

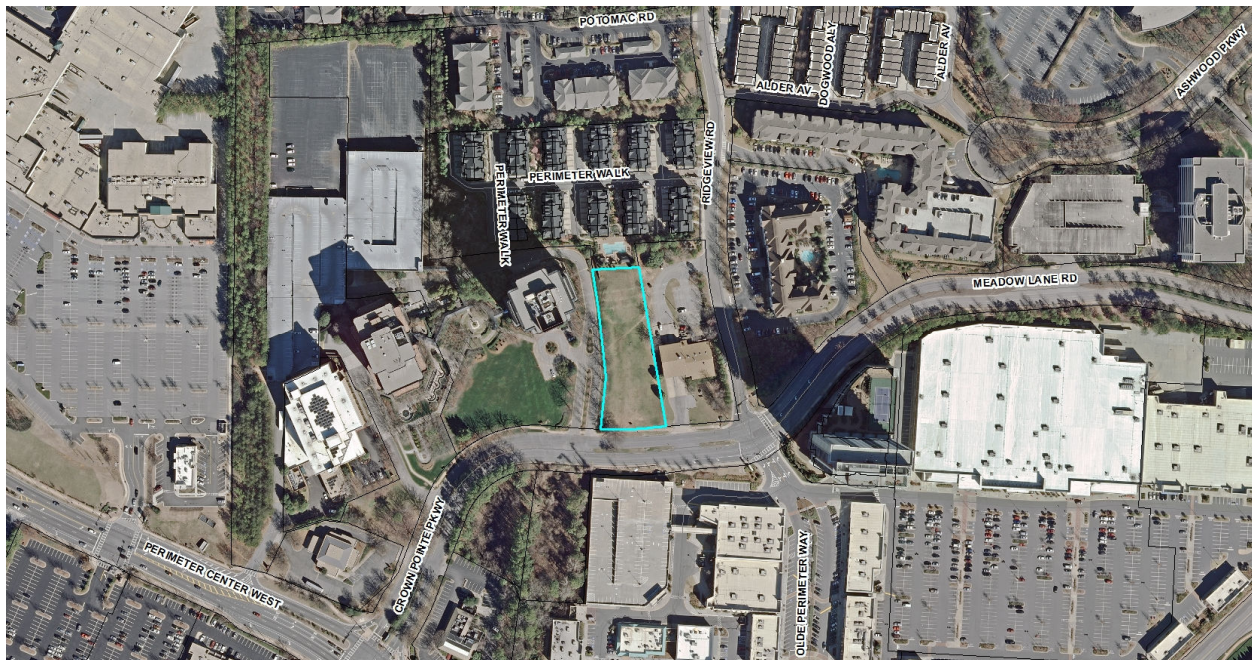
## **MEMORANDUM**

**To:** Mayor and Council

**From:** Steve Foote, AICP

**Date:** June 9, 2014 & June 24, 2014

**Subject:** **RZ 14-061:** Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Marian C. Adeimy, on behalf of NitNeil Partners, LLC, seeks permission to rezone property currently zoned Office-Institution Conditional (O-Ic) to Office-Distribution (O-D) to allow for a change of previously approved use. The subject property is located at 1274 Crown Pointe Parkway, Dunwoody, GA 30338. The tax parcel is 18 349 01 003.



### **BACKGROUND**

The site is located on the northern side of Perimeter Center West, along Crown Pointe Parkway, west of its intersection with Olde Perimeter Way. The property is currently zoned O-Ic (Office-Institution conditional District), with the following entitlements:

- Six (6)-story, 120-room hotel and two (2)-level parking deck

Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Marian C. Adeimy seeks permission on behalf of NitNeil Partners, LLC to rezone the property currently zoned Office-Institution Conditional (O-Ic) to Office-Distribution (O-D) to allow for a change of previously approved use. The property consists of approximately 1.019 acres of land, located at 1274 Crown Pointe Parkway, Dunwoody, Georgia 30338. According to the conceptual site plan



dated April 22, 2014, the applicant proposes to construct a four (4)-story self-storage facility, totaling 84,600 square feet.

Because special land use permits run with the land and are not affected by changes in tenancy or ownership, the applicant does not need to seek new requests for a change in building height to four (4)-stories. However, the site plan does identify a reduction in front and side yard setback as well as a parking deficiency that all must be processed before the Zoning Board of Appeals.

Direction	Zoning	Use	Current Land Use
N	ORC	Residential	Attached Single-Family Residential
S	ORC	Commercial	Retail
E	O-I	Institutional	Emergency Services-Fire Station
W	O-I	Commercial	Office

**ANALYSIS**

**O-D District Analysis**

The nonresidential and mixed-use zoning districts are generally intended to promote consistency with the comprehensive plan and provide opportunities for shopping, employment, entertainment and living. The primary purpose of the Office-Distribution (O-D district), more specifically, is to provide convenient locations for office and distribution establishments. The types of commercial uses permitted by right include: communication services (i.e. telecommunication towers or radio and television broadcasting stations), financial institutions, lodging, office buildings, medical offices/clinics, research and testing services, participant sports and recreation facilities, and warehousing and storage.

**Comprehensive Plan Analysis**

The Dunwoody Comprehensive Plan is organized primarily by regions, delineated as 'character areas'. The subject parcel is located in the 'Perimeter Center Character Area,' summarized on the attached excerpt from the Comprehensive Plan. The intent of this area is to create a "livable" regional center with first-class office, retail, and high-end restaurants in a pedestrian- and bicycle-oriented environment that serves as a regional example of high quality design standards. The Perimeter Center Character Area is divided into three distinct sub-areas—transitional, high-density, and transit village—in order to guide development and design standards effectively as the commercial center moves towards residential neighborhoods. Because the subject property is located just outside the boundary of the Perimeter Community Improvement District (PCID), it should demonstrate conformance with the development principles of the transitional sub-area—limiting new construction to low and medium density, encouraging usable open space, and creating buffers between intense uses.

**Site Plan Analysis**

The site -zoned O-Ic- is currently vacant and comprises approximately 1.019 acres of land. The property is generally flat, but slopes upwards toward the northern property line. Besides the mature trees lining the private drive between the subject parcel and the adjoining office building, there is no landscaping currently in existence.

According to the conceptual site plan revised April 22, 2014, the applicant proposes to construct a four (4)-story, 84,600 square foot self-storage facility. There will be 10 parking spaces at the architectural front of the building and 2 more spaces in the rear yard for patrons who wish to access the second floor entrance. For a development of this magnitude, the total number of required parking spaces is 42, per city code, not including 2 loading spaces. Based on national parking data from the *Self-Storage Almanac*, though, 12 parking spaces was found to be the average number needed in 2011. Additionally, the internal building rendering dated April 16, 2014 shows there will be a total of 562 units available, which would only require 10.3 parking spaces according to the aforementioned national data.

The floor plan (Sheet A1.2) provides the breakdown of rental unit sizes and is included below. Because the site is not designed to accommodate commercial moving vans (tractor trailers), staff is concerned about the inclusion of the large storage units in the facility. The larger 10'x25' and 10'x30' units can accommodate a small home. Including units in this size range may encourage renters that may be using a commercial moving company and create undesirable traffic congestion on the site/entrance driveway.

UNIT MIX TABULATION											
1ST-4TH FLOORS	GROSS SF	5x5	5x10	7.5x10	10x10	10x15	10x20	10x25	10x30	UNITS	
UNITS		18	54	120	201	114	41	2	12	562	TOTAL UNITS
TOTAL SF	85,832	450	2,100	9,000	20,100	17,100	8,200	500	3,600	61,650	NET RENTABLE
% UNITS		3%	10%	21%	36%	20%	7%	0%	12%	12%	EFFICIENCY
OFFICE	801									110	AVE SF/UNIT

The conceptual landscape plan revised April 22, 2014 shows that the applicant proposes to keep three of the existing street trees along the private drive—having to remove the others for the two impending curb-cuts. A third curb-cut is proposed closer to the rear property line so as to provide direct access to the refuse and second floor entrance of the building. In order to alleviate any negative impacts associated with the proposed use and the adjoining condominium complex, the applicant proposes to plant a landscape buffer along the rear property line—containing 10 to 12-foot Cryptomeria and a mix of other plants and shrubs. Along the Crown Pointe Parkway street frontage, the landscape plan also suggests installing street furniture at the back side of the sidewalk and a pedestrian light pole and “Share the Road” sign to help increase public safety.

Lastly, the exterior elevations dated April 16, 2014 suggest the use of high quality building materials—showing brick veneer, colored CMU split-face block, and colored metal panels—similar to that of Perimeter Place Shopping Center located to the south.



**Conditions of the Zoning Ordinance**

Chapter 27, §27-335 identifies the following standards and factors are found to be relevant to the exercise of the city's zoning powers and shall govern the review of all proposed amendments to the official zoning map by the planning department, Boards, Commissions, and Councils. These criteria are enumerated and analyzed as follows:

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

***The Comprehensive Plan is a living document that is created from public input and sentiment; it lays out the community’s vision for how to grow and develop today and in the future. The Dunwoody Comprehensive Plan is organized primarily by regions, delineated as ‘character areas.’ While the subject parcel is located in the ‘Perimeter Center Character Area,’ which envisions a “livable” regional center that is a walkable, high-end, mixed-use environment, the property is, more specifically, in the transitional sub-area. Therefore, the appropriate use should be low to medium density so as to establish a buffer between intense, high-density uses and single-family communities.***

***Unless accompanied by exceptional buffering and/or usable open space provisions, the City of Dunwoody considers density in the transitional area to be no greater than 4-8 units to the acre and commercial to be very low intensity (under 20,000 square feet). This is not consistent with the applicant’s request, however, which is proposing a 4-story, 84,600 square foot self-storage facility on 1.019 acres. That being established, based on national data of parking spaces at self-storage properties, the average number of spaces used, in 2011, was 12—this sporadic customer use makes the facility a less intense use than other commercial/retail possibilities.***

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

***The proposed use has the ability to provide services to not only the tenants of nearby multi-family residential complexes but also restaurant and retail owners in the Perimeter Place Shopping Center, local office buildings, and the neighboring fire station.***

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

***Even though the 1.019 acre lot is currently vacant, the property does have some economic use as currently zoned due to the existing entitlement for a 6-story hotel.***

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

***It is not anticipated that the proposal will have an adverse effect on the adjacent or nearby properties. As suggested at the Community Council meeting in April, the facility’s leasing office will be open during typical business hours, from 9:30 a.m. to 6:00 p.m., Monday through Friday; however, the majority of operations will take place after hours, as the facility will be open to tenants from 6:00 a.m. to 10:00 or 11:00 p.m., and on Saturdays. The neighboring property most affected by the proposed change in use is the condominium complex to the north, whose clubhouse***



**and swimming pool exist along the rear property line. To help mitigate any noise or other impacts, the applicant proposes to plant a landscaping buffer with approximately five 10 to 12-foot tall Cryptomeria and a mix of other plants and bushes.**

5. Whether there are other existing or changing conditions affecting the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal;  
**The conditions of the PCID transitional sub-area call for new construction to be low and medium density so as to create buffers between intense uses. The request is consistent with this goal. Additionally, the character and quality of the proposed development is better aligned with the recommendations of the Comprehensive Plan than the previous entitlement—the proposal offers a shorter building height, high-quality materials, and less vehicular trips from impending customers.**
6. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and  
**Staff cannot identify nor is aware of any such historic buildings, sites, districts, or archaeological resources in the area.**
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 existing street and utility infrastructure is expected to be adequate to service the proposed self-storage facility while continuing to serve the continued uses around the site. Additionally, there will be no school-aged children generated as a consequence of this development.**

## **RECOMMENDATION**

### **Community Council**

At their regular April meeting, the Community Council heard the applicant's request to rezone the property from O-Ic to O-D for a self-storage facility. After much discussion with the applicant related to the proposed use of the subject property, a motion was made to recommend approval of the request. The motion was voted and passed (4 - 0). Tony Delmichi abstained.

### **Planning Commission**

On May 13, 2014, the Planning Commission reviewed the item and made a motion to recommend approval of the rezoning request with proposed conditions from the applicant. The motion passed 4 - 3 votes. Bob Dallas, Bill Grossman, and Paul Player were the dissenting votes.

### **Staff Recommendation**

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

1. Developer shall develop the ± 1.019 acre undeveloped portion of the Subject Property substantially as depicted on the Site Plan, a copy of which is attached hereto.
2. Subject to review and approval by the Community Development Director, Developer shall landscape the undeveloped portion of the Subject Property in general compliance with the conceptual landscape plans submitted with this zoning request, a copy of which is attached hereto, and the Zoning Ordinance. The final Landscape Plan shall comply with the Perimeter Community Improvement District standards for landscaping along the property frontage, except that the existing sidewalk is to remain in place and kept at its current width, with new trees planted behind the existing sidewalk, due to existing site limitations.
3. The total density of the development for the ± 1.019 acre undeveloped portion of the Subject Property shall not exceed 85,000 square feet and shall be limited to use as a self-storage warehouse use and accessory office use, as further described in the Rezoning Application and site plan attached hereto. Further, the height of the development shall be limited to four stories.
4. Developer shall follow the 2007 Perimeter CID Public Standards for "Avenues" for all signs and lighting it installs in the public right-of-way.
5. Developer will provide street furniture to include one bench and one trash and recycling receptacle along its property frontage along Crown Pointe Parkway per PCID standards, to be maintained and emptied by the property owner and be located behind the existing sidewalk instead of in the PCID's designated "furniture zone", due to existing site limitations.
6. During construction of the ± 1.019 acre undeveloped portion of the Subject Property, portions of the ± 1.019 acre undeveloped area on the Subject Property that are not being developed or used for staging areas will be landscaped and maintained in an aesthetically pleasing manner.
7. Neon, gas, flashing, animated, sound emitting or rotating signs are prohibited. A majority of outdoor lighting shall be contained in adjustable wall pack fixtures mounted on the building and angled downward, shielded from the adjacent residential and fire station properties.
8. Developer will place a wood fence and plant and landscape a staggered row of ten (10), 10-12 foot evergreen trees for screening purposes at the rear, northern boundary of the undeveloped portion of the Subject Property, using some combination of the following: Cryptomeria, Nellie R. Stevens (Holly), and Magnolia, and in compliance with the City of Dunwoody's Zoning and Land Development Ordinances, whichever is more stringent. It is understood that, for the building proposed, the architectural style of the building, quality of construction, and general feel of the development shall be substantially similar to the renderings submitted with this Rezoning Application and attached hereto as Sheet A1.1. The facades of the building shall reflect a mixture of materials, which may include brick, natural stone, cast stone, stucco, precast, limestone stucco, ETFS, EIFS, CMU split-face block, and/or pre-fabricated metal or cementitious panels, consistent with the materials board submitted with this rezoning application.
9. The exterior color palette of the structure(s) on the Subject Property will be limited to natural and earth tones in substantial compliance with the elevations submitted with this Rezoning Application.
10. The refuse and/or trash facility will be located in an enclosed structure made of brick, stone, block, or a mix of approved external materials used on the principal building, outside of the street side setback. Appropriate landscaping shall be provided to screen the enclosure from the adjacent driveways.

11. Parking shall comply with applicable ordinances, subject to approval by the Zoning Board of Appeals, an administrative variance, or approval for a reduced and/or specified number of parking spaces.
12. No parking shall be permitted on the private driveway and “No Parking” signs shall be installed where reasonably appropriate.
13. Tractor trailer and 18-wheeler type moving vans shall not be permitted on site and Developer shall post a sign notifying entrants of the same. Occupant employees shall notify customers that tractor trailer trucks are prohibited prior to leasing.

