

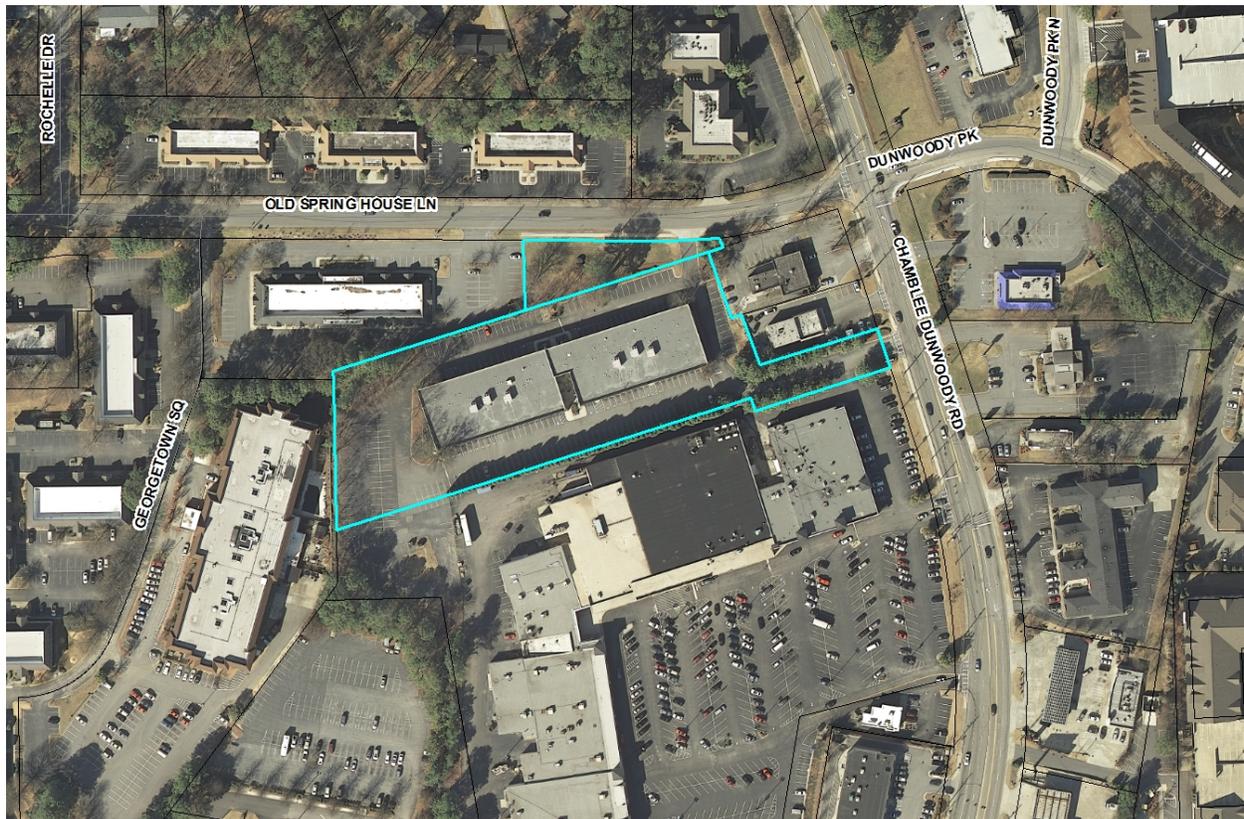
MEMORANDUM

To: Mayor and Council

From: Steve Foote, AICP

Date: February 9, 2015

Subject: **RZ 15-022:** Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Dennis J. Webb, Jr., on behalf of JH Holdings, Inc., seeks permission to rezone property currently zoned Local Commercial (C-1) District and Office-Institution (O-I) District to Multi-dwelling Residential (RM-100) District to allow for construction of a 40-unit, fee simple townhome development. The subject property consists of two parcels: tax parcel 18-345-03-006 located at 1745 Old Spring House Lane, Dunwoody, GA 30338 zoned (O-I), and tax parcel 18-345-03-010 located at 4536 Chamblee Dunwoody Rd, Dunwoody, GA 30338 zoned (C-1).



BACKGROUND

The site is located on the western side of Chamblee Dunwoody Road, south of Old Spring House Lane and north of Interstate 285. The property lies directly behind the Georgetown Shopping Center, sharing its southern boundary with the rear of the Kroger tenant space. The property, consisting of two lots, is currently zoned Local Commercial (C-1) and Office-



Institution (O-I). As a function of this rezoning, the applicant proposes to combine the lots and create one legally conforming lot.

According to the site plan dated January 15, 2015, the developer proposes to construct 6 multi-unit buildings, containing 40 townhomes, on 3.339 acres. The current internal street network will be removed and replaced with a private drive spanning 24 feet from back of curb to back of curb. In order to increase walkability, there will be a 12-foot multi-use trail along the frontage of Old Spring House Lane as well as 5-foot sidewalks along the internal private drive—leading to the pocket park and a pedestrian entrance, which will allow access to the neighboring commercial amenities.

The maximum density for RM-100 is 12 dwelling units per acre; the subject property will contain 11.97 dwelling units per acre. The typical building elevation renderings illustrate the townhomes will feature a cohesive design scheme through the use of classical architecture with brick, stone, and siding variations; carriage-style garage doors, and architectural accents and projections like dormers, gables, and bay windows. The typical dimensions for each townhome are 24 feet wide by 50 feet deep with a deck/patio on the rear and a height no higher than 35 feet (3 stories) above grade. The maximum building length may not exceed 250 feet. The total lot coverage is calculated at 65 percent, which is within the maximum allowed of 70 percent. The proposed development calls for a pocket park on the far eastern portion of the lot and classifies there to be 24 percent of common open space on the lot, or 0.81 acres.

The site plan identifies a reduction in front yard setback from 35 feet to 30 feet and rear yard setback from 40 feet to 15 feet. This request will be processed before the Zoning Board of Appeals on February 5, 2015.

Direction	Zoning	Use	Current Land Use
N	O-I	Commercial	Office
S	C-1	Commercial	Restaurant/Retail
E	C-1	Commercial	Restaurant/Retail
W	OI	Residential/Commercial	Multi-Dwelling Residential/Office

Dunwoody's residential zoning districts are primarily intended to create, maintain and promote a variety of housing and living opportunities for individual households and to help ensure consistency with the comprehensive plan. When the zoning ordinance refers to "RM" zoning districts, it is referring to the multi-dwelling zoning districts: RM-150, RM-100, RM-85, RM-75 and RM-HD. The primary purposes of the RM, multi-dwelling zoning districts are as follows:

- a. To accommodate the development of multi-dwelling residential development in areas designated for such development by the comprehensive plan;
- b. To accommodate infill development that is in keeping with the physical character of existing neighborhoods; and
- c. To accommodate uses and structures designed to serve the housing, recreational, educational, religious and social needs of the neighborhood.

ANALYSIS

Comprehensive Plan Analysis

The subject parcel is located in the 'Georgetown-Shallowford Road Character Area,' summarized on the attached excerpt from the Comprehensive Plan. In summation, the Plan describes a future development plan that incorporates a mix of uses which complement an overall livable, pedestrian- and bicycle-oriented, activity center while preserving adjacent single-family neighborhoods.

The Georgetown/North Shallowford Sub-Area Plan is adopted as an addendum to the Comprehensive Plan and identifies the subject parcel as a part of the neighborhood transition area. The Plan encourages a mix of housing options for lifelong communities, transitional uses and heights from the more intensive activity to the east, as well as a desire for more green spaces and walking/cycling trails. Identified as a Senior Village in the Land Framework Plan, the district is characterized by a desire for for-sale residential products 2-3 stories in height, including townhome uses, pocket parks (required as a function of all new developments), multi-use paths 12-15 feet in width, and on-street bicycle routes. The site provides pedestrian access to the shopping center via a 5 foot sidewalk. A 12 foot multi-use trail is shown along Old Spring House Lane and needs to extend fully across the property. All paths will need to be built at the contractor's expense.

REVIEW AND APPROVAL CRITERIA

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.' The subject parcel is located in the 'Georgetown-Shallowford Road Character Area,' which envisions a future development plan that incorporates a mix of uses which complement an overall livable, pedestrian- and bicycle-oriented, activity center while preserving adjacent single-family neighborhoods. Additionally, this area falls under the Georgetown/North Shallowford SubArea Plan, which encourages a mix of housing options for lifelong communities, transitional uses and heights from more intensive commercial centers to single-family neighborhoods, as well as a desire for more green spaces and walking/cycling trails. This proposal comprises all these features, as well as increases connectivity of the surrounding neighborhoods to commercial uses in this portion of the City. However, the application does not address how the development character supports the senior village/lifelong communities' vision, specifically.
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 on the site is suitable when compared and contrasted with adjoining properties. Not only will it revitalize a currently vacant lot and screen the rear of the commercial shopping center, but the project will also promote pedestrian accessible convenience for those within walking/biking distance. Additionally, this helps transition between the commercial and residential areas in Georgetown. At the January Planning Commission meeting, the Commission placed a condition on the applicant that the applicant look into and consider shared access alternatives with the property to the south.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
The properties involved in this zoning action are currently vacant. The properties do have some reasonable economic use as currently zoned, C1 and O-1, respectively. However, by changing the condition of the current zoning to allow for single-family residences, there will be a greater opportunity for economic vitality in the area.
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 properties in question or the properties surrounding the immediate region of the proposed development action.
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 Georgetown area call for a “livable,” pedestrian and bicycle-oriented, activity center that features a mix of uses while preserving adjacent single-family neighborhoods. The request is consistent with this goal. Additionally, the character and quality of the proposed development are aligned with the recommendations of the Comprehensive Plan—suggesting a transitional use between commercial and residential development, high quality building materials for architectural treatments, and a pedestrian circulation plan in and around the neighborhood.
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 residential neighborhood and continued commercial uses near the site. A formal traffic analysis has not been conducted.

Additionally, while representatives from the DeKalb County School District did not provide data on the number of school-aged children generated from the development, it can be inferred that approximately 28 children will attend local elementary, middle, and high schools. This conclusion was deduced from the ratio DeKalb County provided (0.69 student per 1

townhome) for the recently rezoned 55-unit townhome site, located to the southwest of the subject property.

RECOMMENDATION

Community Council

At their regular December meeting, the Community Council heard the applicant's request to rezone the property from C-1 and O-I to RM-100. After discussing the nature of the project, and the proposed use of the subject property specifically, with the applicant and staff, a motion was made to recommend approval of the request. The motion was voted and passed (5 – 0). Also, the Board agreed that a traffic study needed to be conducted for the site.

Planning Commission

The Planning Commission reviewed the rezoning at their regular January meeting, and discussed the nature of the project with the applicant and staff. The Commission motioned to approve the request with the following conditions:

1. Pervious pads shall be provided in the whole area under the decks of units 5 through 25.
2. Pedestrian access gate shall be added at the southwest corner.
3. The applicant shall consider shared access alternatives with the property to the south.

The motion was voted and passed (7 – 0).

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 exhibit(s) and conditions:

Exhibit A: Site plan produced by Travis Pruitt & Associates, dated January 15, 2015.

1. Development shall substantially conform with the above Exhibit, a copy of which are attached hereto and incorporated herein by reference.
2. Pervious pads shall be provided in the whole area under the decks of units 5 through 25.
3. Pedestrian access gate shall be added at the southwest corner.

Attachments

- Exhibit A
- Location Map, Zoning Districts Map, Future Land Use Map
- Comprehensive Plan excerpt
- Georgetown/North Shallowford Master Plan excerpt
- December 11, 2014 Community Council Meeting Minutes
- January 13, 2015 Planning Commission Meeting Minutes

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2015-XX-XX

AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING CLASSIFICATION AND MAP FOR ZONING CONDITIONS OF LAND LOT 345, District 18 IN CONSIDERATION OF ZONING CASE RZ-15-022 (1745 OLD SPRINGHOUSE LANE AND 4536 CHAMBLEE DUNWOODY ROAD)

WHEREAS: JH Holdings, Inc. seeks permission to rezone and change zoning conditions on property located on the Western side of Chamblee Dunwoody Road, South of Old Spring House Lane and North of Interstate 285, behind the Georgetown Shopping Center, sharing its southern boundary with the rear of the Kroger tenant space; and

WHEREAS: the Property, consisting of 3.339 acres of land, is currently zoned Local Commercial (C-1) and Office-Institution (O-I) Districts, and the applicant seeks permission to amend the site plan to rezone the Properties to Multi-Dwelling Residential District (RM-100) to allow for construction of a 40 unit, fee simple townhome development; and

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

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

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAINS AND APPROVES** the rezoning of these said properties from Local Commercial (C-1) and Office-Institution (O-I) Districts to Multi-Dwelling Residential (RM-100) District. The rezoning of these Properties shall consist of the following Exhibits:

Exhibit A: Site plan produced by Travis Pruitt & Associates, dated January 15, 2015.

Development of the site shall be substantially consistent with the above Exhibits, Zoning Ordinance and the following conditions:

1. Development shall substantially conform with the above Exhibit, a copy of which is attached hereto and incorporated herein by reference.
2. Pervious pads shall be provided in the whole area under the decks of units 5 through 25.
3. Pedestrian access gate shall be added at the southwest corner.

The City of Dunwoody Zoning Map shall be changed to reflect said rezoning.

SO ORDAINED AND EFFECTIVE, this the 23rd day of February, 2015.

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**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2015-XX-XX

Approved by:

Approved as to Form and Content

Michael G. Davis, Mayor

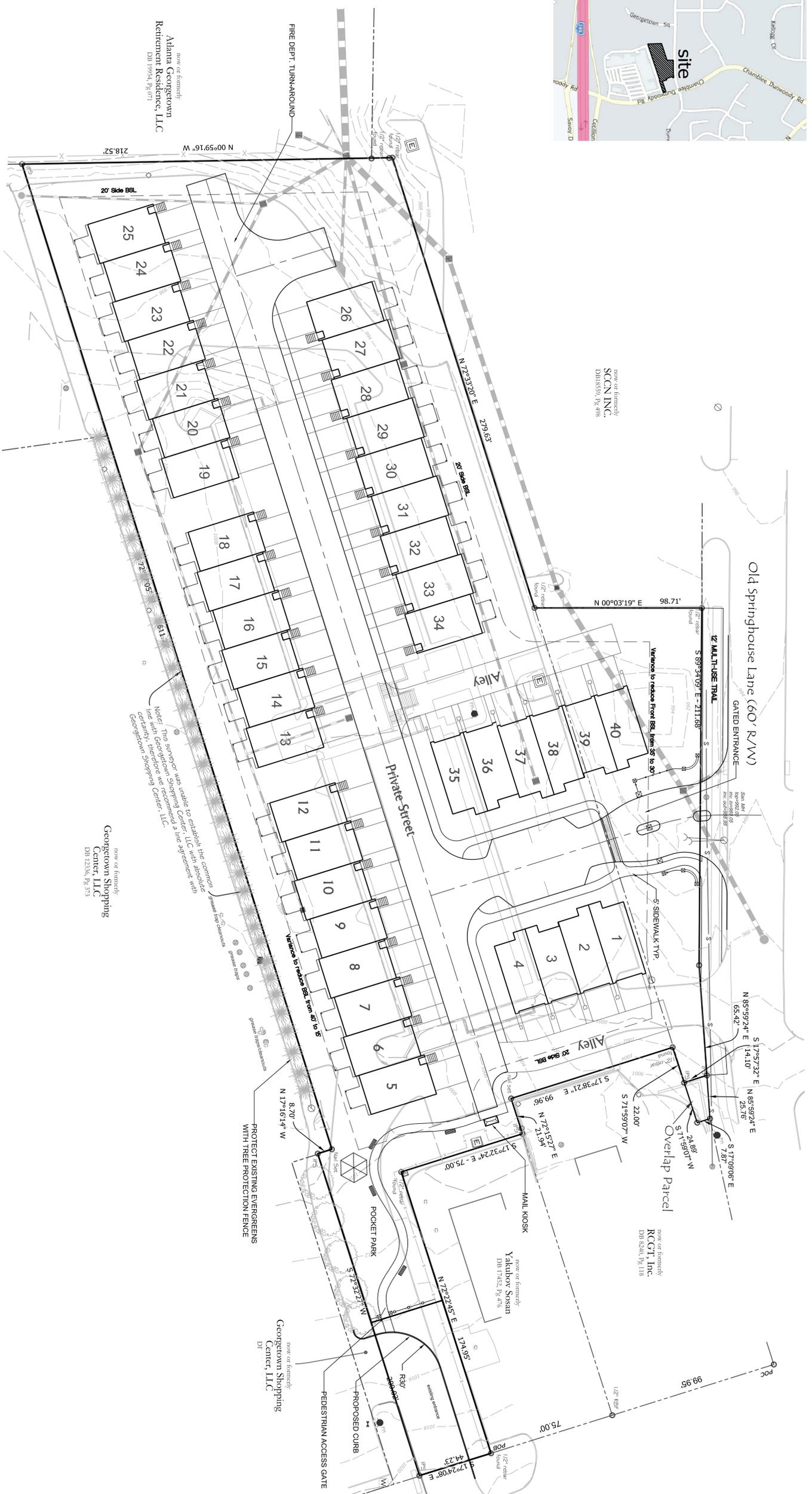
City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL

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thePROVIDENCEgroup
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 www.travispruitt.com

OWNER/DEVELOPER
 Atlanta Georgetown Retirement Residence, LLC
 DB 15924, Pg. 071

now or formerly
 Georgetown Shopping Center, LLC
 DB 22884, Pg. 649

now or formerly
 Georgetown Shopping Center, LLC
 DB 12336, Pg. 373

now or formerly
 SCGN INC.
 DB 15539, Pg. 488

now or formerly
 RCGT, Inc.
 DB 8240, Pg. 118

now or formerly
 Travis Pruitt & Associates, Inc.
 DB 15885, Pg. 118

NOTE: Information regarding the required presence, size, character and location of underground utilities and other features shall be obtained from the owner. The engineer/surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS
 1. United Warranty Deed between Mediant Immobilien-Wahlge Gesellschaft mbH, Inc. and JH Holdings, LLC, recorded in Deed Book 5697, page 407, DeKalb County Records.
 2. United Warranty Deed between JH Holdings, LLC and Georgetown Shopping Center, LLC, recorded in Deed Book 5697, page 407, DeKalb County Records.
 3. A/T/S Survey for Georgetown Shopping Center, LLC, INCL: Life Insurance and Annuity Company, a Connecticut Corporation, Chicago Title Insurance Company & Republic Commercial Title Company, LLC, prepared by Gastins Engineering, last revised 7-23-12.
 4. Zoning plat for Georgetown Shopping Center, LLC, prepared by Gastins Engineering, dated 2-14-11.

