



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council **DATE:** October 15, 2014

FROM: John McDonough, City Manager

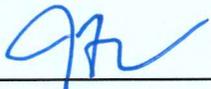
AGENDA ITEM: **201300687 (DRI)**** - Tax Parcel 17-0019 - LL-059 (Abernathy Road, Peachtree Dunwoody Road, Mount Vernon Highway, GA 400), *Applicant: Hines*, to rezone the subject property from O-I (Office and Institutional District) conditional to MIX (Mixed Used District), with a use permit to exceed the maximum district height and concurrent variances

MEETING DATE: For Submission onto the October 21, 2014, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: *(Attach additional pages if necessary)*

See attached:

Memorandum
Rezoning Petition

CITY MANAGER APPROVAL: 

PLACED ON AGENDA FOR: **10/21/2014**

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: 



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: October 13, 2014 for submission onto the October 21, 2014 City Council meeting

Agenda Item: **201300687 Abernathy Road, Mount Vernon Highway, Peachtree Dunwoody Road (17-0019-LL-059)** a request to rezone the subject property from O-I (Office and Institutional District) to MIX (Mixed Use District), with a Use Permit and concurrent variances.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

DEFERRAL

Request:

A request to rezone the subject property from O-I (Office and Institutional District) to MIX (Mixed Use District) to allow the development of 90,000 square feet of retail, 1,270,000 square feet of office, 225 room hotel, and 315 multi-family units, with a use permit to exceed the district height limit.

Additionally, the applicant is requesting one (1) concurrent variance from the Zoning Ordinance as follows:

- Variance from Section 4.23.1 to reduce the required forty (40) foot front landscape strip:
 Abernathy Road as shown on site plan
 Peachtree Dunwoody Road to 15 feet
 Mount Vernon Highway to 15 feet
 GA 400 as shown on site plan

Zoning	Existing		Proposed		Comp Plan	
	Units or Square Feet	Density (Units or Square Feet per Acre)	Units or Square Feet	Density (Units or Square Feet per Acre)	Units or Square Feet	Density (Units or Square Feet per Acre)
	O-I (Office & Institutional District)		MIX (Mixed Use District)		Live Work Regional	
Residential	-	-	315	22.01	-	Unlimited
Commercial	1,283,110.40		1,360,000	95,038.43	-	Unlimited
Hotel	600		225		-	
Height	8 Stories (1 building); 25 Stories (1 building); 50 Stories (1 building)		25 Stories (3 buildings); 42 Stories (1 building)		Unlimited	
Acres	14.3		14.3		-	

COMMUNITY DEVELOPMENT

Address, Land Lot, and District	Abernathy Road, Mount Vernon Highway, Peachtree Dunwoody Road (17-0019-LL-059) Land Lot 19, District 17 th
Council District	4 (Gabriel Sterling)
Frontage	709.33' along the south side of Abernathy Road, 671.33' frontage along the west side of Peachtree Dunwoody Road, 911.13 north side of Mount Vernon Highway and 1022.72 along the east side of GA 400.
Area	14.31 acres
Existing Zoning and Use	O-I (Office and Institutional District) under Fulton County zoning case Z87-0128, currently undeveloped.
Overlay District	PCID (Perimeter Center Improvement District)
2027 Comprehensive Future Land Use Map Designation	LWR (Live Work Regional) Node 6: PCID (Perimeter Community Improvement District)
Proposed Zoning	MIX (Mixed Use District)

APPLICANT/PETITIONER INFORMATION

Property Owner Northpark Land Associates, L.L.L.P	Petitioner Hines Interests Limited Partnership	Representative Nathan V. Hendricks
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HEARING & MEETING DATES

Community Zoning Information Meeting April 22, 2014	Community Developer Resolution Meeting May 29, 2014	Planning Commission Hearing June 19, 2014	Mayor and City Council Hearing July 15, 2014 September 16, 2014
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DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

201300687- APPROVAL CONDITIONAL
201300687 Use Permit - APPROVAL CONDITIONAL
201300687 Variance #1- APPROVAL CONDITIONAL

MAYOR AND CITY COUNCIL- September 16, 2014

The petition was heard at the September 16, 2014 Mayor and City Council meeting. The Council **deferred** to the October 21, 2014 Mayor and City Council meeting to allow staff to review the revised request to reduce daily trips, square footage and height.

MAYOR AND CITY COUNCIL- July 15, 2014

The petition was heard at the July 15, 2014 Mayor and City Council meeting. The Council **deferred** to the September 16, 2014 Mayor and City Council meeting to allow the impact of the proposal on the area and traffic to be reviewed.

PLANNING COMMISSION- June 19, 2014

The petition was heard at the June 19, 2014 Planning Commission meeting. Squire moved to recommend approval seconded by Porter. The Commission **recommended approval** (4-2, Maziar, Porter, Tart and Squire for; Frostbaum and Nickles against; and Duncan not voting), with staff's conditions, including most recent Public Works comments to add timing requirements to intersection upgrades, and the 9 foot ceilings.

EXISTING LAND USE AND ZONING OF ABUTTING PROPERTIES					
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SUBJECT PETITION 201300687	Requested Zoning	Proposed Use	Land Area (Acres)	Units/Square footage	Density (Units per Acre)
	MIX	Commercial Hotel Multi-Family	14.31	1,360,000 225 315	95,038.43sf/ac 15.72 rooms/ac 22.01 units/ac

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Units/Square Footage	Density (Square Feet or Units Per Acre)
North	O-1 conditional Z87-128	Northpark Office Complex	10.18	856,530	84,138.52 sf/ac
East	C-1 conditional RZ06-024	Vacant Hotel/Restaurant	3.3903	285,500	84,210.84 sf/ac
South	C-1 conditional RZ10-006 RZ06-037	Self-storage facility to include retail and service commercial and general office	1.51	218,469	144,681 sf/ac
South	MIX, conditional Z96-0032	6400 Peachtree-Dunwoody Road - Home Depot/Costco	11.00	251,600	22,873 sf/ac
West	GA 400				

Future Land Use Map

Mount Vernon Hwy NE



ZONING IMPACT ANALYSIS

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Findings: The staff is of the opinion that the proposed use is suitable in view of the use and development of adjacent and nearby property. The surrounding area consists of a mixture high density uses.

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

Findings: The staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties because the use would be consistent with adjacent properties. The property is surrounded by high density office and retail uses and the additional multi-family would create a mixture of housing types, especially workforce housing for the area.

C. *Whether the property to be affected by the zoning proposal may have reasonable economic use as currently zoned.*

Findings: The staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

D. *Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

Findings: The staff is of the opinion that the proposal may result in an excessive or burdensome use of the existing infrastructure. The proposed development will be required to meet all current City codes and ordinances, which will require a stormwater management system.

E. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan and the Future Land Use Map designation of Live Work Regional (LWR) and the recommended density of above 20 units per acre for residential and above 25,000 square feet an acre for commercial. The applicant is proposing the following:

	Proposed	Proposed Density
Commercial	1,360,000	95,038.43 sf/ac
Hotel	225 rooms	15.72 rooms/ac
Multi-Family	315 units	22.01 units/ac

Additionally, other plan policies that staff considered in developing the recommendation for this proposal are the creation of a mixture of housing types, including workforce housing. The introduction of multifamily in the immediate are in close proximity to the MARTA rail station. Despite the close proximity to the MARTA station staff has concerns that safe pedestrian access to the station can be easily achieved. Staff also has concerns regarding the

project incorporation of measures that support modes of transportation other than single occupancy vehicles.

Node 6: PCID (Perimeter Community Improvement District - Live Work Regional only)

Boundaries:

- Properties along the GA-400 Corridor, generally located within the boundaries of the Perimeter Center Improvement District.

Guidelines and Policies:

1. Residential density should be above 20 units per acre.
2. Commercial and office densities should be above 25,000 square feet per acre.
3. Building heights should not be limited in this area.
4. At least 20% of a site shall be maintained as open space.
5. The densities and heights referenced as appropriate for this area shall be reduced when there are conflicts with existing single-family neighborhoods.
6. Density and/or height bonuses, beyond the recommendations of the Comprehensive Plan, may be approved by the Mayor and City Council for the development or redevelopment of assembled properties consisting of a minimum of five (5) or more acres. The approval of bonuses will be based on the merits of the project relative to whether it provides desirable attributes that meet or exceed the goals and objective of the Comprehensive Plan. Such goals may include, but not be limited to the following:
 7. Providing significant green space or open space that exceeds the minimums established in Table 1.5.
 8. Providing shared parking to other properties in the area or encouraging/requiring the use of alternative transportation options. This may include, but not be limited to, providing direct or planned access to MARTA services.

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Findings: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

Findings: The staff is of the opinion that the proposal would not permit a use which could be considered environmentally adverse to the natural resources, environment, or citizens of Sandy Springs. The proposal will be required to meet all current City Codes.

VARIANCE CONSIDERATIONS

Article 22 of the Zoning Ordinance indicates the following are considerations in granting variances, of which only one has to be proven:

1. *Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,*
2. *The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or*

The applicant is requesting one (1) concurrent variance as outlined below. The applicant has indicated that the variance being requested will be in harmony with the policy and intent of the Zoning Ordinance and will not result in any harm to the health, safety and welfare of the general.

1. Variance from Section 4.23.1 to reduce the required forty (40) foot front landscape strip:
 - Abernathy Road: variable as shown on site plan
 - Peachtree Dunwoody Road to 15 feet
 - Mount Vernon Highway to 15 feet
 - GA 400: variable as shown on site plan

Findings:

Staff is of the opinion that the request to reduce the forty (40) foot front landscape strips to allow the encroachments as shown on the site plan received by the Department of Community Development dated June 5, 2014 is in harmony with the intent on the Zoning Ordinance. The property has four road frontages. The applicant is proposing that the retail building and a multi-family building will be located along this encroachment. This will pull these buildings closer to Peachtree Dunwoody Road and Mount Vernon Highway and will create a more walkable and pedestrian-friendly access from the surrounding area. The encroachments along GA 400 and Abernathy Road are for the perimeter access drive. The access drive will provide a better traffic flow throughout the site and fire access. Therefore, based on these reasons, the staff recommends APPROVAL of this variance request.

USE PERMIT CONSIDERATIONS

The applicant is requesting a use permit to exceed the district height of sixty (60) feet.

The applicant is requesting a use permit to allow a twenty-five (25) and forty-two (42) story office buildings, twenty-five (25) story multi-family building, and a twenty-five (25) story hotel.

Per Article 19.2.4, *Use Permit Considerations*, the City Council shall consider each of the following:

- A. *Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;*

Findings: The staff is of the opinion that the proposed use is consistent with the intent of the Comprehensive Plan and the Future Land Use Map designation of Live Work Regional

(LWR) and the recommended density. The Plan recommends density of above 20 unit/acre and over 25,000 square feet per acre. The applicant is requesting the following densities:

	Proposed	Proposed Density
Commercial	1,360,000	95,038.43 sf/ac
Hotel	225 rooms	15.72 rooms/ac
Multi-Family	315 units	22.01 units/ac

The applicant is requesting a use permit to exceed the district required sixty (60) foot height limit to allow a twenty-five (25) and forty-two (42) story office buildings, twenty-five (25) story multi-family building, and a twenty-five (25) story hotel, The adjacent office buildings are approximately sixteen (16) stories with a proposed twenty-six (26) story building. The request to exceed the sixty (60) feet is consistent with the buildings in the surrounding area. The Node 6: PCID (Perimeter Community Improvement District - Live Work Regional only) states that building height should not be limited in this area. Additionally, other plan policies that staff considered in developing the recommendation for this proposal are the creation of a mixture of housing types, especially workforce housing for the area.

B. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;

Findings: The staff is of the opinion that the proposed use is compatible with the land uses and zoning districts within the vicinity of the property.

C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;

Findings: The staff is of the opinion the proposed uses would not violate any local, state, and/or federal statutes, ordinances, or regulations.

D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;

Findings: The staff is of the opinion that the proposal will not result in a use that will cause an excessive or burdensome use of the existing infrastructure. The application has an approved Development of Regional Impact (DRI). The application was reviewed by the Georgia Regional Transportation Authority (GRTA) and the Atlanta Regional Commission (ARC). Both organizations recommended approval of the project. Additionally, the proposed project is within 500 feet of a MARTA transit station.

E. The location and number of off-street parking spaces;

Findings: The total parking required:

	Required
Multi-Family	498
Commercial	4595*
Total	3,906 (15% MARTA Reduction)

*30,000 square of restaurant was included in this calculation.

F. The amount and location of open space;

Findings: The applicant is proposing 23.26% green space where 15% is required and 5.2% open space where 5% is required.

G. Protective screening;

Findings: The applicant is not proposing protective screening. The project is surrounded by roads on all side and is not adjacent to any residential properties. Additionally, the area is currently developed with high rise and high density developments.

H. Hours and manner of operation;

Findings: The standard/typical hours and manner of operation would be consistent with other mixed use developments.

I. Outdoor lighting; and

Findings: Any modification to or addition of outdoor lighting will be required to meet the minimum requirements of the Zoning Ordinance.

J. Ingress and egress to the property

Findings: The proposal shows the following ingress and egress points:
 Abernathy Road: one (1) right in right out
 Peachtree Dunwoody Road: one (1) right in right out
 Mount Vernon Highway: three (3): one (1) right in right out, two (2) full access

DEPARTMENT COMMENTS

The staff held a Focus Meeting with Transportation, Building and Permitting, Fire, Code Enforcement, Site Development, and the Arborist on May, 2014 at which the following departments had comments. The staff has received additional comments from the Fulton County Board of Education and Fulton County Department of Water Resources (see attachments).