**Attachments**

- Location Map, Zoning Districts Map, Future Land Use Map
- Comprehensive Plan excerpt
- Previously approved site plan and conditions
- Application packet
- Community Council Meeting Minutes
- Planning Commission Meeting Minutes




**1274 Crown Pointe Pkwy.**

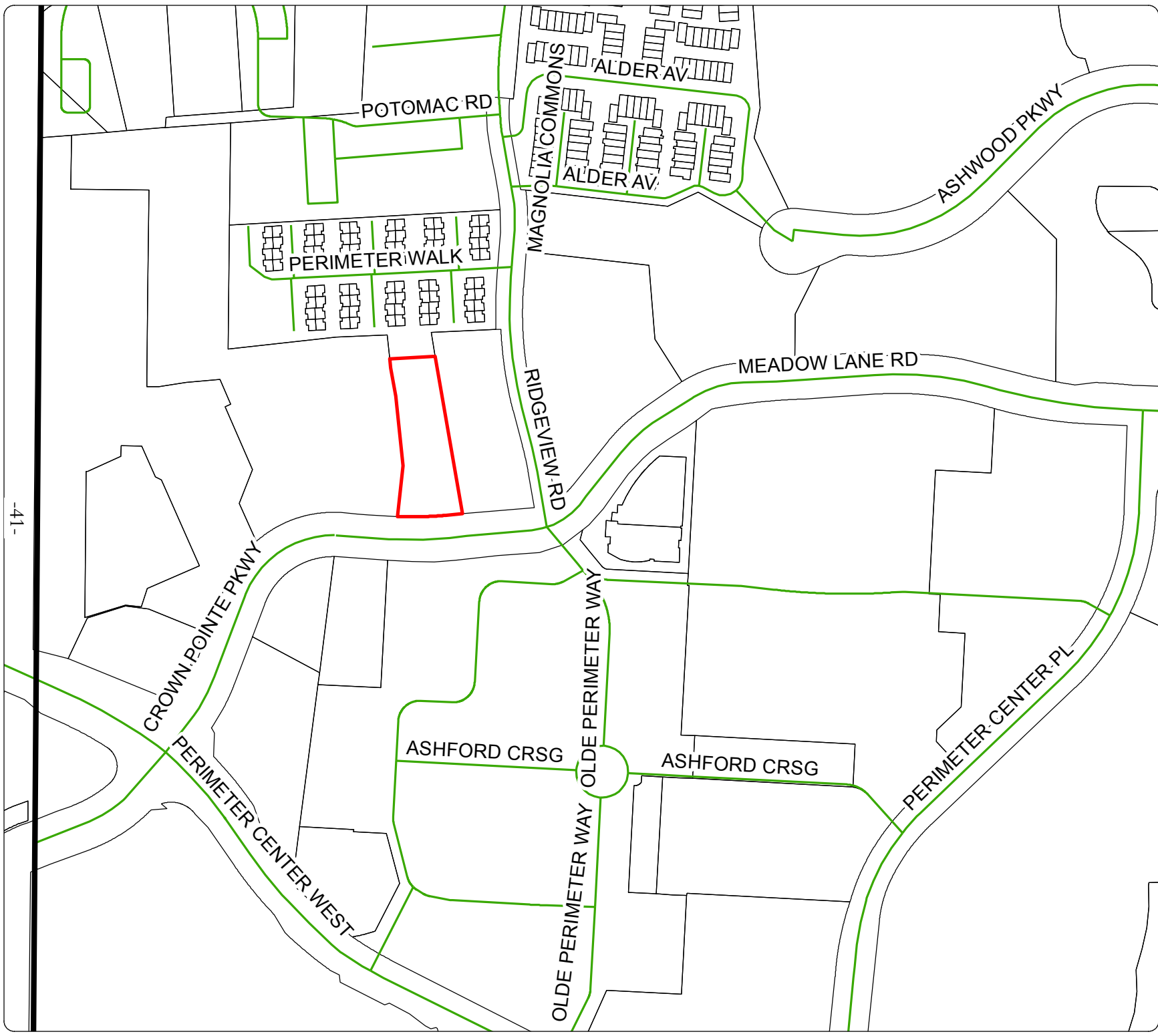
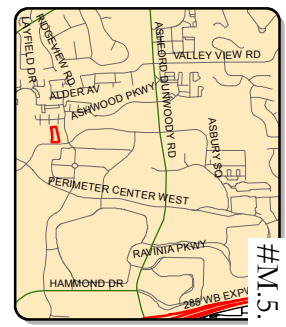
Site Location

March 2014

**Legend**

-  Street Centerlines
-  Parcels
-  City Limits

 Scale: 1"=300'  
(1:3600)



**1274 Crown Pointe Pkwy.**

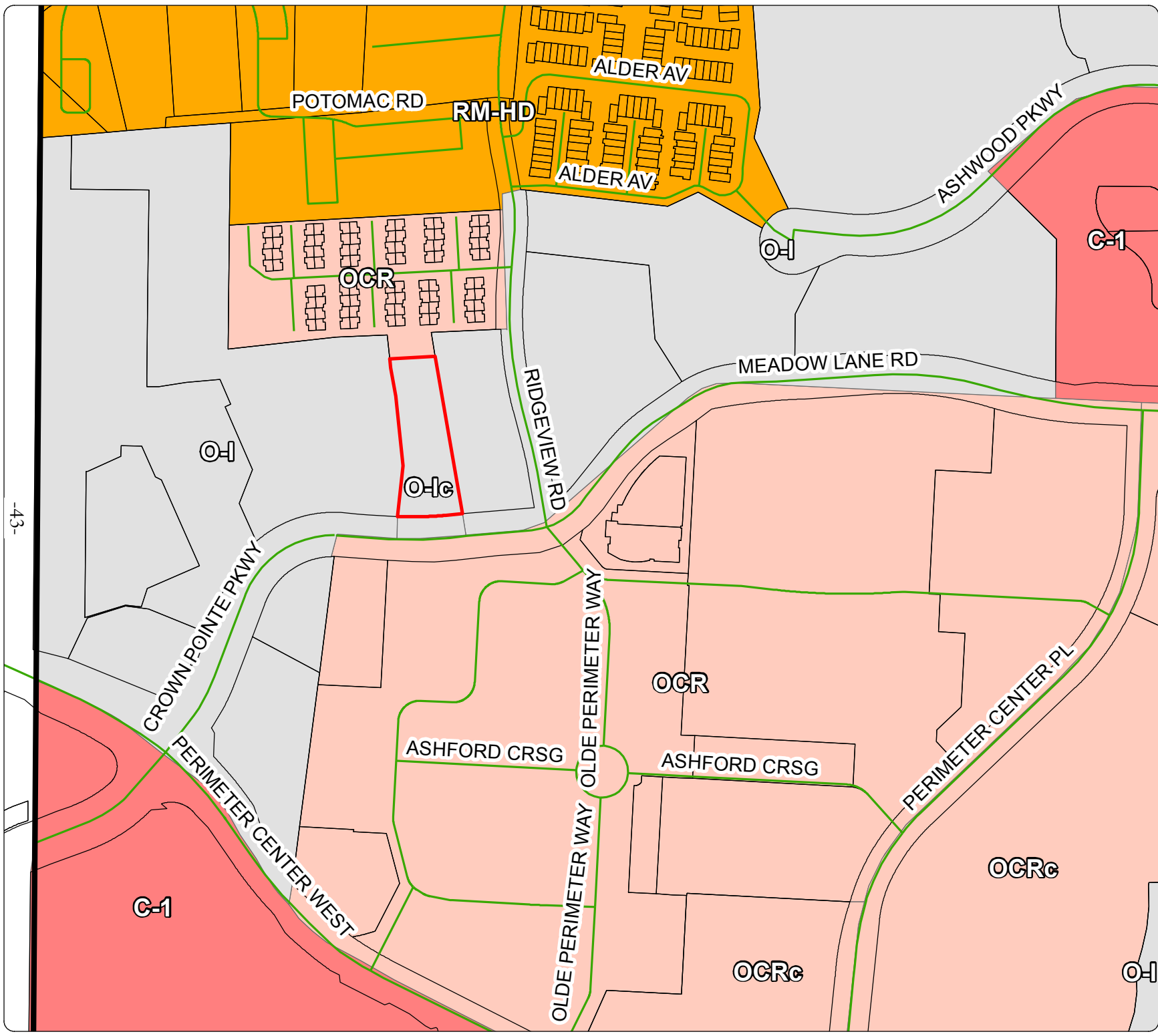
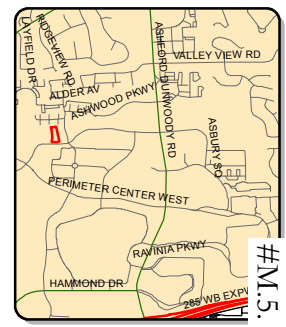
Zoning Districts

March 2014

**Legend**

- Street Centerlines
- Parcels
- City Zoning DISTRICT**
- General Commercial
- Industrial
- Local Commercial
- Multi Family Residential
- Multi-Family Residential
- Neighborhood Shopping
- Office-Commercial-Residential
- Office-Distribution
- Office-Institution
- Office-Institution-Transitional
- Pedestrian Community
- Planned Development
- Residential Community Development
- Single Family Cluster Residential
- Single Family Residential
- City Limits

Scale: 1"=300'  
(1:3600)



**1274 Crown Pointe Pkwy.**

Future Land Use

March 2014

**Legend**

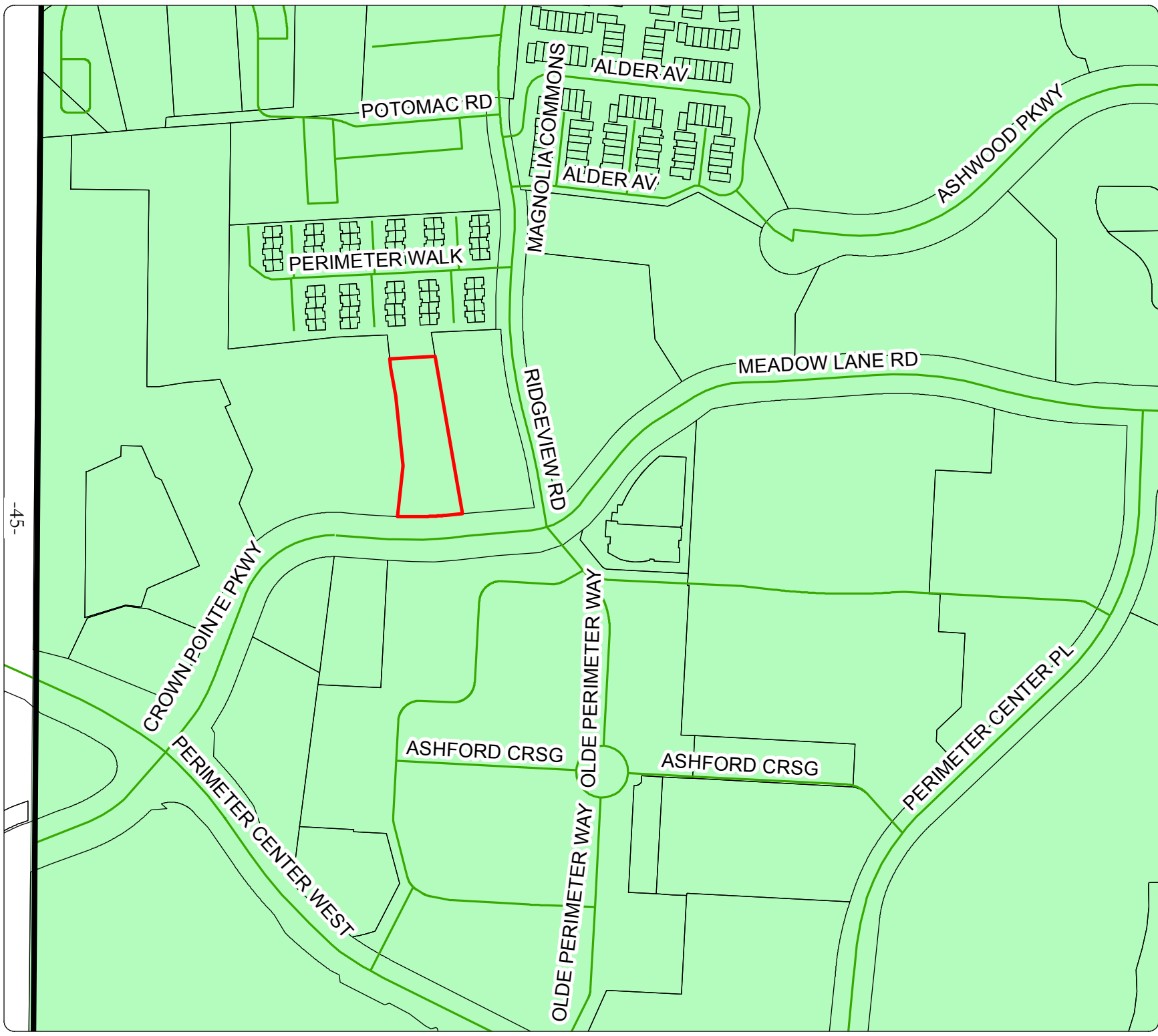
- Street Centerlines
- Parcels

**Future Land Use**

Name	Color
Community Facility/Water Treatment	Light Purple
Dunwoody Village	Light Blue
Georgetown-Shallowford Road	Medium Blue
Institutional/Campus	Pink
Jett Ferry Gateway	Yellow
Multi-Family/Mixed-Use	Light Orange
Office	Light Green
Perimeter Center	Light Green
Residential	Light Green
Tilly Mill Gateway	Pink
Winters Chapel Redevelopment Area	Light Blue
City Limits	Black Outline

Scale: 1"=300'  
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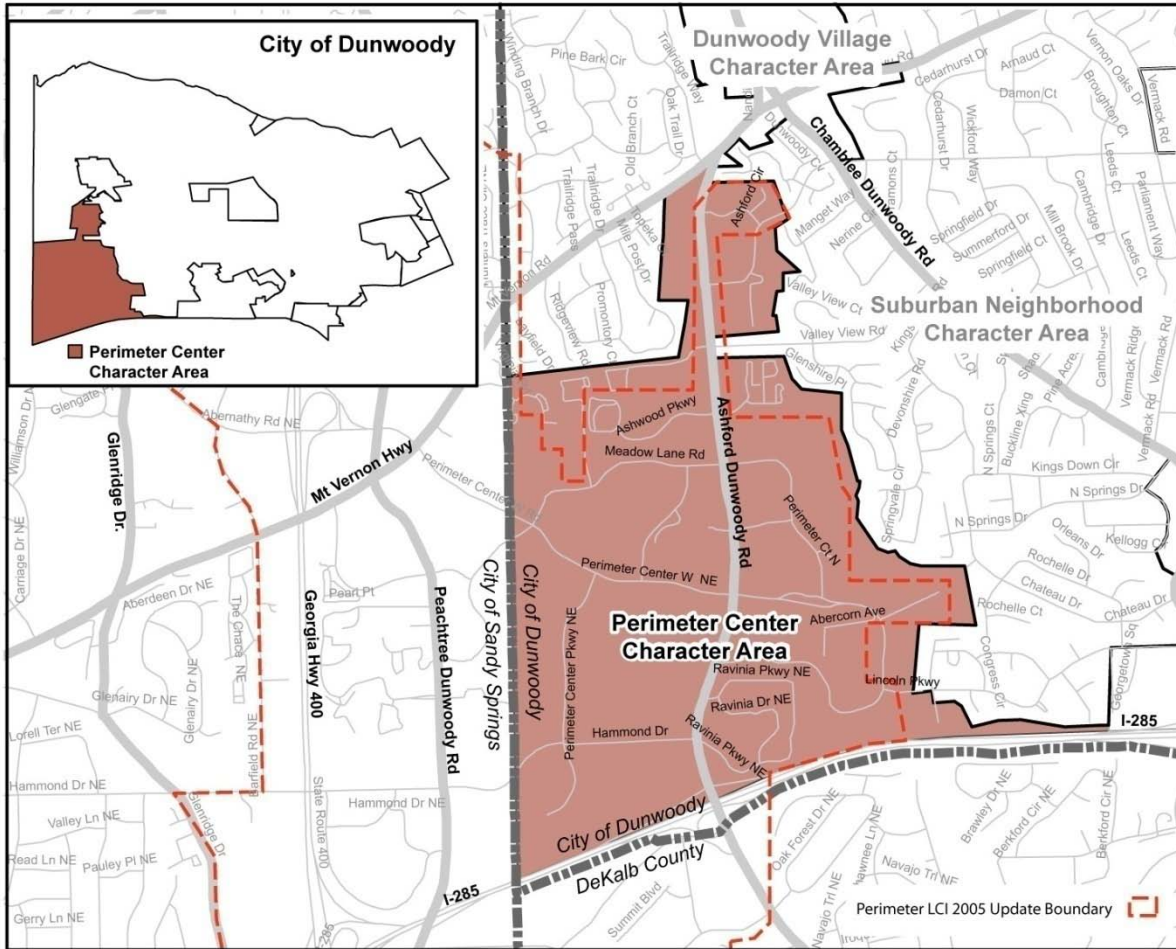




City of Dunwoody ■ Comprehensive Plan



Perimeter Center



Vision/Intent

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

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



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

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

### Future Development

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

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

#### *Outside the Perimeter CIDs/LCI:*

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



1999 parking lot conditions in the Perimeter Center area



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

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



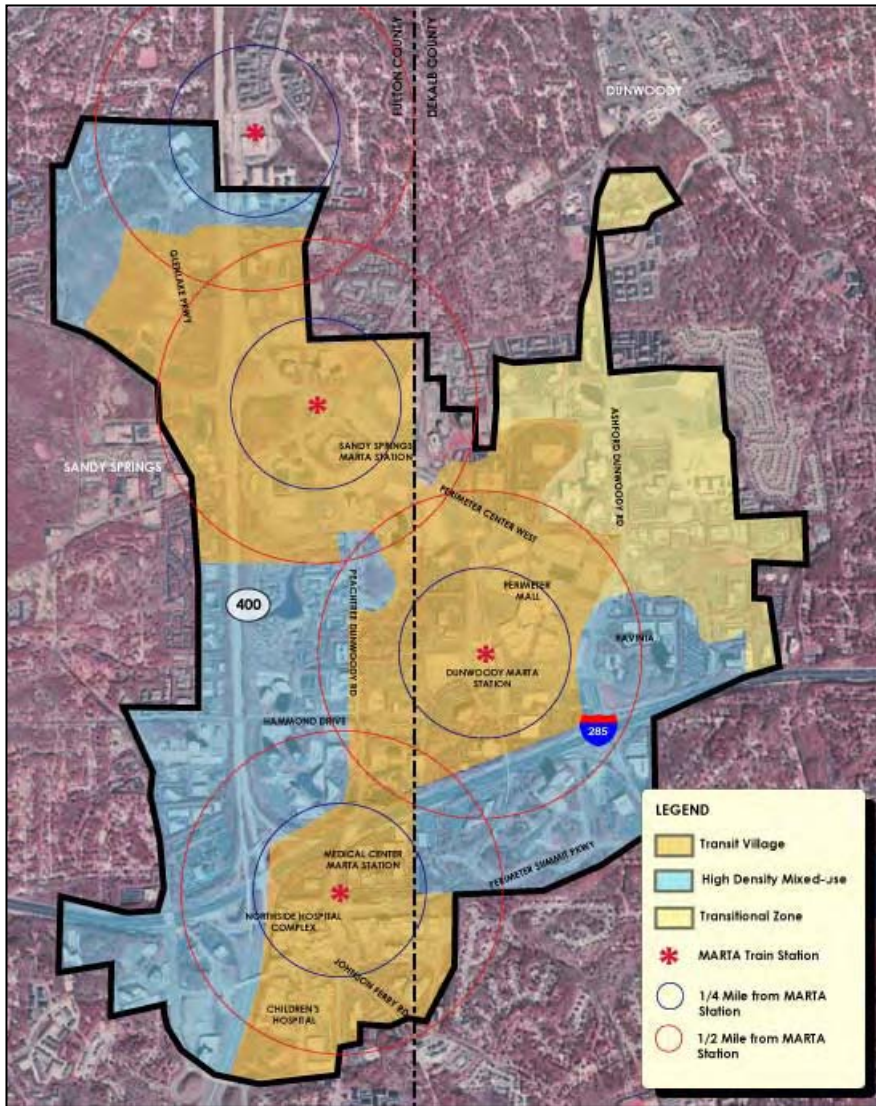


FIGURE 4: Perimeter Center LCI Framework Plan: development types

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

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



Zoned when the area was under unincorporated DeKalb County jurisdiction, several of the parcels located within the City's character area remain undeveloped. As actual market values adjust in the post-recession climate, the City anticipates opportunities to establish development regulations to provide appropriate recreation and open space amenities for the public, especially where open space potential is identified within the Perimeter LCI "Transit Village" and "Transitional" section described further below.

