

MEMORANDUM

To: Mayor and City Council

From: Madalyn Smith, Senior Planner

Date: February 14, 2022

Subject: RZ 21-03 – 600 Ashwood Parkway, Parcel ID# 18 349 01 048

REQUEST

Branch Ashwood Associates, L.P. seeks a major modification of zoning conditions at 600 Ashwood Parkway.

APPLICANT AND PROPERTY OWNER

Petitioner: Branch Ashwood Associates, L.P.

Owner: Branch Ashwood Associates, L.P. (Dunwoody Development Authority)

PLANNING COMMISSION 12.14.21 & 1.11.22

Planning Commission held a public hearing regarding the case on December 14, 2021. There were no public comments in opposition to the application. Following discussions, the Planning Commission voted to defer the case to the January 11, 2022 meeting to allow staff and the applicant additional time to discuss the conditions related to the ATM location and required storefront entrances.

At the January 11, 2022 Planning Commission meeting, the Commission voted to recommend approval of RZ 21-03 subject to staff conditions.

APPLICATION AMENDMENT SUBMITTED 2.2.22

The applicant submitted an amendment on February 2, 2022. This amendment removed a drive-through ATM, in accordance with staff's recommendation. The conditions presented to the Planning Commission were updated to reflect this change to the applicant's site plan.

MAYOR AND CITY COUNCIL, 2.14.22

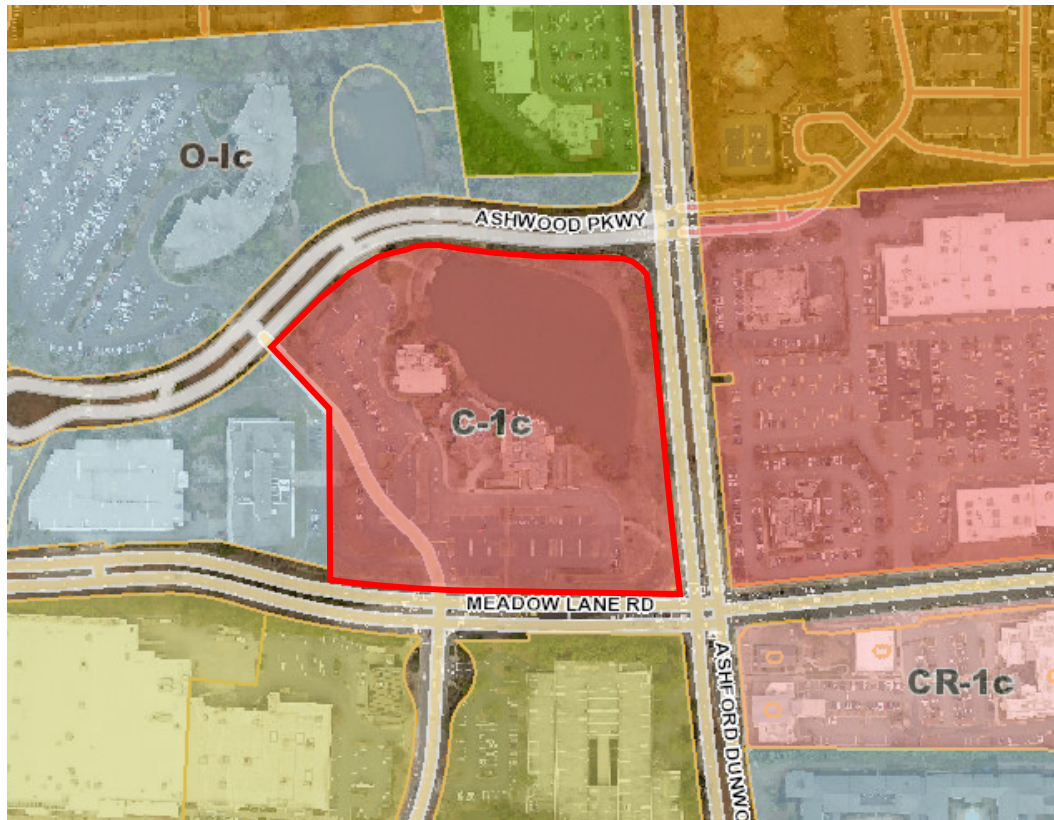
City Council held a public hearing regarding the case on February 14, 2022. There were no public comments in support nor opposition to the application.

The applicant was asked to provide an updated landscape plan, additional bike parking, a lot coverage calculation, and information regarding sight distance at the proposed dumpster. Concerns were also raised regarding the activation of the proposed patio spaces.

In response, the applicant submitted additional materials for review and staff amended the proposed conditions.

APPLICATION AMENDMENT SUBMITTED 2.18.22

- **Letter to the Mayor and City Council, dated February 18, 2022**
- **Site Plan, dated February 17, 2022**
Shows 4 bike parking spaces at building F and additional parking between Building D & C and location of stop sign and stop bar at the proposed dumpster location.
- **Planting Plan, dated January 31, 2022**
Updated planting plan reflects the current site layout.

BACKGROUND & PROPOSED DEVELOPMENT

The subject property is located at the northwest corner of the Ashford Dunwoody Road and Meadow Lane intersection. The 10.1 acre parcel and currently Perimeter Center Marketplace is under construction at the site, which includes a 25,440 square foot anchor supermarket, an 8-pump (16 fueling positions) gas station/convenience store, a 2,800 square foot medical/office/retail building, and 35,400 square feet of restaurant and retail space.

The site was initially rezoned in 1996, case CZ 96035, from Office-Institutional (O-I) District to Commercial Conditional (C-1c) District to allow a 28,900 SF retail development; this proposal was built out with three restaurants and large detention pond. In 2019, the applicant amended the zoning conditions, case MA 19-01, to allow the Perimeter Marketplace development described above. The site plan associated with MA 19-01 intentionally left a 1.5 acre tract blank, highlighted in yellow on Figure 1, with the understanding that the applicant would amend the conditions of zoning once a proposal was developed for the parcel. The applicant was also granted a variance, ZBA 19-11, to reduce the front

yard setback from 50 feet to 0 feet. The applicant then further amended the zoning conditions, case MA 19-03, to replace a bank use on the property with a medical/office/retail use.

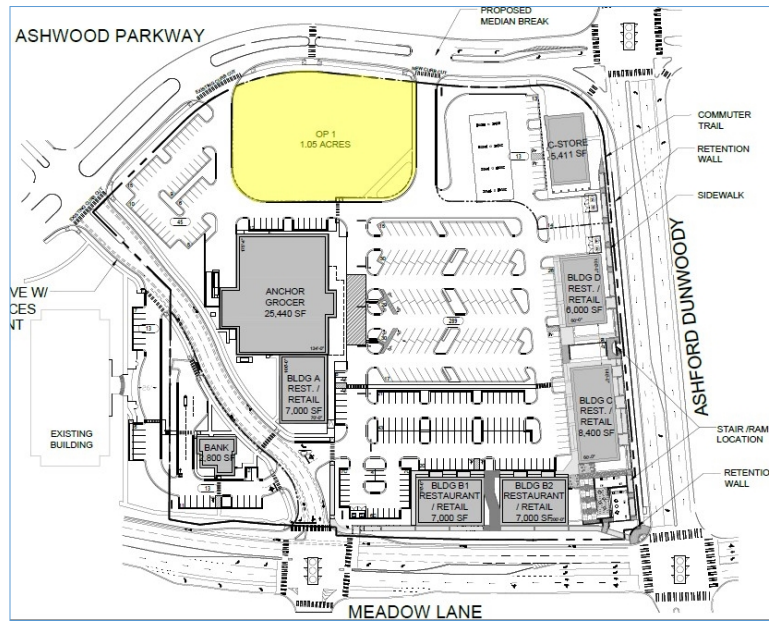


Figure 1. Site plan associated with MA 19-01

An applicant-initiated meeting was held on October 27, 2021 at 6 pm at 4505 Ashford Dunwoody Road. There were a total of five attendees. The applicant has provided a summary report, which is included within the rezoning application packet attached to this report.

SITE PLAN ANALYSIS

The applicant proposes that a single-story, 8,400 SF building be constructed on the 1.5 acre tract that was previously left blank on the site plan for MA 19-01. There are no changes proposed outside of this tract, highlighted in yellow in Figure 2.

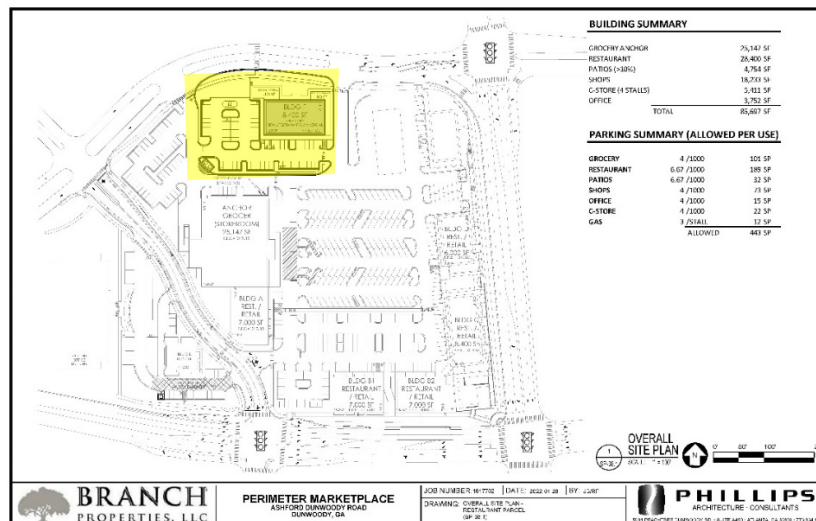


Figure 2. Area of proposed amendment highlighted in yellow

The 1.5 acre tract is located on the northern portion of the property, adjacent to Ashwood Parkway. Despite having a 0 foot setback, the building is setback approximately 25 feet from the northern property line due to the presence of several underground utilities. In addition to the building, the applicant proposes 62 new parking spaces—443 spaces overall for the development—a walk up ATM, and two outdoor patios (see Figure 3). The area under consideration is overparked at 62 spaces, the maximum for an 8,400 SF building is 56 spaces, but the overall site does not exceed the parking requirements. Although the building is setback further from the road than the buildings B-D, there are two outdoor patios adjacent to Ashwood Parkway that activate the space.