<p>Transportation Planner</p>	<p>The proposed Northpark development triggered a Development of Regional of Impact (DRI) review. In addition to City staff, the following transportation agencies also reviewed the traffic study for validity: GDOT, GRТА, ARC, and MARTA. Surrounding jurisdictions were also provided the opportunity to comment on the transportation analysis and recommended improvements. As part of the DRI requirements, the applicant was only required to assess traffic impacts at the build-out year of 2017. However, Public Works required an additional assessment of traffic impacts through 2022, ten years from the base traffic year. Public Works also required an expansion of the transportation network and the number of intersections evaluated from two to nine intersections. The resulting GRТА Record of Decision (ROD) through the expedited DRI process recommended no conditions. In evaluation of the Transportation Analysis, Public Works identified the following improvements to mitigate anticipated traffic generated by the site and provide access to the Sandy Springs MARTA Station:</p> <ul style="list-style-type: none"> • Make provisions for future grade-separated crossing of Peachtree
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Dunwoody Road to provide pedestrian connection to Sandy Springs MARTA Station in the vicinity of the Peachtree Dunwoody Road driveway.

At the time of construction of the proposed driveway on Peachtree Dunwoody Road, applicant shall provide the following transportation improvements:

- Construction of a southbound left turn lane from Peachtree Dunwoody Road to eastbound Mt. Vernon Highway and associated signal upgrades.
- Construction of an enhanced pedestrian crossing of Peachtree Dunwoody at Mt. Vernon Highway to provide connection to the Sandy Springs MARTA Station and associated signal upgrades.
- Construction of an enhanced pedestrian crossing of Peachtree Dunwoody at Abernathy Road to provide connection to the Sandy Springs MARTA Station and associated signal upgrades.
- Construction of additional northbound left turn lane on Peachtree Dunwoody Road to Abernathy Road westbound and accompanying overhead signs and signal upgrades.
- Construction of Abernathy Road frontage pedestrian/bicycle sidepath and pedestrian crossing/signal at northbound GA 400 ramp and Abernathy Road.

At the time of construction of proposed full access driveway on Mt. Vernon Highway at Crestline Drive, applicant shall provide the following transportation improvements:

- Construction of the maximum length of left turn lane on eastbound Mt. Vernon Highway to full access driveway.
- Restriping of the Mt. Vernon Highway bridge over GA 400 to three 10.5-foot lanes to provide two westbound lanes and one eastbound lane.
- Construction of a westbound right turn lane on Mt. Vernon Highway from GA 400 to end of existing taper at Barfield Road.
- Construction of dual left turn lanes from eastbound Mt. Vernon Highway to northbound Peachtree Dunwoody Road and associated signal upgrades.

Abernathy Road is classified a Principal Arterial and has a posted speed limit of 45 mph, Mt. Vernon Highway is classified a Collector and has a posted speed of 35 mph, and Peachtree Dunwoody Road is classified a Minor Arterial and has a posted speed of 35 mph.

Show Georgia DOT right-of-way reservation strip along the SR 400 frontage.

Regarding all street frontages:

- Mt. Vernon Highway, Peachtree Dunwoody Road, and Abernathy Road are included in the Sidewalk Master Plan network.
- As part of the Perimeter Community Improvement Design District, Abernathy Road has been designated as a Thoroughfare, Mt. Vernon Highway and Peachtree Dunwoody Road as an Avenue, and Crestline Parkway as a Street. All street designations include typical sections with elements including bicycle lanes, wide sidewalks, street trees and

	<p>landscape/planting strips, street furniture, and street lighting.</p> <ul style="list-style-type: none"> • ADA-compliant paths shall be provided from sidewalk network on all frontages to site arrival point(s). • Frontage on all streets shall include width to accommodate full-depth bicycle lanes to meet latest AASHTO standards. <p>The following transportation projects have been identified in prior plans:</p> <ul style="list-style-type: none"> • The Sandy Springs Transportation Master Plan has recommended the following improvements: Project C13: <u>Sidewalks, bicycle Lanes, and intersection improvements on Mt. Vernon Highway</u>; Projects D2, D6, E17: <u>Peachtree Dunwoody Road complete street including automobile, pedestrian, transit, bicycle, and landscaping/aesthetic components</u>. • Perimeter CID (PCID) plans have recommended the following: PCID LCI 10-year Update: Project T-28: <u>Trail system on Mt Vernon Highway</u>; • PCID LCI supplemental study: Commuter Trails System Master Plan: Project A06: <u>Side path for Abernathy Road</u>, Projects A15/A17: <u>Side paths for Mt Vernon Highway</u>, Project A38: <u>Side path for Peachtree Dunwoody Road</u>. <p>At time of Land Disturbance Permit, site shall meet requirements of Articles 11 and 12 of the Development Ordinance. Based on review of the zoning site plan, please note the following:</p> <ul style="list-style-type: none"> • All private streets shall be constructed to public street standards (Development Ordinance, Section 103-70). • Right-of-way dedication may be required for all street frontages based on roadway lineage or streetscape improvements which is the greater of required street classification right-of-way width, 11 feet behind back of curb or one foot behind sidewalk. <p>The following traffic improvements shall be provided to accommodate development-generated traffic:</p> <ul style="list-style-type: none"> • Installation of pedestrian signal at northbound GA 400 ramp and Abernathy Road. • Construction of additional northbound left turn lane on Peachtree Dunwoody Road to Abernathy Road westbound and accompanying overhead signs. • Construction of southbound left turn lane from Peachtree Dunwoody Road to eastbound Mt. Vernon Highway. • Construction of dual left turn lanes from eastbound Mt. Vernon Highway to northbound Peachtree Dunwoody Road. • Restriping of the Mt. Vernon Highway bridge over GA 400 to three 10.5-foot lanes to provide two westbound lanes and one eastbound lane. • Construction of the westbound right turn lane on Mt. Vernon Highway from GA 400 to end of existing taper at Barfield Road. • Construction of the maximum length of left turn lane on eastbound Mt. Vernon Highway to Driveway #1.
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| | <ul style="list-style-type: none">• Construction of grade separated pedestrian crossing across Peachtree Dunwoody Road at Abernathy Road. |
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PUBLIC INVOLVEMENT

Public Comments (See additional comments attached)

- Traffic
- Not allowing the road to be closed
- Number of 3 bedroom units/ mixture of units
- Access to MARTA
- Install a pedestrian island in the center of Peachtree Dunwoody

CONCLUSION TO FINDINGS

The Comprehensive Plan calls for the use of alternative transportation options and a mix of housing types, including affordable within the Perimeter Center area. The plan also notes that parking requirements for transit oriented development should be reduced. The Plan notes that the designation of areas in the Living Working Category was done to encourage mixed use redevelopment.

STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to rezone the subject property from O-I (Office and Institutional District) to MIX (Mixed Use District), the staff recommends the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Office and associated accessory uses at a density of 88,749.13 square feet per acre or 1,270,000 square feet, whichever is less.
 - b. Commercial uses at a density of 6,289.31 square feet per acre or 90,000 square feet, whichever is less.
 - c. Residential uses at a density of 22.01 units per acre or 315 units, whichever is less.
 - d. Hotel use at a density of 15.72 rooms per acre or 225 rooms, whichever is less.
 - e. To a maximum building height of one (1) 25 stories and one (1) 42 stories office building as shown on the site plan received by the Department of Community Development dated June 5, 2014.
 - f. To a maximum building height of 25 stories for the 315 unit multi-family building as shown on the site plan received by the Department of Community Development dated June 5, 2014.
 - g. To a maximum building height of 25 stories for the 225 room hotel as shown on the site plan received by the Department of Community Development dated June 5, 2014.

2. To the owner's agreement to abide by the following:
 - a. To the site plan received by the Department of Community Development dated June 5, 2014. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.

3. To the owner's agreement to provide the following site development standards:
 - a. All project improvements required by Georgia Regional Transportation Authority (GRTA) and outlined in the Notice of Decision dated March 28, 2013.
 - b. No vehicular access shall be permitted along the Abernathy Road frontage.
 - c. Installation of pedestrian signal at northbound GA 400 ramp and Abernathy Road.

- d. A minimum of one (1) bicycle parking space shall be provided for every twenty (20) auto spaces.
- e. Shower facilities shall be provided on-site for employees.
- f. Make provisions for grade-separated crossing of Peachtree Dunwoody Road to provide pedestrian connection to Sandy Springs MARTA Station in the vicinity of the Peachtree Dunwoody Road driveway.
- g. At the time of construction of the proposed driveway on Peachtree Dunwoody Road, applicant shall provide the following transportation improvements:
 - i. Construction of a southbound left turn lane from Peachtree Dunwoody Road to eastbound Mt. Vernon Highway.
 - ii. Construction of an enhanced pedestrian crossing of Peachtree Dunwoody at Mt. Vernon Highway to provide connection to the Sandy Springs MARTA Station and associated signal upgrades.
 - iii. Construction of an enhanced pedestrian crossing of Peachtree Dunwoody at Abernathy Road to provide connection to the Sandy Springs MARTA Station and associated signal upgrades.
 - iv. Construction of additional northbound left turn lane on Peachtree Dunwoody Road to Abernathy Road westbound and accompanying overhead signs and signal upgrades.
 - v. Construction of Abernathy Road frontage pedestrian/bicycle sidepath and pedestrian crossing/signal at northbound GA 400 ramp and Abernathy Road.
- h. At the time of construction of proposed full access driveway on Mt. Vernon Highway at Crestline Drive, applicant shall provide the following transportation improvements:
 - i. Construction of the maximum length of left turn lane on eastbound Mt. Vernon Highway to full access driveway.
 - ii. Restriping of the Mt. Vernon Highway bridge over GA 400 to three 10.5-foot lanes to provide two westbound lanes and one eastbound lane.
 - iii. Construction of a westbound right turn lane on Mt. Vernon Highway from GA 400 to end of existing taper at Barfield Road.
 - iv. Construction of dual left turn lanes from eastbound Mt. Vernon Highway to northbound Peachtree Dunwoody Road and associated signal upgrades.
 - v. Development shall provide direct access from SR 400 NB ramp to provide public street connection subject to approval by the Georgia Department of Transportation and Sandy Springs Public Works.
- i. The minimum design standards are:

Minimum front yard:

GA 400: As shown on site plan received by the Department of Community Development dated June 5, 2014

Abernathy Road: As shown on site plan received by the Department of Community Development dated June 5, 2014

Peachtree Dunwoody Road: 15 feet

Mount Vernon Road: 15 feet

Minimum heated floor area per dwelling unit: 500 square feet

Minimum internal setbacks, separations, landscaping and buffering between uses is as shown on the site plan which shall comply with the local governing building codes.

- j. Ten (10) percent of residential units shall be workforce housing units, defined as 75% of the median income.
- k. All units shall be individually metered and/or sub metered.
- l. Interior ceiling heights should be a minimum of nine (9) feet.
- m. Not less than 20% of the site shall be maintained as Open Space of which 23% shall be Green Space.
- n. Retaining wall facing Georgia 400 exit ramp shall be faced in granite or planted as a green wall.
- o. To reduce the forty (40) foot front landscape strips to allow for the encroachments as shown on the site plan received by the Department of Community Development dated June 5, 2007 (CV201400687).

Attachments

- First Amendment to the application dated October 8, 2014
- Letter of Intent dated received March 5, 2014
- Site Plan dated received June 5, 2014
- GRTA Notice of Decision dated March 28, 2013
- Executive Summary- Traffic Analysis
- Consideration for Expedited Review
- Site Pictures
- Additional comments from the Fulton County Department of Water Resources, Fulton County Department of Health Services , Fulton County School System Impact Report
- Letters of Opposition (18)

RECEIVED

OCT 08 2014

City of Sandy Springs
Community Development

FIRST AMENDMENT TO APPLICATION FOR
REZONING, USE PERMIT AND CONCURRENT VARIANCES

IN RE:)
 Hines Interests Limited Partnership)
 APPLICANT)
 PROPERTY:)
 Approximate 14.3 Acre Tract Located)
 at the Intersections of Georgia Highway)
 400, Abernathy Road, Mount Vernon Highway)
 and Peachtree Dunwoody Road)

RE: Application Number:
201300678 (DRI)

Now comes Hines Interests Limited Partnership (the "Applicant" here-
under) who does hereby modify and amend the above referenced Application
for Rezoning, Use Permit and Concurrent Variances and associated Letter
of Intent:

1.

The Application requests a rezoning to the MIX Classification for the
development of office/service/retail/commercial and accessory uses as fol-
lows: 1,270,000 square feet of office, 90,000 square feet of retail, a 225
room hotel and 315 For Rent residential units. Additionally, pursuant to
Article 19.4.5., the Applicant requests a Use Permit to exceed the height
limitation in the MIX District for office buildings of 42 and 25 stories,
a 25 story hotel and a 25 story building for the For Rent Residential.

2.

Further attached hereto as Exhibit "A" is a Traffic Analysis comparing
the Existing Zoning, the Proposed Original Zoning, the Proposed Original
Hypothetical Adjustment and the Final Adjustment as stated in Paragraph 1
above.

Now, therefore the Applicant requests that this Application for Rezoning,
Use Permit and Concurrent Variances be approved as modified in order that the
Applicant be able to proceed with the lawful use and development of the
Property.

6085 Lake Forrest Drive, Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

Nathan V. Hendricks III
Attorney for the Applicant

Land Use	Comparison: Revised Zoning to Hypothetical Scenario #2								Comparison: Original Zoning Application to Hypothetical #2								
	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour			Intensity	Daily Trips	AM Peak Hour			PM Peak Hour			
			Total	In	Out	Total	In	Out			Total	In	Out	Total	In	Out	
Proposed Site Traffic																	
220 Apartment	315 d.u.							(185) d.u.									
310 Hotel	(375) rooms							(25) rooms									
710 General Office Building	37,000 s.f.							(230,000) s.f.									
820 Shopping Center	40,000 s.f.							(60,000) s.f.									
New Trips		(14)	(41)	(68)	27	92	50	41	(3,218)	(261)	(176)	(85)	(406)	(147)	(263)		
Percentage Difference		-0.1%	-2.9%	-5.7%	10.8%	5.9%	12.7%	3.6%	-20.7%	-15.8%	-13.6%	-23.1%	-19.9%	-24.9%	-18.0%		

Explanation of Reductions:

Mixed-Use (Internal Capture) Reduction

- Applied to a single development project that contains two or more land uses where some trips are between on-site land uses and do not require travel on a major street system.

