



**MAYOR AND CITY COUNCIL**

**ZM11-004**

**20 Glenlake Parkway**

**Kaiser Foundation**



To: John McDonough, City Manager

From: Angela Parker, Director of Community Development 

Date: May 5, 2012 For Submission onto the June 5, 2012 City Council meeting

Agenda Item: **ZM11-004 20 Glenlake Parkway**, Request for a zoning modification to the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011.

***Director of Community Development Recommendation:***

**WITHDRAWAL** of the request for a zoning modification to the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011.

NOTE: The applicant has submitted a request for a withdrawal of the application.

***Background:***

The site is located approximately 1,000 feet north of the intersection of Abernathy Road and Glenlake Parkway, on the west side of Glenlake Parkway. The property is zoned O-I (Office and Institutional District) under Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011, currently developed with an office building.

M94-006 modified certain conditions of the original approval (Z88-160/U88-118/U88-119/U88-120/U88-121). Part of the language of the M94-066 approval included reference to a survey that basically subdivided the overall subject property into several parcels (labeled "A" thru "I"). This survey of parcels was most likely intended to reflect ownership at that time.

The survey of parcels (and all the attached conditions regarding development standards such as density) that is referenced in M94-066 no longer matches current ownership according to the tax maps. It is believed that this is the reason why Fulton County started dealing with the newer zoning applications (M98-014 and M99-011) on an individual basis of ownership that was reflected in the legal descriptions provided with these newer applications. In other words, the subject parcels that were considered under M98-014 & M99-001 do not match the survey of parcels under M94-066.

In this case (ZM11-004) the applicant/owner (Kaiser) has represented that the relevant previous conditions under Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 are still being met.

***Discussion:***

The applicant is requesting a zoning modification to the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:

- (vi) Not more than 286,000 square feet of total gross floor area exclusive of parking for the parcel indicated by the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011.

2. To the owner's agreement to abide by the following:

- a. To the Site Plan entitled Site Plan-Glenlake Office Park received by the Department of Environment and Community Development on January 8, 1999 (99M-011 NFC) and to the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011 or a revised Site Plan complying with height and setback provisions set forth in condition 1.f., 1.g., 1.h., and 1.i. based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.

NOTE: The applicant intends to improve the subject property by constructing a 165,000 square foot addition to the existing 121,000 square foot building. Additional improvements include a new 4 story, 51,200 square foot parking garage.

**Concurrent Review:**

The staff held a Focus Meeting on January 11, 2012 at which the following city departments provided comments:

- Building and Development Division
- Code Enforcement
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development (*comments received*)
- Fulton County Department of Public Works
- Fulton County Environmental Health Services (*comments received*)
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



Zoning Modification Petition No. ZM11-004

HEARING & MEETING DATES

Community Zoning Information Meeting

Mayor and City Council Hearing

January 10, 2012

February 21, 2012

April 3, 2012

June 5, 2012

APPLICANT/PETITIONER INFORMATION

Property Owners

Kaiser Foundation Health Plan of Georgia

Petitioner

Eberly & Associates

Representative

Eberly & Associates

PROPERTY INFORMATION

Address, Land Lot, and District 20 Glenlake Parkway Land Lot 34, District 17

Council District 4

Frontage and Area 1285 feet of frontage along the west side of Glenlake Parkway. The subject properties have a total area of 15.00 acres (653,400 square feet).

Existing Zoning and Use O-I (Office and Institutional District) under Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011, currently developed with an office building.

Overlay District PCID

2027 Comprehensive Future Land Use Map Designation Living-Working Community (LWC)

Proposed Use General and Medical Office

INTENT

MODIFICATION OF CONDITION 1. AND CONDITION 2.A. OF PETITIONS Z88-160/U88-118/U88-119/U88-120/U88-121 AND M94-066 AND M98-014 AND M99-011 (APPROVED BY THE FULTON COUNTY BOARD OF COMMISSIONERS ON DECEMBER 7, 1988, JANUARY 4, 1995, APRIL 1, 1998, AND FEBRUARY 3, 1999).

The applicant is requesting a zoning modification to the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:

- (vi) Not more than 286,000 square feet of total gross floor area exclusive of parking for the parcel indicated by the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011.

2. To the owner's agreement to abide by the following:
- a. To the Site Plan entitled Site Plan-Glenlake Office Park received ~~by the Department of Environment and Community Development~~ on January 8, 1999 (99M-011 NFC) and to the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011 or a revised Site Plan complying with height and setback provisions set forth in condition 1.f., 1.g., 1.h., and 1.i. based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.

NOTE: The applicant intends to improve the subject property by constructing a 165,000 square foot addition to the existing 121,000 square foot building. Additional improvements include a new 4 story, 51,200 square foot parking garage.

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**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**  
ZM11-004 - Withdrawal

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**MAYOR AND CITY COUNCIL ACTION**  
ZM11-004 -Deferral

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The petition was heard at the April 3, 2012 Mayor and City Council Hearing. The Council approved a deferral until the June 5, 2012 hearing. The deferral was approved to allow the applicant and owners of adjoining western property (Glenridge Hall at 6615 Glenridge Dr.) time to meet and discuss the design of the project as it relates to visual and noise impacts.