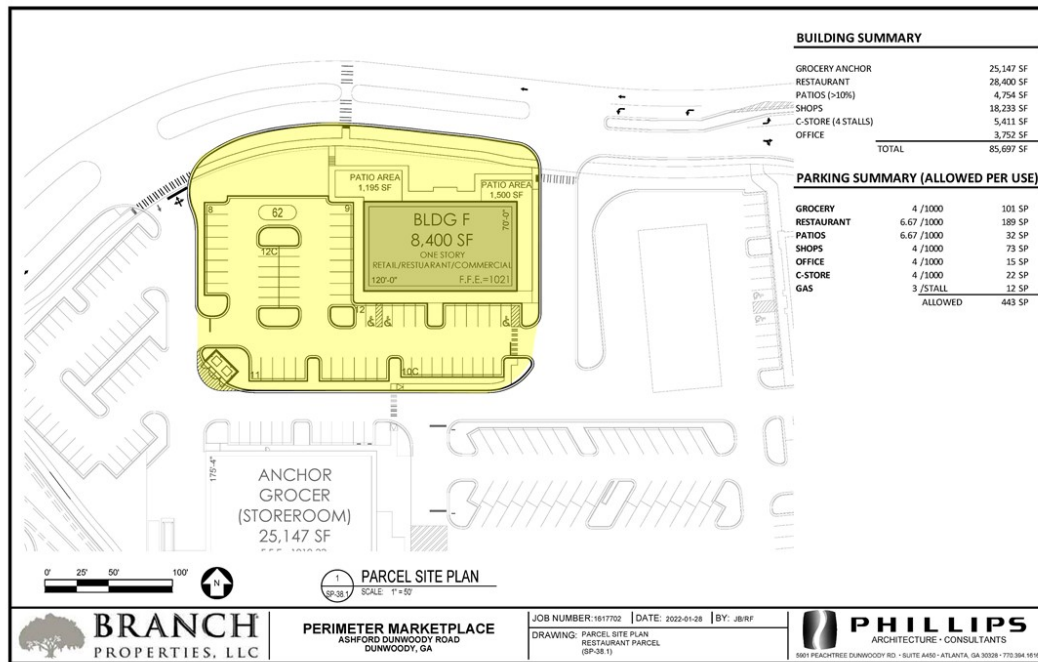


Figure 3. Site Plan

The building is designed in proximity to Ashwood Parkway, in line with the vision of a more urban form in the Perimeter Center. There will be customer entrances to tenant spaces on both the northern and southern façades. The submitted elevations indicate that the most prominent façade materials will be glass and brick (see Figure 4).



SURROUNDING LAND ANALYSIS			
Direction	Zoning	Use	Current Land Use
N	O-I and N-S	Shopping Center and Office Building	Commercial/Office
S	OCR	Shopping Center and Office Building	Commercial/Office
E	C-1	Restaurants and Shopping Center	Commercial
W	O-I	Office Building	Office

ZONING AMENDMENT REVIEW AND APPROVAL CRITERIA

Chapter 27, Section 27-335 identifies criteria for evaluating applications for zoning amendments. No application for an amendment shall be granted by the City Council unless satisfactory provisions and

arrangements have been made concerning each of the following factors, all of which are applicable to each application:

- (1) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;
The scope of the request is limited to the referenced 1.5 acre tract. The proposed restaurant/retail building conforms to the character of the current development and conforms with the standards of the Perimeter Center Overlay.
- (2) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;
An additional restaurant/retail building is in line with the Perimeter Marketplace development which includes a grocery store, restaurants, retail, and office. It is also compatible with the adjoining mix of office, retail, restaurants, and shopping centers nearby.
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
The area of the site in question was intentionally left blank in 2019 to give the applicants flexibility and time to determine the best economic use for the site. Granting changes to the conditions that support a restaurant/retail building would allow the applicant to meet today's market conditions.
- (4) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
The proposed change of use will not create any adverse impacts on adjoining land uses as adjacent and nearby properties have similar commercial and office operational characteristics.
- (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;
As stated above, in 2019 the applicant did not propose a specific use for this 1.5 acre tract to allow them to respond to changing market demands.
- (6) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and
There are no historic, buildings, sites, districts, or archeological resources.
- (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 proposed change is relatively small and will not significantly further the burden on streets, transportation facilities, utilities, or schools.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

The proposal is recommended for approval based on the following exhibits and conditions. The previous conditions from cases MA 19-01 and MA 19-03 remain intact, but are updated to reflect requirements for Building F:

EXHIBIT A: Schematic Site Plan SP35, completed by Philips Partnership, dated May 29, 2019, as amended by Zoning Site Plan, dated November 4, 2019, and further amended by the Overall Site Plan and Parcel Site Plan SP-38.3, dated February 17, 2022.

EXHIBIT B: Streetscaping Sections, completed by Phillips Partnership, dated December 4, 2018 and Streetscape Section for Ashford Dunwoody Road dated January 14, 2019

EXHIBIT C: Rendering of Archway Sign and Grocer Free-standing Letters Sign, dated April 25, 2019

EXHIBIT D: Conceptual Gateway Plaza Plan, completed by AJC Design Group, dated April 24, 2019

EXHIBIT E: Left Turn Lane Concept, completed by A&R Engineering, dated April 17, 2019

EXHIBIT F: Meadow Lane Intersection, completed by Philips Partnership, dated May 13, 2019

EXHIBIT G: Building F Planting Plan, completed by AJC Design Group, dated January 31, 2022

EXHIBIT H: Perimeter Marketplace – Bldg. F Colored Elevations, completed by Branch, dated January 31, 2022.

1. The owner shall develop the site in general conformity with “Exhibit A” with minor changes allowed as defined by Section 27-337(b) or necessary changes to meet conditions of zoning or land development requirements made necessary by actual field conditions at the time of development;
2. The property labeled “BLDG E” on the Zoning Site Plan dated November 4, 2019 in Exhibit A shall contain a street facing entrance that stays open during business hours. BLDG E may have a drive-through for a medical service office use only. Drive-throughs for retail, restaurant or other commercial uses are not allowed. If a new tenant were to occupy the building after a medical service office use vacates the building, the drive-through window shall be removed and a 6-foot landscape strip shall replace a portion of the drive-through lane found immediately adjacent to the building prior to the the issuance of a Certificate of Occupancy;
3. The drive-thru shall be limited only to medical service office use;
4. The owner shall construct the streetscaping and commuter trail in general conformity with “Exhibit B”. Any minor variations to the streetscapes made necessary by actual field conditions at the time of development shall be subject to approval by the Public Works and Community Development Department. If the width of the commuter trail is reduced by Public Works the location of the footprints of the buildings shall remain in the same vertical and horizontal location as shown on the Schematic Site Plan;
5. The owner shall construct a 12-foot wide pedestrian connection, including a 6-foot pedestrian sidewalk and two 3-foot wide landscape strips, from Ashford Dunwoody Road, between buildings C and D, to Building A as illustrated on Exhibit A. The landscape strips shall include overstory trees planted on each side at no more than 50 and no less than 25 feet;
6. Buildings shall be designed with 360-degree architecture with the exception of the rear of Building A and the anchor grocer, which shall be subject to reasonable landscape screening as approved by the City Arborist;
7. Major façade materials shall include brick, stone, hard coat stucco and glass, with other high-quality materials approved by the Community Development Director during the permit review process;
8. Synthetic stucco (EIFS) material shall be limited to accenting material; masonry brick or stone veneer materials are allowed; stamped brick and stone EIFS or imitation masonry veneer materials shall be prohibited;