- This development contains 4 separate land uses characteristic of internal trips qualifying for ITE mixed-use reductions.

Alternative Mode Reduction

- Applied to account for project trips entering/exiting the development site by a mode of transportation alternative to a single-occupancy passenger vehicle.

- Per the GRTA Letter of Understanding (LOU), this development qualifies for a 20% alternative mode reduction due to the connectivity of bicycle and pedestrian routes and the proximity to the Sandy Springs MARTA Station.

- According to current transit data, an alternative mode reduction of 31.5% could have been applied (however, 20% was used per GRTA).

Pass-By Reduction

- According to ITE, pass-by trips are made as intermediate stops on the way from an origin to a separate destination, attracting passing traffic already on a roadway adjacent to the site.

- A pass-by reduction was applied to the retail trips during the Daily and PM peak hour for this development.

- The pass-by reduction used was calculated per appropriate ITE reduction rates.

Sources of Data:

Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 8th Ed.

Institute of Transportation Engineers' (ITE) *Trip Generation Handbook, An ITE Recommended Practice*, 2nd Ed.

National Cooperative Highway Research Program (NCHRP) *Report 684, Enhancing Internal Trip Capture Estimation for Mixed-Use Developments*, 2011.

RECEIVED

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LETTER OF INTENT

The property contains approximately 14.3 acres and is bounded by Georgia Highway 400 on the west, Abernathy Road on the north, Peachtree Dunwoody Road on the east and Mount Vernon Highway on the south and is commonly know as Buildings 100-300 Northpark (the "Property").

The Property is presently zoned to the O-I Classification pursuant to Z87-128 and the Applicant requests a rezoning to the MIX Classification for the development of office/service/retail/commercial/hotel/residential and accessory uses as follows: 1,500,000 square feet of office, 150,000 square feet of retail, a 250 room hotel and 500 units of For Rent residential. Additionally, pursuant to Article 19.4.5., the Applicant requests a Use Permit to exceed the height limitation in the MIX District for office buildings of 25 and 50 stories, a 25 story hotel and a 25 story building for the For Rent Residential. Further, given the unique burdening factors of the shape of the Property and its being confined by being bounded on all four sides by roads and highways bearing significant volumes of traffic, the Applicant requests a Concurrent Variance pursuant to Article 4.23.1. to allow the reduction of the required landscape strips along Georgia Highway 400, Abernathy Road, Peachtree Dunwoody Road and Mount Vernon Highway as shown on the Site Plan filed simultaneously herewith. To require the Applicant to comply with this development standard would place a substantial hardship on the Applicant and the approval of this Concurrent Variance would not be harmful to the health, safety and welfare of the general public. Further, the approval of this concurrent Variance would be in harmony with the policies and intent of the Zoning Ordinance. It is to be noted that the Sandy Springs Comprehensive Land Use Plan places the Property under the Live/Work Regional designation. The development of the Property as proposed by the Applicant and as described above not only complies with the policies and intent of the Live/Work Regional designation but also with the mix of zonings and developments on surrounding and nearby properties. The location of the Property with immediate and direct access to the MARTA Station creates the very live/work/play environment and pedestrian engagement intended and envisioned for this area. Accordingly, this Application for Rezoning, Use Permit and Concurrent Variance is entirely appropriate and the appropriateness of this Application for Rezoning, Use Permit and Concurrent Variance and the constitutional assertions of the Applicant are more particularly described and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

Now, therefore, the Applicant requests that this Application for Rezoning, Use Permit and Concurrent Variance be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

APPLICANT:

Hines Interests Limited Partnership

By: 

Mark J. Ferris

Its: Managing Director


Nathan V. Hendricks III
Attorney for the Applicant

6085 Lake Forrest Drive
Suite 200
Sandy Springs, Georgia 30328
(404) 255-5161

Exhibit "A"

APPROPRIATENESS OF APPLICATION
AND
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Sandy Springs City Council to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any rezoning of the Property without the simultaneous approval of the Use Permit and Concurrent Variances requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.



NOTICE OF DECISION

To: Doug Hooker, ARC
(via electronic mail) Sonny Deriso, GRTA
Bob Voyles, GRTA
Dick Anderson, GRTA
Lara Hodgson, GRTA
Al Nash, GRTA
Ken Stewart, GRTA

To: Mayor Eva Galambos, City of Sandy Springs
(via electronic mail and certified mail) Mark Ferris, Hines Interests LP

From: Jannine Miller, GRTA Executive Director

Copy: Kirk Fjelstul, GRTA
(via electronic mail) Laura Beall, GRTA
Jon West, DCA
Jon Tuley, ARC
Mike Lobdell, GDOT Dist 7
Greg Floyd, MARTA
Linda Abaray, City of Sandy Springs
Don Mabry, Simpson Housing LLLP
John Walker, Kimley-Horn & Associates

Date: March 28, 2013

Re: DRI #2334 Northpark

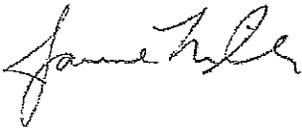
**Notice of Decision for
Request for Expedited Review of
DRI 2334 Northpark**

The purpose of this notice is to inform Northpark (the Applicant), the City of Sandy Springs (the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding DRI 2334 Northpark (the DRI Plan of Development). GRTA has completed an Expedited Review for the DRI Plan of Development pursuant to sections 3-101, 3-102.E and 3-102.F of the *Procedures and Principles for GRTA Development of Regional Impact Review* and has determined that the DRI Plan of Development meets the GRTA review criteria. The DRI Plan of Development as proposed is **approved without conditions** by Expedited Review.

This decision will become final and no further review will be required, unless: (1) a request for review by the Land Development Committee is submitted to the Executive Director within five (5) calendar days of receipt of this notice pursuant to Section 2-502 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, or (2) an appeal by the Applicant is submitted to the Executive Director within ten (10) working days of receipt of this notice pursuant to Section 2-202(G), or (3) an appeal by the local government is submitted to the Executive Director within five (5) calendar days of receipt of this notice pursuant to Section 2-501. If GRTA staff receives a request for review or an appeal, you will receive another notice from GRTA and the Land Development Committee will hear the appeal or request for Expedited Review at its May 8, 2013 regular meeting.

The notice of decision is based upon review of the applicant's DRI Review Package. The Review Package includes revised site plan prepared by HOK dated and received by GRTA on March 27, 2013 and the transportation analysis dated March 2013 prepared by Kimley-Horn and Associates and received by GRTA on March 11, 2013. The review also includes confirmation from Atlanta Regional Commission received by GRTA on March 28, 2013 that the Livable Centers Initiative (LCI) criterion has been met.

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



Jannine Miller
Executive Director
Georgia Regional Transportation Authority

EXECUTIVE SUMMARY

This report presents the analysis of the anticipated traffic impacts of the 100 Northpark DRI development located in Sandy Springs, Georgia. The approximate 14.3-acre redevelopment site is bounded by Abernathy Road to the north, Mt. Vernon Highway to the south, Georgia 400 to the west, and Peachtree-Dunwoody Road to the east. Because the mixed-use project will exceed 400,000 square feet, the proposed development is a Development of Regional Impact (DRI) and is subject to Georgia Regional Transportation Authority (GRTA) and Atlanta Regional Commission (ARC) review.

The project site is within the bounds of two Livable Centers Initiatives (LCI) studies completed for the area. The *Perimeter Focus: Envisioning a New Atlanta Center – Livable Center Initiative Final Report, January, 8th 2002* identifies the area as a “Transit Village.” The study highlights the proposed location of the 100 Northpark DRI project as an area of undeveloped land with significant development opportunities. According to the “Framework Plan Matrix” (from the 2002 study), future developments within a “Transit Village” should improve commuter access to transit stations, increase housing supply, create a “Town Center”, increase the amount and variety of area amenities, and focus on improving pedestrian and transit facilities. Furthermore, the proposed 100 Northpark DRI also consistently follows the “Framework Plan” as envisioned in the *Sandy Springs MARTA Station Area Plan – LCI Implementation Study, December 2003*, which aims to support future developments that are transit-oriented and contain a mix of land uses. The proposed 100 Northpark DRI development will include offices, apartment, hotel, and retail locations as envisioned in both LCI plans.

According to GRTA’s *Procedures and Principles for GRTA Development of Regional Impact Review*, the proposed changes to the DRI comply with the **Expedited Review Criteria in Section 3-102, Part F – Livable Centers Initiative (LCI)**, which states “*the proposed DRI is located within an area approved for inclusion within the LCI program by the Atlanta Regional Commission and is consistent with the policies, design elements, and overall standards established by the study and any subsequently funded Supplemental Study(s). The local government(s) in which the LCI is located has completed and adopted the initial LCI Study within their Comprehensive Plan. Additionally, the local government(s) must have shown efforts towards implementation of the adopted study, by such methods as, approval of conforming development/redevelopment plan, adopted ordinances and/or codes, and implementation of the LCI’s Five (5) Year Plan.*” This development is located within and is consistent with the *Perimeter Focus: Envisioning a New Atlanta Center – Livable Center Initiative Final Report, January, 8th 2002* and the *Sandy Springs MARTA Station Area Plan – LCI Implementation Study, December 2003*. Therefore, this study is being submitted under expedited review.

The proposed redevelopment project is expected to be completed by 2017, and this analysis will consider the full build-out of the proposed site in 2017. The proposed site consists of the following land uses and densities:

Residential Apartment:	500 units
General Office Building:	1,500,000 SF
Retail:	150,000 SF
Hotel:	250 rooms

Capacity analyses were performed throughout the study network for the Existing 2012 conditions, the 2017 No-Build conditions, the 2017 Build conditions, the 2022 No-Build conditions, and the 2022 Build conditions (5 years beyond build-out).

- Existing 2012 conditions represent traffic volumes that were collected in April 2012 and January 2013 by performing AM and PM peak hour turning movement counts.
- Projected 2017 No-Build conditions represent the existing traffic volumes grown for five (5) years at 1.0% per year throughout the study network.
- Projected 2017 Build conditions represent the 2017 No-Build conditions with the addition of the project trips that are anticipated to be generated by the 100 Northpark development.

- Projected 2022 No-Build conditions represent the existing traffic volumes grown for ten (10) years at 1.0% per year throughout the study network.
- Projected 2022 Build conditions represent the 2022 No-Build conditions with the addition of the project trips that are anticipated to be generated by the 100 Northpark development (additional analysis required by the City of Sandy Springs).
- The 100 Northpark development is projected to generate 24,591 gross daily trips and 15,563 net daily trips after mixed-use, alternate mode, and pass-by reductions.

Based on the 2012 Existing conditions (present conditions; i.e. excludes background traffic growth and the 100 Northpark DRI project traffic), all intersections within the study network currently operate at or above the acceptable Level-of-Service standard (LOS D).

Based on the 2017 No-Build conditions (includes background traffic growth plus but excludes the 100 Northpark DRI project traffic) no recommended improvements were identified in order to maintain an acceptable Level-of-Service (LOS D) at all intersections within the study network.

Based on the 2017 Build conditions (includes background traffic growth and the 100 Northpark DRI project traffic), the following intersection improvements are recommended:

- Abernathy Road at Peachtree-Dunwoody Road
 - Construct a northbound left-turn lane creating a triple left turn lanes.
 - Modify the existing eastbound right-turn lane into a free-flow right turn along Peachtree-Dunwoody Road.
- Mount Vernon Highway at Peachtree-Dunwoody Road
 - Construct a southbound left-turn lane and provide protected/permitted signal phasing.

Based on the 2022 No-Build conditions (includes background traffic growth plus but excludes the 100 Northpark DRI project traffic), the following intersection improvements are recommended:

- Abernathy Road at Barfield Road
 - Construct a southbound left-turn lane creating triple left turn lanes

Based on the 2022 Build conditions (includes background traffic growth, and the 100 Northpark DRI project traffic), no additional recommended improvements, aside from the listed 2017 Build conditions recommendations, were identified in order to maintain an acceptable Level-of-Service (LOS D) at all intersections within the study network.

The following intersection geometries and improvements are recommended at the project site driveways (Note: The attached site plan includes these improvements):

- Site Driveway #1 at Mt. Vernon Highway/Crestline Parkway
 - Modify the existing northbound right-turn lane to create a shared through/right-turn lane.
 - Provide an eastbound left-turn lane and provide protected/permitted signal phasing.
 - Provide a westbound right-turn lane.
 - Construct the southbound approach exiting the site with two left turn lanes and a shared through/right-turn lane.
- Site Driveway #2 at Mt. Vernon Highway
 - Provide a westbound right-turn lane entering the site.
 - Construct a southbound right-turn lane exiting the site onto Mt. Vernon Highway.
- Site Driveway #3 at Mt. Vernon Highway
 - Provide a westbound right-turn lane entering the site.
 - Construct a southbound right-turn lane exiting the site onto Mt. Vernon Highway.
- Site Driveway #4 at Peachtree-Dunwoody Road
 - Construct a southbound shared through/right-turn lane entering the site. (Note: This lane is a continuation of the proposed free-flow right-turn lane at the intersection of Peachtree-Dunwoody Road at Abernathy Road).
 - Construct an eastbound right-turn lane exiting the site onto Peachtree-Dunwoody Road.



Kimley-Horn
and Associates, Inc.