SURVEY NOTES
 1. Site Area = 3.339 acres.
 2. This plat has been prepared using a TOPCON CRTS313 Total Station for angle and distance measurements. The man or robot is placed on a defined precision of one (1) foot in 28,385 feet and an average angular error of 0.8 seconds per angle point, and was adjusted using compass rule.
 3. This property does not lie within a 100 year flood hazard zone as defined by FEMA Flood Insurance Study No. 13088C0012J, dated May 16, 2013.

REQUIRED VARIANCES
 1. Required lot coverage for a site to be increased from 35 percent to 65 percent.
 2. Rear building setback adjacent to Georgetown Shopping Center to be reduced from 40' to 15'.
 3. Front building setback adjacent to Old Springhouse Lane to be reduced from 35' to 30'.

SETBACKS (SINGLE FAMILY ATTACHED)
 STREET FRONT 35'
 STREET SIDE 15'
 SIDE INTERIOR 20'
 REAR 40'

SITE NOTES
 1. Site area - 3.339 acres
 2. Total Number of Lots/Units - 40
 3. Density - 12.0 Lot/Units per acre.
 4. Existing zoning - C-1/O-1
 5. Proposed zoning - RM-100
 6. Proposed land use : Fee Simple Townhomes
 7. Max. Building Height: 35'
 8. Open Space: 0.81 acres(24%)
 9. Proposed development will be gated and will have private streets.

TPA
 Grid North (GA West Zone)

1 of 2

**4536 Chamblee
 Dunwoody Road**

Site Location

December 2014

Legend

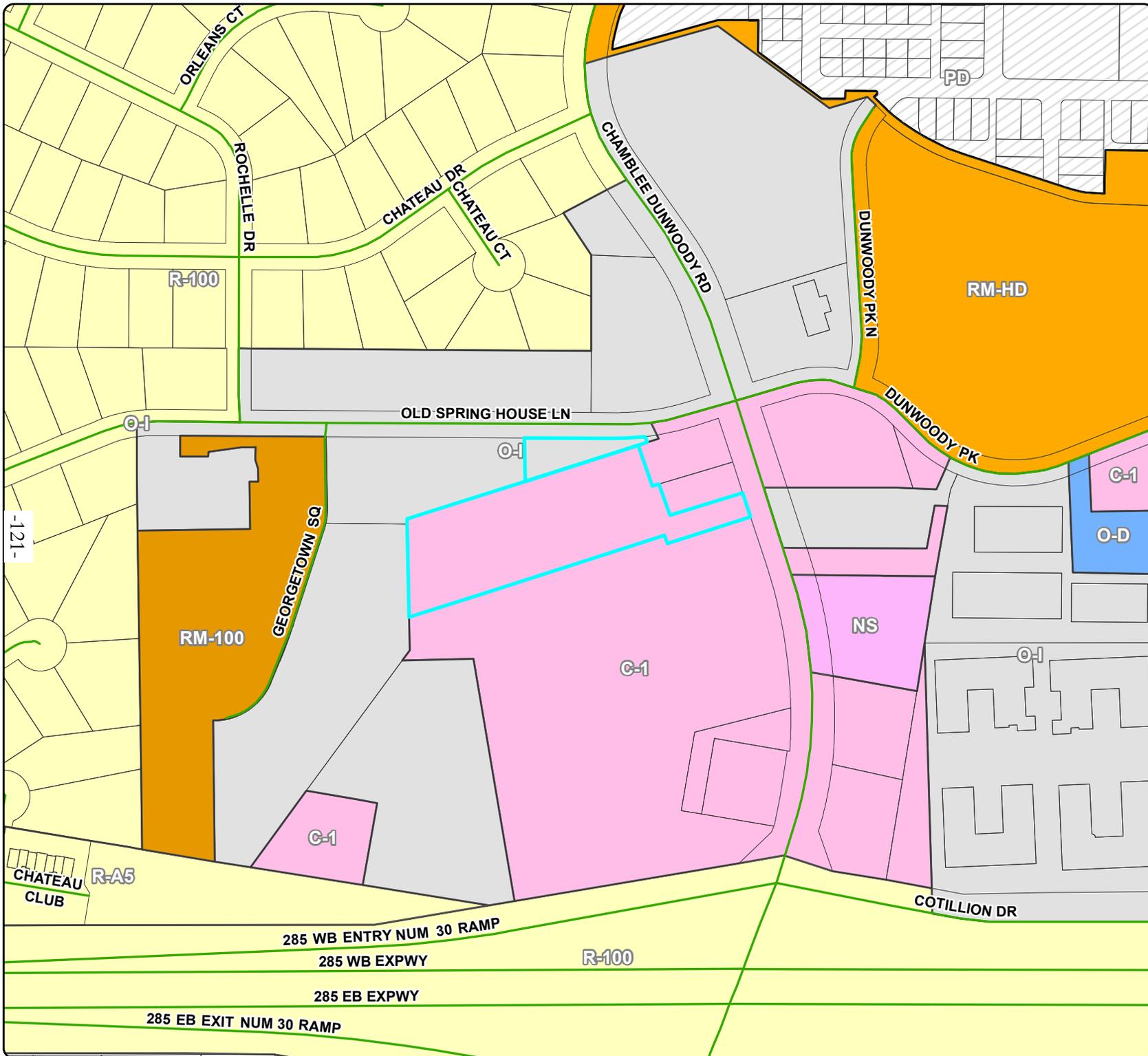
- Street Centerlines
- Parcels
- City Zoning**
- DISTRICT**
- Commercial-Residential Mixed-Use
- General Commercial
- Industrial
- Local Commercial
- Multi Family Residential
- Multi-Family Residential
- Neighborhood Shopping
- Office-Commercial-Residential
- Office-Distribution
- Office-Institution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



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



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**4536 Chamblee
Dunwoody Road**

Site Location

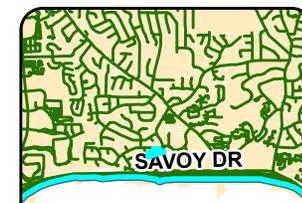
December 2014

Legend

- Street Centerlines
- ▭ Parcels

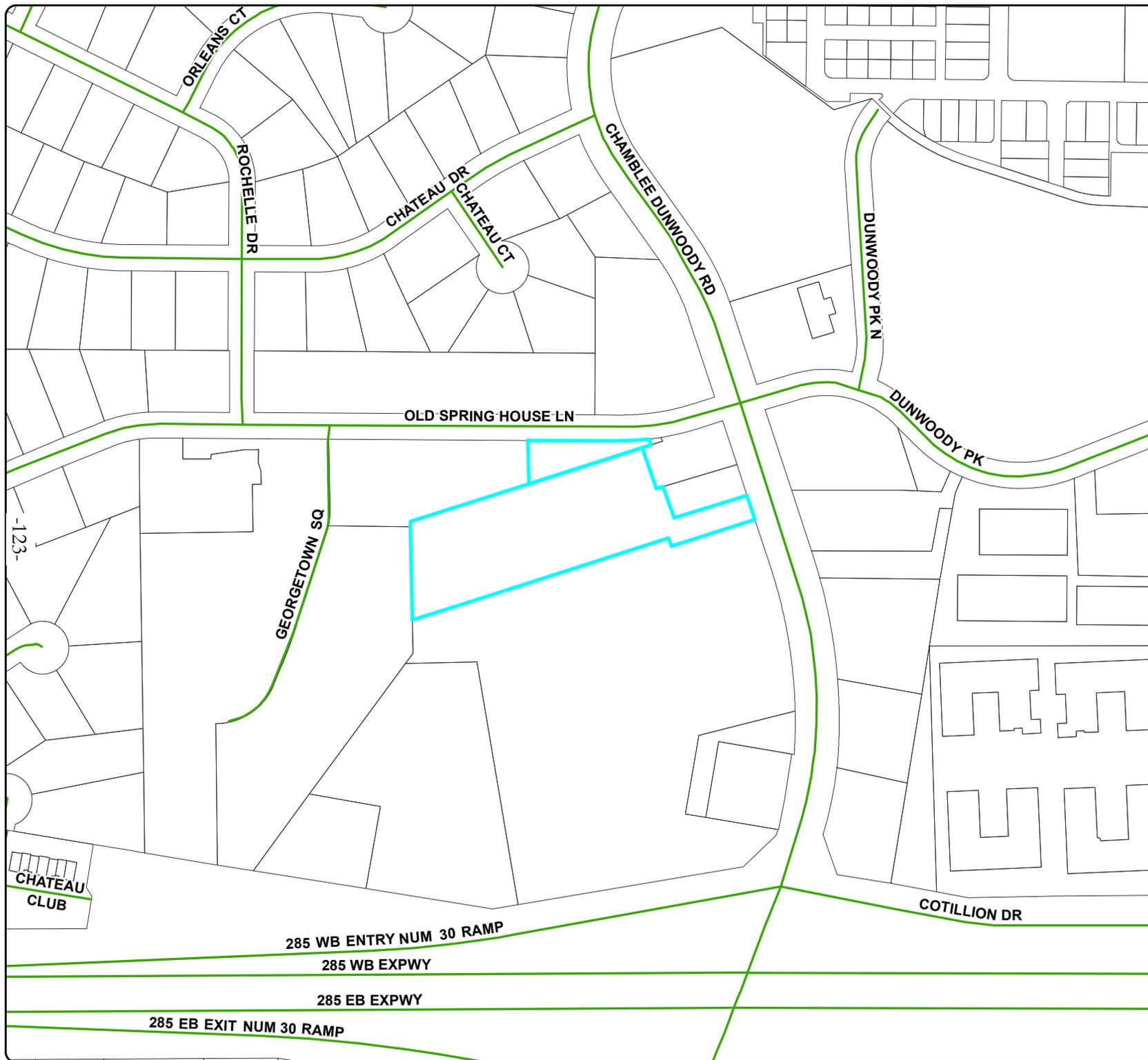


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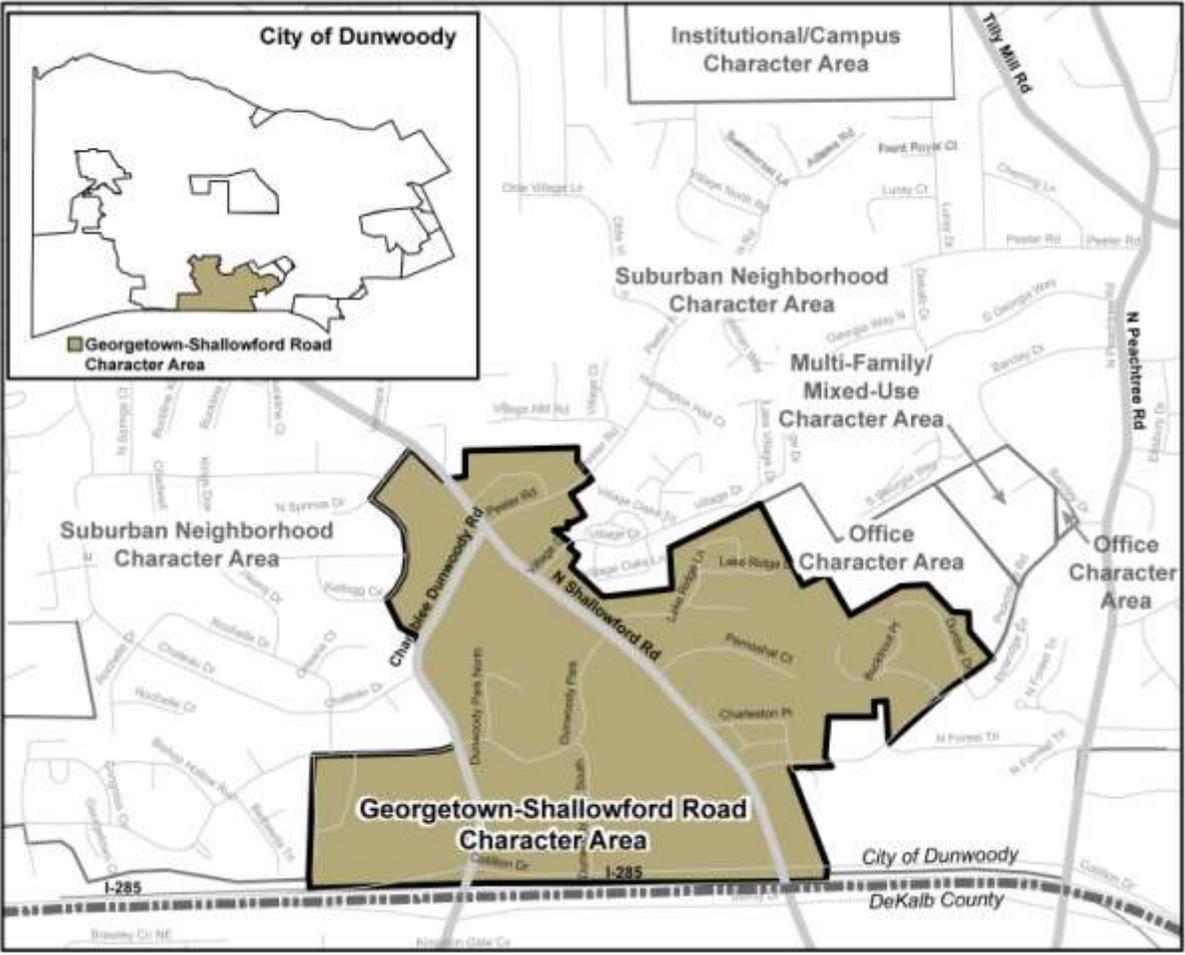
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Georgetown-Shallowford Road



Vision/Intent

By 2030, this area will redevelop into a pedestrian- and bicycle-oriented activity center with medium-scaled intensity of activity. A mix of commercial, office and high-end shopping integrated with multi-family as an accessory use, or as a primary use for senior living. Redevelopment will incorporate functional open space and greenways and preserve adjacent single-family homes protected by adequate buffering. Ideally, this area includes a community center where a wide array of activities achieve the City's desire to be a "lifelong community," allowing options for aging in place. Multi-use paths and transit options will invite alternative transportation modes and greater connectivity; new pedestrian and bicycle options will link area to Perimeter Center. It focuses more intense development along I-285 with transitions to adjacent residential subdivisions. Redevelopment takes advantage of the planned,



neighborhood transit station. Additional stand-alone multi-family apartment developments are not part of the City's vision for this character area.

Georgetown - Shallowford Character Area Vision



FIGURE 2: Design elements envisioned for the Georgetown-Shallowford area

Future Development Intent

- **Height:**

- Up to 2-3 stories along the border of character area where adjacent to Suburban Residential Character
- For interior section of the Character Area, up to 5 stories maximum anticipated, but potentially up to 8 stories if and only if project proposal provides appropriate amenities such as civic spaces for assembly, public functional green space, streetscape improvements, internal grid patterns, innovative parking solutions and way-finding signage. Until such time as the City establishes amenity criteria for zoning



- and development regulations that can implement this vision, an applicant should indicate with site-plan-specific drawings how their project meets the vision and intent
- Heights and densities will transition downward as development moves towards the adjacent Suburban Character areas, protected by adequate buffering/transition zones
- **Form:**
 - Buildings and site design organized to take advantage of transit
 - Characterized by transitions to adjacent uses (step down of building heights, buffers)
 - Public functional green space and connectivity
 - Innovative parking solutions including underground options and pedestrian- and bicycle-oriented features such as wrap-around parking, landscaping, and a senior-friendly environment
 - High quality materials such as stone and brick mix characterize architectural treatments
 - Transitional buffer zones will appropriately protect any adjacent residential
- **Uses:** Appropriate uses include a mix of quality, public space (plazas, pocket-parks) and Civic Institutional uses, Commercial, Office, Mixed-Use with residential components accommodating the creation of a lifelong community:
 - **Residential Density:** Up to 18 units to the acre for a mix of condominium and townhouse, only on the interior and along I-285; up to 30 units to the acre for age-restricted, senior housing only on the interior of the character area; 12 units to the acre elsewhere but require 2 story maximum and transitions along border of suburban character area. Additional density is allowable, if and only if, the nature of the mixed-use development provides exceptional opportunities for creating a high quality community.
 - **Commercial:** Big-box retail is not appropriate (65,000 square foot or greater)

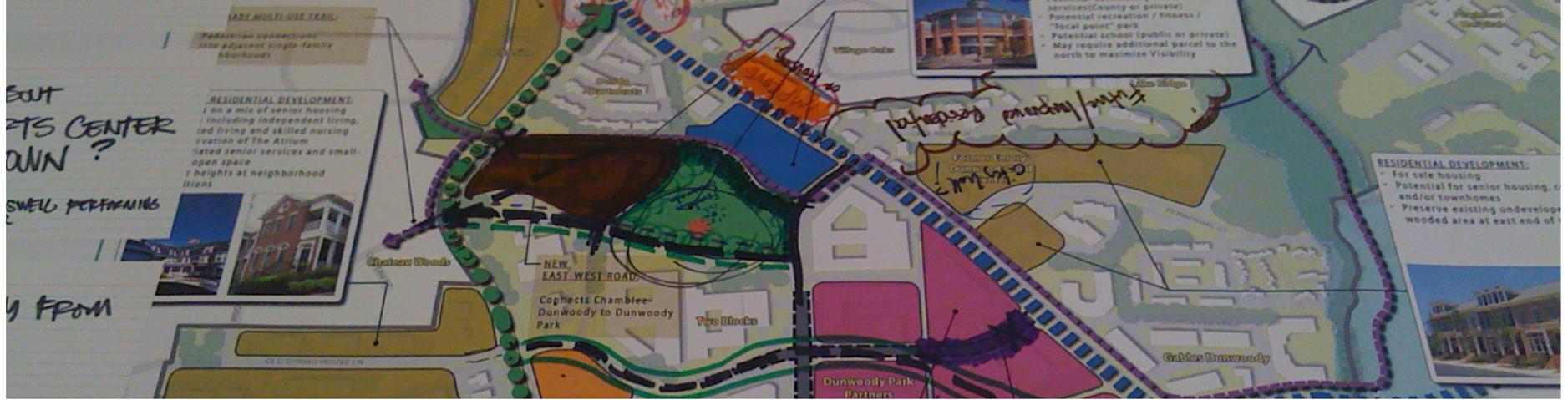


FIGURE 3: Appropriate transitions: change in building heights, strategic parking and buffers



Goals

- Land Use and Development
 - Re-development projects demonstrate appropriate transitions between intense uses and adjacent neighborhoods; transitions include gradual increases only in height-plane, buffers and landscaping and intensity of uses
 - City prepares a Master Plan detailing parcel-specific vision that promotes investment to redevelop the hospital site and Shallowford Road corridor
 - The Master Plan should consider shadowing effects of taller buildings and appropriately regulate to not visibly impose on adjacent single-family residences
 - Develop a unique architectural design theme for the area that embodies the unique character of Dunwoody
 - Incorporate sustainable building and site development practices
 - Multi-generational residential including active-adult housing and a range of continuing care options near new public amenities
 - Promote a local, private or non-profit recreation center, such as a YMCA, in this area
- Transportation
 - The Dunwoody marker, logo or identifier should be prominent in this area
 - Establish a bicycle network to allow cycling between Dunwoody Village, Georgetown and Brook Run
 - Neighborhood-scale transit station potential location in Georgetown incorporated into redevelopment projects with safe and inviting access and reducing need to rely on automobile as primary transportation
 - Bicycle, pedestrian, and alternative forms of transportation provide connectivity throughout character area



2 VISION & FRAMEWORK PLAN

OVERALL VISION

In 2010 the City of Dunwoody adopted its first Comprehensive Land Use Plan. The plan outlined a vision for the Georgetown/North Shallowford area:

By 2030, this area will redevelop into a pedestrian and bicycle-oriented activity center with medium-scaled intensity of activity. A mix of commercial, office and high-end shopping integrated with multi-family as an accessory use, or as a primary use for senior living. Redevelopment will incorporate functional open space and greenways and preserve adjacent single-family homes protected by adequate buffering. Ideally, this area includes a community center where a wide array of activities achieves the City's desire to be a "lifelong community," allowing options for aging in place. Multi-use paths and transit options will invite alternative transportation modes and greater connectivity; new pedestrian and bicycle options will link area to Perimeter Center. It focuses more intense development along I-285 with transitions to adjacent residential subdivisions. Redevelopment takes advantage of the planned, neighborhood transit station. Additional stand-alone multi-family apartment developments are not part of the City's vision for this character area.