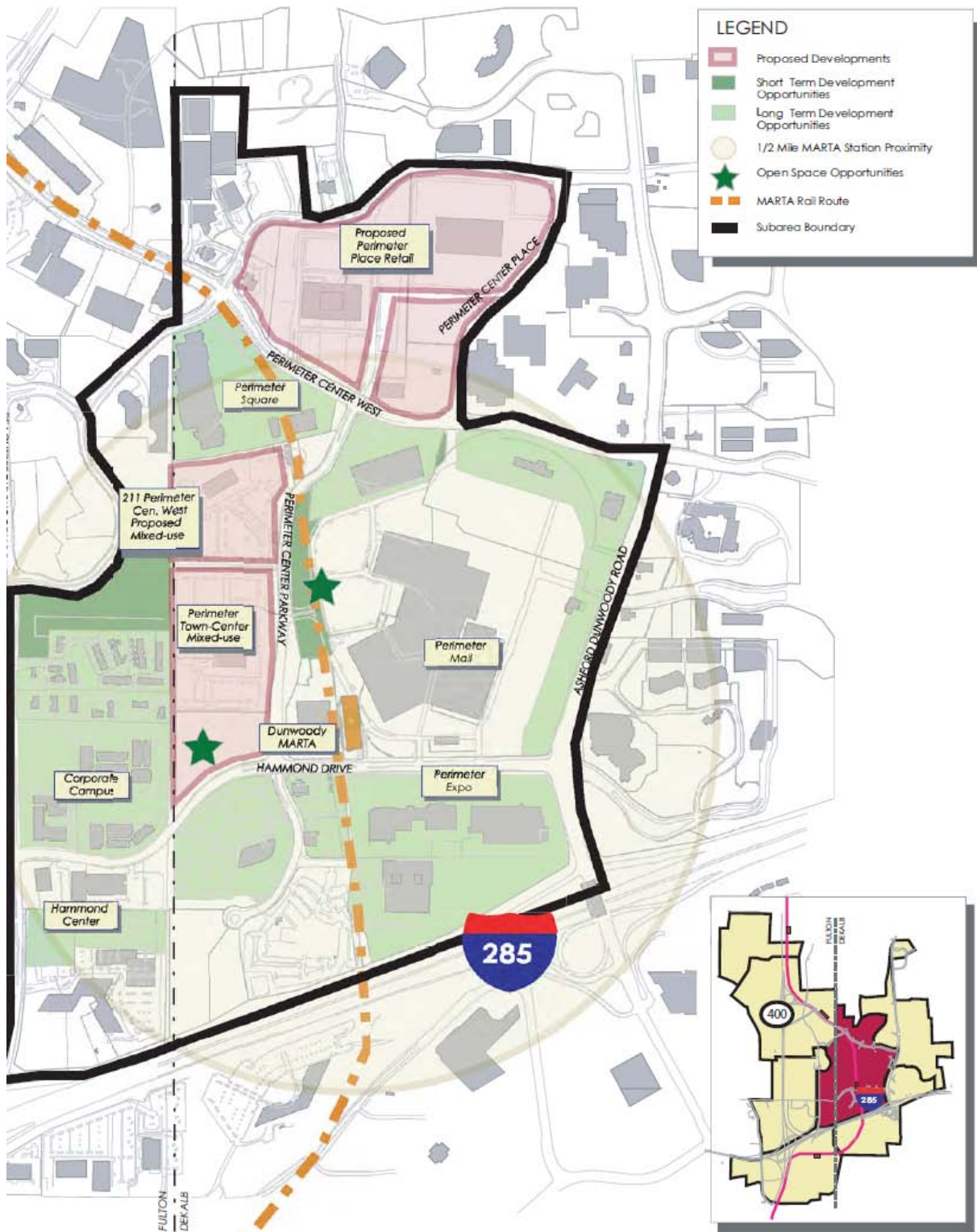


FIGURE 5: Development Opportunities





Perimeter Center - Transit Village:

Transit Village Sub-Area:

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

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

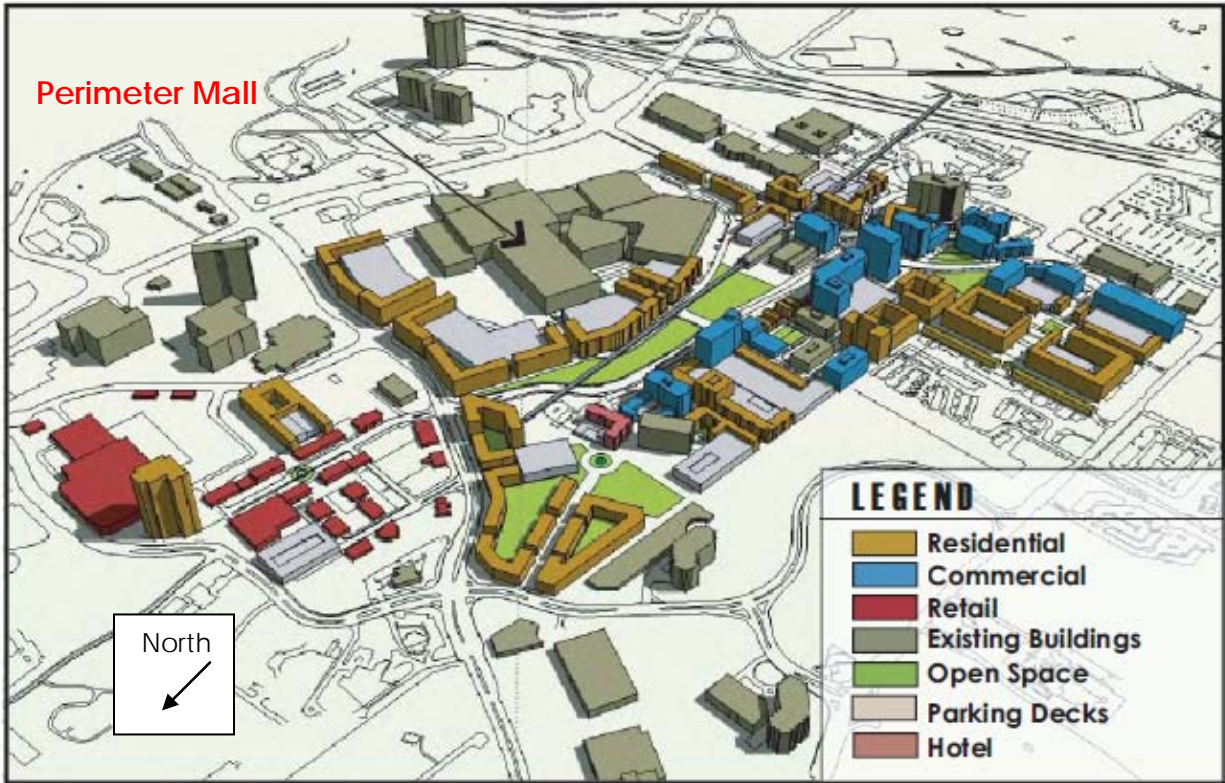


FIGURE 6: Plan-view Perimeter Center Parkway Build-Out with Linear Park and Green Space





**High-Density Mixed-Use sub-area:**

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

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



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

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

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

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

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

**Perimeter Center Transitional Sub-Area:**

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

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

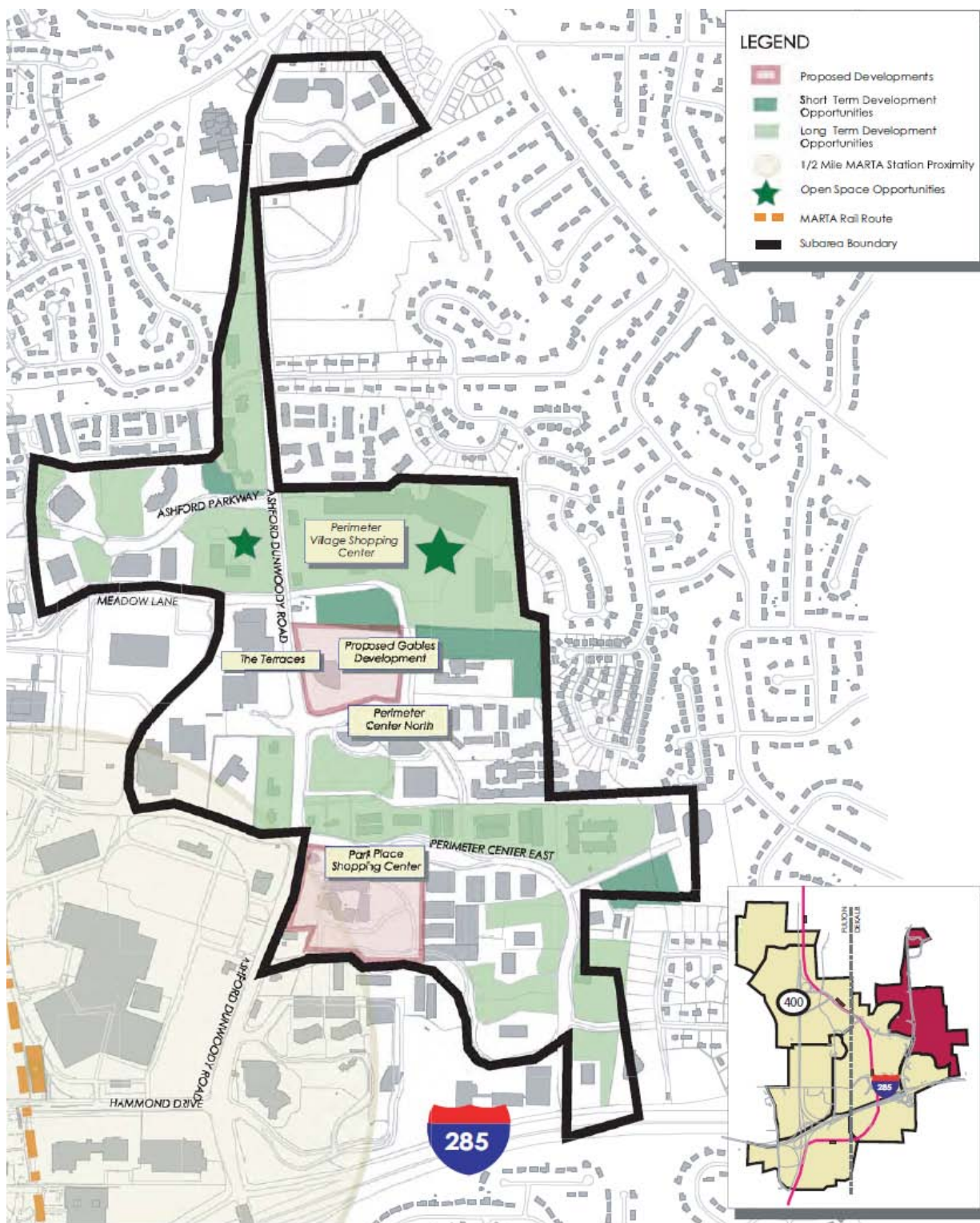


FIGURE 8: Development Opportunities, Transitional Zone (p 49, LCI Update 2005)





### Perimeter Center Character Area Goals

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



# AMENDMENT APPLICATION



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

**\* Applicant Information:**

Company Name: NitNeil Partners, LLC  
 Contact Name: Marian C. Adeimy, Attorney for Applicant  
 Address: 1960 Satellite Blvd., Suite 4000, Duluth, GA 30097  
 Phone: (678) 518-6855 Fax: (770) 286-9702 Email: madeimy@catlawfirm.com  
 Pre-application conference date (required): 3/6/14

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

Owner's Name: Crown Pointe Land Partners, LLC c/o Atlantic Realty Partners, Inc.  
 Owner's Address: 3438 Peachtree Road, NE, Phipps Tower, Ste. 1425, Atlanta, GA 30326  
 Phone: (404) 591-2900 Fax: (404) 591-2901 Email: bcurran@gocrp.com

**\* Property Information:**

Property Address: 1274 Crown Pointe Parkway, Dunwoody, GA Parcel ID: 1834901003  
 Current Zoning Classification: OI-C  
 Requested Zoning Classification: O+D (for climate controlled, indoor self-storage)

**\* 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: NitNeil Partners, LLC, by Marian C. Adeimy, Attorney for Applicant  
 Applicant's Signature: Marian C. Adeimy Date: 3-18-14

**\* Notary:**

Sworn to and subscribed before me this 18th Day of March, 2014  
 Notary Public: Ginger Conroy  
 Signature: Ginger Conroy  
 My Commission Expires: 8.25.15



# Additional Property Owner(s) Notarized Certification




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

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

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

Signature: [Signature], Authorized Agent Date: 3-12-14  
 Address: 3438 Peachtree Road, Suite 1425, Atlanta GA 30326  
 Phone: 404-591-2492 Fax: 404-591-2901 Email: bcurran@goarp.com  
 Sworn to and subscribed before me this \_\_\_\_\_ Day of March, 2014  
 Notary Public: [Signature]



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

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

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

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



# Campaign Disclosure Statement



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

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

\* Applicant / Owner: Crown Pointe Land Partners, LLC

Signature: <u>[Signature]</u> Authorized Agent	Date: <u>3-12-14</u>
Address: <u>3438 Peachtree Road, Suite 1425, Atlanta, GA 30326</u>	

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

Date	Government Official	Official Position	Description	Amount

# Campaign Disclosure Statement



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

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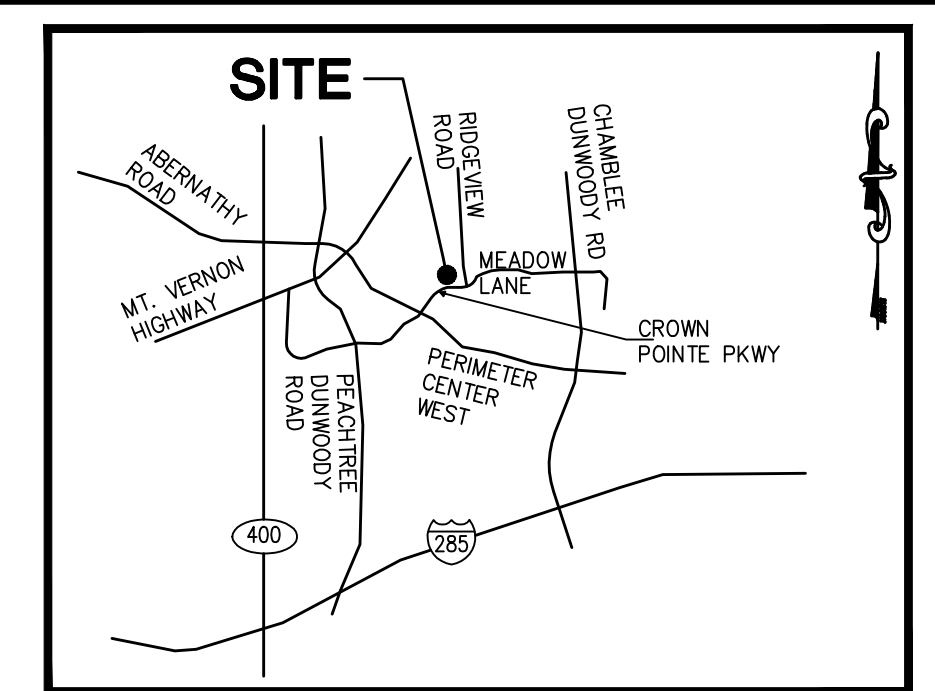
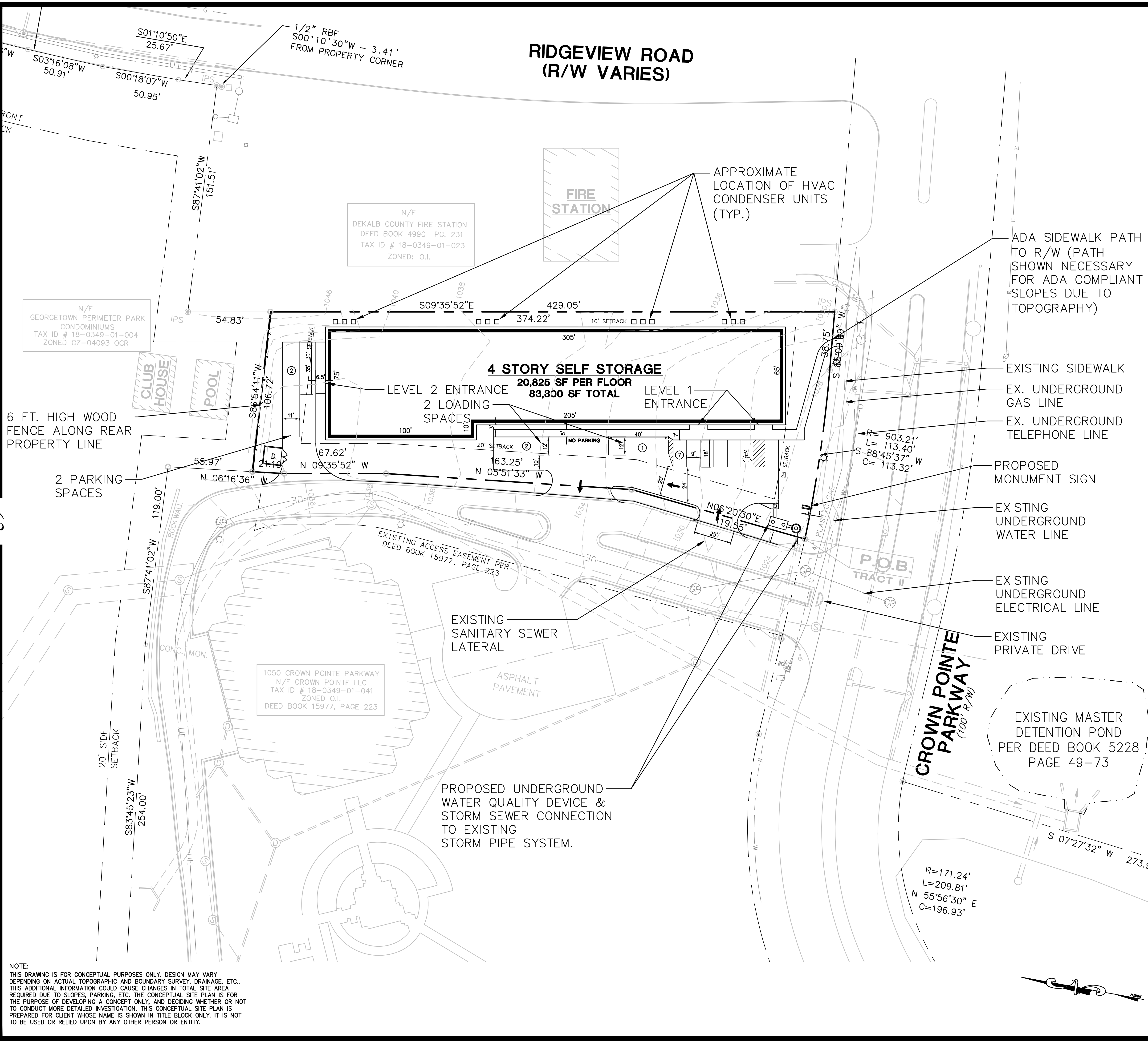
\* Applicant / Owner: NitNeil Partners, LLC