March 11, 2013

■
2 Sun Court
Suite 450
Norcross, Georgia 30092

Ms. Laura Beall
Division Director, Land Use
Georgia Regional Transportation Authority (GRTA)
245 Peachtree Center Avenue, NE, Suite 800
Atlanta, Georgia, 30303

Re: 100 Northpark DRI #2334
Consideration for Expedited Review
City of Sandy Springs, GA

Dear Ms. Beall:

The purpose of this letter is to inform you that a rezoning application has been submitted to the City of Sandy Springs for the 100 Northpark DRI #2334 project. With the filing of the rezoning application, a DRI review is expected. Per our previous conversation, we anticipate that this DRI will qualify for DRI Expedited review based on the Livable Centers Initiative and Alternative Modes of Transportation. The following sections provide supporting documentation for Expedited review:

While the 100 Northpark DRI site has the potential to generate a moderate amount of traffic, these anticipated impacts remain consistent with the "Livable Corridor Concept" as envisioned in the *Perimeter Focus: Envisioning a New Atlanta Center – Livable Center Initiative Final Report, January, 8th 2002*, which strives to enhance the redevelopment capacity of undeveloped land west of Perimeter Mall. According to GRTA's *Procedures and Principles for GRTA Development of Regional Impact Review*, the proposed changes to the DRI comply with the **Expedited Review Criteria in Section 3-102, Part F – Livable Centers Initiative (LCI)**, which states "*the proposed DRI is located within an area approved for inclusion within the LCI program by the Atlanta Regional Commission and is consistent with the policies, design elements, and overall standards established by the study and any subsequently funded Supplemental Study(s). The local government(s) in which the LCI is located has completed and adopted the initial LCI Study within their Comprehensive Plan. Additionally, the local government(s) must have shown efforts towards implementation of the adopted study, by such methods as, approval of conforming development/redevelopment plan, adopted ordinances and/or codes, and implementation of the LCI's Five (5) Year Plan.*"

According to the “Framework Plan” in the Perimeter LCI study, the proposed site has a recommended land use as a “Transit Village.” Figure 1 (from the Perimeter LCI 2002 study) highlights the proposed location of the 100 Northpark DRI project as an area of undeveloped land with significant development opportunities. According to the “Framework Plan Matrix” highlighted in Table 1 (from the 2002 study), future developments within a transit village should improve commuter access to transit stations, increase housing supply, create a Town Center, increase the amount and variety of area amenities, and focus on improving pedestrian and transit facilities. The proposed 100 Northpark DRI development will include offices, apartment, hotel, and retail locations as envisioned in this community-based plan. The attached Figure 2 provides more detailed information for this recommended “Framework Plan” contained in the 2002 study.

Furthermore, the proposed 100 Northpark DRI also consistently follows the “Framework Plan” as envisioned in the *Sandy Springs MARTA Station Area Plan – LCI Implementation Study, December 2003*, which aims to support future developments that are transit-oriented and contain a mix of land uses. As shown in Figure 3 (from the Sandy Springs MARTA Station LCI 2003 study), the proposed 100 Northpark DRI development has been identified as a potential transit-oriented project. Even more, the proposed 100 Northpark DRI land uses and densities align well with the “Transit-Oriented-Development Strategy – Suggested Benchmarks” as outlined in Table 2 (from the 2003 study).

In addition to meeting the LCI expedited review criteria, the expected mode share for the project complies with the **Expedited Review Criteria in Section 3-102, Part E – Alternative Modes of Transportation**, which states “*as a result of the location, character or design of the proposed DRI, the DRI is reasonably anticipated to be served by modes of transportation other than single occupant vehicles, and: (1) at least twenty-five (25%) of the trips generated by the proposed DRI are likely to be by way of modes of transportation other than the single occupant vehicle.*” According to sample data provided by the 2007-2011 American Community Survey (ACS) 5-Year Estimates (see attached Table 3), the census tract in which the proposed development is located (Census Tract 101.22, Fulton County, Georgia) has approximately 31.5% of people that work outside of the home travelling in modes other than single occupant vehicles. This includes carpooling, public transit, and walking.

According to the “Circulation Plans” shown in Figure 4 (from the Perimeter LCI 2002 study) and Figure 5 (from the Sandy Springs MARTA Station LCI 2003 study), the proposed bicycle routes and pedestrian connections contained within these plans will provide direct pedestrian connectivity between the Sandy Springs MARTA Station and the proposed 100 Northpark DRI development. Table 4, as taken from “Table B.3 – Transportation Impact Factors – Development around Transit Centers and Light Rail Stations” from the *Institute of Transportation Engineers (ITE) Trip Generation Handbook, an ITE Proposed Recommended Practice, Second Edition, June 2004*, provides alternative mode reductions for mixed-use developments similar to the 100 Northpark DRI project. In accordance with Table 4, the transportation impact factor for the proposed 100 Northpark DRI development was conservatively assumed to be a 20% vehicle trip reduction based on its proposed mixed-use land use, its proximity to the Sandy Springs MARTA Station (within a 0.25 mile radius), its FAR of 3.9 per gross acre, and its direct, safe connections between the proposed

site and surrounding transit facilities. Lastly, as you may recall, while the ACS Census Tract data suggests 31.5% Alternative Modes of Transportation, the traffic study (Transportation Analysis) used a 20% vehicle trip reduction per ITE and per our pre-review meeting on January 28, 2013, at ARC's office.

Based upon the following, we believe that an Expedited DRI review is applicable for the proposed 100 Northpark DRI #2334 development. We hope this information is helpful. Please let us know if you have any questions.

KIMLEY-HORN AND ASSOCIATES, INC.



John D. Walker, P.E., PTOE
Project Manager/ Senior Vice-President

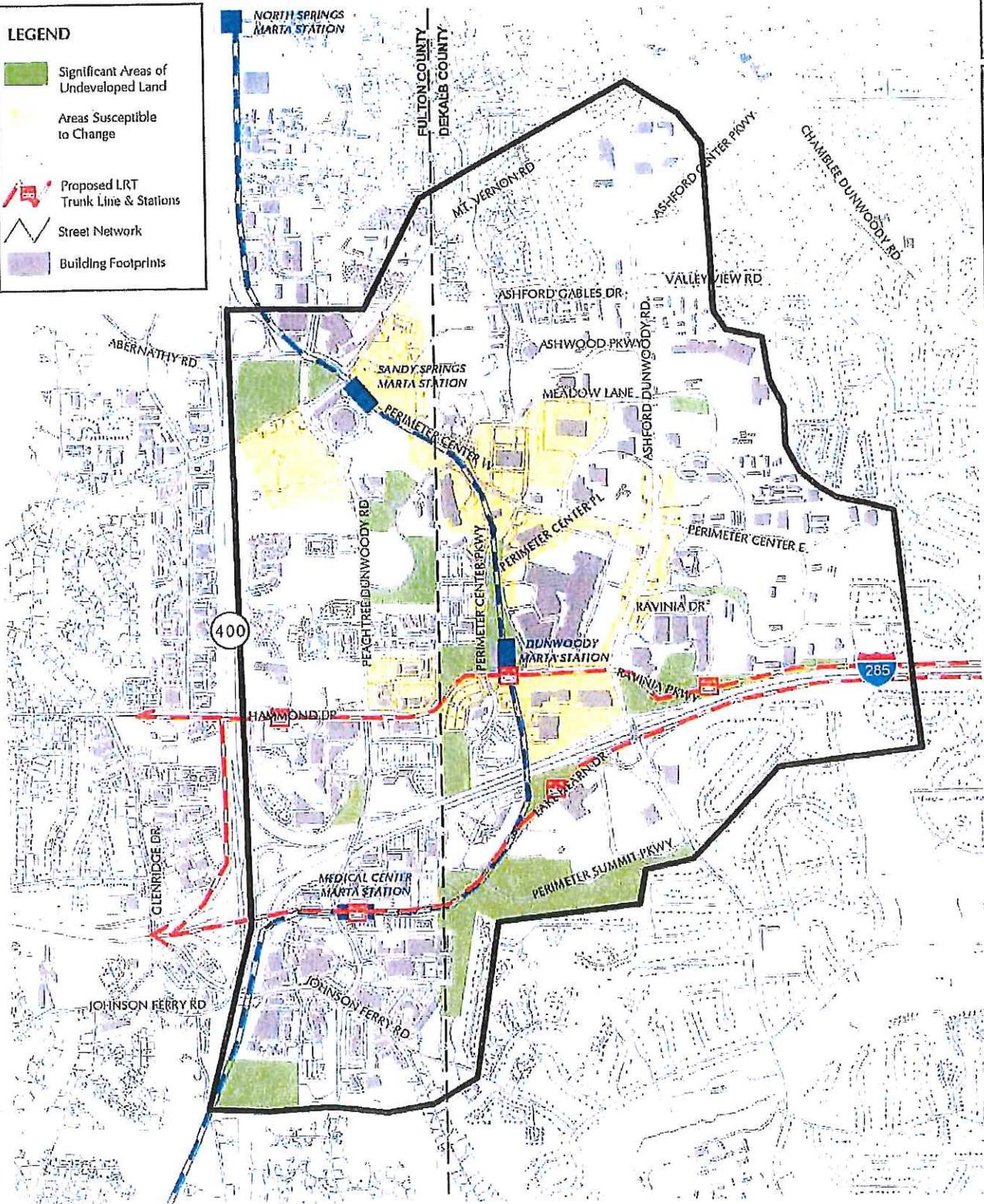
Attachments:

- Figure 1 – Perimeter LCI Development Opportunities
- Figure 2 – Perimeter LCI Framework Plan
- Figure 3 – Sandy Springs MARTA Station LCI Framework Map
- Figure 4 – Perimeter LCI Circulation Plan
- Figure 5 – Sandy Springs MARTA Station LCI Circulation Plan
- Table 1 – Perimeter LCI Framework Plan Matrix
- Table 2 – Sandy Springs MARTA Station LCI Transit-Oriented-Development Suggested Benchmarks
- Table 3 – 2007-2011 ACS 5-Year Estimates – Means of Transportation to Work
- Table 4 – ITE Trip Generation Handbook – Transportation Impact Factors

Figure 1 - Development Opportunities

LEGEND

-  Significant Areas of Undeveloped Land
-  Areas Susceptible to Change
-  Proposed LRT Trunk Line & Stations
-  Street Network
-  Building Footprints



Perimeter Community Improvement District
 Atlanta Regional Commission
 DeKalb County
 Fulton County

PERIMETER Focus:
 Envisioning A New Atlanta CENTER



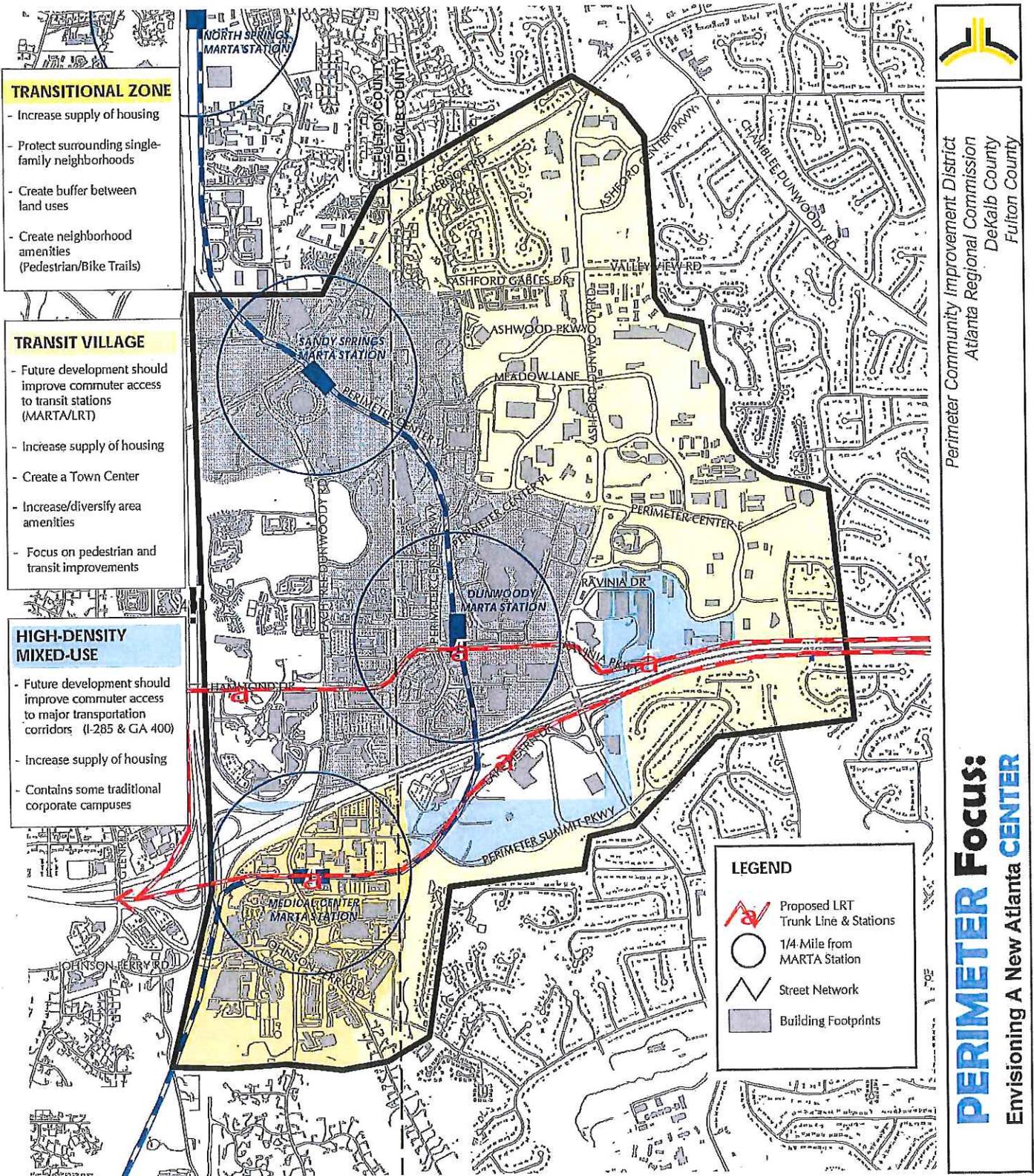
DEVELOPMENT OPPORTUNITIES

URBAN COLLEGE, INC.
 URS
 Robert Charles Lesser & Co.