During the Comprehensive Plan process, community members expressed a need and desire to define the City's vision for the Georgetown/North Shallowford area in greater detail. The Georgetown/North Shallowford Master Plan was developed to explore this vision in greater detail, create an area specific land use and circulation framework, and develop short-term and long-term action plans to guide City of Dunwoody initiatives and investments. Throughout the first phase of community involvement (stakeholder interviews, Sounding Board Meeting, and Public Workshop), the Master Plan process sought to clarify those goals and objectives that the community could build consensus around. While there are many perspectives and viewpoints in the community, the following community consensus points were identified through the public participation process and guided the Master Plan.

- Enhance the area’s identity, character, and appearance as a gateway into the City
- Facilitate the creation of more community green space
- Encourage greater connectivity- particularly bicycle and pedestrian facilities within Georgetown/North Shallowford and to other community areas (Brook Run, Dunwoody Village, Perimeter Center)
- Maintain and enhance buffers to single-family neighborhoods
- Devise a proactive plan for the “PVC Site”
- Encourage a better range of retail goods and services and maintain small scale office opportunities
- Recognize greater redevelopment potential of properties along I-285 and the former Emory Medical Center property
- Encourage residential uses that can create a lifelong community (opportunities for seniors/empty nesters that do not add to multi-family and school capacity concerns)

-130-

Throughout the planning process, public involvement was key to developing a plan that was community driven. The process included:

- +/- 20 Stakeholder Interviews in August 2010
- 4 Sounding Board Meetings- a committee of 14 community members identified by City Council to serve as a focus group for the planning effort
- 4 Public Workshops
- An Interactive Project Website
- A Community Preference Survey
- 3 Public Open Houses
- City Councilmember Interviews/Small Group Sessions



FUTURE CHARACTER

In September 2010, a Community Preference Survey was conducted (at the first of four public meetings and online) to gather stakeholder input regarding the future of the Georgetown/ North Shallowford community area. While the pool of survey respondents was not a scientific sample of the community as a whole, the City and Planning Team gained greater insight into a series of community issues and the divergence of vision between various segments of the community.

The survey included two parts. First, a series of images were ranked by survey participants based upon their appropriateness for the future of the Georgetown/North Shallowford area. Images were divided into three subareas: Neighborhood Transition Areas, the Central Study Area, and the I-285 Corridor. An additional set of images included circulation and open space images for the district. The second half of the survey included a series of multiple choice and short-answer questions regarding land use, open space, transportation/circulation, sense of place, and implementation.

Visual images that ranked most highly for neighborhood transition areas included a variety of residential uses (large single-family detached homes, small-scale multi-family homes, and townhouses) and small-scale commercial uses. Almost all highly ranked images were brick buildings with traditional architectural styles.

Within the Central Study Area (including the “PVC Site” and former Emory Medical Center site), the most highly ranked images were institutional uses.



Central Study Area Highly Ranked Images

Neighborhood Transition Areas



I-285 Corridor



Circulation and Open Space



Highly ranked survey images

For the I-285 corridor, a series of images depicting mixed-use developments (mostly commercial) were ranked most favorably.

In all three geographic areas, the lowest ranking images were those depicting existing buildings within the study area.

Within the circulation and open space images, passive open spaces (some with ped/bike trails) ranked most favorably.

Notable results from multiple choice and short-answer questions:

- 74% of survey respondents noted that the Georgetown/ North Shallowford area needed extensive improvement and redevelopment. Only 6% reported that the area needs landscaping/general improvements and 1% reported that the area looks fine as it is.
- The most appropriate future uses for the area according to survey participants are retail, residential, and mixed-use.
- There is strong community sentiment that further multi-family residential development should be discouraged. However, many stakeholders are interested in encouraging more senior-oriented housing in the area.
- There is strong community desire for more open spaces and greater walking/cycling trails.
- The highest three implementation priorities from survey respondents were:
 - o Encourage high-quality redevelopment
 - o Create open space/parks
 - o Make the area more walkable/bikable



LAND USE FRAMEWORK PLAN

The Land Use Framework Plan is intended to guide future development/redevelopment within the Master Plan area. Due to current economic/real estate conditions, the amount of redevelopment that has occurred over the last 5-10 years, and a number of properties that have been subdivided into condominiums, a number of properties within the district are unlikely to change over the next 10-20 years. These properties include several of the new multi-family apartment and condominium developments, the Peachford Hospital area near North Peachtree Road, and small-scale office condos near the intersection of North Shallowford Road, Chamblee Dunwoody Road, and Peeler Road.

Other properties display a much greater susceptibility to change including the “PVC Site” and former Emory Medical Center site at North Shallowford and Pernoshal Roads. The former Shallowford Elementary School site, Dunwoody Park office park, and Georgetown Square Offices also exhibit some susceptibility to change due to market conditions, high vacancy rates, and other factors.

Consistent with the community consensus points, the Land Use Framework Plan seeks to:

- Enhance the area’s identity and character by creating community green space, enhancing connectivity, and promoting quality redevelopment in high visibility areas.
- Maintain and enhance buffers to surrounding single-family neighborhoods by encouraging lower scale residential and office uses near neighborhoods (particularly west of Chamblee Dunwoody Road and north of the “PVC Site” and former Emory Medical Center site)
- Provide a better range of goods and services and create more sustainable retail environment by limiting commercial development to appropriate, high-traffic areas.
- Encourage residential opportunities focused on senior populations providing housing opportunities in close proximity to goods and services and enhancing the area as a lifelong community.

The following sections outline key strategies and recommendations for potential redevelopment sites.

Land Use Framework Plan



GEORGETOWN / NORTH SHALLOWFORD DISTRICTS

- | | | | |
|---|---|--|---|
| <p>CONVENIENCE RETAIL:</p> <ul style="list-style-type: none"> Primarily existing retail nodes Limited office Limited opportunity for new development Facade / tenant upgrades over time Internal landscape / pedestrian / site improvements over time (private) | <p>CIVIC / INSTITUTIONAL:</p> <ul style="list-style-type: none"> Existing civic / institutional uses (Peachford Hospital, Fire Station) Opportunity for new Civic Node on North Shallowford Road Potential new recreation center (private), school (public or private), community / senior services (private), etc. | <p>ATTACHED RESIDENTIAL:</p> <ul style="list-style-type: none"> Combination of existing and new development opportunities Primarily limited to for-sale residential product High potential for age-targeted developments (empty nesters and up) New development at 2-3 stories (exception for Georgetown Square area adjacent to existing 5-story buildings) Variety of typologies including townhomes, flats, etc. Likely higher-end price points due to land values and low densities | <p>SINGLE-FAMILY RESIDENTIAL:</p> <ul style="list-style-type: none"> Small-lot / large-home development approach due to high land value and compatibility needs Very limited opportunities |
| <p>SMALL-SCALE OFFICE:</p> <ul style="list-style-type: none"> Primarily existing office nodes Limited opportunity for new development Facade / tenant upgrades over time Internal landscape / pedestrian / site improvements over time (private) | <p>MIXED-USE Transit Oriented Development</p> <ul style="list-style-type: none"> Opportunity for longer term mixed-use development associated with I-285 transit Potential new office, residential, retail 4-8 story mid-rise development with open space commitment | <p>EXISTING MULTI-FAMILY:</p> <ul style="list-style-type: none"> Existing development 3-4 story existing garden-style and flats (apartments and condos) Most units built within the last 10 to 15 years Long term opportunity for mixed-use redevelopment | <p>MAJOR NEW CITY PARK:</p> <ul style="list-style-type: none"> 6 to 8 acre new public city park Incorporation of a major focal point to provide community identity (e.g., plaza, fountain, splash pad, public sculpture, etc.) |



ILLUSTRATIVE CONCEPT
NOT AN ACTUAL
DEVELOPMENT PROPOSAL



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“PVC SITE”

The 16.18 acre “PVC Site” presents one of the most significant opportunities in the Georgetown/North Shallowford area. The site formerly accommodated low-scale apartments, which were demolished and the site re-platted for over 280 residential units. However, the development plan for the site was never constructed and the site fell into foreclosure. Much of the community discussion during the master planning process involved prioritizing uses for the site that would enhance the community. In late February 2011, the City of Dunwoody executed a letter of intent to purchase the property as a byproduct of this Master Plan and previous planning efforts. The recommended use for the PVC Site is to construct a community park for the Georgetown/North Shallowford area and surrounding neighborhoods.

While it is possible that the entire 16+ acre site could be utilized as a community park, a public/private partnership may be necessary to offset the potential costs of purchasing the land and developing community green space. Two scenarios emerged through the community planning process. The first would utilize the westernmost 6-8 acres of the site as a community park and utilize the eastern side of the site for a community facility or institution. The institution could be a municipal complex (City Hall and police administrative offices), a recreation facility (YMCA or other), or community/senior center. From a design perspective, the community facility would need to have a presence on North Shallowford Road and Dunwoody Park and should visually anchor the east end of the park with a multi-story façade and/or significant architectural entry feature.

If a community facility is not realized, a secondary option explored by the planning team would surround a 6-8 acre park with 8-10 acres of high quality, single-family attached residences that face onto the park and community amenities. Typically constructed at 8-12 units per acre, attached residential development on the site would be limited to 60-100 for-sale units.



Highly ranked image from community preference survey for the Central Study Area

FORMER EMORY MEDICAL CENTER

Redevelopment of the former Emory Medical Center site is one of the most challenging elements of the plan. The site is likely best suited as a medical, office, or multifamily residential site. However, most medical facilities in this part of the region have migrated to “Pill Hill” near Northside and Saint Joseph’s hospitals and current market conditions do not favor office redevelopment in the short or mid-term (next 3 to 10 years). In the short-term the real estate market is most likely to bring residential development. However, the site is positioned between apartment sites and is unlikely to foster owner-occupied residential. Senior housing is a possibility, but the site is far from the district’s retail shops, restaurants, and other amenities which would support a more connected lifelong community.

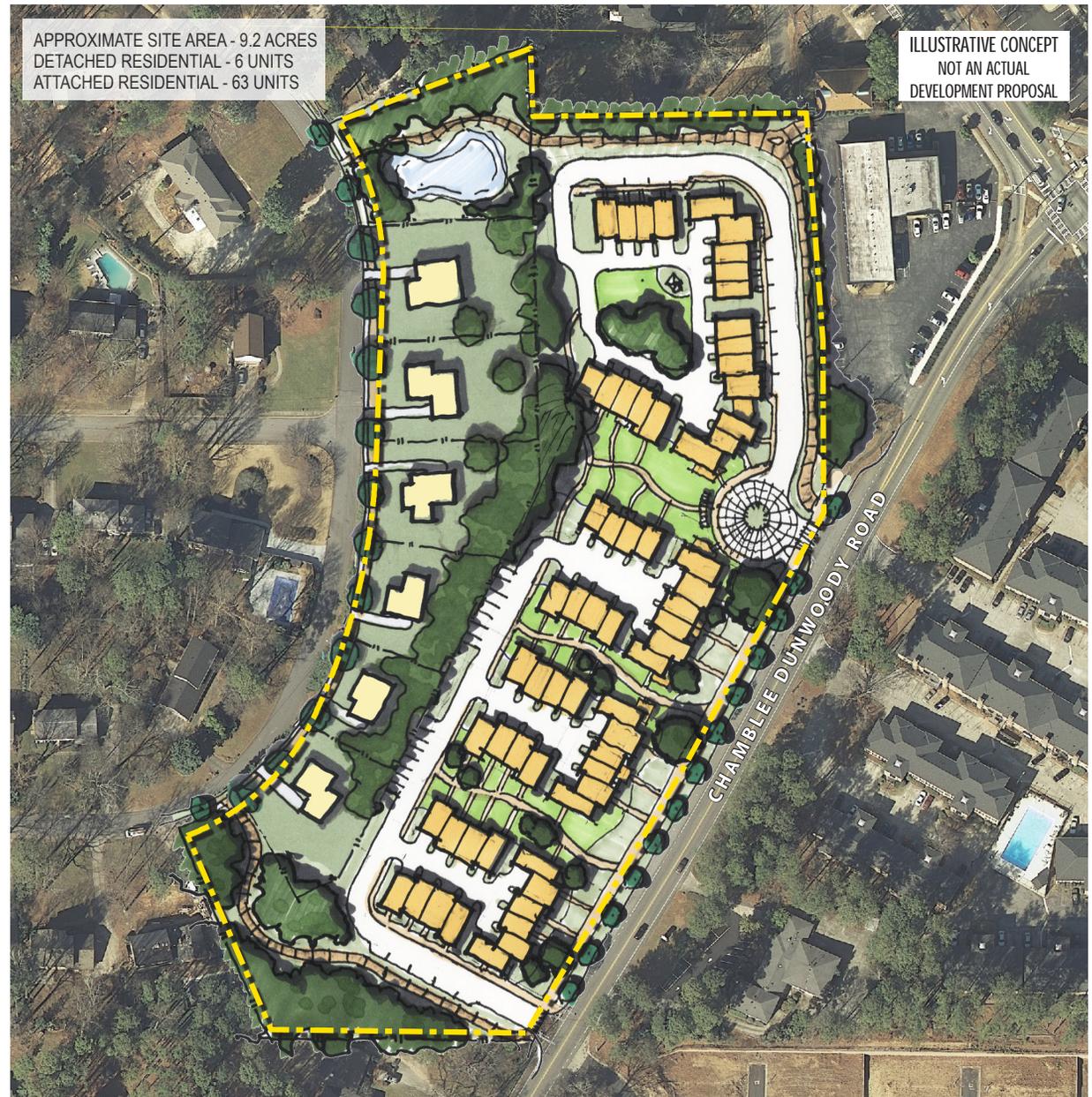
From a community standpoint, the best option for the site would reposition it as an institution. While the City of Dunwoody is not currently on a path to create community facilities, public/private partnerships or other county partnerships might provide an opportunity for the site to be repositioned as a school site, community/senior center, or recreation center (YMCA or similar). While the DeKalb County School District has been consulted as part of the Master Plan process, the City should pursue additional discussions with the System to inform future positioning of the property. Other than a local institution or office, the best alternate would call for attached single-family or low intensity senior-oriented housing.

DeKALB COUNTY SCHOOL SITE

While the old Shallowford School site is owned by DeKalb County School System, the facility has been unused for several years and is in disrepair. Based on the current school sizes desired by DeKalb County Schools and the location, size, and topography of the property, there are significant questions regarding the site's ability to accommodate a contemporary educational building in the future. If DCSS makes the property available for sale or swap, the property should be considered for a combination of detached and attached, for-sale single-family residential.

While there may be some concerns positioning new residential along Chamblee Dunwoody Road, it is vital to prevent commercial development in a sprawling pattern along Chamblee Dunwoody Road from 285 to North Shallowford Road. The site also has immediate proximity to the North Springs and Chateau Woods neighborhoods and is directly across the street from the Delido Apartments. The site could benefit from the potential redevelopment of the "PVC Site" into a significant community amenity.

As a residential site, single family detached homes that will fit into the fabric of the North Springs neighborhood should occupy the west side of the site facing Kellogg Circle. Ideally, lot and homes sizes would be consistent with properties in North Springs. Homes on the top side of the site along Chamblee Dunwoody Road would more likely be townhomes or rowhouses with rear garages and common open/green spaces. Pedestrian/bicycle trails may also be integrated into the site to enhance accessibility of neighborhood residents to Chamblee Dunwoody Road and the proposed park on the east side of Chamblee Dunwoody Road.





