Subject Property to PD in 2015, the impact of the overall Park Center development on surrounding transportation facilities was evaluated under the Development of Regional Impact Review process. Various transportation improvements needed to mitigate any impacts on the surrounding road network or desired by the City were identified and have been fully implemented. Further, it is anticipated that a significant number of residents of, workers in, and visitors to the proposed development will utilize the nearby MARTA rail system such that impacts of the project on the level of service on nearby roads and intersections will be lessened and available capacity on the MARTA rail system will be more fully utilized. The proposed plan actually results in reduced morning and evening peak automobile traffic compared to the project envisioned under the 2015 zoning approval. Enhancements to the pedestrian and bicycle network provided in connection with the Project will continue to allow residents, workers and visitors alike to walk to and from nearby developments. Utilities such as water, sewer, natural gas, electricity and telecommunications are readily available in the area and have sufficient capacity to serve the proposed development. Finally, while the proposed Project contains proposed residential uses, such uses are not anticipated, based on market observations, unit mix, and other factors to place a burden on nearby schools.

As demonstrated above, the Applicant respectfully submits the proposed Major Change of Conditions requested in connection with this Project fully meets the review and approval criteria established by the City.

Conclusion

Accordingly, on behalf of the Applicant, I respectfully request the approval of the request for Major Changes to Conditions of Approval of the Subject Property's existing PD zoning classification. 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 cooperative efforts in connection with this exciting and important project.

Yours very truly,

A handwritten signature in black ink that reads "David C. Kirk". The signature is written in a cursive style with a large initial "D".

David C. Kirk

/dck
Exhibits (9)

Application Form



Purpose of Application (check all that apply):

- Comprehensive Plan Land Use Map Amendment []
- Zoning Ordinance Text Amendment
- Zoning Map Amendment []
- Special Land Use Permit
- Major Modification of Zoning Conditions

Community Development
 4800 Ashford Dunwoody Road
 Dunwoody, GA 30338
 Phone: (678) 382-6800
 dunwoodyga.gov

Application Information

Company Name: KDC PARK CENTER INVESTMENTS TWO LLC
 Contact Name: JAMES F. GEORGE, P.E., S.E.
 Address: 1040 CROWN POINTE PARKWAY, SUITE 1070, ATLANTA, GEORGIA 30338
 Phone: 214-696-7431 Email: James.George@kdc.com
 Pre-Application Conference Date: 11/07/2023

Owner Information Check here if same as applicant

Owner's Name: KDC PARK CENTER INVESTMENTS TWO LLC
 Owner's Address: 8115 PRESTON ROAD, SUITE 700, DALLAS, TEXAS 75225
 Phone: 214-696-7431 Email: James.George@kdc.com

Property Information

Property Address(es): 245 PERIMETER CENTER PARKWAY
 Parcel ID #(s): 18 329 04 011
 Total Acreage: 2.56 Acres (+/-) Current Zoning Classification: PDc Current Use: VACANT

Project Information

Proposed Zoning Classification: PDc Proposed Use: MIXED-USE DEVELOPMENT TO COMPLETE PARK CENTER PROJECT.
 Project Details: DEVELOPMENT OF A MIXED-USE PROJECT INCLUDING OFFICE, HOTEL, AND MULTI-FAMILY RESIDENTIAL, WITH ASSOCIATED RETAIL, RESTAURANT, AND AMENITY SPACE, AND STRUCTURED PARKING - REQUESTING CHANGES TO ORIGINAL CONDITIONS AND SITE PLAN ASSOCIATED WITH RZ-15-072 (ORDINANCE 2015-08-16), APPROVED AUGUST 24, 2015.

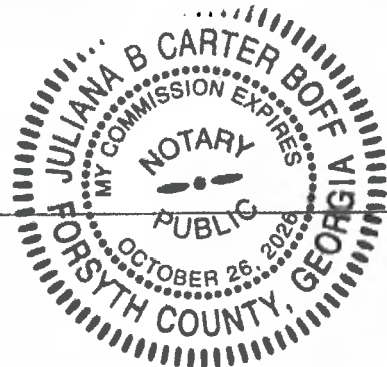
Applicant Affidavit

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: JAMES F. GEORGE, P.E., S.E., FOR KDC PARK CENTER INVESTMENTS TWO LLC
 Applicant's Signature: *James F. George* Date: 11/27/23

Notary:

Sworn to and subscribed before me this 27 Day of November, 2023
 Notary Public: *Juliana Carter-Boff*
 Signature: *Juliana Carter-Boff*
 My Commission Expires: Oct 26 / 2026





Property Owner(s) Notarized Certification

Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Property Owner:
 Owner Name: KDC PARK CENTER INVESTMENTS TWO LLC
 Signature: *James G. George* Date: 11-14-23
 Address: 8115 PRESTON ROAD, SUITE 700, DALLAS, TEXAS 75225
 Phone: 214-696-7431 Email: James.George@kdc.com
 Notary Public: *Juliana Carter Bo RP*
 Sworn to and subscribed before me this 14th Day of November
 Notary Signature: *Juliana Carter Bo RP*
 My Commission Expires: October 26, 2026



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

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

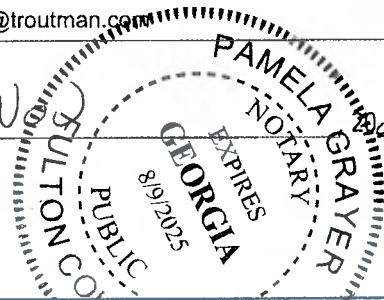
Applicant Notarized Certification



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.

Community Development
4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

Applicant:
 Name: DAVID C. KIRK (ATTORNEY FOR KDC PARK CENTER INVESTMENTS TWO LLC)
 Signature: *David C. Kirk* Date: 11/28/2023
 Address: 600 PEACHTREE STREET, NE, SUITE 3000 ATLANTA, GEORGIA 30308
 Phone: 404-885-3415 Email: david.kirk@troutman.com
 Notary Public: *Pamela Grayzer*
 Sworn to and subscribed before me this 28th Day of Nov, 2023
 Notary Signature: *Pamela Grayzer*
 My Commission Expires: 8/9/25



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

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



Community Development

4800 Ashford Dunwoody Road
Dunwoody, GA 30338
Phone: (678) 382-6800
dunwoodyga.gov

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: *Attorney for Applicant*

Signature: <i>Daniel C. Kule</i>	Date: <i>11/28/2023</i>
Address: <i>600 PEACHTREE STREET, NE, SUITE 3000 ATLANTA GEORGIA 30308</i>	

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

Date	Government Official	Official Position	Description	Amount

EXHIBIT A
Draft Overall Development Plan

RZ 23-03

PARK CENTER – SITE 4

Overall Development Plan

DRAFT – February 6, 2024

Overall Development Plan

Pursuant to Section 27-87(c) of the Dunwoody Zoning Ordinance (the " Ordinance"), the Applicant offers the following Overall Development Plan ("ODP") for the proposed development of the 2.56-acre Subject Property.

The Subject Property is the remaining undeveloped portion of a 13.042-acre parcel that was rezoned from the O-I (Office Institutional) zoning classification to the PD (Planned Development) zoning classification pursuant to Ordinance 2015-08-16 (RZ-15-072) on August 24, 2015, to allow for the development of up to 1.8 million square feet of office space in three multi-story buildings (Buildings 2, 3, and 4), up to 90,000 square feet of retail and restaurant space, together with other permitted uses, and up to 7,000 parking spaces in structured parking (the "Original Entitlements"). An Overall Development Plan was incorporated as a condition of the 2015 rezoning (the "2015 ODP") and has guided the development of the property since 2015. During that time Buildings 2 and 3 have been completed, as well as all of the required public improvements associated with the project¹. Both the completed buildings, as well as the Subject Property, participated in the costs and share the benefit of and ongoing maintenance responsibility for these public improvements created pursuant to the 2015 rezoning. Thus, the Subject Property contributes now and will contribute into the future to any maintenance, improvement, and repair costs for the internal roadways and pedestrian paths, landscaping, storm water facilities, and the like that are common to the development as a whole.

The following Original Entitlements remain and represent what *could* be developed on the Subject Property under the current zoning:

- Up to 729,613 square feet of office space.
- Up to 33,586 square feet of space for retail, restaurant, and other permitted uses.
- Up to 2,883 parking spaces.

The application now submitted for consideration affects only the future development of the Subject Property/Building 4 and requests a modification to the 2015 zoning, as applied to the Subject Property, to add multi-family residential as a permitted use which, in turn, will allow for a greater mix of uses allowed by right on the Subject Property, including office, hotel, and multi-family residential, along with retail, restaurant, and other permitted uses.

As the entitlement process moves forward, the ODP will be revised based on review by and discussions with City of Dunwoody staff, elected and appointed officials, and citizens during the public review of this application. The final version of the ODP will be presented for consideration by the Mayor and Council and will include the Development Standards Text required by Section 27-87 (c)(1) of the Ordinance as well as all minimum elements set forth in Section 27-87(c)(2) of the Ordinance and other information deemed necessary by staff for planning review.

¹ Among these public improvements are a pedestrian bridge across Perimeter Center Parkway providing access to the MARTA Dunwoody Station; the new Springwood Connector Road; a multi-use path along the western perimeter of the development; as well as right-of-way dedications, road improvements, streetscapes, sidewalks, and bike lanes along all road frontages.

Development Standards Text

1. The Subject Property shall be rezoned from PD (Planned Development) zoning classification to the PD (Planned Development) zoning classification, with a change of Conditions, to allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses, structured parking and service areas, as well as any additional hardscape, landscape, green space, and pedestrian improvements. The restaurant and retail uses need not be accessory to the office, hotel, or residential uses and shall not be required to have entrances from the interior lobby of the office, hotel, or residential portions of the building. Uses permitted by right shall include vertical mixed-use buildings (including office, residential, and hotel), private clubs or lodges, cultural exhibits, day care, places of worship, essential utility facilities, restaurants, food trucks, other eating and drinking establishments, animal services, communication services (other than telecommunication towers), telecommunication antennas mounted to buildings, construction and building sales and services, financial services (insurance, banks, credit unions, brokerage and investment services), food and beverage retail sales, training and conference facilities, medical services, office or consumer services, personal improvement services, consumer repair or laundry services, research and testing services, retail sales, indoor entertainment and spectator sports, indoor sports and recreation facilities – participant, and vehicle sales and rental (indoor only). Uses permitted by special land use permit shall include educational services, hospitals, telecommunication towers, outdoor entertainment and spectator sports, non-accessory parking, and outdoor sports and recreation facilities – participant.

2. 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, driveways, and pedestrian amenities such as plazas, sidewalks, and green space shall be substantially similar to that depicted in the Conceptual Site Plan prepared by Cooper Carry, submitted December 5, 2023, and attached hereto as Exhibit "A-1" (the "Site Plan"). As the Site Plan is finalized, 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 not unreasonably refuse to grant easements, permits, or applicable approvals to the Owner as may be required for the construction of the development and associated improvements. The precise nature and location of any such easements, permits, or other approvals shall be identified as construction drawings are finalized.

3. It is understood that the architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation, and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "A-2." The building facades may include natural stone, brick, glass, and metal panels or other materials approved by the Director of Community Development. Cementitious panels and EIFS are not permitted on the façade for ground-floor retail and may not compose more than 20% of the façade above the ground floor. For the purposes of this condition, both the plaza and the Perimeter Center Parkway façade floor levels shall be

considered as ground floors. The parking garage will use compatible materials to the building and street level retail facades and may provide sufficient open areas to allow natural ventilation. The massing will be similar to that shown in Exhibit "A-2" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Site Plan. However, Building 4 shall consist of a residential tower, at least 15 stories in height above plaza level, which may also contain the hotel use. The Owner may also construct another separate and distinct tower, not to exceed 37 stories above plaza level, containing office uses, a combination of office and hotel uses, or a separate hotel use. The footprint of either tower, exclusive of any associated amenity space, may not exceed 55% of the overall Building 4 footprint. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing/materials/ aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development.

4. The development will include retail, lobby/amenity, circulation, and service space below the plaza level; parking, lobby space for office, hotel, and residential uses, retail, restaurants, and other uses permitted by right at the plaza level; up to 3 levels of parking below the plaza level, up to 10 levels of parking above the plaza level; and up to 27 stories of office, residential, and hotel/lodging space, excluding any penthouse, above the top level of parking and buildings. The total height of any single building shall not exceed 37 stories above plaza level grade and the height of the residential tower shall be a minimum of 15 stories above plaza level.

5. The development shall include a minimum of 3 Off-Street Dumpster Spaces and a minimum of 2 Off-Street Loading Berths (12' x 55' x 14') at locations determined by the Owner in its sole discretion, but shall not be visible to the right of way on Perimeter Center Parkway.

6. The development may include up to 1,565 off-street parking spaces within the parking decks for all permitted uses. Up to 40 % of all parking spaces may be compact spaces (8' x 15'). The Owner shall install 8 electric vehicle charging stations and conduit for 16 additional charging stations. Such charging stations and conduit shall be distributed at the Owner's discretion between areas providing resident parking and office/hotel/retail parking. The total number of parking spaces may be adjusted in proportion to any changes in the square footage of any of the uses in the development or to assure adequate parking for each individual use. 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 designated for use by occupants of the office, residential, or lodging portion of the development.

7. Bicycle racks shall be installed in various locations outside of Building 4 in publicly accessible places on the Subject Property to be selected by the Owner. The bicycle racks shall be capable of providing parking for a total of at least 20 bicycles. Additional bike parking must be provided to meet the minimum standards prescribed in Sec. 27-202 of the Dunwoody Zoning Ordinance; additional parking can be provided within the proposed structure.

8. Ground-mounted mechanical equipment shall be allowed, provided such equipment is screened from view by a solid fence, solid wall, dense hedge, or combination of such features. Such screening may be provided for the existing Georgia Power switching cubicles (which serve

properties other than Park Center) adjacent to Perimeter Center Parkway only if permission is granted in writing by the owner of such switching cubicles.

9. The Subject Property was included in the calculations for the maximum impervious and semi-impervious cover on the property subject to RZ-15-072, and thus was accounted for in the overall design and implementation of the stormwater management and retention program for the Park Center 2, 3, and 4 development.

10. Shopfront buildings/uses shall be included along at least 60% of the frontage of the building facing the interior central park/plaza of the development and 50% of the frontage of the building facing Perimeter Center Parkway. Building entrances and lobbies with associated elevators and stairs shall be considered shopfront uses.

11. Planters and plantings shall be provided on the top of exposed levels of any parking decks. No such requirement shall apply to the roof of any other multi-story structure on the Subject Property.

12. The project will be developed in general accordance with the Conceptual Landscape Plan prepared by Cooper Carry and attached hereto as Exhibit "A-3." The applicant shall submit a final landscape plan for review and approval by the Community Development Director.

14. The on-site pedestrian circulation plan for the proposed development, indicating the general location of pedestrian facilities allowing for movement to, from, and through the development, including adjacent parcels, is indicated on Exhibit "A-4." Should any facilities included in the on-site pedestrian circulation system be located in the parking deck for the project, such facilities may be differentiated through the use of striping. No additional connections to abutting properties or between streets shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development. With regard to internal connections, the on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas and similar amenity features.

15. Title to the Subject Property or any improvements thereon may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels or units would not meet all of the ODP requirements following legal separation provided that (1) collectively, the separately-owned parcels meet all of the ODP requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities, (2) where uses are limited to a particular amount of floor area in the ODP, the owner of the Subject Property will, by virtue of a recorded instrument, apportion such uses that may be placed on any individual parcel or unit and the amount of floor area that may be dedicated to a particular use; (3) 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 parcel 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 designated for use by occupants of the office, retail, hotel, or residential portions of the development; (4) the owner of a resulting separate tax parcel developed pursuant to the ODP shall be allowed to rebuild equal or lesser floor area of any structure located on such separate tax parcel; and (5) no additional signage will be allowed beyond that permissible for the entire Subject Property under the City of Dunwoody code.

16. Construction of Building 4, when considered together with the development of Park Center 2 & 3 and overall site, shall satisfy the requirements of Section 27-104(g) of the Dunwoody Zoning Ordinance by employing the Sustainability measures illustrated on Exhibit “A-5.”

17. The treatment of the parking structure façade shall use the materials described in Section 3 of the Development Standards Text, screen vehicles, and allow for natural ventilation. The conceptual design and proposed materials shall be provided to the Community Development Director for review and approval prior to final design and permitting.

18. Balconies shall be provided on no less than 75% of the residential units and shall have a minimum depth of 5 feet from the exterior wall and 5 feet in width.

Additional Required Elements of the ODP

a. Sketch Plan – The Conceptual Site Plan for the proposed development of the Subject Property is provided as Exhibit “A-1” (the “Site Plan”). It is anticipated that slight variations will be made to the Site Plan for the proposed development of the Subject Property, through interaction with staff, City officials, and the community, as well as from ongoing coordination with any federal, state, or county agencies having review and approval authority over various aspects of the development project.

b. Type and location of all intended uses – The development of the Subject Property is proposed to include a building containing a mix of office, residential, and lodging/hotel uses, street and plaza level retail, restaurant, and other permitted uses, pedestrian connections and amenities, transportation improvements, green space, landscaping, plazas, and structured parking generally located as depicted on the Site Plan.

c. Expected gross land area of all intended uses including open space – The gross land area of the Subject Property is 2.56 acres and is currently undeveloped except for public and private infrastructure installed pursuant to the requirements of RZ-15-072. The Subject Property will be developed with structures containing parking, street and plaza level retail and restaurant uses, and a mixed-use building containing office, residential, and lodging/hotel uses adjacent to and atop the retail and restaurant uses. Significant land area has previously been provided subject to the 2015 ODP for improved pedestrian amenities and transportation system improvements. An *approximate* breakdown of the gross land area of the overall Park Center 2, 3, and 4 development, including the Subject Property, for the various uses is as follows:

- Pedestrian amenities (sidewalks, plazas, etc.) – 2.20 acres +/-

- Building footprints (office, hotel, residential, retail, restaurant, parking structure) – 5.42 acres +/-
- New transportation system improvements – 2.12 acres +/-
- Green space (landscaping, buffers, and natural areas) – 3.00 acres +/-

d. Gross floor area for all buildings or structures, including a statement pertaining to the appropriateness of the intensity of the suggested uses relative to policies and standards contained within the comprehensive plan – The proposed development will contain up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses, structured parking and service areas, as well as any additional streetscape, landscape, green space, and pedestrian improvements.

The proposed development of the Subject Property conforms to the PD zoning in place (with the addition of residential as an allowed use), the policy and intent of Dunwoody's Comprehensive Plan (the "Plan"), and the portions of the Plan addressing the Perimeter Center Character Area and the "PC-1" subarea in the area directly surrounding the Dunwoody MARTA Station. The proposed development supports the vision of the Plan to create a true live-work environment in an attractive, inviting, pedestrian-friendly environment with easy access to MARTA's Dunwoody rail station and other transportation modes.

The design of the proposed development will foster pedestrian movements not only internally between uses on the Subject Property and the other buildings within the Park Center development, but also externally between the Subject Property and nearby uses while providing easily accessible and safe transit access, off-street parking for automobile commuters and visitors, as well as service functions (deliveries, refuse collection, etc.). As outlined more fully herein, the proposed development also will support the Plan's call for high-quality design and materials.

In addition to its conformity with the Plan's policy and intent, the proposed development also responds to a key finding of the Dunwoody Edge City 2.0 Study (the "Edge City Study") completed in January 2023 and accepted by the City. This key finding, supported by a thorough market analysis, demonstrates the demand for between 6,040 and 9,330 multi-family residential units over the next 20 years. While the Edge City Study acknowledges the nearby High Street project will account for 1/3 to 1/2 of this demand if built as planned, additional demand for several thousand multi-family residential units still remains and can be met, in part, by the proposed development of the Subject Property.

e. Architectural elevations of all proposed building sides, a description of the types of exterior treatments of buildings, a site plan to scale, density calculations - The architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation, and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "A-2." The building facades may include glass, aluminum, natural stone, cast stone, precast, stucco, metal panels, cementitious panels, or brick, with glass and aluminum framing. Brick, cast stone, natural stone, metal panels, cementitious panels, glass/aluminum, or other materials approved by the Director of Community Development shall be located at the street level of the building and

retail spaces along the plaza between existing Buildings 2 and 3 and proposed Building 4. The massing will be similar to that shown in Exhibit "A-2" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Site Plan. However, Building 4 shall consist of a residential tower, at least 15 stories in height above plaza level, which may also contain the hotel use. The Owner may also construct another separate and distinct tower, not to exceed 37 stories above plaza level, containing office uses, a combination of office and hotel uses, or a separate hotel use. The footprint of either tower, exclusive of any associated amenity space, may not exceed 55% of the overall Building 4 footprint. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing, materials, or aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development.