November 2001

Figure 2 - Framework Plan



- TRANSITIONAL ZONE**
- Increase supply of housing
 - Protect surrounding single-family neighborhoods
 - Create buffer between land uses
 - Create neighborhood amenities (Pedestrian/Bike Trails)

- TRANSIT VILLAGE**
- Future development should improve commuter access to transit stations (MARTA/LRT)
 - Increase supply of housing
 - Create a Town Center
 - Increase/diversify area amenities
 - Focus on pedestrian and transit improvements

- HIGH-DENSITY MIXED-USE**
- Future development should improve commuter access to major transportation corridors (I-285 & GA 400)
 - Increase supply of housing
 - Contains some traditional corporate campuses

LEGEND

- Proposed LRT Trunk Line & Stations
- 1/4 Mile from MARTA Station
- Street Network
- Building Footprints



Perimeter Community Improvement District
 Atlanta Regional Commission
 DeKalb County
 Fulton County

PERIMETER Focus:
 Envisioning A New Atlanta CENTER



FRAMEWORK PLAN

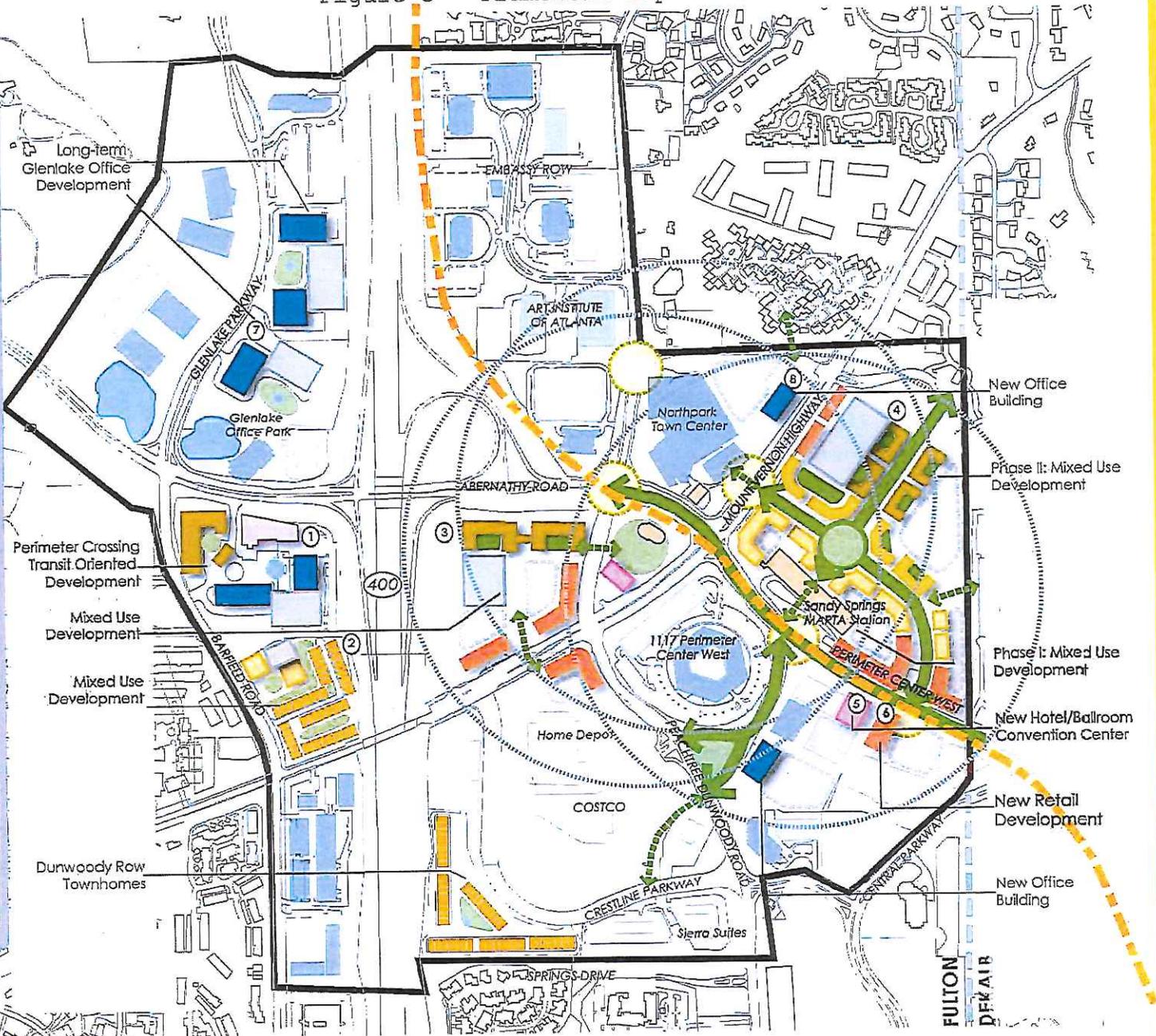
URBAN COLLAGE, INC.
 URS
 Robert Charles Lesser & Co.



Figure 3 - Framework Map

LEGEND

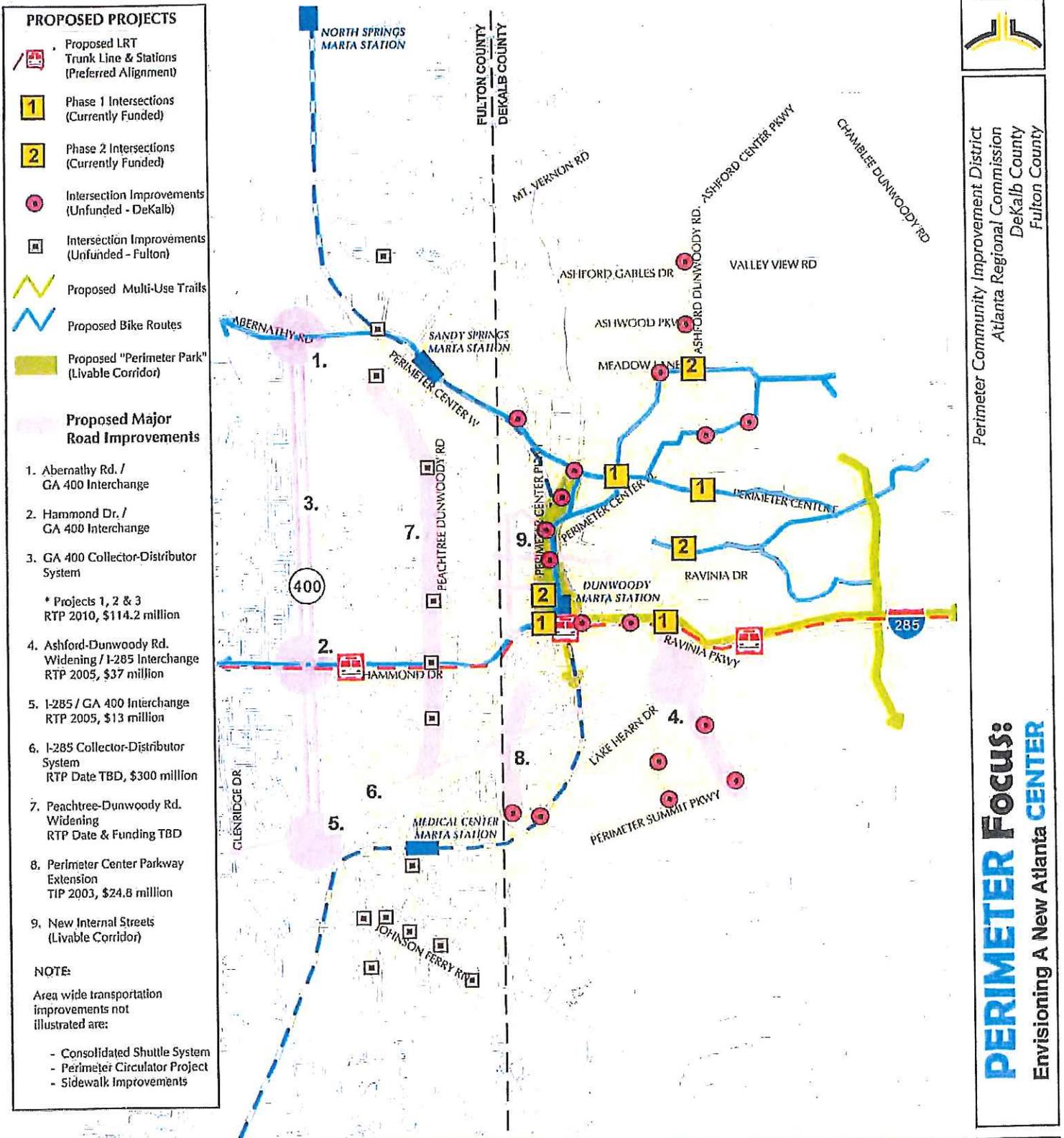
- Multifamily Residential
- Office
- Retail
- Office with Retail
- Residential with Retail
- Parking Deck
- Parking Lot
- Water Features
- Open Space/Landscaped Area
- MARTA Rail Route
- MARTA
- Streetscape Improvements
- Pedestrian Connections
- Intersection Improvements
- 1/4 Mile Walking Radius
- ① Perimeter Crossing TOD
- ② Mixed Use at Barfield Road & Mount Vernon
- ③ Northpark Mixed Use
- ④ Perimeter Pointe Mixed Use
- ⑤ Perimeter Center West Commerical Expansion
- ⑥ Perimeter Center West Retail Storefront Expansion
- ⑦ Glenlake Office Expansion
- ⑧ Northpark Office Expansion



SANDY SPRINGS MARTA STATION AREA PLAN



Figure 4 - Circulation Plan

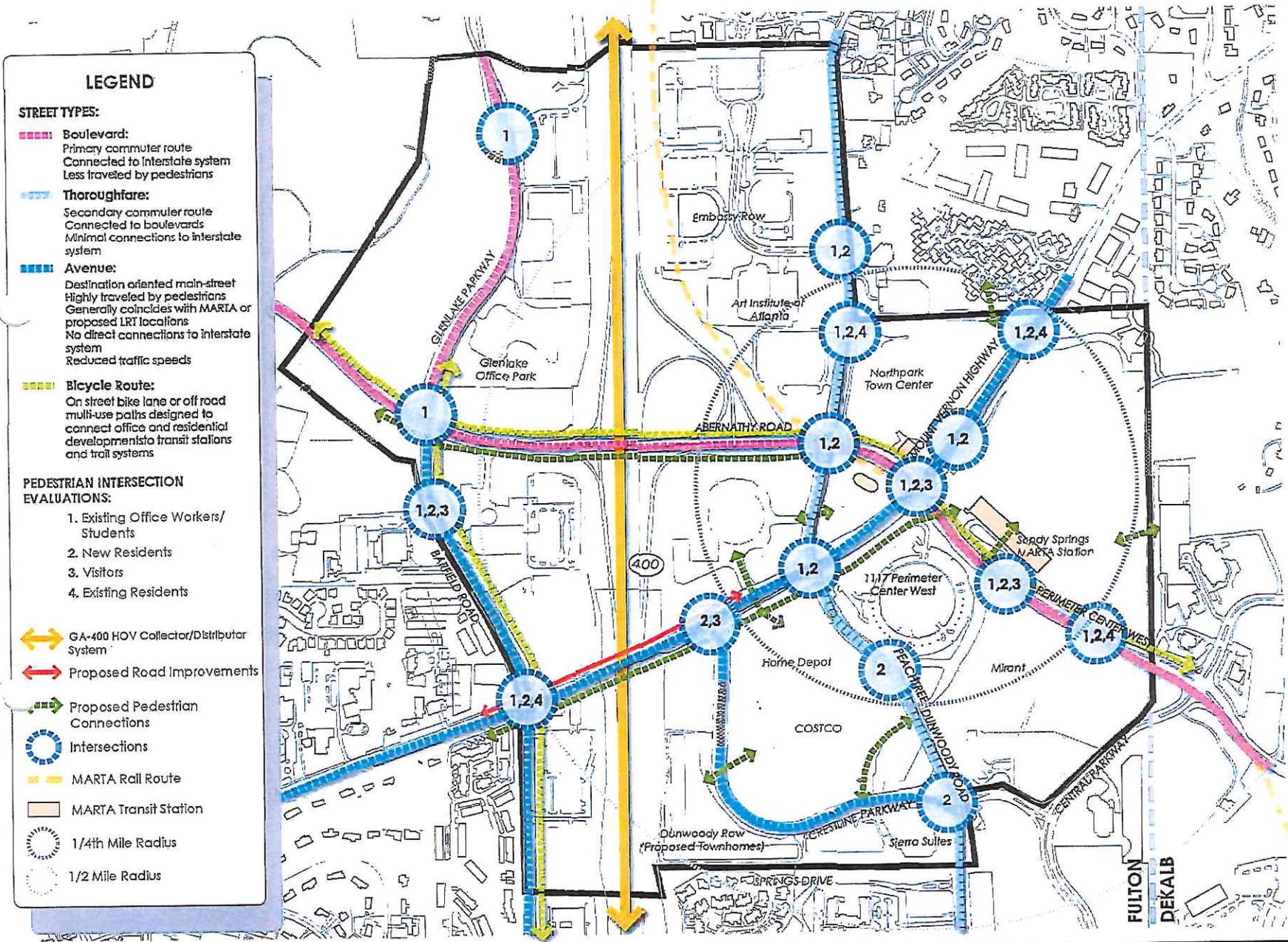


CIRCULATION PLAN

URBAN COLLAGE, INC.
URS
Robert Charles Lesser & Co.