Example Senior Village Housing

GEORGETOWN SQUARE/OLD SPRING HOUSE LANE

Georgetown Square in the southwestern quadrant of study area, includes The former Atrium at Georgetown, now Dunwoody Pines, senior living community and a variety of low-scale office buildings. While the low-scale office buildings are an acceptable transition from the single-family neighborhoods to higher intensity uses along Chamblee Dunwoody Road at I-285, Georgetown Square has high vacancy rates and has been on the market over the last several years. If the property is transitioned from small-scale office to another use, the City should pursue the creation of a senior-oriented residential community, or “Senior Village” in this area.

With high accessibility to I-285; direct adjacency to Georgetown Shopping Center, retail goods and services, and planned future transit services; and needing to maintain a transition from single-family neighborhoods to commercial services this location is ideal for a senior residential community building off of The Atrium and other support services. A “Senior Village” in this location could include independent/active adult housing or a stepped facility providing several different types of senior housing. The stepped, retirement community often allows residents to make a single housing purchase, but transition from independent to assisted living within the community as their needs change. New development in this area should be 2-3 stories adjacent to existing single family homes and along Old Spring House Lane. Taller buildings may be permissible adjacent to, but no taller than, Dunwoody Pines and The Lofts at Georgetown/GT Lofts (5-stories).

CHAMBLEE DUNWOODY ROAD COMMERCIAL AREA

The Chamblee Dunwoody Road Commercial Area from I-285 to just north of Old Spring House Lane includes the Georgetown Shopping Center and a variety of single story commercial buildings (gas stations, convenience retail, and office on the north end of the corridor). During the master planning process, the owners of the Georgetown Shopping Center presented plans to upgrade the grocery store anchor and make façade and landscape improvements on the property.

While the shopping center is expected to undergo some improvements, the corridor needs improvement related to design character, visual appeal, walkability, landscaping, and safety. The circulation and open space section of this report outlines recommended streetscape improvements, but alterations/redevelopment of commercial buildings along the corridor will also be needed to enhance this gateway area into the City of Dunwoody.

Commercial properties on the east side of Chamblee Dunwoody Road between Cotillion Drive and Dunwoody Park are generally shallow and will likely remain commercial. However, opportunities to assemble and/or redevelop those properties should result in buildings being positioned near the street at the back of improved sidewalks with parking behind or to the side of the building. While the limited depth of these properties present challenges in terms of providing ample surface parking, two-story development may be possible and desirable along the street edge to better frame the roadway and enhance the corridors visual and pedestrian experience.

Over the long-term (10-25 years), the Georgetown Shopping Center may be appropriate for higher intensity transit oriented development, if 285 transit services moves toward reality. Stakeholders envision a future mixed-use development on the site with a mix of retail, office, and owner-occupied residential.



After - Chamblee Dunwoody Road looking north



Before - Chamblee Dunwoody Road looking north



ILLUSTRATIVE CONCEPT
NOT AN ACTUAL
DEVELOPMENT PROPOSAL

Dunwoody Park at Peachford Road Extension Concept



DUNWOODY PARK/I-285 AREA

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The area between Dunwoody Park South and North Shallowford Road includes a series of low-scale office buildings (Dunwoody Park), a mix of office, senior residential facilities, a large Georgia Power operations center, a United States Postal Service distribution facility, and AMLI Perimeter Gardens apartments. The western edge of Dunwoody Park South also includes a vacant restaurant site, Atlanta School of Massage, a self-storage facility, and one-story retail center.

With limited internal visibility and accessibility, the area is aging and struggling with low lease rates and high vacancies. While AMLI Perimeter Gardens, the Georgia Power operations site, and several other properties are unlikely to change in the next decade and there is limited short-term market potential for additional office and retail, the area has significant potential in the long term if enhanced access can be provided. Planned future transit along I-285 also represents a tremendous opportunity for the area.

To enhance access and provide a local east-west route enhancing connectivity, a roadway project to extend Peachford Road through Dunwoody Park to the intersection of Chamblee Dunwoody and Old Spring House Lane should be considered. This roadway, further detailed in the Circulation and Open Space section, would greatly enhance community connectivity, can be constructed as a “complete street” to enhance walkability and bicycling, and greatly enhance opportunities to improve the area.

Future redevelopment in the Dunwoody Park/I-285 area should focus on creating a walkable mix of uses including office, retail, and residential (with a strong preference for senior residential or owner-occupied condominiums). Generally, redevelopment along I-285 should be compact to prevent sprawl into nearby residential neighborhoods. Most redevelopment opportunities should be encouraged to reach 3-5 stories in height with potential to achieve 8 stories with the creation of community open space as part of the development. Redevelopment in this area should have a high degree of walkability to prepare for and benefit from planned future transit facilities in the area.

It should be noted that several existing multi-family residential sites are maintained in the Land Use Framework Plan. Due to their recent development, these properties are unlikely to redevelop in the short- and mid-term. However, if multi-family rental properties do become available for repositioning, efforts should be made to build off of the transit-oriented development concept for this area. Redevelopment of any major site in the area should include a mix of housing types and units, integration of office and retail uses in appropriate quantities, creation of a community green space as a focal point of the development, and pedestrian and bicycle connectivity to area amenities.



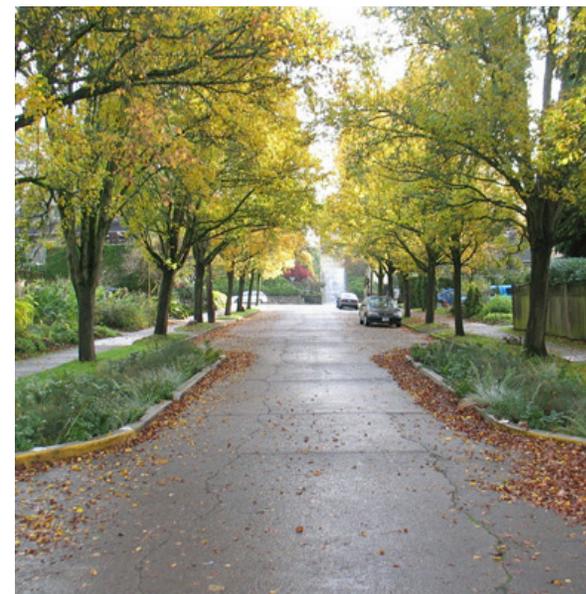
CIRCULATION & OPEN SPACE FRAMEWORK PLAN

The Circulation and Open Space Framework Plan outlines key community green/open space and pedestrian, bicycle, and roadway improvements developed in conjunction with the land use and market goals established during the planning process. Planning transportation improvements in conjunction with land use goals and objectives is vital to creating the character and environment desired by the City of Dunwoody.

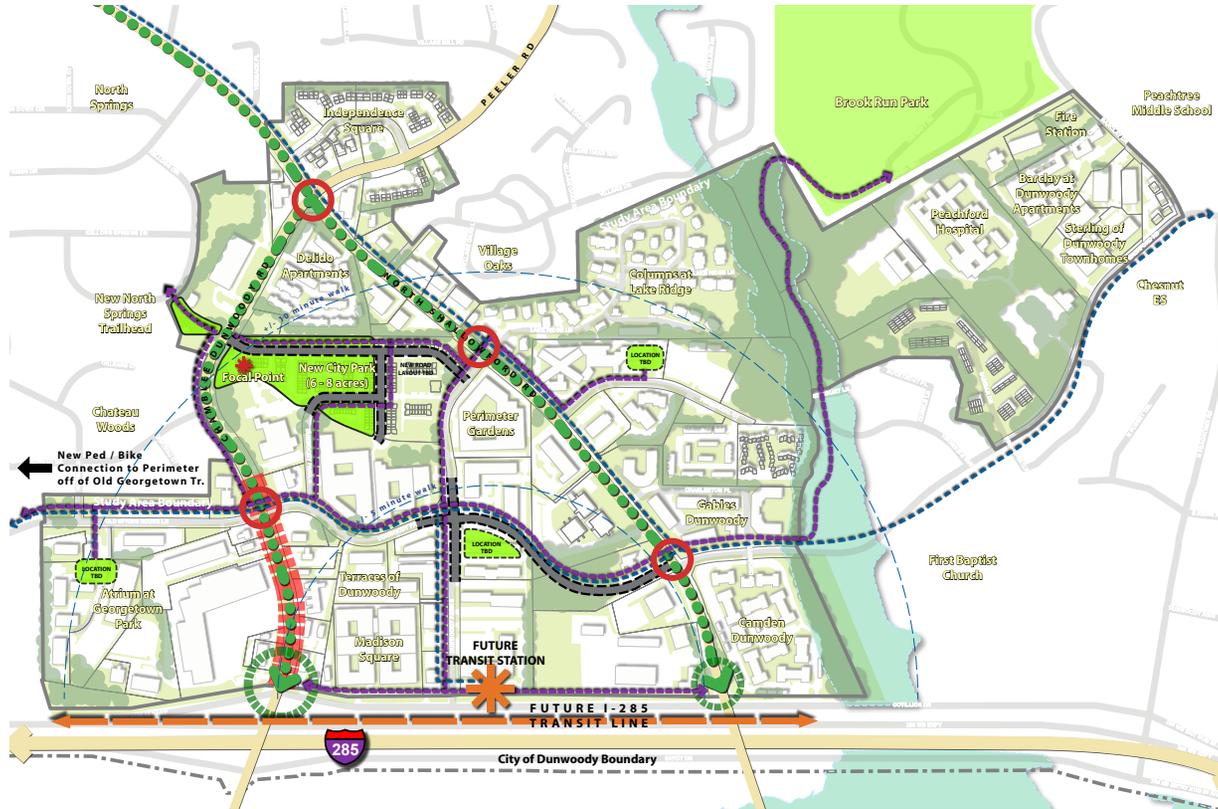
Consistent with the community consensus points the Circulation and Open Space Framework Plan seeks to:

- Enhance the area's appearance as a gateway into the City
- Facilitate the creation of additional community green space
- Encourage greater walkability and enhance the opportunity to travel by alternate means (bicycle, electric cart, etc.)
- Enhance east-west connectivity and access between neighborhood areas, community facilities, and amenities

The following sections outline key green space initiatives and recommended roadway, pedestrian, bicycle, and multi-use trail enhancements.



Circulation and Open Space Framework Plan

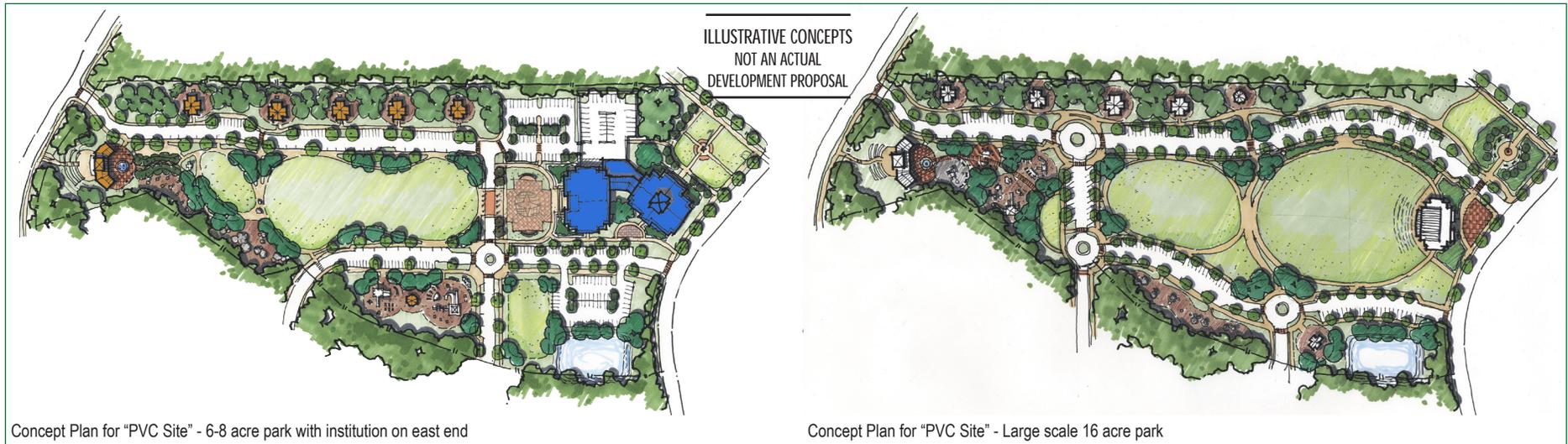


- Study Area Boundary
- Major Streets
- Parcels
- 100 Year Flood Plain
- Building Footprint
- Natural Tree Cover (approximate)

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CIRCULATION & OPEN SPAC INITIATIVES

- OPEN SPACES:**
 - City Park ("PVC Site") - 4 to 8 acres (NOTE: size and layout TBD)
 - North Springs Trailhead
 - Pocket Parks - required as part of all new major developments (exact locations dependant upon development plans)
- STREETSCAPE IMPROVEMENTS:**
 - Sidewalks, decorative lighting, street trees, mast arms, access management and landscaping
 - Chamblee Dunwoody Road identified as priority followed by North Shallowford Road
- OPERATIONAL / ACCESS MANAGEMENT:**
 - Operational & access improvements to Chamblee Dunwoody from I-285 to Old Spring House Lane
 - Potential signal timing, reduced / consolidated curb-cuts, interparcel connectivity enhancements, lane reconfigurations, etc.
- NEW ROADWAY CONNECTIONS:**
 - New roads to break up super blocks (associated with new development)
 - "Complete Streets" approach
 - Pedestrian signalization, street trees, sidewalks, decorative lighting, etc.
 - Operational Improvements at tie-in locations
- PEDESTRIAN PATHS / TRAILS:**
 - 12-15 feet wide path/trail
 - Multi-use for pedestrians and recreational cyclist (not intended for bicycle commuters)
 - Some in public right of way, some require easement on private property (easements)
 - Potential trailheads connecting to adjacent neighborhoods (secured access to be explored) (NOTE: Will require detailed discussions with affected neighborhoods and existing property owners to determine feasibility and exact locations)
- INTERSECTION IMPROVEMENTS:**
 - Operational Improvements
 - Pedestrian Signalization if warranted
 - Decorative Pedestrian Crossings
- CITY GATEWAY IMPROVEMENTS:**
 - Landscaping and signage
 - Major gateway at Chamblee Dunwoody Road
 - Minor gateway at North Shallowford Road
- ON-STREET BIKE ROUTES:**
 - North Shallowford Road
 - Peachford Road
 - New East-West Road
 - Potential extended connections to Dunwoody Village (Chamblee Dunwoody Road) and Perimeter area (Old Spring House Lane - with new multi-use trail over existing creek)
 - Eventual connection to future Transit Station

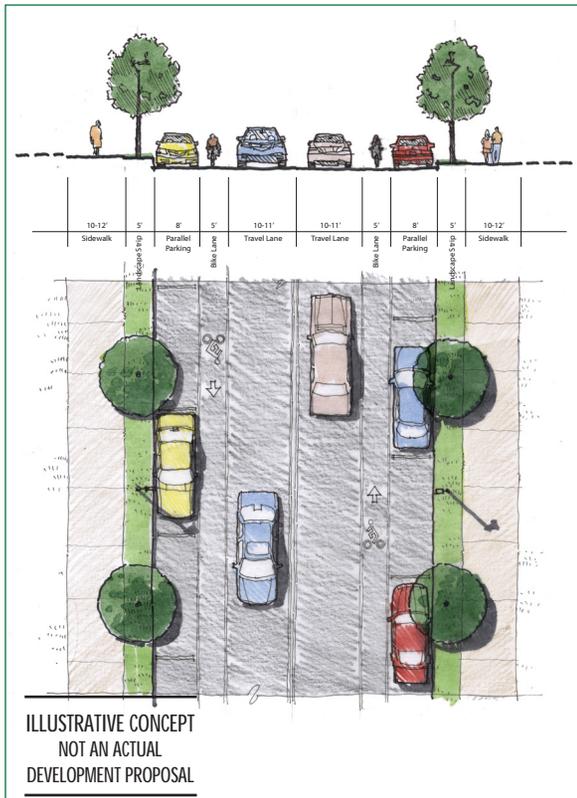


OPEN SPACE

The "PVC Site" bounded by the west by Chamblee Dunwoody Road and the east by North Shallowford Road represents one of the single largest opportunities to create useable community open space within the Georgetown/North Shallowford area (and potentially the entire City of Dunwoody other than Brook Run and Dunwoody Park). Based upon the community planning effort the City is considering acquisition of the site to provide community green space and open space. A community park of 6-8 acres, or larger, in this area has the ability to provide multi-purpose field areas, a signature playground, and other amenities. Based on the public input and the geometry of the site, the open space should be visible from Chamblee Dunwoody Road, but have most "active" areas of the park on the interior of the site.

Other opportunities for enhanced community open space would be part of significant redevelopment projects. The former Emory Medical Center property, Dunwoody Park/I-285 area, and Georgetown Square sites should all consider smaller (1/2 to 1 acre) green spaces as part of any major redevelopment plan. Generally these smaller open spaces should be used to create focal points within redevelopment projects and be bordered on at least one side by a public roadway to enhance visibility and safety. Future land use policies should consider a requirement that any development or redevelopment of over 4 acres should provide a publicly accessible open space of not less than 10% of the development area.

In addition to creating new green spaces where possible efforts should be made to identify specimen trees and other natural features for preservation. Maintaining mature tree cover and making efforts to plant trees as part of open space improvements will help maintain and enhance the area's character and appearance.



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NEW ROADWAYS

One of the primary circulation needs within the Georgetown/North Shallowford area is enhancing east-west circulation to and through the area. Two new roadway connections are recommended to increase connectivity, enhance walkability, and create opportunities for higher-quality redevelopment.

The most significant roadway recommendation is to extend Peachford Road through Dunwoody Park to the intersection of Chamblee Dunwoody Road and Old Spring House Lane. This local roadway connection is envisioned as a “complete street” with on-street bicycle lanes, on-street parking, landscape strips, lighting, and wide sidewalks. The roadway would create a local alternative to Cotillion Drive, which could be adversely impacted by future I-285 and/or transit improvements, and help distribute traffic to reduce pressure on the areas major intersections (North Shallowford Road at Cotillion Drive, North Shallowford Road at Chamblee Dunwoody Road, and Chamblee Dunwoody Road at Cotillion Drive). Finally, the roadway would significantly enhance the accessibility and visibility of the area between Chamblee Dunwoody Road and North Shallowford Road and enhance the area’s potential to accommodate higher-quality redevelopment with a high degree of walkability, access to future transit services, and increased community open space.