9. All loading facilities and trash/recycling enclosure(s) must be screened from view of public rights-of-way by landscaping and a solid brick wall or opaque fence at least six feet in height or the height of the dumpster. The approach to the loading facilities and trash/recycling enclosures for the anchor grocer and Building A does not need to be screened from view of Ashwood Parkway;
10. All mechanical equipment (e.g., air conditioning, heating, cooling, ventilation, exhaust and similar equipment) shall be roof mounted and screened in all directions by walls or parapets or will be enclosed in opaque structures to hide the mechanical equipment from view from public right-of-way within 200 feet;
11. All utilities servicing the site shall be underground with the exception of required above-ground elements, such as transformers and cable boxes;
12. Any stormwater detention facility will be underground;
13. Within sixty days after the issuance of certificates of occupancy, the Owner will convey to the City right-of-way to incorporate the sidewalk and bicycle improvements, located along Ashford Dunwoody Road. The City will maintain the sidewalk and bicycle improvements. Such conveyance shall be via right of way deed. The exact legal description of the property to be conveyed shall be prepared by the Owner and agreed to by the City;
14. Within sixty days after the issuance of certificates of occupancy, the Owner will convey a permanent public access easement to the City for the new roadway and sidewalks to be constructed on the west side of the site. Owner may convey the new roadway and sidewalks via right of way deed at a future date at which point the City shall accept such conveyance. The exact legal description of the property to be conveyed shall be prepared by the Owner and agreed to by the City;
15. The development is entitled to a total of four monument signs, one on each road frontage. The allowed square footage of 144 square feet for the monument sign for Ashford Dunwoody Road may be divided into two structures as follows: 1) an archway connecting Building B and Building C in general conformity with the renderings in Exhibit C and; 2) freestanding letters indicating the name of the anchor grocer mounted on top of the Plaza wall up to a total maximum height of 5 feet in general conformity with the rendering in Exhibit D. In addition, the Archway sign may include a 42 square foot wayfinding sign labeled as "Sign A" as shown in Exhibit C. ;
16. The commuter trail, streetscaping, and new road connection, shall be developed concurrently with the grocery store and retail/restaurant buildings C and D, fronting Ashford Dunwoody Road;
17. The ground story restaurant/retail uses of buildings adjacent to Ashford Dunwoody Road shall be built within three feet of vertical elevation of the adjacent commuter trail and have entrances that face Ashford Dunwoody Road as follows: buildings containing one tenant shall have a minimum of one entrance; buildings containing two or more tenants shall have a minimum of two entrances;
18. The Gateway Plaza, located on the corner of Meadow Lane Road and Ashford Dunwoody Road will be in general conformity with the Conceptual Gateway Plaza Plan attached as Exhibit C. Within sixty days after the issuance of certificates of occupancy, the Plaza area general public access will be granted to the Plaza through a public access easement to the benefit of the City;
19. The owner shall be responsible for the maintenance of the Plaza;
20. In accordance with the recommendation of the traffic study, a westbound left turn lane shall be added on Ashwood Parkway at the easternmost driveway entrance to the development in general conformity with Exhibit E;
21. Based on projected queue length, an eastbound left turn lane shall be installed at Ashwood Parkway and Ashford Dunwoody Road using existing signal phasing and in general conformity with Exhibit E. Applicant will not be responsible for any signal work; and

22. A southbound right turn lane shall be added at the intersection of Perimeter Center Place and Meadow Lane Road using existing signal phasing and in general conformity with Exhibit F. Applicant will not be responsible for any signal work;
23. The owner will contribute up to thirty-three percent (33%) of the funds needed to extend the northbound left turn lane from Ashford Dunwoody Road on to Meadow Lane Road. In no event shall the total of such contribution exceed \$33,000;
24. Building F on the Parcel Site Plan (see Exhibit A) shall have glass doors that face Ashwood Parkway for each tenant;
25. On Building F, 100% of the required street-facing window pane surface area (15% window coverage is required per story on all street facing façades) must allow viewing into the tenant space for a minimum of 5 feet in depth. Windows must not be made opaque by non-operable window treatments such as walls;
26. The development site is limited to two walk-up ATMs, located at the “Anchor Grocer” and the west façade of Building F (see Exhibit A). No drive-through ATMs are permitted.
27. The corner tenant suites, and the associated patio spaces, at Building F shall be occupied by eating and drinking establishments only.

ATTACHMENTS

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- RZ 21-03 Application
- RZ 21-03 Application Amendments Received February 2, 2022
- RZ 21-03 Application Amendments Received February 18, 2022
- Ordinance

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2022-__-__

AN ORDINANCE TO AMEND THE ZONING CONDITIONS OF LAND LOTS 352, AND 349, District 18 IN CONSIDERATION OF ZONING CASE RZ-21-03 (600 Ashwood Parkway).

WHEREAS: Branch Ashwood Associates, L.P., owner of 600 Ashwood Parkway, Dunwoody, Georgia seeks a major modification to conditions of zoning; AND

WHEREAS: The properties, consisting of tax parcel number 18-349-01-048, contains 10.6 acres land located in the northwest corner of Ashford Dunwoody Road and Meadows Lane; and

WHEREAS: The site is currently conditioned to a site-specific plan from 2019 that restricts the use to a 25,440 square foot anchor supermarket, an 8-pump (16 fueling positions) gas station/convenience store, a 2,800 square foot bank, and 35,400 square feet of restaurant and retail space (MA 19-01 & MA 19-03). Through the application of a modification to conditions (Section 27-361), Branch Ashwood Associates, L.P. is requesting that the conditioned 2019 site plan be updated with the new plan; and

WHEREAS: The proposed amendment adds an additional 8,400 square feet of additional restaurant retail space and new parking; and

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

WHEREAS: The Mayor and City Council find that the proposed use aligns with the Perimeter Center Character Area of the Dunwoody Comprehensive Plan, which calls for, among others, creative building and site design that encourages bikeable and walkable development which furthers the transportation goals of modality (other than by automobile) and connectivity of the Perimeter Center Neighborhood; and

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAIN AND APPROVE** the modification of zoning conditions on tax parcel numbers and 18-349-01-048 as follows:

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ORDINANCE 2022-__-__

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ORDINANCE 2022-__-__

20. In accordance with the recommendation of the traffic study, a westbound left turn lane shall be added on Ashwood Parkway at the easternmost driveway entrance to the development in general conformity with Exhibit E;
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27. The corner tenant suites, and the associated patio spaces, at Building F shall be occupied by eating and drinking establishments only.

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2019.

Approved by:

Approved as to Form and Content

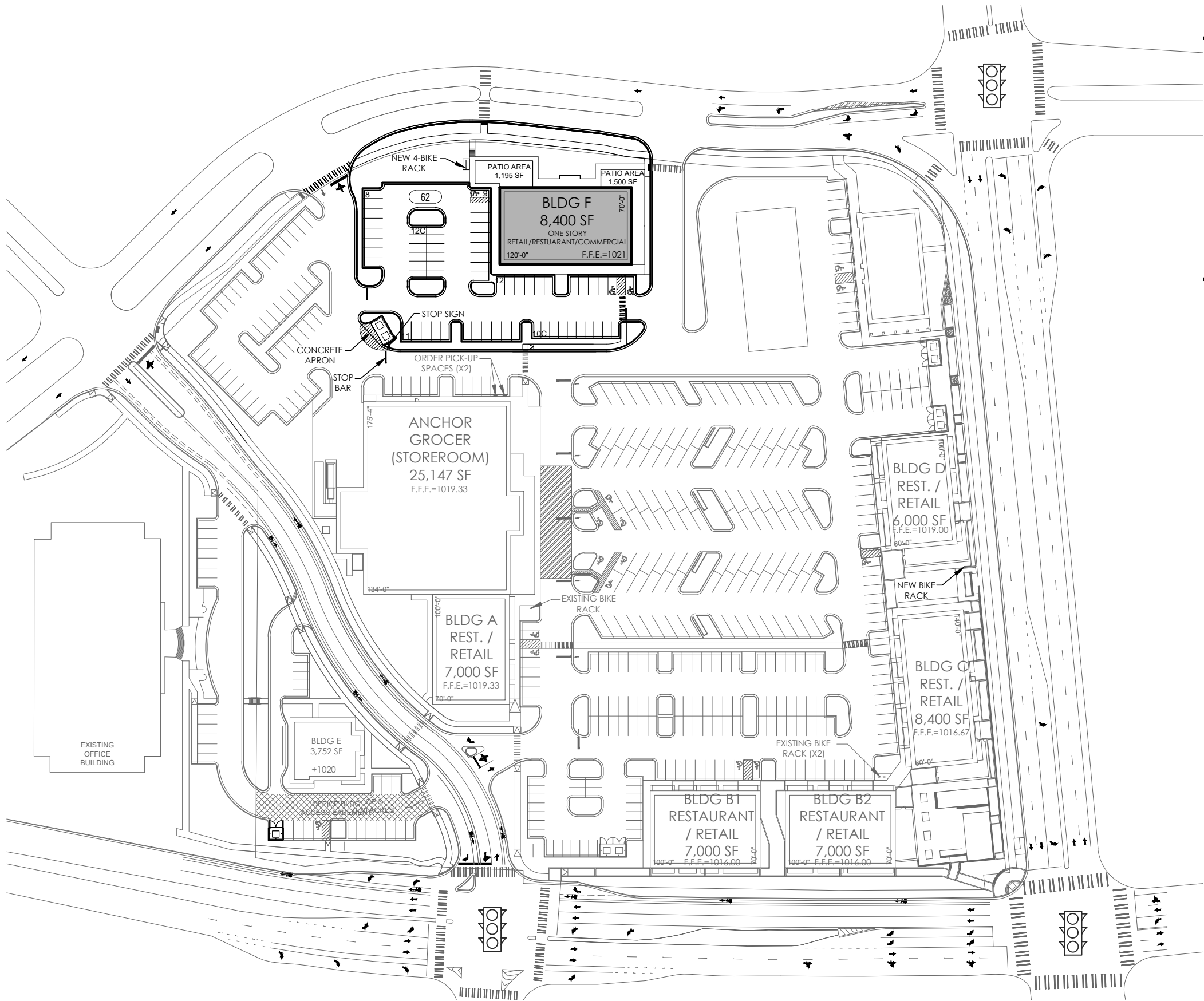
Lynn P. Deutsch, Mayor

City Attorney's Office

Attest:

Sharon Lowery, City Clerk

SEAL

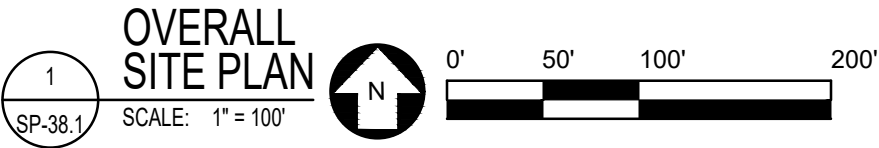


BUILDING SUMMARY

GROCERY ANCHOR	25,147 SF
RESTAURANT	28,400 SF
PATIOS (>10%)	4,754 SF
SHOPS	18,233 SF
C-STORE (4 STALLS)	5,411 SF
OFFICE	3,752 SF
TOTAL	85,697 SF

PARKING SUMMARY (ALLOWED PER USE)

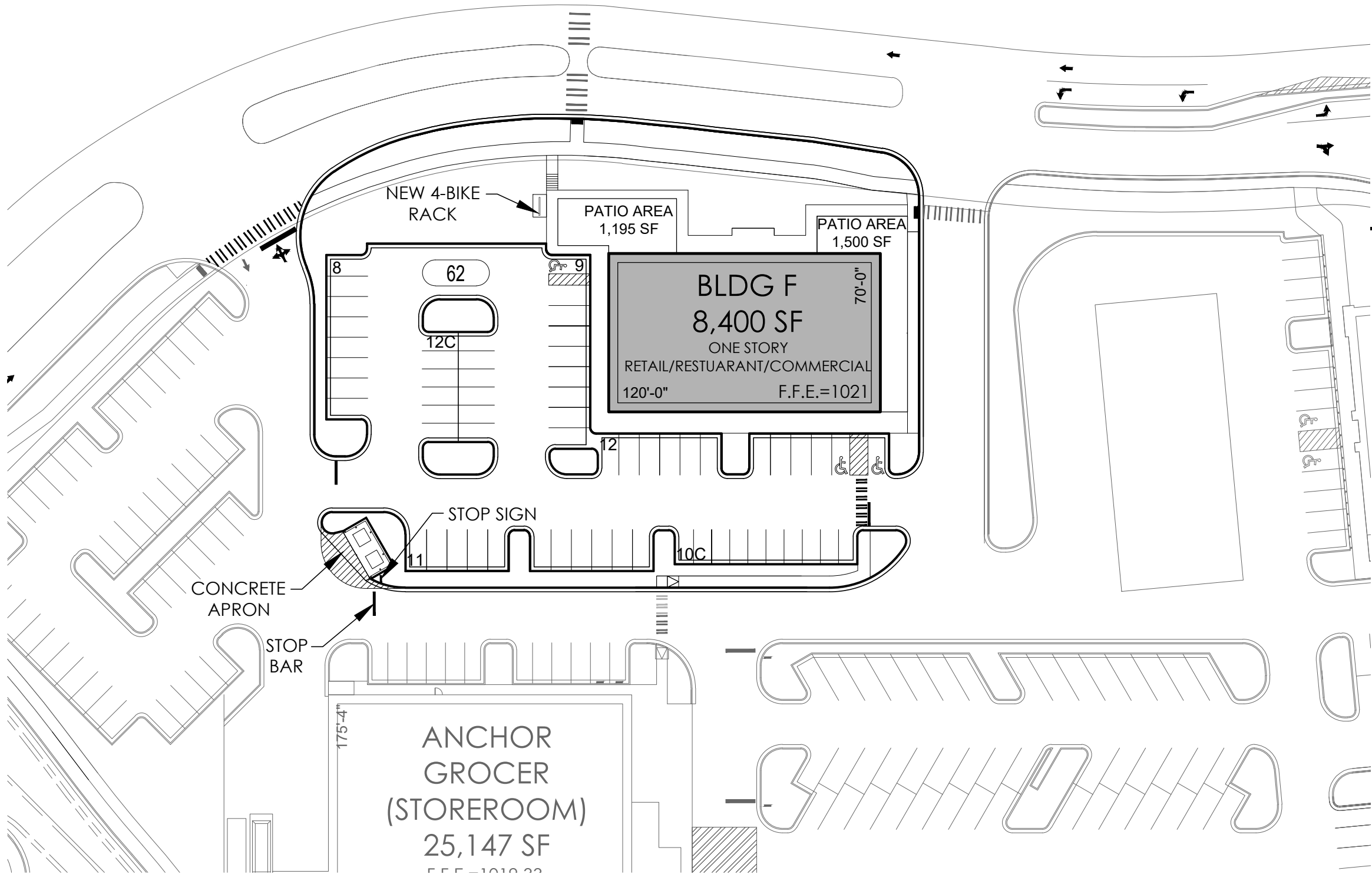
GROCERY	4 /1000	101 SP
RESTAURANT	6.67 /1000	189 SP
PATIOS	6.67 /1000	32 SP
SHOPS	4 /1000	73 SP
OFFICE	4 /1000	15 SP
C-STORE	4 /1000	22 SP
GAS	3 /STALL	12 SP
	ALLOWED	443 SP



PERIMETER MARKETPLACE
ASHFORD DUNWOODY ROAD
DUNWOODY, GA

JOB NUMBER:1617702 | DATE: 2022-02-17 | BY: MRE/RF
DRAWING: OVERALL SITE PLAN -
RESTAURANT PARCEL
(SP-38.3)



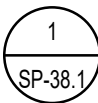


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GAS	3 /STALL	12 SP
ALLOWED		443 SP



PARCEL SITE PLAN

SCALE: 1" = 50'

PERIMETER MARKETPLACE
ASHFORD DUNWOODY ROAD
DUNWOODY, GA

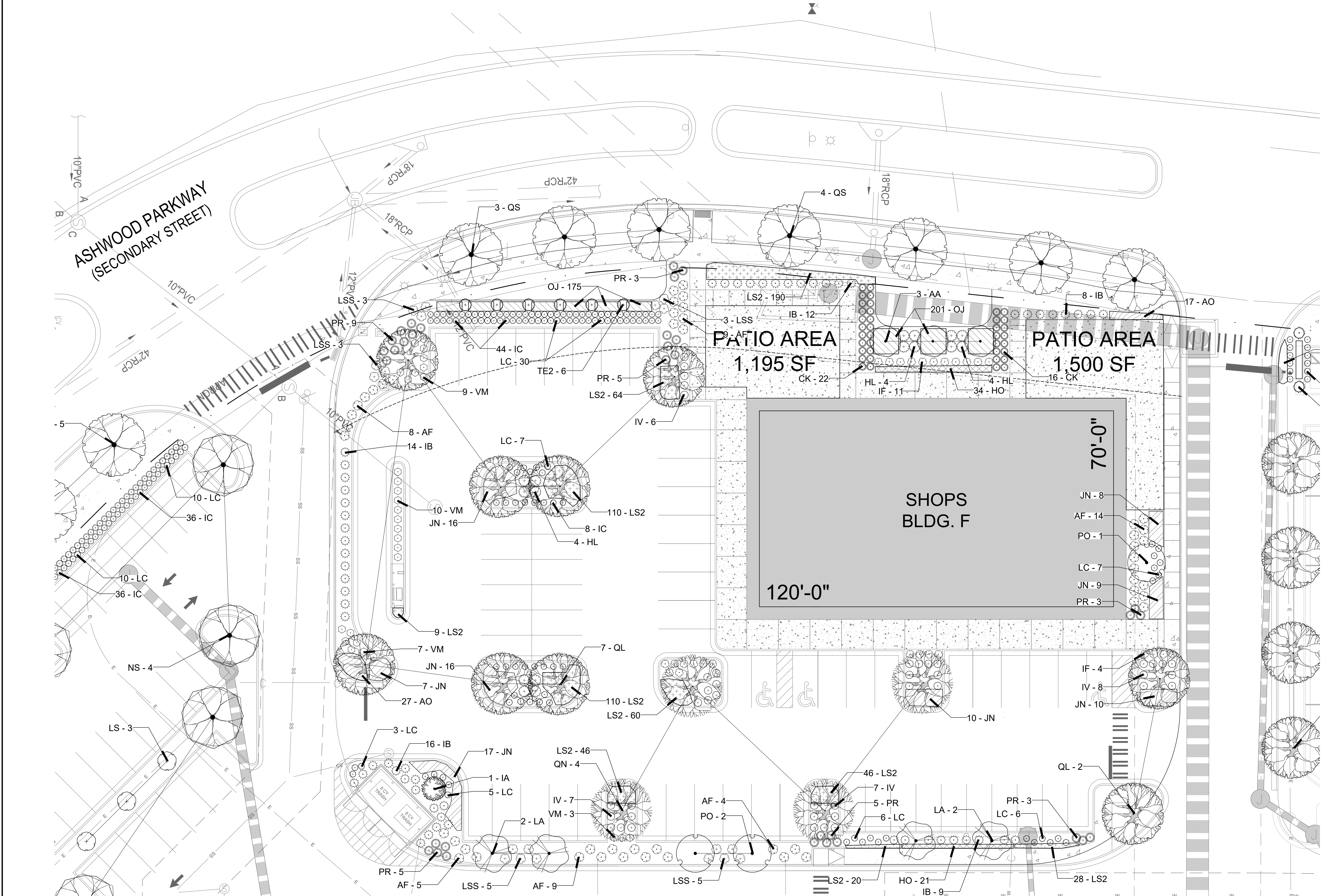
JOB NUMBER:1617702 | DATE: 2022-02-17 | BY: MRE/RF