A conceptual Site Plan depicting the overall development is attached hereto as Exhibit "A-1."

f. Circulation plan – The pedestrian circulation plan for the Subject Property, indicating the location and direction of pedestrian movement to, from, and through the overall Park Center development, is included as Exhibit "A-4."

g. Street documentation – The Subject Property is bound on the east by Perimeter Center Parkway and on the south by the Springwood Connector. Both these roads are shown on the Survey provided with the Applicant's Letter of Intent. Perimeter Center Parkway has a variable right-of-way with two travel lanes in each direction, bike lanes, partial medians and turn lanes at main intersections. Springwood Connector, which was constructed by the Owner and dedicated to the City pursuant to the 2015 ODP, has a variable right-of-way with one travel lane in each direction, bike lanes, and a center turn lane, along with turn lanes at main driveways and intersections. In addition, there are sidewalks/paths adjacent to the roadways on each frontage (six (6) feet wide on Springwood Connector and ten (10) feet wide on Perimeter Center Parkway). The 10-foot sidewalk/path on Perimeter Center Parkway, as currently constructed, meets the intent of the Dunwoody Trail Master Plan (Adopted May 22, 2023, and prepared by the PATH Foundation) and shall not be required to be upgraded due to the presence of utility easements.

h. Parking analysis – The development of the proposed building on the Subject Property will include up to approximately 1,565 parking spaces. These will be intended for use by office tenants and visitors, hotel users and staff, residents and their visitors, and for restaurant and retail users. It is anticipated there will be significant shared-parking opportunities among the uses, particular during evenings and on weekends when the office occupancy will be lower. Some or all of the parking spaces intended for use by office tenants, hotel guests, and residential occupants will have dedicated entry and secured access for security purposes.

i. A tree plan showing the existing trees on site that are six inches in diameter at breast height or greater for hardwoods and 16 inches in diameter at breast height for other trees – A tree survey was previously provided to the City in connection with the 2015 rezoning of the Park Center 2, 3, and 4 development and the associated tree replacement plan has been fully satisfied by the Owner in connection with the development of Buildings 2 and 3.

j. Existing site survey and a grading plan – A survey of the Subject Property, prepared by Terramark Land Surveying, Inc., and last updated September 26, 2022, was provided with the Applicant’s Letter of Intent as Exhibit “E.” The Subject Property was previously rough graded in connection with the development of Park Center 2 and 3. A final grading plan for the Subject Property will be prepared prior to Park Center 4’s development.

k. Any other information deemed necessary by staff for planning review – The development approved by the Dunwoody Mayor and Council pursuant to Ordinance 2015-08-16 qualified for review as a Development of Regional Impact (“DRI”) by the Atlanta Regional Commission (“ARC”) and the Georgia Regional Transportation Authority (“GRTA”). As such, a detailed Traffic Impact Study was prepared and submitted to the City, ARC, and GRTA as part of the DRI process. The GRTA Notice of Decision, dated June 20, 2015 (DRI #2501), was incorporated as an exhibit to Ordinance 2015-08-16 and all transportation improvements required by that Notice of Decision have been fully completed by the Owner and dedicated to the City as appropriate. In connection with the current application, the Applicant, its traffic engineers, and the City communicated with staff of the Atlanta Regional Commission (“ARC”), which “has determined that a new DRI review is not required.” An email from Mr. Donald P. Shockey, ARC’s Plan Review Manager, confirming this determination is attached as Exhibit “I” to the Letter of Intent for this Application.

EXHIBIT A-1
Conceptual Site Plan

PROGRAM

RESIDENTIAL:
300 UNITS
20 STORIES *

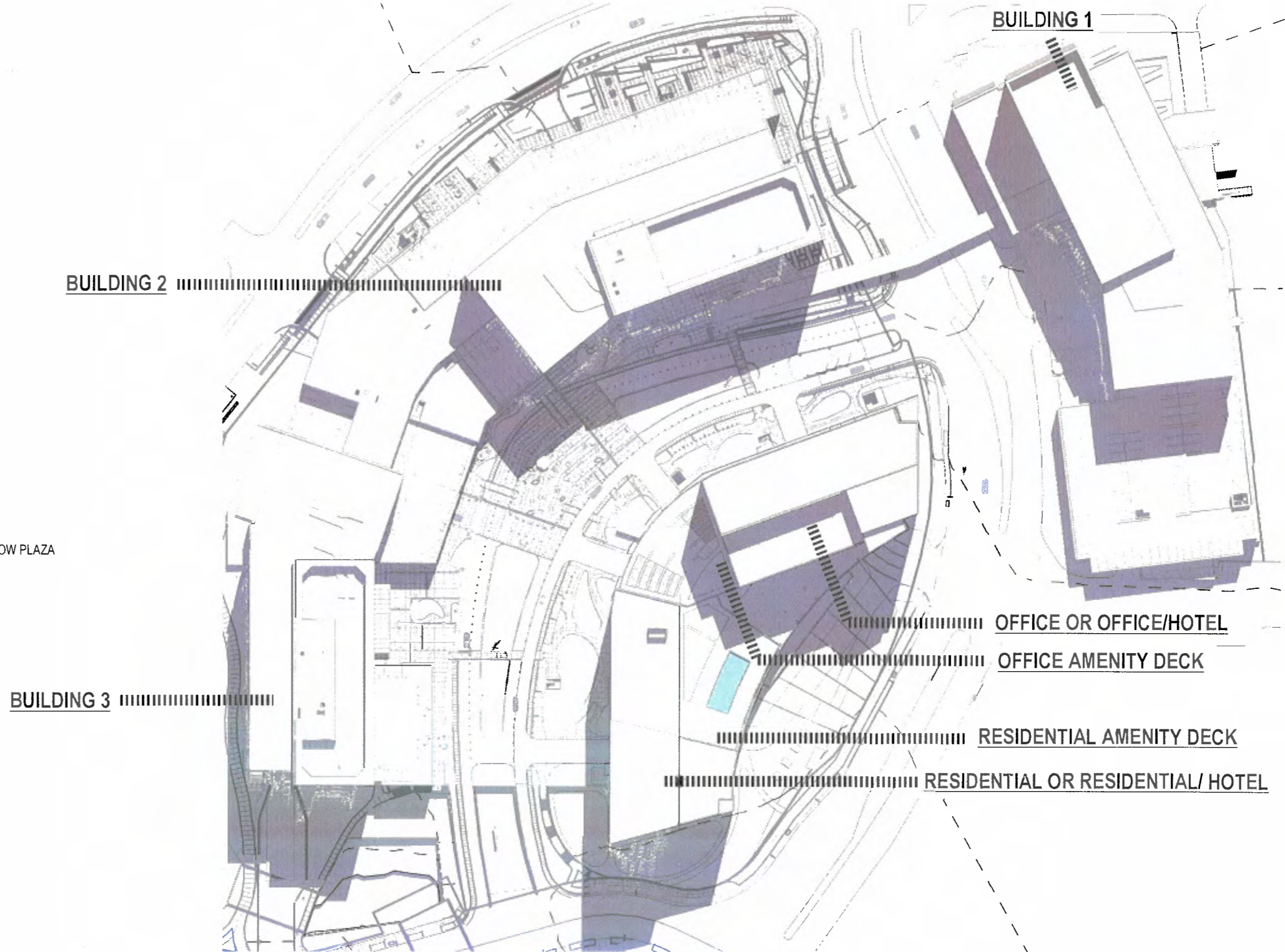
OFFICE:
300,000 GSF
12 STORIES *
TYPICAL PLATE 29,500 SF

HOTEL:
175 KEYS
6,000 SF MEETING SPACE
6 STORIES (OVER OFFICE) *

RETAIL:
22,000 SF

PARKING:
7 LEVELS ABOVE PLAZA **
1,565 PARKING SPACES

* UP TO 37 LEVELS TOTAL ABOVE PLAZA
** UP TO 10 LEVELS ABOVE PLAZA AND 3 LEVELS BELOW PLAZA



PARK CENTER 4

SITE PLAN



EXHIBIT A-2
Conceptual Project Rendering/Elevation



PARK CENTER 4

3D VIEWS



EXHIBIT A-3
Conceptual Landscape Plan

ORNAMENTAL TREES



Service Berry



Yoshino Cherry

GRASSES

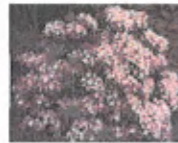


Feather Reed Grass



Bluestem

SHRUBS



Dwarf Mountain Laurel



Kaleidoscope Abelia



Henry's Garnet Sweetspire



Florida Hobblebush



Inkberry Holly



Oakleaf Hydrangea



Lenten Rose



Joe Pye Weed



Holly Fern

GROUNDCOVERS



Canadian Wild Ginger

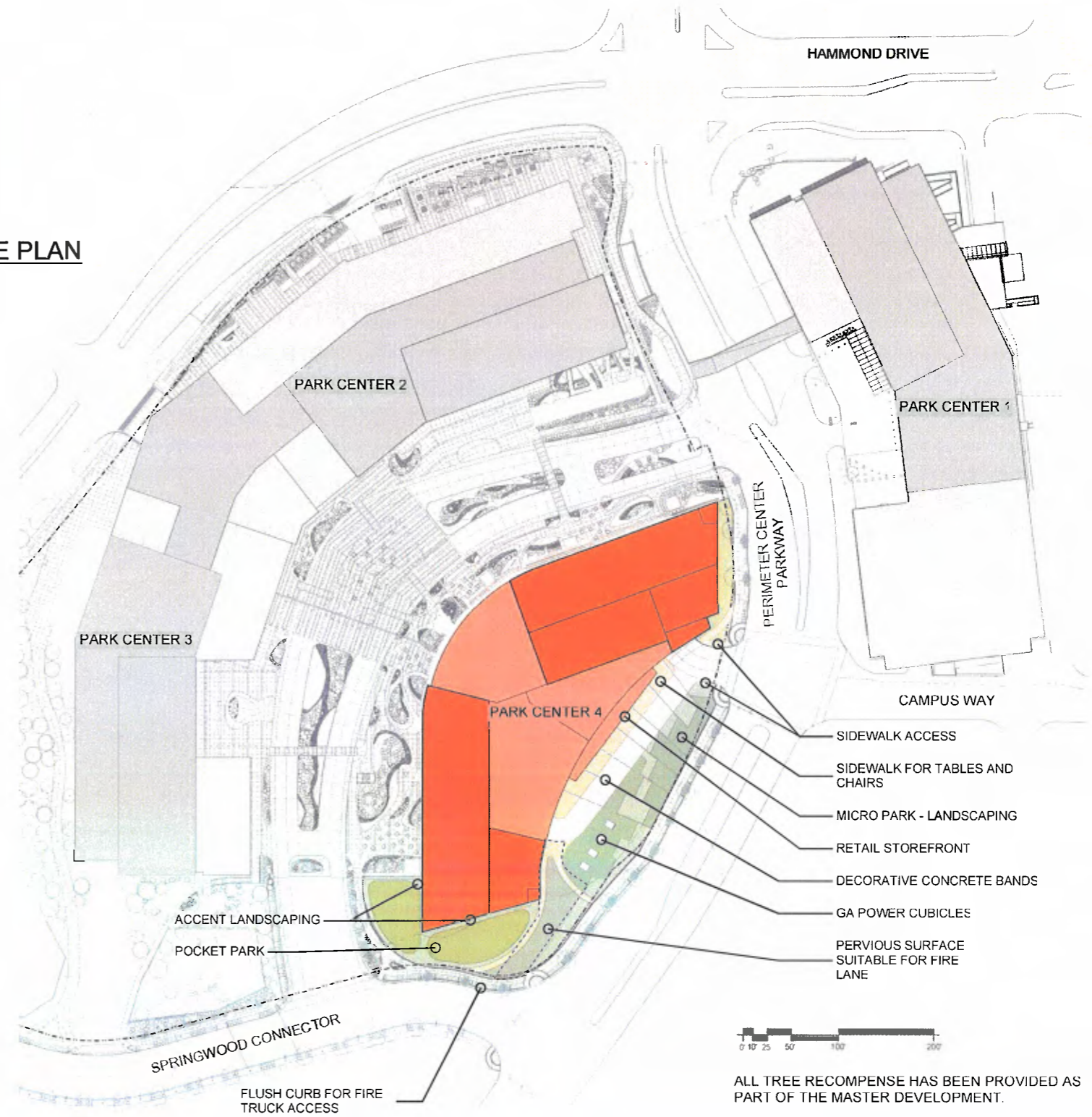


Japanese Spurge



Pennsylvania Sedge

SITE PLAN









PARK CENTER 4 - CONCEPTUAL LANDSCAPE PLAN

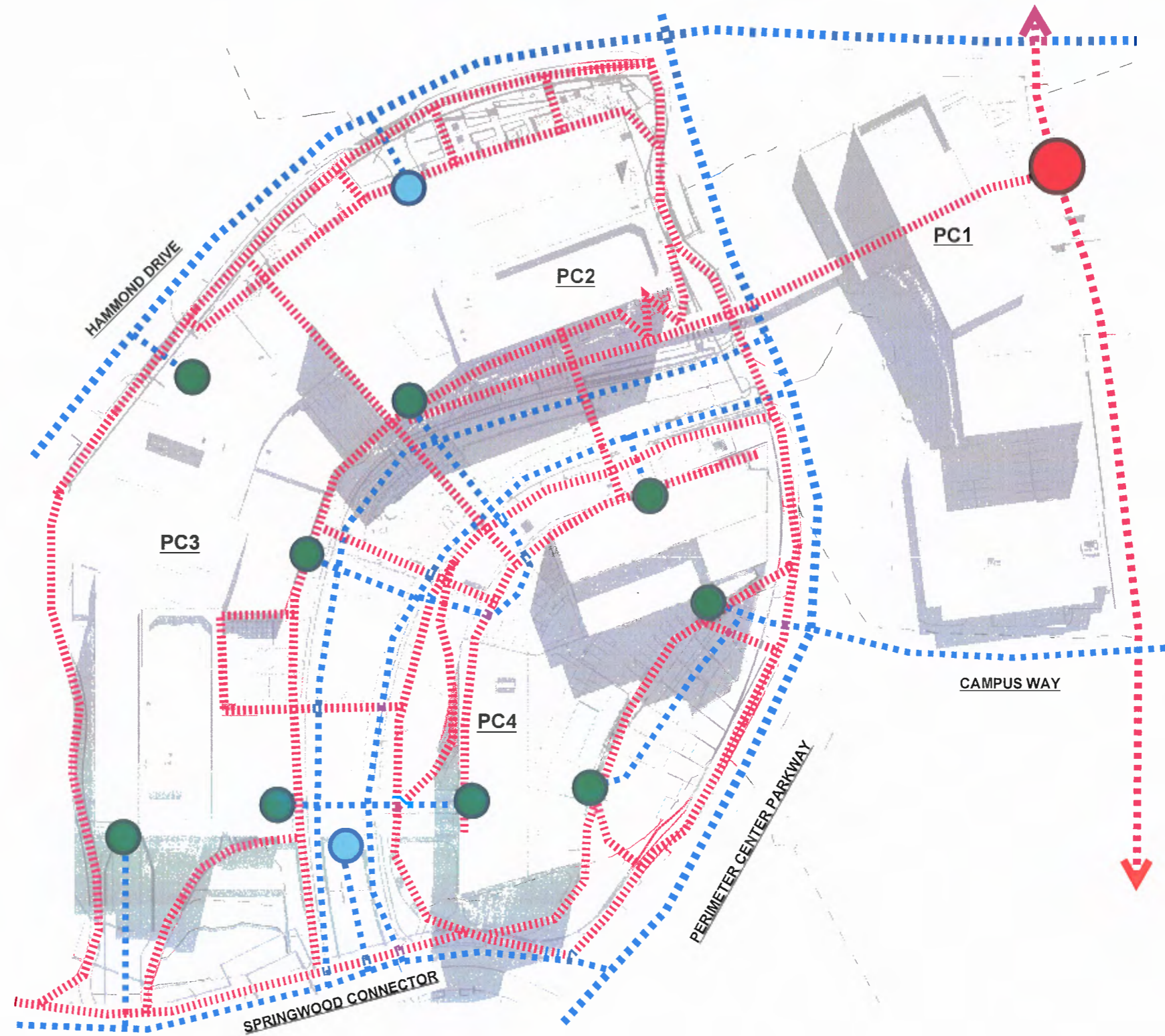
10.24.2023



EXHIBIT A-4
Pedestrian Circulation Plan

LEGEND

-  MARTA LINE
-  MARTA STATION
-  PEDESTRIAN PATH
-  VEHICULAR PATH
-  PARKING ENTRANCE
-  SERVICE ENTRANCE



CIRCULATION

Exhibit A-5
Sustainability Measures

Dunwoody Sustainability Plan 2021

A1a: Greenspace
Over 100,000 SF green roof over parking

A2a: Trees
No net tree loss and maintained the 75' stream bank buffer.

A3a: Pollinator Protection
Planted pollinator friendly plantings over the parking garage

A4a: Land use
Park center was built on an already developed site and replaced an expansive surface parking lot with a transit oriented, mixed use development.

B: Water Quality
Provided non-potable irrigation

C: Transportation and Air Quality
Provides bike parking
Provides protected Bike lanes
Constructed dual MARTA Station
Pedestrian Bridge
12' Multi-use Trail
10' Sidewalk along Perimeter Center
Built Springwood Connector with 6' sidewalk on both sides

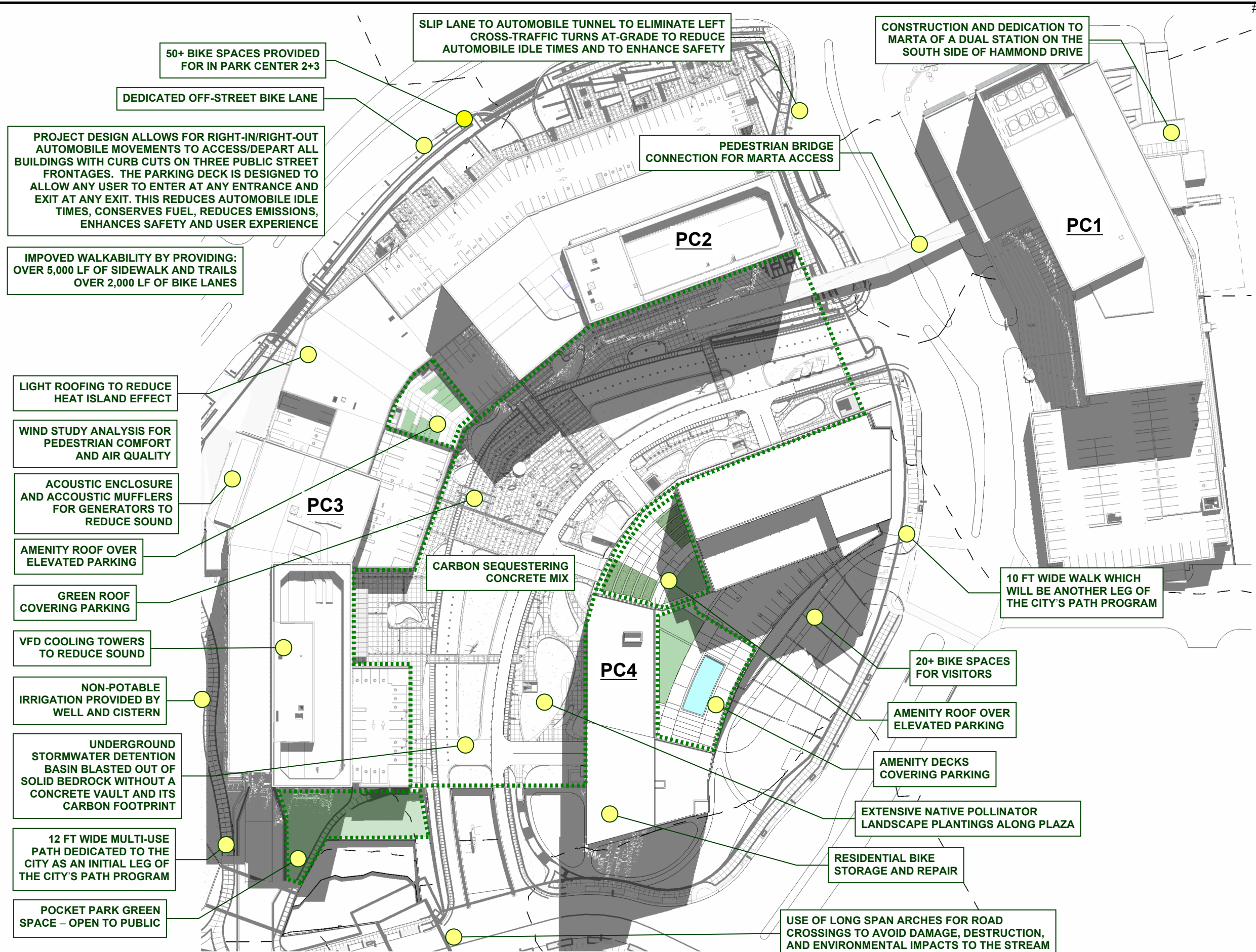
D: Resource efficiency
Existing Campus is LEED Gold
Recycling facilities for all buildings

Perimeter Center Overlay District

PC4 is part of the condo agreement which has a financial obligation to support the ongoing cost and maintenance of the campus sustainable features.