A second key east-west connection is completing/opening east-west roadways through the “PVC Site” between Dunwoody Park and Chamblee Dunwoody Road. While this roadway connection will not be a major traffic improvement, it can provide a key access into the “PVC Site” and include significant pedestrian and bicycle connections to link Chamblee Dunwoody Road and the neighborhoods to the west to the “PVC Site,” future transit, and central Georgetown commercial facilities. Due to the curve on Chamblee Dunwoody Road, the western entry/exit should be right-in, right-out only. Pedestrian connections across Chamblee Dunwoody Road may also need to be moved north or south of the roadway for safety.



North Shallowford Road at Peachford Road

STREETSCAPE IMPROVEMENTS

Two significant streetscape (sidewalk, landscape, and lighting) projects are recommended for the Georgetown/North Shallowford area. Chamblee Dunwoody Road from I-285 to North Shallowford Road is a major commercial corridor and gateway into the City of Dunwoody. To improve the visual appeal, walkability, and safety in the corridor streetscape enhancements in the corridor should include:

- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks along both sides of Chamblee Dunwoody Road no less than 6 feet in width and preferably 8-10 feet in width
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high-visibility pedestrian crossings, and ADA Ramp improvements where necessary
- Access Management strategies to limit the number of curb cuts and potential conflict areas along the corridor

While the southern end of North Shallowford Road is unlikely to change from a development standpoint over the short and mid-term, streetscape enhancements can improve the appearance, character, multi-modal access and redevelopment potential of the corridor. Streetscape enhancements along North Shallowford Road should include:

- On-street bicycle lanes discussed later in this section
- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks along both sides of Chamblee Dunwoody Road no less than 6 feet in width
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high-visibility pedestrian crossings, and ADA Ramp improvements as necessary
- Maintain access management along the corridor with limited curb cuts and potential conflict areas along the corridor

Gateways, enhanced landscaping, and signage marking entrances to the City of Dunwoody, should also be considered along Cotillion Drive at Chamblee Dunwoody Road, North Shallowford Road, and the exit ramp from I-285 at North Peachtree Road.



Existing North Shallowford Road at Peachford Road





Old Spring House Lane looking west

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BICYCLE ROUTES

A combination of on-street and off-street bicycle routes will be necessary to enhance the ability of bicycles to traverse the area more easily. In addition to including on-street bicycle routes as part of the proposed Peachford Road Extension, on-street bicycle lanes should be added to North Shallowford Road and Peachford Road when the roadways are repaved and/or restriped.

The curb-to-curb distance on both North Shallowford Road from Cotillion Drive to Dunwoody Park and Peachford Road from North Shallowford Road to North Peachtree Road is wide enough to accommodate on-street bicycle lanes by reducing travel and turn lane widths. On-street bicycle lanes should be 5 feet in width to meet AASHTO standards. On-street bicycle routes should also be incorporated into new streets, especially the proposed Peachford Road Extension through Dunwoody Park to Old Spring House Lane.

Georgetown/North Shallowford area bicycle routes should be tied into a Citywide network of bicycle facilities in coordination with the City's Comprehensive Transportation Plan.

MULTI-USE PATHS/TRAILS

Where on-street bicycle lanes are not recommended due to travel volumes and/or the number of potential conflicts, multi-use paths/trails should be considered. Multi-use paths are typically 12-15 feet wide and accommodate pedestrians (runners/joggers), recreational bicyclists, and sometimes electric carts (golf carts) and/or other alternative modes of transportation.

Priority locations for off-street multi-use trails include:

- Along Nancy Creek from Peachford Road to Brook Run Park
- Cotillion Drive from North Peachtree Road to Chamblee Dunwoody Road
- The west side of Chamblee Dunwoody Road from Old Spring House Lane to the North Shallowford/Peeler Road intersection
- Old Spring House Lane from Chamblee Dunwoody Road to a proposed pedestrian bridge linking the Georgetown Neighborhood to Perimeter Center East
- From the former Emory Medical Center Site through the "PVC Site" to the Old Shallowford Elementary School site and adjacent neighborhoods

These multi-use paths would enhance connectivity and walkability through the Georgetown/North Shallowford area and between residential areas and key community amenities.



FUTURE TRANSIT STATION

REVIVE 285 is a planning effort sponsored by the Georgia Department of Transportation (GDOT) to consider future transit service along the top side of 285 from I-85 near Norcross to I-75 near Marietta. Options under consideration include express bus service within managed lanes and preservation of right of way for future high capacity transit along the north side of 285. Planning options also include a potential transit station area within the Georgetown/North Shallowford area adjacent to the Georgetown Shopping Center.

The community master planning effort for the Georgetown/North Shallowford area has recognized the potential of the Dunwoody Park area and recommends that any future transit station be located near the intersection of Cotillion Drive and Dunwoody Park to provide access to the entire area between and adjacent to Chamblee Dunwoody Road and North Shallowford Road and take better advantage of the redevelopment potential of the Dunwoody Park area to promote higher-quality redevelopment.

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**CITY OF DUNWOODY
DECEMBER 11, 2014
COMMUNITY COUNCIL MINUTES**

The Community Council of the City of Dunwoody held a Meeting on December 11, 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, Chair
 Tony Delmichi, Community Council Member
 Richard Grove, Community Council Member
 Deborah G. Shendelman, Community Council Member
 Sam Verniero, Community Council Member

Also Present: Rebecca Keefer, City Planner
 Andrew Russell, Planning Coordinator

A. CALL TO ORDER

B. ROLL CALL

All members were present except Clayton Coley and Rick Callihan

C. MINUTES

1. Approval of Meeting Minutes from the July 10, 2014 Community Council Meeting.

Motion made to approve minutes by Norb Leahy and seconded by Tony Delmichi

The motion was voted and passed (5 - 0)

2. Approval of Meeting Minutes from the November 13, 2014 Community Council Meeting.

Motion made to approve minutes by Norb Leahy and seconded by Tony Delmichi

The motion was voted and passed (5-0)

D. ORGANIZATIONAL AND PROCEDURAL ITEMS

E. UNFINISHED BUSINESS

Motion made to recognize the contributions of Bobbi Sedam by Tony Delmichi and seconded by Norb Leahy

The motion was voted and passed (5-0)

F. NEW BUSINESS

1. RZ 15-021: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Lonnie Moss, on behalf of CO Dunwoody Village Court, LLC, seeks permission to rezone property currently zoned Office-Institution (O-I) District to Multi-dwelling Residential (RM-100) to allow for construction of a 81-unit townhome development. The subject property consists of two parcels: tax parcel 18-366-060-61 located at 1530 Dunwoody Village Parkway, Dunwoody, GA 30338, and tax parcel 18-366-060-65 located at 1536 Dunwoody Village Parkway, Dunwoody, GA 30338.

Carl Westmoreland, representative of the applicant spoke, and asked for a deferral until the January Community Council meeting.

Staff requested that Community Council vote to defer until the January meeting.

Motion made to continue to the regularly scheduled January Community Council meeting by Sam Verniero and seconded by Tony Delmichi

The motion was voted and passed (5-0)

2. RZ 15-022: Pursuant to the City of Dunwoody Zoning Ordinance, applicant, Dennis J. Webb, Jr., on behalf of JH Holdings, Inc., seeks permission to rezone property currently zoned Local Commercial (C-1) District and Office-Institution (O-I) District to Multi-dwelling Residential (RM-100) to allow for construction of a 40-unit, fee simple townhome development. The subject property consists of two parcels: tax parcel 18-345-003-006 located at 1745 Old Spring House Lane, Dunwoody, GA 30338 zoned (O-I), and tax parcel 18-345-003-010 located at 4536 Chamblee Dunwoody Rd, Dunwoody, GA 30338 zoned (C-1).

Minutes: Rebecca Keefer presented on behalf of staff.

Den Webb presented on behalf of applicant.

Chad Griffith, resident, who lives and work near the site, spoke over concerns of compartmentalization of the site, and concerns over parking issues at Georgetown plaza.

Mark Doral, resident of the neighborhood, spoke and asked questions of price range and occupation of units.

Warren Jolly, representative of the Providence Group, applicant, spoke on the price range and owner-occupied figures, and concerns over building materials, facade, and appearances.

Carla Massacard, North Springs resident, voiced concerns.

Gerri Penn, resident, spoke to whether the City allows petitions to decide parking provisions to one side of a street or the other.

Motion made to Approve by Tony Delmichi. Motion died without a second.

Norb Leahy requested a traffic study on the property. Sam Verniero concurred with the call for a traffic study.

Motion made to approve by Tony Delmichi and seconded by Norb Leahy

The motion was voted and passed (5-0)

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

Approved by:

Chairman

Attest:

Secretary

**CITY OF DUNWOODY
JANUARY 13, 2015
PLANNING COMMISSION MINUTES**

The Planning Commission of the City of Dunwoody held a Meeting on January 13, 2015 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: Bob Dallas, Chair
 Bill Grossman, Vice Chair
 Kirk Anders, Commission Member
 Claire Botsch 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
 Andrew Russell, Planning Coordinator

A. CALL TO ORDER

B. ROLL CALL

Bob Dallas introduced new member, Claire Botsch, and welcomed her to the Planning Commission.

C. MINUTES

1. Approval of Meeting Minutes from December 9, 2014 Planning Commission Meeting

Heyward Wescott motioned to approve Minutes. Kirk Anders seconded.

The motion was voted and passed (6 - 0 - 1)

Claire Botsch abstained since she was not on the Planning Commission during the December 9, 2014 meeting.

D. ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Chair and Vice-chair nominations

Bill Grossman motioned to approve Bob Dallas for Chair. Heyward Wescott seconded.

The motion was voted and Passed (7 - 0)

Heyward Wescott motioned to approve Bill Grossman for vice-chair. Paul Player seconded.

The motion was voted and Passed (7 - 0)

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. RZ 15-021: Cypress Communities, LLC, applicant, on behalf of owner, CQ Dunwoody Village Court, LLC, seeks permission to rezone property currently zoned Office-Institution (O-I) District to Multi-dwelling Residential District (RM-100) to allow for construction of an 81-unit townhome development. The subject property consists of two parcels: tax parcel 18-366-060-61 located at 1530 Dunwoody Village Parkway, Dunwoody, GA 30338, and tax parcel 18-366-060-65 located at 1536 Dunwoody Village Parkway, Dunwoody, GA 30338.

Rebecca Keefer presented on behalf of staff.

Carl Westmoreland, representative of the applicant presented, and asked for a deferral until the regularly scheduled March Planning Commission meeting. He responded to the Commission's questions.

Paul Player motioned to continue until the March meeting. Kirk Anders seconded.

The motion was voted and passed (7 - 0)

2. SLUP 15-021: Andrew Halloran, representative of Cornerstone Site Consultants, LLC, on behalf of Most Reverend Wilton D. Gregory, Archbishop, Roman Catholic Diocese of Atlanta, owner of 2443 Mount Vernon Road, Dunwoody, GA 30338, seeks a Special Land Use Permit for the expansion of an existing place of worship and accessory uses. The tax parcel number is 18 373 02 002.

Rebecca Keefer presented on behalf of staff.

Andrew Halloran, with Cornerstone Site Consultants, representative of the applicant, spoke and asked for a deferral until the February 10, 2015 meeting.

Heyward Wescott motioned to continue until the February meeting. Claire Botsch seconded.

The motion was voted and Passed (7 - 0)

3. RZ 15-022: The Providence Group, c/o Smith Gambrell & Russell, LLP, applicant, on behalf of owner, JH Holdings, Inc., seeks permission to rezone property currently zoned Local Commercial (C-1) District and Office-Institution (O-I) District to Multi-dwelling Residential District (RM-100) to allow for construction of a 40-unit townhome development. The subject property consists of two parcels: tax parcel 18-345-003-006 located at 1745 Old Spring House Lane, Dunwoody, GA 30338 zoned (O-I), and tax parcel 18-345-003-010 located at 4536 Chamblee Dunwoody Rd, Dunwoody, GA 30338 zoned (C-1).

Rebecca Keefer presented on behalf of staff.

Den Webb, representative, presented on behalf of the applicant, and then responded to the Commission's questions.

Warren Jolley, representative of the Providence Group, applicant, spoke and responded to the Commission's questions.

The Commission asked questions of the applicant regarding senior living needs being incorporated into the plan, design concerns, driveway size and length, exterior materials, distance in the rear from the shopping center, landscaping between the southernmost units and the shopping center, possibility of a pedestrian access gate connecting to the shopping center, traffic concerns, signage, floor plans, and guest parking.

Heyward Wescott motioned to approve with the following conditions:

- 1.) Pervious parking pads shall be provided in the area under decks.
- 2.) Pedestrian access gate shall be added at the southwest corner.
- 3.) The applicant shall consider shared access alternatives with the property to the south.

Bill Grossman seconded.

The motion was voted and passed (7 - 0)

- G. OTHER BUSINESS
- H. PUBLIC COMMENT
- I. COMMISSION COMMENT
- J. ADJOURN

AMENDMENT APPLICATION



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

*** Applicant Information:**

Company Name:	The Providence Group c/o Smith, Gambrell & Russell, LLP		
Contact Name:	Dennis J. Webb, Jr.		
Address:	1230 Peachtree Street, NE, Ste. 3100, Atlanta, GA 30309		
Phone:	404-815-3620	Fax:	404-685-6920
Email:	djwebb@sgrlaw.com		
Pre-application conference date (required):	November 5, 2014		

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

Owner's Name:	JH Holdings, Inc.		
Owner's Address:	400 Northcree, Ste. 100, 3715 Northside Parkway, Atlanta, GA 30327		
Phone:	404-846-4001	Fax:	404-846-8660
Email:	jlundeen@cororealty.com		

*** Property Information:**

18-345-03-006

Property Address:	1745 Old Spring House Ln. / 4536 Chamblee Dunwoody Rd.		Parcel ID:	18-345-03-010
Current Zoning Classification:	C-1 / O-1			
Requested Zoning Classification:	RM-100			

*** 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:	Dennis J. Webb, Jr.		
Applicant's Signature:		Date:	11/19/14

*** Notary:**

Sworn to and subscribed before me this	17 th	Day of	November	, 20	14
Notary Public:	Shawna E. Avila				
Signature:					
My Commission Expires:	3-16-16				



Additional Applicant Notarized Certification

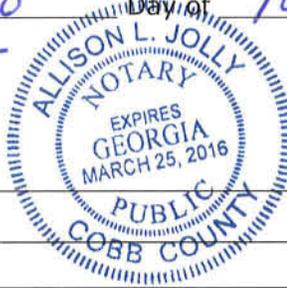


41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

I hereby certify that to the best of my knowledge, this 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:**

Signature: <u>Wanna Spivey</u>	Date: <u>11/10/14</u>
Address: <u>11340 Lakefield Drive Suite 250 Johns Creek GA 30097</u>	
Phone: <u>678 475 9400</u> Fax: _____	Email: <u>wsjolly@TheProvidenceGroup.com</u>
Sworn to and subscribed before me this <u>10</u> Day of <u>November</u> , 20 <u>14</u>	
Notary Public: <u>Allison L. Jolly</u>	



*** Applicant:**

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

*** Applicant:**

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

Additional Property Owner(s) Notarized Certification

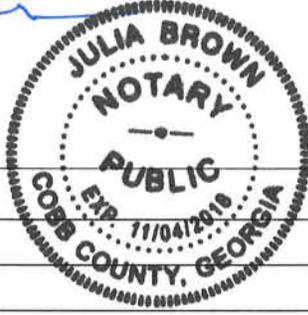


41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

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):** *JH Holdings Inc.*

Signature: *[Signature]* (President) Date: 11/13/14
 Address: 3715 Northside Parkway 400 North Creek Suite 100 Atlanta GA 30327
 Phone: 404-846-4000 Fax: 404-846-8660 Email: jlander@coorealty.com
 Sworn to and subscribed before me this 13th Day of November, 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: *JH Holdings Inc*

Signature: *[Signature]* (President) Date: *11/13/14*
Address: *3715 Northside Parkway Building 400 Suite 1000 Atlanta GA 30327*

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

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



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

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

*** Applicant / Owner:**

Signature: William S. McRae, Jr. Date: 11/10/14
 Address: 11340 LAKEFIELD DRIVE SUITE 250 JOHN CREEK GA 30097

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

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



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

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

* Applicant / Owner: Dennis J. Webb, Jr.

Signature: 	Date: <u>11/27/19</u>
Address: 1230 Peachtree Street NE, Ste. 3100, Atlanta, GA 30309	

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

Date	Government Official	Official Position	Description	Amount

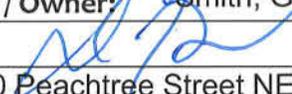
Campaign Disclosure Statement



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

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

* Applicant / Owner: Smith, Gambrell & Russell, LLP

Signature:  Date: 11/07/14
 Address: 1230 Peachtree Street NE, Ste. 3100, Atlanta, GA 30309

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

Date	Government Official	Official Position	Description	Amount

STATEMENT OF INTENT

and

Other Material Required by
City of Dunwoody Zoning Ordinance
for the
Rezoning Application

of

THE PROVIDENCE GROUP

for

\pm 3.339 Acres of Land
located in
Land Lot 345, 18th District, DeKalb County, City of Dunwoody

From O-I and C-1 to RM-100

Submitted for Applicant by:

Kathryn M. Zickert
Dennis J. Webb, Jr.
Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, NE
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

This Application seeks the rezoning of ± 3.339 acres of land located in Land Lot 345, 18th District of DeKalb County (the “Subject Property”). The Applicant seeks to rezone the Subject Property from O-I (Office-Institutional) and C-1 (Local Commercial) to RM-100 (Multi-Dwelling Residential 100) to allow for a 40-unit, fee simple townhome development. The Applicant notes that the City of Dunwoody Comprehensive Land Use Plan designates the Subject Property as within the “Georgetown-Shallowford Road” character area, which would allow for the development proposed.

The Subject Property consists of two parcels: one parcel (18-345-003-006) is currently zoned O-I and the other (18-345-003-010) is zoned C-1. Until recently, the Subject Property housed two, two-story 1960’s-era medical office buildings which have been demolished. Once redevelopment occurs, the Subject Property will house 40 three-story fee simple townhome units at a density of 11.97 units per acre. The residential units are located adjacent to a retail center known as Georgetown Shopping Center, creating a de facto mixed use environment that will reduce the residents’ need to travel by car to obtain basic services and encourage walking, socialization and connectivity. The development also is located only 906’ from I-285.