Signature: <u>Thaun C. J. [unclear], attorney for Applicant</u>	Date: <u>3-18-14</u>
Address: <u>1960 Satellite Blvd., Ste 4000, Duluth GA 30097</u>	

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

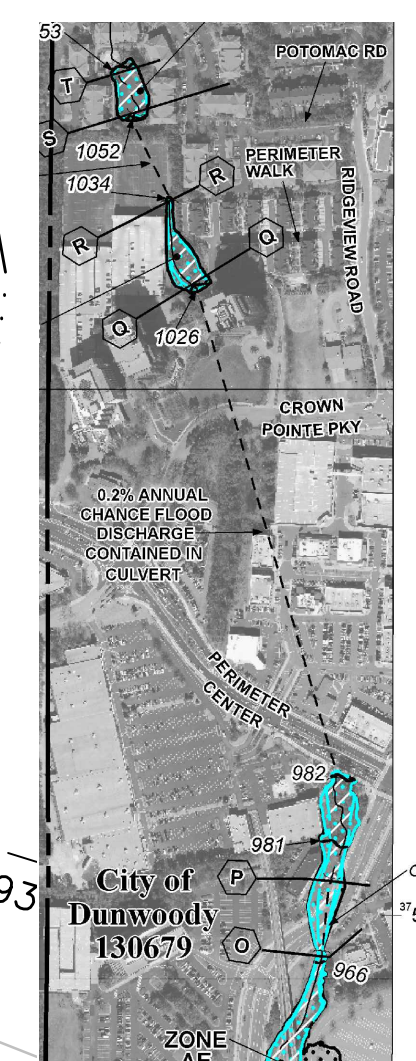
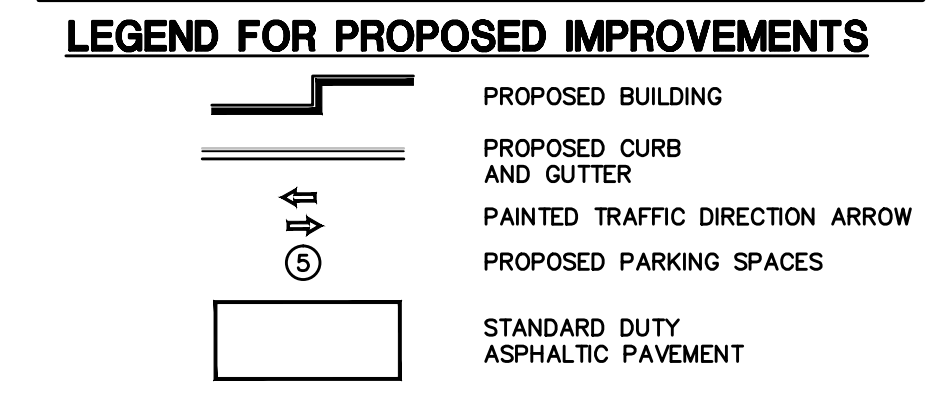
Date	Government Official	Official Position	Description	Amount





LOCATION MAP  
NOT TO SCALE

- NOTES**
- CURRENT ZONING: 0-1 (CONDITIONAL)  
PROPOSED ZONING: 0-D
  - REAR AND WEST SIDE SETBACKS BASED ON 0-D ZONING. FRONT AND EAST SIDE SETBACKS BASED ON APPROVED VARIANCES PER CASE# AV-0714133.
  - SITE AREA: 1.01938 ACRES  
1274 CROWN POINTE PARKWAY  
LAND LOT 349, DISTRICT 18, TAX ID: 0349-01-003  
LOT IS CURRENTLY VACANT
  - PROPOSED 4 STORY 83,300 S.F. SELF STORAGE BUILDING.
  - PARKING REQUIRED: 0.5 SPACES/1000 S.F. = 42 SPACES  
LOADING SPACES REQUIRED: 2 SPACES FOR >50,000 S.F.  
PARKING PROPOSED:  
10 PARKING SPACES (INCLUDING 1 ADA)  
2 LOADING SPACES  
12 TOTAL SPACES
- INDUSTRY TRADE ORGANIZATION DATA OF AVERAGE NUMBER OF SPACES AT A SELF STORAGE FACILITY BASED ON 2012 SELF STORAGE ALMANAC
- A. SOUTHEAST REGION: 10.9 SPACE AVERAGE  
B. NO. OF UNITS: 10.3 SPACE AVERAGE  
C. RENTABLE SQUARE FOOTAGE: 10.2 AVERAGE  
D. MARKET AREA: SUBURBAN - 11.5 AVERAGE  
E. FACILITIES BUILT AFTER 2006 - 12.1 AVERAGE
- CITY OF ATLANTA CODE REFERENCE: 1 SPACE PER 50 UNITS + 1 SPACE PER EMPLOYEE ON PEAK SHIFT.  
A. 562 UNITS @ 1 SPACE/50 UNITS = 11.24 OR 12  
B. 2 EMPLOYEES @ PEAK SHIFT = 2 SPACES  
CITY OF ATLANTA CODE WOULD REQUIRE 14 SPACES
- MAXIMUM IMPERVIOUS AREA ALLOWED: 80%  
PROPOSED IMPERVIOUS AREA: 77%
  - ACCORDING TO THE SURVEY, THIS SITE DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO NATIONAL FLOOD INSURANCE REPORT COMMUNITY PANEL NO: 13089 C 0011 J, DATED 05-16-2013



MAP SCALE 1" = 500'

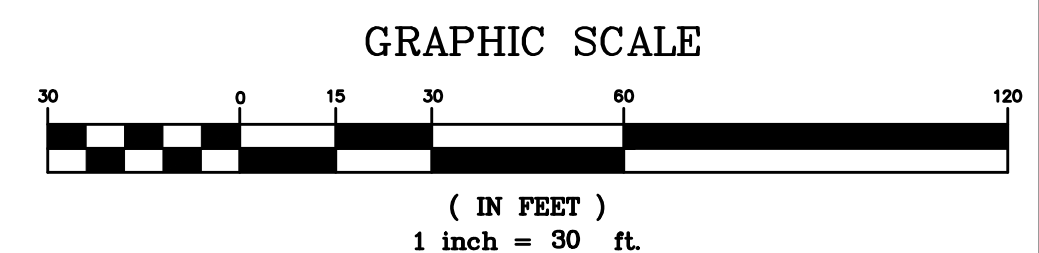
0 500 1000 FEET

0 500 1000 METER

**FIRM**  
FLOOD INSURANCE RATE MAP  
DEKALB COUNTY, GEORGIA  
AND INCORPORATED AREAS  
PANEL 11 OF 201  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

DATE: 05/16/2013  
MAP NUMBER: 13089C0011J  
MAP REVISED: MAY 16, 2013

# CONCEPTUAL SITE PLAN



**NOTE:**  
THIS DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DESIGN MAY VARY DEPENDING ON ACTUAL TOPOGRAPHIC AND BOUNDARY SURVEY, DRAINAGE, ETC. THIS ADDITIONAL INFORMATION COULD CAUSE CHANGES IN TOTAL SITE AREA REQUIRED DUE TO SLOPES, PARKING, ETC. THE CONCEPTUAL SITE PLAN IS FOR THE PURPOSE OF DEVELOPING A CONCEPT ONLY, AND DECIDING WHETHER OR NOT TO CONDUCT MORE DETAILED INVESTIGATION. THIS CONCEPTUAL SITE PLAN IS PREPARED FOR CLIENT WHOSE NAME IS SHOWN IN TITLE BLOCK ONLY. IT IS NOT TO BE USED OR RELIED UPON BY ANY OTHER PERSON OR ENTITY.

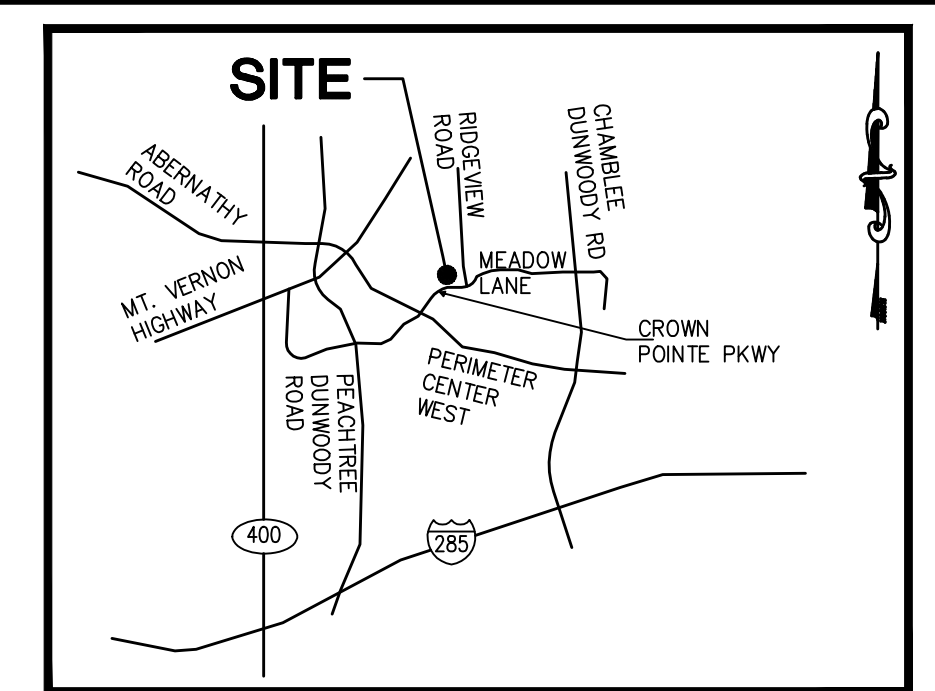
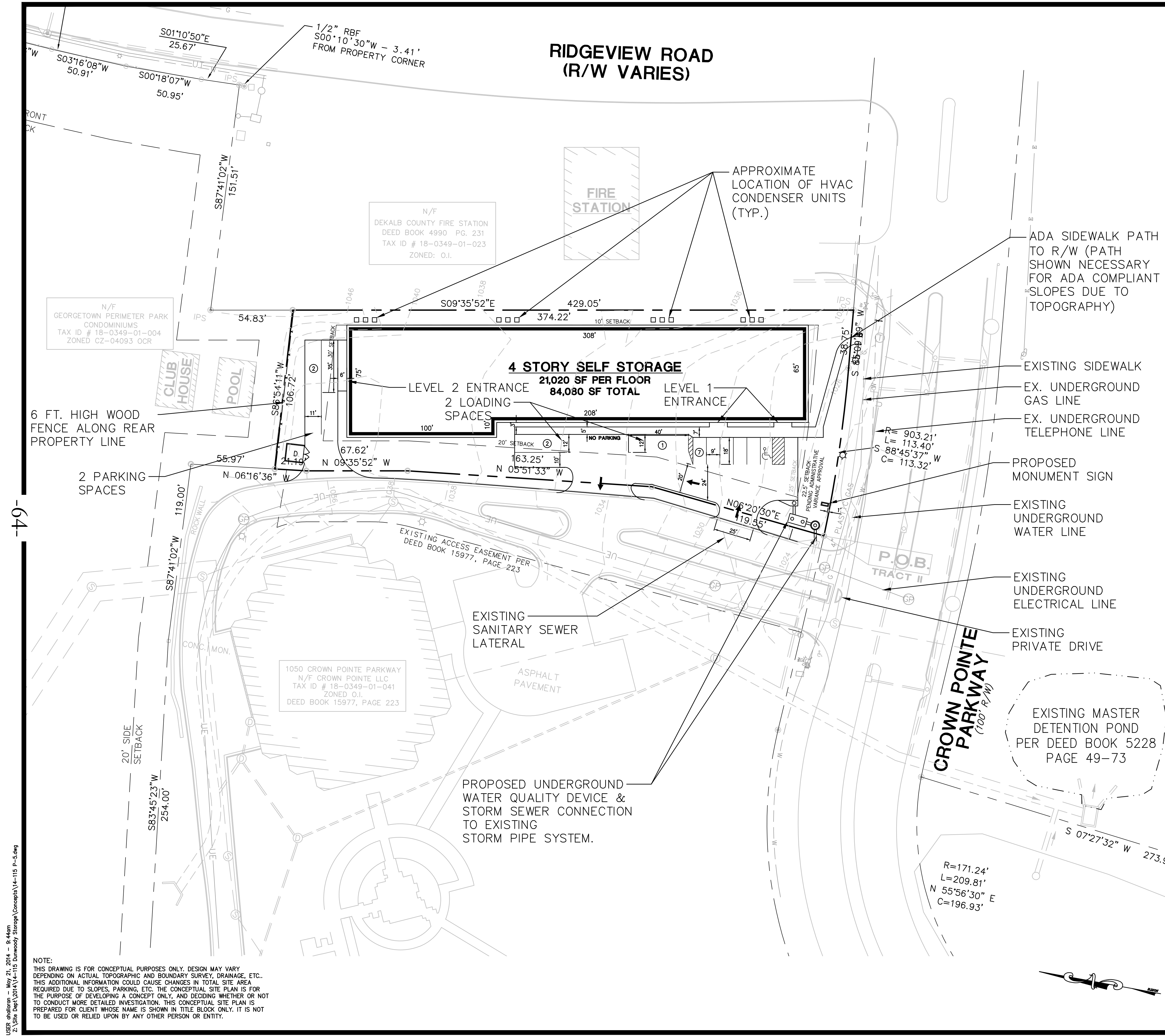
**Wolverton & Associates**  
Consulting Engineers + Land Surveyors  
6745 Sugarloaf Parkway • Suite 100 • Duluth, Georgia 30097  
Phone: (770) 447-8999 • Fax: (770) 447-9070  
www.wolverton-assoc.com

**Project Title**  
DUNWOODY STORAGE  
DUNWOODY, DEKALB COUNTY, GA  
**BY: NITNEIL PARTNERS**  
ATLANTA, GA 30309

REVISIONS	BY
04/22/2014	REVISOR
05/21/2014	REVISOR

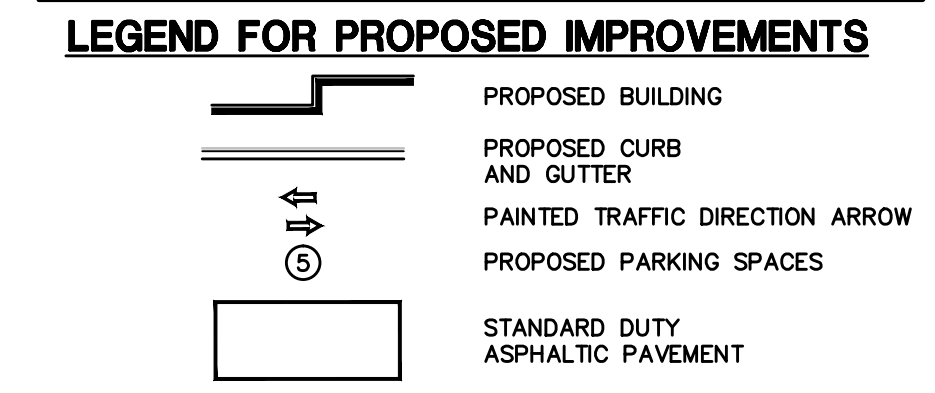
**DRAWN BY** DMN  
**CHECKED BY** AMH  
**DATE** 03/17/2014  
**SCALE** 1" = 30'  
**JOB No.** 14-115  
**SHEET No.** #1 OF 1