DRAWING: PARCEL SITE PLAN
RESTAURANT PARCEL
(SP-38.3)



PHILLIPS
ARCHITECTURE • CONSULTANTS

5901 PEACHTREE DUNWOODY RD. • SUITE A450 • ATLANTA, GA 30328 • 770.394.1616



- ## PARKING LOT LANDSCAPING
1. ALL PARKING LOT LANDSCAPE ISLANDS TO HAVE A MINIMUM PERVIOUS AREA OF 600 SQUARE FEET. WITH THE EXCEPT OF PARKING SPACES WHICH SHALL PROVIDE A MINIMUM OF 200 SF.
 2. LANDSCAPE ISLANDS ABUTTING A SINGLE ROW OF PARKING MUST INCLUDE AT LEAST ONE CANOPY TREE. LANDSCAPE ISLANDS ABUTTING A DOUBLE ROW OF PARKING MUST INCLUDE AT LEAST TWO CANOPY TREES.
 3. SHRUBS SHALL BE PROVIDED IN LANDSCAPE ISLANDS AND DIVIDER MEDIAN AT A RATE OF FOUR SHRUBS PER SQUARE FOOT. PARKING LOT SHRUBS MAY NOT EXCEED THREE FEET IN HEIGHT.
 4. GROUND COVER MUST BE USED IN AREAS NOT COVERED BY TREES AND SHRUBS. TURF GRASS MAY BE USED IN ISLANDS AND DIVIDER MEDIAN.
 5. PARKING LOT PERIMETER SHALL BE SCREENED FROM THE ADJACENT RIGHTS OF WAY WITH LANDSCAPING. WOOD OR CONCRETE FENCE SHALL BE INSTALLED AS A CONTINUOUS VERTICAL SCREEN AT LEAST THREE FEET ABOVE GRADE ALONG THE LENGTH OF THE PERIMETER. SHRUBS TO BE USED FOR THIS REQUIREMENT SHALL BE PROVIDED AT A RATE OF 3 SHRUBS PER LINEAR FOOT (3').
- ## LANDSCAPING SCREENING
6. GROUND MOUNTED MECHANICAL EQUIPMENT OVER 30" IN HEIGHT SHALL BE SCREENED FROM VIEW WITH A FENCE OR EQUAL WALL ENOUGH TO CONCEAL THE EQUIPMENT.
 7. REFUSE, RECYCLING CONTAINERS MUST BE SCREENED FROM VIEW OF STREETS AND ADJUTING LOTS WITH A SOLID OR OPAQUE FENCE AT LEAST SIX FEET IN HEIGHT
- ## LANDSCAPING PLANTING
8. DECIDUOUS TREES TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF THREE INCHES CALIPER AND A MINIMUM OF TEN FEET TALL.
 9. EVERGREEN TREES TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF SIX FEET TALL AT TIME OF PLANTING.
 10. SHRUBS AND ORNAMENTAL GRASSES USED TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF ONE-GALON SIZE AT TIME OF INSTALLATION.
 11. ALL REQUIRED LANDSCAPED AREAS SHALL BE COVERED WITH A BIODIVERSABLE MULCH OR GROUND COVER.
 12. LANDSCAPED AREAS AND SHRUBS TO BE PLANTED IN LOCATED IN PLANTED PLANTING AREAS.
 13. LANDSCAPE AREAS IN OR ADJUTING PARKING LOTS MUST BE PROTECTED BY CONCRETE CURBING, ANCHORED WHEEL STOP OR DURABLE BARRING LOTS BY THE CITY ABORIST



Know what's **below**.
Call before you dig.

THE UTILITIES SHOWN FOR THE CONTRACTORS CONVENIENCE ONLY, THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES DURING CONSTRUCTION LIES WITH THE CONTRACTOR.

PLANT KEY			
<u>TREES</u>	<u>COMMON NAME</u>	<u>CAL</u>	<u>SIZE</u>
AR	Red Maple	4" Cal.	
AA	Downy Serviceberry	-	12-14' Height
CC	Columnar European Hornbeam	4" Cal.	
CG2	Slender Hinoki Cypress	-	6' Min. Height
CV	White Fingertree	4" Cal.	
CF	Eastern Dogwood	-	12-14' Height
IA	American Holly	-	10-12' Height
JH	High Shoals Red Cedar	-	6-8' Height
LS	Columnar Sweet Gum	3" Cal.	
LA	Arnold Tulip Poplar	4" Cal.	
NS	Sour Gum	4" Cal.	
PO	Okame Cherry	3" Cal.	
QA	White Oak	4" Cal.	
QL	Overcup Oak	4" Cal.	
QN	Nuttall Oak	4" Cal.	
QO	Willow Oak	4" Cal.	
QS	Shumard Oak	4" Cal.	
TE2	Emerald Arborvitae	-	5' Min. Height
TE	Emerald Arborvitae	-	6-8' Height
TG	Green Giant Arborvitae	-	8-10' Height
UA	Allee Lacebark Elm	4" Cal.	
<u>SHRUBS</u>	<u>COMMON NAME</u>		
AF	Formosa Azalea		
BB	Wintergreen Boxwood		
BB	Green Beauty Boxwood		
CK	Feather Reed Grass		
CS	Christmas Camellia		
CG	Golden Mop Threadleaf False Cypress		
HL	Little Lime Hydrangea		
IB	Dwarf Burford Holly		
IC	Carissa Holly		
IV	Yaupon Holly		
IMS	Castle Spire Blue Holly		
IMW	Castle Wall Holly		
IF	Florida Sunshine Illicium		
LR	Wax leaf ligustrum		
LSS	Sunshine Ligustrum		
LC	Crimson Fire Loropetalum		
LOR	Ruby Loropetalum		
MC	Pink Muntz Grass		
OF	Sweet Olive		
PR	Purple Fountain Grass		
PL	Lyukens Laurel		
VM	Small-Leaf Arrowwood		
<u>SHRUB AREAS</u>	<u>COMMON NAME</u>		
IL	Virginia Sweetspire		
JB	Blue Chip Juniper		
JN	Shore Juniper		
JO	Grey Owl Juniper		
<u>GROUND COVERS</u>	<u>COMMON NAME</u>		
AO	Golden Variegated Sweetflag		
AM	Annulus		
HO	Stella de Oro Daylily		
LG	Evergreen Giant Lilyturf		
LS2	Creeping Lily Turf		
OJ	Mondo Grass		
TA	Asiatic Jasmine		



AJC
DESIGN
GROUP

770.330.0814
1991 WOODLAND WAY
DUNWOODY, GA 30338



STAMP

BRANCHI
PROPERTIES, LLC
3340 PEACHTREE ROAD, SUITE 840
ATLANTA, GA. 30326



OWNER

PERIMETER MARKETPLACE
CITY OF DUNWOODY, GA

500 ASHWOOD PARKWAY
DUNWOODY, GEORGIA 30338

[illegible]BLDG F ZONING
PLANTING PLAN

1900201

11/08/2021

SHEET NO:

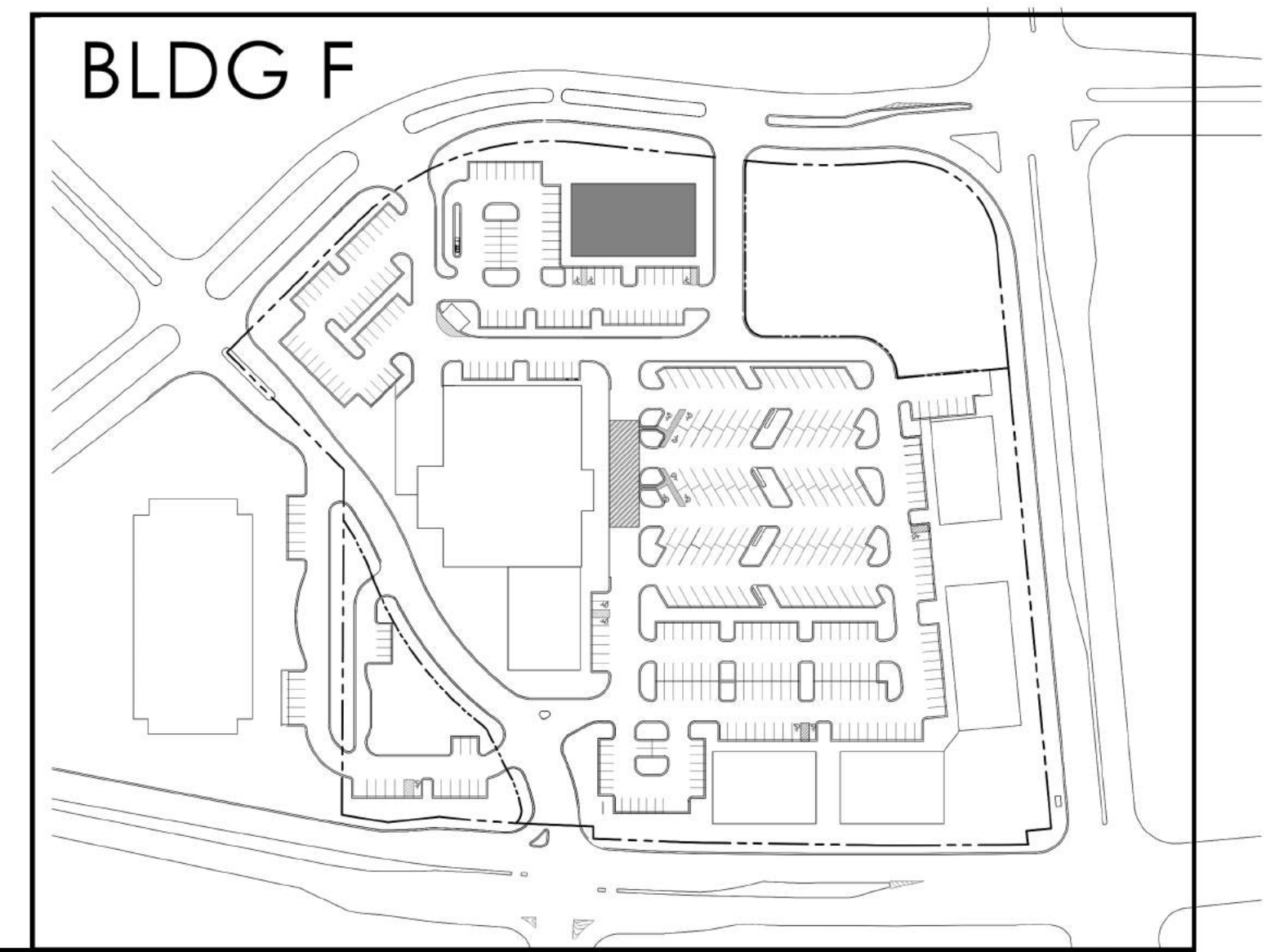
LS1



0 16 32 48 feet

SCALE: 1/16" = 1'-0"

LANDSCAPE PLAN PREPARED TO DENOTE PRELIMINARY
DESIGN INTENT. PLANT SELECTION, MATERIALS, QUANTITY
AND LAYOUT SUBJECT TO REVISIONS. ALL SUBSTITUTIONS
MUST BE APPROVED BY OWNER AND LANDSCAPE ARCHITECT
PRIOR TO INSTALLATION.



Laurel
David

THE
GALLOWAY
LAW GROUP

4062 Peachtree Road NE, Suite A 330 | Atlanta, GA 30319
O (404) 965-3680 | D (404) 965-3669 | C (770) 337-1883
Partner | laurel@glawgp.com

February 24, 2022

VIA ELECTRONIC MAIL

Mayor and City Council,
City of Dunwoody
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338

Re: RZ 21-03 – 600 Ashwood Parkway

Mayor and City Council,

I am writing on behalf of Branch Properties to express concern about the zoning condition, Condition #27, that was added after the public hearing on February 14. The wording proposed in the staff report restricts the corner tenants and associated patios to eating and drinking establishments only. This is not the wording that Branch discussed and ultimately agreed to at the public hearing. This limitation increases the risks associated with the viability of the project and likely jeopardizes Branch's ability to obtain financing, especially during the current volatile market conditions. Further, to restrict the tenant mix as proposed is not related to the public health, safety, morality or welfare and is unconstitutional.

Branch proposes the following alternative wording that we believe still activates the streetscape (which should be the ultimate goal) without restricting Branch's ability to respond to market conditions. We suggest the following reworded condition for your consideration:

The corner patio spaces at Building F shall be activated with outdoor seating and accessible to the general public, unless reserved for the exclusive use by an eating and drinking establishment

We are happy to discuss this at the hearing on February 28 if you have further questions.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel A. David
[via electronic signature]

Laurel
David

THE
GALLOWAY
LAW GROUP

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O (404) 965-3680 | D (404) 965-3669 | C (770) 337-1883
Partner | laurel@glawgp.com

RECEIVED

By Madalyn Smith at 4:13 pm, Feb 18, 2022

February 18, 2022

VIA ELECTRONIC MAIL

Mayor and City Council,
City of Dunwoody
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338

Re: RZ 21-03 – 600 Ashwood Parkway

Mayor and City Council,

I have enclosed the following information on behalf of our clients, Branch Properties:

- Updated site plans showing proposed additional bike parking (at the Building F site and between Building D and C), relocation of some handicapped parking near Building F and stop bar and stop sign location at the southwest internal intersection near Building F. Note the dumpster location was shifted slightly to improve sight distance at this intersection.
- An updated landscaping plan that reflects the removal of the drive-through remote teller.
- The resulting lot coverage on the overall site, including Building F, is 80%. The variance approved July 2019 (BZA 19-11) allows a maximum lot coverage of 86%

We also thought it useful to provide information to you regarding the timeline of completion of construction for the streetscape improvements. We were concerned that there appeared to be a feeling that Branch's delays were somehow intentional and reflected a reluctance to adhere to its commitments. Jack Haylett spent a few minutes at the hearing describing the issues that caused delay, but we believed it important to spend some time in this letter providing all the facts.

Branch received its land disturbance permit at the end of July 2020 and began site work in early-August 2020. Obviously, both the City and Branch were working under considerable restraints due to the pandemic shutdown that began in March 2020. Branch is appreciative of City staff's commitment to keeping its processes running efficiently, despite the enormous difficulties everyone faced. Branch began with grading, draining and cleaning of the detention pond and stormwater infrastructure installation. It was soon clear that the pandemic was having a considerable adverse effect on construction, specifically the inability to find qualified labor, inability to procure materials or significant delays in the procurement of said materials, and

intermittent shut-downs due changing workplace protocols and COVID exposures. Delays caused by these difficulties were not unique to Branch.

With specific regard to the Ashford Dunwoody streetscape improvements, the first step in the installation process was to relocate and install a new Dekalb County water main and third-party utilities along Ashford Dunwoody Road. The water main and various other utilities were located in a labyrinth along the property frontage. Obtaining the necessary approvals from Dekalb County and determining the exact location of the third-party utilities took several months because of Covid closures. Branch's contractors finally received the permits and utility location information to begin installation of the new water line in December 2020 and completed the new water main installation in January 2021. Though the location of the new line was relatively free of utility conflict, in subsequent stages of the work Branch discovered that the information provided by the utility companies was conflicting or incomplete, and in several instances, the physical locations identified by utility locating services were incorrect.

Upon completion of the new water line, the utility companies' contractor began to relocate the multiple known fiber optic lines along Ashford Dunwoody Road for Crown Castle, Level 3 and Verizon. Because the contractor was hired by the utility companies, Branch had little influence over its schedule or work product. This contractor was also beset with labor shortage issues due to Covid and was called to work on multiple other projects concurrently, which meant it was not able to staff Branch's project daily and often worked only partial days. Branch's own contractor also experienced problems causing it to eventually declare bankruptcy. All told, the utility relocation work that would normally take 4-6 weeks took an additional 7 months.

In early October 2021, Branch's contractor began removal of the abandoned water line in the public right of way in order to start installation of the upper retaining wall and bicycle path. During removal, another fiber optic duct bank containing 12 conduits was discovered under and adjacent to the old water line. The location of these conduits was previously unknown and because they were in the public right of way, there were no easements associated with them that were discoverable during due diligence. These newly discovered conduits also needed to be relocated before the upper retaining wall and streetscape improvements could be completed. It took almost two months for Branch to determine the owners of the conduits and execute the agreements with those utility companies to relocate them. All told, Branch steadfastly negotiated and cajoled 6 different fiber optic companies and Dekalb County to relocate impediments to the streetscape improvements.

Currently, all fiber optic conduits have been relocated to accommodate the streetscape improvements. Two utility companies are in a 30-day notice period until the end of February before they can reconnect service to the new lines. Once the connections to all of the new lines are completed in early March, Branch's contractor can remobilize to remove the abandoned fiber lines and construct the upper retaining wall, bike path and streetscape improvements. This process will take about 6 weeks with anticipated completion in early May. All told, the issues

described above caused a delay in the completion of the streetscape/multi-use trail of approximately 11 months and contributed a total additional cost of \$1 million.