The development should help create a mix of housing in Dunwoody and it has been designed with appropriate attention to scale. It also has been designed to ensure that 24% of the Subject Property will be preserved as Open Space. The end result should be an exceptional residential community that takes advantage of its proximity to a myriad of commercial restaurant and retail offerings, all within walking distance, and to I-285.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, and a Written Justification for the Application

as required by the City of Dunwoody Zoning Ordinance, § 27-1 *et seq.* This document also is intended to address and substantiate the requisite responses to the state "Steinberg Act", O.C.G.A. § 36-67-1 *et seq.* A Site Plan has been filed contemporaneously with the Application, along with other required materials.

II. HISTORY

The Subject Property is currently zoned O-I and C-1. The Comprehensive Land Use Plan designates the Subject Property as being located in the "Georgetown-Shallowford Road" character area. The Subject Property now consists of a vacant lot, but fairly recently contained two, two-story 1960's-era medical office buildings.

III. IMPACT ANALYSIS

A.

WHETHER THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN.

As stated above, the zoning proposal for the Subject Property conforms fully with the City of Dunwoody Comprehensive Land Use Plan. That Plan designates the Subject Property as being located in the "Georgetown-Shallowford Road" character area, which expressly allows for development like that proposed.

The City of Dunwoody's Comprehensive Land Use Plan consists of a text and series of maps. The Land Use Plan is accompanied by a procedure to link changes in zoning with corresponding changes in the Land Use Plan in order to avoid repeating the situation in which a static land use plan and an evolving zoning map become increasingly out of step with each other. Thus, with an updated Land Use Plan in effect and a mandatory planning-zoning consistency mechanism in place, it is extremely important that any rezoning request, such as this one, be based on sound land use planning

and comprehensive planning principles.

The proposed development is fully compliant with the “Georgetown-Shallowford Road” category applicable to the Subject Property and would effectively implement policies that are embodied in the text of the Land Use Plan:

- (a) To redevelop the area “into a pedestrian and bicycle-oriented activity center with medium scaled intensity of activity”;
- (b) To create a “mix of commercial, office and high-end shopping integrated with multi-family”;
- (c) To “incorporate functional open space” into redevelopment; and
- (d) To encourage “[h]igh quality materials such as stone and brick”.

In summary, the project at issue represents a consistent use commensurate with other existing and changing uses on adjacent and nearby sites, in an area which is convenient to shopping and office uses, and transportation. The proposed use therefore is suitable vis-a-vis the policies of the Land Use Plan because it serves to implement specific goals, objectives, and policies of the 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.

The Subject Property is located on Old Springhouse Lane, just off of Chamblee Dunwoody Road, and in the midst of dense and existing retail, commercial, office, and multi-family residential uses. The Subject Property sits less than 906’ from I-285. Within walking distance, the Georgetown Shopping Center is an ideal compliment to the proposed development, serving as a pedestrian destination where residents can shop, eat, and obtain basic services. Thus, the requested zoning district is entirely consistent with and suitable in light of current and future development plans and

patterns.

In addition to the above, the intended final appearance of this development will compare favorably to other similar projects in the community, exceeding many of the older properties currently in need of redevelopment. Further, appropriate attention to scale, buffering, and setbacks has been given by the Applicant to ensure that this project will in fact blend harmoniously with and enhance its surroundings.

C.

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

The Zoning Ordinance of the City of Dunwoody lacks adequate standards for the City Council to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Resolution also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

The City Council is granted the power to zone pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance of the City of Dunwoody violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance presently in effect is contrary to the best interest of the health and welfare of the citizens of the City of Dunwoody, and constitutes an arbitrary and capricious act. As a

result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the Zoning Ordinance presently in effect is unconstitutional in that it renders this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitutional and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

Any limitation on the time for presentation of the issues before the City Council who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

The Zoning Ordinance of the City of Dunwoody is unlawful, null and void in that its adoption and map adoption/maintenance did not comply with the requirements of its predecessor

ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*

D.

WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

Conditions imposed with regard to previous and similar area rezonings have resulted in responsive changes in the development plan for the Subject Property. Additionally, the Applicant intends to engage in discussions with the Dunwoody Homeowners Association to make sure its proposal is acceptable to the community. Consequently, appropriate conditions will be considered to eliminate any potential negative impacts from the proposed development.

The primary goal of land use planning is to eliminate or minimize the potential adverse effect of dissimilar uses of adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both "off-site" and "on-site" transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this method of land use planning includes measures such as maintenance of buffers; walls, fences or berms; lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. Many, if not all, of these devices have been utilized in this application.

E.

WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY THAT PROVIDE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL.

The Subject Property represents an ideal location for this type of redevelopment. Higher density residential uses have co-existed peacefully with other uses in this area for almost two decades. Moreover, developments like that proposed have become increasingly attractive to a variety of Dunwoody citizens seeking alternative housing options in the area.

Finally, the zoning requested here conforms to the ideals and spirit of the City of Dunwoody's Zoning Ordinance while developing a practical, useful and marketable development that will redevelop an underutilized property into an asset for the immediate area and the city as a whole. It provides excellent access to local shopping facilities and public transportation. This type of infill redevelopment should be encouraged so as to minimize sprawl and encourage less use of automobile transportation.

F.

WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT HISTORIC BUILDINGS, SITES, DISTRICTS, OR ARCHAEOLOGICAL RESOURCES.

The Applicant knows of no historic buildings, sites, districts, or archaeological resources either on the Subject Property or located in the immediate vicinity that would suffer adverse impacts from the rezoning requested.

G.

WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE THAT WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.

The Application, if approved, is designed so as not to affect existing transportation facilities. While its primary purpose is to improve aesthetics, provide needed housing in an urban, transit-friendly design and take advantage of its proximity to I-285, the proposed development should also reduce the traffic that could be created by the Subject Property as currently zoned. By way of simple example, the Subject Property now includes ±3.339 acres zoned C-1, which once contained 41,000 square feet of office space and 204 parking spaces. Using the previously existing 204 parking spaces as a guide, the Applicant could develop a 37,000 square foot Shopping Center (5.5 spaces per 1000 square feet) right now. That use would generate 253 vehicle trips at the AM peak hour and 186 in the PM peak hour.¹ By contrast, the proposed development under the RM-100 zoning category should generate only 27 vehicle trips in the AM peak hour and 31 trips in the PM peak hour.²

Similarly, the requested zoning should not result in a use that will cause excessive use or burdensome use of existing schools. This site is served by Chestnut Elementary School, Peachtree Middle School, and Dunwoody High School. According to standardized school statistics³, 40 dwelling units, such as the units proposed, would generate approximately 5 - 11 elementary school students, 2 - 5 middle school students, and 2 - 6 high school students. It is important to note,

1 See ITE Trip Generation Manual (9th Ed.), Specialty Retail Center (814)

2 See ITE Trip Generation Manual (9th Ed.), Low-Rise Residential Condominium/Townhouse

3 The statistical data was provided by Fulton County, Georgia. Due to the close proximity of Fulton County to DeKalb County, the Applicant believes the data is a reliable indicator of the number of students the proposed use will generate into the DeKalb County public school system. Under the statistical formulation used, one multi-family dwelling generates .1150 to .2800 elementary students, .0513 to .1248 middle school students, and .0597 to .1452 high school students.

however, that the Applicant expects the actual school numbers to be towards the low end of the scale because data for the type of residential use proposed in this rezoning demonstrate that this project will attract single professionals, empty nesters, and those families who have few (if any) school-age children.

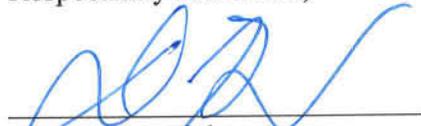
Finally, this site is served by the R.M. Clayton sewage treatment plant. Capacity is available to service waste generated by this project. Sufficient water capacity also is available for fire protection.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Dunwoody so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 18th day of November, 2014.

Respectfully submitted,



Kathryn M. Zickert
Dennis J. Webb, Jr.

Attorneys For Applicant

Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309
404-815-3500

STATEMENT REGARDING NEIGHBOR COMMUNICATIONS

The Applicant notified every residential neighbor within 500 feet of the subject property of the proposed rezoning via a "NOTICE OF REZONING" mailed via US Mail on November 11, 2014, a copy of which is attached. No residential neighbor has contacted the Applicant with questions or concerns.

Sent 11-11-14
SEA

Mark A. Biehler
Erin L. Kennedy
1711 Chateau Drive
Dunwoody, GA 30338-6049

Kathleen M. Didocha
4190 Dunwoody Terrace
Atlanta, GA 30341-1054

Michael T. & Lauren M. Campbell
1727 Chateau Drive
Dunwoody, GA 30338-6049

Pamela R. Robinson
1737 Chateau Drive
Dunwoody, GA 30338-6049

Thomas N. & Mary G. Schaap
4400 Chateau Court
Dunwoody, GA 30338-6042

James S. Chou
Yuan M. Hung
4392 Chateau Court
Dunwoody, GA 30338-6040

Megan S. & Malte Weiland
4395 Chateau Court
Dunwoody, GA 30338-6039

David K. Turnipseed
4403 Chateau Court
Dunwoody, GA 30338-6041

Jon & Christine Hilgert
1757 Chateau Drive
Dunwoody, GA 30338-6059

Myroslawa Mora
1763 Chateau Drive
Dunwoody, GA 30338-6059

NOTICE OF REZONING

The Providence Group has filed an application to rezone property located at 1745 Old Spring House Ln. and 4536 Chamblee Dunwoody Rd. from C-1/O-I to RM-100 for the purpose of developing townhomes.

If you have questions regarding this Application, please contact the following:

Dennis J. Webb, Jr.
(404) 815-3620
djwebb@sgrlaw.com

Property Line Description for Tract 1 – Chamblee Dunwoody Office Pavilion

All that tract or parcel of land lying and being in Land Lot 345 of the 18 District, 2nd Section, City of Dunwoody, Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a Department of Transportation right of way marker found at the intersection of the westerly right of way of Chamblee Dunwoody Road (Variable R/W) and the northerly right of way of the west bound ramp to Interstate 285 (Variable R/W);
thence along said northerly right of way
South 80 degrees 24 minutes 32 seconds West, 524.26 feet to a 1" crimp top found;
thence leaving said northerly right of way
North 09 degrees 28 minutes 27 seconds West, 561.07 feet to a point;
thence South 88 degrees 29 minutes 15 seconds West, 162.84 feet to a point;
thence North 36 degrees 27 minutes 04 seconds East, 28.00 feet to a point;
thence North 00 degrees 56 minutes 42 seconds West, 81.98 feet to a point;
said point being the POINT OF BEGINNING;

thence North 00 degrees 56 minutes 42 seconds West,
219.86 feet to a ½" iron pin found;
thence North 72 degrees 27 minutes 02 seconds East,
279.25 feet to a ½" iron pin found;
thence North 00 degrees 00 minutes 18 seconds West, 98.65 feet to a point
on the southerly right of way of Old Springhouse Lane (60' R/W);
thence along said southerly right of way
South 89 degrees 25 minutes 33 seconds East, 213.45 feet to a point;
thence North 85 degrees 13 minutes 19 seconds East, 89.45 feet to a point;
thence South 17 degrees 16 minutes 06 seconds East, 7.89 feet to a point;
thence leaving said southerly right of way
South 72 degrees 27 minutes 02 seconds West, 45.65 feet to a point;
thence South 17 degrees 29 minutes 13 seconds East, 99.96 feet to a point;
thence North 72 degrees 33 minutes 17 seconds East, 22.00 feet to a point;
thence South 17 degrees 29 minutes 13 seconds East, 75.33 feet to a point;
thence North 72 degrees 27 minutes 00 seconds East, 175.00 feet to a point
on the westerly right of way of Chamblee Dunwoody Road (R/W Varies);
thence along westerly right of way
South 17 degrees 27 minutes 50 seconds East, 44.23 feet to a point;
thence leaving said westerly right of way
South 72 degrees 24 minutes 16 seconds West, 200.02 feet to a nail found;
thence North 17 degrees 33 minutes 00 seconds West, 8.70 feet to a nail found;
thence South 72 degrees 28 minutes 53 seconds West, 612.95 feet to a point;
said point being the POINT OF BEGINNING;

Said tract or parcel contains 3.42 acres.

LEGAL DESCRIPTION

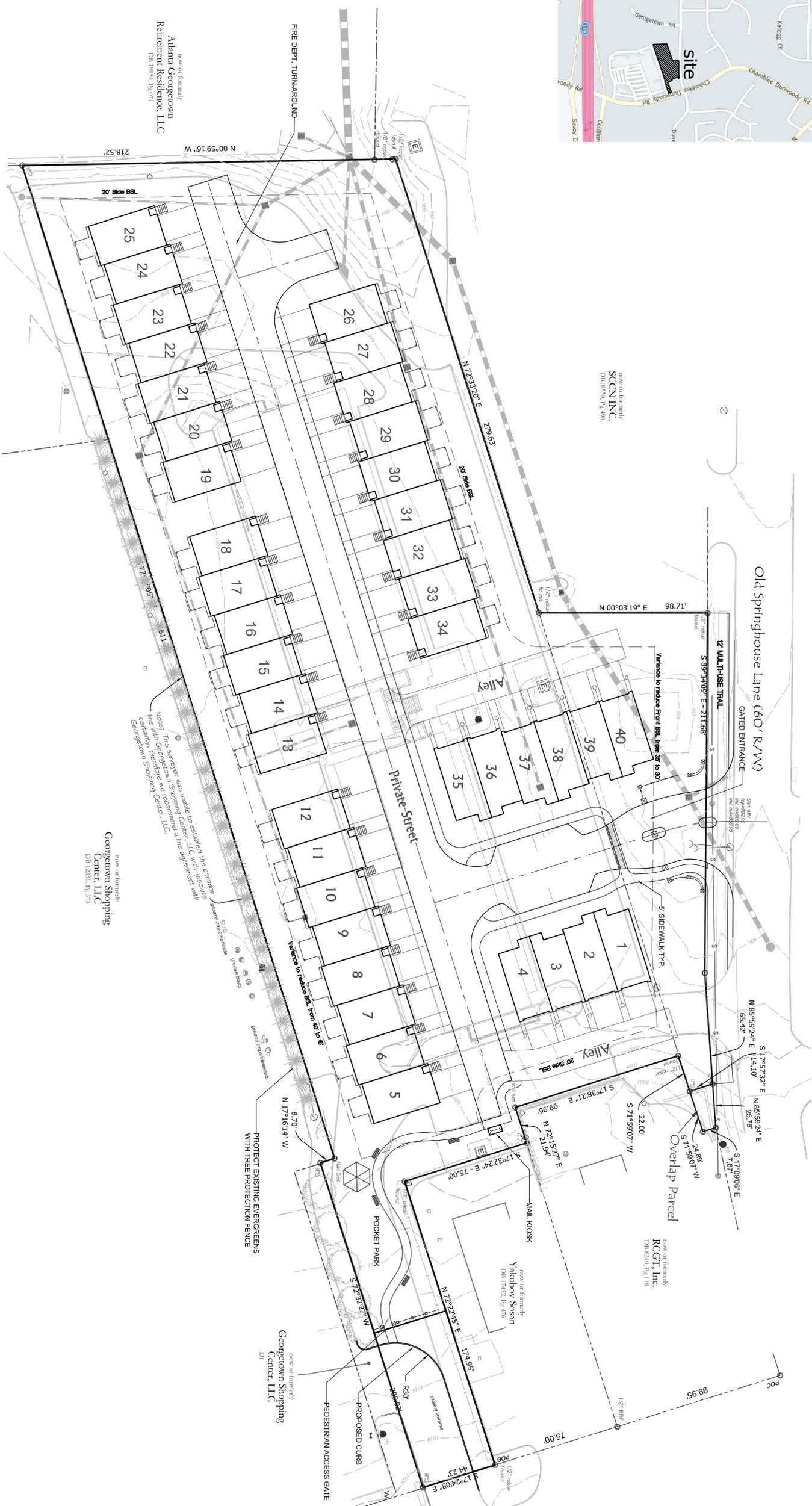
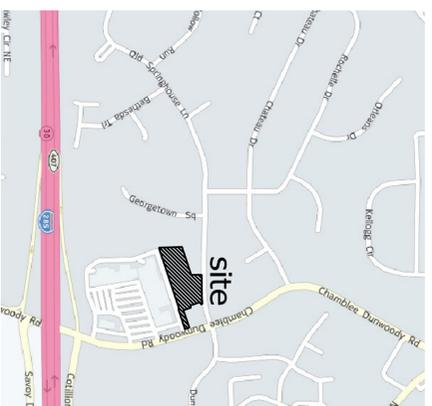
Overall

All that tract or parcel of land lying and being in Land Lot 345 of the 18th District, 2nd Section, DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at the intersection of the southerly R/W line of Old Springhouse Lane (60' R/W) with the westerly R/W line of Chamblee Dunwoody Road (variable width R/W), THENCE running along said R/W line of Chamblee Dunwoody Road in a southeasterly direction a distance of 99.95 feet to a 1/2" rebar found; THENCE continuing along said R/W line in a southeasterly direction South 17 degrees 30 minutes 00 seconds East a distance of 75.00 feet to a 1/2" rebar found at the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** and continuing along said R/W line South 17 degrees 24 minutes 08 seconds East a distance of 44.23 feet to an iron pin set; THENCE leaving said R/W line of Chamblee Dunwoody Road South 72 degrees 32 minutes 27 seconds West a distance of 200.02 feet to an iron pin set; THENCE North 17 degrees 16 minutes 14 seconds West a distance of 8.70 feet to a nail set; THENCE South 72 degrees 37 minutes 05 seconds West a distance of 611.76 feet to an iron pin set; THENCE North 00 degrees 59 minutes 16 seconds West a distance of 218.52 feet to a 1/2" rebar found; THENCE North 72 degrees 33 minutes 20 seconds East a distance of 279.63 feet to a 1/2" rebar found; THENCE North 00 degrees 03 minutes 19 seconds East a distance of 98.71 feet to a 1/2" rebar found on the southerly R/W line of Old Springhouse Lane; THENCE running along said R/W line the following courses and distances: South 89 degrees 34 minutes 09 seconds East a distance of 211.68 feet to a point; THENCE North 85 degrees 59 minutes 24 seconds East a distance of 65.42 feet to an iron pin set; THENCE leaving said R/W line South 17 degrees 57 minutes 32 seconds East a distance of 14.10 feet to an iron pin set; THENCE South 71 degrees 59 minutes 07 seconds West a distance of 22.00 feet to a 1/2" rebar found; THENCE South 17 degrees 38 minutes 21 seconds East a distance of 99.96 feet to a nail set; THENCE North 72 degrees 15 minutes 27 seconds East a distance of 21.94 feet to an iron pin set; THENCE South 17 degrees 32 minutes 24 seconds East a distance of 75.00 feet to a 1/2" rebar found; THENCE North 72 degrees 22 minutes 45 seconds East a distance of 174.95 feet to the **TRUE POINT OF BEGINNING**.