**LOCATION MAP**  
NOT TO SCALE

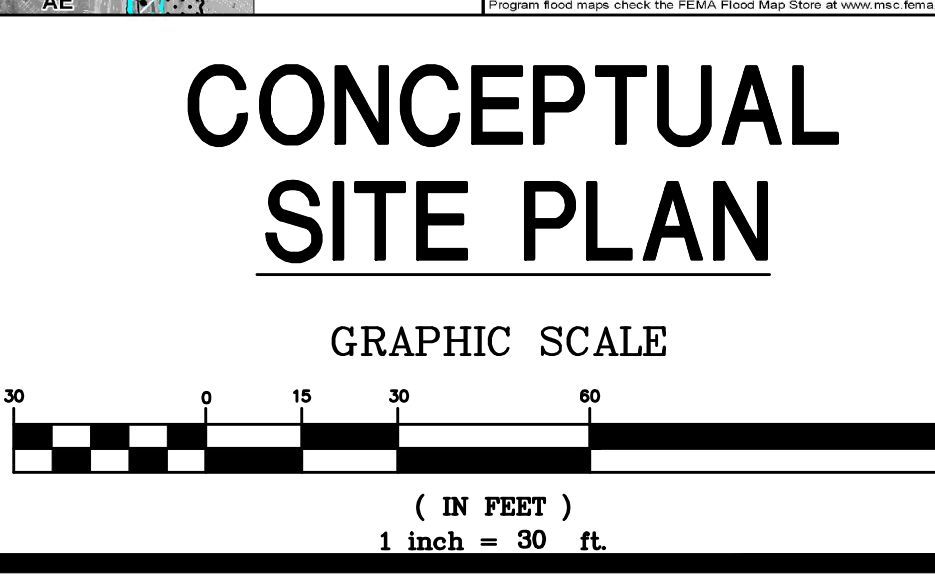
- NOTES**
- CURRENT ZONING: 0-1 (CONDITIONAL)  
PROPOSED ZONING: 0-D
  - REAR AND WEST SIDE SETBACKS BASED ON 0-D ZONING. FRONT AND EAST SIDE SETBACKS BASED ON APPROVED VARIANCES PER CASE # AV-0714133. PROPOSED FRONT SETBACK SUBJECT TO APPROVAL OF ADMINISTRATIVE VARIANCE FOR A 10% SETBACK REDUCTION.
  - SITE AREA: 1.01938 ACRES  
1274 CROWN POINTE PARKWAY  
LAND LOT 349, DISTRICT 18, TAX ID: 0349-01-003  
LOT IS CURRENTLY VACANT
  - PROPOSED 4 STORY 84,080 S.F. SELF STORAGE BUILDING.
  - PARKING REQUIRED: 0.5 SPACES/1000 S.F. = 42 SPACES  
LOADING SPACES REQUIRED: 2 SPACES FOR >50,000 S.F.  
PARKING PROPOSED:  
10 PARKING SPACES (INCLUDING 1 ADA)  
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12 TOTAL SPACES
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- A. SOUTHEAST REGION: 10.9 SPACE AVERAGE  
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**FIRM FLOOD INSURANCE RATE MAP**  
DEKALB COUNTY, GEORGIA AND INCORPORATED AREAS  
PANEL 11 OF 201  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

DATE: 05/16/2013  
MAP NUMBER: 13089C0011J  
MAP REVISED: MAY 16, 2013

Federal Emergency Management Agency



**Wolverton & Associates**  
Consulting Engineers + Land Surveyors  
6745 Sugarloaf Parkway • Suite 100 • Duluth, GA 30096  
Phone: (770) 447-8999 • Fax: (770) 447-5111  
www.wolverton-assoc.com

**Project Title**  
DUNWOODY STORAGE  
DUNWOODY, DEKALB COUNTY, GA  
BY: NITNEIL PARTNERS  
ATLANTA, GA 30309

REVISIONS	BY
04/22/2014	REVISED TO ADDRESS COMMENTS
05/21/2014	REVISED TO ADDRESS COMMENTS

**DRAWN BY** DMN  
**CHECKED BY** AMH  
**DATE** 03/17/2014  
**SCALE** 1" = 30'  
**JOB No.** 14-115  
**SHEET NUMBER**

**C001**  
OF SHEETS

USER: dhaloran - May 21, 2014 - 9:44am  
Z:\Site Dept\2014\14-115 Dunwoody Storage\Concepts\14-115 P-5.dwg



**RIDGEVIEW ROAD  
(R/W VARIES)**



PROPOSED LANDSCAPE SCREENING:  
MIX OF MIN. 10 TO 12 FOOT HIGH  
CRYPTOMERIA, NELLIE R. STEVENS  
HOLLY AND MAGNOLIA

N/F  
DEKALB COUNTY FIRE STATION  
DEED BOOK 4990 PG. 231  
TAX ID # 18-0349-01-023  
ZONED: O.I.

**4 STORY SELF STORAGE**  
21,150 SF PER FLOOR  
84,600 SF TOTAL

PROPOSED  
"SHARE THE ROAD" SIGN

APPROXIMATE LOCATION  
OF NEW BENCH AND  
TRASH RECEPTACLE

PROPOSED  
PEDESTRIAN  
LIGHT POLE

PROPOSED SHRUB BEDS  
WITH VARIETY OF GARISSA HOLLY,  
KNOCKOUT ROSE, LAROPETALUM  
SMALL FLOWERING TREE  
LITTLE GEM MAGNOLIA

PROPOSED  
ELM TREE  
(TYP)

EX.  
UTILITIES IN  
LANDSCAPE  
STRIP

PROPOSED  
PEDESTRIAN  
LIGHT  
POLE

EXCEPTIONS NOTED TO THE PCID GUIDELINES:  
EXISTING SIDEWALK PROPOSED TO REMAIN IN PLACE  
AND NO STREET TREES OR FURNITURE ZONE  
PROPOSED IN THE EXISTING LANDSCAPE STRIP  
BETWEEN THE EXISTING SIDEWALK AND CURB FOR  
THE FOLLOWING REASONS:

1. IT IS CONSISTENT WITH OTHER EXISTING  
SIDEWALKS ALONG THIS SIDE OF THE STREET.
2. THERE ARE EXISTING UTILITIES UNDER THIS AREA,  
WHICH ISN'T IDEAL FOR RE-GRADING, OR TREE  
PLANTING.
3. THERE IS A GRADE CHANGE ACROSS THE  
EXISTING LANDSCAPE AREA BETWEEN THE EXISTING  
CURB AND EXISTING SIDEWALK, WHICH WOULD NOT  
ALLOW FOR A FLAT AREA TO RETROFIT A FURNITURE  
ZONE.
4. FURNITURE IS PROPOSED ON BACK SIDE OF  
EXISTING SIDEWALK INSTEAD AND STREET TREES ARE  
PROPOSED ON BACK OF SIDEWALK INSTEAD ALONG  
WITH PRESERVING AN EXISTING STREET TREE.

NO PARKING

EXISTING TREES TO  
REMAIN, SITE  
GRADING WILL  
IMPACT ROOT ZONE  
(TYP)

EXISTING TREES TO  
REMAIN, SITE GRADING  
WILL IMPACT ROOT  
ZONE (TYP)

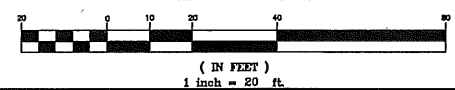
EXISTING ACCESS EASEMENT PER  
DEED BOOK 15977, PAGE 223

1050 CROWN POINT PARKWAY  
N/F CROWN POINT LLC

ASPHALT

**CONCEPTUAL  
LANDSCAPE PLAN**

GRAPHIC SCALE



**Wolverton & Associates**  
Consulting Engineers + Land Surveyors  
6745 Sugarleaf Parkway • Suite 100 • Duluth, Georgia 30097  
Phone: (770) 447-8999 • Fax: (770) 447-5070  
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Project Title  
**DUNWOODY STORAGE**  
**DUNWOODY, DEKALB COUNTY, GA**  
BY: **NITNEIL PARTNERS**  
**ATLANTA, GA 30309**

REVISIONS	BY
04/22/2014	REVISED
	TO ADDRESS COMMENTS

DRAWN BY **DMN**  
CHECKED BY **AMH**  
DATE **03/17/2014**  
SCALE **1" = 20'**  
JOB No. **14-115**  
SHEET NUMBER

**L001**  
OF 8 SHEETS

-65-

USER: chadler - Apr 22, 2014 - 8:29am  
Z:\Site Dept\2014\14-115 Dunwoody Storage\Concepts\14-115 P-3.09G

NOTE:  
THIS DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DESIGN MAY VARY  
DEPENDING ON ACTUAL TOPOGRAPHIC AND BOUNDARY SURVEY, DRAINAGE, ETC.  
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THESE DRAWINGS AND DESIGNS ARE THE PROPERTY OF STANARD ARCHITECTURE, INC. AND SHALL NOT BE REPRODUCED WITHOUT THE ARCHITECT'S PERMISSION. THEY WERE SPECIFICALLY PREPARED FOR THE SPECIFIC SITE IN CONNECTION WITH THE ISSUE DATE AND ARE NOT SUITABLE FOR USE ON A DIFFERENT PROJECT. DIMENSIONS MUST BE VERIFIED BY THE CONTRACTOR AND THE ARCHITECT NOTIFIED OF ANY DISCREPANCIES IMMEDIATELY. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE DRAWINGS. (DO NOT SCALE)

Dunwoody Self Storage  
Crown Pointe Parkway  
Dunwoody GA

**STANARD ARCHITECTURE, INC.**  
322 EAST MAIN STREET  
CARTERSVILLE, GA 30030  
770.486.0000  
STANARDARCH.COM

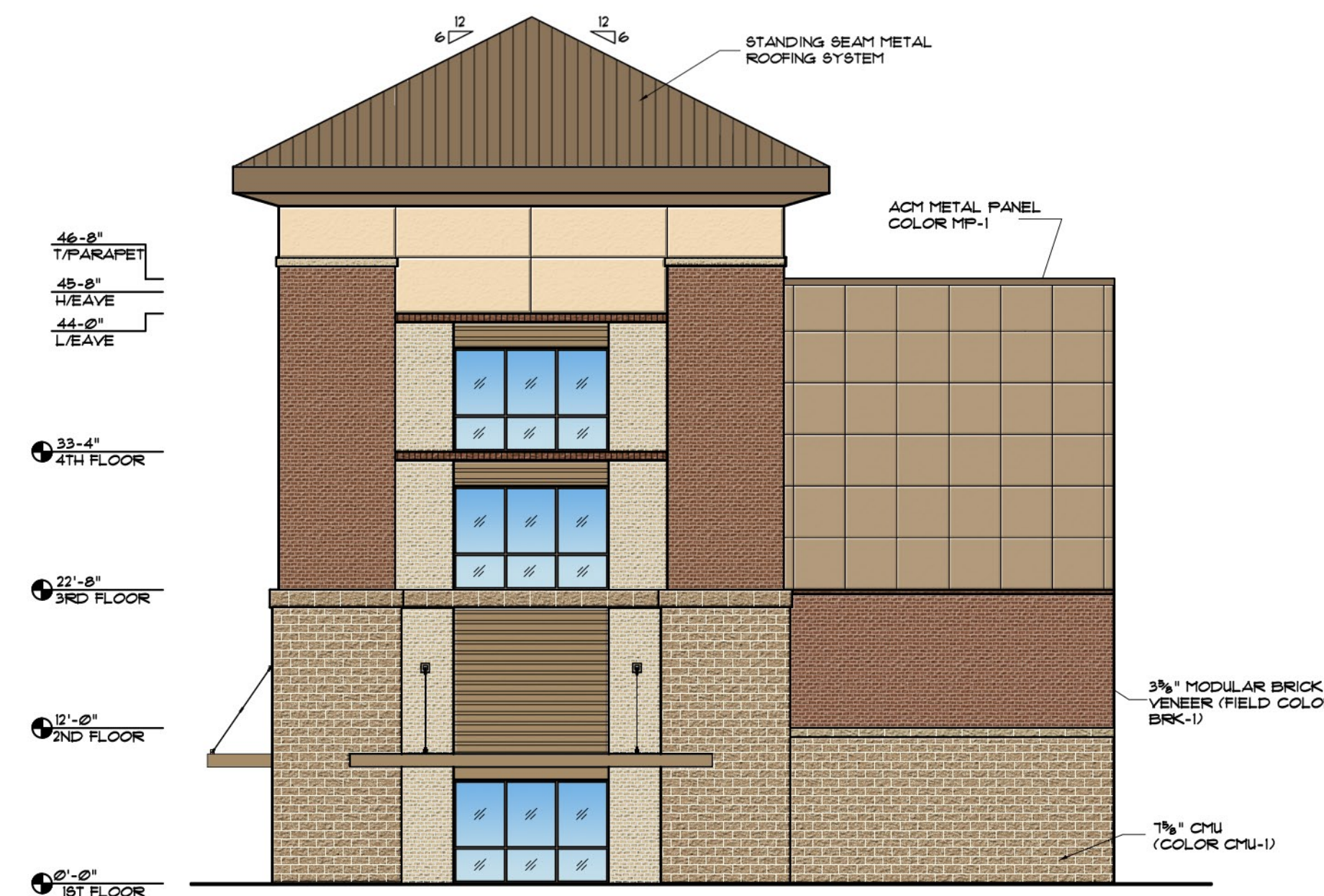
REVISIONS

PROJECT NUMBER  
2014  
DATE  
4-16-14

SHEET NUMBER  
**A1.1**



**1 SOUTH ELEVATION**  
SCALE: 3/32"=1'-0"



**2 WEST ELEVATION**  
SCALE: 3/32"=1'-0"



PRELIMINARY  
NOT FOR  
CONSTRUCTION

THESE DRAWINGS AND DESIGNS ARE THE PROPERTY OF STANARD ARCHITECTURE, INC. AND SHALL NOT BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF STANARD ARCHITECTURE, INC. THESE DRAWINGS ARE PREPARED FOR THE USE ON THIS SPECIFIC SITE IN CONJUNCTION WITH THIS PROJECT. ANY REUSE OF THESE DRAWINGS FOR ANY OTHER SITE OR AT A LATER TIME, ALL DIMENSIONS MUST BE VERIFIED BY THE CONTRACTOR AND THE ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION. DO NOT SCALE DRAWINGS.

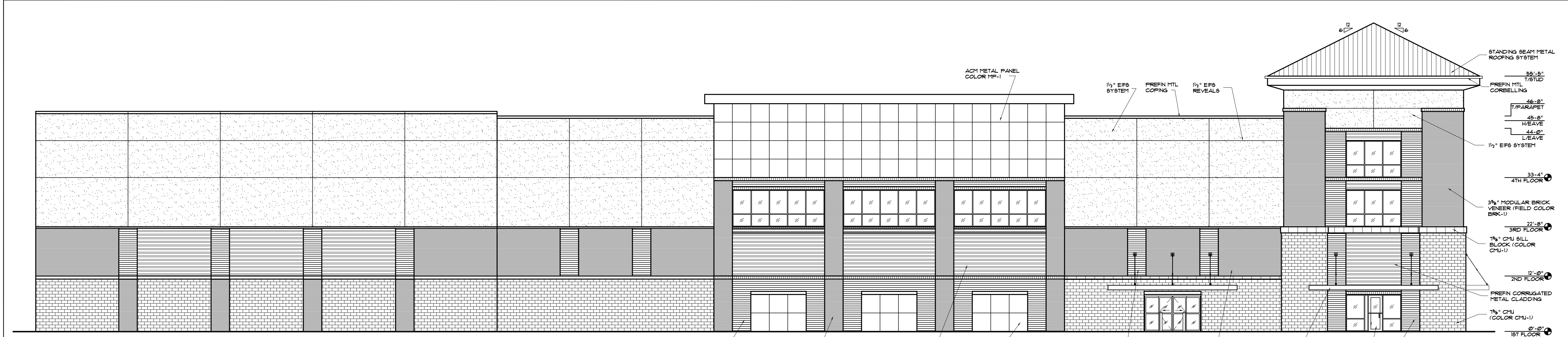
Dunwoody Self Storage  
Crown Pointe Parkway  
Dunwoody GA

**STANARD ARCHITECTURE, INC.**  
322 EAST MAIN STREET  
CARTERSVILLE, GA 30120  
770-252-7400 (F) 770-252-7444  
STANARDARCH.COM