Heat Island	2
Water Efficient Landscaping	1
Transportation Access	4

Points Achieved	7
Points Required	7



PARK CENTER 4

SUSTAINABLE TRANSIT ORIENTED DEVELOPMENT



EXHIBIT B
Annotated Conditions of Approval from RZ-15-072

RZ 15-072 (Park Center) – Status of Conditions of Approval

RZ 15-072 was approved on August 24, 2015 (Ordinance 2015-08-16), subject to six general conditions. A list of these conditions and the status of each is provided below. In addition, the specific requirements of the Overall Development Plan (“ODP”) and GRTA Notice of Decision are attached and the status of each is provided as well.

1. Development of the site shall be substantially consistent with the Overall Development Plan, referenced as Exhibit 1 in this Ordinance. **CONDITION SATISFIED (See details in attached ODP)**
2. Development of the site shall be substantially consistent with the recommendations of in the GRTA Notice of Decision, referenced as Exhibit 2 in this Ordinance. **CONDITION SATISFIED (See details in attached GRTA Notice of Decision)**
3. Where the Overall Development Plan does not supplant requirements of Chapter 16, Land Development, the provisions in the chapter shall apply. **CONDITION SATISFIED**
4. Dedication of right-of-way (ROW) in conjunction with all required project improvements identified herein and future ROW required along Hammond Drive identified in the 2008 Hammond Drive Corridor Study. **CONDITION SATISFIED**
5. Preserve ROW on Perimeter Center Parkway for a future additional southbound left turn lane at Goldkist Drive. **CONDITION SATISFIED (Note: “Goldkist Drive” is now “Campus Way”)**
6. In the event the East-West Connector Road is not constructed by the Owner or the City prior to the issuance of a Certificate of Occupancy for the third building, an additional right turn lane eastbound from Hammond Drive to Perimeter Center Parkway South shall be constructed by the owner. **EAST-WEST CONNECTOR ROAD COMPLETE SO CONDITION NO LONGER APPLIES**

RZ 15-072

PARK CENTER

Overall Development Plan

Revision Date: August 14, 2015

Overall Development Plan

Pursuant to Section 27-87(c) of the Dunwoody Zoning Ordinance (the "Ordinance"), the Applicant offers the following Overall Development Plan ("ODP") for the proposed revitalization of the Subject Property, revised based on review by and discussions with City of Dunwoody staff, elected and appointed officials, and citizens during the public review of this application. This ODP presented for consideration by the Mayor and Council includes the Development Standards Text required by Section 27-87 (c)(1) of the Ordinance as well as all minimum elements set forth in Section 27-87(c)(2) of the Ordinance and other information deemed necessary by staff for planning review.

Development Standards Text

1. The Subject Property shall be rezoned from the O-I (Office Institutional) zoning classification to the PD (Planned Development) zoning classification to allow for the development of up to 1.8 million square feet of office space in three multi-story buildings and up to 90,000 square feet of retail and restaurant space, together with other permitted uses, structured parking and service areas, streetscape, landscape, green space, and pedestrian improvements. The restaurant and retail uses need not be accessory to the office uses and shall not be required to have entrances from the interior lobby of the office buildings. Uses permitted by right shall include vertical mixed-use buildings (excluding residential), private clubs or lodges, cultural exhibits, day care, places of worship, essential utility facilities, restaurants, food trucks, other eating and drinking establishments, animal services, communication services (other than telecommunication towers), telecommunication antennas mounted to buildings, construction and building sales and services, financial services (insurance, banks, credit unions, brokerage and investment services), food and beverage retail sales, lodging, training and conference facilities, medical services, office or consumer services, personal improvement services, consumer repair or laundry services, research and testing services, retail sales, indoor entertainment and spectator sports, indoor sports and recreation facilities – participant, and vehicle sales and rental (indoor only). Uses permitted by special land use permit shall include educational services, hospitals, telecommunication towers, outdoor entertainment and spectator sports, non-accessory parking, and outdoor sports and recreation facilities – participant.

This condition has been satisfied to date. See Entitlement Summary. Applicant seeks change in this condition to allow multi-family residential as part of Building 4 development.

2. 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, driveways, and pedestrian amenities such as plazas, sidewalks, and green space shall be substantially similar to that depicted in the Conceptual Site Plan prepared by Cooper Carry, dated July 23, 2015, and attached hereto as Exhibit "A." As the 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. Property identified generally on the Site Plan as right-of-way to be dedicated, the precise location of which is to be determined as the Site Plan is finalized, shall, upon determination by the City of Dunwoody that said right-of-way is necessary for the widening of Hammond Drive and upon request by the City of Dunwoody to the Owner, be dedicated to the City of Dunwoody for no consideration. Property identified

generally on the Site Plan as right-of-way to be preserved adjacent to Perimeter Center Parkway shall, at Owner's discretion and upon determination by the City of Dunwoody that said right-of-way is necessary for additional transportation system improvements, either be dedicated to the City of Dunwoody for no consideration, or sold to the City for fair market value. 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 not unreasonably refuse to grant easements to the Owner as may be required for the construction of the development and associated improvements. The precise location of such easements shall be identified as construction drawings are finalized. Furthermore, to the extent any construction activities relating to the project or any portion of any structure, access drive, service drive, or other improvement to be constructed as part of the project encroach into the city-controlled stream buffer, such activity, structure, access drive, service drive, or other improvement shall be exempt from such city buffer requirements. **This condition has been satisfied.**

3. It is understood that the architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "B." The building facades may include natural stone, cast stone, precast, stucco, EIFS, or brick, with glass and aluminum framing. Brick, cast stone, natural stone, or glass/aluminum, as well as other building materials approved by the City's Community Development Director, or some combination of such materials, shall be located at the street level of the office buildings and retail spaces along Hammond Drive, Perimeter Center Parkway and the interior primary street. The parking garage will use compatible materials to the building and street level retail facades and may provide sufficient open areas to allow natural ventilation. The massing will be similar to that shown in Exhibit "B" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Conceptual Site Plan. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing/materials/aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development. **This condition has been satisfied.**

4. Building setback lines and/or "build to" lines will generally conform to those depicted on the Conceptual Site Plan adopted as part of the ODP and shall, if necessary following the dedication of property to the City by the Owner, abut the public right-of-way. **This condition has been satisfied.**

5. The development will include up to 6 levels of parking below the plaza level; with parking, office lobby space, retail, restaurants, and other uses permitted by right at the plaza level; up to 8 levels of parking above the plaza level; and up to 18 stories of office space, excluding any penthouse, above the top level of parking. The total height of any single building shall not exceed 35 stories above plaza level grade. **This condition has been satisfied to date and will apply to Building 4 as well.**

6. The development shall include a minimum of three (3) Off-Street Loading Spaces (12' x 35' x 14') and a minimum of three (3) Off-Street Loading Berths (12' x 55' x 14'). **This condition has been satisfied and loading spaces for Building 4 already constructed.**

7. The development shall include up to 7,000 off-street parking spaces within the parking decks, with up to approximately 6,500 spaces for the office uses and up to approximately 500 spaces for

the retail, restaurant, and other permitted uses. Up to 40 % of all parking spaces may be compact spaces (8' x 15'). The total number of parking spaces may be adjusted in proportion to any changes in the square footage of any of the uses in the development or to assure adequate parking for the retail, restaurant and other non-office uses. 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 designated for use by occupants of the office portion of the development. This condition has been satisfied to date (see Entitlement Summary). Parking for Building 4 will be subject to this condition as well.

8. The pedestrian bridge over Perimeter Center Parkway as shown on the Conceptual Site Plan shall be constructed on a timetable determined by the Owner, in its sole discretion, and shall not be a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development. Once constructed, the general public shall have access to such pedestrian bridge, however; the Owner shall have the sole discretion to limit access to the pedestrian bridge for purposes of security, safety, or any other purpose. This condition has been satisfied; the pedestrian bridge has been constructed and opened to pedestrian traffic.

9. The Owner shall enter into a Development Agreement with the City regarding the design, construction, and dedication of the proposed East-West Connector Road and multi-use path along the western portion of the Subject property, as well as the construction of an additional parking entrance (designated as "P10") accessing the proposed East-West Connector Road. Such improvements are depicted on the Conceptual Site Plan attached as Exhibit "A" hereto. The Development Agreement shall be in substantially the same form as the document attached hereto as Exhibit "E." This condition has been satisfied. The Development Agreement was executed and the East-West Connector Road (now the "Springwood Connector") has been constructed and open to traffic.

10. Bicycle racks shall be installed in various locations on the subject property to be selected by the Owner. The bicycle racks shall be capable of providing parking for a total of at least 60 bicycles. This condition has been satisfied. Bicycle racks capable of providing parking for 50+ bicycles were installed in connection with the development of Buildings 2 and 3. Additional bike racks will be installed as part of the Building 4 development to accommodate at least 20 additional bicycles.

11. Street frontages on Hammond Drive and Perimeter Center Parkway shall be constructed in general accordance with Perimeter CID streetscape standards and the cross-section set forth in the 2008 Hammond Corridor Study and shall consist of a 4' bike lane, a 2'6" curb and gutter, a 4' grass strip, an 8' sidewalk, and an additional 1' strip (landscaped or hardscaped at the Owner's discretion) with minor variations subject to approval by the Director of Community Development. No on-street parking shall be required on Perimeter Center Parkway. The street and pedestrian facilities internal to the site shall not be required to comply with the Perimeter CID streetscape standards or the cross-section from the 2008 Hammond Corridor Study. Traffic signals at the new full-access driveway on Hammond Drive and at the intersection of the East-West Connector Road with Perimeter Center Parkway will be installed in accordance with Perimeter CID standards. This condition has been satisfied

12. Ground-mounted mechanical equipment shall be allowed, provided such equipment is screened from view by a solid fence, solid wall, dense hedge, or combination of such features. This condition has been satisfied.

13. The maximum impervious cover on the subject property shall not exceed 85% and the maximum impervious plus semi-pervious cover on the subject property shall not exceed 95%. For purposes of this calculation, all landscaped areas located on top of a structure shall be considered semi-pervious cover. This calculation shall be based on the total area of the parcel

prior to any dedication of land for public rights-of-way and any land to be so dedicated shall be considered in its pre-development state. The area of the proposed multi-use path shall not be counted toward either the impervious or semi-pervious cover on the parcel. This condition has been satisfied and will continue to be satisfied following the development of Building 4 with an increase to 37 stories.

14. Shopfront buildings/uses shall be included along at least 60% of the Hammond Drive frontage east of the signalized entrance, along at least 60% of the Perimeter Center Parkway frontage north of the main entrance to the project, and along at least 60% of the frontage of the buildings facing the interior central park/plaza of the development. Building entrances and lobbies with associated elevators and stairs shall be considered shopfront uses. This condition has been satisfied.

15. Planters and plantings shall be provided on the top of exposed levels of any parking decks. No such requirement shall apply to the roof of any other multi-story structure on the subject property. This condition no longer applies as there are no exposed parking deck levels.

16. The project will be developed in general accordance with the Conceptual Landscape Plan prepared by Cooper Carry, dated July 23, 2015, attached hereto as Exhibit "C." The final landscape plan will be prepared in consultation with the City Arborist. At build-out, the subject property will be required to contain at least 160 tree density units. This condition has been satisfied and will continue to be satisfied with the development of Building 4.

17. The on-site pedestrian circulation plan for the proposed development, indicating the general location of pedestrian facilities allowing for movement to, from, and through the development, is indicated on Exhibit "D." Should any facilities included in the on-site pedestrian circulation system be located in the parking deck for the project, such facilities may be differentiated through the use of striping. No additional connections to abutting properties or between streets shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development. With regard to internal connections, the on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas and similar amenity features. This condition has been satisfied.

18. Light fixtures matching the Perimeter CID's streetscape standards shall be installed along the Project street frontages on Hammond Drive and Perimeter Center Parkway. Within the interior of the site, the Owner shall have the discretion to choose and install light fixtures. Such light fixtures will comply with the current City of Dunwoody regulations on light spillage. This condition has been satisfied.

19. On-street parking spaces on the plaza level may be provided to the right of the travel lanes along the central internal primary street at the discretion of the Owner; however, if such spaces are provided, no more than 35% of such spaces may be loading spaces. The width of such on-street parking spaces need not exceed eight (8) feet. This condition has been satisfied. A limited number of on-street parking spaces has been provided along the internal primary street.

20. Title to the subject property may be held in different ownership through any legal means, even if any of the resulting separately-owned parcels would not meet all of the ODP requirements following legal separation provided that (1) collectively, the separately-owned parcels meet all of the ODP requirements and function together as a unified development site allowing vehicular and pedestrian circulation as well as the sharing of common area amenities,

(2) where uses are limited to a particular amount of floor area in the ODP, the owner of the subject property will, by virtue of a recorded instrument, apportion such uses that may be placed on any individual parcel and the amount of floor area that may be dedicated to a particular use; (3) 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 parcel 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 designated for use by occupants of the office portion of the development; (4) the owner of a resulting separate tax parcel developed pursuant to the ODP shall be allowed to rebuild equal or lesser floor area of any structure located on such separate tax parcel; and (5) no additional signage will be allowed beyond that permissible for the entire subject property under the City of Dunwoody code. This condition has been satisfied to date and will continue to apply following the development of Building 4.

Additional Required Elements of the ODP

a. Sketch Plan – The Conceptual Site Plan for the proposed revitalization of the site is provided as Exhibit "A." It is anticipated that slight variations will be made to this conceptual Site Plan for the proposed revitalization of this site, through interaction with staff, City officials, and the community, as well as from ongoing coordination with federal and state agencies having review and approval authority over various aspects of the redevelopment project.

b. Type and location of all intended uses – The proposed redevelopment of the Subject Property is proposed to include three office buildings, a mix of street and plaza level retail, restaurant, and other permitted uses, pedestrian connections and amenities, transportation system improvements, green space, landscaping, plazas, and structured parking generally located as depicted on the Conceptual Site Plan for the proposed development.

c. Expected gross land area of all intended uses including open space – The gross land area of the Subject Property is 12.74 acres and currently contains a single multi-story office building and expansive surface parking. Much of the site will be revitalized such that the surface parking will be replaced with structures containing parking, street and plaza level retail and restaurant uses, and office buildings atop the retail and restaurant uses. Significant land area will be devoted to improved pedestrian amenities and transportation system improvements. An approximate breakdown of the gross land area for the various uses is as follows:

- Pedestrian amenities (sidewalks, plazas, etc.) – 1.89 acres +/-
- Building footprints (office, retail, restaurant, parking structure) – 5.18 acres +/-
- New transportation system improvements – 1.93 acres +/-
- Green space (landscaping, buffers, and natural areas) – 3.74 acres +/-

d. Gross floor area for all buildings or structures, including a statement pertaining to the appropriateness of the intensity of the suggested uses relative to policies and standards contained within the comprehensive plan – The proposed development will contain up to 1.8 million square feet of office space in three multi-story office buildings developed in an integrated fashion with structured parking, up to 90,000 square feet of retail and restaurant space, associated pedestrian and transportation system improvements, as well as landscaping, plazas,

and green space enhancements.

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 and the "transit village" subarea within one-half mile of the Dunwoody MARTA Station. The proposed development supports the vision of the Plan to create a mixed-use, transit-oriented development containing first-class office, retail and restaurants in an attractive, inviting pedestrian-friendly environment with easy access to MARTA's Dunwoody rail station and other transportation modes. The current extensive field of surface parking on the Property will be eliminated as part of the redevelopment, thus satisfying another stated goal of the Plan.

The design of the proposed development will foster pedestrian movements both internally between uses on the Subject Property and externally between the Subject Property and nearby transit, retail, and housing opportunities, while providing easily accessible and safe off-street parking for automobile commuters and visitors, as well as service functions (deliveries, refuse collection, etc.). As outlined more fully in the Development Standards Text, 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 of a mix of landscaped and hardscaped plazas, parkways, and outdoor dining areas within the development that will provide pedestrian linkages to 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, retail and restaurant components of the development. In addition, pedestrian improvements will enhance pedestrian and green space connectivity external to the site to other nearby developments, the MARTA system, and the emerging network of parks in the area, including the potential civic space located north of the Dunwoody MARTA station. The replacement of the expansive surface parking lot on the Property with a vibrant, integrated, mixed-use development will stand as a model for retrofitting sites previously 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 both workers and visitors to the development through plazas, walkways, green space, and an active pedestrian environment, including sidewalk dining areas and other amenities. Overall, the proposed development intends to transform the Subject Property from an under-utilized suburban office model to a vibrant urban environment that takes advantage of and enhances both internal and external connections to transit, housing, and other nearby developments in the area.

e. Architectural elevations of all proposed building sides, a description of the types of exterior treatments of buildings, a site plan to scale, density calculations - The architectural style of the proposed development has not been finalized at this stage; however, the quality of construction, pedestrian orientation, and general feel of the development shall be substantially similar to that depicted in the artist's rendering of the development attached as Exhibit "B". The building facades may include natural stone, cast stone, precast, stucco, EIFS, or brick, with glass

and aluminum framing. Brick, cast stone, natural stone, glass/aluminum, or other materials approved by the Director of Community Development shall be located at the street level of the office buildings and retail spaces along Hammond Drive, Perimeter Center Parkway and the interior primary street. The massing will be similar to that shown in Exhibit "B" with variations in height and size of floor plates as indicated elsewhere in the ODP and shown on the Conceptual Site Plan. No additional requirements, such as horizontal expression lines or façade divisions, distinctive caps, view terminations, or future requirements governing the massing, materials, or aesthetics of the buildings, shall be required by the City as a condition precedent to the issuance of any permits, certificates of occupancy, or other approvals required by the development.

A conceptual Site Plan depicting the overall development is attached hereto as Exhibit "A".

The proposed development shall have an overall floor area ratio not exceeding 3.40.

f. Circulation plan – The pedestrian circulation plan for the proposed development, indicating the location and direction of pedestrian movement to, from, and through the development, is included as Exhibit "D".

g. Street documentation – The Subject Property is bound on the east by Perimeter Center Parkway and on the north and west by Hammond Drive. Both of these roads are shown on the Survey provided with the Applicant's Letter of Intent and have variable rights-of-way with two travel lanes in each direction, partial medians and turn lanes at main intersections. In addition, there are sidewalks adjacent to the roadways on each frontage. Through the public review process improvements to these roadways and adjacent pedestrian facilities will be identified and necessary right-of-way preserved for subsequent dedication to the City. To the south of the proposed development is the approximate location of the City of Dunwoody proposed East-West Connector linking Perimeter Center Parkway to Peachtree-Dunwoody Road in Sandy Springs. The design and precise alignment of this proposed future road has yet to be determined and is contingent upon review and approval by Federal and State regulatory agencies.

h. Parking analysis – The proposed development will include up to approximately 7,000 parking spaces. Up to approximately 6,500 of these will be intended for use by office tenants and visitors, with up to approximately 500 spaces split between restaurant and retail use. It is anticipated there will be significant shared-parking opportunities, particular during evenings and on weekends when the office occupancy will be lower. Some or all of the parking spaces intended for use by office tenants will have dedicated entry and secured access for security purposes.

i. A tree plan showing the existing trees on site that are six inches in diameter at breast height or greater for hardwoods and 16 inches in diameter at breast height for other trees – A tree survey has been provided to the City. Given that much of the Subject Property has previously been developed for office and surface parking, the majority of trees meeting the diameter thresholds noted above will be located in the existing landscaped areas within the parking field, along street frontages, adjacent to the existing office building, or within the existing buffer adjacent to the stream that traverses the southwestern portion of the Subject Property.