Said tract contains 3.399 acres.



NOTE: Information regarding the required presence, size, character, and location of underground utilities shall be obtained from the utility companies using this drawing. The location and arrangement of underground utilities and other features shown on this drawing are based on the information provided by the utility companies. The engineer, his employees, his consultants and his contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

thePROVIDENCEgroup

Warren Jolly

Johns Creek, Georgia 30097
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 Tel: (678) 475-1800

#M.8.
 vis Pruitt
 &
 Associates, Inc.
 4317 Park Drive, Suite 400
 Norcross, Georgia 30093
 Phone: (770) 416-7511
 Fax: (770) 416-6759
 www.travispruitt.com

OWNER/DEVELOPER
 Atlanta Georgetown Retirement Residence, LLC
 DB 15924, Pg. 071

now or formerly
 Georgetown Shopping Center, LLC
 DB 22884, Pg. 649

now or formerly
 Georgetown Shopping Center, LLC
 DB 12336, Pg. 373

REFERENCE DOCUMENTS
 1. United Warranty Deed between Mediant Immobilien-Wahlge Gesellschaft MBH, Inc. and JH Holdings, Ltd., recorded in Deed Book 5697, page 407, DeKalb County Records.
 2. United Warranty Deed between JH Holdings, Ltd. and Georgetown Shopping Center, LLC, recorded in Deed Book 5697, page 407, DeKalb County Records.
 3. A/T/S Survey for Georgetown Shopping Center, LLC, INCL: Life Insurance and Annuity Company, a Connecticut Corporation, Chicago Title Insurance Company & Republic Commercial The Company, LLC, prepared by Gastins Engineering, last revised 7-23-12.
 4. Zoning plat for Georgetown Shopping Center, LLC, prepared by Gastins Engineering, dated 2-14-11.

SURVEY NOTES
 1. Site Area = 3.339 acres.
 2. This plat has been prepared using a TOPCON CRTS313 Total Station for angle and distance measurements. The man or robot is placed on a degree precision of one (1) foot in 28,585 feet and an average angular error of 0.8 seconds per angle point, and was adjusted using compass rule.
 3. This property does not lie within a 100 year flood hazard zone as defined by FEMA Flood Insurance Rate Study (FIRI) for the County of DeKalb, Georgia, Community Panel Number 13088C00121, dated May 16, 2013.

REQUIRED VARIANCES
 1. Required lot coverage for a site to be increased from 35 percent to 65 percent.
 2. Rear building setback adjacent to Georgetown Shopping Center to be reduced from 40' to 15'.
 3. Front building setback adjacent to Old Springhouse Lane to be reduced from 35' to 30'.

SITE NOTES
 1. Site area - 3.339 acres
 2. Total Number of Lots/Units - 40
 3. Density - 12.0 Lot/Units per acre.
 4. Existing zoning - C-1/O-1
 5. Proposed zoning - RM-100
 6. Proposed land use : Fee Simple Townhomes
 7. Max. Building Height: 35'
 8. Open Space: 0.81 acres(24%)
 9. Proposed development will be gated and will have private streets.

SETBACKS (SINGLE FAMILY ATTACHED)

STREET FRONT	35'
STREET SIDE	15'
SIDE INTERIOR	20'
REAR	40'

REQUIRED VARIANCES
 1. Required lot coverage for a site to be increased from 35 percent to 65 percent.
 2. Rear building setback adjacent to Georgetown Shopping Center to be reduced from 40' to 15'.
 3. Front building setback adjacent to Old Springhouse Lane to be reduced from 35' to 30'.



ZONING PLAN
 Old Springhouse Lane
 Tract

Land Lot 345, 18th District
 City of Dunwoody
 DeKalb County, Georgia

TPA
 Grid North (GA West Zone)

GEORGIA REGISTERED LAND SURVEYOR
 No. 1885
 EDWARD J. ANDERSON
 For The Firm
 Travis Pruitt & Associates, Inc.
 DATE: 01-15-2015
 SCALE: 1" = 30'
 GN
 LSV
 JUN 2-14/024
 FN

SMITH, GAMBRELL & RUSSELL, LLP

PRIVILEGED AND CONFIDENTIAL
ATTORNEY WORK PRODUCT

MEMORANDUM

TO: REBECCA KEEFER, CITY PLANNER/DIRECTOR OF SUSTAINABILITY,
CITY OF DUNWOODY

FROM: DENNIS J. WEBB, JR. *DJW*

DATE: December 4, 2014

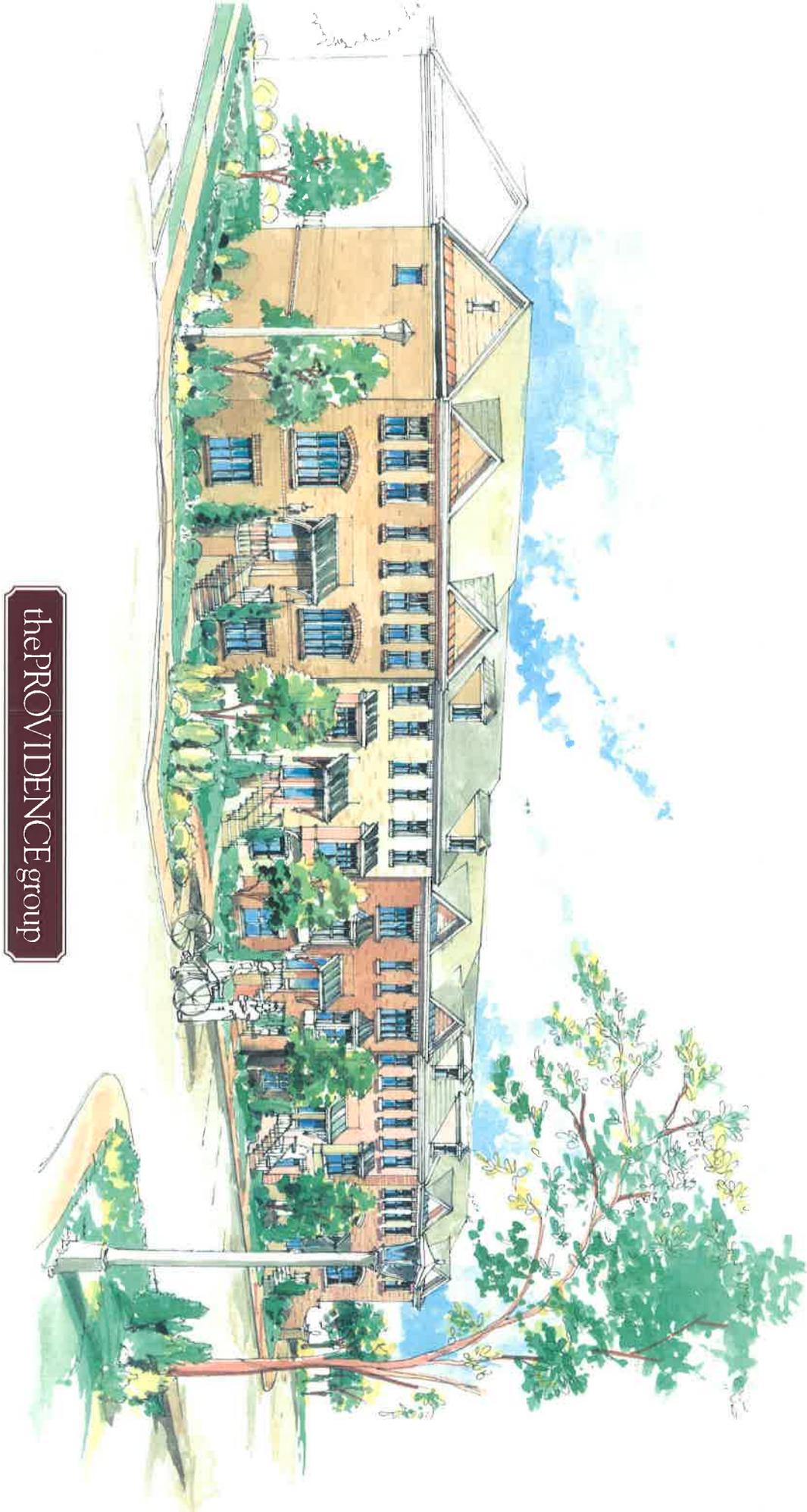
RE: RZ-15-022
RESPONSE TO LETTER OF NOVEMBER 24, 2014

Rebecca - here is the Applicant's response to your letter of November 24, 2014 (excluding the items we agreed had already been submitted):

1. "Sign fee: \$270": Attached
2. "Elevations and Floor Plans (submit typicals of each unit type)": Attached
3. Detailed Material Specifications (Interior And Exterior):
 - a. Interior: The standard specifications will have hardwood floors on the main living area, hardwood stairs, granite countertops in the kitchen and upgraded kitchen appliances and cabinets in the kitchen, tiled showers and floors in the bathrooms, and an upgraded interior trim package. The Applicant also notes that it has a design center that allows for customized upgrades.
 - b. Exterior: Front and sides shall consist of masonry, stone or brick, except for accents and projections like dormers, gables, bay windows, and similar features. Rear shall consist of brick or stone to first floor and masonry siding above.
4. "Amenities Description": The site will have a 12' multi-use trail along the Old Spring House frontage designed to connect to the City's sidewalk network and allow walking and bicycle access to nearby shops and parks. The site will also contain a pocket park in the northeast corner, internal sidewalks, a pedestrian connection to Georgetown Plaza and extensive landscaping.

Please add this material to the rezoning file. Thanks.

SGR/12625032.4



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The Fairfax



Elevation A



Elevation B



Elevation C



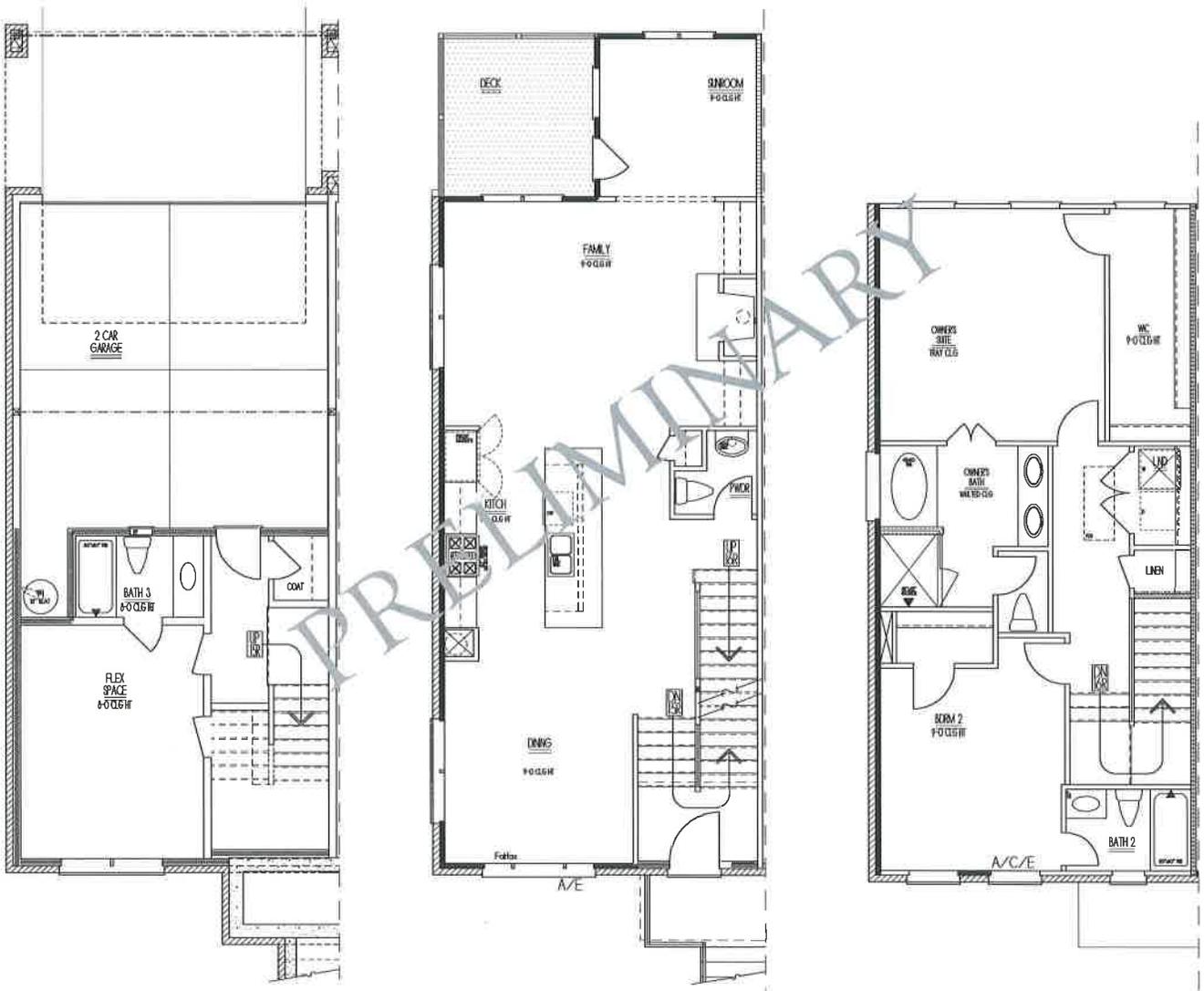
Elevation D



Elevation E

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The Fairfax



Terrace Level

Main Level

Upper Level

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The Finley



Elevation A



Elevation B



Elevation C

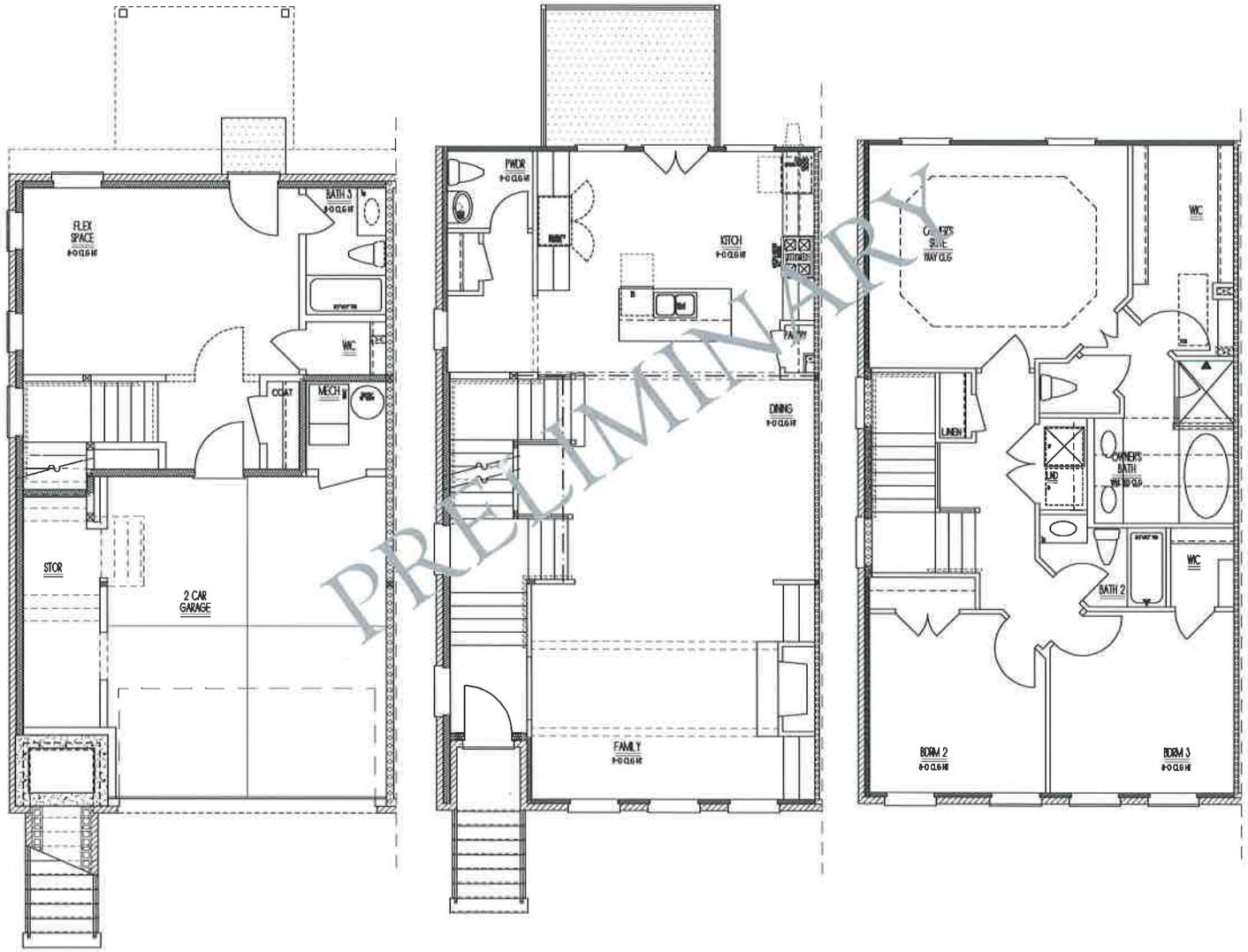


Elevation D

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thePROVIDENCE group

The Finley



Terrace Level

Main Level

Upper Level

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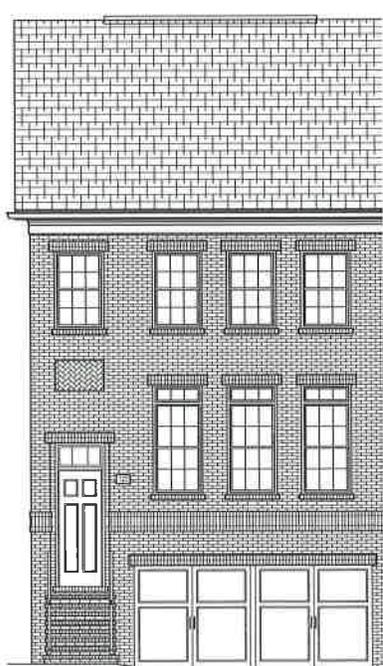
The Foster