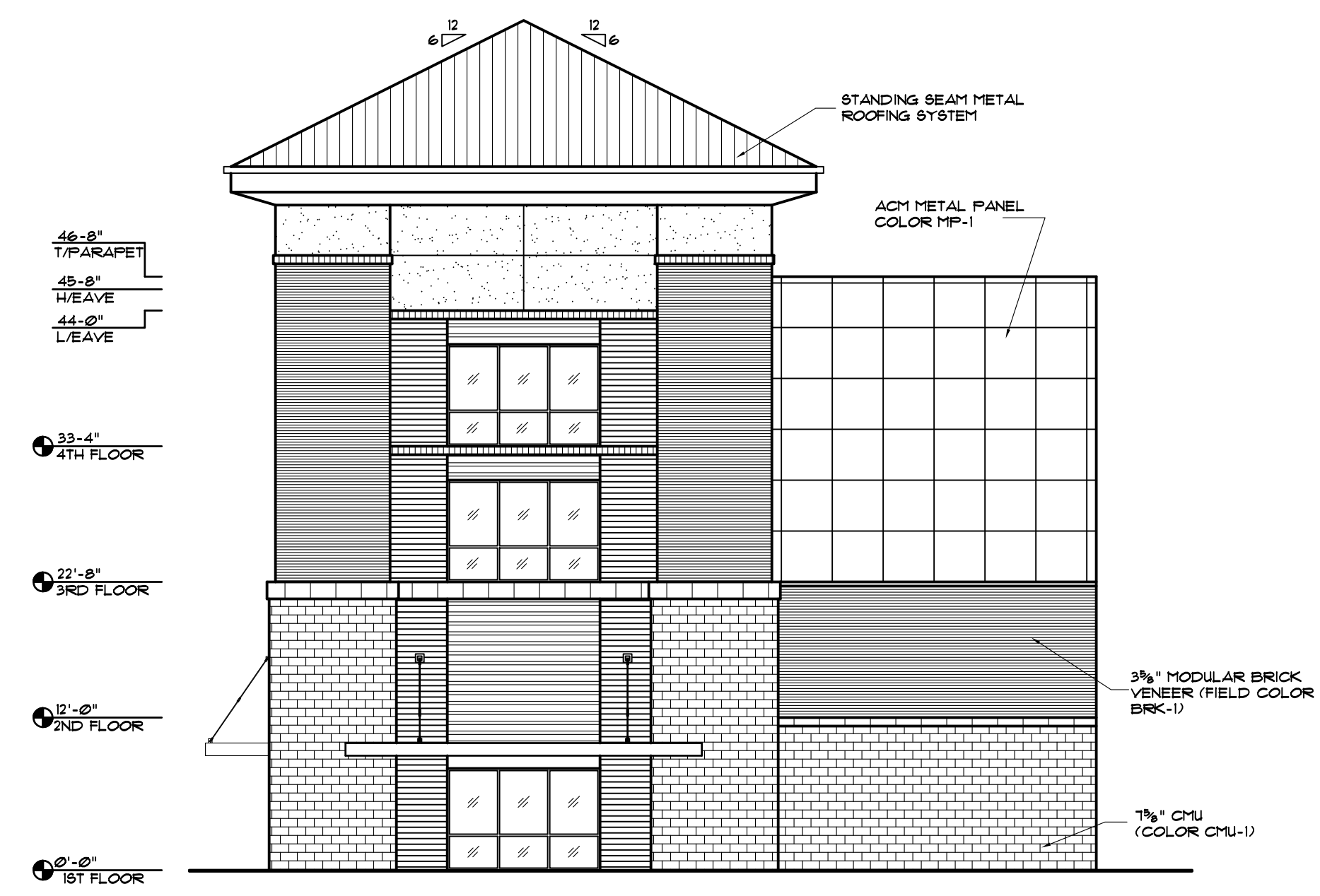
REVISIONS


PROJECT NUMBER  
2014  
DATE  
5-19-14

SHEET NUMBER  
**A1.#M.5.**



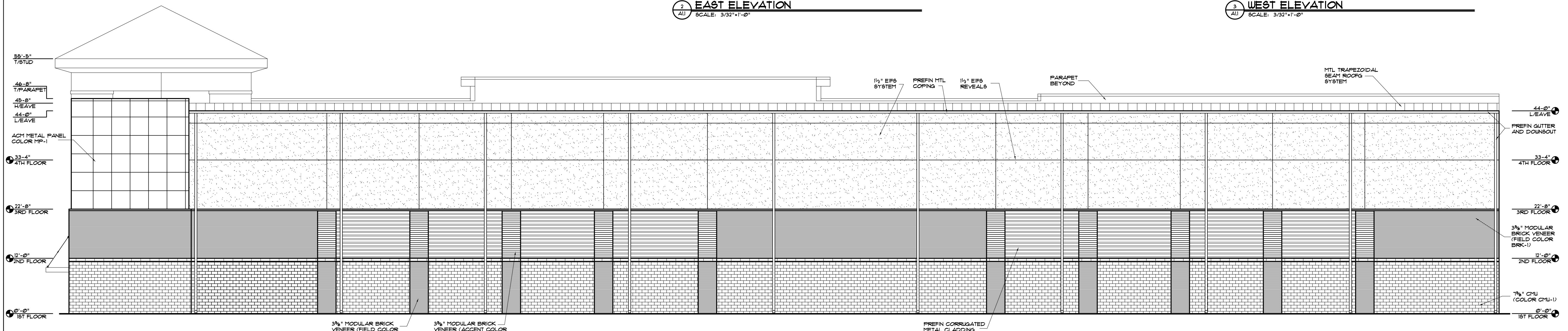
**1 SOUTH ELEVATION**  
SCALE: 3/32"=1'-0"



**3 WEST ELEVATION**  
SCALE: 3/32"=1'-0"



**2 EAST ELEVATION**  
SCALE: 3/32"=1'-0"



**4 NORTH ELEVATION**  
SCALE: 3/32"=1'-0"

PRELIMINARY  
NOT FOR CONSTRUCTION  
#5W

THESE DRAWINGS AND DESIGNS ARE THE PROPERTY OF STANARD ARCHITECTURE, INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF STANARD ARCHITECTURE, INC. THESE DRAWINGS WERE PREPARED FOR THE USE ON THIS SPECIFIC SITE IN CONJUNCTION WITH THIS PROJECT. THESE DRAWINGS ARE NOT INTENDED FOR USE ON ANY OTHER SITE OR AT A LATER TIME. ALL DIMENSIONS MUST BE VERIFIED BY THE CONTRACTOR AND ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION. DO NOT SCALE DRAWINGS.

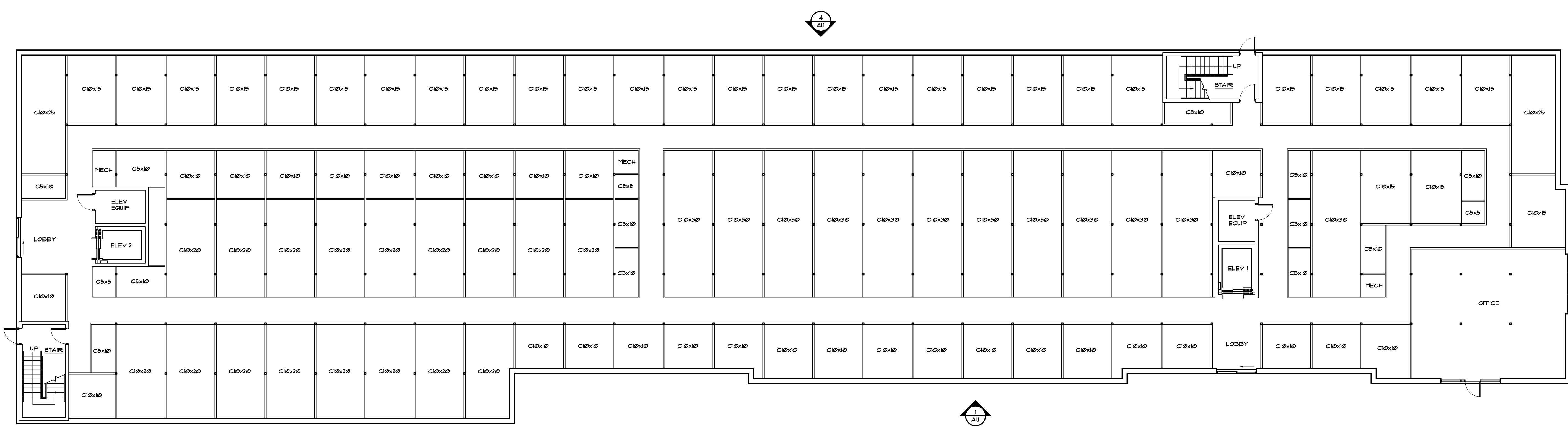
Dunwoody Self Storage  
Crown Pointe Parkway  
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322 EAST MAIN STREET  
CARTERSVILLE, GA 30120  
770-425-7400 (F) 770-425-7444  
STANARDARCH.COM

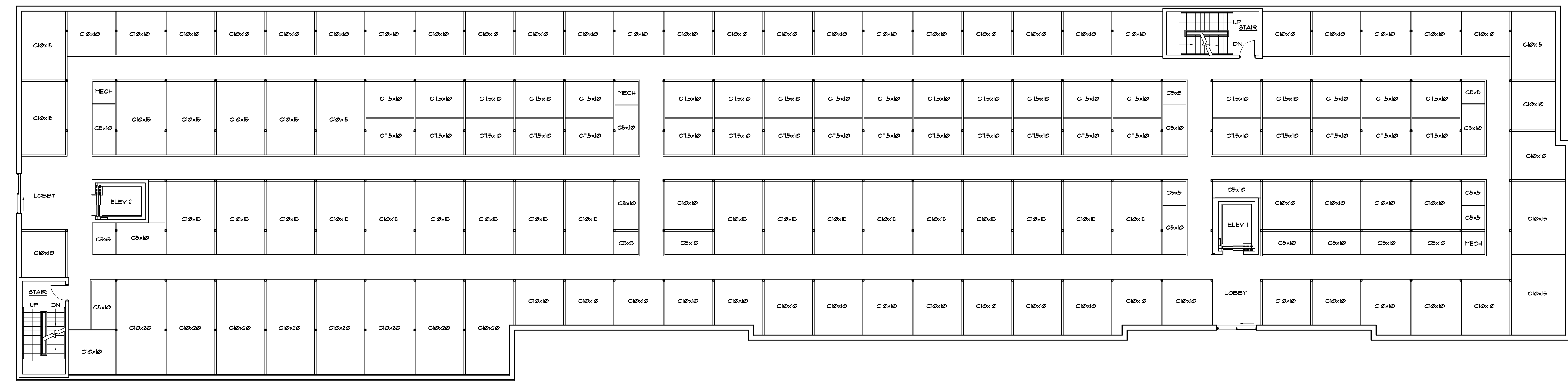
REVISIONS


PROJECT NUMBER  
2014  
DATE  
4-16-14

SHEET NUMBER  
**A1.2**



**1 FIRST FLOOR PLAN**  
SCALE: 1/8"=1'-0"



**2 SECOND, THIRD AND FOURTH FLOOR PLAN**  
SCALE: 1/8"=1'-0"

UNIT MIX TABULATION											
1ST-4TH FLOORS	GROSS SF	5x5	5x10	7.5x10	10x10	10x15	10x20	10x25	10x30	UNITS	TOTAL UNITS
UNITS		18	54	120	201	114	41	2	12	502	61650
TOTAL SF	85,832	450	2,160	9,000	20,100	17,100	8,200	500	3,600	61,650	NET RENTABLE
% UNITS		3%	10%	21%	36%	20%	7%	0%	12%	12%	EFFICIENCY
OFFICE	801									110	AVE SF/UNIT

# Site Information • 8

**S**elf-storage is a real estate venture. Although a well run self-storage site can produce a very reliable income stream, one of the best indicators of a storage facility's worth remains a function of the value of the real estate on which the business is built. As the old mantra goes, the three things that matter in property are location, location, location. For the self-storage industry, an excellent location is crucial not only in the valuation of the facility, but also in optimizing the potential of the day-to-day business operations.

A highly visible self-storage location may reduce the need for expensive advertising efforts. In a prominent, high-traffic spot, the physical building can act as a billboard for the business, increasing awareness among passersby and the community of the storage store. Properties situated along busy highways also enjoy the ability to place signage along especially prominent, well-traveled locations and can exploit the convenience they offer since they fall within many customers' day-to-day travel patterns.

However, even a property that at first glance appears to be a perfect fit for a self-storage facility may not be an excellent candidate for development. Besides a high traffic count property, several other factors are crucial in selecting a successful self-storage site. These include the shape of the plot, traffic patterns surrounding the site, current zoning laws, and overall market saturation.

## Feasibility And Demand Studies

With so many dynamics and details at play, self-storage professionals must commit time and resources to researching and analyzing properties under consideration. Developers

often solicit the advice of outside professionals to help them determine the feasibility of specific sites for self-storage development. It is important to remember that these demand analyses and feasibility studies are generally only the starting point in the self-storage development lifecycle. Other factors such as the specifics of the facility layout and included amenities must also be considered in order to realize a solid and successful investment.

## A HIGHLY VISIBLE SELF-STORAGE LOCATION MAY REDUCE THE NEED FOR EXPENSIVE ADVERTISING EFFORTS.

Many cities and municipalities require a minimum number of parking spots at self-storage properties. In addition, certain regulations, like accessibility features and access guidelines must also be considered. When development is complete, the parking area should be able to accommodate every customer who comes to the site without giving away too much valuable real estate space.

For 2011, the average number of parking spaces at self-storage properties across the U.S. came in at 12, up slightly from last year's average of 10.6. As expected, larger storage stores are equipped with more spaces to successfully accommodate all of their customers. Self-storage facilities with 1,000 or more units

for rent averaged 24 on-site parking spaces. At 10.6 per storage facility, the number of parking spots at urban self-storage stores was almost 12 percent lower than the national average. This stands to reason considering the comparative scarcity of land available for convenient parking in urban locations versus suburban and rural areas.

REGION Division	Average Number
<b>NORTH CENTRAL</b>	<b>9.6</b>
East North Central	9.0
West North Central	11.5
<b>NORTHEAST</b>	<b>14.5</b>
Middle Atlantic	14.4
New England	14.8
<b>SOUTH CENTRAL</b>	<b>10.6</b>
East South Central	12.2
West South Central	9.9
<b>SOUTHEAST</b>	<b>10.9</b>
South Atlantic	10.9
<b>WEST</b>	<b>14.3</b>
Mountain	18.4
Pacific	8.7
<b>NATIONAL</b>	<b>12.0</b>
<b>Number of Units</b>	
1 to 99	14.3
100 to 299	13.0
300 to 499	9.4
500 to 999	10.3
1,000 or more	24.0
<b>Rentable Square Footage</b>	
Less than 25,000	13.2
25,000 to 49,999	11.5
50,000 to 74,999	10.2
75,000 to 99,999	11.5
100,000 or more	10.4
<b>Market Area</b>	
Urban	10.6
Suburban	11.5
Rural	14.5
<b>Year Facility Built</b>	
Prior to 1981	18.6
1981 to 1985	12.5
1986 to 1990	10.1
1991 to 1995	9.3
1996 to 2000	12.3
2001 to 2005	11.5
2006 or after	12.1

**DEMAND ANALYSIS FOR DUNWOODY, GA**

1274 Crown Pointe Parkway, Dunwoody, GA

		Address	Distance	1 Mile	3 Mile
<u>DEMAND</u>					
2013 Population (a)		1274 Crown Pointe Parkway, Dunwoody GA		13,207	98,313
Demand SF / Person (b)				7.02	7.02
<b>Total Demand SF</b>				<b>92,713</b>	<b>690,157</b>
<u>SUPPLY</u>					
<b>Subject Property</b>		<b>1274 Crown Pointe Parkway</b>	<b>0.0 miles</b>	<b>60,550</b>	<b>60,550</b>
Dunwoody Self Storage		1105 Mt Vernon Hwy, Atlanta GA	0.8 miles	110,562	110,562
CubSMART Self Storage		4931 Ashford Dunwoody Rd, Dunwoody, GA	1.2 miles		47,420
SmartStop		6780 Roswell Road, Sandy Springs, GA	2.50 miles		73,500
<b>Total Supply SF</b>				<b>171,112</b>	<b>292,032</b>
<b>Excess Demand SF</b>				<b>(78,399)</b>	<b>398,125</b>
<i>Excess Demand / Person</i>				(5.94)	4.05

(a) Metric according to 2013 US Census Bureau Estimate

(b) Metric according to 2012 Self Storage Almanac



**Sec. 16-12.009. Minimum off-street parking requirements.**

The following parking requirements shall apply to all uses provided by special permit as well as permitted uses (see section 16-28.014. See also section 16-28.015 for loading requirements):

- (1) *Schools, colleges, churches, recreational or community centers and other places of assembly:* One space for each four fixed seats with 18 inches of bench length counted as one seat or one space for each 35 square feet of enclosed floor area for the accommodation of movable seats in the largest assembly room, whichever is greater, plus the following:
  - (a) *Public or private elementary or middle school:* Two spaces for each classroom.
  - (b) *High school:* Four spaces for each classroom.
  - (c) *Colleges and universities:* Eight spaces for each classroom.
- (2) *Nursing homes, convalescent homes, and similar care facilities:* One space per four beds.
- (3) *Child care centers, day care centers, prekindergarten, kindergarten, play and other special schools or day care centers for young children:* One space per 600 square feet of floor area. In addition to providing off-street parking, such establishments shall provide safe and convenient facilities for loading and unloading children, as approved by the director, bureau of traffic and transportation.
- (4) *Dwellings and lodgings:* Off-street parking requirements shall be as follows: See section 16-08.007, table I, for applicable ratios according to the appropriate floor area ratio.
- (5) *Banks, savings and loan institutions, and the like:* One space for each 200 square feet of floor area.
- (6) *Business colleges, trade schools, conservatories, dancing schools, and the like:* One space for each 200 square feet of floor area.
- (7) *Dormitories, fraternity houses and sorority houses.* One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.
- (8) *Clubs, lodges:* One space for each 200 square feet of floor area.
- (9) *Plumbing, tinsmithing, or cabinet shops, general service or repair establishments:* One space for each 200 square feet of floor area.
- (10) *Printing shops:* One space for each 200 square feet of floor area.
- (11) *Repair garages, paint and body shops:* One space for each 200 square feet of floor area.
- (12) *Car washes:* See section 16-28.021
- (13) *Drive-in establishments:* Section 16-28.021
- (14) *Hotels and motels:* One space per rental unit plus one-half space per employee; one space per 100 square feet of restaurant/lounge gross leasable area; one space per 300 square feet of other convention facilities (GLA).
- (15) *Temporary storage centers:* One space for each 600 square feet of floor area.
- (16) *Eating and drinking establishments:* One space for each 100 square feet of floor area. Where an eating and drinking establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be

required to have one space for each 75 square feet of floor area. Floor area shall include, in addition to those areas defined in section 16-29.001(13)(b), areas within the existing building footprint where walls have been removed and a permanent roof remains.

- (17) *Other uses*: One space for each 300 square feet of floor area.
- (18) *Single room occupancy residences*: One space for each two dwelling units plus one space for each employee.
- (19) *Accessory outdoor dining*: Limited to 25 percent of the total gross floor area of the building or business with no parking requirements, unless a greater number of spaces are required as a condition for a special use permit: over 25 percent must provide one space per 200 s.f. of the total accessory outdoor dining area including the 25 percent non-exempt floor area. Where an establishment derives more than 60 percent of its gross income from the sale of malt beverages, wine and/or distilled spirits, it shall be required to have one space for each 150 s.f. of the total accessory outdoor dining area including the 25 percent non-exempt floor area.
- (20) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.
- (21) *Secured-storage facilities*: One space per 50 individual units/compartments plus one space for each employee on the peak working shift.