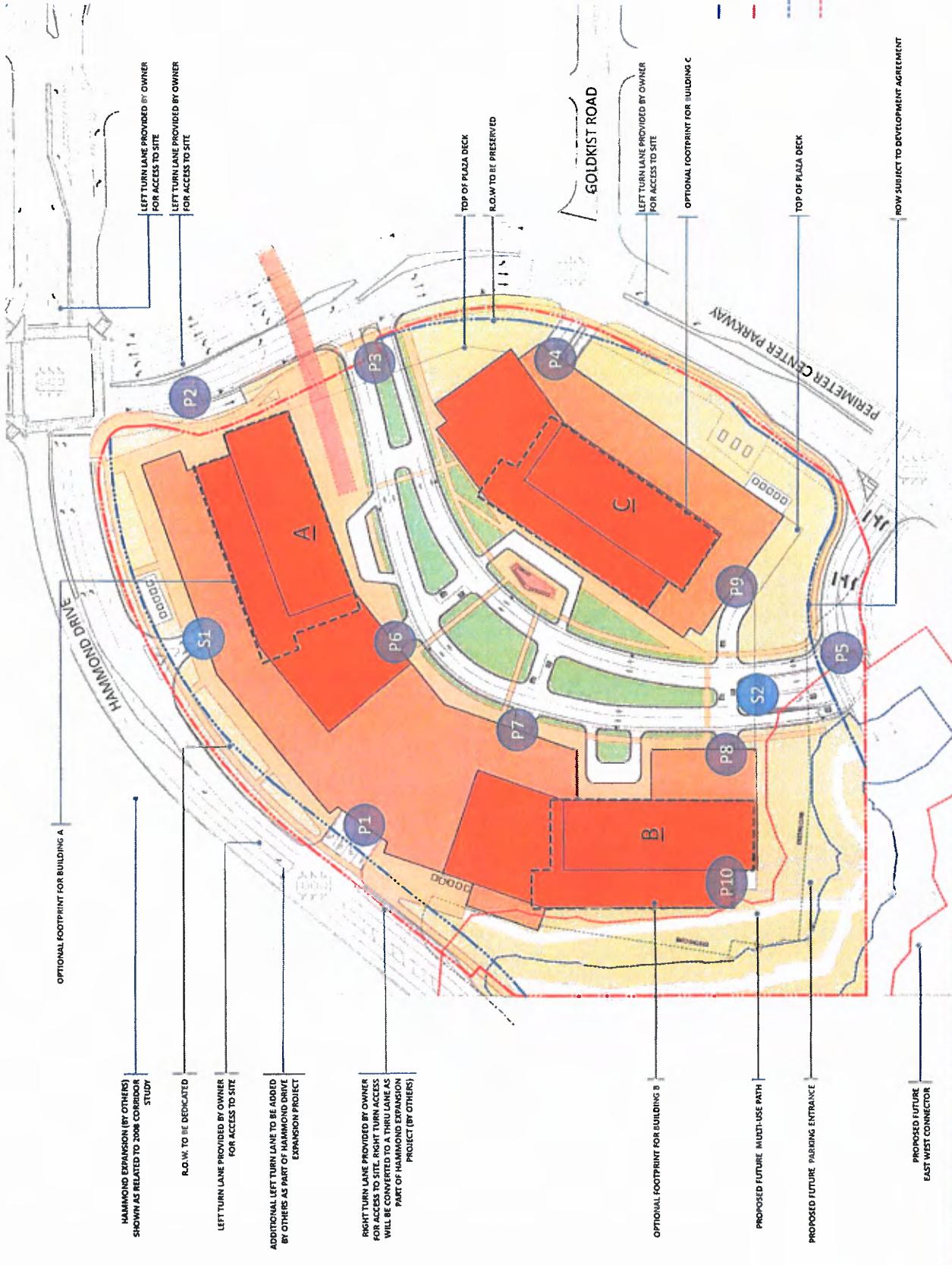
j. Existing site survey and a grading plan – A survey of the Subject Property, prepared by Terramark Land Surveying, Inc. and dated August 12, 2013, was provided with the Applicant's Letter of Intent. A conceptual grading plan was prepared as the Conceptual Site Plan was finalized, and has been provided to the City for review and comment.

k. Any other information deemed necessary by staff for planning review - The Applicant is aware the project qualifies for review as a Development of Regional Impact ("DRI") by the Atlanta Regional Commission ("ARC") and the Georgia Regional Transportation Authority ("GRTA"). As such, a detailed Traffic Impact Study was prepared and submitted to the City, ARC, and GRTA as part of the DRI process. Additionally, the results of the DRI Review were provided to the City when such review was completed. Furthermore, because the Subject Property is proposed to be redeveloped under the PD (Planned Development) zoning classification, staff has requested the Applicant provide an analysis of the proposed development's consistency with the policies and requirements of the existing underlying zoning and proposed revisions to the City of Dunwoody's Zoning Ordinance. Such an analysis will be developed in cooperation with staff during the public review process. Should staff deem additional information necessary for planning review, the Applicant will work with staff to provide such information.

LEGEND

- P1 LOWER DECK
1 IN/1 OUT/2 REVERSABLE
- P2 LOWER DECK
RIGHT IN ONLY
- P3 PLAZA
1 RIGHT OUT/ 2 RIGHT IN
- P4 LOWER DECK
1 IN/1 OUT/1 REVERSABLE
- P5 PLAZA / B1
1 IN/ 1 OUT
- P6 UPPER DECK A+B
1 IN/1 OUT
- P7 UPPER DECK A+B
1 IN/1OUT
- P8 UPPER DECK B
1 IN/1 OUT
- P9 UPPER DECK C
1 IN/1 OUT
- P10 LOWER DECK
2 IN/ 2 OUT (FUTURE)
- S1 SERVICE BUILDING A
- S2 SERVICE BUILDING B+C

- · - · - POTENTIAL FUTURE R.O.W
- · - · - PROPERTY LINE
- · - · - 25' STREAM BUFFER
- · - · - 75' STREAM BUFFER



OPTIONAL FOOTPRINT FOR BUILDING A

HAMMOND EXPANSION (BY OTHERS) SHOWN AS RELATED TO 2006 CORRIDOR STUDY

R.O.W. TO BE DEDICATED

LEFT TURN LANE PROVIDED BY OWNER FOR ACCESS TO SITE

ADDITIONAL LEFT TURN LANE TO BE ADDED BY OTHERS AS PART OF HAMMOND DRIVE EXPANSION PROJECT

RIGHT TURN LANE PROVIDED BY OWNER FOR ACCESS TO SITE. RIGHT TURN ACCESS WILL BE CONVERTED TO A THRU LANE AS PART OF HAMMOND EXPANSION PROJECT (BY OTHERS)

OPTIONAL FOOTPRINT FOR BUILDING B

PROPOSED FUTURE MULTI-USE PATH

PROPOSED FUTURE PARKING ENTRANCE

PROPOSED FUTURE EAST WEST CONNECTOR

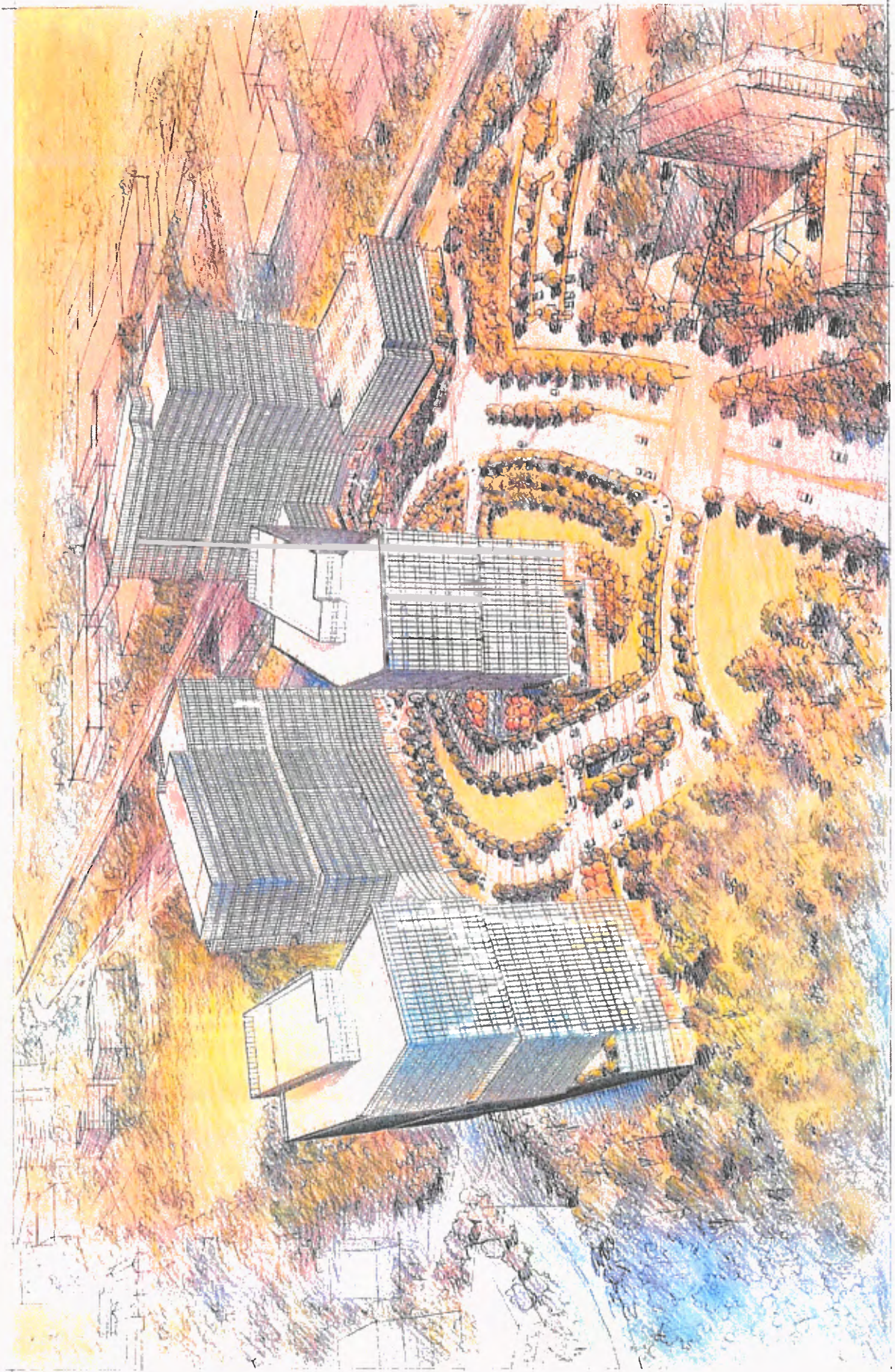


EXHIBIT B

PARK CENTER - CONCEPTUAL RENDERING

05.27.2015

STREET TREES



Weeping Willow

Sangria Myrtle Oak

SITE TREES



Weeping Willow

Copper Glory Tree

ORNAMENTAL TREES



Weeping Cherry

Yoshino Cherry

GRASSES



Fountain Grass

Feather Reed Grass

SHRUBS



Thornless European Laurel

Flamingo Hibiscus

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

Japanese Holly

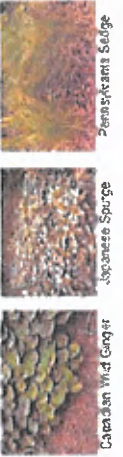
Japanese Holly

Japanese Holly

Japanese Holly

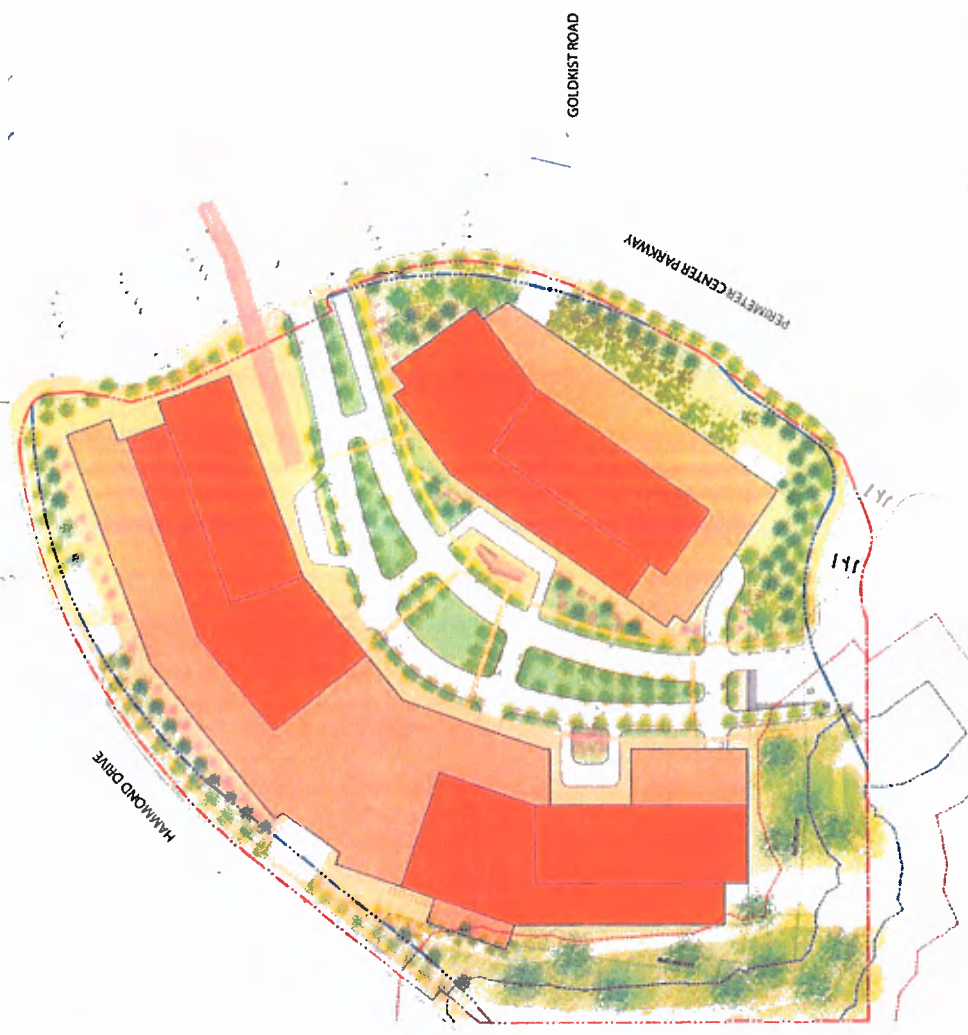
Japanese Holly

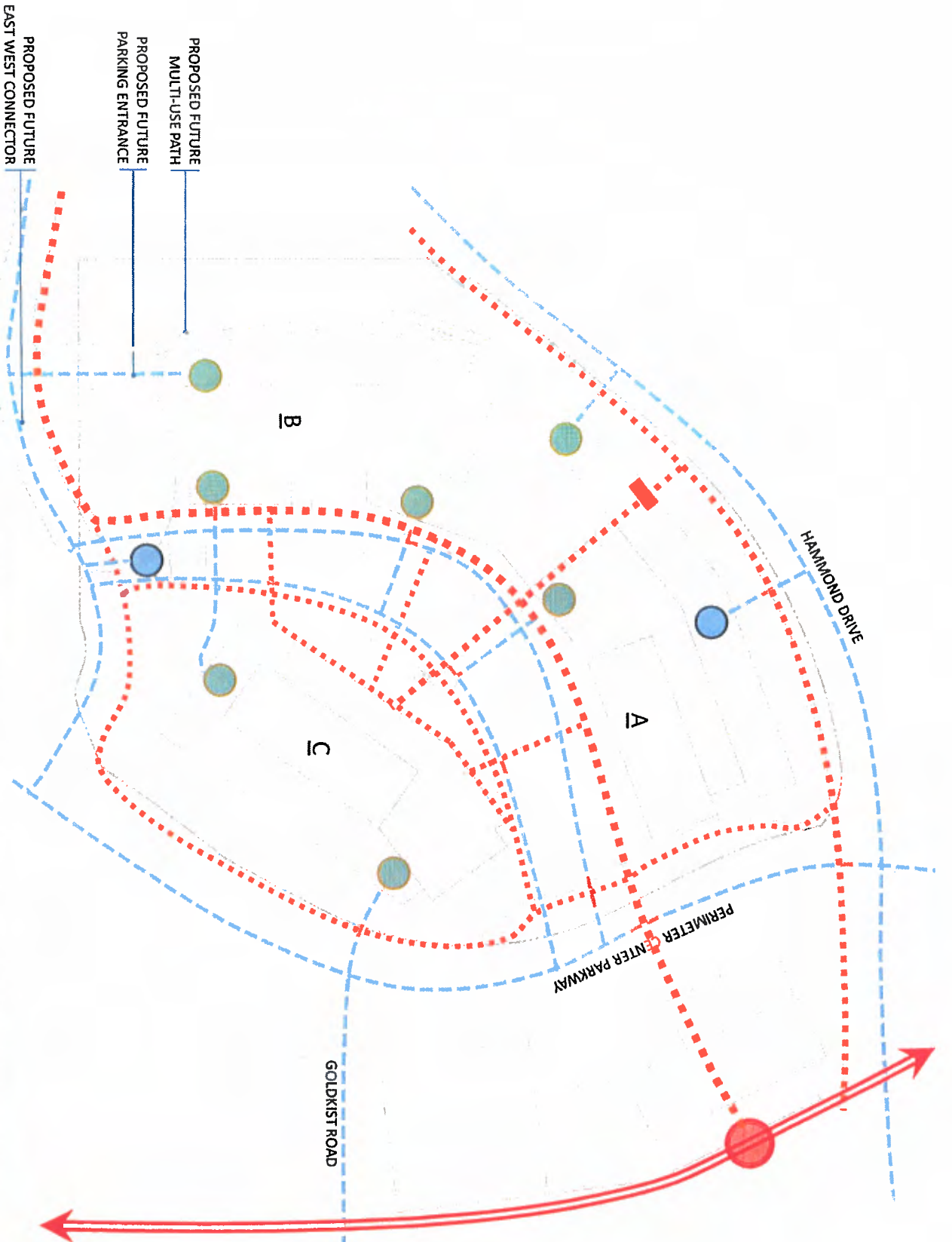
GROUNDCOVERS



Japanese Spurge

Pennsylvania Sedge





LEGEND

- MARTA LINE
- MARTA STATION
- PEDESTRIAN PATH
- VEHICULAR PATH
- PARKING ENTRANCE
- SERVICE ENTRANCE
- STAIR & ELEVATOR FROM HAMMOND TO PLAZA

Packet page:...

**NOTICE OF DECISION**

To: Doug Hooker, ARC
(via electronic mail) Sonny Deriso, GRTA
Bob Voyles, GRTA

Dick Anderson, GRTA
Al Nash, GRTA

To: Mayor Michael Davis, City of Dunwoody
(via electronic mail and certified mail) James George, KDC Real Estate Development & Investments

From: Chris Tomlinson, GRTA Executive Director

Copy: Kirk Fjelstul, GRTA
(via electronic mail) Laura Beall, GRTA
Jon West, DCA
Jon Tuley, ARC
Patrick Allen, GDOT Dist 7
Greg Floyd, MARTA

Steve Foote, City of Dunwoody
Michael Smith, City of Dunwoody
David Kirk, Troutman Sanders
John Walker, Kimley-Horn & Associates
Kristen Wescott, City of Sandy Springs

Date: June 30, 2015

Re: DRI 2501 Park Center

Summary: This Notice of Decision for DRI 2501 Park Center replaces the previous one issued for DRI 1520 245 Perimeter Center on August 30, 2007.

Exhibit 2

**Notice of Decision for
Request for Expedited Review of
DRI 2501 Park Center**

The purpose of this notice is to inform KDC Real Estate Development & Investments (the Applicant), City of Dunwoody (the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding DRI 2501 Park Center (the DRI Plan of Development). GRTA has completed an Expedited Review for the DRI Plan of Development pursuant to sections 3-101 and 3-102 of the *Procedures and Principles for GRTA Development of Regional Impact Review* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Sections 3-101 and 3-102.F. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

This decision will become final and no further review will be required, unless: (1) a request for review by the Land Development Committee is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-502 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, or (2) an appeal by the Applicant is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-501, or (3) an appeal by the local government is submitted to the Acting Executive Director within five (5) business days of receipt of this notice pursuant to Section 2-501. If GRTA staff receives a request for review or an appeal, you will receive another notice from GRTA, and the Land Development Committee will hear the appeal or request for Expedited Review at its August 12, 2015 regular meeting.

The notice of decision is based upon review of the applicant's DRI Review Package. The Review Package includes site plan and transportation analysis prepared by Kimley-Horn and Associates dated June 15, 2015 and received by GRTA on June 15, 2015. The review also includes confirmation from the City of Dunwoody and the Atlanta Regional Commission received by GRTA on June 11, 2015 that the Livable Centers Initiative (LCI) criterion has been met.

Approval of the above referenced DRI by expedited review shall not constitute GRTA approval of any subsequent material modifications to the proposed DRI by the local government such that the proposed DRI is no longer eligible for approval by expedited review.



Chris Tomlinson
Executive Director
Georgia Regional Transportation Authority

Attachment A – General Conditions

General Conditions of Approval to GRTA Notice of Decision:

Pedestrian and Transit Access These conditions have been satisfied and the improvements constructed.