Figure 5 - Circulation Plan



SANDY SPRINGS MARTA STATION AREA PLAN



Table 1 - Framework Plan Matrix

PERIMETER Focus:

Envisioning A New Atlanta CENTER

	OVERALL INTENT	LAND USE	SENSE OF PLACE	IMPLEMENTATION	TRANSPORTATION
<p>High-Density Mixed-Use</p> 	<ul style="list-style-type: none"> Future development should improve commuter access to major transportation corridors (I-285 & GA 400) Increase supply of housing Contains some traditional corporate campuses 	<ul style="list-style-type: none"> High-density mixed-use development; primarily office with some residential Office-oriented retail Hotels 	<ul style="list-style-type: none"> Identify opportunities for small plazas associated with office development Identify locations for public art Enhance/maintain landscape features 	<ul style="list-style-type: none"> Create mixed-use zoning category Define strategies to obtain financing for mixed-use Define development standards (public space, parking) 	<ul style="list-style-type: none"> Improve interstate access Improve pedestrian circulation Enhance shuttle system Enhance inter-parcel connectivity Reduce parking Improve signalization
<p>Transit Village</p> 	<ul style="list-style-type: none"> Future development should improve commuter access to transit stations (MARTA/LRT) Increase supply of housing Create a Town Center Increase/diversify area amenities Focus on pedestrian and transit improvements 	<ul style="list-style-type: none"> High/medium-density development; primarily residential with office and retail Range of retail options: mall, shopping centers, storefront retail Large institutional presence (healthcare) Hotels 	<ul style="list-style-type: none"> Identify large central gathering space Create walkable Town Center <ul style="list-style-type: none"> Entertainment venues Cultural uses Restaurants Public art Enhance/maintain landscape features 	<ul style="list-style-type: none"> Create mixed-use zoning category Define strategies to obtain financing for mixed-use Define development standards for public space, site planning Identify a catalytic demonstration project Reduce parking requirements and encourage decks Define affordable housing strategies 	<ul style="list-style-type: none"> Improve pedestrian/auto access to MARTA/LRT Improve street grid connectivity Implement intersection improvements Enhance pedestrian circulation Reduce parking demand Install wayfinding signage system/local area maps Enhance safety and lighting strategies
<p>Transitional Zone</p> 	<ul style="list-style-type: none"> Increase supply of housing Protect surrounding single-family neighborhoods Create buffer between land uses Create neighborhood amenities (Pedestrian/Bike Trails) 	<ul style="list-style-type: none"> Low-density office Medium-density residential Minimal retail development (non-competing with Dunwoody Village) Identify locations for community facilities, such as schools, post office, library, community center 	<ul style="list-style-type: none"> Identify open space connections Design greenway system for pedestrians and cyclists Identify opportunity for active recreation space Provide landscape buffers between non-compatible land uses 	<ul style="list-style-type: none"> Create incentives for medium-density housing Define development standards Implement transitional density and height controls Provide landscape buffers 	<ul style="list-style-type: none"> Design new residential streets Improve pedestrian circulation Enhance safety and lighting Manage/minimize cut-through traffic in residential areas Provide shuttle links



Table 2 - Transit-Oriented-Development Strategy - Suggested Benchmarks

Table 2:
Transit-Oriented-Development Strategy - Suggested Benchmarks (2004-2014)
Sandy Springs MARTA Station Area Plan

Area	Site Acreage	Target Office Density (Square Feet)	Target Retail Density (Square Feet)	Target Residential Density (Units)	Current Zoning
1 Perimeter Crossing TOD	11.2	300,000-600,000	15,000-30,000	150-200	MIX
2 Mixed-Use (Barfield/Mt. Vernon)	9.6	200,000-400,000	10,000-20,000	150-200	C-2
3 Northpark Mixed-Use	17	300,000-600,000	40,000-80,000	400-600	MIX
4 Perimeter Pointe Mixed Use	30.2	200,000-400,000	200,000-300,000	500-700	C-1
5 Perimeter Center West Commercial Expansion	6.8	200,000-400,000	0-5,000	0	O-1
6 Perimeter Center West Retail Storefront Expansion	0.9	0	10,000-20,000	0	C-1
7 Glenlake Office Expansion	16.4	300,000-600,000	0-10,000	100-200	O-1
8 Northpark Office Expansion	5.1	300,000-500,000	0-10,000	0	O-1
TOTAL		1,800,000-3,500,000 square feet of new office	257,000-475,000 square feet of new retail	1,300-1,900 new residential units	

Table 3 - Means of Transportation to Work

B08301

MEANS OF TRANSPORTATION TO WORK
Universe: Workers 16 years and over
2007-2011 American Community Survey 5-Year Estimates

Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Data and Documentation section.

Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.

Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

	Census Tract 101.22, Fulton County, Georgia	
	Estimate	Margin of Error
Total:	3,524	+/-378
Car, truck, or van:	2,590	+/-413
Drove alone	2,270	+/-330
Carpooled:	320	+/-217
In 2-person carpool	191	+/-119
In 3-person carpool	129	+/-141
In 4-person carpool	0	+/-98
In 5- or 6-person carpool	0	+/-98
In 7-or-more-person carpool	0	+/-98
Public transportation (excluding taxicab):	655	+/-373
Bus or trolley bus	104	+/-86
Streetcar or trolley car (carro publico in Puerto Rico)	0	+/-98
Subway or elevated	313	+/-173
Railroad	238	+/-305
Ferryboat	0	+/-98
Taxicab	0	+/-98
Motorcycle	0	+/-98
Bicycle	0	+/-98
Walked	69	+/-82
Other means	0	+/-98
Worked at home	210	+/-112

TOTAL (WHO WORK OUTSIDE OF HOME)

$$3,524 - 210 = 3,314$$

SINGLE OCCUPANT CAR

$$\frac{2,270}{3,314} = 68.5\%$$

ALTERNATIVE MODES

$$320 + 655 + 69 = 1,044$$

$$\frac{1,044}{3,314} = 31.5\%$$

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data). The effect of nonsampling error is not represented in these tables.

Workers include members of the Armed Forces and civilians who were at work last week.

While the 2007-2011 American Community Survey (ACS) data generally reflect the December 2009 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Table 3 (cont.) - Means of Transportation to Work

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2000 data. Boundaries for urban areas have not been updated since Census 2000. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2007-2011 American Community Survey

Explanation of Symbols:

1. An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
2. An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
3. An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
4. An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
5. An '****' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
6. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
7. An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
8. An '(X)' means that the estimate is not applicable or not available.

Table 4 - Transportation Impact Factors

**Table B.3 Transportation Impact Factors
Development Around Transit Centers and Light Rail Stations**

TRANSPORTATION IMPACT FACTOR	DEVELOPMENT PATTERN	DENSITY/INTENSITY	PEDESTRIAN/BICYCLE FACILITIES	OTHER CHARACTERISTICS	SOURCES
5% Vehicle Trip Reduction	Locate commercial and/or light industrial uses within 0.25 mile of a transit center or light rail station.	Minimum FAR of 1 per gross acre for commercial/industrial development.	Direct, safe connections between commercial/industrial uses and transit center or light rail stations. Preferable if safe and secure bicycle parking is provided at commercial/industrial uses, transit centers, or light rail stations.	Commercial uses located with minimal setbacks. Commercial includes retail and non-retail uses.	JHK, 6/93 LACMTA, 11/93
10% Vehicle Trip Reduction	Locate residential development within 0.25 mile of a transit center or light rail station.	Minimum residential density of 24 dwelling units per gross acre.	Direct, safe connections between residences and transit center or light rail stations. Preferable if safe and secure bicycle parking is provided at transit centers, or light rail stations.	Commercial uses located with minimal setbacks. Commercial includes retail and non-retail uses.	LACMTA, 11/93
15% Vehicle Trip Reduction	Locate commercial and/or light industrial uses within 0.25 mile of a transit center or light rail station.	Minimum FAR of 2 per gross acre for commercial/industrial development.	Direct, safe connections between commercial/industrial uses and transit center or light rail stations. Preferable if safe and secure bicycle parking is provided at commercial/industrial uses, transit centers, or light rail stations.	Commercial uses located with minimal setbacks. Commercial includes retail and non-retail uses.	LACMTA, 11/93
15% Vehicle Trip Reduction	Locate residential-oriented mixed use development within 0.25 mile of a transit center or light rail station. Minimum 15% of floor area devoted to commercial uses oriented toward use by residences.	Minimum residential density of 24 dwelling units per gross acre.	Direct, safe connections between commercial/industrial uses, residences and transit center or light rail stations. Preferable if safe and secure bicycle parking is provided at commercial/industrial uses, transit centers, or light rail stations.	Commercial uses located with minimal setbacks. Commercial includes retail and non-retail uses.	LACMTA, 11/93
20% Vehicle Trip Reduction	Locate mixed-use commercial and light industrial development that includes non-residential uses within 0.25 mile of a transit center or light rail station. At least 30% of floor area for residential use.	Minimum FAR of 2 per gross acre for commercial/industrial development	Direct, safe connections between commercial/industrial uses, residences and transit center or light rail stations. Preferable if safe and secure bicycle parking is provided at commercial/industrial uses, transit centers, or light rail stations.	Commercial uses located with minimal setbacks. Commercial includes retail and non-retail uses.	LACMTA, 11/93

Source: ODOT/DLCD Transportation and Growth Management Program. Reprinted with permission.







Akbar, Abdul

From: Abaray, Linda <LAbaray@SandySpringsga.gov>
Sent: Tuesday, April 15, 2014 12:04 PM
To: Abaray, Linda
Cc: Allen, Colleen
Subject: Sandy Springs Preliminary Zoning Agenda- April
Attachments: 201300687 Letter of Intent.pdf; 201300687 Site Plan 3.5.13.pdf; 201401133 Site Plan.pdf; 201401133 LOI.pdf; 201401164 LOI & Site Plan.pdf; 201401170 LOI & Site Plan.pdf; 201401173 Letter of Intent & Site Plan.pdf; 201401257 LOI & Site Plan.pdf

All:
 Please be advised, the material details the zoning petitions received on or before the April 2, 2014 submittal deadline. We are writing to solicit your comments with regard to these applications. Please forward a response in writing detailing your comments, or lack thereof to the attention of the Linda Abaray. Correspondence may be sent to the following address:

City of Sandy Springs
 Department of Community Development
 Planning and Zoning Division
 7840 Roswell Road, Building 500
 Sandy Springs, Georgia 30350
labaray@sandyspringsga.gov

Agenda Item	Council District	Meeting Dates
Rezoning		
1. 201300687 Abernathy Road, Mount Vernon Highway, Peachtree Dunwoody Drive <i>Applicant: Hines Interest Limited Partnership</i> ▪ To rezone the subject property from O-I (Office and Institutional District) to MIX (Mixed Use District), with a use permit and concurrent variances.	4	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
2. 201401133 305 Carpenter Drive <i>Applicant: Masoud Zahedi</i> ▪ To rezone the subject property from A-L (Apartment Limited Dwelling District) to A-L (Apartment Limited Dwelling District) to allow multi-family, with concurrent variances.	5	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
3. 201401164 8730 Roswell Road <i>Applicant: Centric Development, LLC</i> ▪ To rezone the subject property from AG-1 (Agricultural District) and O-I (Office and Institutional District) to A-L (Apartment Limited Dwelling District), with concurrent variances.	2	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
4. 201401170 400 Carpenter Drive <i>Applicant: Holt Persinger</i> ▪ To rezone the subject property from C-1 (Community Business District) to A-L (Apartment Limited Dwelling District), with concurrent variances.	6	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
5. 201401173 5188 & 5208 Roswell Road, 141,151,161,171 Mt. Paran Road <i>Applicant: Halpern Enterprises, Inc</i> ▪ To rezone the subject property from O-I (Office and Institutional District) and R-3 (Single Family Dwelling District) to MIX (Mixed Use District), with concurrent variances.	6	CZIM - 4/22/14 CDRM - 5/29/14 PC- 6/19/14 MCC- 7/15/14
6. 201401257 220 and 230 Sandy Springs Place	3	CZIM - 4/22/14 CDRM - 5/29/14

COMMENTS ON PUBLIC SERVICES AND UTILITIES

NOTE: Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

WATER AND WASTEWATER (SEWER):

WATER:

Anticipated water demand: 100 gallons per day (gpd) per 1,000 square feet (sq.) x 1,500,000 (office space) sq. ft. = **150,000** gallons per day (gpd) plus 100 gpd per 1,000 (retail space) sq. ft. x 150,000 sq. ft. = **15,000** gpd plus 270 gallons per day (gpd) per housing unit x 500 units = **135,000** gallons per day plus 100 gallons per day (gpd) per hotel room (with a hotel restaurant) x 250 hotel rooms = **25,000** gpd for a total daily water usage = **325,000** gpd.

This project is within the City of Atlanta water jurisdiction.

SEWER:

Basin: Marsh Creek

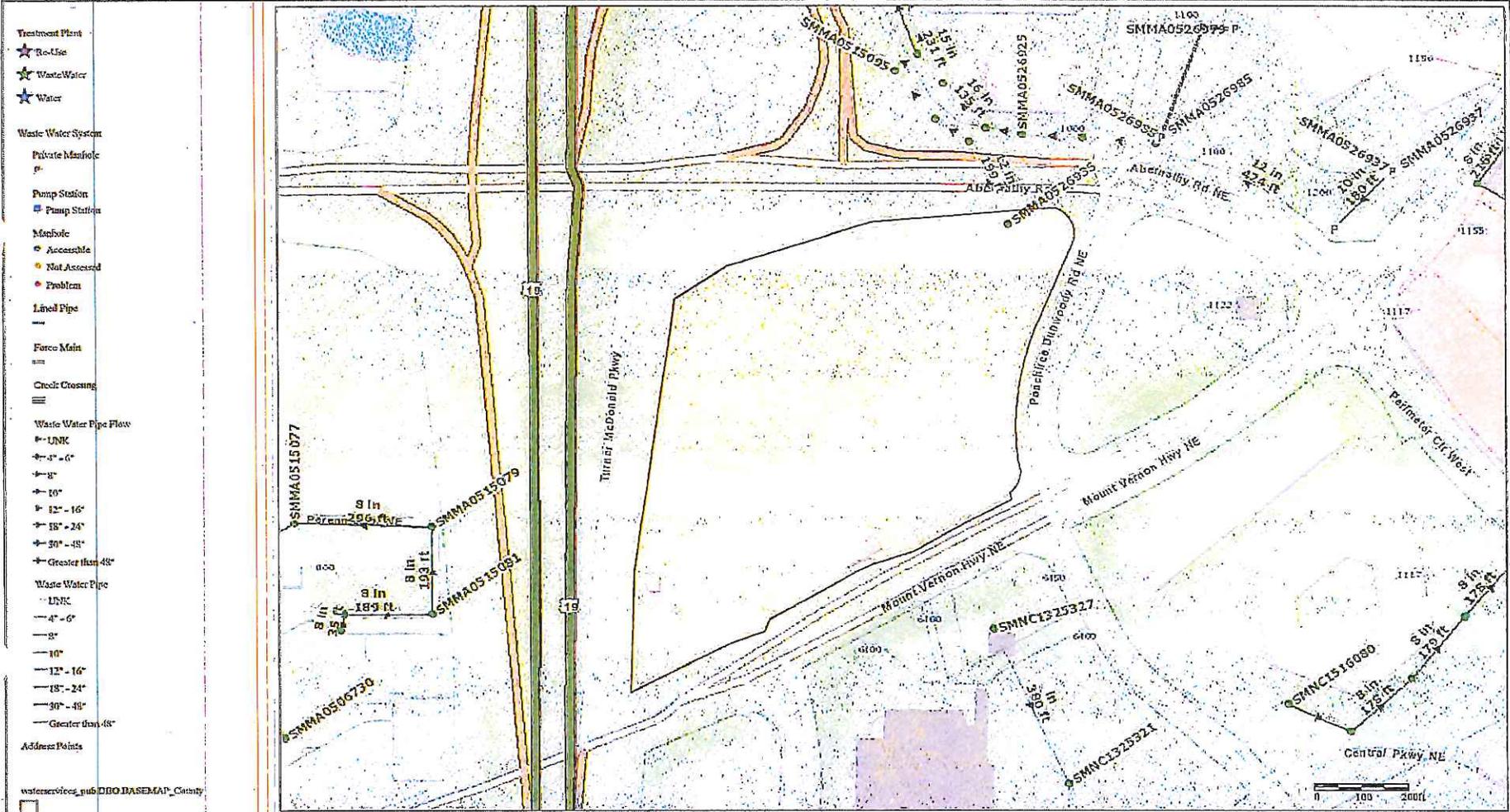
Treatment Plant: R.L. Sutton (Cobb County)

Anticipated sewer demand: **292,500** gallons per day

There is a wastewater manhole (12 inch sewer line) within the northeast property boundary near the southwest corner intersection of Abernathy Road and Peachtree Dunwoody Road (sewer manhole # **SMMA0526935**) located in Land Lot **19**, District **17**.