(Code 1977, § 16-12.009; Ord. No. 1996-59, § 2, 8-26-96; Ord. No. 2002-26, § 5, 3-14-02; Ord. No. 2005-41(06-O-0381), §§ 11, 12, 7-12-05; Ord. No. 2008-62(06-O-0038), § 4C(2), 6C(1), 7-7-08; Ord. No. 2009-24(08-O-1251), § 2E(2), 6-9-09; Ord. No. 2009-61(09-O-1076), § 3(4), 10-13-09)

Atlanta, Georgia, Code of Ordinances >> PART III - CODE OF ORDINANCES—LAND DEVELOPMENT  
CODE >> Part 16 - ZONING >> CHAPTER 29. DEFINITIONS >>

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**CHAPTER 29. DEFINITIONS**

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Sec. 16-29.001. Application.

**Sec. 16-29.001. Application.**

For the purposes of this part, certain terms, words or phrases used herein shall be defined, and requirements, restriction or limitations applied as follows:

- (1) *General*: Except as clearly indicated by context or stated intent:

The present tense includes the future tense.

The singular number includes the plural and the plural the singular.

The word *shall* is mandatory, the word *may* permissive.

The word *lot* includes the word *plat* or *parcel*.

The word *land* includes the word *water* or *marsh*.

The words *used* or *occupied* include the words *intended*, *designed*, or *arranged to be used* or *occupied*.

The word *building* includes the words *intended*, *designed*, or *arranged to be used* or *occupied*.

The word *person* includes the words *firm*, *association*, *authority*, *organization*, *partnership*, *trust*, *company* or *corporation*, *owner*, or *authorized agent*, as well as *individual*.

The masculine gender includes the feminine gender.

- (2) *Accessory uses or structure*: A use or structure of a nature customarily and subordinate to the principal use or structure and, unless otherwise specifically provided or authorized, on the same premises. "On the same premises" means on the same lot or on a contiguous lot in the same ownership. Where a building is attached to a principal building, it shall be considered a part thereof, and not an accessory building.

- (a) *Accessory outdoor dining area*: Any area outside the gross floor area of the building or business where customers may be served, including but not limited to food or beverages, provided, however, that any attempt to enclose such outside area shall be construed to have a parking requirement as required for inside seating.

*Alley*: See section 16-29.001(21)(b).

*Apartment*: See "Dwellings, lodgings and related terms," section 12-29.001(10)(a).

- (3) *Adult businesses*:

- 8) Emergency exits shall be clearly marked.
  - 9) Direct pedestrian ingress and egress that does not require unauthorized use of other private property is required.
  - 10) Each facility shall provide one parking space per every four dwelling units plus two additional spaces to be used by facility staff with the exception of those facilities located in zoning districts which have no minimum residential parking requirements.
  - 11) All building, fire and housing code requirements related to occupancy limits shall be adhered to.
- (b) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as supportive housing and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without first complying with the requirements of subsection (a) above. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility.
- (c) If at anytime the certified operator ceases to operate or manage the facility, transfers responsibility or sells the property to another operator the new operator must acquire their certificate from the mayor's office of human services and meet the notice requirements of subsection (a)(1) above.
- (74) *Self-storage facility:* An enclosed structure(s) providing separate and individually accessible compartments/units each no greater than 800 square feet in floor area and leased or rented to the general public for the purposes of storing non-hazardous personal property of household goods and effects and not utilized for general commercial inventory.
- (75) *Secured-storage facility:* An enclosed climate-controlled and secured structure providing separate and individual compartments/units not visible from the adjacent private or public streets and each no greater than 400 square feet in floor area and leased or rented to the general public for the purposes of storing non-hazardous personal property of household goods and effects and not utilized for commercial inventory.
- (76) *Mixed-use storage facility:* An enclosed structure providing separate and individually accessible compartments/units each no greater than 400 square feet in floor area and leased or rented to the general public for the purposes of storing non-hazardous personal property of household goods and effects and not utilized for commercial inventory and meeting the following additional criteria:
- (i) Each compartment/unit must be exclusively accessible from the interior of the structure;
  - (ii) Climate-controlled;
  - (iii) Secured-access to the structure (other than front desk); and
  - (iv) At least ten percent of the total floor area of the site shall be used for one or more non-storage permitted uses specified in the applicable zoning district.
- (77) *Warehousing facility:* An enclosed structure(s) for the bulk storage of equipment and goods produced off-site and future distribution to other locations for the purposes of processing, retail or wholesale and not utilized for on-site wholesale or retail sales.
- (78)



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**Applicant NitNeil Partners, LLC's Letter of Intent  
 in Support of a Rezoning and Request for an Amendment to the Zoning Map,  
 Request for Special Land Use Permit, and related Variance Requests**

The Applicant, NitNeil Partners, LLC (hereafter, collectively the "Applicant"), submits this Application for rezoning and Amendment to the Zoning Map and Ordinance for the City of Dunwoody, Georgia, Special Land Use Permit, and requested variances for the vacant property, being 1.019 acres, Land Lot 349 of the 18<sup>th</sup> District of DeKalb County, Georgia, located at 1274 Crown Pointe Parkway, Dunwoody, Georgia (hereinafter, the "Property").

**Request for Rezoning**

The Property is currently zoned OI-C, Office-Institutional, with conditions, as rezoned on August 26, 2008 for a six-story hotel use. The Applicant seeks to rezone the Property to O-D, Office-Distribution, to develop the Property as a quality retail, climate-controlled self-storage use. The Applicant is experienced in developing similar storage uses throughout the country, including recent and current projects in Chattanooga, TN, Cary, NC, and in Inman Park (Atlanta). As recently presented by the Atlanta Regional Commission, the future growth of the Perimeter Center area includes a number of mixed-use projects, new corporations, and transitional, retirement, and multi-family housing options, all of which will require and benefit from a convenient self-storage option, with little to no impact on the surrounding uses.

The Property is located across the street from the Perimeter Center mixed-use development, zoned OCR. The property, office, and retail uses located across Perimeter Center West are zoned O-I and C-1, with a similar mix of office and commercial uses. The adjacent property includes a fire station and the Crown Pointe office building, both zoned O-I. In addition to the proposed driveway, it is understood that the Property also shares a private driveway easement with the Crown Pointe office building. The Applicant proposes a buffer and landscaping adjacent to the rear condominium property, zoned OCR, and access to the property can only be reached from Crown Pointe Parkway. The Applicant is in the process of contacting the neighboring condominium association, Crown Pointe property owner(s), and fire station contact to address and discuss the rezoning, special land use permit, and variance requests. The Applicant is flexible as to design and other details and looks forward to any input received.

The 2010 Comprehensive Plan specifically identifies the subject property for Office/Retail/Commercial uses, making the requested special use entirely consistent with the Land Use Plan. As reflected in the Comprehensive Plan, the Perimeter Center area is intended to support a true mixed-use area. As historically supported by infrastructure and services, including climate-controlled self-storage uses, "[t]he area creates the conditions of possible true "live-work" environment." Like the concept renderings and proposed materials and design, "[a]ll future development continues to emphasize high quality design standards and building materials and incorporates the current national best practices on energy efficiency, where possible."

In further support of the proposed self-storage use, the Comprehensive Plan states that the City of Dunwoody "recognizes the value of creating mixed-use, transit-oriented development within walking distance of public transit stations." The proposed storage use further supports the identified Transition, High-Density mixed-use, and Transit Village sub-areas within the Perimeter Center CID. The proposed, quality storage use will support the influx of businesses and residents, and promotes flexible growth consistent with the high-density nature of Perimeter Center.

The Applicant specializes in similar quality, self-storage uses. Two samples of prior storage developments are enclosed with this application. While they are flexible as to the design and materials, the Applicant proposes a similar quality development for this Property. The proposed use would also be designed to meet the Perimeter Center CID and City of Dunwoody's development standards and would be entirely consistent with the existing commercial, retail, and office corridor in which it is located. The Applicant proposes a site plan that is also in compliance with many of the existing conditions.

While creating additional tax revenue, self-storage facilities are a quiet, low-impact use. The proposed use will generate far less traffic than office, retail, or the previously approved hotel use. The Property is located on a secondary road with easy access to multiple routes and major roads, including I-285 and Georgia 400, with little to no impact on traffic. The property's close proximity to offices, multi-family, and future mixed-use plans makes the proposed use ideal in that it will serve those customers with minimal impact on traffic, existing congestion, and neighboring uses.

The concept site plan provides efficient circulation for ingress/egress, and allows for interparcel access. The Applicant's engineer, Wolverton & Associates, has reviewed access, the turning radius and parking to ensure that there is adequate industry standard parking, ingress, egress and space to accommodate the proposed use during peak hours. Circulation is shown on the proposed site plan, with one entrance and two options for existing the site. Additionally, because customer access takes place primarily after work hours or on weekends, the proposed storage use will have little to no impact on existing traffic.



### **Special Land Use Permit Request**

In conjunction with and in addition to the requested climate-controlled storage use permitted in the O-D zoning district, the Applicant also requests a Special Land Use Permit to provide for a four-story building. The Applicant believes this height request is consistent with the high rise buildings in the area, as well as the previously approved six-story hotel use. As reflected on the concept site plan, the Applicant plans on a 4-story, 84,600 square foot building, with a rental office and restrooms located at the front of the building. The remainder of the building will house private storage units, hallways, stairwells, and two large-scale elevators located at the front entrance, on level one, and the rear entrance, on level two. The existing topography provides for two ground-level entrances, promoting internal circulation and providing an added benefit to customers.

In further support of this request is the existing precedent and zoning conditions previously placed on this property in 2005 (allowing for a 4-story building) and in 2008 (SLUP 07-14033 and AV 07-14133) and allowing for a six-story hotel, a reduced front setback to 25 feet, and a reduced side setback from 20 to 10 feet, and reducing parking from 150 to 108 spaces.

The Applicant is also planning on filing a Variance Application, contingent on the approval of this rezoning and SLUP requests. The requested variances under the O-D zoning requirements include a variance request from the side setback requirements adjacent to the fire station, from 20 to 10 feet; a variance reducing the front setback to 20 feet from 75 feet required under O-D (compare to the 50 foot front setback required under O-I and OCR); and a variance to reduce parking space requirements due to the proposed use and limited, intermittent customer activity. The Applicant will submit trade organization parking data to support that requested variance and the minimal parking required.

The proposed use is consistent with the Comprehensive Plan for the City of Dunwoody, which identifies the Property as commercial, office, and mixed-use, and is consistent with the intent of the Zoning Ordinance for O&D uses. The property also has access to a public water supply, public sanitary sewer, and convenient access to collector streets, major thoroughfares and a major state highway. The Property has remained undeveloped due to its size, shape and location, and the current zoning district and conditions make the Property unmarketable with no reasonable, economic use.

The Applicant respectfully requests that the Mayor, City Council, Planning Commission, staff, and Zoning Board of Appeals recommend and approve the Applicant's requests for Amendment to rezone, Special Land Use Permit, and the stated Variances, to allow the property owner and Applicant to use the Property, and to minimize any impact on the surrounding area. The requested variances and proposed use effectively down-zone the subject property to a less intense use than the previously-approved hotel use, while providing the Applicant and property owner with a viable, economic use.



### **Constitutional and Statutory Justifications**

The portions of the Zoning Ordinance for the City of Dunwoody which classify or condition the Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are and would be unconstitutional in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of Dunwoody Zoning Ordinance, as applied to the Property, which restricts its use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the property owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant and property owner any economically viable use of the Property while not substantially advancing legitimate state interests.

The Property is presently suitable for development subject only to the approval of the requested rezoning amendment, special land use permit, and variances hereby requested by the Applicant, and is not economically suitable for development under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of any of the requested variances would constitute an arbitrary and capricious act by the Mayor, Council, and/or Zoning Board of Appeals without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Mayor, Council, and/or Zoning Board of Appeals to approve the Applicant's and property owner's requested rezoning amendment, special land use permit, and variances, with only such additional conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution.

Any rezoning, special land use permit, or variance related to the Property subject to conditions which are different from the requested variances and conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions as set forth hereinabove.

**Conclusion**

Thank you for your time and consideration of the Applicant's requests. Approval of these requests will result in a high-quality storage option for Dunwoody and Perimeter Center businesses and residents. The Applicant and its representatives welcome the opportunity to meet with the Mayor, Council, Planning Commissioners, ZBA, Director and Community Development staff to answer any questions. The Applicant respectfully requests your approval of these Applications.

Respectfully submitted this 18 day of March, 2014.

One Sugarloaf Centre  
1960 Satellite Boulevard, Suite 4000  
Duluth, Georgia 30097

  
\_\_\_\_\_  
Marian C. Adeimy  
Attorney for Applicant

**APPLICANT NITNEIL'S RESPONSE IN SUPPORT OF  
APPLICANT'S REQUEST FOR REZONING (AMENDMENT TO ZONING MAP)**

(A) WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN:

Yes. The 2010 Comprehensive Plan identifies the subject property for Office/Retail/Commercial uses, making the requested special use entirely consistent with the Land Use Plan.

As reflected in the Comprehensive Plan, the Perimeter Center area is intended to support a true mixed-use area. As historically supported by infrastructure and services, including climate-controlled self-storage uses, "[t]he area creates the conditions of possible true "live-work" environment." Like the concept renderings and proposed materials and design, "[a]ll future development continues to emphasize high quality design standards and building materials and incorporates the current national best practices on energy efficiency, where possible."

Storage uses historically support high-density, mixed-use areas, as evidenced by the Applicant's recent development of similar, quality storage uses in the high-occupancy areas of Chattanooga, TN and Inman Park (Atlanta). In further support of the proposed storage use, the Comprehensive Plan states that the City of Dunwoody "recognizes the value of creating mixed-use, transit-oriented development within walking distance of public transit stations." The proposed storage use further supports the identified Transition, High-Density mixed-use, and Transit Village sub-areas within the Perimeter Center CID. The proposed, quality storage use will support the influx of businesses and residents, and promotes flexible growth consistent with the transient, high-density nature of Perimeter Center, as set forth in the Comprehensive Plan.

(B) WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTIES:

Yes. The subject property is located in the Perimeter Center office, retail and mixed-use area, near Georgia Highway 400 and I-285, both major thoroughfares and commercial corridors. The proposed climate controlled personal storage facility is consistent with the use and development of adjacent and nearby properties, a majority of which includes high-rise office space, high-rise condominium, and retail. The proposed self storage facility would also be a far less intensive use than traditional commercial/retail uses from the standpoint of generating far less traffic, noise, sewer and other impacts.

The proposed development is appropriate for property located in a major commercial corridor, and is entirely consistent with the use and zoning of the

properties located on this portion of Perimeter Center, including the service and fire station and multiple high-rise office buildings. The requested rezoning, to O-D and surrounded by similar office and commercially zoned property, proposes a use that is ideally suited to and consistent with adjacent and nearby property. The previous zonings as OCR and O&I, for commercial and hotel uses, further support this request.

This request will be an attractive, high-quality and unobtrusive self-storage facility with far fewer adverse impacts than the currently approved office and institutional uses for this property (including the previously approved hotel). In addition to supported mixed-use areas like Perimeter Center, storage facilities are naturally quiet, minimally-utilized uses.

C) WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The existing narrow configuration and other factors make development of the entire property under the current zoning extremely difficult, if not impossible. Prior projects have fallen through as a result. In light of these factors, the subject property has very little economic value as currently zoned and almost no reasonable economic use.

(D) WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed use will have no impact on the adjacent office and fire station uses, used primarily during the day. Self-storage uses are used on a minimal basis, typically after work hours and on weekends. Due to the sporadic customer use, the Applicant is requesting a large parking reduction to accommodate the limited number of vehicles expected, which, in turn, will minimize the impact, if any, on the adjoining properties.

The proposed self-storage facility would also be a far less intensive use than traditional office/commercial/retail uses from the standpoint of generating far less traffic, noise, sewer and other impacts. As the proposed development is appropriate for property, located in a secondary commercial corridor, and is entirely consistent with the use and zoning of the properties located in Perimeter Center. This request will be an attractive, high-quality and unobtrusive self-storage facility with far fewer adverse impacts than the currently approved office and institutional uses for this property (including the previously approved hotel).



- (E) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL:

Yes. (1) the location of the subject property near major roads and a high-density, mixed-use area; (2) the location adjacent to high-rise office uses and fire station; and (3) the size and configuration of the subject property make use and development for anything other than the requested self-storage facility difficult if not commercially impossible.

- (F) WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT HISTORIC BUILDINGS, SITES, DISTRICTS, OR ARCHAEOLOGICAL RESOURCES:

No. The Perimeter Center area is made-up almost entirely of new, high-rise and commercial construction, and the proposed design is intended to be compatible and consistent with the design and aesthetics of the area. In further support of this request is the existing precedent and zoning conditions previously placed on this property in 2005 (allowing for a 4-story building) and in 2008 (SLUP 07-14033 and AV 07-14133) and allowing for a six-story hotel, a reduced front setback to 25 feet, and a reduced side setback from 20 to 10 feet, and reducing parking.

- (G) WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. The proposed self-storage facility would also be a far less intensive use than traditional office/commercial/retail uses from the standpoint of generating far less traffic, noise, and impact on utilities and sewer. Public water and sewer is readily available as needed and little to no utility infrastructure is required.

The subject property is located in the Perimeter Center office, retail and mixed-use area; on a secondary commercial corridor with ample access and multiple routes to Georgia Highway 400 and I-285, both major thoroughfares and commercial corridors. The requested rezoning will actually have far less impact on existing streets, transportation facilities and utilities than the currently approved office/institutional uses (including the previously proposed hotel and nearby dense, office uses) and will have absolutely no impact on the schools and minimal impact on utilities.