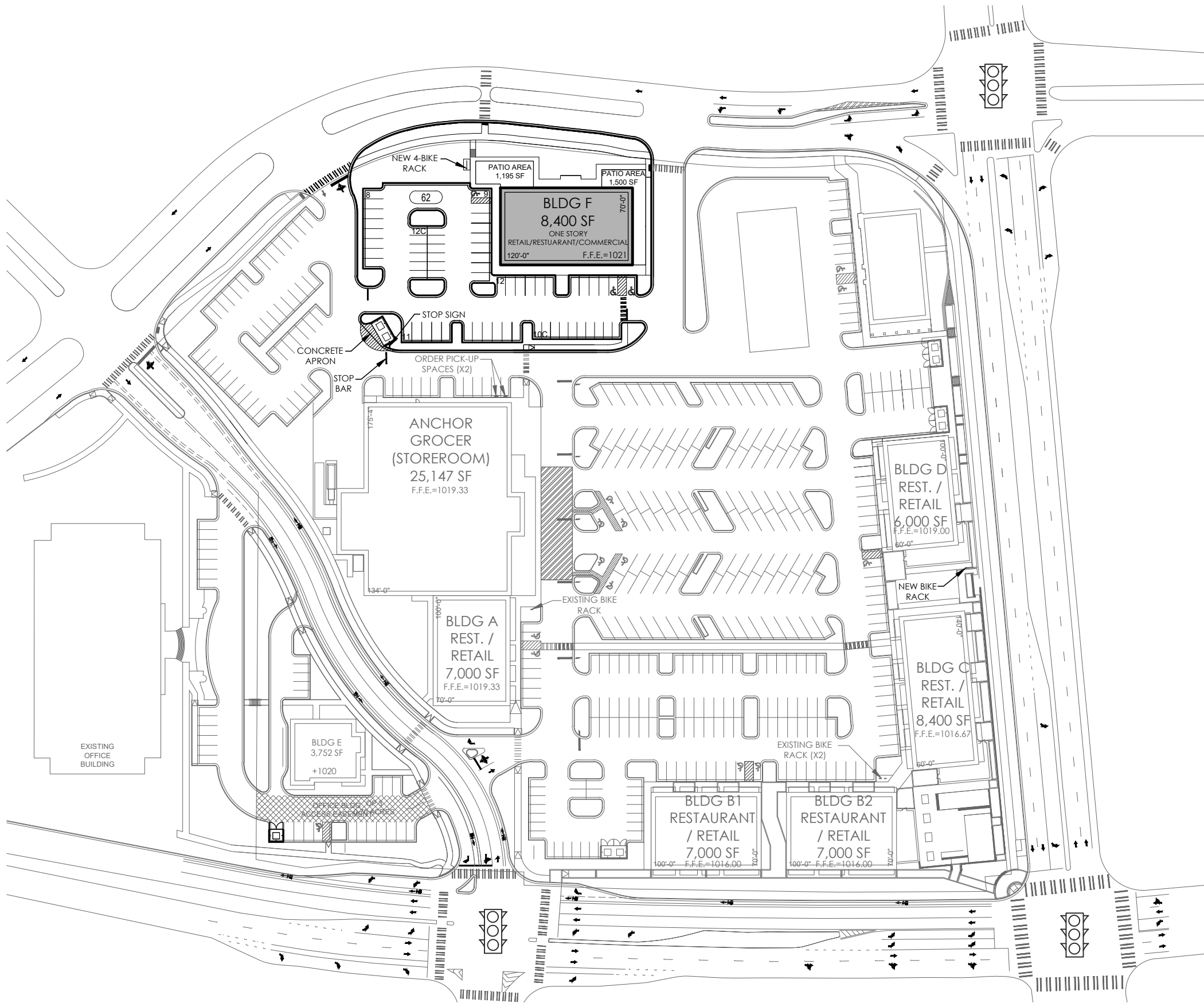
We hope you find this information helpful in understanding the delays that were caused by issues beyond Branch's control. Please let me know if you have any questions.

Sincerely,

THE GALLOWAY LAW GROUP, LLC



Laurel A. David
[via electronic signature]

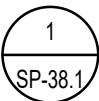


BUILDING SUMMARY

GROCERY ANCHOR	25,147 SF
RESTAURANT	28,400 SF
PATIOS (>10%)	4,754 SF
SHOPS	18,233 SF
C-STORE (4 STALLS)	5,411 SF
OFFICE	3,752 SF
TOTAL	85,697 SF

PARKING SUMMARY (ALLOWED PER USE)

GROCERY	4 /1000	101 SP
RESTAURANT	6.67 /1000	189 SP
PATIOS	6.67 /1000	32 SP
SHOPS	4 /1000	73 SP
OFFICE	4 /1000	15 SP
C-STORE	4 /1000	22 SP
GAS	3 /STALL	12 SP
ALLOWED		443 SP



OVERALL
SITE PLAN
SCALE: 1" = 100'



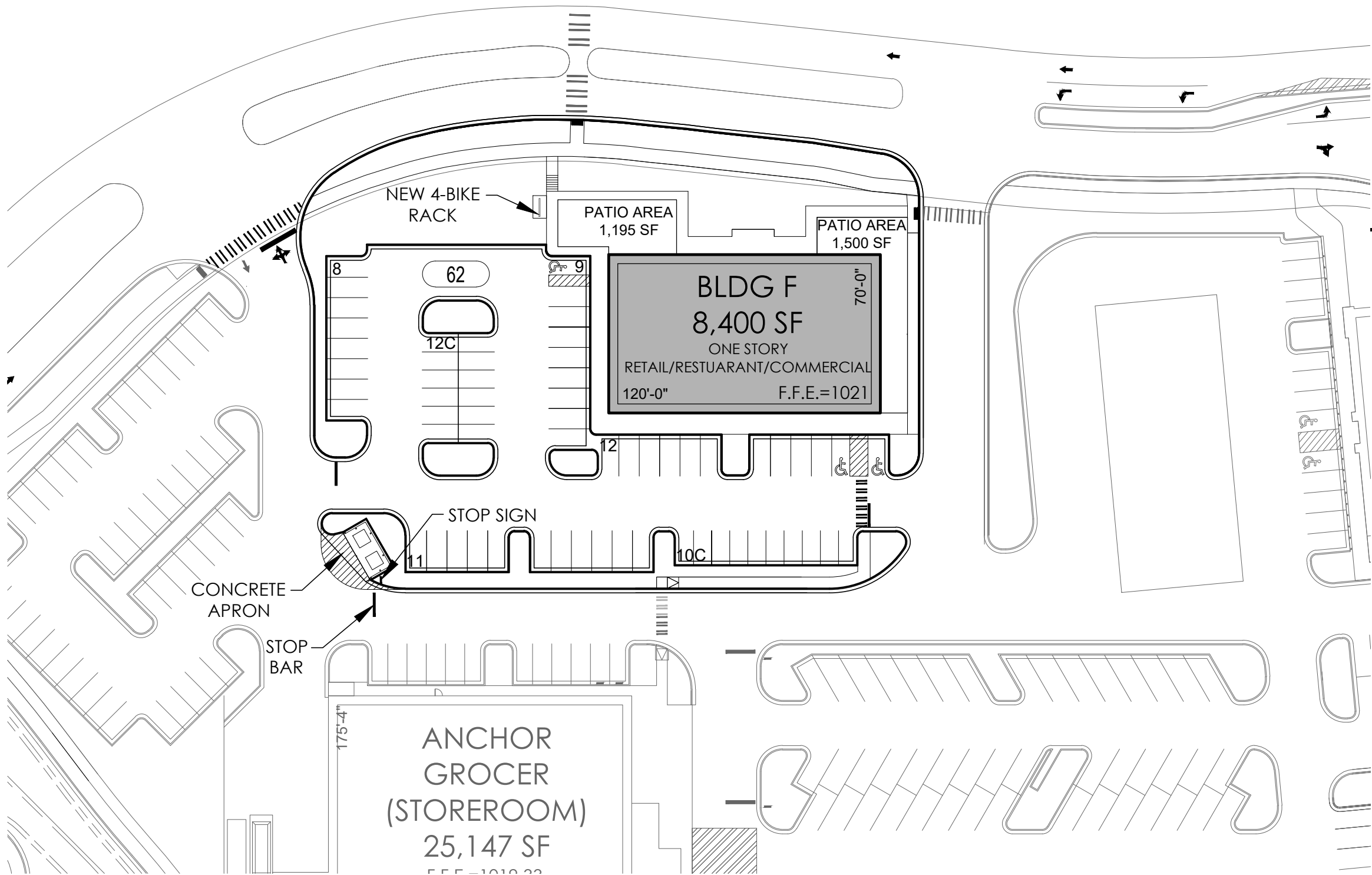
PERIMETER MARKETPLACE
ASHFORD DUNWOODY ROAD
DUNWOODY, GA

JOB NUMBER:1617702 | DATE: 2022-02-17 | BY: MRE/RF
DRAWING: OVERALL SITE PLAN -
RESTAURANT PARCEL
(SP-38.3)



PHILLIPS
ARCHITECTURE • CONSULTANTS

5901 PEACHTREE DUNWOODY RD. • SUITE A450 • ATLANTA, GA 30328 • 770.394.1616



BUILDING SUMMARY	
GROCERY ANCHOR	25,147 SF
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C-STORE	4 /1000	22 SP
GAS	3 /STALL	12 SP
ALLOWED		443 SP



1
SP-38.1
PARCEL SITE PLAN
SCALE: 1" = 50'

PERIMETER MARKETPLACE
ASHFORD DUNWOODY ROAD
DUNWOODY, GA

JOB NUMBER:1617702 | DATE: 2022-02-17 | BY: MRE/RF
DRAWING: PARCEL SITE PLAN
RESTAURANT PARCEL
(SP-38.3)