Because of the size of this development, Fulton County Government is requesting that the developer pay to have a downstream analysis performed on the impact on the Fulton County sewer system by the sewer discharge of this proposed project. The contact for the Department of Water Resources of Fulton County Government to further coordinate this request will be with either Lamar Lambert (404-612-7470) or Ray Wooten (404-612-7547).

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.



- Treatment Plant
- ★ Re-Use
 - ★ Waste Water
 - ★ Water

Waste Water System

- Private Manhole
- Pump Station
- Manhole
- Accessible
- Not Accessed
- Problem

Lined Pipe

- Force Main

Credit Crossing

- Waste Water Pipe Flow

- LNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

Waste Water Pipe

- LNK
- 4" - 6"
- 8"
- 10"
- 12" - 16"
- 18" - 24"
- 30" - 48"
- Greater than 48"

Address Points

waterservices_pub_DBO BASEMAP_County

0 PEACHTREE DUNWOODY RD (Parcel ID: 17 0019 LL0590)

Fulton County, Georgia
5-6-2014

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use of these data, even if Fulton County is advised of the possibility of such losses.



Abaray, Linda

From: Parker, Angela
Sent: Wednesday, October 08, 2014 10:06 AM
To: Abaray, Linda
Subject: Fwd: Autumn Chace Community Concerns with Hines 42 Story Building

Angela Parker
Community Development Director
City of Sandy Springs, GA
angela.parker@sandyspringsga.gov
O 770.206.1574

Begin forwarded message:

From: Melissa Mular <mamular01@gmail.com>
Date: October 7, 2014 at 9:01:23 PM EDT
To: <rpaul@sandyspringsga.gov>, <jpaulson@sandyspringsga.gov>, <kdishman@sandyspringsga.gov>, <gmcdonald@sandyspringsga.gov>, <gsterling@sandyspringsga.gov>, <tdejulio@sandyspringsga.gov>, <abauman@sandyspringsga.gov>, <angela.parker@sandyspringsga.gov>
Cc: Chris Cawley <chriscaawley@comcast.net>, Kathy <kkwilz@comcast.net>, "Lisa Thompson" <thompson.c.lisa@gmail.com>, Robert Stein <robs@ljlaw.com>
Subject: Autumn Chace Community Concerns with Hines 42 Story Building

Date: October 7, 2014

To: The Mayor, City Council of Sandy Springs, and Community Development Director

Subject: Hines 42 Story Mixed Used Development Project

On behalf of the Autumn Chace Homeowners Association, consisting of 172 townhomes located at Mt. Vernon and Barfield in Sandy Springs, we wish to express our concerns resulting from the enormous amount of vehicular traffic this project will create on Barfield Road, which is the only ingress and egress from our property.

We ask you take into consideration the adverse effect of such of enormous project. We would like you to consider putting a traffic light at our entrance so that our residents can safely enter

and exit our community. We oppose the widening of either Mt. Vernon Road or Barfield Road around our community.

Thank you for your consideration and feel free to reach out to me if you require additional information.

Melissa Mular

President, Autumn Chace Homeowners Association

Mamular01@gmail.com

678-427-0446

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Abaray, Linda

From: Dr. Carmen Kavali <carmen@drkavali.com>
Sent: Friday, October 03, 2014 8:22 AM
To: Abaray, Linda
Subject: Hines input

Hello Ms. Abaray,

I am writing to express my opinion and concerns regarding the proposed development of the Hines property.

I work and live in Sandy Springs. In fact, I live off of Peachtree Dunwoody Rd, just north of Abernathy, so this development will directly impact my family. My office is at Hammond and Barfield, and travel to and from my office would also be impacted by this development.

I am very concerned about any increased traffic in the area, particularly on PDR between Mount Vernon and Abernathy, as that area is chronically congested. Please consider MARTA access from the property, as well as traffic alleviation efforts.

I am even more concerned about having new apartments in our area. They bring in more crime and poverty than single family homes or condominiums. They create more traffic than single family homes or office buildings. If Hines is allowed to build apartments, the developer should also be required to commit to construction of office/retail within a specific time period.

In sum, please address the following:

- Increased traffic due to Hines development
- MARTA should be easily accessible from the development (across PDR)
- New apartment construction—is this really what our City wants or needs?
- Developer being allowed to construct apartments without any commitment to construct office/retail.

Thank you,



Carmen M. Kavali, MD

Certified, American Board of Plastic Surgery
Plastic Surgery and Skin Renewal Center
6045 Barfield Road, Suite 100
Atlanta, GA 30328
404-250-3333

Kavali

f: 404-250-0175 [Facebook](#) [Twitter](#) [Dr. Kavali's Blog](#)

Plastic Surgery
and
Skin Renewal Center

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Abaray, Linda

From: Tochie Blad <tblad1@comcast.net>
Sent: Thursday, October 02, 2014 11:25 AM
To: Abaray, Linda
Subject: Hines latest proposal201300687 (DRI)** - Tax Parcel 17-0019- LL-059 (Abernathy Road, Peachtree Dunwoody

I respectfully ask Council to vote **NO** on Hines rezoning petition to add *new uses* retail and 325 apartments to the 42-50 story office tower and 260 hotel room mixed use development zoning approved in 1987. Hines recent traffic study shows total trips for current office zoning generates fewer trips by 763 trips per day than the proposed 325 apartment/mixed use proposal. Apartments generate numerous trips all day. The city should not grant new uses to an already overburden area when Hine has a viable zoning. With no direct access to Marta how can this mixed use project be a better proposal? The arbitrary MARTA discount should not be allowed until the building has direct access to MARTA through an underground tunnel or above ground bridge. The original zoning allowed for the closing a section of Peachtree Dunwoody Rd. from Abernathy to Mt.Vernon to create a walking promenade to the station. Direct access to Marta is essential for a transit oriented project.

Hines also is placing a fire access lane in the 40 ft. landscape strip next to GA400. Safety should be first in any rezoning application and denying the variance for the fire lane should be denied along with the new uses.

I appreciate the numerous delays to examine this project and hope Oct. 21 will bring this proposal to resolution and allow Hines to retain their site specific plan for office/hotel from 1987 and not approve the "trust me" concept plan which includes retail, apartments, hotel and office to be built out at their leisure and with a traffic count exceeding the original plan.

Sincerely,

Tochie A. Blad

Sandy Springs Council of Neighborhoods

Abaray, Linda

From: Tochie Blad <tblad1@comcast.net>
Sent: Friday, May 30, 2014 11:07 AM
To: Abaray, Linda
Subject: Letter on Hines Project for June P.C.

RECEIVED

MAY 30 2014

City of Sandy Springs
Community Development

7320 Hunters Branch Dr.

Sandy Springs, GA 30328

Dear Mayor and City Council,

After attending the developer resolution meeting and having extensively worked with Hines on their original proposal last year, I want to express my concern over their half baked mixed use development proposed at Mt. Vernon Hwy. and Peachtree Dunwoody Rd. which allows both retail and multi-family housing to the mix of their office zoning from the mid 1980's. The original zoning had the entire parcel from GA 400 to the Marta station including the Kessler hotel property with a CLOSED section of Peachtree Dunwoody for better Marta access. The dense office project zoning remains on the land and they are adding retail and multi-family to the mix but with little or no connectivity to Marta now that the section of Peachtree Dunwoody has re-opened in the 1990's. They need to do a better job of connecting to MARTA and making this transit oriented in order to justify the mixed use zoning.

Hines is moving forward with their mixed use development even though the GDOT right of way issues have yet to be resolved. (Hines withdrew their application last June 2013 due to GDOT objections to the plan). Hines says if GDOT moves forward with their condemnation of land to accommodate the collector distributor lanes, they can easily shift their plan. Has staff confirmed the remaining Right of way issues and will Hines assertion that plans may be shifted not cost us more as taxpayers when the right of way is acquired?

At the Resolution meeting, improved pedestrian access to cross Peachtree Dunwoody Rd. was requested along with keeping impact fees paid by the developer to improve roads in the immediate area. (Cox Communications impact fees from their Peachtree Dunwoody Rd. development went to pay for the Windsor Pkwy. roadway improvements). Neighbors want impact fees spent in the area they were intended for which is the key to preventing gridlock in an already congested streets. The project will generate 15,000 car trips daily. We ask that this plan not move forward until the GDOT issues are resolved and more connectivity to the MARTA station is established.

Sincerely,

Tochie A. Blad

Abaray, Linda

RECEIVED

APR 22 2013

From: dfett@comcast.net
Sent: Friday, April 19, 2013 12:33 PM
To: COSS Planning and Zoning
Cc: Jeff Biggs
Subject: Proposed development at Abernathy and Peachtree Dunwoody

City of Sandy Springs
Community Development

I am against this for the following reason:

1. Too many apartments, therefore traffic would be more of an issue than it already is.
2. Trees/woody environment would be destroyed which is one of the best things this area has going for it.

Debbie Moscato
Owner, 901 Hollyfax Cir - The Oaks of Dunwoody condos
404.558.0817 cell

RECEIVED

Abaray, Linda

APR 22 2013

From: White, Christy <Christy.White@sutherland.com>
Sent: Saturday, April 20, 2013 10:53 AM
To: COSS Planning and Zoning
Cc: joew.chamberlain@gmail.com
Subject: Rezoning Developments - Peachtree Dunwoody Road and Abernathy Road

City of Sandy Springs
Community Development

To whom it may concern:

I live in the Oaks of Dunwoody, a small condo development on the north end of Peachtree Dunwoody Road (just south of MARTA) which has been here since 1983. I understand that there are two proposed rezoning ordinances being proposed. I'd like to express my concerns about these projects.

These two rezoning applications will **dramatically increase/impact the amount of traffic** at the intersection of Peachtree Dunwoody Road and Abernathy Road. We already have police officers assisting at the intersection of Peachtree Dunwoody Road/Abernathy Road and also with the ingress and egress from the Art Institute. Because of all the office buildings in the area, during the weekday evenings, the traffic on Abernathy Road all the way to Ashford-Dunwoody Road is horrendous. There simply are too many people trying to get on and off 400.

Every weekday morning (8:00 am), I leave my complex turning left to head to MARTA, there is traffic blocking my entrance which is caused due to backed up for the Peachtree Dunwoody Road Abernathy Road traffic light. This light is more than a half mile away. I have heard of possible widening of Peachtree Dunwoody Road. I feel this would be a mistake for several reasons (i) this will make it more difficult for many residence living on Peachtree Dunwoody Road to exit and enter their homes/subdivisions; (ii) the road has several curves which would be dangerous to have multiple lanes; (iii) widening this road will cause people to feel they can go faster than 35 mph.

I will reiterate, **if you allow either of these two rezoning applications to go forward, it will dramatically increase/impact the amount of traffic at the intersection of Peachtree Dunwoody Road and Abernathy Road and this area simply cannot take any more traffic.**

Christy L. White

Sutherland Asbill & Brennan LLP
999 Peachtree Street, NE, Suite 2300 | Atlanta, GA 30309-3996
404.853.8646 direct | 404.853.8806 facsimile
christy.white@sutherland.com | www.sutherland.com

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Abaray, Linda

From: Abaray, Linda
Sent: Thursday, April 18, 2013 9:41 AM
To: 'rbmay2@comcast.net'
Cc: Parker, Angela
Subject: RE: Comments and Questions

Ms. Remsen,

Thank you for your comments. I will add them to the official file and include them in the packages being forwarded to the Planning Commission and Mayor and City Council. Please see the application schedule below. If you have any additional concerns please don't hesitate to call.

Meeting	Date	Time
Design Review Board	April 23 rd	9 a.m.
Community Developer Resolution Meeting	April 25 th	8 p.m.
Planning Commission	May 16 th	7 p.m.
City Council	June 18 th	6 p.m.