- Provide sidewalks along all property frontages, as shown on plan.
- Provide sidewalks along both sides of the internal roadway.
- Provide pedestrian accessibility to the site from adjacent public rights-of-way (Hammond Drive, Perimeter Center Parkway, and Future East-West Connector Road).
- Provide safe pedestrian crossings at intersections with Perimeter Center Parkway and with Hammond Drive.
- Relocate MARTA bus stop(s) on Hammond Drive as needed, in coordination with and approved by MARTA transit provider.

Road Connectivity This condition has been satisfied. The road ("Springwood Connector") has been constructed and is in use.

- Allow for the Future East-West Connector Road along the southern property line:
 - Connecting between Peachtree Dunwoody Road and Perimeter Center Parkway;
 - For vehicular, bicycle and pedestrian access; and
 - With an alignment and profile, as approved by both the City of Sandy Springs and City of Dunwoody.

Access Management This condition has been satisfied.

- Provide internal connectivity between all site access driveways except for service driveways.
- A maximum of one full movement site access point along Hammond Drive and one full movement site access point along Perimeter Center Parkway is allowed, excluding Future East-West Connector Road.

Roadway Improvement Conditions to GRTA Notice of Decision:

Hammond Drive at Perimeter Center Parkway This condition has been satisfied and the improvements constructed.

- Provide an additional westbound left turn lane along Hammond Drive.
- Provide an additional northbound left turn lane along Perimeter Center Parkway.

Hammond Drive and Site Driveway P1 This condition has been satisfied and the improvement constructed.

- Provide a dedicated westbound left turn lane along Hammond Drive.

Perimeter Center Parkway at Site Driveway P4/Gold Kist Road This condition has been satisfied and the improvement constructed.

- Provide a dedicated northbound left turn lane along Perimeter Center Parkway.

Attachment B – Required Elements of the DRI Plan of Development

Conditions Related to Altering Site Plan after GRTA Notice of Decision:

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All “Proposed Conditions of Approval to GRTA Notice of Decision” set forth in Attachment A are provided.

EXHIBIT C
Neighbor Communications Summary Report

Neighbor Communications Summary Report
KDC – Park Center 4
Application for Major Modification to Conditions of Zoning (RZ-15-072)

This summary report is provided in accordance with the City of Dunwoody's requirement that an applicant for a Major Modification of Zoning Conditions conducts and documents neighbor communications prior to the submittal of an Amendment Application when the subject property of the Application is within 1,000 feet of property zoned for residential purposes. In the case of the current proposal, staff of the City of Dunwoody provided the Applicant with a list of the 3 owners of residentially-zoned property within 1,000 feet of 245 Perimeter Center Parkway (the "Subject Property"). These owners were contacted about the project, as outlined below. 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, City staff provided the Applicant with a list showing the names and addresses of all 3 owners of residentially-zoned property within 1,000 feet of the Subject Property. The Applicant was required to invite these property owners to an "Applicant-Initiated Meeting" to provide an opportunity for them to learn more about the proposal and offer comments and concerns to the Applicant. To accomplish this, the Applicant scheduled the meeting for Thursday, November 16, 2023, from 6:00 p.m. to 7:00 p.m. Using the list provided by staff, the Applicant 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 October 25, 2023. As required, a copy of the letter also was mailed to and received by the Dunwoody Planner. In addition, a Public Notice was placed in the Dunwoody *Crier* newspaper on November 9, 2023, inviting the public at large to the Applicant-Initiated Meeting. A copy of the Dunwoody *Crier* page containing the Public Notice is attached hereto as Attachment "C-3."

2. How information about the proposal was shared with neighbors. The primary way in which information about the proposal was shared with neighbors was through the Applicant-Initiated meeting held on November 16, 2023, at the Applicant's offices in Dunwoody. At this meeting, a short presentation about the Application was prepared and available, documentation was made available for inspection, including the proposed site plan and landscape plan, as well as conceptual project renderings. Team members were available to share detailed information about the project scope, project phasing, and to record and answer attendees' questions.

3. Who was involved in the discussions? At the Applicant-Initiated Meeting, two representatives of the Property Owner, the project architect, and the project's land use attorney attended. The meeting was not attended by any Dunwoody residents, nearby property owners, staff members from the Department of Community Development, or other Dunwoody officials. A sign-in sheet is attached as Attachment "C-4" to this summary report.

4. Suggestions and concerns raised by neighbors. Because there were no attendees from the community or staff at the Applicant-Initiated Meeting, there were no questions or concerns raised about the application or the proposed project.

5. What specific changes to the proposal were considered and/or made as a result of the communications? Because there were no attendees from the community or staff at the Applicant-Initiated Meeting, there were no questions or concerns raised about the application or the proposed project so no changes to the proposal were considered or made. Should any questions or concerns be raised through other communication with the Applicant, the Applicant will take such questions or concerns into consideration as it finalizes its proposal.

Attachment C-1

Addressees for Applicant-Initiated Meeting Invitation Letter

<u>Name</u>	<u>Address</u>	<u>City State Zipcode</u>
City of Dunwoody ATTN: Madalyn Smith	4800 Ashford Dunwoody Road	Dunwoody GA 30338
PERIMETER ATLANTA SC LLC	500 N BROADWAY STE 201	JERICO NY 11753
DEKALB COUNTY	1300 COMMERCE DR	DECATUR GA 30030
WINDSOR AT CONVERGENCE 1051	P.O. BOX 4900	SCOTTSDALE AZ 85261

Attachment C-2

Troutman Pepper Hamilton Sanders LLP
Bank of America Plaza, 600 Peachtree Street NE, Suite 3000
Atlanta, GA 30308



troutman.com

David C. Kirk
david.kirk@troutman.com

October 25, 2023

VIA FIRST CLASS U.S. MAIL

Community Meeting Invitation

Dear Neighbor:

KDC Park Center Investments Two LLC ("KDC") will hold a Community Meeting regarding an application to amend conditions of approval for property zoned PD-C (Planned Development - Conditional) located at 245 Perimeter Center Parkway in the City of Dunwoody for the purpose of developing Park Center Building 4 with a mix of uses including office, hotel, residential, and retail/restaurant, along with landscaping, pedestrian access, and adequate parking. You are receiving this invitation as the owner of residentially zoned property within 1,000 feet of the Subject Property, based on information provided to KDC by Dunwoody staff.

The meeting will be held from **6:00 – 7:00 p.m. on Thursday, November 16, 2023** at KDC's offices at 1040 Crown Pointe Parkway, Suite 1070, Dunwoody, Georgia 30338. KDC and its design team will be present to share information about the project and answer questions.

If you have questions prior to the meeting, please feel free to contact me at 404-885-3415.

Best regards,

A handwritten signature in blue ink that reads "David C. Kirk".

David C. Kirk
Attorney for KDC

Attachment C-3

The Finance Department began to budget more conservatively during COVID-19 pandemic, Platto said.

Several residents, including former Dunwoody City Councilman Terry Nall, have drawn attention to the budget's structural deficit, or the persistence of a budget deficit for consecutive years.

Assistant City Manager Jay Vinicki said the \$14 million deficit includes revenue sources from funds where budgets are looked at on a project level, not annually like the General Fund.

"They are one-time revenue sources spent over multiple years, so it's okay to book a deficit in some of those projects on a given year," Vinicki said.

The 2023 starting unassigned fund balance was \$23.9 million, creating a 9-month reserve in the fund balance.

On the other hand, the 2024 ending unassigned fund balance is projected to be \$20.3 million, creating a 7-month reserve in the fund balance.

The minimum level of reserves is set at four months.

"The city is doing the right thing for long-term planning," Vinicki said. "We still have to be aware of how our financial situation is currently, but the steps are there, and things are in place."

Bob Hickey was the only resident to speak during the public hearing for the 2024 budget.

"The proposed 2024 budget should be rejected until it includes adequate resources for our Police Department and a defined plan to fix the structural deficit," Hickey said.

Evaluating police operations

In the 2024 budgeting process, the Department Review Team Committee



HAYDEN SUMLIN/APPEN MEDIA

Michele Weinzett, project manager at BerryDunn, presents the study of the Dunwoody Police Department Oct. 30 at City Hall. The study makes recommendations for operations and policy, leadership development and staffing.

lected to fulfill enhancement requests for Parks and Recreation but not the Police Department.

Hickey said the recommendations from the BerryDunn study are almost identical to the police chief's enhancement requests over the summer.

While the city has budgeted positions for sworn officers, the Police Department has struggled to find qualified applicants.

A study of the Dunwoody Police Department was scheduled to be presented to the council four months ago, during the city's budgeting process.

Councilwoman Stacey Harris said she's disappointed the BerryDunn study was four months late because staff was unable to use the study's recommendations for the 2024 budget.

Michele Weinzett, project manager for BerryDunn, presented the final report in-

cluding staffing recommendations, best practices and a review of policies.

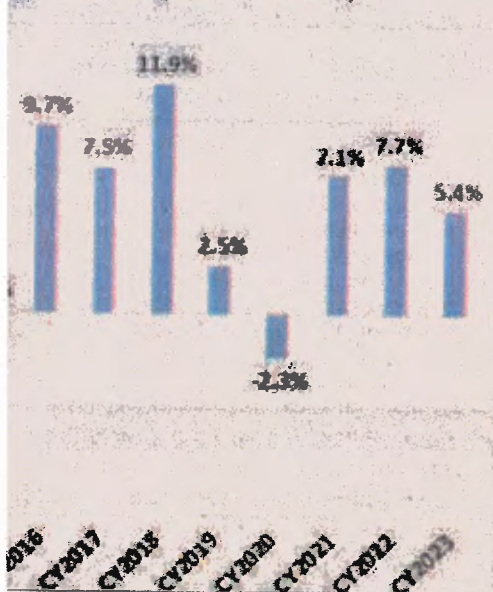
The study will inform the mid-year review of the 2024 budget, allowing for the City Council to determine the cost and funding source of additional to patrols and investigators.

The study recommends adding six sworn and non-sworn staff to patrols, as well as six investigators.

Overall, the study recommends an increase in the authorized staffing level of the Police Department from 64 to 78, accounting for attrition to achieve the minimum staffing level of 73.

"This is the most well-functioning Police Department we've observed and studied," Weinzett said. "You should be proud of the organization you have, proud of the leadership and proud of the direction its going."

Change in Net Digest in \$ at 40%



CITY OF DUNWOODY/PROVIDED

City tax digest from 2010-2023. Finance Director's digest cannot be relied on for projections.

PUBLIC NOTICE

KDC will hold a Community Meeting regarding an application to amend conditions of approval for property zoned PDC (Planned Development - Conditional) located at 245 Perimeter Center Parkway in the City of Dunwoody for the purposes of developing the property as a mixed-use project including office, hotel, residential uses, and other uses such as retail and restaurants, along with structured parking. The meeting will be held from 6:00 - 7:00 p.m. on Thursday, November 16, 2023, at KDC's offices at 1040 Crown Pointe Parkway, Suite 1070, Dunwoody, Georgia 30338.

Packet page:...

Attachment C-4

Sign-In Sheet

City of Dunwoody – Applicant-Initiated Meeting
 November 16, 2023 – KDC Park Center 4

PLEASE PRINT NEATLY

Name/Organization	Address	Phone/E-mail
DAVID KIRK TROUTMAN PEPPER HAMILTON SANDERS LLP	400 BEACHTREE ST, NE SUITE 3000 ATLANTA GA 30308	404/885-3415 david.kirk@troutman.com
JAMES GEORGE KDC	1040 CROWN POINTE PKWY ATLANTA, GA 30338	404/387-0332 james.george@kdc.com
LARRY WILSON KDC	4201 CONGRESS ST SUITE 155 CHARLOTTE, NC 28209	704-554-6111 larry.wilson@kdc.com
Scott Fleming Cooper Carry	191 BEACHTREE ST NE SUITE 2400 ATLANTA GA 30301	404-405-6118 SCOTT.FLEMING@COOPERCARRY.COM

EXHIBIT D
Environmental Site Analysis

Environmental Site Analysis (ESA) Form

1. CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Subject Property is the last undeveloped 2.56-acre parcel in a multi-parcel 13.042-acre redevelopment for which PD zoning, with extensive conditions, was approved by the Mayor and City Council in 2015. At the time, it was envisioned the Subject Property would be developed as a multi-story office building, with associated retail uses and structured parking. However, the office market has changed dramatically in the last few years such that stand-alone office space at the scale originally proposed is not considered an economically feasible use of the Subject Property.

As the original conditions of zoning did not allow the use of the Subject Property for residential purposes, the Applicant is requesting the Subject Property be rezoned from PD (Planned Development) zoning classification to the PD (Planned Development) zoning classification, with a change of conditions, to allow for the development of up to 300,000 square feet of office space, up to 300 multi-family residential units, up to 175 hotel rooms with associated meeting space, up to 22,000 square feet of retail and restaurant space, together with other permitted uses, up to 1,565 parking spaces, associated service areas, as well as additional landscape, green space, and pedestrian improvements. The maximum height of the development is proposed to be 37 stories above the level of the existing plaza constructed concurrently with the two office buildings approved as part of the 2015 rezoning (Park Center Buildings 2 and 3).

Included with this application as Exhibit "H" to the Letter of Intent is a conceptual Site Plan for the proposed project.

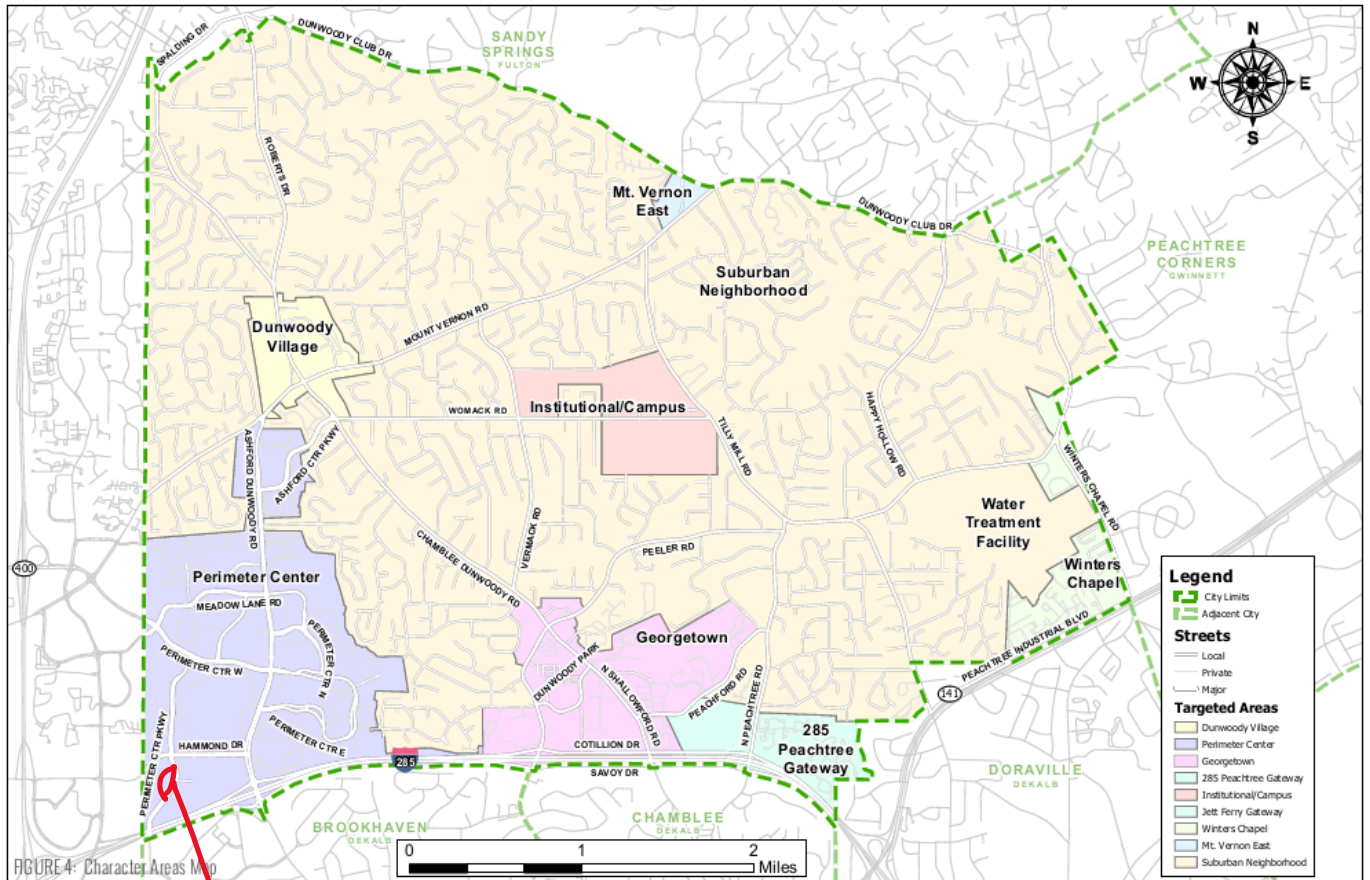
The proposed development of the Subject Property conforms to the PD zoning in place (with the addition of residential as an allowed use), the policy and intent of Dunwoody's Comprehensive Plan (the "Plan"), and the portions of the Plan addressing the Perimeter Center Character Area and the "PC-1" subarea directly surrounding the Dunwoody MARTA Station. The proposed development supports the vision of the Plan to create a true live-work environment in an attractive, inviting pedestrian-friendly environment with easy access to MARTA's Dunwoody rail station and other transportation modes.

The design of the proposed development will foster pedestrian movements not only internally between uses on the Subject Property and the other buildings within the Park Center development, but also externally between the Subject Property and nearby uses while providing easily accessible and safe transit access, off-street parking for automobile commuters and visitors, as well as service functions (deliveries, refuse collection, etc.). As outlined more fully in the Overall Development Plan, the proposed development also will support the Plan's call for high-quality design and materials.

In addition to its conformity with the Plan's policy and intent, the proposed development also responds to a key finding of the Dunwoody Edge City 2.0 Study (the "Edge City Study") completed in January 2023 and accepted by the City. This key finding, supported by a thorough

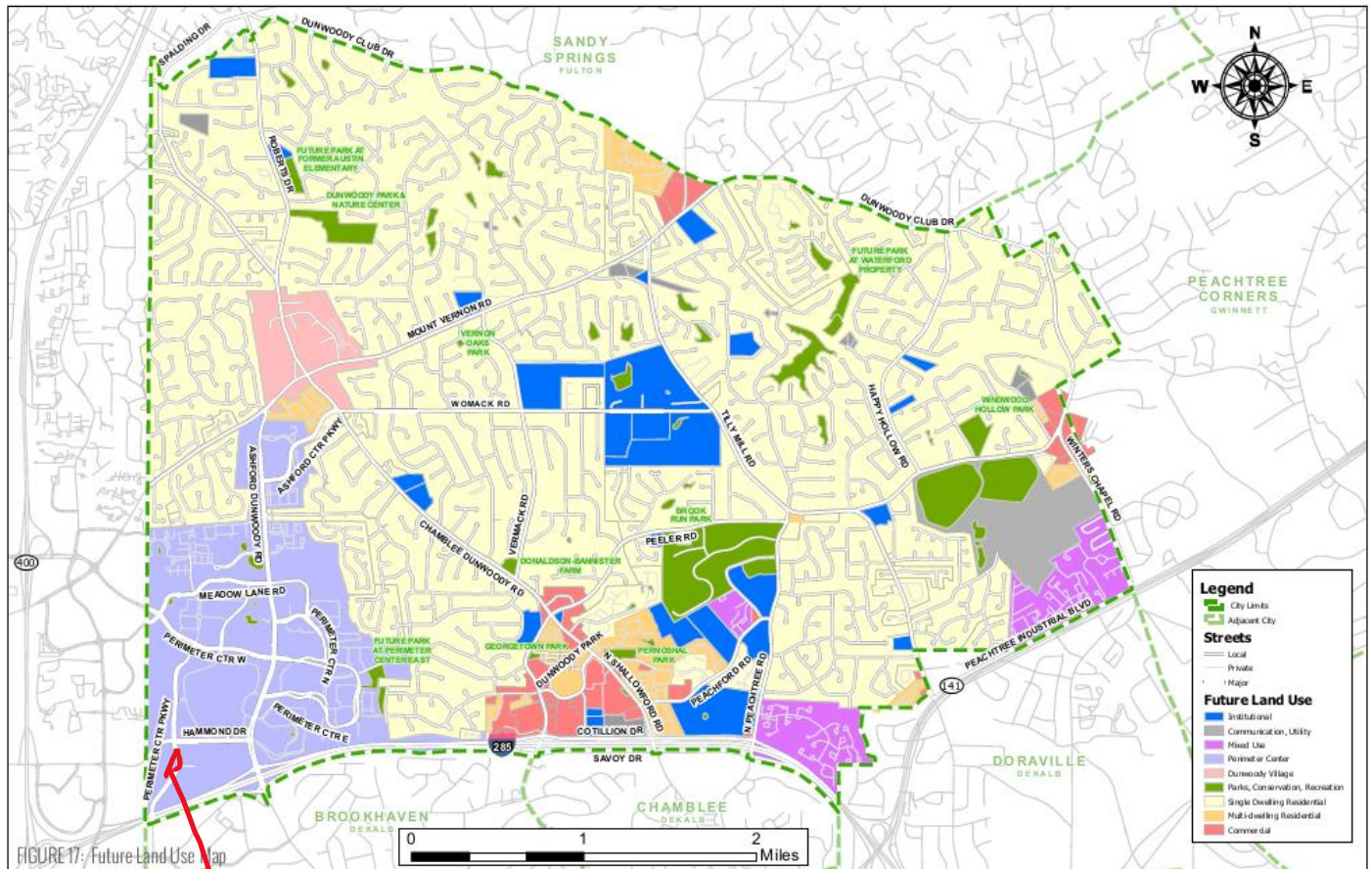
market analysis, demonstrates the demand for between 6,040 and 9,330 multi-family residential units over the next 20 years. While the Edge City Study acknowledges the nearby High Street project will account for 1/3 to 1/2 of this demand if built as planned, additional demand for several thousand multi-family residential units still remains and can be met, in part, by the proposed development of the Subject Property.