PHILLIPS
ARCHITECTURE • CONSULTANTS

5901 PEACHTREE DUNWOODY RD. • SUITE A450 • ATLANTA, GA 30328 • 770.394.1616

TREES	BOTANICAL / COMMON NAME	CAL	SIZE	CONT	QTY
AA	Amelanchier arborea 'Autumn Brilliance' / Downy Serviceberry MULTI-TRUNK; 4' C.T.; FULL AND HEALTHY; WELL BRANCHED; MATCHED	-	12-14' Height	B&B	3
LA	Liriodendron tulipifera 'Arnold' / Arnold Tulip Poplar 4' C.T.; FULL AND HEALTHY; WELL BRANCHED; MATCHED	4" Cal.		B&B	4
PO	Prunus x okame / Okame Cherry 4' C.T.; FULL AND HEALTHY; WELL BRANCHED; MATCHED	3" Cal.		B&B	3
QL	Quercus lyrata / Overcup Oak 6" C.T.; FULL AND HEALTHY; WELL BRANCHED; MATCHED	4" Cal.		B&B	9
QN	Quercus nuttallii / Nuttall Oak 6" C.T.; FULL AND HEALTHY; WELL BRANCHED; MATCHED	4" Cal.		B&B	4
TE2	Thuja occidentalis 'Emerald' / Emerald Arborvitae	-	6' Min. Height	B&B	9
SHRUBS	BOTANICAL / COMMON NAME	CONT	SIZE		
AF	Azalea indica 'Formosa' / Formosa Azalea NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			41
CK	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass NURSERY GROWN.; FULL AND HEALTHY; MATCHED	1 Gal.			32
HL	Hydrangea paniculata 'Little Lime' / Little Lime Hydrangea NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			16
IB	Ilex cornuta 'Burfordii Nana' / Dwarf Burford Holly NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			58
IC	Ilex cornuta 'Carissa' / Carissa Holly NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			60
IV	Ilex vomitoria / Yaupon Holly NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			43
IF	Illicium parviflorum 'Florida Sunshine' / Florida Sunshine Illicium NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			28
LSS	Ligustrum sinense 'Sunshine' / Sunshine Ligustrum NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			17
LC	Loropetalum chinense 'Crimson Fire' / Crimson Fire Loropetalum NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			41
LCR	Loropetalum chinense 'Ruby' / Ruby Loropetalum NURSERY GROWN: FULL AND HEALTHY; MATCHED	3 Gal.			15
OF	Osmanthus fragrans / Sweet Olive NURSERY GROWN: SYMMETRICAL FORM; FULL AND HEALTHY; MATCHED	7 Gal.			3
PR	Pennisetum setaceum 'Rubrum' / Purple Fountain Grass NURSERY GROWN: FULL AND HEALTHY; MATCHED	1 Gal.			41
VM	Viburnum obovatum 'Miss Shillers Delight' / Small-Leaf Arrowwood NURSERY GROWN: FULL AND HEALTHY; MATCHED	1 Gal.			29
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT			
JN	Juniperus procumbens 'Nana' / Shore Juniper NURSERY GROWN: FULL AND HEALTHY; MATCHED	1 Gal.		30" o.c.	74
GROUND COVERS	BOTANICAL / COMMON NAME	CONT			
AO	Acorus gramineus 'Ogon' / Golden Variegated Sweetflag NURSERY GROWN: FULL AND HEALTHY	1 GAL.		18" o.c.	56
HO	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily NURSERY GROWN: FULL AND HEALTHY	4" POTS		18" o.c.	21
LS2	Liriope spicata 'Silver Dragon' / Creeping Lily Turf NURSERY GROWN: FULL AND HEALTHY	4" POTS		12" o.c.	923
OJ	Ophiopogon japonicus / Mondo Grass NURSERY GROWN: FULL AND HEALTHY	4" POTS		12" o.c.	400

FINAL TREE DENSITY CALCULATIONS				
TREE	SIZE	QUANTITY	DENSITY FACTOR	REPLACEMENT VALUE
SERVICEBERRY	12-14"	3	0.5	1.5
ARNOLD TULIP POPLAR	4" CAL.	4	0.7	2.8
CHERRY	3" CAL.	3	0.6	1.8
OVERCUP OAK	4" CAL.	9	0.7	6.3
NUTALL OAK	4" CAL.	4	0.7	2.8
SHUMARD OAKS	4" CAL.	7	0.7	4.9
EMERALD ARBORVITAE	6' MIN HT.	9	0.4	3.6
				EXISTING STREET TREES TO REMAIN
		39		23.7
				TOTAL TREE DENSITY

MARKING LOT LANDSCAPING

ALL PAVING LOT LANDSCAPE ISLANDS TO HAVE A MINIMUM PERIMETRIC AREA OF 60 SQUARE FEET (SF) WITH THE EXCEPTION OF A SINGLE ROW OF PAVING SPACES WHICH SHALL PROVIDE A MINIMUM OF 200 SF.

LANDSCAPE ISLANDS SHALL INCLUDE A SINGLE ROW OF SHRUBS WHICH INCLUDE AT LEAST ONE CANOPY TREE PER 100 SF OF PAVING SPACE. THE CANOPY TREES MUST BE AT LEAST 10 FEET TALL AND HAVE TWO CANOPY TREES PER SHRUB. THERE SHALL BE TWO CANOPY TREES PER 100 SF OF PAVING SPACE.

SHRUBS SHALL BE PROVIDED IN LANDSCAPE ISLANDS AND EXCEED MEET AN AREA OF FOUR SHRUBS PER SHRUB SPACE. PROVIDING LOT SHRUBS MUST NOT PROVIDE MORE THAN 18 FEET.

GROUND COVER MUST BE USED IN AREAS NOT COVERED BY TREES AND SHRUBS. TURF GRASS MAY NOT BE USED IN AREAS ADJACENT TO ADJUTING TRAVELWAYS.

PROVIDING LOT PERIMETER SHALL BE SCREENED FROM THE ADJUTING RIGHTS OF WAY WITH LANDSCAPING, WALL, OR COMBINATION THEREOF. SCREEN SHALL BE RESULT IN A CONTINUOUS WALL, SCREEN AT LEAST THREE FEET HIGH, AND BE LOCATED WITHIN THE PERIMETER OF THE PAVING SPACE. PROVIDING LOT SHRUBS SHALL BE PROVIDED AT A RATE OF 35 SHRUBS PER 100 LINEAL FEET.

LANDSCAPING SCREENING

GROUND MOUNTED MECHANICAL EQUIPMENT OR 36 IN HEIGHT SHALL BE SCREENED FROM VIEW WITH A WALL OR SCREENED TREE WALL TO CONCEAL THE EQUIPMENT.

EVERGREEN TREES SHALL BE PROVIDED TO SCREEN FROM VIEW STREET LIGHTS AND BUTTING LOTS WITH A SOLID OR OPAQUE FENCE AT LEAST 6 FEET IN HEIGHT.

LANDSCAPING PLANTING

DECIDUOUS TREES USED TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF THREE INCHES CALIPER AND A MINIMUM OF TEN FEET TALL.

EVERGREEN TREES USED TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF SIX FEET TALL IN PLACE OF PLANTING.

SHRUBS AND ORNAMENTAL SPECIES USED TO SATISFY CODE REQUIREMENTS SHALL BE A MINIMUM OF ONE-GALLON SIZE AT TIME OF INSTALLATION.

ALL REQUIRED LANDSCAPED AREAS SHALL BE COVERED WITH A BIOERODIBLE MULCH OR GROUND COVER. MULCH SHALL BE APPLIED TO BE LOCATED IN MULCH BEDS PLANTING BEDS.

LANDSCAPE AREA IN AN ADJUTING PARKING LOT SHALL BE PROTECTED BY CONCRETE CURBING, ANCHORED WHEEL STOPS OR CURBABLE BARRIERS APPROVED BY THE CITY AUTHORITY.

THE MITIGATION FOR THE SITE PROVIDED AS A PART OF THE LAND DISTURBANCE PERMIT #20200078 FOR THE PERIMETER MARKETPLACE ASHWORTH CENTER PROJECT LOCATED AT 530 ASHWORTH PKWY. SOME TREES PLANTED ON THIS PROJECT AS A PART OF THAT TREE MITIGATION PERMIT ARE TO BE REMOVED AND REPLACED. ALL REPLACEMENT TREES WILL BE OF THE SAME SPECIES AND CALIPER SIZE OF THE ORIGINAL MITIGATION PLANTS.

IN THE EVENT THAT THE SPECIFIED TREE SPECIES ARE COMMERCIALY UNAVAILABLE IN THE REQUIRED CALIPER SIZES, A REPLACEMENT TREE OF THE SAME SPECIES WILL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY OF ASHWORTH. THE TREE MITIGATION OWNER AND LANDSCAPE ARCHITECT PRIOR TO PURCHASE AND INSTALLATION. ANY SUBSTITUTIONS NOT APPROVED IN ADVANCE WILL BE REPLACED BY THE CONTRACTOR WITH TREES THAT MEET OR EXCEED THE SIZE REQUIREMENTS, NOT AT THE EXPENSE OF THE OWNER.



**Know what's below.
Call before you dig.**

THE UTILITIES SHOWN FOR THE CONTRACTORS CONVENIENCE ONLY, THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES DURING CONSTRUCTION LIES WITH THE CONTRACTOR.



0 16 32 48 feet

SCALE: $\frac{1}{16}'' = 1'-0''$



STAMP

OWNER

PROJECT

ISSUE SCHEDULE	
NO.	DATE: ISSUE DESCRIPTION

iii

SHEET NAME:
BLDG F
PLANTING PLAN

SHEET NO.

LS2.1