Linda Abaray
Senior Planner
City of Sandy Springs
7840 Roswell Road, Bldg. 500
Sandy Springs, GA 30350
O. 770-206-1577
F. 770-206-1562

From: rbmay2@comcast.net [rbmay2@comcast.net]
Sent: Tuesday, April 16, 2013 11:02 AM
To: afterhours1@sandyspringsga.org; AfterHours2
Subject: Comments and Questions

Rebecca

This email is about the rezoning at Abernathy. I was disappointed to see the Mayor in favor of this. I feel our quality of life is being threatened by overbuilding. In the past two years my area along Barfield Rd. as seen forest area and wildlife habitat destroyed by (1) MacManions off Glenridge Dr. (2) a parking lot at the Hammond Dr. rec. center (3) the Ga 400 half diamond on Hammond Dr. (4) another project at Perimeter. Do we really need another office park? It was a sickening sight to see all the trees being ripped up day after day. Our once beautiful green spaces are being overdeveloped. I doubt my comments will make any difference, but my hope is that someone will at least delay this project and and consider how it will forever change the character of the neighborhoods around it.. ...Thanks Rebecca May Remsen

Rebecca
6102 Barfield Rd.

Sandy Springs , Ga. 30328
(404) 313-3235

rbmay2@comcast.net

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RECEIVED

APR 12 2013

City of Sandy Springs
Community Development

Abaray, Linda

From: Samantha Faklaris <samanthafaklaris@gmail.com>
Sent: Friday, April 12, 2013 8:38 AM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel
Subject: Sandy Springs Proposed Development - case #'s 20130687 & 201300689

Hi SS Zoning Committee

We are Sandy Springs residents of the Branches - we've lived in the community for 10 years and love it. We are writing because we know you are considering developments on Ptree Dunwoody at Abernathy, as well as the Robert's property.

Our family urges you NOT to consider raising the current limits for more density and apartments. As someone in our neighborhood so properly said - the plans are there for a reason and you shouldn't budge on it. We certainly don't need more apartments in our area - that will have an affect on our schools and lead to an even more transient population. Our three girls attend Woodland Elem and that is the last thing our school needs - we are constantly trying to improve the image of the school in our community - the fact that we have so many "apartment kids" attending currently is why so few families from our community send their children to what we consider a WONDERFUL school with INCREDIBLE educators. Please don't dilute our population more with more apartments.

I could go on & on about this subject - b/c I am so passionate about having more neighborhood families attend our school - but I'll limit my thoughts to that unless you would like more information....smiley face

Thanks for your consideration
Samantha

Abaray, Linda

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APR 09 2013

City of Sandy Springs
Community Development

From: DON & LESLEY SCHAEFFER <Issatl@bellsouth.net>
Sent: Monday, April 08, 2013 9:43 PM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel
Subject: development at Abernathy, Peachtree-Dunw, & Mt.Vernon

To whom it concerns,

I oppose any development beyond what the Comprehensive Land Use Plan designates on the above project and any further development of apartments. I do not support straying from the current guidelines to develop this parcel of land. Nor do I believe that the current condition of the Mt Vernon Rd bridge crossing 400 could support a major development at this location.

I drive through this area regularly taking and retrieving my children (who attend Mt. Vernon Presbyterian School) as we live in The Branches neighborhood. My daily life is in the environs of Dunwoody and Sandy Springs and I believe there are already plenty of apartments and retail spaces!! Companies that put in apartment complexes should be required to upgrade and support the local public school to which the children living in said apartments would go!

I think a small/medium size boutique hotel with a little bit of retail would be a nice change to the other local hotel offerings. But what I REALLY would like to see is a corner market/grocery store where I could stop and pick up a few essentials (fruit, veggies, milk, lunch meat, etc.) on my way to or from MVPS - now that would help my life and a lot of other commuters traveling through that area.

But please, stick to the Comprehensive Land Use Plan - DO NOT GO LARGER!!!!!!!!!!!!

Sincerely,
Lesley Schaeffer

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Abaray, Linda

From: Jay Schmitt <Jay.Schmitt@sba-inc.com>
Sent: Wednesday, April 03, 2013 11:25 AM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel
Subject: Sandy Springs Case Numbers 20130687 & 201300689

APR 03 2013
City of Sandy Springs
Community Development

I am writing to express my concern over the developers' requests for more density in their apartment developments than allowed by the Comprehensive Land Use Plan.

The Plan is there for a reason, and the city should not grant one-off exceptions to the Plan.
If there is a need to revise the Plan, it should be done through formal channels and agreed to by everyone.

Thanks very much.

Jay Schmitt
Hunters Branch Drive – Sandy Springs

Jay Schmitt, A.S.A. | Strategic Benefits Advisors, Inc.
2392 Mt. Vernon Road-Suite 200 | Atlanta | GA | 30338
☎ 770.551.8989 Extension # 13 | ☎ 770.551.8481 | ✉ Jay.Schmitt@sba-inc.com

Abaray, Linda

From: Gordon Kay <gkay@mindspring.com>
Sent: Sunday, March 31, 2013 12:01 PM
To: COSS Planning and Zoning
Cc: Tochie Blad
Subject: Developments on Abernathy-Peachtree Dunwoody

RE: Developments on Abernathy-Peachtree Dunwoody

The majority of residents in our new Sandy Springs continue to believe that our current zoning regulations are too liberal now. Why then would the new city officials even consider allowing a developer to exceed the current zoning regulations, unless the developers believe we don't mean what we say or that we are money hungry.

I certainly hope the City won't revert back to past practices of allowing apartments to out-pace residential ownership.

We can hardly drive in this area now. Don't make it worse.

Gordon Kay
gkay@mindspring.com

Abaray, Linda

From: Liz Miller <lizemery@yahoo.com>
Sent: Monday, April 01, 2013 8:45 AM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel
Subject: reference case #'s 20130687 & 201300689.

APR 01 2013 8:45 AM
City of Sandy Springs
Community Development

I do not support the idea of adding more density to the area in the form of apartments. The Sandy Springs Comprehensive Land Use Plan was put in place for a reason. Let's not go back on our own reasoning.
Liz Miller

Sent from my iPhone

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Abaray, Linda

From: elizabeth.morrow <morrowe@yahoo.com>
Sent: Monday, April 01, 2013 8:42 AM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel

City of Sandy Springs
Community Development

I am a homeowner in The Branches community and I am very concerned with the density issues we face in the Sandy Springs/Dunwoody/Perimeter area. In reference to case #'s 20130687 & 201300689 re:
Hines Development,
I oppose any development beyond what the Comprehensive Lane Use Plan designates on these 2 projects and any further development of apartments.

Respectfully,
Elizabeth Morrow

Abaray, Linda

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APR 01 2013 7:09 AM

From: Jane Turnbull <jane.s.turnbull@gmail.com>
Sent: Monday, April 01, 2013 7:09 AM
To: COSS.Planning and Zoning
Cc: Sterling, Gabriel; Kris Turnbull
Subject: Case #'s 20130687 & 201300689

City of Sandy Springs
Community Development

I oppose any development beyond what the Comprehensive Lane Use Plan designates on these 2 projects and any further development of apartments.

Jane Turnbull
1100 Twin Branch Lane NE
Sandy Springs, GA 30328-1742

770-846-8700 

Abaray, Linda

From: Chris Fielding <cfield35@yahoo.com>
Sent: Monday, April 01, 2013 4:28 PM
To: COSS Planning and Zoning
Cc: Sterling, Gabriel
Subject: Cases 20130687 & 201300689

APR 1 2013

City of San Diego Springs
Community Development

I strongly oppose any development beyond what the Comprehensive Lane Use Plan designates on these 2 proects and any further development of apartments. There are far too many traffic issues around the Abernathy/Ptree Dunwoody corridor to support greater density than the plan provides and apartments will add to transient population in our most valuable resource - our schools. Please reject any developer request for greater density.

Abaray, Linda

From: Bob Lynn <rclynn27@comcast.net>
Sent: Monday, April 01, 2013 11:28 AM
To: COSS.Planning and Zoning
Cc: Sterling, Gabriel
Subject: Reference case #'s 20130687 & 201300689

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I don't wish to burden you with a long detailed message ...

simply ... Sandy Springs has a Land Use Plan ... stick with it!

Robert Lynn
420 Hunters Crossing Dr.
30328

City of Sandy Springs
Community Development

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Abaray, Linda

APR 03 2013

From: Zgutowicz, Andrew <andrew.zgutowicz@kurtsalmon.com>
Sent: Monday, April 01, 2013 11:38 AM
To: COSS Planning and Zoning
Subject: Case # 20130687 & 201300689 Hines Development

City of Sandy Springs
Community Development

I am a Sandy Springs resident and a neighbor in The Greater Banches.. This email is in regards to the recent conversation regarding development within the Peachtree Dunwoody/Mt Vernon corridor. In reference to the two separate projects proposed by Hines Development for District 4, case #'s 20130687 & 201300689, I strongly **OPPOSE** any development beyond what the Comprehensive Lane Use Plan designates on these 2 projects and any further development of apartments in this area.

Andrew Zgutowicz
Partner

1355 Peachtree Street, N.E., Suite 900, Atlanta, GA 30309, USA
D +1 404 892 0321 F +1 404 898 9590 C +1 770 722 1501
andrew.zgutowicz@kurtsalmon.com
www.kurtsalmon.com

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Abaray, Linda

From: Wescott, Kristen
Sent: Tuesday, March 26, 2013 6:03 PM
To: Abaray, Linda; Dickerson, Patrice
Subject: FW: GRTA LOU/SR for DRI 2334 Northpark

Fyi – Brad & I met with John this afternoon, and he was ok w/ comments.

From: Wescott, Kristen
Sent: Tuesday, March 26, 2013 4:29 PM
To: 'Laura Beall'
Cc: Coleman, Garrin; Edwards, Brad; Parker, Angela; Poole, Bryant
Subject: RE: GRTA LOU/SR for DRI 2334 Northpark

Laura,

Please see the following comments regarding draft GRTA Notice of Decision.

Mount Vernon Highway at Peachtree-Dunwoody Road

- Construct a southbound left-turn lane

Comments: Staff has observed an inconsistency in the traffic count for the intersection at Peachtree Dunwoody Road and Mt. Vernon Highway (Figure 6). For the AM (7:30-8:30am) and PM (4:45-5:45pm) Peak Hours, the traffic volumes for WB Mt. Vernon Highway to SB Peachtree Dunwoody Road are shown as 5 and 6 vehicles, respectively. A field check during AM Peak by staff on March 20, 2013 for 15-minute period indicated a turning count of 60 vehicles (times 4 = 240 vehicles).

Site Driveway #1 at Mt. Vernon Highway/Crestline Parkway

- Modify the existing northbound right-turn lane to create a shared through/right-turn lane
- Provide an eastbound left-turn lane and a westbound right-turn lane
- Construct the southbound approach exiting the site with two left turn lanes and a shared through/right-turn lane.

Site Driveway #2 at Mt. Vernon Highway

- Provide a westbound right-turn lane entering the site.
- Construct a southbound right-turn lane exiting the site onto Mt. Vernon Highway.

Site Driveway #3 at Mt. Vernon Highway

- Provide a westbound right-turn lane entering the site
- Construct a southbound right-turn lane exiting the site onto Mt. Vernon Highway

Comments: Prior discussions with applicant indicated that Site Driveway #3 would serve as a delivery driveway and fire access lane. Driveway appears to be located in the 40-foot landscape/right-of-way reservation area, which is a concern. Note that the intersection analysis for this driveway showed two westbound lanes on Mt. Vernon Road, but only one lane exists.

Site Driveway #4 at Peachtree-Dunwoody Road

- Construct a southbound shared through/right-turn lane entering the site
- Construct an eastbound right-turn lane exiting the site onto Peachtree-Dunwoody Road

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Abaray, Linda

From: jkdress@hotmail.com
Sent: Wednesday, June 11, 2014 4:42 PM
To: Abaray, Linda
Subject: questions for meeting

Ms.Abaray,

What will be done about the environment impact of pollution in our area Mt Vernon, Peachtree -Dunwoody & Abernathy? Emergency fire trucks, Ambulances,& police where will they have a lane to pass or a place for vehicles to move over for clear passage?

Judy Dressler

Sent from my HTC on the Now Network from Sprint!

Abaray, Linda

From: Tochie Blad <tblad1@comcast.net>
Sent: Friday, May 30, 2014 11:07 AM
To: Abaray, Linda
Subject: Letter on Hines Project for June P.C.

RECEIVED

MAY 30 2014

City of Sandy Springs
Community Development

7320 Hunters Branch Dr.
Sandy Springs, GA 30328

Dear Mayor and City Council,

After attending the developer resolution meeting and having extensively worked with Hines on their original proposal last year, I want to express my concern over their half baked mixed use development proposed at Mt. Vernon Hwy. and Peachtree Dunwoody Rd. which allows both retail and multi-family housing to the mix of their office zoning from the mid 1980's. The original zoning had the entire parcel from GA 400 to the Marta station including the Kessler hotel property with a CLOSED section of Peachtree Dunwoody for better Marta access. The dense office project zoning remains on the land and they are adding retail and multi-family to the mix but with little or no connectivity to Marta now that the section of Peachtree Dunwoody has re-opened in the 1990's. They need to do a better job of connecting to MARTA and making this transit oriented in order to justify the mixed use zoning.

Hines is moving forward with their mixed use development even though the GDOT right of way issues have yet to be resolved. (Hines withdrew their application last June 2013 due to GDOT objections to the plan). Hines says if GDOT moves forward with their condemnation of land to accommodate the collector distributor lanes, they can easily shift their plan. Has staff confirmed the remaining Right of way issues and will Hines assertion that plans may be shifted not cost us more as taxpayers when the right of way is acquired?

At the Resolution meeting, improved pedestrian access to cross Peachtree Dunwoody Rd. was requested along with keeping impact fees paid by the developer to improve roads in the immediate area. (Cox Communications impact fees from their Peachtree Dunwoody Rd. development went to pay for the Windsor Pkwy. roadway improvements). Neighbors want impact fees spent in the area they were intended for which is the key to preventing gridlock in an already congested streets. The project will generate 15,000 car trips daily. We ask that this plan not move forward until the GDOT issues are resolved and more connectivity to the MARTA station is established.

Sincerely,

Tochie A. Blad