Provided below is the adopted **Character Area Map** with the location of the Subject Property indicated.



Subject Property

As shown on the Plan’s **Future Land Use Map** included below, the Subject Property is located within the “Perimeter Center” Land Use Area which, according to the Plan, “is a visual representation of the City’s future development policy.” Based on the Land Use Table included as Figure 16 in the Plan, within the Perimeter Center Land Use Area, the PD zoning classification is an appropriate zoning category and the City’s future development policy supports the development of a “livable regional center with office, retail, mixed-use, and multi-use residential buildings” such as that proposed for the Subject Property.



Subject Property

Accordingly, the Applicant respectfully submits the proposed development of the Subject Property, as outlined more fully in this application and supporting materials, fully conforms with the policy and intent of the City of Dunwoody’s Comprehensive Plan.

The design of the proposed development will foster pedestrian movements both internally and through the Subject Property to nearby transit, employment, retail, and housing opportunities, while providing easily accessible and safe off-street parking for automobile commuters and visitors. As outlined more fully in the Overall Development Plan, 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 has been largely satisfied through the creation of a mix of landscaped and hardscaped plazas, parkways, and outdoor dining areas within the Park Center project in connection with the development of Park Center Buildings 2 and 3. The development of the Subject Property will enhance and add to these important features, further facilitating pedestrian linkages to existing and proposed civic and green space in the 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 Atlanta Regional Commission and Perimeter Community Improvement District. The proposed development will provide internal pedestrian connectivity between the office, residential, hotel, retail, and restaurant components of the development. Furthermore, pedestrian improvements will enhance pedestrian and green space connectivity external to the site to other nearby developments, the MARTA system, and the emerging network of parks in the area, including the potential civic space located north of the Dunwoody MARTA station and the future City park to the south of the site.

The development of the Subject Property represents the last step in the replacement of an outdated office building and an expansive surface parking lot that previously occupied the original 13.042-acre Park Center site with a vibrant, integrated, mixed-use development that 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 of the Subject Property will continue to provide a sense of place for workers, residents, and visitors to the development through its use of the plazas, walkways, bicycle facilities, green space, and an active pedestrian environment, including sidewalk dining areas and other amenities constructed in previous phases and further enhanced through the development of the Subject Property. Specific additions to the City's trail and path system constructed previously include the pedestrian bridge linking the project site to MARTA's Dunwoody rail station, the twelve (12) foot multi-use path along the western edge of the Park Center project, and the addition of sidewalks and bike lanes along adjacent roadways. Overall, the proposed development of the Subject Property will complete the transformation of the site from an under-utilized suburban office model to a vibrant urban environment that provides a true live-work-play environment and takes advantage of and enhances both internal and external connections to transit, housing, and other nearby developments in the area.

Furthermore, the development of the Subject Property as proposed will continue to support the City's Sustainability Goals as expressed in the Sustainability Plan adopted by the City in 2021 and other documents. As illustrated on Exhibit "D-1" to this document, the development of the Park Center Buildings 2 and 3 and associated improvements incorporate a variety of

sustainability measures, including, but not limited to, the multi-use path, bike lanes on all frontages, the pedestrian bridge to the Dunwoody MARTA rail station, pocket parks, native pollinator landscape plantings along the elevated plaza, water quality, stream protection, and conservation measures, noise and heat reduction features, and dedicated off-street bicycle parking. The Subject Property contributed toward the implementation of these measures and, in the future, will not only continue to contribute to the ongoing maintenance of these measures but will provide additional features to enhance the status of the overall Park Center project as a model for sustainable transit-oriented mixed-use development, such as additional bicycle parking, pedestrian connections, and green space.

2. ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

Based upon field observation and field survey of the 2.56-acre Subject Property, there are no significant environmental features on the site, as described more fully below.

a. Wetlands – There are no wetlands located on the Subject Property based on field observation. It is a previously graded site.

b. Floodplain – No portion of the Subject Property lies within the 100-year flood hazard zone as defined by the currently effective F.E.M.A. Flood Insurance Rate Map (FIRM) of DeKalb County, Georgia, panel number 13089C0011K. <https://map.georgiadfirm.com/floodriskviewer/>

c. Streams/Stream Buffers – There is an existing stream that flows from north to south located along the western property line of the parcels containing Buildings 2 and 3 but neither the stream nor the buffer are adjacent to or within the Subject Property.

d. Slopes exceeding 25 percent over a 10-foot rise in elevation – Areas where existing slopes exceed 25% over a 10-foot rise in elevation exist generally along the previously mentioned stream buffer affecting the adjacent property and thus do not affect the Subject Property.

e. Vegetation – This is a previously graded site. Accordingly, there are no significant areas of vegetation on the Subject Property. Streetscapes and trees previously have been installed and will remain along the existing street frontages, and in the Plaza area adjacent to existing Park Center Buildings 2 and 3. More natural vegetation exists within the stream buffer and floodplain associated with the stream that traverses the parcels adjacent to the Subject Property.

f. Wildlife Species (including fish and endangered species) – Given the previously cleared and graded condition of the Subject Property and the proposed development area, there are no known endangered wildlife species on the existing site.

g. Archeological/Historical Sites – The site has been previously graded and 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 historic or archeological resources.

3. PROJECT IMPLEMENTATION MEASURES

In addition to the Sustainability Measures illustrated on Exhibit “D-1,” the following measures will be enforced during implementation of the proposed development program:

a. Protection of environmentally sensitive areas – The proposed development is not anticipated to impact the previously mentioned environmentally sensitive areas, as they are located adjacent to previously developed portions of the Park Center project. Nevertheless, the developer will take all required measures to protect the environment during construction activities on the Subject Property.

b. Protection of water quality – Compliance with current State & City of Dunwoody stormwater code requirements and NPDES requirements during construction and development of the Subject Property will protect 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 Subject Property.

d. Minimization of impacts on archeological/historically significant areas – This is a previously graded site and 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 historic or archeological resources.

e. Minimization of negative impacts on environmentally stressed communities – There are no such communities 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 project will be developed on a previously graded site, formerly occupied by a large surface parking lot. As such, no existing green space will be affected by the development of the Subject Property. However, as indicated on the Conceptual Landscape Plan submitted as Exhibit “A-3” to the proposed Overall Development Plan, the development of the Subject Property will provide additional green space and open space beyond that previously provided in connection with the development of Park Center Buildings 2 and 3.

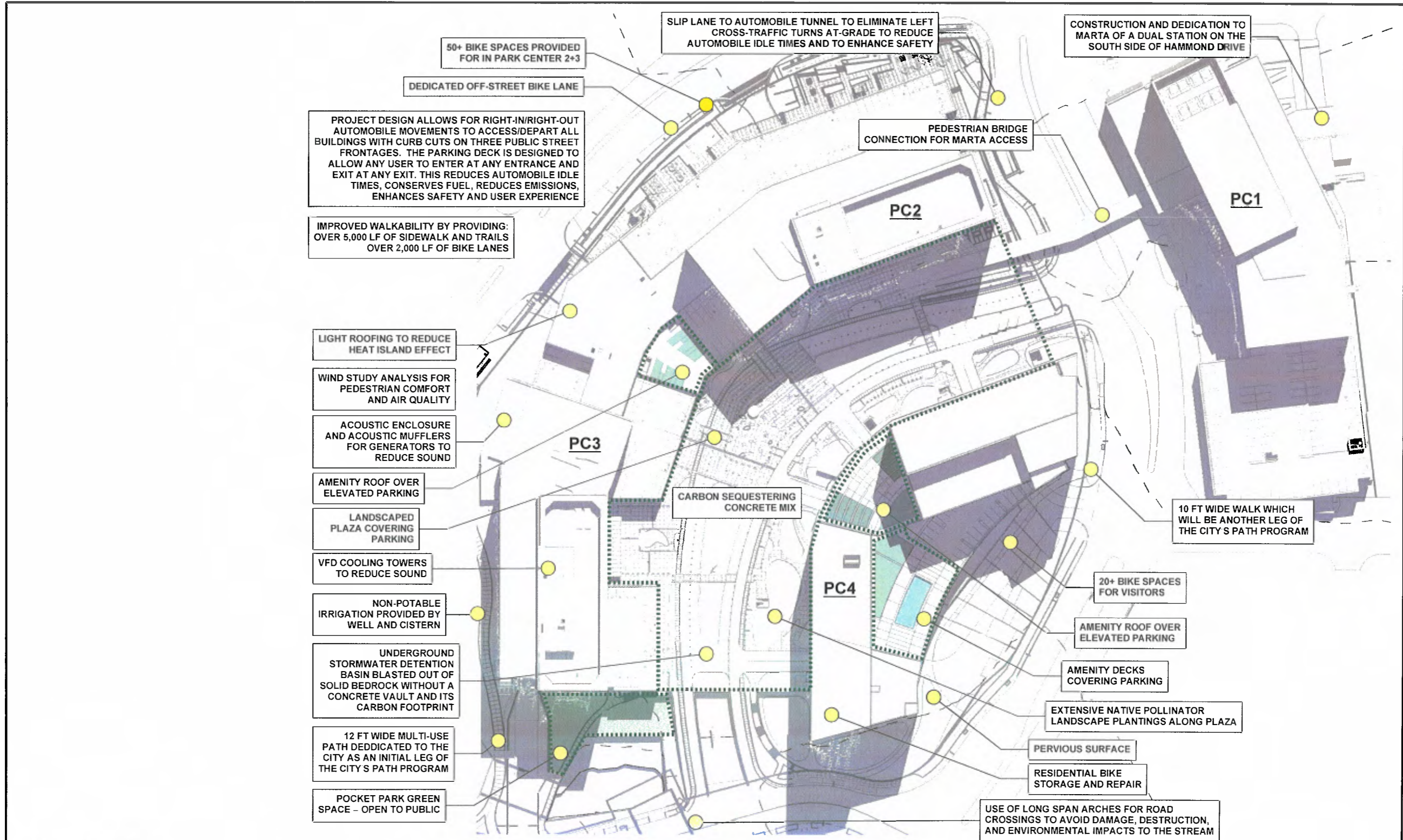
g. Protection of citizens from the negative impacts of noise and lighting – Due to the location of the Subject Property within a high-density commercial and office area, it is not anticipated there will be any such impacts.

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, as indicated on the Conceptual Landscape Plan noted above, additional greenspace, including a pocket park, will be provided in connection with the proposed development of the Subject Property.

i. Minimization of impacts to wildlife habitats – Given the cleared and previously graded condition of the Subject Property and the development already in place in the surrounding area, there are no known wildlife habitats on the Subject Property that would be impacted by its proposed development.

EXHIBIT D-1

Sustainable Development Measures



PARK CENTER 4

SUSTAINABLE DEVELOPMENT MEASURES



EXHIBIT E
Legal Description & Survey of Subject Property

LEGAL DESCRIPTION OF SUBJECT PROPERTY

PROPERTY DESCRIPTION UNIT 4 (SURVEYED)

All that tract or parcel of land lying and being in Land Lots 329 & 348 of the 18th District of the City of Dunwoody, Dekalb County, Georgia and being more particularly described as follows:

COMMENCING at a 1" square rod found at the Southwest corner of Land Lot 348 (said corner being the common corner of Land Lots 329 & 348 of the 18th District of Dekalb County, Georgia and Land Lots 17 & 18 of the 17th District of Fulton County, Georgia); thence running along the west line of Land Lot 348, North 00° 33' 37" East, 34.61 feet to a point; thence, leaving the aforesaid Land Lot Line and running with the Southeasterly Right-of-Way Line of Hammond Drive (Apparent variable width right-of-way) 106.27 feet along the arc of a curve deflecting to the left, having a radius of 567.50 feet and a chord bearing and distance of North 44° 02' 21" East, 106.12 feet; thence, North 38° 40' 28" East, 283.40 feet; thence, 460.81 feet along the arc of a curve deflecting to the right, having a radius of 517.50 feet and a chord bearing and distance of North 64° 11' 02" East, 445.73 feet; thence, North 89° 41' 36" East, 9.37 feet; thence, leaving the aforesaid line of Hammond Drive and running with the Westerly Right-of-Way Line of Perimeter Center Parkway (variable width right-of-way) 22.23 feet along the arc of a curve deflecting to the right, having a radius of 29.50 feet and a chord bearing and distance of South 23° 52' 15" East, 21.71 feet; thence, 28.48 feet along the arc of a curve deflecting to the left, having a radius of 364.79 feet and a chord bearing and distance of South 04° 21' 17" East, 28.47 feet; thence, South 09° 42' 06" West, 24.78 feet; thence, South 14° 08' 22" West, 20.96 feet; thence, South 20° 00' 00" East, 134.58 feet; thence, South 26° 36' 38" East, 166.77 feet to the Point of Beginning; thence, continuing along the aforesaid right-of-way of Perimeter Center Parkway

1. South 26° 36' 38" East, 23.26 feet; thence
2. 103.00 feet along the arc of a curve deflecting to the right, having a radius of 372.48 feet and a chord bearing and distance of South 01° 10' 34" East, 102.67 feet; thence,
3. 173.95 feet along the arc of a curve deflecting to the right, having a radius of 658.76 feet and a chord bearing and distance of South 17° 21' 10" West, 173.45 feet; thence,
4. South 27° 45' 19" West, 68.53 feet; thence,
5. South 37° 16' 29" West, 21.82 feet; thence,
6. South 49° 11' 24" West, 35.14 feet; thence,
7. 73.57 feet along the arc of a curve deflecting to the right, having a radius of 1258.83 feet and a chord bearing and distance of South 34° 33' 15" West, 73.56 feet; thence,
8. South 35° 24' 03" West, 24.81 feet; thence, leaving the aforesaid line of Perimeter Center Parkway and running with the Northerly Right-of-Way Line of Springwood Connector (also known as East-West Connector) and having a (Variable width right-of-way)
9. 96.00 feet along the arc of a curve deflecting to the right, having a radius of 76.00 feet and a chord bearing and distance of South 71° 35' 50" West, 89.74 feet; thence,
10. 60.33 feet along the arc of a curve deflecting to the left, having a radius of 187.50 feet and a chord bearing and distance of North 81° 26' 19" West, 60.07 feet; thence, leaving the aforesaid right-of-way of Springwood Connector (also known as East-West Connector)
11. North 00° 00' 40" West, 281.70 feet; thence,
12. North 18° 59' 19" East, 56.64 feet; thence,
13. North 35° 03' 00" East, 41.06 feet; thence,
14. North 50° 56' 50" East, 66.67 feet; thence,
15. North 69° 59' 56" East, 231.83 feet to the Point of Beginning, containing 111,545 square feet or 2.5607 acres of land, more or less.

EXHIBIT F
Site Photos (Including Rendering of Park Center Project
Approved Pursuant to RZ-15-072)



PARK CENTER - CONCEPTUAL RENDERING **EXHIBIT B** 05.27.2015

CONCEPTUAL RENDERING APPROVED BY RZ-15-072

CURRENT SITE IMAGES



LEGEND

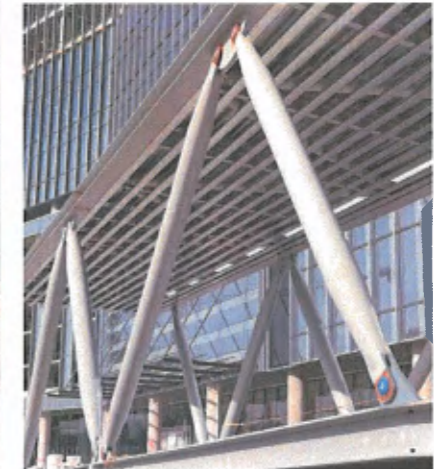
- 1. VIEW ACROSS PARK CENTER 4 SITE WITH PARK CENTER 2 & 3 IN THE BACKGROUND
- 2. PERIMETER CENTER PARKWAY ENTRANCE TO PARK CENTER 2 & 3 PLAZA
- 3. VIEW OF PARK CENTER 4 SITE LOOKING SOUTH
- 4. VIEW OF PARK CENTER 4 SITE LOOKING EAST
- 5. RETAIL ALONG HAMMOND DRIVE
- 6. CORNER OF PERIMETER CENTER PARKWAY AND HAMMOND DRIVE

PARK CENTER BRIDGE

This pedestrian bridge stands as a remarkable architectural feature, stretching across Perimeter Center Parkway. Its primary purpose is to connect MARTA's Dunwoody station with Park Center Buildings 1, 2, 3, and now 4. This bridge serves as an essential link that enhances the development's and community's connectivity to mass transit.

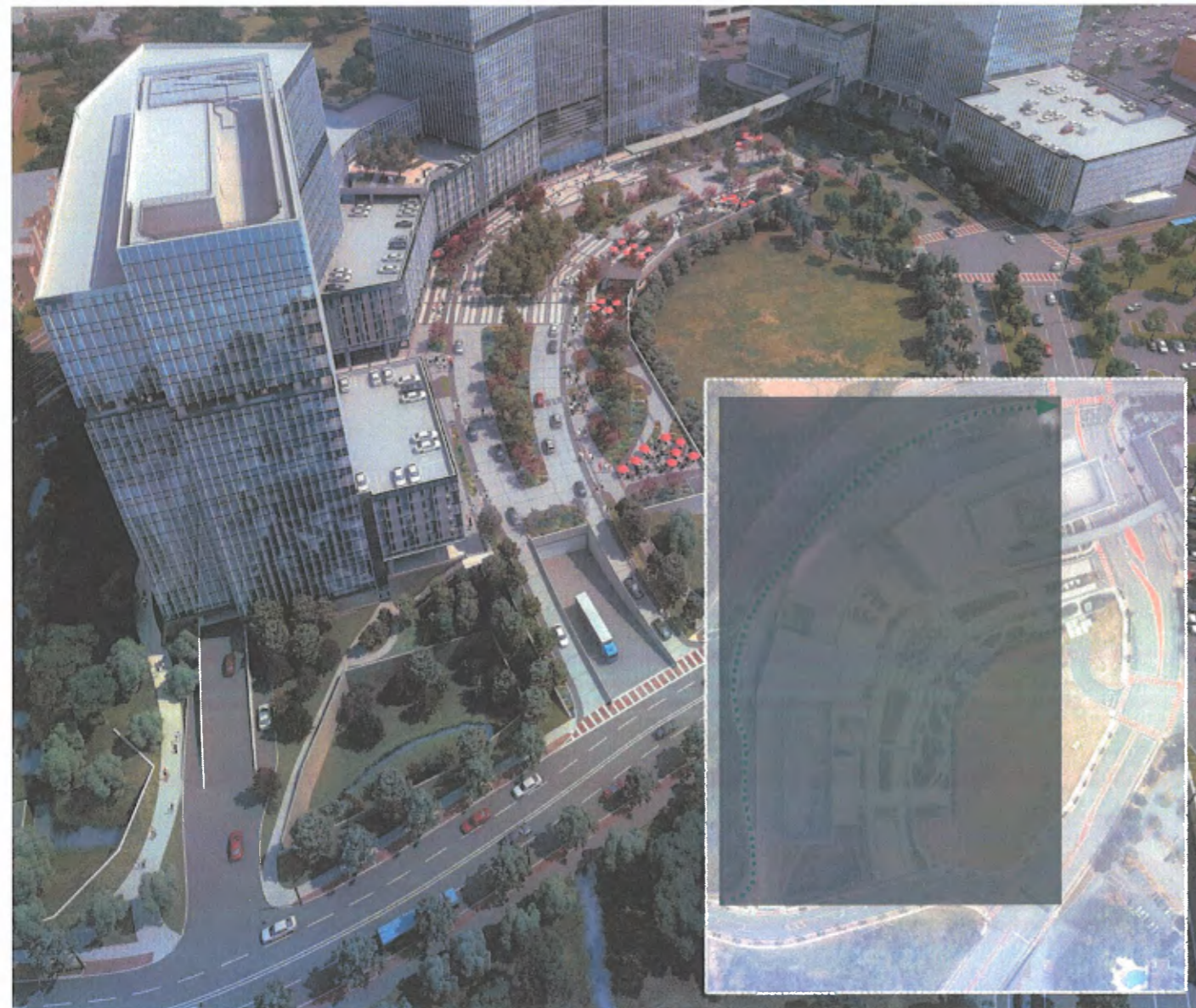


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PEDESTRIAN TRAIL & CONNECTIVITY

During the construction of Park Center 2 & 3, a versatile 12 foot-wide, multi-use trail was skillfully incorporated along Hammond Drive and connecting to the Springwood Connector. This trail was specifically designed to facilitate pedestrian connectivity both within and around the Park Center development. It was dedicated to the City and will serve as one of the first major links in the City's path master plan.