Elevation A



Elevation B



Elevation C

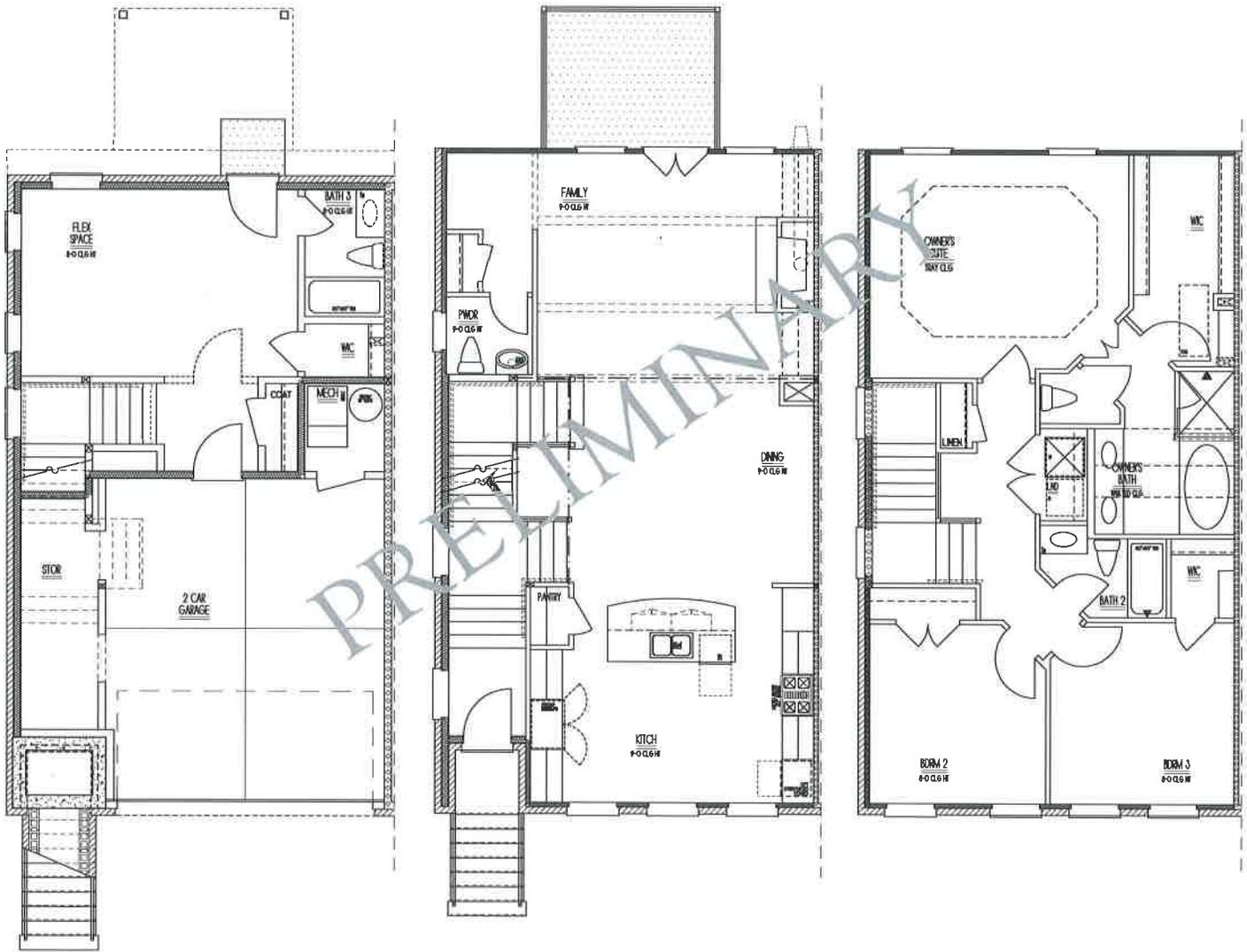


Elevation D

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thePROVIDENCE group

The Foster



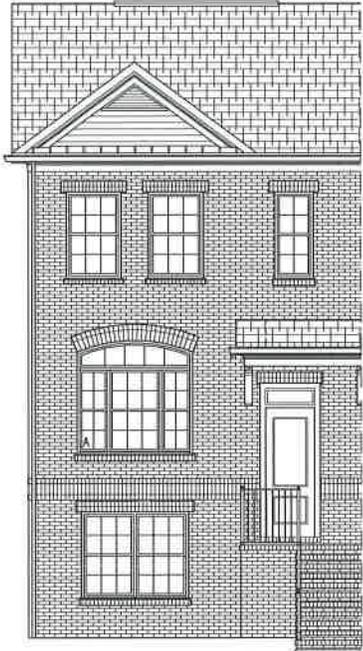
Terrace Level

Main Level

Upper Level

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The Freemont



Elevation A



Elevation B



Elevation C



Elevation D



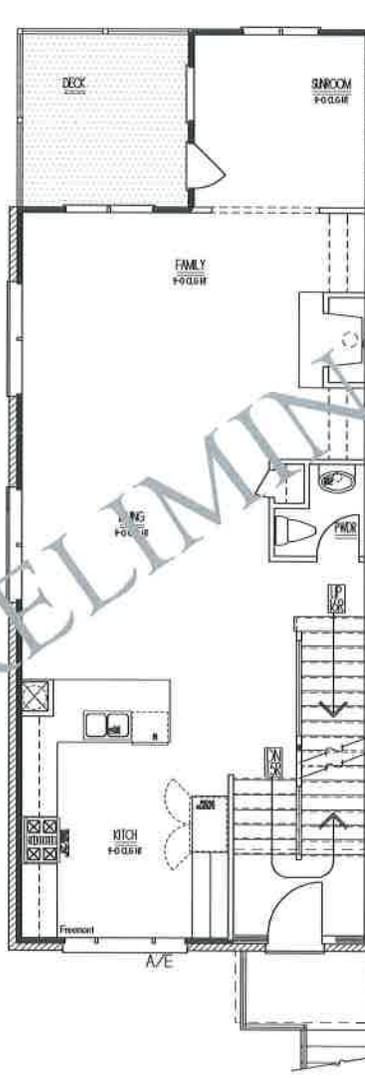
Elevation E

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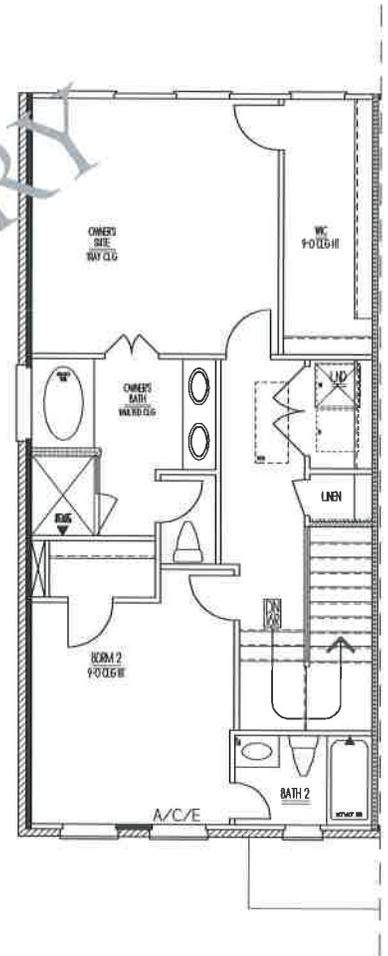
The Freemont



Terrace Level



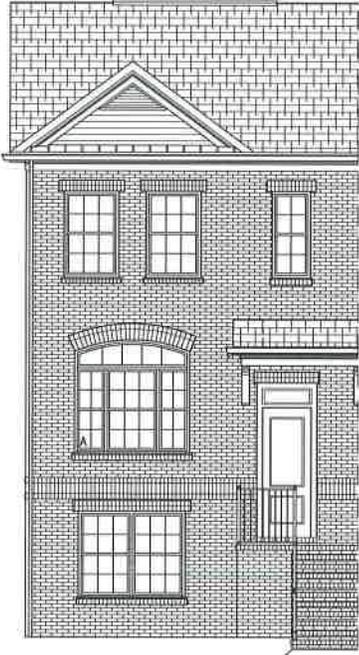
Main Level



Upper Level

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The Marston



Elevation A



Elevation B



Elevation C



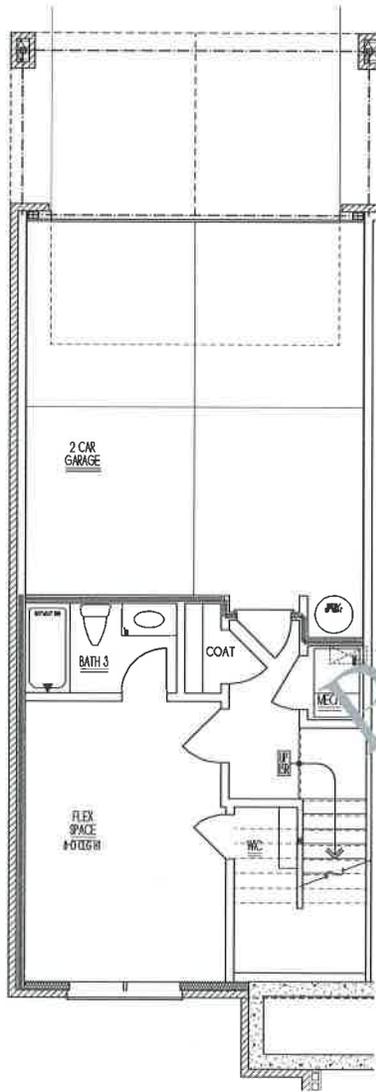
Elevation D



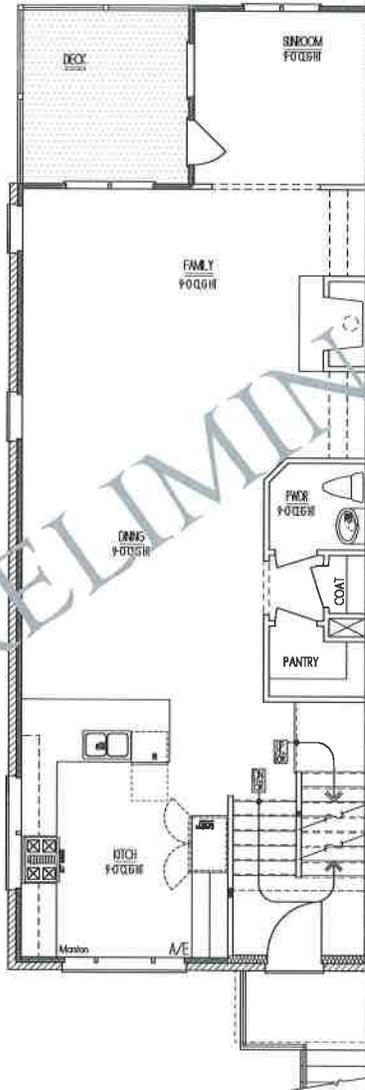
Elevation E

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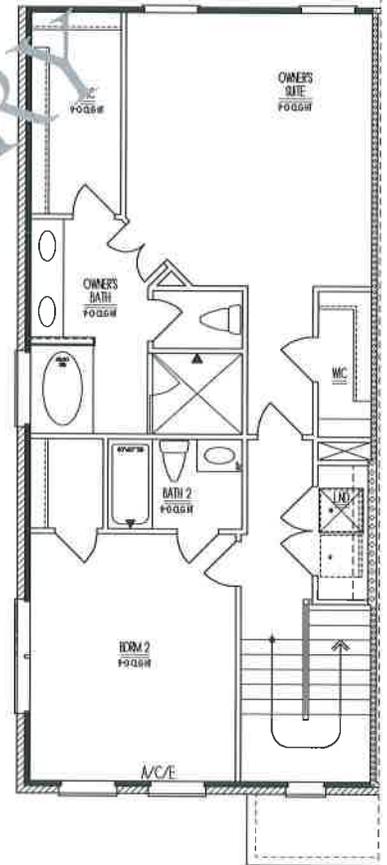
The Marston



Terrace Level



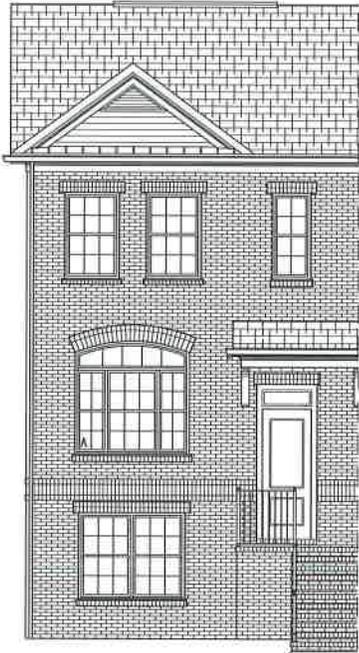
Main Level



Upper Level

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The Mitchell



Elevation A



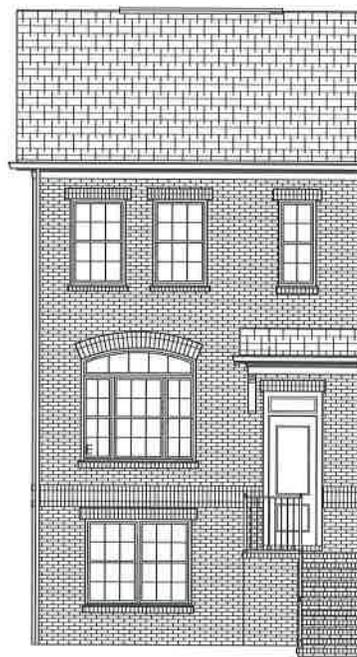
Elevation B



Elevation C



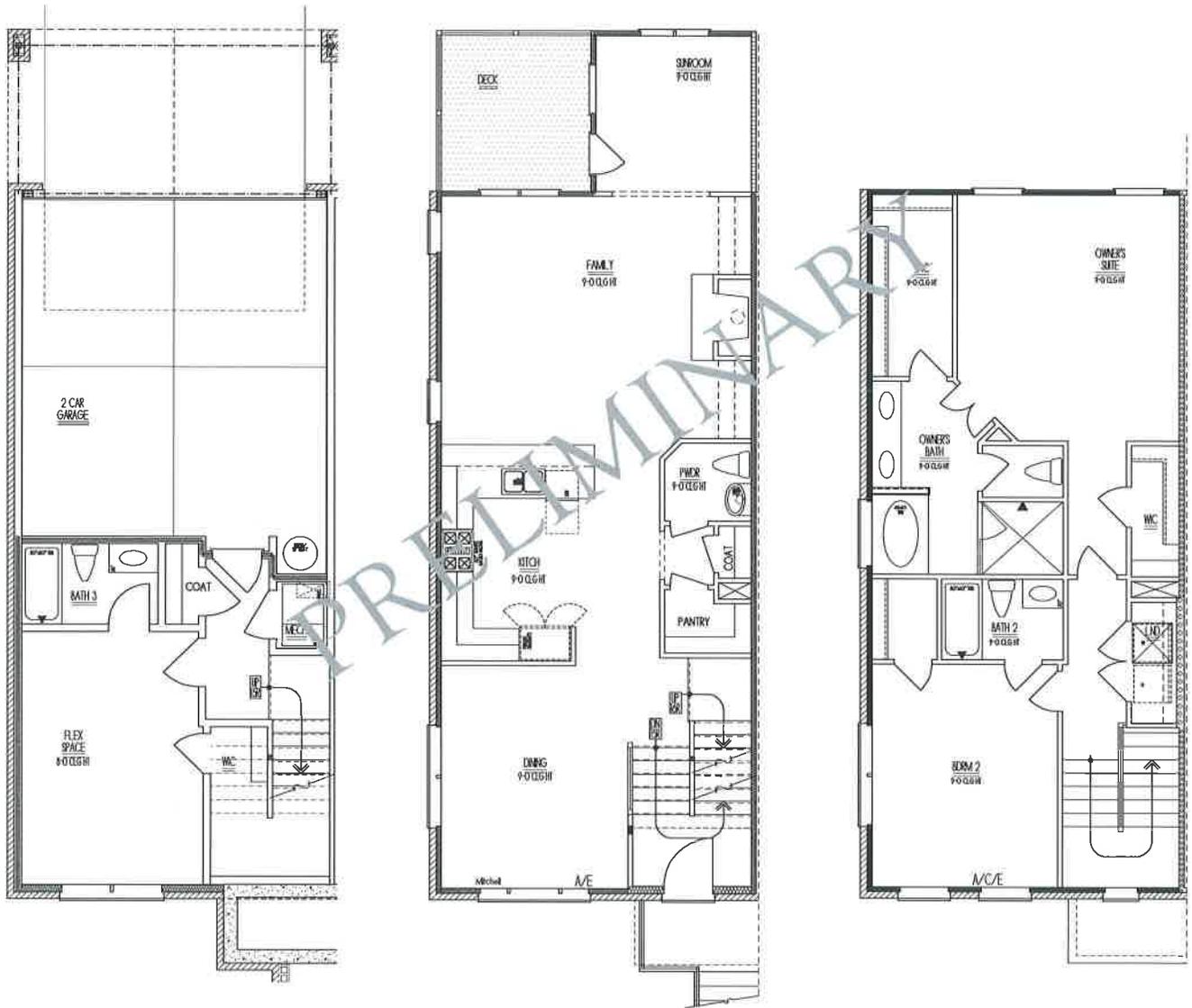
Elevation D



Elevation E

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The Mitchell



Terrace Level

Main Level

Upper Level

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