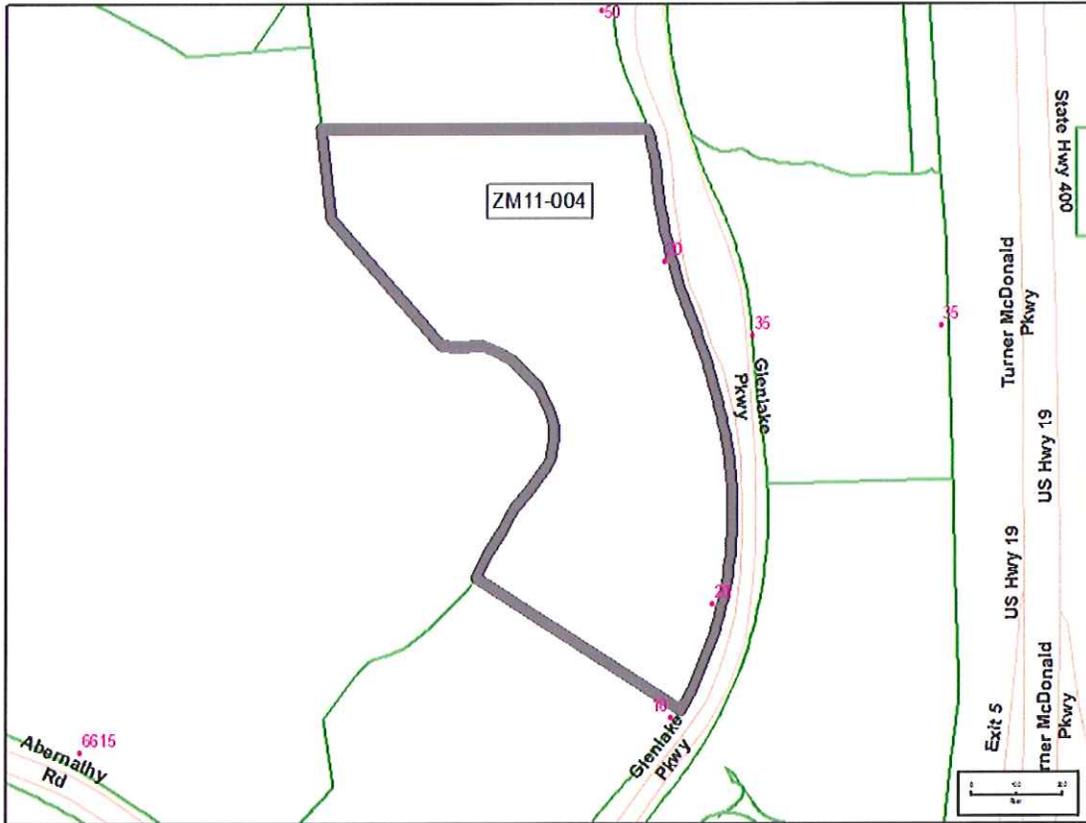
The applicant has submitted an email (attached) requesting a withdrawal of the application.

The petition was heard at the February 21, 2012 Mayor and City Council Hearing. The Council approved a deferral until the April 3, 2012 hearing. The deferral was approved to allow the applicant and owners of adjoining western property (Glenridge Hall at 6615 Glenridge Dr.) time to meet and discuss the design of the project as it relates to visual and noise impacts.

The applicant has submitted an email (attached) requesting a sixty (60) day deferral that will be necessary to achieve the goal of finalizing project design negotiations with representatives of Glenridge Hall.

Location Map

20 Glenlake Parkway



## BACKGROUND

The site is located approximately 1,000 feet north of the intersection of Abernathy Road and Glenlake Parkway, on the west side of Glenlake Parkway. The property is zoned O-I (Office and Institutional District) under Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011, currently developed with an office building.

M94-006 modified certain conditions of the original approval (Z88-160/U88-118/U88-119/U88-120/U88-121). Part of the language of the M94-066 approval included reference to a survey that basically subdivided the overall subject property into several parcels (labeled "A" thru "I"). This survey of parcels was most likely intended to reflect ownership at that time.

The survey of parcels (and all the attached conditions regarding development standards such as density) that is referenced in M94-066 no longer matches current ownership according to the tax maps. It is believed that this is the reason why Fulton County started dealing with the newer zoning applications (M98-014 and M99-011) on an individual basis of ownership that was reflected in the legal descriptions provided with these newer applications. In other words, the subject parcels that were considered under M98-014 & M99-001 do not match the survey of parcels under M94-066.

In this case (ZM11-004) the applicant/owner (Kaiser) has represented that the relevant previous conditions under Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 are still being met and have signed the ZM11-004 application as modifying zoning conditions as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Office and accessory uses at a maximum total gross floor area of 6,760,155 square feet exclusive of parking areas, with the following specific limitations:
    - (i) not more than 1,980,000 square feet of total gross floor area exclusive of parking areas on Parcel A (35.44 acres) identified on Page 1 of the Survey attached to the application (the "Property Survey");
    - (ii) not more than 2,393,050 aggregate square feet of total gross floor area exclusive of parking areas on Parcels A (35.44 acres), B (6.97 acres) and C-1 (0.54 acre) identified on the Property Survey;
    - (iii) not more than 880,000 square feet of total gross floor area exclusive of parking areas on Parcel I (16.00 acres) identified on the Property Survey;
    - (iv) not more than 904,750 aggregate square feet of total gross floor area exclusive of parking areas on Parcels G (10.04 acres) and H (6.41 acres) identified on the Property Survey;
    - (v) not more than 4,367,105 aggregate square feet of total gross floor area exclusive of parking areas on Parcels C (14.96 acres) D (7.29 acres), E (19.73 acres), F (3.91 acres), G (10.04 acres), H (6.41 acres) and I (16.00 acres) identified on the Property Survey.
    - (vi) Not more than 286,000 square feet of total gross floor area exclusive of parking for the parcel indicated by the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011.
  - b. No more than 2 day care centers with a combined total gross floor area not to exceed 12,000 square feet. At least 1 of said centers, and any center on Parcel G or H shall be located within a building used primarily for office, retail or hotel uses including parking decks. Only one of

said centers may be located on Parcel G or H and only one may be located on Parcel I. Said centers shall be in addition to the square footage allowed in condition 1.a. (U88-119 NFC). Prior to the commencement of operation of each day care center, the owner shall comply with all regulations of the Georgia Department of Human Resources and file a copy of the approved registration with the Director of Development Services Department.

- c. Accessory retail and service commercial and accessory uses, including all exterior food and beverage service areas, at a maximum total floor area of 100,000 gross square feet, all of which shall be located within parcels C, D, E, and F identified on the Property Survey. Said commercial uses shall comply with the restrictions provided in the Fulton County Zoning Resolution and shall be in addition to the uses and square footage allowed in condition 1.a. (U88-120 NFC)
- d. A forty-story, 450 room hotel on a portion of the subject property designated as Parcel C, D or E which use shall be in addition to the uses and square footage allowed in condition 1.a. (U88-121 NFC).
- e. Limit the height of the building (s) to a maximum of forty stories and with the following specific building height limitations as shown on the Site Plan entitled Site Plan-Glenlake Office Park dated October 28, 1 994 and received by the Development Services Department on November 3, 1994. (U88-118 NFC)

Building No.	Maximum Height
10	40
11	40
15	40
20	10
25	40
30	10
40, 50	1212 feet above sea level, excluding penthouses, mechanical rooms and roof - treatments at the top of buildings
35	20
45	20
55	9
60	20
65	9
70	20
75	20
80	12
33	20

In addition to the limitations in condition 1.e. and in condition 1.i, to limit the height of buildings on the subject property as follows (all Parcel designations referring to the Parcels as identified on the Property Survey):

Parcel A. No portion of any building on Parcel A shall have more than 20 stories and no portion of any building on Parcel A located within 80 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel A located within 80 feet of the present right-of-way of Glenlake Parkway shall have no more than 6 levels.

Parcel B. No portion of any building on Parcel B shall have more than 40 stories. No portion of any building on Parcel B located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel B located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 levels. No portion of any parking deck on Parcel B located within 160 feet of the present right-of-way of Glenlake Parkway shall have more than 7 levels. No portion of any parking deck on Parcel B located within 220 feet of the present right-of-way of Glenlake Parkway shall have more than 8 levels.

Parcel C. and Parcel D. No portion of any building on Parcel C or Parcel D located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel C or Parcel D shall have more than 7 levels plus 2 additional levels for the first full 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway.

Parcel E. No portion of any building on Parcel E located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel E shall have more than 6 levels plus 2 additional levels for the first full 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway.

Parcel F. No portion of any building on Parcel F located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel F shall have more than 8 levels plus 2 additional levels for the first full 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 100 feet by which such portion of such deck is distant from the present right-of-way of Glenlake Parkway.

Parcel G, Parcel H and Parcel I. No portion of any building on Parcel G, Parcel H or Parcel I shall have more than 20 stories and no portion of any building on Parcel G, Parcel H or Parcel I located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel G located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 8 levels. No portion of any parking deck on Parcel H or Parcel I located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 levels.

For purposes of this condition: in determining the number of stories in any building, there shall be included all floors above and including the main lobby floor to and including the highest occupancy floor; in determining the number of levels in a parking deck, in all Parcels other than Parcel H and Parcel I, there shall be included all levels above and including the parking surface nearest the median level of the land abutting the facade(s) of such parking deck facing Glenlake Parkway and, in Parcel H and Parcel I, there shall be included all levels above and including the first parking surface above the median level of the top of the curb at the edge of pavement of Glenlake Parkway abutting Parcel H and Parcel I; the height of any building or parking deck shall be the height of the upper surface of the principal roof slab of such building or parking deck; penthouses, mechanical rooms and roof treatments at the top of the buildings and parking decks shall not be included in determining heights; and any

height limitation established with respect to the location of a portion of a building or parking deck shall be construed as a limitation on the height of only such portion of such building or parking deck as is at such location and not as a limitation on the height of the entire building or parking deck.

- f. Provide a minimum 1000 foot setback from the north property line contiguous to Suffolk Forest Subdivision for all buildings over 25 stories in height and a minimum 900 -foot setback from said property line for all buildings over 12 stories in height (U88-118 NFC).
- g. Provide a minimum 40-foot setback from the present right-of-way of Glenlake Parkway for all buildings (including but not limited to parking decks) on Parcel C and a minimum 60-foot setback from the present right-of-way of Glenlake Parkway for all buildings on all other portions of the subject property.
- h. Except where permitted for inter-site access, provide, for all paved parking areas, a minimum 20-foot setback from all lot lines and provide screening with landscape materials or berming to a height of at least 4 feet.
- i. Limit the height of the parking deck adjacent to the north property line contiguous to Suffolk Forest Subdivision and the deck located to the southwest of building 80 to no more than 6 stories and limit the height of all other parking decks adjacent to single family zoning to no more than 8 stories. The height of these decks shall be determined by the number of stories above the average finished grade on the side adjacent to single family zoning.

2. To the owner's agreement to abide by the following:

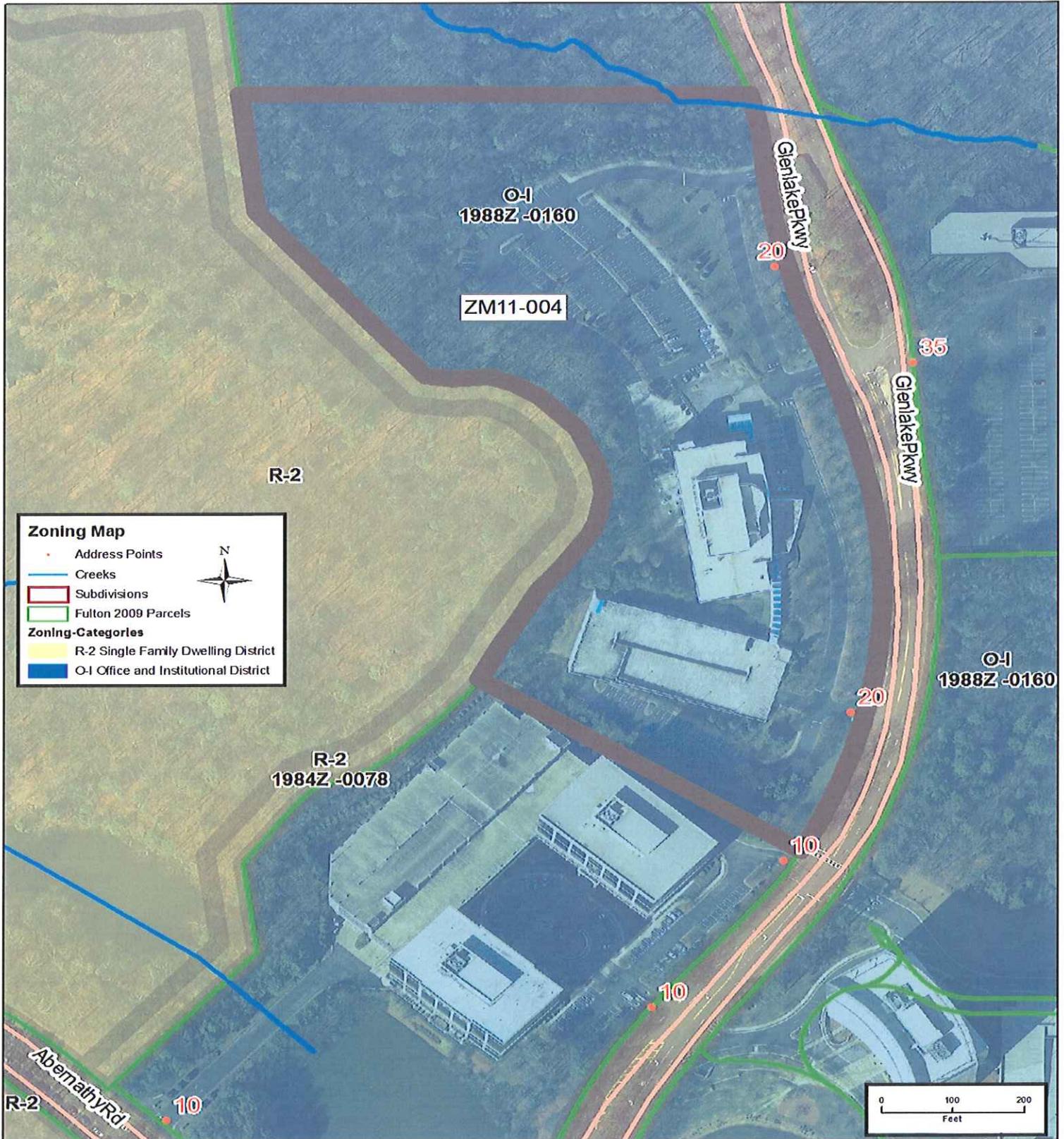
- a. To the Site Plan entitled Site Plan-Glenlake Office Park received by the Department of Environment and Community Development on January 8, 1999 (99M-011 NFC) and to the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011 or a revised Site Plan complying with height and setback provisions set forth in condition 1.f., 1.g., 1.h., and 1.i. based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**

SUBJECT PETITION ZM11-004	Proposed Use		Land Area (Acres)	Square Footage or Number of Units	Density (Square Footage or Number of Units per acre)
		General and Medical Office		15.00	286,000 SF
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Footage or Number of Units per acre)
North	R-4A conditional Z80-125	Single-family (Suffolk Forrest Subdivision)	24.25	46 units	1.90 units/acre
East	-----	GA 400	-----	-----	-----
South	MIX conditional Z99-101	Commercial Residential Hotel	11.4	570,500 SF 150 units 400 rooms	50,000 SF/acre 13.15 units/acre -----
South	R-2	Single-family 6565 Glenridge Dr.	26.9	1 unit	.037 units/acre
South	R-2	vacant	1.82	-----	-----
West	R-2	Single-family 6615 Glenridge Dr. (Glenridge Hall)	48.1	1 unit	.021 units/acre
West	A conditional Z80-014 and Z80-015	Glenlake Apartments 6901 Glenlake Pkwy	48.32	484 units	10.00 units/acre

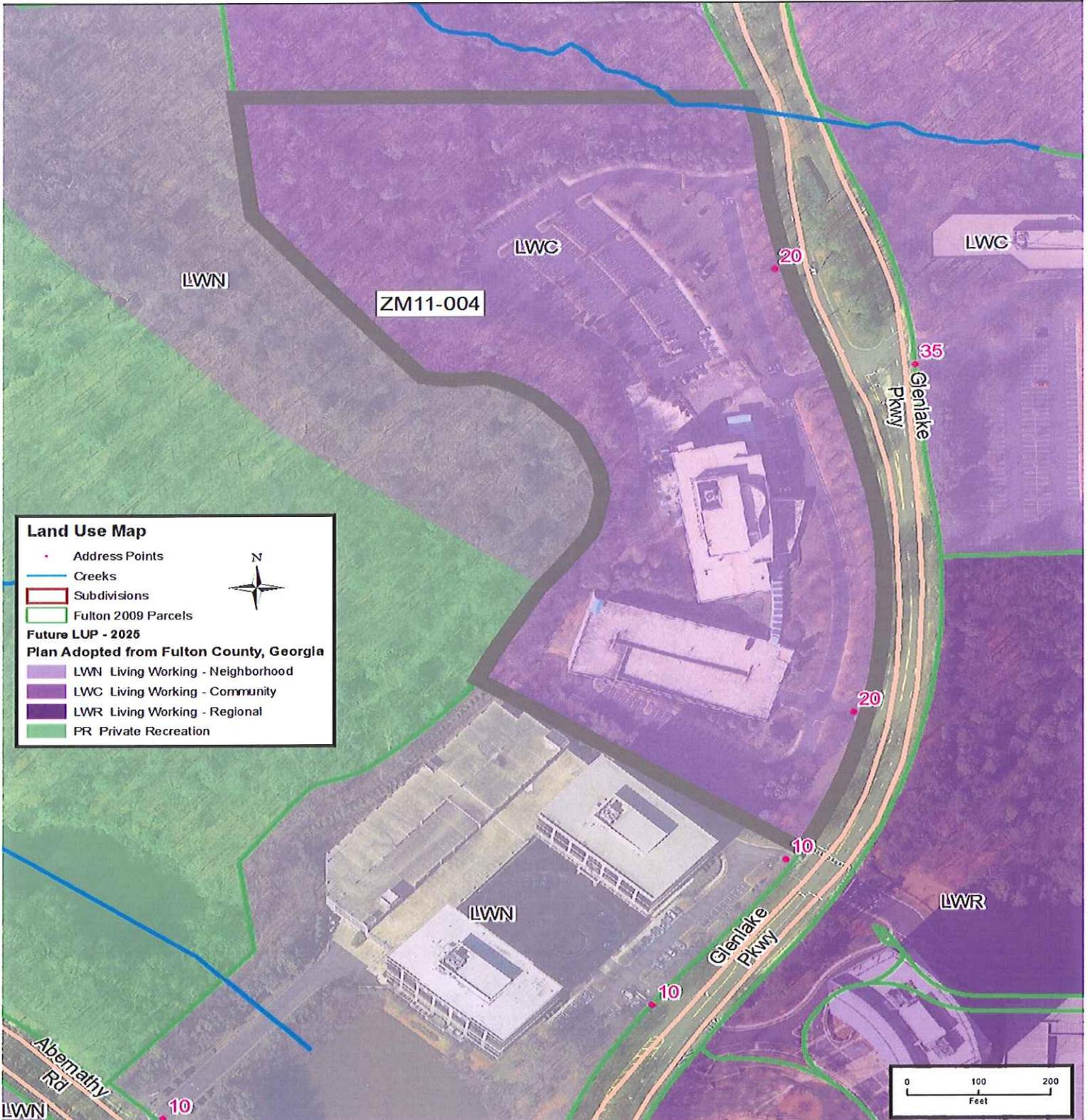
Zoning Map

20 Glenlake Parkway



Future Land Use Map

20 Glenlake Parkway



PHOTOGRAPHS



Subject Property looking southwest



Subject Property looking west



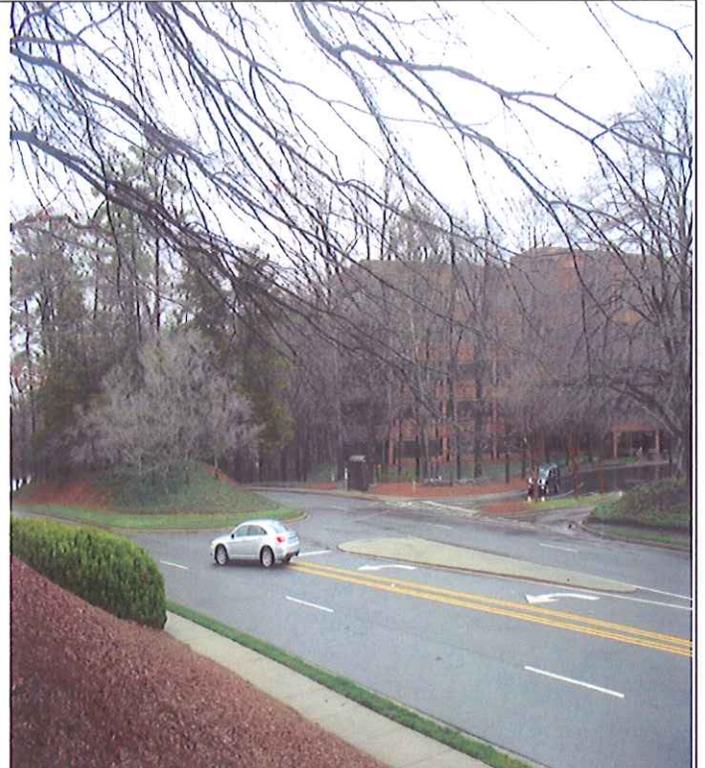
Subject Property looking northwest



Subject Property looking south



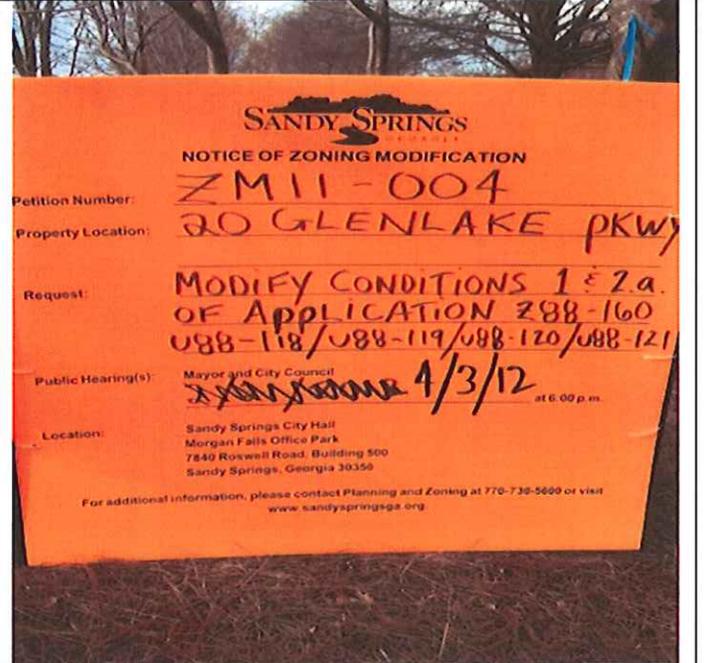
Subject Property looking southwest



Offices across the street to the east



Office parking and vacant property across the street to the east.



Sign

## APPLICANT'S INTENT

The applicant is requesting a zoning modification to the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 as follows:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - (vi) Not more than 286,000 square feet of total gross floor area exclusive of parking for the parcel indicated by the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011.
2. To the owner's agreement to abide by the following:
  - a. To the Site Plan entitled Site Plan-Glenlake Office Park received by the Department of Environment and Community Development on January 8, 1999 (99M-011 NFC) and to the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011 or a revised Site Plan complying with height and setback provisions set forth in condition 1.f., 1.g., 1.h., and 1.i. based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.

The applicant intends to improve the subject property by constructing a 165,000 square foot addition to the existing 121,000 square foot building. Additional improvements include a new 4 story, 51,200 square foot parking garage. The applicant also intends to operate a General and Medical Office business within the proposed 286,000 square foot building.

*The staff is of the opinion that the applicant's request to operate a General and Medical Office business within the proposed 286,000 square foot building would not adversely affect adjacent or nearby properties because the use and proposed density is in keeping with the surrounding area and supported by the current O-I zoning, including the balance of zoning conditions that were placed on the property under Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011. The staff has received notice or letters of opposition from the adjacent neighbors. Therefore, the staff recommends DEFERRAL of this modification request.*

**DEPARTMENT COMMENTS**

The staff held a Focus Meeting on January 11, 2012 at which the following departmental comments were provided:

BUILDING & DEVELOPMENT DIVISION	Sandy Springs Building Officer	<ul style="list-style-type: none"> <li>There are building code requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Chief Engineer	<ul style="list-style-type: none"> <li>There are no engineering requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Chief Environmental Compliance Officer	<ul style="list-style-type: none"> <li>There are no Environmental Compliance requirements that need to be addressed at this time.</li> </ul>
CODE ENFORCEMENT	Officer	<ul style="list-style-type: none"> <li>There are no maintenance code violations.</li> </ul>
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> <li>There are no Fire Code requirements that need to be addressed at this time.</li> </ul>
TRANSPORTATION	Sandy Springs Transportation Planner	<ul style="list-style-type: none"> <li>Interstate Public Works has reviewed the petition and finds the modification will impact the use of existing streets or transportation facilities. The proposed expansion of 165,000 square feet of medical office; however, does not meet threshold identified in Article 11, Section 103-73 the Development Ordinance for a Traffic Impact Study.</li> </ul> <p>As stated in the original zoning case, conditions indicated requirements to participate or fund regional transportation improvements due to the magnitude of the development's transportation impacts. It is not clear that all conditions have been satisfied. In that the proposed development will have transportation impacts, consideration should be given to participation in identified transportation improvements proportional to the trip generation impact of the proposed development.</p> <p>The Perimeter Community Improvement District (PCID) has identified two projects in November 2011 Ten-Year LCI Update, <i>Perimeter@The Center - Future Focus</i> that are within the geographic boundaries for regional transportation improvements, as follows:</p>

- T-2: Glenlake Parkway Corridor Improvements - Bicycle/Pedestrian Improvements and shuttle stops along Glenlake Parkway (to support planned transit along this corridor) - Including new bike/ped connection from Glenlake Parkway to North Springs MARTA Station (across GA 400), and
- C-7: New East-West Multi-Modal Connection from Glenlake Parkway to Peachtree Dunwoody Road (across GA 400).

The applicant is located within and is a member of the PCID.

Georgia Department  
of Transportation

- There are no GDOT requirements that need to be addressed at this time.

The staff has not received any additional comments from the Fulton County Board of Education or the Fulton County Emergency Services Department.

**STAFF RECOMMENDATION**

The staff recommends **APPROVAL CONDITIONAL** of the zoning modification request. The staff recommends that the conditions of Fulton County zoning cases Z88-160/U88-118/U88-119/U88-120/U88-121 and M94-066 and M98-014 and M99-011 be modified to be read as follows. Where these revisions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically 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 accessory uses at a maximum total gross floor area of 6,760,155 square feet exclusive of parking areas, with the following specific limitations:
  - (i) not more than 1,980,000 square feet of total gross floor area exclusive of parking areas on Parcel A (35.44 acres) identified on Page 1 of the Survey attached to the application (the "Property Survey");
  - (ii) not more than 2,393,050 aggregate square feet of total gross floor area exclusive of parking areas on Parcels A (35.44 acres), B (6.97 acres) and C-1 (0.54 acre) identified on the Property Survey;
  - (iii) not more than 880,000 square feet of total gross floor area exclusive of parking areas on Parcel I (16.00 acres) identified on the Property Survey;
  - (iv) not more than 904,750 aggregate square feet of total gross floor area exclusive of parking areas on Parcels G (10.04 acres) and H (6.41 acres) identified on the Property Survey;
  - (v) not more than 4,367,105 aggregate square feet of total gross floor area exclusive of parking areas on Parcels C (14.96 acres) D (7.29 acres), E (19.73 acres), F (3.91 acres), G (10.04 acres), H (6.41 acres) and I (16.00 acres) identified on the Property Survey.
  - (vi) Not more than 286,000 square feet of total gross floor area exclusive of parking for the parcel indicated by the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011.
- b. No more than 2 day care centers with a combined total gross floor area not to exceed 12,000 square feet. At least 1 of said centers, and any center on Parcel G or H shall be located within a building used primarily for office, retail or hotel uses including parking decks. Only one of said centers may be located on Parcel G or H and only one may be located on Parcel I. Said centers shall be in addition to the square footage allowed in condition 1.a. (U88-119 NFC). Prior to the commencement of operation of each day care center, the owner shall comply with all regulations of the Georgia Department of Human Resources and file a copy of the approved registration with the Director of Development Services Department.
- c. Accessory retail and service commercial and accessory uses, including all exterior food and beverage service areas, at a maximum total floor area of 100,000 gross square feet, all of which shall be located within parcels C, D, E, and F identified on the Property Survey. Said commercial uses shall comply with the restrictions provided in the Fulton County Zoning Resolution and shall be in addition to the uses and square footage allowed in condition 1.a. (U88-120 NFC)
- d. A forty-story, 450 room hotel on a portion of the subject property designated as Parcel C, D or E which use shall be in addition to the uses and square footage allowed in condition 1.a. (U88-121 NFC).

- e. Limit the height of the building (s) to a maximum of forty stories and with the following specific building height limitations as shown on the Site Plan entitled Site Plan-Glenlake Office Park dated October 28, 1 994 and received by the Development Services Department on November 3, 1994. (U88-118 NFC)

Building No.	Maximum Height
10	40
1 1	40
15	40
20	10
25	40
30	10
40, 50	1212 feet above sea level, excluding penthouses, mechanical rooms and roof - treatments at the top of buildings
35	20
45	20
55	9
60	20
65	9
70	20
75	20
80	12
33	20

In addition to the limitations in condition 1.e. and in condition 1.i, to limit the height of buildings on the subject property as follows (all Parcel designations referring to the Parcels as identified on the Property Survey):

Parcel A. No portion of any building on Parcel A shall have more than 20 stories and no portion of any building on Parcel A located within 80 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel A located within 80 feet of the present right-of-way of Glenlake Parkway shall have no more than 6 levels.

Parcel B. No portion of any building on Parcel B shall have more than 40 stories. No portion of any building on Parcel B located within 1 00 feet of the present right-of-way of Glen lake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel B located within 1 00 feet of the present right-of-way of Glenlake Parkway shall have more than 6 levels. No portion of any parking deck on Parcel B located within 1 60 feet of the present right-of-way of Glenlake Parkway shall have more than 7 levels. No portion of any parking deck on Parcel B located within 220 feet of the present right-of-way of Glenlake Parkway shall have more than 8 levels.

Parcel C. and Parcel D. No portion of any building on Parcel C or Parcel D located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel C or Parcel D shall have more than 7 levels plus 2 additional levels for the first full 1 00 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 1 00 feet by which such portion of such parking deck is distant from the present right-of-way of Glen lake Parkway.

Parcel E. No portion of any building on Parcel E located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 stories. No portion of any parking deck on Parcel E shall have more than 6 levels plus 2 additional levels for the first full 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway.

Parcel F. No portion of any building on Parcel F located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel F shall have more than 8 levels plus 2 additional levels for the first full 100 feet by which such portion of such parking deck is distant from the present right-of-way of Glenlake Parkway and 2 further additional levels for each full 60 feet in excess of 100 feet by which such portion of such deck is distant from the present right-of-way of Glenlake Parkway.

Parcel G, Parcel H and Parcel I. No portion of any building on Parcel G, Parcel H or Parcel I shall have more than 20 stories and no portion of any building on Parcel G, Parcel H or Parcel I located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 12 stories. No portion of any parking deck on Parcel G located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 8 levels. No portion of any parking deck on Parcel H or Parcel I located within 100 feet of the present right-of-way of Glenlake Parkway shall have more than 6 levels.

For purposes of this condition: in determining the number of stories in any building, there shall be included all floors above and including the main lobby floor to and including the highest occupancy floor; in determining the number of levels in a parking deck, in all Parcels other than Parcel H and Parcel I, there shall be included all levels above and including the parking surface nearest the median level of the land abutting the facade(s) of such parking deck facing Glenlake Parkway and, in Parcel H and Parcel I, there shall be included all levels above and including the first parking surface above the median level of the top of the curb at the edge of pavement of Glenlake Parkway abutting Parcel H and Parcel I; the height of any building or parking deck shall be the height of the upper surface of the principal roof slab of such building or parking deck; penthouses, mechanical rooms and roof treatments at the top of the buildings and parking decks shall not be included in determining heights; and any height limitation established with respect to the location of a portion of a building or parking deck shall be construed as a limitation on the height of only such portion of such building or parking deck as is at such location and not as a limitation on the height of the entire building or parking deck.

- f. Provide a minimum 1000 foot setback from the north property line contiguous to Suffolk Forest Subdivision for all buildings over 25 stories in height and a minimum 900 -foot setback from said property line for all buildings over 12 stories in height (U88-118 NFC).
- g. Provide a minimum 40-foot setback from the present right-of-way of Glenlake Parkway for all buildings (including but not limited to parking decks) on Parcel C and a minimum 60-foot setback from the present right-of-way of Glenlake Parkway for all buildings on all other portions of the subject property.
- h. Except where permitted for inter-site access, provide, for all paved parking areas, a minimum 20-foot setback from all lot lines and provide screening with landscape materials or berming to a height of at least 4 feet.

- i. Limit the height of the parking deck adjacent to the north property line contiguous to Suffolk Forest Subdivision and the deck located to the southwest of building 80 to no more than 6 stories and limit the height of all other parking decks adjacent to single family zoning to no more than 8 stories. The height of these decks shall be determined by the number of stories above the average finished grade on the side adjacent to single family zoning.
2. To the owner's agreement to abide by the following:
    - a. To the Site Plan entitled Site Plan-Glenlake Office Park received by the Department of Environment and Community Development on January 8, 1999 (99M-011 NFC) and to the Site Plan entitled Kaiser Glenlake Site Plan prepared by Eberly & Associates received by the Department of Community Development on December 6, 2011 or a revised Site Plan complying with height and setback provisions set forth in condition 1.f., 1.g., 1.h., and 1.i. based on a certified boundary survey of the entire property zoned, incorporating the stipulations of these conditions of zoning approval and meeting or exceeding the requirements of the Zoning Resolution.

## Attachments

Letter of Intent dated received December 6, 2011

Site Plans received December 6, 2011

Applicant email requesting a withdrawal received May 17, 2012



LAND PLANNING  
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE

December 5<sup>th</sup>, 2011

Angela Parker  
Director of Community Development  
City of Sandy Springs  
7840 Roswell Road, Bldg. 500  
Sandy Springs, GA 30350  
O. 770-730-5600  
F. 770-206-1562

**Subject: Kaiser Glenlake – Zoning Modification Letter of Intent**

Ms. Parker,

On behalf of our client, Kaiser Permanente, Eberly & Associates, Inc. is applying for a zoning modification to case Z-88160 originally approved by Fulton County on December 7<sup>th</sup>, 1988 covering the development of a 125.18 acre tract west of Georgia Highway 400 and north of Abernathy Road.

Fulton County recorded several modifications to this original zoning case, the most recent in 1994, case M94-0066. This case references the "Property Survey" and ties conditions to the parcels shown on this survey. Kaiser Permanente's currently owned tax parcel does not align with the parcels shown on the Property Survey. Therefore we are submitting this application to modify those conditions which reference parcels that are no longer legal boundaries in Fulton County.

PRINCIPALS

DANIEL L. EBERLY  
GREGORY L. DELANEY  
JOON KI SONG

ASSOCIATES

SCOTT L. GARDNER  
BRIAN K. BRUMFIELD  
KEVIN S. EDWARDS

Proposed renovations to the site:

- Expansion medical office building with new 165,000 s.f. addition.
- New 750 space parking garage
- Associated utility re-routing
- Upgraded storm water management systems
- Landscape and signage improvements

Proposed zoning conditions to modify:

- Condition 1 which references square footage limitations for parcels
- Condition 2 which references the Property Survey to be updated with new site plan for Kaiser Glenlake.

Please contact if you have any questions or require additional information. Thank you for your assistance with this matter.

Sincerely,

Matthew K. Brune, PE  
EBERLY & ASSOCIATES, INC.

ZM11-004  
**RECEIVED**

DEC 06 2011

WWW.EBERLY.NET

TEL: 770.452.7849  
FAX: 770.452.0086

1852 CENTURY PLACE, SUITE 202  
ATLANTA, GEORGIA 30345

City of Sandy Springs  
Community Development

## Trettin, Doug

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**From:** Brian Brumfield <bkrumfield@eberly.net>  
**Sent:** Friday, February 03, 2012 2:38 PM  
**To:** Trettin, Doug  
**Cc:** Bob Nashed  
**Subject:** Sandy Springs ZM11-004 20 Glenlake Parkway

Doug, we request that the square footage limitation described in the modification language be changed from 250,000 s.f. to 286,000 s.f. as indicated on the plan originally submitted with the application.

This is for building area only and does not include parking decks.

Thanks,

**Brian Brumfield, P.E., LEED AP | Associate | Eberly & Associates, Inc.**  
Civil Engineering | Land Planning | Landscape Architecture

1852 Century Place | Suite 202 | Atlanta, GA 30345  
Direct (678)287-4732  
P. (770)452-7849 Ext. 114 | F. (770)452-0086  
E. [bkrumfield@eberly.net](mailto:bkrumfield@eberly.net) | [www.eberly.net](http://www.eberly.net)

\*Attached files are not write protected and are thus vulnerable to modification, deletion, or damage. Eberly & Associates, Inc. assumes no responsibility for the contents, use, or reliance upon the information contained in this file. This file is provided for information and convenience only. Final stamped and approved construction documents must always be used.

 Please consider the environment before printing this email.





Brian-

I went by the site and the Zoning Sign was not posted. I went by there to update it to reflect the June 5 Mayor and City Council Meeting. This needs to be fixed ASAP – please advise. Thank you.

Doug Trettin, Senior Planner  
City of Sandy Springs  
7840 Roswell Rd., Bldg. 500  
Sandy Springs, GA 30350  
770-206-1515 direct  
[www.sandyspringsga.gov](http://www.sandyspringsga.gov)

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**From:** Trettin, Doug  
**Sent:** Monday, May 07, 2012 3:10 PM  
**To:** [bkbrumfield@eberly.net](mailto:bkbrumfield@eberly.net)  
**Cc:** Dickerson, Patrice; Abaray, Linda  
**Subject:** Kaiser

Hello Brian-

Just checking in to see how negotiations are going. Please be advised the deadline for new material submission is May 16, 2012.

Additionally, please be advised, my last day with the City will be on May 16, 2012. From this point on, please include Linda Abaray, Senior Planner, and Patrice Dickerson, Manager of Planning and Zoning, in all future communications. Linda and Patrice are Ccd above and their direct phone numbers are: Linda 770-206-1577 and Patrice 770-206-1513.

It is a pleasure working with you during this application process. And after the 16<sup>th</sup>, I hope we cross paths again!

Thanks and good luck!

Doug

Doug Trettin, Senior Planner  
City of Sandy Springs  
7840 Roswell Rd., Bldg. 500  
Sandy Springs, GA 30350  
770-206-1515 direct  
[www.sandyspringsga.gov](http://www.sandyspringsga.gov)

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