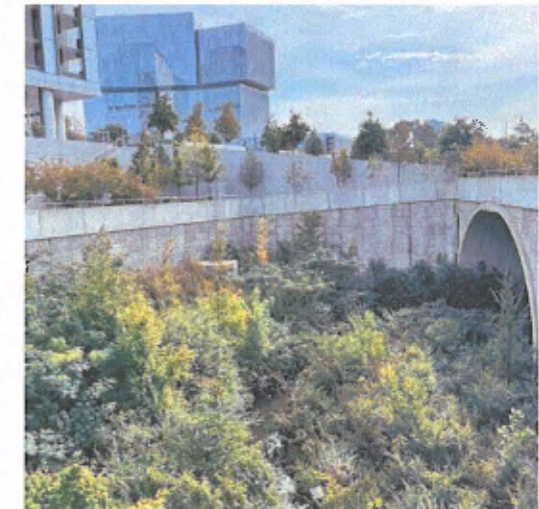


STREETSCAPE

The streetscape along Hammond Drive, Perimeter Center Parkway, the Plaza and the Springwood Connector, embodies the City of Dunwoody's vision for tree-lined sidewalks accompanied by multi-use trails.



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BUILDINGS

The architecture of Park Center 1, 2 & 3 buildings is distinctly unique to the Dunwoody skyline. With the forthcoming addition of Park Center 4, we envision maintaining the same level of quality, bringing elevated design to its program, thereby complementing and completing the overall Park Center development.



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PARK CENTER 4 - PARK CENTER DEVELOPMENT PRECEDENTS | 20220492 | ZONING 6

PLAZA & PUBLIC ART

The elevated plaza at Park Center 2 & 3 provides a spacious, landscaped area for both the building's occupants and the surrounding community to enjoy. Additionally, it offers convenient access to the retail and office lobbies that face the plaza. Park Center 4 will complete the southern edge of the plaza, featuring a lineup of retail spaces and lobbies, enhancing its functionality. Public art installations are featured throughout.









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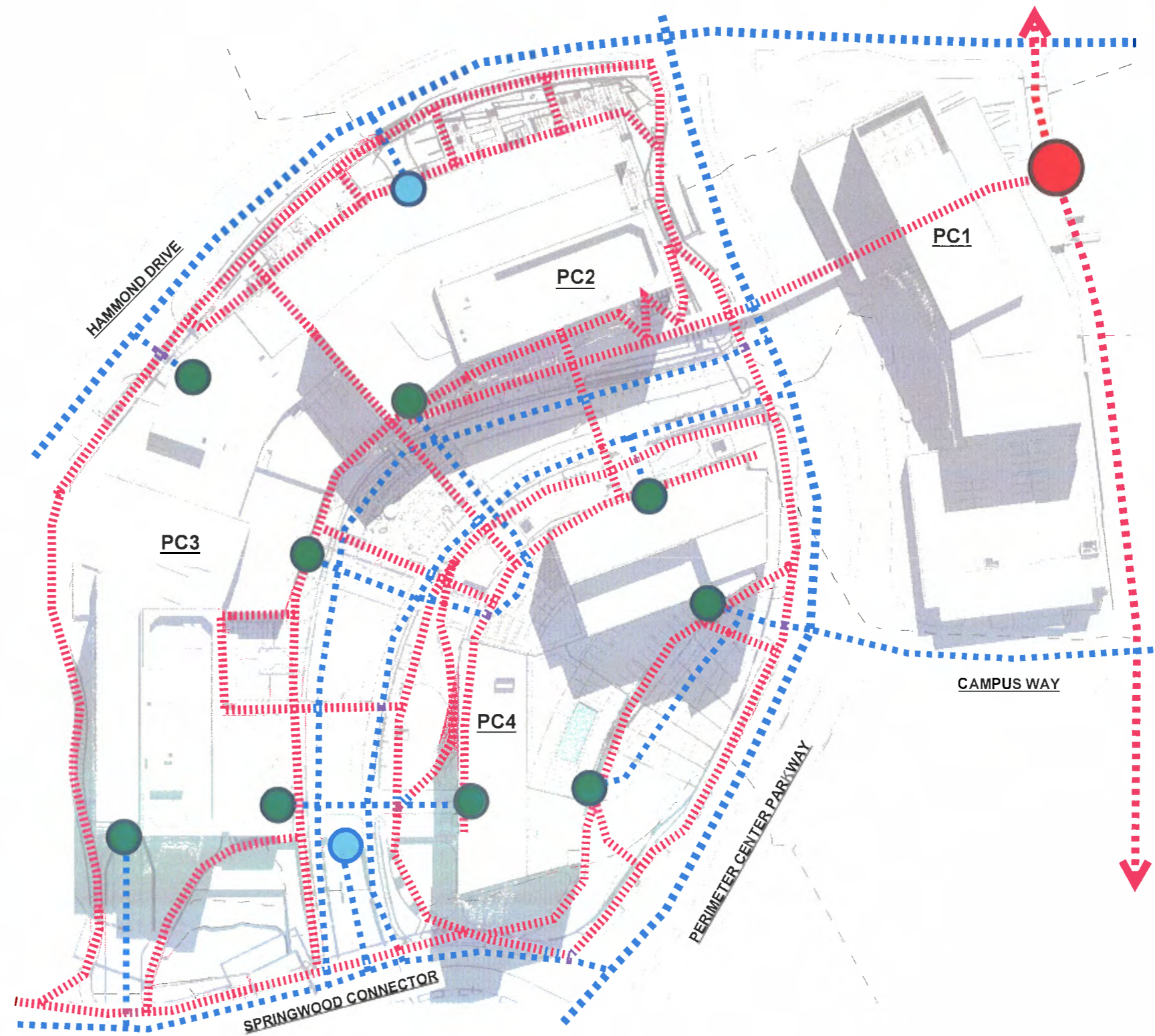


PARK CENTER 4 - PARK CENTER DEVELOPMENT PRECEDENTS | 20220492 | ZONING 7

EXHIBIT G
Pedestrian Circulation Plan

LEGEND

-  MARTA LINE
-  MARTA STATION
-  PEDESTRIAN PATH
-  VEHICULAR PATH
-  PARKING ENTRANCE
-  SERVICE ENTRANCE



CIRCULATION

EXHIBIT H
Conceptual Site Plan & Project Rendering/Elevation

PROGRAM

RESIDENTIAL:

300 UNITS
20 STORIES *

OFFICE:

300,000 GSF
12 STORIES *
TYPICAL PLATE 29,500 SF

HOTEL:

175 KEYS
6,000 SF MEETING SPACE
6 STORIES (OVER OFFICE) *

RETAIL:

22,000 SF

PARKING:

7 LEVELS ABOVE PLAZA **
1,565 PARKING SPACES

* UP TO 37 LEVELS TOTAL ABOVE PLAZA

** UP TO 10 LEVELS ABOVE PLAZA AND 3 LEVELS BELOW PLAZA

BUILDING 2

BUILDING 1

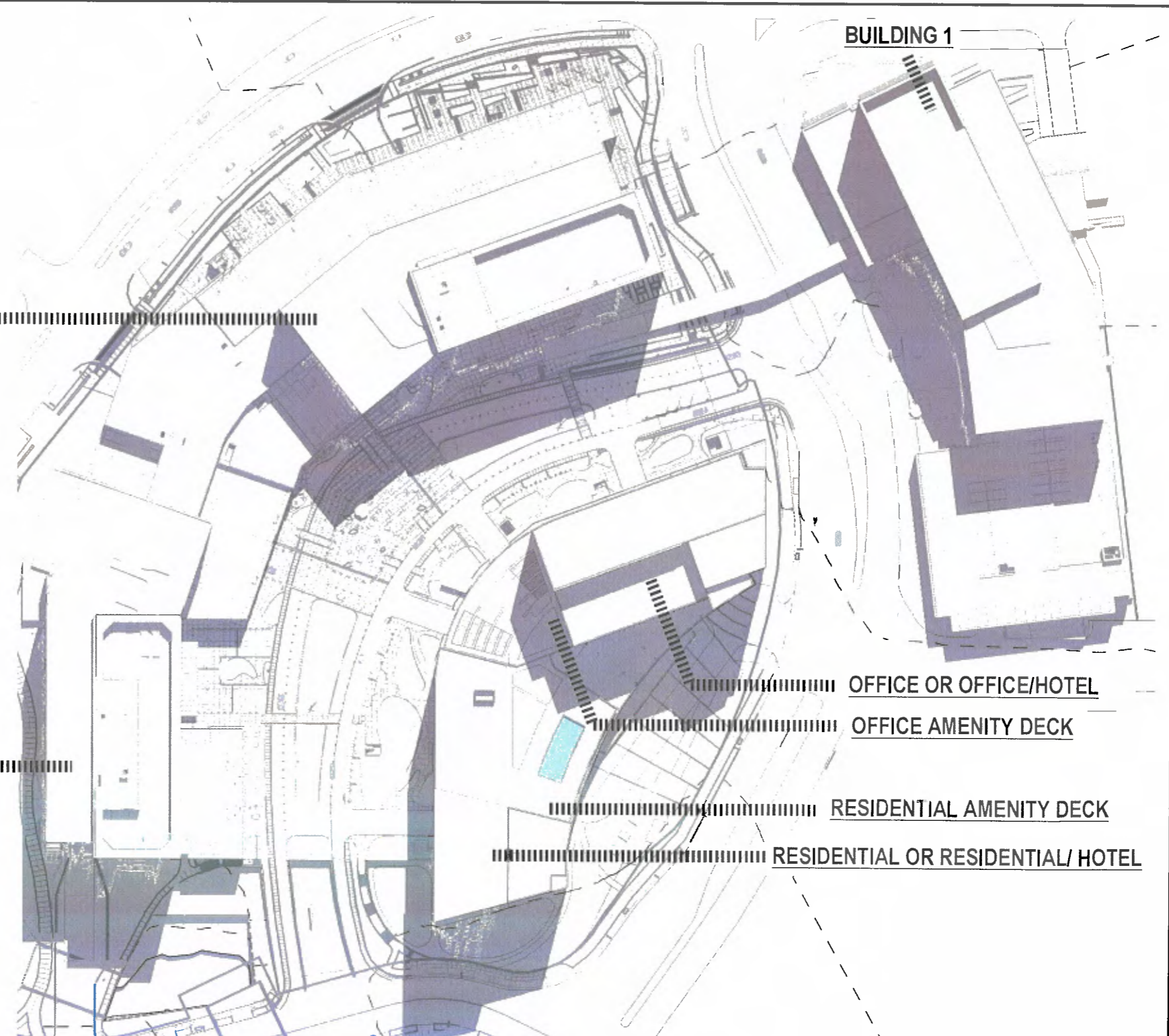
BUILDING 3

OFFICE OR OFFICE/HOTEL

OFFICE AMENITY DECK

RESIDENTIAL AMENITY DECK

RESIDENTIAL OR RESIDENTIAL/ HOTEL



PARK CENTER 4

SITE PLAN





PARK CENTER 4

3D VIEWS



EXHIBIT I
DRI Determination Issued by ARC

Kirk, David C.

From: Donald Shockey <DShockey@atlantaregional.org>
Sent: Friday, November 24, 2023 3:55 PM
To: Richard McLeod
Cc: Forder, Harrison; Kirk, David C.; Richard McLeod; James George; Walker, John; Brittany Williams; Andrew Smith
Subject: Park Center DRI 2501 - ARC Determination of New Review - Not Required

CAUTION: This message came from outside the firm. DO NOT click links or open attachments unless you recognize this sender (look at the actual email address) and confirm the content is safe.

Hello Richard,

The Park Center DRI 2501 project was reviewed in 2015 and proposed a total of 1,650,000 SF of office space and 82,000 SF of retail space in three (3) buildings. Since that time, two (2) of the office towers have been built-out (1,134,408 SF office and 42,419 SF of retail space) while the program for the last remaining building site has changed. The developer has now proposed to develop the final building site as a mixed-use building with 300,000 SF of office, 175 hotel rooms, 300 residential units, and 22,000 SF of retail space.

A new review of a previously reviewed DRI project is typically warranted when a substantial period of time has passed since the previous review or when the proposed major types of use have changed. In this case both of these criteria apply. However, ARC does have the ability consider other factors in determining if a new review is required.

For this project, the change in use lessens the vehicular trip generation for the final phase from what was originally proposed and also offers potential reductions for the existing developed section due to increased mixed-use trip reduction opportunities. Other factors include that the LCI prepared for this area calls for intense mixed-use development at this site and that the revised development is highly supportive of the urgent regional need to provide high-density, walkable, mixed-use development around MARTA stations. Further, the change complements the nearby High Street mixed-use project and is consistent with MARTA and City of Dunwoody guidelines and plans. Last, the City of Dunwoody agrees that a new DRI review is not required.

Based on these considerations, ARC has determined that a new DRI review is not required. Further, we would encourage attaining the highest density and broadest mix of uses of the site compatible with Dunwoody requirements in order to best take advantage of the site's adjacency to a MARTA station. Provision of the minimum number of parking spaces allowed would be consistent with this TOD approach.

Please let me know if you have any questions.

Best,

Donald Shockey,

Donald P. Shockey, AICP-CUD, LEED GA, CNU-A
Plan Review Manager, Community Development
Atlanta Regional Commission
P | 470.378.1531
DShockey@atlantaregional.org



MEMORANDUM – REVISED

To: Donald Shockey, *Atlanta Regional Commission*

From: John Walker, P.E., PTOE, *Kimley-Horn and Associates*
Harrison Forder, P.E., *Kimley-Horn and Associates*

Date: February 2, 2024

RE: ***KDC – Park Center Building 4 (DRI #2501) – Dunwoody, Georgia – Request for DRI Determination***

The purpose of this memorandum is to request a DRI determination from the Atlanta Regional Commission (ARC) for the proposed *KDC – Park Center Building 4* development in the City of Dunwoody, Georgia. A transportation analysis by Kimley-Horn was prepared in June 2015 (*Park Center*) for a larger 12.74-acre development which includes the Building 4 site (See Figure 1). At that time, the project went through the DRI review with the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). The ARC Final Report was issued on July 8, 2015, and the GRTA Notice of Decision was released on June 30, 2015 (DRI #2501). Since that time, the proposed land uses and densities have changed. As directed by the City of Dunwoody, this memorandum incorporates revisions to the remaining entitlement density from the previous memorandum dated August 8, 2023. The remaining office entitlement was increased by 64,021 SF, while the remaining retail entitlement was decreased 13,995 SF, based on a review of the permitted densities.

SITE DENSITIES

The proposed development will be mixed-use and will include new residential, hotel, office, and retail land uses. The DRI #2501 (Year 2015) site proposed a total of 1,650,000 SF of office space and 82,000 SF of retail space in three (3) buildings. However, the site was approved by the City of Dunwoody for a total entitlement of 1,800,000 SF of office space and 90,000 SF of retail space. Since that time, a total of 1,070,387 SF of office space and 56,414 SF of retail space has been permitted and developed in two (2) buildings. This study will compare the densities from DRI #2501 that have not yet been developed to the new proposed mixed-use development program.



Donald Shockey, February 2, 2024 REVISED

The remaining City of Dunwoody entitlement includes 729,613 SF of office space and 33,586 SF of retail space for the Building 4 site, while the remaining DRI entitlement includes 579,613 SF of office space and 25,586 SF of retail space. As currently envisioned, the proposed *KDC – Park Center Building 4* development (Year 2023) is proposed to consist of the following land uses and densities:

- 300 residential units
- 175 hotel rooms
- 300,000 SF office space
- 22,000 SF retail space

Table 1 compares the land uses and densities remaining from the 2015 DRI #2501 entitlement and the currently proposed *KDC – Park Center Building 4* development.

Table 1: 2015 DRI #2501 vs 2023 KDC – Park Center Building 4 Proposed Land Uses and Densities			
Land Use	Unit	2015 DRI #2501 Remaining DRI Entitlement	2023 KDC – Park Center Building 4 Proposed
Hotel	Rooms	-	175 rooms
Office	SF	579,613 SF	300,000 SF
Retail	SF	25,586 SF	22,000 SF
Residential	DU	-	300 units

SITE ACCESS

The approved DRI #2501 *Park Center* site proposed a total of seven (7) access points to the development. All seven (7) access points proposed in DRI #2501 have been constructed. The currently envisioned 2023 *KDC – Park Center Building 4* development does not propose any new access points or anticipate any changes to the location of the access points listed above. Therefore, all access points are unchanged from the DRI #2501.

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 proposed developments were calculated using rates and equations contained in the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*, 9th Edition, 2012 for the 2015 DRI #2501 and the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual*, 11th Edition, 2021 for the 2023 *KDC – Park Center Building 4* development. This analysis compared the projected trips generated by the approved 2015 DRI #2501 development and the proposed 2023 *KDC – Park Center Building 4* development.

For the purposes of this analysis, proposed trip generation is calculated based upon the following ITE land-use codes: General Office Building (ITE 710), Shopping Center (ITE 820), Multi-Family Housing (High-Rise) (ITE 222), Hotel (ITE 310).

The density and the anticipated project gross trip generation (9th Edition and 11th Edition) are summarized in **Table 2**.

K:\ALP_TPTO\019977007_Park Center Building 4 - KDC - Dunwoody - May 2023\DRI Determination Memo\02-02-2024_Park Center Building_DRI Determination Memo_Revised.docx



Donald Shockey, February 2, 2024 REVISED

Table 2: Gross Trip Generation											
Land Use	Density	ITE Code	Daily Traffic			AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
2015 DRI #2501 Remaining Entitlement (9th Edition)											
General Office Building	579,613 SF	710	4,992	2,496	2,496	780	686	94	728	124	604
Shopping Center	25,586 SF	820	1,092	546	546	25	16	9	95	46	49
Gross Trips Total			6,084	3,042	3,042	805	702	103	823	170	653
Mixed-Use Reductions			-76	-38	-38	-0	-0	-0	-4	-2	-2
Alternative Mode Reductions (25%)*			-1,502	-751	-751	-200	-176	-24	-205	-41	-162
Pass-By Reductions			-458	-229	-229	-0	-0	-0	-42	-21	-21
Net Trips Total			4,048	2,024	2,024	605	526	79	572	106	468
Proposed 2023 KDC – Park Center Building 4 Development (11th Edition)											
Multi-Family Housing (High-Rise)	300 units	222	1,506	753	753	85	22	63	101	63	38
Hotel	175 rooms	310	1,474	737	737	80	45	35	102	52	50
General Office Building	300,000 SF	710	3,018	1,509	1,509	430	378	52	414	70	344
Shopping Center	22,000 SF	820	814	407	407	18	11	7	75	36	39
Gross Trips Total			6,812	3,406	3,406	613	456	157	692	221	471
Mixed-Use Reductions			-280	-140	-140	-38	-19	-19	-54	-27	-27
Alternative Mode Reductions (25%)*			-1,632	-816	-816	-144	-110	-34	-160	-49	-111
Pass-By Reductions			-180	-90	-90	-0	-0	-0	-14	-7	-7
Net Trips Total			4,720	2,360	2,360	431	327	104	463	138	325
Net Trip Difference			+678	+339	+339	-174	-199	+25	-109	+32	-143
Percent Change			+17%	+17%	+17%	-29%	-38%	+32%	-19%	+30%	-31%

* 25% Alternative Mode Reduction used in DRI #2501

As shown in **Table 2**, the new proposed development plan is expected to generate 29% less AM peak hour traffic (174 less trips), and 19% less PM peak hour traffic (109 less trips) than what is allowed to be developed under the existing DRI traffic entitlement. The proposed mixed-use development is expected to generate 17% more daily traffic than what is allowed to be developed under the existing DRI traffic entitlement, however trips associated with the new mixed-use development plan are expected to be distributed throughout the day and the development is expected to have less impact on the peak hour traffic. When compared to the remaining allowable development density approved by the City (729,613 SF of office and 33,586 SF of retail), the proposed mixed-use development is expected to generate less daily, AM peak hour, and PM peak hour traffic than what is currently allowed.



Donald Shockey, February 2, 2024 REVISED

DUNWOODY “EDGE CITIES 2.0” COMPLIANCE

The City of Dunwoody in conjunction with the Perimeter Community Improvement District (PCID) and ARC has accepted the *Edge City 2.0* strategic plan as a blueprint for growth in the Perimeter area. The *Edge City 2.0* study area includes the proposed *KDC – Park Center Building 4* site. The document identifies the area of the site as an “urban node”, which promotes the highest density of development with office and residential towers over ground floor retail. The vision document indicated that multifamily residential is a strong sector for growth, and that office and retail are moderate sectors for growth. This area should be most connected to Dunwoody MARTA station given its proximity to the station, and identified a need to conduct a “Transit Oriented Development (TOD)” Study with MARTA. Per MARTA’s TOD guidelines, one of the foundational principles of TOD is a rich mix of land uses. The proposed *KDC – Park Center Building 4* development will create a mix of uses on an office node, which is more consistent with the *Edge City 2.0* plan and *MATRA TOD Guidelines*.

SUMMARY

This memorandum compares the site access and trip generation for the *Park Center DRI #2501* (Approved July 2015) and the currently proposed *KDC – Park Center Building 4* development on the same site. The site access points proposed in the 2015 DRI #2501 have been built out, and no changes or additional access points are proposed in the new development.

Based on the findings above, the currently proposed *KDC – Park Center Building 4* development is projected to generate 29% less AM peak hour, 19% less PM peak hour trips, and 17% more daily trips per the *ITE Trip Generation Manual, 11th Edition* than the remaining entitlement for the 2015 DRI #2501 site. Trips associated with the new mixed-use development plan are expected to be distributed throughout the day and the development is expected to have less impact on the peak hour traffic. With the addition of a residential land uses to an office node, complimentary (and reverse) traffic flow is being created.

The proposed *KDC – Park Center Building 4* mixed-use development plan aligns with goals of the *Edge Cities 2.0* and *MARTA TOD Guidelines* planning documents, creating a dense mix of uses in close proximity to a MARTA rail station.

Based on this information, we are requesting confirmation that the proposed *KDC – Park Center Building 4* development will not require a new DRI review with ARC. Please let us know if additional information or clarification is needed.

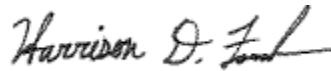
We hope this information is helpful. If you have any questions concerning this letter or need additional information, please do not hesitate to contact me.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



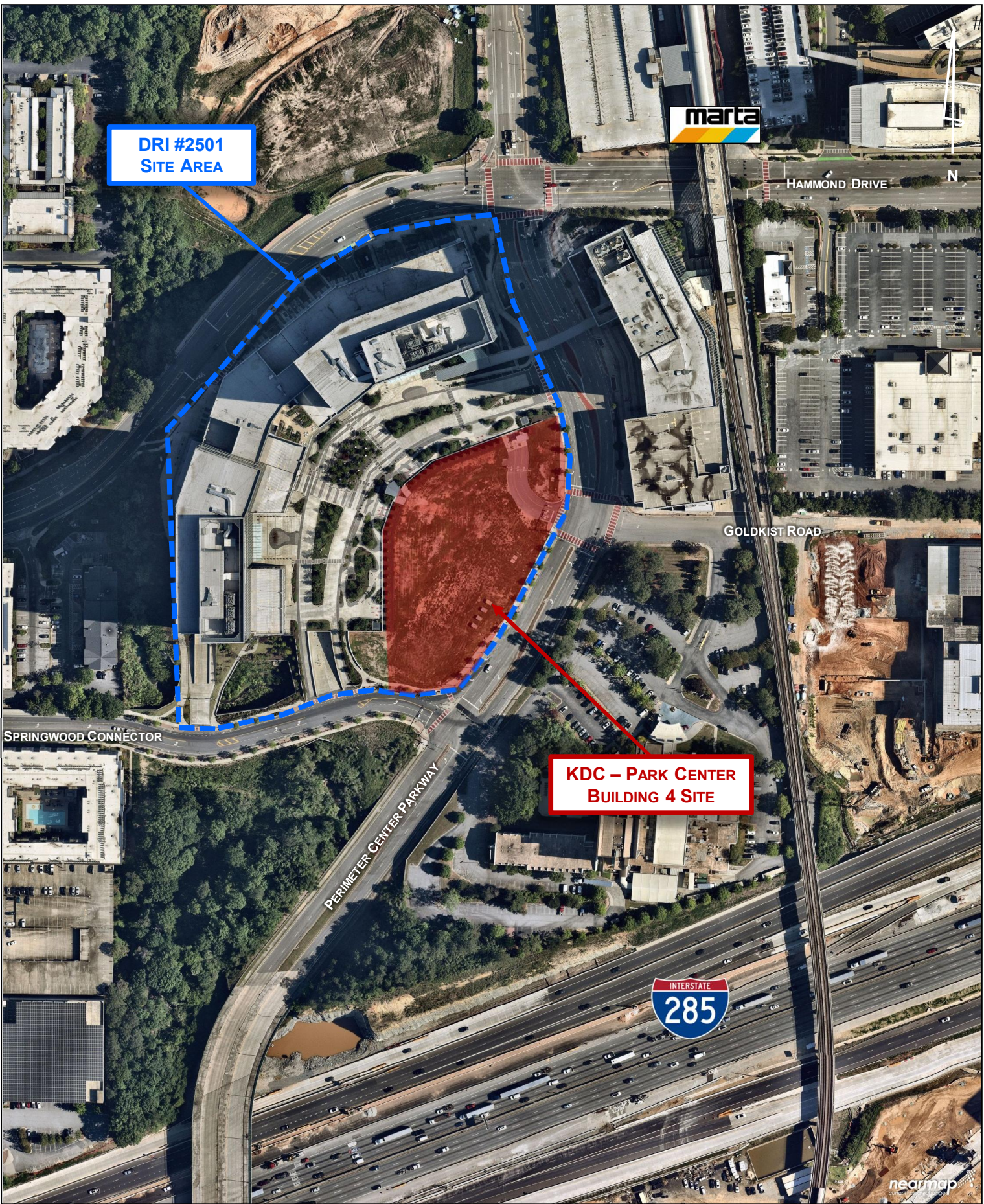
John Walker, P.E., PTOE
Senior Vice President



Harrison Forder, P.E.
Project Engineer

Attachments:

- Site Aerial Image
- Trip Generation Analysis (9th and 11th Edition)
- 2015 *DRI #2501* DRI Site Plan
- 2023 *KDC – Park Center Building 4* Proposed Site Plan



**DRI #2501
SITE AREA**



HAMMOND DRIVE N

GOLDKIST ROAD

SPRINGWOOD CONNECTOR

PERIMETER CENTER PARKWAY

**KDC - PARK CENTER
BUILDING 4 SITE**



	<p>KDC - Park Center Building 4 DRI Determination Memorandum</p>	<p>Site Aerial</p>	<p>Figure 1</p>
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Remaining DRI Entitlement Trip Generation

Trip Generation Analysis Park Center DRI #2501 - Remaining Entitlement Dunwoody, DeKalb County, Georgia									
Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour			
			Total	In	Out	Total	In	Out	
Proposed Full Build Site Traffic									
710	General Office Building	579,613 s.f.	4,992	780	686	94	728	124	604
820	Shopping Center	25,586 s.f. gross leasable area	1,092	25	16	9	95	46	49
Gross Trips			6,084	805	702	103	823	170	653
Office Trips			4,992	780	686	94	728	124	604
<i>Mixed-Use Reductions</i>			-38				-2	-1	-1
<i>Alternative Mode Reductions</i>			-1,238	-195	-172	-23	-182	-31	-150
Adjusted Office Trips			3,716	585	514	71	544	92	453
Retail Trips			1,092	25	16	9	95	46	49
<i>Mixed-Use Reductions</i>			-38				-2	-1	-1
<i>Alternative Mode Reductions</i>			-264	-5	-4	-1	-23	-10	-12
<i>Pass By Reductions (Based on ITE Rates)</i>			-458	0	0	0	-42	-21	-21
Adjusted Retail Trips			332	20	12	8	28	14	15
<i>Mixed-Use Reductions - TOTAL</i>			-76	0	0	0	-4	-2	-2
<i>Alternative Mode Reductions - TOTAL</i>			-1,502	-200	-176	-24	-205	-41	-162
<i>Pass-By Reductions - TOTAL</i>			-458	0	0	0	-42	-21	-21
New Trips			4,048	605	526	79	572	106	468
Driveway Volumes			4,506	605	526	79	614	127	489

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2023 Proposed KDC - Park Center Building 4

Trip Generation Analysis (11th Ed. with <i>2nd Edition Handbook Daily IC & 3rd Edition AM/PM IC</i>)								
KDC - Park Center Building 4								
City of Dunwoody, GA								
Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Site Traffic								
222 Multi-Family Housing (High-Rise)	300 d.u.	1,506	85	22	63	101	63	38
310 Hotel	175 rooms	1,474	80	45	35	102	52	50
710 General Office Building	300,000 s.f.	3,018	430	378	52	414	70	344
820 Shopping Center (>150k)	22,000 s.f. gross leasable area	814	18	11	7	75	36	39
Gross Trips			6,812	613	456	157	692	471
Residential Trips			1,506	85	22	63	101	38
<i>Mixed-Use Reductions</i>			-56	-2	0	-2	-20	-7
<i>Alternative Mode Reductions</i>			-362	-21	-6	-15	-21	-8
Adjusted Residential Trips			1,088	62	16	46	60	23
Hotel Trips			1,474	80	45	35	102	50
<i>Mixed-Use Reductions</i>			-56	-11	0	-11	-4	-1
<i>Alternative Mode Reductions</i>			-354	-17	-11	-6	-24	-12
Adjusted Hotel Trips			1,064	52	34	18	74	37
Office Trips			3,018	430	378	52	414	344
<i>Mixed-Use Reductions</i>			-58	-18	-14	-4	-9	-6
<i>Alternative Mode Reductions</i>			-740	-103	-91	-12	-102	-85
Adjusted Office Trips			2,220	309	273	36	303	253
Retail Trips			814	18	11	7	75	39
<i>Mixed-Use Reductions</i>			-110	-7	-5	-2	-21	-13
<i>Alternative Mode Reductions</i>			-176	-3	-2	-1	-14	-7
<i>Pass By Reductions (Based on ITE Rates)</i>			-180	0	0	0	-14	-7
Adjusted Retail Trips			348	8	4	4	26	12
<i>Mixed-Use Reductions - TOTAL</i>			-280	-38	-19	-19	-54	-27
<i>Alternative Mode Reductions - TOTAL</i>			-1,632	-144	-110	-34	-161	-112
<i>Pass-By Reductions - TOTAL</i>			-180	0	0	0	-14	-7
New Trips			4,720	431	327	104	463	325
Driveway Volumes			4,900	431	327	104	477	332

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PROGRAM

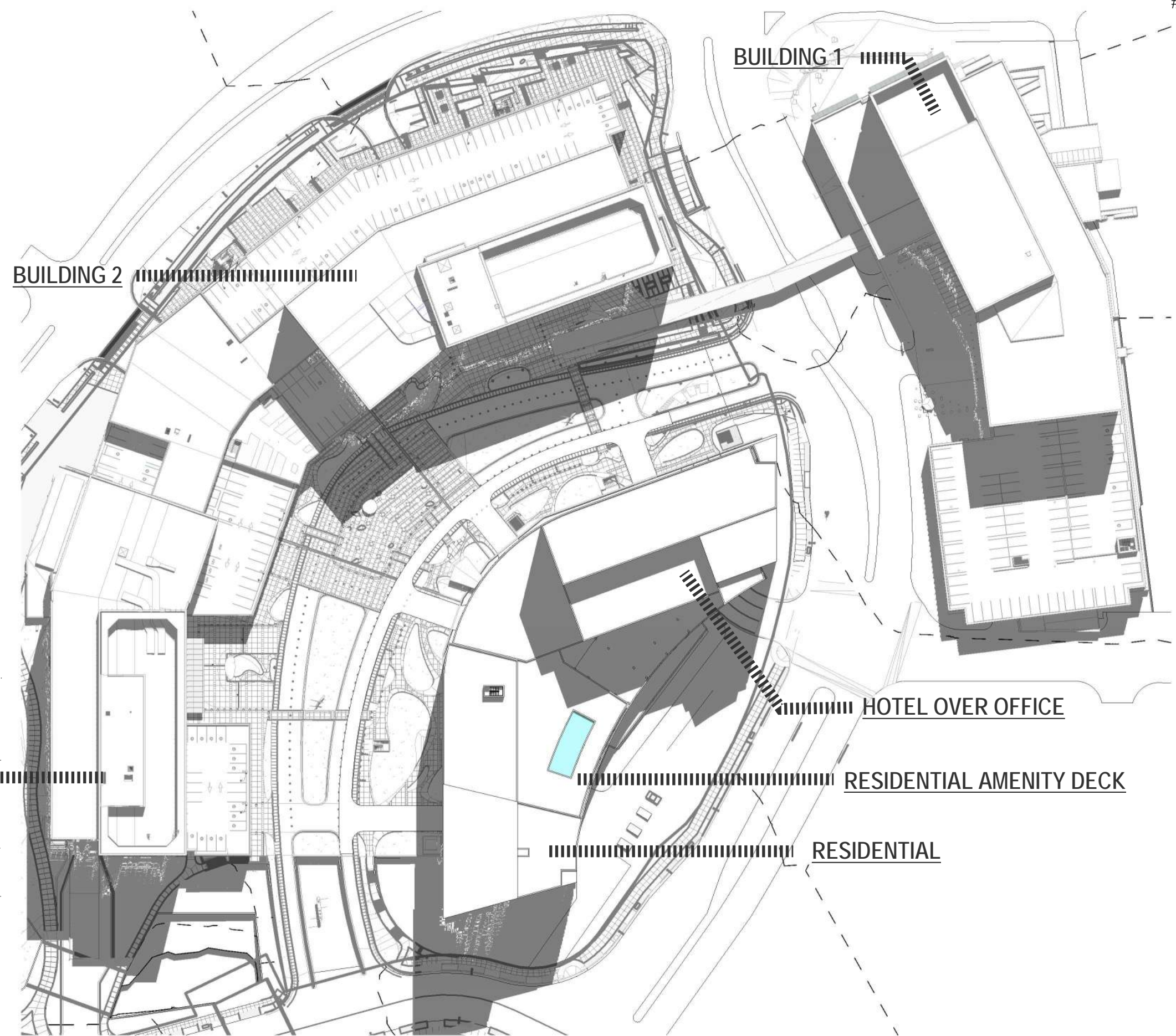
RESIDENTIAL:
300 UNITS
15 STORIES
(ALTERNATE 27 STORIES)

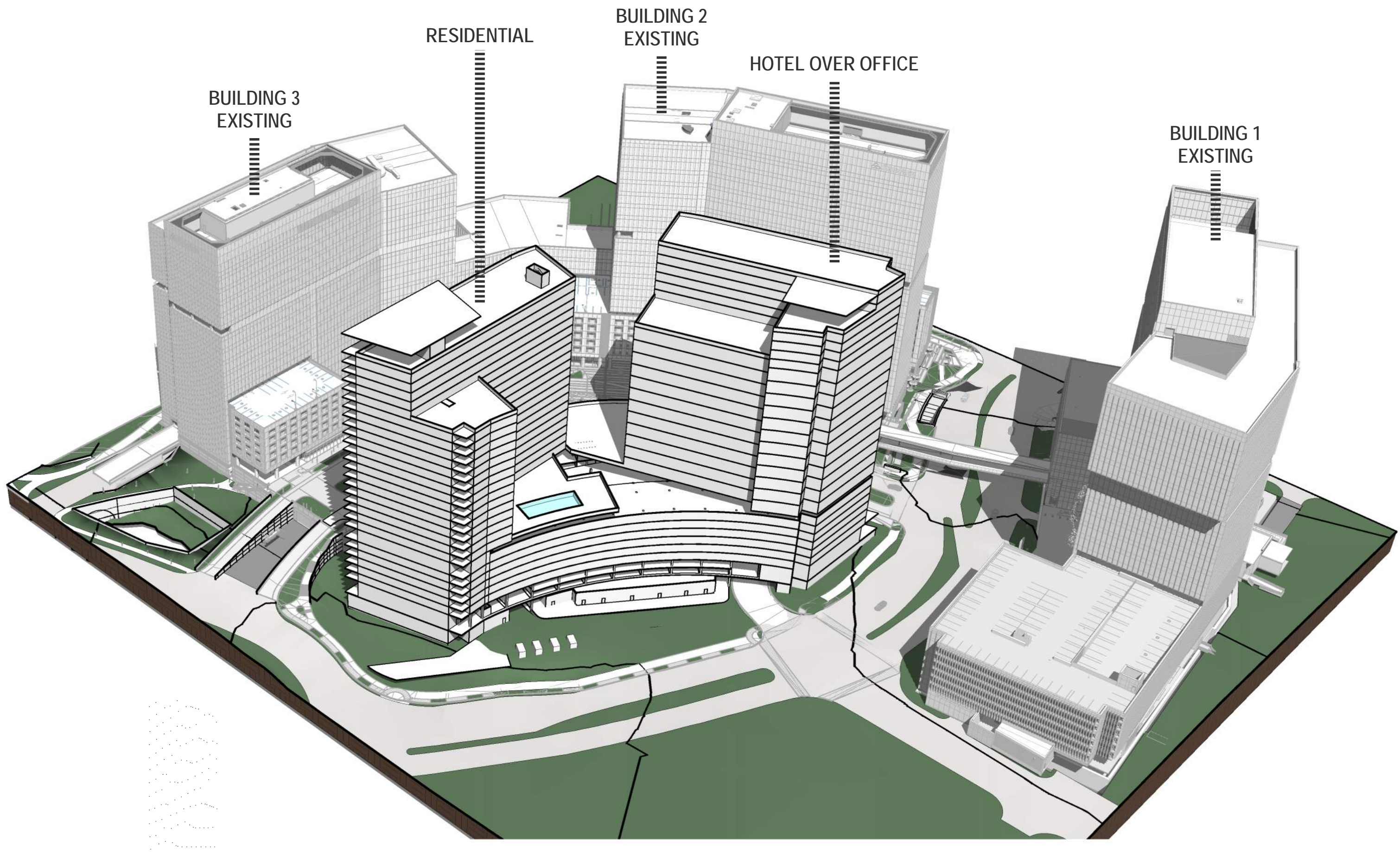
OFFICE:
300,000 SF
12 STORIES

HOTEL:
175 KEYS
6,000 SF MEETING SPACE
6 STORIES

RETAIL:
22,000 SF

PARKING:
8 LEVELS INCLUDING PLAZA
1,148 PARKING SPACES





BUILDING 3
EXISTING

RESIDENTIAL

BUILDING 2
EXISTING

HOTEL OVER OFFICE

BUILDING 1
EXISTING



Park Center Buildings 2, 3, and 4 – Entitlement Summary

Development Type¹	2015 Entitlement (RZ 15-072)	Park Center Buildings 2 & 3 Program (Previously Permitted)	Remaining Entitlements Available for Building 4	Proposed Park Center Building 4 Program
Office	Up to 1.8 million SF in three buildings	1,070,387 SF in two buildings	Up to 729,613 SF	Up to 300,000 SF
Retail, Restaurant, and other Permitted Uses (including Lodging)	Up to 90,000 SF	56,414 SF	Up to 33,586 SF	Up to 22,000 SF (not including lodging)
Parking	Up to 7,000 spaces	4,117 spaces	Up to 2,883 spaces	Up to 1,565 spaces
Residential	Not Permitted	None	Not permitted under current conditions of zoning	Up to 300 Multi-family residential units
Hotel	(Included above)	None	(Included above)	Up to 175 Rooms

¹ The Overall Development Plan adopted as a condition of approval under RZ 15-072 allowed for the following uses permitted by right: vertical mixed-use buildings (excluding residential), private clubs or lodges, cultural exhibits, day care, places of worship, essential utility facilities, restaurants, food trucks, other eating and drinking establishments, animal services, communication services (other than telecommunication towers), telecommunication antennas mounted to buildings, construction and building sales and services, financial services (insurance, banks, credit unions, brokerage and investment services), food and beverage retail sales, lodging, training and conference facilities, medical services, office or consumer services, personal improvement services, consumer repair or laundry services, research and testing services, retail sales, indoor entertainment and spectator sports, indoor sports and recreation facilities – participant, and vehicle sales and rental (indoor only).