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April 30, 2014

**VIA HAND-DELIVERY AND VIA E-MAIL**

City of Dunwoody  
Mayor Mike Davis and City Council  
Attn: Steve Foote, Director of Community Development  
41 Perimeter Center East  
Dunwoody, GA 30346  
E-mail: steve.foote@dunwoodyga.gov

**Applicant NitNeil Partners, LLC's Amendment, Supplemental Documents and Exhibits in Support of Application for Rezoning, RZN 2014-284**

As requested, please find enclosed and attached the supplemental documents in support of the pending Application for Rezoning and Zoning Amendment, RZN 2014-284, filed by Nitneil Partners, LLC.

The Applicant respectfully requests approval of the pending rezoning and related variance requests, to allow for a quality indoor storage development. The Applicant and its representatives welcome the opportunity to meet and answer any questions.

Respectfully submitted this 30<sup>th</sup> day of April, 2014.

One Sugarloaf Centre  
1960 Satellite Boulevard, Suite 4000  
Duluth, Georgia 30097

  
\_\_\_\_\_  
Marian C. Adeimy  
Attorney for Applicant

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architectural masonry  
units



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**SPLIT FACE** masonry units are integrally colored pre-finished architectural concrete blocks with a beautiful, rough-hewn texture on one or more faces of the unit. Trenwyth uses the same eye-catching color pigment and natural aggregate mixtures for its SPLIT FACE units that are used for Trendstone® ground face units.

SPLIT FACE units also feature the same cost-saving, one-step installation as Trenwyth's other lines of pre-finished units. SPLIT FACE units are available in any Trendstone color and in a wide variety of shapes and sizes.

**One-Step Installation:** SPLIT FACE masonry units provide finished load-bearing or non-load-bearing walls in a single trade, one-step operation. You save time and money.

**Low Life-Cycle Costs:** SPLIT FACE will last the lifetime of your building.

**Mold and Moisture Resistant:** Manufactured with W.R. Grace DRY-BLOCK® water repellent admixture, SPLIT FACE ground face masonry units repel moisture and prevent mold and efflorescence.

**Durability:** Structural integrity and durability make SPLIT FACE the perfect choice for your institutional, commercial or industrial project.

**Design Flexibility:** SPLIT FACE masonry units offer you freedom of expression in design through a wide variety of colors, shapes and scoring patterns. Trenwyth even produces rounded corners and edges for ADA compliance!

**Fire Protection:** Depending on the thickness and internal configuration of the block, SPLIT FACE offers up to a 4-hour fire rating.

**Applications:** Interior and exterior

**Trenwyth Products**

[Astra-Glaze-SW+®](#)

[Verastone®](#)

[Verastone® Plus](#)

[Trendstone®](#)

[Trendstone Plus®](#)

[Mesastone®](#)

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[Split Face](#)

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[Home](#)

**Manufacturing Plant:**  
Anchor Concrete Products  
Church Street  
Emigsville, PA 17318  
(800) 233-1924  
FAX (717) 767-4023

**Manufacturing Plant:**  
Anchor Concrete Products  
975 Burnt Tavern Rd  
Brick, NJ 08724  
(732) 292-2674  
FAX (732) 292-9685

**Manufacturing Plant:**  
Northfield Block Company  
3400 E. Bungalow Road  
Morris, IL 60450  
(800) 358-3003  
FAX (815) 416-0382

**Manufacturing Plant:**  
Superlite Block  
4826 N. 42nd Avenue  
Phoenix, AZ 85019  
(800) 331-9823  
FAX (623) 435-2088

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**Read Only: Crown Pointe Storage (NitNeil Partners, LLC)**  
**Proposed Conditions for Rezoning**

1. Developer shall develop the ± 1.019 acre undeveloped portion of the Subject Property substantially as depicted on the Site Plan, a copy of which is attached hereto.
2. Subject to review and approval by the Community Development Director, Developer shall landscape the undeveloped portion of the Subject Property in general compliance with the conceptual landscape plans submitted with this zoning request, a copy of which is attached hereto, and the Zoning Ordinance. The final Landscape Plan shall comply with the Perimeter Community Improvement District standards for landscaping along the property frontage, except that the existing sidewalk is to remain in place and kept at its current width, with new trees planted behind the existing sidewalk, due to existing site limitations.
3. The total density of the development for the ± 1.019 acre undeveloped portion of the Subject Property shall not exceed 85,000 square feet and shall be limited to use as a self-storage warehouse use and accessory office use, as further described in the Rezoning Application and site plan attached hereto. Further, the height of the development shall be limited to four stories.
4. Developer shall follow the 2007 Perimeter CID Public Standards for “Avenues” for all signs and lighting it installs in the public right-of-way.
5. Developer will provide street furniture to include one bench and one trash and recycling receptacle along its property frontage along Crown Pointe Parkway per PCID standards, to be maintained and emptied by the property owner and be located behind the existing sidewalk instead of in the PCID’s designated “furniture zone”, due to existing site limitations.
6. During construction of the ± 1.019 acre undeveloped portion of the Subject Property, portions of the ± 1.019 acre undeveloped area on the Subject Property that are not being developed or used for staging areas will be landscaped and maintained in an aesthetically pleasing manner.
9. Neon, gas, flashing, animated, sound emitting or rotating signs are prohibited. A majority of outdoor lighting shall be contained in adjustable wall pack fixtures mounted on the building and angled downward, shielded from the adjacent residential and fire station properties.
10. Developer will place a wood fence and plant and landscape a staggered row of ten (10), 10-12 foot evergreen trees for screening purposes at the rear, northern boundary of the undeveloped portion of the Subject Property, using some combination of the following: Cryptomeria, Nellie R. Stevens (Holly), and Magnolia, and in compliance with the City of Dunwoody’s Zoning and Land Development Ordinances, whichever is more stringent. It is

understood that, for the building proposed, the architectural style of the building, quality of construction, and general feel of the development shall be substantially similar to the renderings submitted with this Rezoning Application and attached hereto as Sheet A1.1. The facades of the building shall reflect a mixture of materials, which may include brick, natural stone, cast stone, stucco, precast, limestone stucco, ETFS, EIFS, CMU split-face block, and/or pre-fabricated metal or cementitious panels, consistent with the materials board submitted with this rezoning application.

11. The exterior color palette of the structure(s) on the Subject Property will be limited to natural and earth tones in substantial compliance with the elevations submitted with this Rezoning Application.
12. The refuse and/or trash facility will be located in an enclosed structure made of brick, stone, block, or a mix of approved external materials used on the principal building, outside of the street side setback. Appropriate landscaping shall be provided to screen the enclosure from the adjacent driveways.
13. Parking shall comply with applicable ordinances, subject to approval by the Zoning Board of Appeals, an administrative variance, or approval for a reduced and/or specified number of parking spaces.
14. No parking shall be permitted on the private driveway and "No Parking" signs shall be installed where reasonably appropriate.
15. Tractor trailer and 18-wheeler type moving vans shall not be permitted on site and Developer shall post a sign notifying entrants of the same. Occupant employees shall notify customers that tractor trailer trucks are prohibited prior to leasing.



**CITY OF DUNWOODY**  
**April 10, 2014**  
**COMMUNITY COUNCIL MINUTES**

The Community Council of the City of Dunwoody held a Meeting on April 10, 2014 at 7:00 PM. The meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for the meeting were the following:

Voting Members:           Norb Leahy, Chairman  
                                   Rick Callihan, Vice Chairman  
                                   Tony Delmichi, Community Council Member  
                                   Debbie Montgomery, Community Council Member  
                                   Sam Verniero, Community Council Member

Also Present:               Steve Foote, Community Development Director  
                                   Christie Berkowitz, Planning Coordinator

A. CALL TO ORDER

B. ROLL CALL

**All members were present except Claire Botsch and Clayton Coley.**

C. MINUTES

1. Approval of Meeting Minutes from March 13, 2014 Community Council Meeting.

**Sam Verniero motioned to approve. Rick Callihan seconded.**

**The motion was voted and passed (4 - 0). Tony Delmichi abstained.**

D. ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Nominations for Community Council Chairman and Vice Chairman.

**Tony Delmichi expressed concern in regard to Community Council Members' terms expiring and whether or not tonight's meeting would be considered unlawful.**

**Staff reassured the Board that the members whose terms were expired can still serve until a new member is appointed.**

**Rick Callihan motioned to table election of Chair and Vice Chair. Norb Leahy seconded.**

**The motion was voted and passed (4 - 0). Tony Delmichi abstained.**

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. RZ 14-061: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Marian C. Adeimy, on behalf of NitNeil Partners, LLC, seeks permission to rezone property

currently zoned Office-Institution Conditional (O-Ic) to Office-Distribution (OD) to allow for a change of previously approved use. The subject property is located at 1274 Crown Pointe Parkway, Dunwoody, GA 30338. The tax parcel is 18 349 01 003.

**Steve Foote, Community Development Director, introduced the application—noting the specifics of the request and highlighting the impending variances.**

**Norb Leahy opened public comment.**

**Marian Adeimy, representative for the applicant, spoke in favor of the request—addressing the review and approval criteria associated with rezoning decision-making. Mrs. Adeimy discussed the submitted site plan and renderings in relation to the surrounding area.**

**Board Members discussed with the representative possible landscaping and buffering that could be implemented, the architectural design of the building, and any intent to add additional retail space on the bottom floor. Nitesh Sapra, developer, ensured that the facility would be used solely for storage use.**

**The Board also inquired about the hours of operation. Mr. Sapra stated the leasing office would be open normal business hours, from 9:30 a.m. – 6:00 p.m., Monday through Friday, and 9:30 a.m. – 4:00 p.m. on Saturday. Access hours for tenants, however, would be extended to 6:00 a.m. – 10:00 or 11:00 p.m.**

**Spencer Frisby, President of HOA for Georgetown at Perimeter Walk Condominiums, discussed concerns with the proposal and noted the suggestions already made to the developer’s attorney in terms of changing the design plan to be more beneficial for the Condominiums’ residents.**

**Emily Sircy, representative for the ownership of 1040 and 1050 Crown Pointe Parkway, the adjacent office buildings, discussed the proposed curb cuts for the site. Currently, there is an easement that allows the applicant to add a single curb cut; however, they are exploring other options for ingress and egress with the developer because the proposed site plan shows a total of three.**

**Norb Leahy closed public comment.**

**Members of the Board asked questions of the applicant and staff—inquiring if the adjoining fire station had any concerns.**

**Rick Callihan motioned to approve the rezoning request. Debbie Montgomery seconded.**

**The motion was voted and passed (4 – 0). Tony Delmichi abstained.**

2. RZ 14-062: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, HDP

Acquisitions, LLC c/o Hotel Development Partners, LLC, seeks permission to rezone property currently zoned Pedestrian Community Conditional (PC-3c) and Local Commercial (C-1) to Commercial-Residential Mixed-Use (CR-1) to allow for a change of previous conditions. The subject property is located at 4681 Ashford Dunwoody Road, Dunwoody, GA 30338. The tax parcel is 18 350 01 015.

**Steve Foote introduced the application.**

**Norb Leahy opened public comment.**

**Robert Griest, representative for Smith, Gambrell & Russell law group on behalf of the applicant, spoke in favor of the request. Mr. Griest noted the Spruill Center owns the property and is seeking a long-term ground lessor to help bring in revenue and help maintain the existing art facility. The applicant believes they are proposing a less intense use for the site than what is already entitled, and the design is also more compatible with the City’s Comprehensive Plan. Additionally, it is understood that hotel development can foster commerce around public transportation uses and the pre-existing pedestrian access near, and eventually through, the site will make it easier for patrons to get around.**

**Norb Leahy closed public comment.**

**Board Members asked questions of staff—referencing the multi-family use, public safety concerns, sidewalk access, and Spruill Center’s support of the project.**

**Rick Callihan motioned to approve the rezoning request. Norb Leahy seconded.**

**The motion was voted and passed (4 – 0). Tony Delmichi abstained.**

- G. OTHER BUSINESS
- H. PUBLIC COMMENT
- I. COMMUNITY COUNCIL COMMENT
- J. ADJOURN

Approved by:

\_\_\_\_\_

Chairman

Attest:

\_\_\_\_\_  
Secretary

**CITY OF DUNWOODY**  
**May 13, 2014**  
**PLANNING COMMISSION MINUTES**

The Planning Commission of the City of Dunwoody held a Meeting on May 13, 2014 at 7:00 PM. The meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for the meeting were the following:

Voting Members: Kirk Anders, Commission Member  
 Bob Dallas, Commission Member  
 Tom Dwyer, Commission Member  
 Bill Grossman, Commission Member  
 Renate Herod, Commission Member  
 Paul Player, Commission Member  
 Heyward Wescott, Commission Member

Also Present: Steve Foote, Community Development Director  
 Rebecca Keefer, City Planner  
 Christie Berkowitz, Planning Coordinator

A. CALL TO ORDER

B. ROLL CALL

**All members were present.**

C. MINUTES

1. Approval of Meeting Minutes from March 11, 2014 Planning Commission Meeting.

**Commission Member Bob Dallas motioned to approve. Commission Member Heyward Wescott seconded.**

**The motion was voted and passed (7 - 0).**

D. ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Nominations for Planning Commission Chairman and Vice Chairman.

**Commission Member Bill Grossman nominated Bob Dallas for Chairman. Commission Member Tom Dwyer seconded.**

**The motion was voted and passed (7 - 0).**

**Commission Member Bob Dallas nominated Bill Grossman for Vice Chairman. Commission Member Renate Herod seconded.**

**The motion was voted and passed (7 - 0).**

E. UNFINISHED BUSINESS

F. NEW BUSINESS



1. RZ 14-061: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Marian C. Adeimy, on behalf of NitNeil Partners, LLC, seeks permission to rezone property currently zoned Office-Institution Conditional (O-Ic) to Office-Distribution (OD) to allow for a change of previously approved use. The subject property is located at 1274 Crown Pointe Parkway, Dunwoody, GA 30338. The tax parcel is 18 349 01 003.

**Rebecca introduced the application and recommended approval with the submitted conditions by the applicant.**

**Bob Dallas opened the Public Hearing.**

**Marian Adeimy, attorney for the developer, spoke in favor of the request. She presented notebooks of information to the Commission and highlighted the contents therein.**

**No one spoke in opposition.**

**Bob Dallas closed the Public Hearing.**

**Members of the Commission discussed the following information: the recommendation by staff, possibility of using the building for other uses, variances being requested, limitation of 18-wheelers, signage, building materials, landscaping, 'appropriate' use of the property, and business operations.**

**City staff, the attorney, and Nitesh Sapra (one of the developers) addressed their questions, comments, and concerns.**

**Commission Member Tom Dwyer motioned to approve with 15 conditions. Commission Member Heyward Wescott seconded.**

**The motion was voted and passed (4 - 3). Bob Dallas, Bill Grossman, and Paul Player dissented.**

2. RZ 14-062: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, HDP Acquisitions, LLC c/o Hotel Development Partners, LLC, seeks permission to rezone property currently zoned Pedestrian Community Conditional (PC-3c) and Local Commercial (C-1) to Commercial-Residential Mixed-Use (CR-1) to allow for a change of previous conditions. The subject property is located at 4681 Ashford Dunwoody Road, Dunwoody, GA 30338. The tax parcel is 18 350 01 015.

**Rebecca introduced the rezoning application, noting that it runs concurrently with a SLUP request. Staff recommends approval of the request with the following conditions:**

1. Development shall substantially comply with the Site Plan dated May 1, 2014, as prepared by McFarland-Dyer & Associates.
2. Developer will provide landscaping and other improvements along its property frontage along Ashford Dunwoody Road per 2007 Perimeter CID Public Standards.
3. Developer will provide street furniture along its property frontage along

Meadow Lane Road per PCID Standards.

**Rebecca presented the Public Works Director's comments from his review of the proposed development's site plan. The following is recommended:**

1. Provide a traffic impact study in order to evaluate necessary roadway improvements.
2. Restrict the westernmost curb-cut to right-in and right-out access only.
3. Move the full-access driveway to the eastern curb-cut, and include a traffic signal there.

**Staff also recommends approval of the Special Land Use Permit application with the following condition:**

1. The four-story building height is approved for the proposed hotel use only, and shall not transfer to other land uses or development plans.

**Bob Dallas opened the Public Hearing.**

**Robert Griest, attorney with Smith, Gambrell, and Russell, spoke in favor of the request.**

**Bob Kinsey, CEO for Spruill, spoke of support for the rezoning. He noted the various problems associated with the Center's location and believes the new development will be very beneficial all around.**

**No one spoke in opposition.**

**Bob Dallas closed the Public Hearing.**

**Members of the Commission spoke favorably of the request, but noted concerns with pedestrian traffic. The following topics were also discussed: possible restaurant tenant, background on the applicant, street and traffic improvements, and accessibility to the site.**

**Staff, the attorney, and the applicant addressed the Commission's questions and comments.**

**Commission Member Heyward Wescott motioned to approve with staff conditions. Commission Member Bill Grossman seconded.**

**The motion was voted and passed (7 - 0).**

3. SLUP 14-062: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, HDP Acquisitions, LLC c/o Hotel Development Partners, LLC, seeks a Special Land Use Permit for a change in the maximum allowable building height of three-stories to four-stories. The subject property is located at 4681 Ashford Dunwoody Road, Dunwoody, GA 30338. The tax parcel is 18 350 01 015.

**Commission Member Bill Grossman motioned to approve. Commission Member Heyward Wescott seconded.**

**The motion was voted and passed (7 - 0).**

G. OTHER BUSINESS

**Commission Member Heyward Wescott mentioned that because he felt a conflict of interest with his roles on the Planning Commission and Dunwoody Homeowners Association, he has decided to step down from the DHA Board. Other Commission Members support his decision.**

**Multiple Members commented on how much they enjoyed the APA National Conference, especially the ethics class.**

**It was noted that a meeting will occur on May 29, 2014 for Dunwoody Park, in which attendance would be beneficial for future discussion.**

**Lastly, Members of the Commission commented on the future use of the property at Crown Pointe Parkway.**

H. PUBLIC COMMENT

I. COMMISSION COMMENT

J. ADJOURN

Approved by:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary