

MEMORANDUM

To: Mayor and City Council

From: Steve Dush, AICP

Date: June 25, 2013

Subject: **RZ 13-051:** 275, 301, and 303 Perimeter Center North; Pursuant to the City of Dunwoody Zoning Ordinance, applicant, HDP Acquisitions, LLC c/o Hotel Development Partners, LLC, seeks permission to rezone property currently zoned Office-Commercial-Residential Conditional (OCRc) to Office-Commercial-Residential Conditional (OCRc) to allow for a change of previous conditions. The tax parcels are 18 350 01 009, 011, and 170.



BACKGROUND

The site is located on the northern side of Perimeter Center East, on the southeast corner of Ashford Dunwoody Road and Perimeter Center North. The property is currently zoned OCRc (Office-Commercial-Residential conditional District).

Pursuant to the City of Dunwoody Zoning Ordinance, applicant, HDP Acquisitions, LLC seeks permission on behalf of Hotel Development Partners, LLC to rezone the property currently zoned Office-Commercial-Residential Conditional (OCRc) to Office-Commercial-Residential Conditional (OCRc) to allow for a change of previous conditions. The property consists of approximately 11.53 acres of land, located at 303, 301, and 275 Perimeter Center North, Dunwoody, Georgia 30346. The proposed modifications of the original site plan approved in 2008 that entitled a ten (10)-story, 200-room hotel and an 8,500 square foot restaurant include an eight (8)-story, 134-room hotel, a one (1)-story restaurant of up to 10,600 square feet, two (2) one (1)-story retail structures of up to 4,500 square feet each, and a

one-story retail building up to 6,000 square foot. This application runs concurrently with a request for a Special Land Use Permit for a change in the maximum allowable building height of two-stories to eight-stories, where ten-stories were previously permitted. Additionally, the site plan identifies a parking deficiency that must be processed before the ZBA.

Direction	Zoning	Use	Current Land Use
N	PC-3c	Mixed	Multi-family Residential
S	R-100	Residential	Utility Transmission
E	O-I	Commercial	Office
W	C-1 & O-I	Commercial	Retail & Office

ANALYSIS

In Georgia, the state prescribes procedures for its counties and municipalities governing zoning decisions, and the local government is required to strictly follow the procedures set out in the Zoning Procedures Law, O.C.G.A. Title 36, Chapter 66.

O.C.G.A. §36-67-1 thru -6 is the State of Georgia Law that requires planning departments and the Boards, Commissions and Councils who review requests for zoning changes to review and research zoning proposals, and before passing recommendation compare the request to- and contrast the request with a set of six criteria.

"...The matters with which the planning department or agency shall be required to make such investigation and recommendation shall be:

"(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

"(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

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

"(4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

"(5) If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and

"(6) 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."

OCR District Analysis

The purpose and intent of the city council in establishing the OCR (Office-Commercial-Residential) District is as follows:

1. To provide for economic development within the city through redevelopment of parcels of land which have been used in the past for commercial and light industrial uses but which have become obsolete and now offer an opportunity for establishing new mixed use developments of medium intensity which consist of a combination of office, commercial, and residential uses;
2. To promote redevelopment and new development in an environment which is pedestrian-oriented and which provides job opportunities and shopping facilities within the same complex in which multifamily housing is located and thereby reduces dependence on the automobile; and
3. To encourage the conversion of vacant commercial and industrial buildings into residential dwelling units.

Comprehensive Plan Analysis

The Dunwoody Comprehensive Plan is organized primarily by regions, delineated as "character areas." The subject parcels mentioned in this proposal are a part of the "Perimeter Center Character Area," which is summarized on the attached excerpt from the Comprehensive Plan. The intent of this area is to create a "livable" regional center with first-class office, retail, and high-end restaurants in a pedestrian and bicycle-oriented environment that serves as a regional example of high quality design standards. In accordance with this vision, the applicant plans to make the site pedestrian-friendly by orienting users close to Ashford Dunwoody Road, creating outdoor seating and other gathering spaces, and by providing streetscape treatments in accordance to the Perimeter Community Improvement District's (PCID) Public Space Standards.

The proposed conditions align with the following goals of the Perimeter Center Character Area:

- Reduce surface parking and promote livable centers in the immediate areas surrounding MARTA station
- Encourage hotel and convention development near MARTA in order to foster commerce along the mass transportation route
- Create bicycle, pedestrian and potential golf cart options to connect with the rest of the City of Dunwoody
- Promote/establish new connectivity

Rezoning Analysis

The site in question is an existing surface office complex, surface parking lot, and accessory parking deck. The applicant plans to develop an eight (8)-story hotel, a one (1)-story restaurant of up to 10,600 square feet, two (2) one (1)-story retail structures of up to 4,500 square feet each, a 6,000 square foot retail space, and a parking deck of up to three levels with a minimum of 1,261 parking spaces. This rezoning is sought in order to modify previously approved site plans. The proposed site plan re-orientes the hotel along Ashford Dunwoody Road, increases the amount of restaurant space by up to 2,100 square feet and adds up to 15,000 square feet of retail space.

Conditions of the Zoning Ordinance

Chapter 27, §27-1437 identifies the following standards and factors are found to be relevant to the exercise of the city's zoning powers and shall govern the review of all proposed amendments to the official zoning map:

(a) Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan. ***Dunwoody is operating under the auspices of the Comprehensive Plan in effect as of June 2010. The importance of the Comprehensive Plan cannot be understated as a guiding document in the zoning decisions for a jurisdiction because it is a living document that is created from public input and sentiment, laying out the community's vision for how to grow and develop today, and in the future. The Dunwoody Comprehensive Plan is organized primarily by regions, delineated as 'character areas.' The subject parcel is located in the 'Perimeter Center Area,' which is indicated to be approved for uses such as first-class office, retail, and high-end restaurants in a pedestrian and bicycle-oriented environment, consistent with the applicant's request.***

(b) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. ***The proposal will allow for additional uses that are similar to those of surrounding properties as well as help reduce excessive surface parking, which is suitable for this area of the city.***

(c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. ***The property involved in this zoning action has some economic use as currently zoned. However, by changing the condition of the current zoning to allow for more retail and restaurant space, there will be a greater opportunity for economic vitality in the area.***

(d) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. ***The proposal will establish an exact parity among the allowable land uses of the adjacent properties on the east side of Ashford Dunwoody Road.***

(e) 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. ***The conditions of the PCID area call for a "livable" regional center with a mix of uses in a pedestrian and bicycle-oriented environment. The request is consistent with this goal. Additionally, the character and quality of the proposed development is better aligned with the recommendations of the Comprehensive Plan than the previous entitlement—the proposal offers a well thought-out pedestrian circulation plan in and around the project site, makes use of best practice commercial center design principles by pulling buildings up to the street, provides a built environment conducive to vibrant street activity, and proposes high-end design materials for the architecture and infrastructure improvements.***

(f) Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. ***Staff cannot identify nor is aware of any such historic buildings, sites, districts, or archaeological resources in the area.***

(g) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. ***The existing street and utility infrastructure is expected to be adequate to service the proposed hotel, retail and restaurant uses on the site. Additionally, there will be no school-aged children generated as a direct consequence of this development.***

Summary/Key Issue Analysis

Thus far, during this particular rezoning process for the proposed development at 275, 301, and 303 Perimeter Center North, the most significant apprehension raised by some in the community has been the proposed right-in/right-out curb-cut on Ashford Dunwoody Road. In order to address this concern, the applicant met with the interested parties and adjusted their plans to reflect the input they received. Therefore, instead of proposing a right-in/right-out curb-cut, the applicant has submitted a design for a right-in only driveway along Ashford Dunwoody Road. Additionally, the access to the north of the site along Perimeter Center North has been modified from a right-out only exit to a right-out and left-out turning situation.

The site plan submitted May 22, 2013 (dated May 20, 2013) shows the expected location of the right-in driveway, which maximizes the deceleration bay lengths along Ashford Dunwoody Road as well as the right turn bay for the Perimeter Center North intersection. In order to help facilitate travel into and out of other areas of the development, the applicant proposes multiple roadway improvements. For instance, the developer proposes to:

1. Install wayfinding signage internal to the site and add a median opening on Perimeter Center North at the development driveway to allow exiting traffic to go west to Perimeter Center North;
2. Cut a left turn lane in the median to allow westbound traffic on Perimeter Center North to turn left into the development, and
3. Install a No-U-Turn Sign on Ashford Dunwoody Road at the intersection of Ashford Dunwoody Road and Perimeter Center North for northbound motorists.

These signage and roadway improvements are important elements of the design –directing southbound traffic on Ashford Dunwoody Road to use the curb-cut on Perimeter Center North to enter the development and notifying traffic wishing to go south on Ashford Dunwoody Road from the site to the exit on Perimeter Center North, where they can enter Ashford Dunwoody Road at the signal.

As with any development and traffic pattern changes that are associated with changes in use or hours of operation amid existing development, Staff and Perimeter Traffic Operations Program (PTOP) partners will monitor the signal timing and make any necessary adjustments. Additionally, while the Comprehensive Transportation Plan does not currently identify bike lanes along this section of Ashford Dunwoody Road, there is a possibility for this feature to be accommodated in the future if the context and/or plan changes.

The Boundary exhibit identifies proposed boundary lines for potential future subdivision. The contemplated lots may be substandard, pursuant to Zoning and Land Development Regulations and would require a variance prior to approval of the subdivision, provided the rezoning is approved first. Pursuant to Section 27-1573 - Power and duty of the board to hear applications for variances; limitations of authority of board:

...

No variance shall be granted by the board to:

...

(5) Reduce, waive or modify in any manner the minimum lot width and minimum lot area where the lot has been conditionally zoned to a specific site plan;

(6) Reduce, waive or modify in any manner the minimum lot area established by the city council for any use permitted by special land use permit or by special exception;

In keeping with the authority of the Zoning Board of Appeals, the applicant has provided the boundary exhibit as a part of this application to preserve the right to request variances according to the proposed lot lines. While the site plan proposes minimum setbacks, those would be modified if a subdivision is pursued.

RECOMMENDATION

Staff **recommends** the application be approved with the following conditions (updated from the previously submitted application materials to reconcile with the site plans dated May 20, 2013 and submitted to the City May 22, 2013):

1. The development shall substantially comply with the Site Plan dated May 20, 2013, prepared by McFarland-Dyer & Associates and submitted to the City May 22, 2013.
2. Curb-cut access from Ashford-Dunwoody Road shall be restricted to a right-in turning movement.
3. Setbacks shall be measured from existing right-of-way, versus any future right-of-way which the City may demand incidental to development.
4. The development shall contain a hotel not to exceed eight (8) stories with up to one hundred thirty-four (134) rooms; a restaurant with up to 10,600 square feet of space; additional retail space of no more than 15,000 square feet of space; an existing eight (8) story office building; an existing six (6) story office building; an existing seven (7) level parking garage; and a new parking deck of up to three (3) levels. The total number of parking spaces shall not be less than 1,261.
5. The development shall contain a bike rack.
6. Neon, gas, flashing, animated, sound-emitting, or rotating signs are prohibited. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all signs in the public right-of-way.
7. Developer will provide sidewalks along its property frontage along Ashford-Dunwoody Road and up to the curb-cut on Perimeter Center North per PCID standards.
8. Outdoor seating shall be allowed in the front of the hotel and restaurant. Sidewalks adjacent to the area of outdoor seating shall have a minimum of eight (8) foot wide clear walkways for pedestrians.
9. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all lighting it installs in the public right-of-way.
10. All utilities shall be underground. All street lighting shall be installed with an underground feed.
11. Developer shall follow the "Best Practice Management for Erosion Guidelines" and shall be particularly sensitive to erosion control along the property lines.
12. Water Quality for this newly redeveloped portion of Sterling Pointe shall meet the minimum requirements of Georgia Stormwater Management Manual or the City of Dunwoody.
13. All HVAC equipment located on the roofs of buildings shall be screened from the view of pedestrians on public right-of-way.
14. Signs located at the entrances to the development shall be monument style signs and shall be externally lit.
15. Parts of the Property may be conveyed as separate tracts and to separate owners with different ownership structures under the zoning plan.

16. Should there be a conveyance of part of the property to different owners, all zoning conditions and variances shall remain applicable to any portion of the conveyed Property, regardless of what future person or entity owns the subdivided Property.
17. Conveyance of part of the property to different owners shall not require any changes to the zoning plan for the Development or any variances, provided a subdivision process is not required.
18. In order to minimize vehicle/pedestrian conflicts, construct a raised crosswalk with pavers across the right-in driveway, install "Yield To Pedestrians" signs on the inbound lane at the crosswalk, and install on-site signage to direct traffic wishing to go south on Ashford Dunwoody Road to use the driveway on Perimeter Center North.
19. Construct a median opening on Perimeter Center North at the development driveway, including a westbound left turn lane into the development driveway.
20. Extend the short left turn lane on Perimeter Center North at the median opening east of the site driveway back to the apartments' driveway.
21. Restrict left turns in the rightmost outbound lane from the development to Perimeter Center North; identify with right turn only arrows.
22. Require vehicles wishing to turn right from Ashford Dunwoody Road onto Perimeter Center North to yield before entering by striping the right lane so as to block direct movement from the turn lane into the development in order to reduce weave conflicts and improve the safety for vehicles turning left out of the development.
23. Construct all signs pursuant to the City's Sign Ordinance.

At their regular March meeting, the Community Council heard the applicant's request to rezone the property from OCRC to OCRC and recommended approval of the request, as submitted. The motion passed 5 - 1 votes. Rick Callihan was the dissenting vote.

At a special called April meeting, the Planning Commission reviewed the item and made a motion to recommend approval of the rezoning with staff conditions. The motion passed 4 - 3 votes. Paul Player, Don Converse, and Bill Grossman were the dissenting votes.

At the May 13, 2013 Mayor and Council Meeting, staff indicated that the applicant was working with the community to revise the plan and as such the application should be remanded to the Planning Commission in order to address amendments to the original proposal. The City Council voted in favor of this request and, as a result, this item was not heard at the May 28, 2013 Public Hearing.

The Planning Commission reviewed the revised application at their regular June meeting and made a motion to recommend approval of the rezoning with staff conditions, including the amendment to condition #7. The motion passed 3 - 0 votes. Bill Grossman abstained.

Attachments

- Location Map, Zoning Districts Map, Future Land Use Map
- Application Packet
 - Site plan dated 5/20/2013 and submitted 5/22/2013
 - May 2013 Traffic Study
- Right-of-Way Dedication Deed

**303, 301, & 275
Perimeter Center North**

RZ 13-051

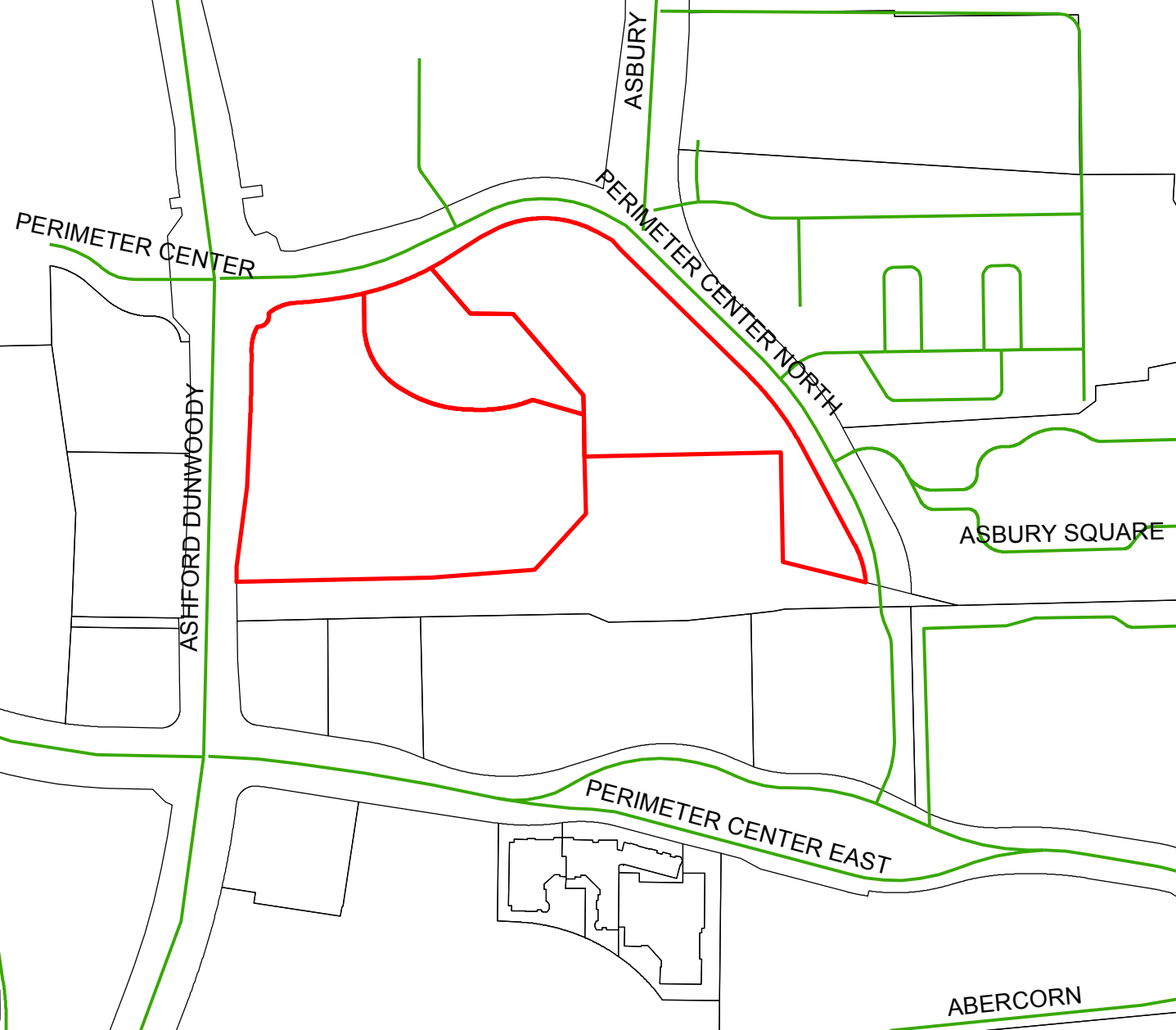
February 2013

Legend

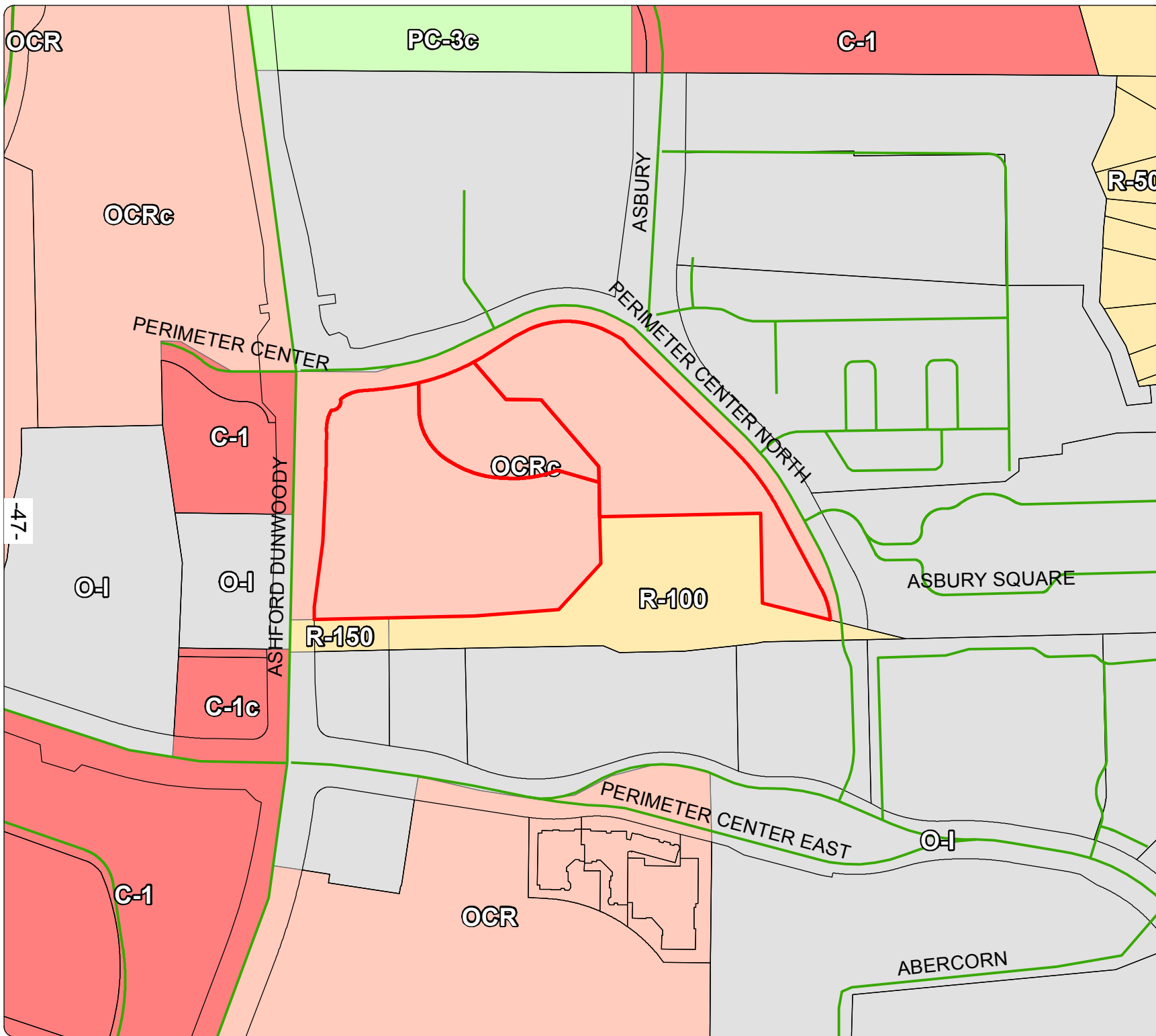
- Street Centerlines
- Parcels

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

ASBURY
ASHFORD DUNWOODY
PERIMETER CENTER
PERIMETER CENTER EAST
#M.1



-45-



Dunwoody
 *Smart people - Smart city
Community Development
 41 Perimeter Center East | Dunwoody, Georgia
 Suite 250 | 30346-1902
 678-382-6800 ~ www.dunwoodyga.gov

**303, 301, & 275
 Perimeter Center North**

RZ 13-051

February 2013

Legend

— Street Centerlines
 □ Parcels

City Zoning

DISTRICT

- General Commercial
- Industrial
- Local Commercial
- Multi Family Residential
- Multi-Family Residential
- Neighborhood Shopping
- Office-Commercial-Residential
- Office-Distribution
- Office-Institution
- Office-Institution-Transitional
- Pedestrian Community
- Planned Development
- Residential Community Development
- Single Family Cluster Residential
- Single Family Residential

Scale: 1"=300'
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#M.1.1

Disclaimer: All data is provided as is, with all faults, without warranty of any kind, either expressed or implied. This map is the property of the City of Dunwoody, Georgia and its assigns. All rights reserved.

**303, 301, & 275
 Perimeter Center North**

RZ 13-051

February 2013

Legend

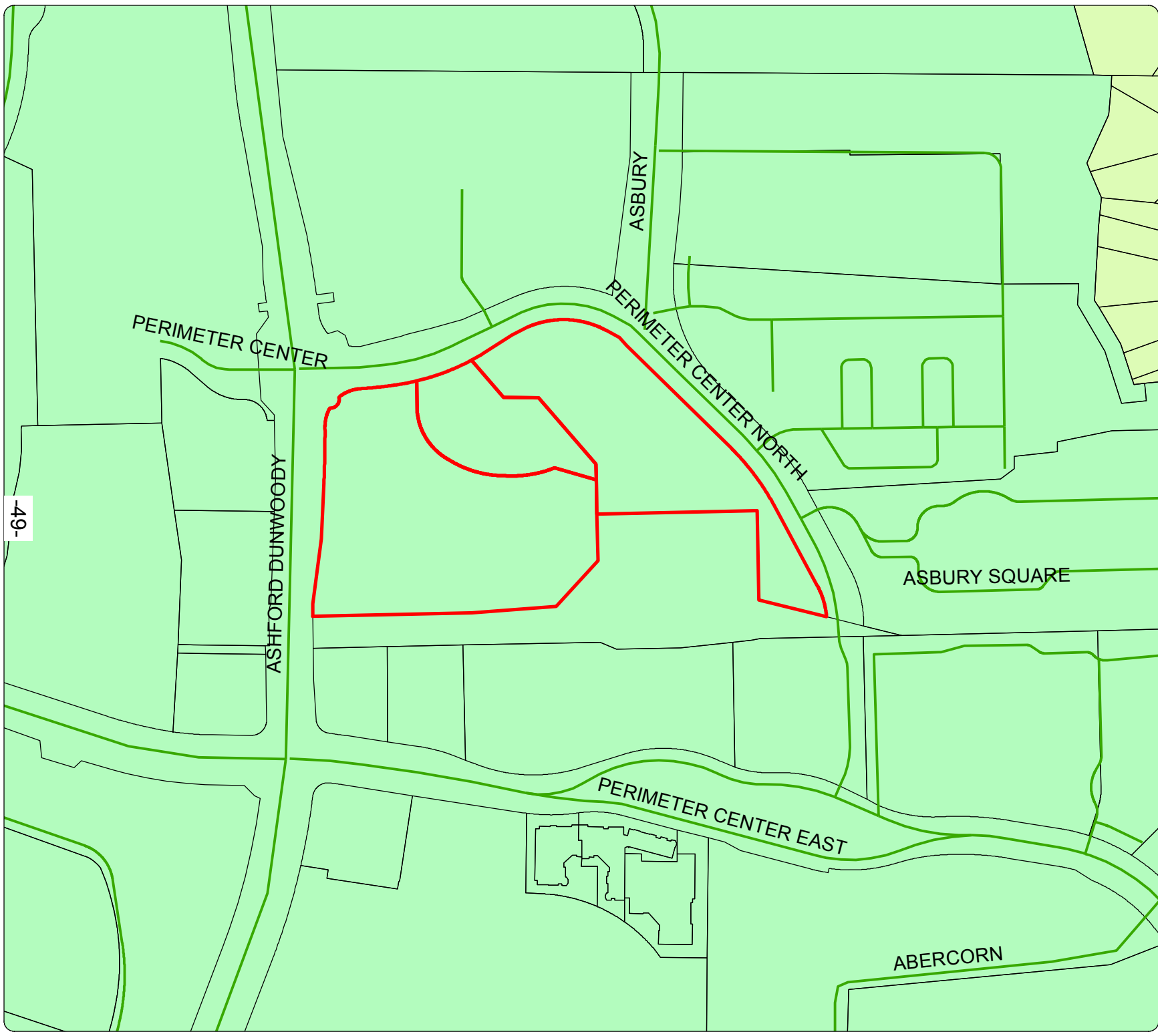
- Street Centerlines
- Parcels

Future Land Use

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

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

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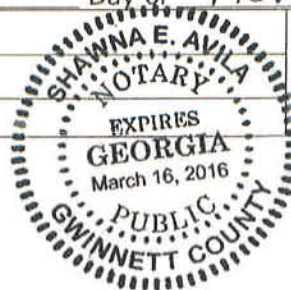




City of Dunwoody
41 Perimeter Center East
Dunwoody, GA 30346
Phone: (678) 382-6800
Fax: (770) 396-4828

Rezoning Application

Applicant	Name: HDP Acquisitions, LLC / Hotel Development Partners, LLC c/o Kathryn M. Zickert, Esq.	
	Address: 1230 Peachtree Street, NE., Ste. 3100, Atlanta, GA 30309	
	Phone: (404) 815-3704	Fax: (404) 685-7004 Email: kmzickert@sgrlaw.com
Property Owner	Owner's Name: RB Sterling Point LLC	
	Owner's Address: P.O. Box 421185, Atlanta, GA 30342	
	Phone:	Fax: Email:
Property Information	Property Address: 301 and 275 Perimeter Center North Parcel ID: 18-350-01-009, 011 and 170	
	Current Zoning Classification: OCR	
	Requested Zoning Classification: OCR	
Questionnaire	1. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan? Yes. See attached analysis	
	2. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties? Yes. See attached analysis	
	3. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned? Maybe. See attached analysis	
	4. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? No. See attached analysis	
	5. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal? Yes. See attached analysis	
	6. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources? No. See attached analysis	
	7. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? No. See attached analysis	
Affidavit	To the best of my knowledge, this zoning application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance.	
	Applicant's Name: Hotel Development Partners, LLC c/o Kathryn M. Zickert, Esq.	Date:
Notary	Applicant's Signature: <i>Kathryn M. Zickert</i>	Date: 11-28-12
	Sworn to and subscribed before me this 28 th Day of Nov., 2012	
	Notary Public: <i>Shawna E. Avila</i>	
	Signature: <i>Shawna E. Avila</i>	
	My Commission Expires: 3-16-16	





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

Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

Applicant / Petitioner	Signature: <u>[Signature]</u>	Date: <u>2-19-13</u>	
	Address: <u>3414 Peachtree Rd. #1075</u> City, State: <u>Atl. GA</u>	Zip: <u>30326</u>	
	Phone: <u>404-842-1422</u>		
	Sworn to and subscribed before me this <u>19th</u> day of <u>Feb</u> , 20 <u>13</u>		
Attorney / Agent	Notary Public: <u>Shawna E. Avila</u>		
	Signature: <u>[Signature]</u>		Date: <u>11-28-12</u>
	Address: <u>1230 Peachtree St., NE, Ste. 3100</u> City, State: <u>Atlanta, GA</u>		Zip: <u>30309</u>
	Phone: <u>(404) 815-3704</u>		
	Sworn to and subscribed before me this <u>28th</u> day of <u>Nov</u> , 20 <u>12</u>		
Attorney / Agent	Notary Public: <u>Shawna E. Avila</u>		

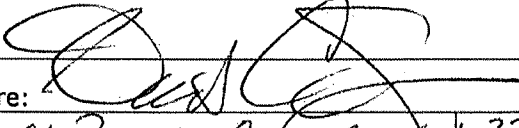




City of Dunwoody
41 Perimeter Center East
Dunwoody, GA 30346
Phone: (678) 382-6800
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Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. If additional materials are determined to be necessary, they understand that they are responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinances.

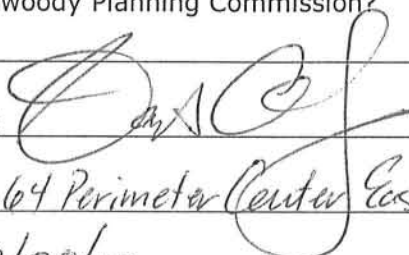
Property Owner (If Applicable)	Signature: 	Date: 12/3/2012	
	Address: 41 Perimeter Center East Suite 220	City, State: Atlanta, GA	Zip: 30346
	Phone: 404-965-1070	cell = 404 456 8401	
	Sworn to and subscribed before me this 3RD day of DECEMBER, 2012		
Property Owner (If Applicable)	Notary Public:  THERESA L. SCHUCH NOTARY PUBLIC Forsyth County State of Georgia My Commission Expires May 17, 2015	Date:	
	Signature:	City, State:	Zip:
	Address:	Zip:	
	Phone:	Sworn to and subscribed before me this _____ day of _____, 20____	
Property Owner (If Applicable)	Notary Public:	Date:	
	Signature:	City, State:	Zip:
	Address:	Zip:	
	Phone:	Sworn to and subscribed before me this _____ day of _____, 20____	
Property Owner (If Applicable)	Notary Public:	Date:	
	Signature:	City, State:	Zip:
	Address:	Zip:	
	Phone:	Sworn to and subscribed before me this _____ day of _____, 20____	



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

Statement

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

Applicant / Owner	Signature: 
	Address: 64 Perimeter Center East, Atlanta GA 30346
	Date: 2/28/13

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

Date	Government Official	Official Position	Description	Amount



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

Statement

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

Applicant / Owner	Signature: <i>[Signature]</i> <i>HDP Acquisitions LLC, Hotel Development Partner, LLC</i>
	Address: <i>3414 Peachtree Rd NE Ste 1075 Atlanta, GA 30326</i>
	Date: <i>2/28/13</i>

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

Date	Government Official	Official Position	Description	Amount

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

Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

☐ YES ☒ NO

Applicant / Owner	Signature: <u>Kathryn M. Zickert</u> Kathryn M. Zickert
	Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309
	Date:

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

Date	Government Official	Official Position	Description	Amount



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

Campaign Disclosure Statement

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

Applicant / Owner	Signature:  Dennis J. Webb, Jr.
	Address: 1230 Peachtree Street, NE, Ste. 3100, Atlanta, GA 30309
	Date: 2/22/13

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

Date	Government Official	Official Position	Description	Amount

LEGAL DESCRIPTION:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 350 OF THE 18th DISTRICT OF DEKALB COUNTY, GEORGIA AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:

TO FIND THE TRUE **POINT OF BEGINNING**, COMMENCE AT THE CORNER COMMON TO LAND LOTS 347, 348, 349 & 350, THENCE ALONG THE SOUTH LINE OF LAND LOT 350, BEING ALSO THE NORTH LINE OF LAND LOT 347, SOUTH 89 DEGREES 53 MINUTES 41 SECONDS EAST (S89°53'41"E) A DISTANCE OF 246.90' TO A POINT; THENCE CONTINUING ALONG THE SOUTH LINE OF LAND LOT 350, NORTH 88 DEGREES 39 MINUTES 19 SECONDS EAST (N88°39'19"E) A DISTANCE OF 39.56' TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF ASHFORD-DUNWOODY ROAD (120' FT PUBLIC R/W); THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ASHFORD-DUNWOODY ROAD NORTH 00 DEGREES 47 MINUTES 41 SECONDS WEST (N00°47'41"W) A DISTANCE OF 74.90' TO A #4 REBAR SET, SAID POINT BEING THE TRUE **POINT-OF-BEGINNING, (P.O.B.)**; THENCE TURNING AND CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ASHFORD-DUNWOODY ROAD NORTH 02 DEGREES 13 MINUTES 21 SECONDS EAST (N02°13'21"E) A DISTANCE OF 28.65' TO A CONCRETE MONUMENT FOUND; THENCE TURNING AND CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ASHFORD-DUNWOODY ROAD NORTH 07 DEGREES 01 MINUTES 08 SECONDS EAST (N07°01'08"E) A DISTANCE OF 153.50' TO A #5 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ASHFORD-DUNWOODY ROAD NORTH 02 DEGREES 05 MINUTES 35 SECONDS EAST (N02°05'35"E) A DISTANCE OF 128.50' TO A #5 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ASHFORD-DUNWOODY ROAD, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2606.84' AND ARC LENGTH OF 132.86' BEING SUBTENDED BY A CHORD BEARING NORTH 00 DEGREES 49 MINUTES 19 SECONDS EAST (N00°49'19"E) A CHORD DISTANCE OF 132.84' TO A #4 REBAR SET FOR A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH (VARIABLE R/W - PRIVATE ROAD); THENCE TURNING AND CONTINUING ALONG THE SOUTHERLY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 89.04' AND ARC LENGTH OF 46.01' BEING SUBTENDED BY A CHORD BEARING NORTH 14 DEGREES 09 MINUTES 42 SECONDS EAST (N14°09'42"E) A CHORD DISTANCE OF 45.50' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 89.04' AN ARC DISTANCE OF 46.05' BEING SUBTENDED BY A CHORD BEARING NORTH 43 DEGREES 47 MINUTES 44 SECONDS EAST (N43°47'44"E) A CHORD DISTANCE OF 45.54 FEET TO A POINT; THENCE TURNING AND

CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 20.00' AND ARC LENGTH OF 38.85' BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 17 MINUTES 57 SECONDS EAST (N69°17'57"E) A CHORD DISTANCE OF 33.02' TO A POINT; THENCE TURNING AND CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 89.04' AN ARC DISTANCE OF 9.78' BEING SUBTENDED BY A CHORD BEARING NORTH 83 DEGREES 07 MINUTES 52 SECONDS EAST (N83°07'52"E) A CHORD DISTANCE OF 9.77 FEET TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 916.03' AND ARC LENGTH OF 94.04' BEING SUBTENDED BY A CHORD BEARING NORTH 83 DEGREES 20 MINUTES 47 SECONDS EAST (N83°20'47"E) A CHORD DISTANCE OF 94.00' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF PERIMETER CENTER NORTH ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 536.12' AN ARC LENGTH OF 205.62' BEING SUBTENDED BY A CHORD BEARING NORTH 69 DEGREES 25 MINUTES 13 SECONDS EAST (N69°25'13"E) A CHORD DISTANCE OF 204.36' TO A #5 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 57 DEGREES 05 MINUTES 28 SECONDS EAST (N57°05'28"E) A DISTANCE OF 82.18' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 62 DEGREES 52 MINUTES 26 SECONDS EAST (N62°52'26"E) A DISTANCE OF 41.34' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 210.18', AN ARC LENGTH OF 188.89' AND BEING SUBTENDED BY A CHORD BEARING SOUTH 87 DEGREES 45 MINUTES 18 SECONDS EAST (S87°45'18"E) A CHORD DISTANCE OF 182.60' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 62 DEGREES 10 MINUTES 32 SECONDS EAST (S62°10'32"E) A DISTANCE OF 35.00' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 42 DEGREES 35 MINUTES 30 SECONDS EAST (S42°35'30"E) A DISTANCE OF 25.95' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 45 DEGREES 46 MINUTES 29 SECONDS EAST (S45°46'29"E) A DISTANCE OF 338.31' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 441.96', AN ARC LENGTH OF 17.60' AND BEING SUBTENDED BY A CHORD BEARING SOUTH 45 DEGREES 04 MINUTES 15 SECONDS EAST (S45°04'15"E) A CHORD DISTANCE OF 17.60' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 581.00', AN ARC LENGTH OF 156.56' AND BEING SUBTENDED BY A CHORD BEARING SOUTH 36 DEGREES 20

#M.1.

MINUTES 18 SECONDS EAST (S36°20'18"E) A CHORD DISTANCE OF 156.09' TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 28 DEGREES 34 MINUTES 05 SECONDS EAST (S28°34'05"E) A DISTANCE OF 209.99' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 188.29, AN ARC LENGTH OF 77.71' AND BEING SUBTENDED BY A CHORD BEARING SOUTH 16 DEGREES 56 MINUTES 58 SECONDS EAST (S16°56'58"E) A CHORD DISTANCE OF 77.16' TO A #4 REBAR FOUND; THENCE TURNING AND LEAVING SAID RIGHT-OF-WAY LINE AND CONTINUING ALONG THE LINE OF NOW OR FORMERLY GEORGIA POWER NORTH 76 DEGREES 07 MINUTES 10 SECONDS WEST (N76°07'10"W) A DISTANCE OF 163.18' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID LINE NORTH 01 DEGREES 24 MINUTES 31 SECONDS WEST (N01°24'31"W) A DISTANCE OF 208.98' TO A CONCRETE MONUMENT FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 88 DEGREES 29 MINUTES 24 SECONDS WEST (S88°29'24"W) A DISTANCE OF 374.77' TO A CONCRETE MONUMENT FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 01 DEGREES 26 MINUTES 02 SECONDS EAST (S01°26'02"E) A DISTANCE OF 108.83' TO A #5 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 41 DEGREES 58 MINUTES 54 SECONDS WEST (S41°58'54"W) A DISTANCE OF 145.39' TO A POINT; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 85 DEGREES 22 MINUTES 04 SECONDS WEST (S85°22'04"W) A DISTANCE OF 196.89' TO A CRIMPED TOP FOUND; THENCE TURNING AND CONTINUING ALONG SAID LINE SOUTH 88 DEGREES 39 MINUTES 19 SECONDS WEST (S88°39'19"W) A DISTANCE OF 372.59' TO A #4 REBAR SET; SAID POINT BEING THE POINT-OF-BEGINNING, (P.O.B.)

SAID TRACT CONTAINING 11.53 ACRES OR 502,065 SQUARE FEET.



4174 Silver Peak Parkway, Suwanee, GA 30024

OFFICE: 770-932-6550 FAX: 770-932-6551 gomda@gomda.net

November 9, 2012

RB Sterling Point, LLC
PO Box 421185
Atlanta, GA 30342

Subject: Pre-Submittal Community Meeting Notice for Sterling Point Development

Dear Property Owner:

Hotel Development Partners invites you to join them for an informational presentation of the proposed infill amendments to the Sterling Point Development located at Ashford Dunwoody Road NE and Perimeter Center North. The Pre-Submittal Community Meeting will introduce the proposed amendments to the current zoning and site plan of the Sterling Point Development.

The Pre-Submittal Community Meeting will be held Wednesday, November 28, 2012 at 7:00 p.m. at the Sterling Point Conference Room at 301 Perimeter Center North, Atlanta, GA 30346.

If you have any questions prior to the meeting, please feel free to contact me via the below contact information.

We look forward to seeing you and discussing the infill development proposed for Sterling Point.

Sincerely,

Guy Herring

McFARLAND-DYER & ASSOCIATES, INC.
Guy W. Herring, Director of Planning
4174 Silver Peak Parkway
Suwanee, Georgia 30024
O. 770-932-6550
F. 770-932-6551
gherring@gomda.net

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MUNICIPAL PLANNING • LAND SURVEYORS

OWNER_NO	OWNER_ST_N	OWNE OW/OWNER_STE	OWNER_CITY	OWNER_OWNER_ZIP	OWNER_12
0 PO BOX 617905			CHICAGO	IL 60661-7905	PERIMETER MALL LLC
0 PO BOX 450233			ATLANTA	GA 31145-0233	PCE LP
0 PO BOX 421185			ATLANTA	GA 30342-8185	RB TERRACES LLC
0 PO BOX 182571			COLUMBUS	OH 43218-2571	MCDONALDS USA LLC
400 NORTHCREEK		100	ATLANTA	GA 30327	NF PARK PLACE CENTER LP
1801 PEACHTREE		ST NE 225	ATLANTA	GA 30309-1884	METROPOLITAN III LLC
10461 WESTPARK		DR	HOUSTON	TX 77042-5314	B A PERIMETER PARTNERSHIP LTD
241 RALPH MCGILL		BLVD NE	ATLANTA	GA 30308-3374	GEORGIA POWER CO
0 PO BOX 421185			ATLANTA	GA 30342-8185	RB STERLING POINTE LLC
3490 PIEDMONT		RD NE 1550	ATLANTA	GA 30305-4800	BANK FIDELITY
10461 WESTPARK		DR	HOUSTON	TX 77042-5314	B A PERMITER PARTNERSHIP LTD
0 PO BOX 421185			ATLANTA	GA 30342-8185	RB STERLING POINTE LLC
0 PO BOX 450233			ATLANTA	GA 31145-0233	PCE LP
0 PO BOX 421185			ATLANTA	GA 30342-8185	RB STERLING POINTE LLC
3625 CUMBERLAND		BLVD SE 420	ATLANTA	GA 30339-3391	PARK PLACE OWNERHSIP LLC
1801 PEACHTREE		ST NE 225	ATLANTA	GA 30309-1884	METROPOLITAN LLC
3625 CUMBERLAND		BLVD SE 430	ATLANTA	GA 30339-3391	ASHFORD PARK LLC
0 PO BOX 14019			SCOTSDALE	AZ 85267-4019	STARWOOD ATLANTA LLC
2555 CAMELBACK		RD 400	PHOENIX	AZ 85016-4258	COLE CP ATLANTA GA LLC
0 PO BOX 182571			COLUMBUS	OH 43218-2571	MCDONALDS USA LLC
0 PO BOX 961025			FORT WORTH	TX 76161-0025	FIRST STATES INVESTORS 4000B
3625 CUMBERLAND		BLVD SE 420	ATLANTA	GA 30339-3391	PARK PLACE OWNERSHIP LLC

Wildcats, from page 8

field goal before the half. Kicker Hayes Davidson converted his second field goal of the game from 22 yards away, maintaining his 100 percent accuracy mark for the season, to make the score 6-6 at the half.

"We have struggled all season long finishing drives with touchdowns," said junior receiver Max Woodburn, who led the Wildcats with over 100 yards receiving and a touchdown. "We were forced to kick field goals when we needed crucial touchdowns, and it ended up costing us."

The Panthers opened the second half scoring by going on a 60 yard drive capped off

by a 6-yard touchdown run by running back Roman Coats to give the Panthers 13-6 lead, which they would never relinquish.

The Wildcats responded to the Panther touchdown by connecting on their longest play of the game. Quarterback Ryan Gaines hooked up with Woodburn for a 56 yard touchdown pass, and after a botched snap on the extra point, made the score 13-12 early in the third quarter.

After the Wildcat touchdown the Panthers rattled off three unanswered touchdowns to end the threat of a Wildcat upset bid. Running back Roman Coats and Clayton

Davenport each scored their second touchdowns of the game, and a Panther defensive end, Lafayette Kemp, recovered a bad snap on a Wildcat punt attempt and returned it 20 yards for a touchdown, to make the final score 33-12.

"Our record, obviously, was not what anybody wanted," said the Wildcats coach, Jim Showfety. "However, I think our kids continued to play with heart the entire season. They never quit. The returning players will benefit from this years' experience more than they realize. I'm proud of our kids, and I'm grateful for the hard work put in by our coaching staff."

Light Up, from page 1

This year, enjoy entertainment beginning at 3 p.m. from the Mt. Vernon Middle School chorus, Atlanta Jazz Theatre Dance Company, Once Upon a Ballet, the Dunwoody United Methodist Youth Choir and more.

Watch your child's smile 'light up' as they make reindeer hats with Reising Orthodontics, drink hot chocolate with the Dunwoody Nature Center, decorate cookies and make cards for service men and women with the Dunwoody Preservation Trust, and get their face painted by the Dunwoody Homeowners' Association.

'Light up' another child's

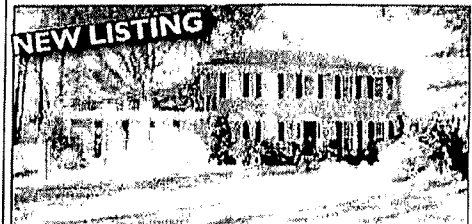
smile by bringing a toy to donate to the Dunwoody Police toy drive for Christmas Kids. Toys for all ages are welcome, with a special need for ages 10-12.

Bring your camera to top the night off with a picture with Santa and his reindeer and enjoy refreshments from vendors and food trucks.

Following the performances, chosen community volunteers Jim Redovian and Penny Fornan, along with the Dunwoody High School girls' and boys' cross country teams, will pull the switches that will light up the tree and the heart of Dunwoody as the community joins to sing "The First Noel" and "We Wish

You a Merry Christmas."

Join your neighbors and friends at this charming event as we celebrate the beginning of the holiday season this Sunday, Nov. 18, at 3 p.m.

Open House Sunday, Nov 18
2 - 5 pm

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**PRE-SUBMITTAL COMMUNITY MEETING
NOTICE FOR THE PUBLIC**

Hotel Development Partners, LLC will hold an informational meeting on Wednesday, November 28, 2012 at 7:00 p.m. at the Sterling Point Conference Room at 301 Perimeter Center North, Atlanta, GA 30346 for the purpose of a City of Dunwoody required Pre-Submittal Community Meeting. The purpose of the meeting will be to introduce to neighboring property owners the proposed changes to the Sterling Point Development. All interested neighboring property owners are encouraged to attend.

Legal Advertisement

Public Notice

Notice is hereby given of a variance requested under Provisions of O.C.G.A. 12-7-6(15) by Wellington Place Condominium Association, Inc., Dunwoody, Georgia, which has been submitted to the Georgia Department of Natural Resources, Environmental Protection Division, Watershed Protection Branch.

The variance requested is to temporarily encroach within the 25-foot state waters buffer under the Georgia Erosion and Sedimentation Act, O.C.G.A. 12-7-1 et seq. to accomplish a construction project. The project involves the stabilization of an eroded section of stream bank along Nancy Creek and involves the installation of vegetated rip rap along approximately 35 linear feet of Nancy Creek.

The project site is located as follows: From I-285 East, take Exit 30 Chamblee-Dunwoody Road/N. Peachtree Road, turn left on Chamblee-Dunwoody Road, turn right on Cotillion Drive, turn left on N. Shallowford Road, turn right on Pernoshal Court. The project is at the end of Pernoshal Court. The nearest condo unit to the project site is 2262 Pernoshal Court.

Site plans may be reviewed at the office of Ray Engineering, Inc., whose address is 3985 Steve Reynolds Blvd, Building A, Norcross, GA 30093, Attn. Georgia Matkovic. Please call (770) 923-1122 in advance to schedule an appointment.

Written comments should be submitted within the next 30 days to the Program Manager, NonPoint Source Program, Erosion and Sedimentation Control Unit, 4220 International Parkway, Suite 101, Atlanta, GA 30354.

Vote, from page 1

mayor's race.

Davis, an attorney, is the son of the late state Rep. Max Davis (R-north DeKalb).

Murray hailed her endorsements by Eyre and by Deborah Anthony, who received 17 percent of the votes in District 3, failing to make the runoff. Davis, of course, can claim the endorsements of Jacobs, state Sen. Fran Millar, state Rep. Tom Taylor and DeKalb Commissioner Elaine Boyer.

In District 1, north of Windsor Parkway to Interstate 285, Rebecca Chase Williams led a five-candidate field with 45.2 percent of the vote. Edging into the runoff with her is Kevin Fitzpatrick, an attorney and former counsel for airline pilots' unions who won 19.4 percent. Williams is a retired national correspondent for ABC News, small business owner and reporter for The Crier.

She announced Monday that the third-place finisher, Alan Cole (18.6 percent) has endorsed her. Cole promised to work actively in her campaign.

"Rebecca Chase Williams is the best choice for our new city and I offer my full endorsement of her campaign," Cole said. "I am urging all of my supporters to cast their votes for Rebecca Chase Williams on December 4th, and anyone who has one of

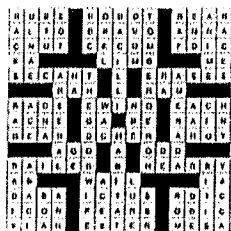
Rebecca's signs in their yards to keep them out for a few more weeks until the runoff."

Williams said Cole offered to replace his signs with hers and offered to send a recorded message of his endorsement.

Fitzpatrick and Williams are seeking the endorsement of Kevin Meaders who ran fourth in the race with 12 percent of the vote. Fitzpatrick was endorsed in an automated call before the election by former Gov. Roy Barnes.

In District 3, the southwestern part of the city that includes Historic Brookhaven, Bates Mattison (21.2 percent) faces Kevin Quirk (20.97 percent). They ran in a nine-candidate field.

In the city's southernmost district, running down to Interstate 85, Joe Gebbia (39.7 percent) squares off against Karen Lord (34.3 percent). A third candidate, Kerry Witt, obtained 25.9 percent.



#M.1.

PRE-SUBMITTAL COMMUNITY MEETING NOTICE FOR THE PUBLIC
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Wednesday, November 28, 2012 at 7:00 p.m. at the Sterling Point
Conference Room at 301 Perimeter Center North, Atlanta, GA 30346
for the purpose of a City of Dunwoody required Pre-Submittal
Community Meeting. The purpose of the meeting will be to introduce
to neighboring property owners the proposed changes to the Sterling
Point development. All interested neighboring property owners are
encouraged to attend.

RECEIVED
5/22/13
CPT

AMENDED STATEMENT OF INTENT

and

Other Material Required by
The City of Dunwoody
for the
Modification of Conditions (RZ-13-051)

of

HDP Acquisitions LLC
c/o Hotel Development Partners, LLC

For

$\pm$ 11.53 Acres of Land
located in
Land Lot 350, 18th District, DeKalb County
Address: 303, 301 and 275 Perimeter Center North

Submitted for Applicant by:

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

I. INTRODUCTION

The Applicant seeks a Modification of Conditions imposed by DeKalb County in Case Numbers Z-08-15025 and SLUP-08-15024 upon an 11.53 acre tract known as Sterling Point and located in the southeast quadrant of the intersection of Ashford-Dunwoody Road and Perimeter Parkway North (hereafter the "Subject Property"). Specifically, the Applicant seeks a modification of the site plan and conditions approved therein so as to allow for the development of an up to 134-room, eight (8)-story hotel, a one (1)-story restaurant of up to 10,600 square feet, two (2) one (1)-story retail structures of up to 4,500 square feet each, one (1) retail structure of up to 6,000 square feet, and a parking deck of up to three (3) levels.

The 2008 approvals contemplated similar uses, allowing for a ten (10)-story, 200 unit hotel and an 8,500 square foot free-standing restaurant. The current site plan re-orientes the location of the hotel on-site, increases the amount of restaurant space by potentially 2,100 square feet and increases the amount of retail space by up to 15,000 square feet. The previous site plan and conditions approved by DeKalb County in 2008 are attached as Exhibit A. The current proposed plan is attached as Exhibit B. All other provisions in the 2008 conditions of approval shall remain intact.

The Applicant is agreeable to self-imposed conditions of approval of this modification as follows:

A. Zoning Conditions

1. The development shall substantially comply with the Site Plan dated May 20, 2013, prepared by McFarland-Dyer & Associates.
2. Curbcut access from Ashford-Dunwoody Road shall be restricted to a right-in turning movement.
3. Setbacks shall be measured from existing right-of-way, versus any future right-of-way which the City might demand incidental to development.

4. The development shall contain a hotel not to exceed eight (8)-stories with up to 134 rooms; a restaurant with up to 10,600 feet of space; additional retail space of no more than 15,000 square feet of space; an existing eight (8) story office building; an existing six (6)-story office building; an existing seven (7) level parking garage; and a new parking deck of up to three (3) levels. The total number of parking spaces shall not be less than 1,261.
5. The development shall contain a bike rack.
6. Neon, gas, flashing, animated, sound emitting, or rotating signs are prohibited. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all signs in the public right-of-way.
7. Developer will provide sidewalks along its property frontage along Ashford-Dunwoody Road and Perimeter Center North per PCID standards.
8. Outdoor seating shall be allowed in the front of the hotel and restaurant. Sidewalks adjacent to the area of outdoor seating shall have a minimum of eight (8)-foot wide clear walkways for pedestrians.
9. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all lighting it installs in the public right-of-way.
10. All utilities shall be underground. All street lighting shall be installed with an underground feed.
11. Developer shall follow the "Best Practice Management for Erosion Guidelines" and shall be particularly sensitive to erosion control along the property lines.
12. Water Quality for this newly re-developed portion of Sterling Pointe shall meet the minimum requirements of Georgia Stormwater Management Manual or the City of Dunwoody.
13. All HVAC equipment located on the roofs of buildings shall be screened from the view of pedestrians on public right-of-way.
14. Signs located at the entrances to the development shall be monument style signs and shall be externally lit.
15. Parts of the Property may be conveyed as separate tracts and to separate owners with different ownership structures under the zoning plan.
16. Should there be a conveyance of part of the property to different owners, all zoning conditions and variances shall remain applicable to any portion

of the conveyed Property, regardless of what future person or entity owns the subdivided Property.

17. Conveyance of part of the property to different owners shall not require any changes to the zoning plan for the Development nor any variances. The newly-created property lines which arise from these conveyances are not required to observe setback, buffer or other requirements provided the building layout for the project as a whole continues to comply substantially with the submitted plan and existing condition of the site.

B. SLUP Condition:

1. The total height of the development shall not exceed: (a) an existing six (6)-story office building; (b) an existing eight (8)-story office building; (c) an existing seven (7)-story parking garage; (d) a proposed hotel not to exceed eight (8) stories; (e) a proposed one (1)-story restaurant; (f) three (3) proposed one (1)-story retail buildings; and (g) a proposed parking deck, not to exceed three (3) stories.

II. HISTORY

This 11.53 acre tract originally was zoned O-I and developed as part of the Taylor and Mathis Plan for Perimeter Center for one six (6)-story office building, one eight (8)-story building, a seven (7)-story parking deck, and a surface parking lot with 512 spaces.

In 1998, a 3.45 acre portion of the property which faces Ashford-Dunwoody Road was zoned from OI to C-1 to allow for the development of two (2) restaurants along the Ashford-Dunwoody frontage. They were never developed.

In 2008, the entire tract was rezoned from O-I and C-1 to OCR per Z-08-15025. Further, a Special Land Use Permit was approved (SLUP-08-15024) to allow building heights of up to ten (10)-stories.

Both the 1998 and 2008 zoning approvals were conditioned upon substantial DHA input into the zoning process. DHA's focus then, as it remains today, was to make the site "pedestrian friendly" by orienting users close to Ashford-Dunwoody Road, creating outdoor seating and other gathering areas, and by providing substantial street scape treatment.

III. ZONING IMPACT ANALYSIS

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

This proposal is compliant with the City's Land Use Plan. Perimeter Center as a whole is designated as its own "Character Area" on the Dunwoody Comprehensive Plan. It is a regional center which is intended to contain first-class office, retail and restaurants in a pedestrian and bicycle-oriented environment. This particular tract, given its existing surface parking lot, expressly is denoted as a potential development opportunity within this regional setting.

There are a number of goals for the Perimeter Center Character Area which will be served by this project if approved:

- Encourage hotel and convention development near MARTA to foster commerce;
- Create bicycle and pedestrian options to connect with the rest of the City;
- Promote/establish new connectivity objectives set forth in the plan;
- Maximize use of existing infrastructure and minimize conversion of undeveloped land at the urban periphery;
- Alternatives to transportation by automobile, including mass transit, bicycle routes and pedestrian facilities should be made available in each community;
- Each region should promote and preserve a regional identity or sense of place; and
- The businesses encouraged to develop should be suitable in terms of job skills required, long-term sustainability, and linkages to other economic activities in the regions.

Finally, there are also land use policies and goals served by this project:

- Preserve character of existing residential neighborhoods;
- Encourage a mix of compatible land uses in future infill development;
- Promote walk-and-bike-ability;
- Promote conversion of surface parking to other land uses; and

- Promote reduction of parking minimums while setting maximums in commercial zones.

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

This proposal contemplates additional hotel, restaurant and retail space in an area already designated for such uses. The conversion of surface parking into usable buildings is highly desirable and fully consistent with surrounding development patterns. The proposed height fits with the existing office buildings. Location of retail uses on Ashford-Dunwoody is also consistent, and improvement of pedestrian access is enhanced as well.

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

The Applicant, on behalf of the owner of the Subject Property at issue in this rezoning Application, respectfully submits that the City of Dunwoody Zoning Ordinance, as amended from time to time and known as the "City of Dunwoody Zoning Ordinance," to the extent that it classifies the Subject Property in any zoning district which would preclude the development of this project, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Subject Property pursuant to the City of Dunwoody Zoning Ordinance deprives the owner of any alternative reasonable use and development of the Subject Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and the one requested herein, would deprive the owner of any reasonable use and development of the Subject Property. Further, an attempt by the Mayor and City Council to impose greater restrictions upon the manner in which the Subject Property will be developed than presently exist, such as by way of approving the zoning district requested but limiting development to standards allowed under more stringent zoning classifications, would be equally unlawful.

Accordingly, Applicant submits that the current zoning classification, and any other zoning of the Property save for what has been requested by it as established in the City of Dunwoody Zoning Ordinance constitutes an arbitrary and unreasonable use of the zoning and police powers because it bears no substantial relationship to the public health, safety, morality, or general welfare of the public and substantially harms the Subject Property's owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Subject Property's owner. Further, the existing inconsistent zoning classifications constitute, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this project would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, 1983, and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that the Mayor and City Council's failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious, and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia, 1983, and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the development in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution, 1983.

Finally, the Applicant respectfully submits that the Mayor and City Council cannot lawfully impose more restrictive standards upon the development of the Subject Property than presently exist as to do so not only would constitute a taking of the property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution, 1983.

This Application meets favorably the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power, Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977).

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.

No. The Subject Property is located in the southeast intersection of Perimeter Center North and Ashford Dunwoody Road. To the north are midrise apartments zoned O-I. To the south is an R-150 strip of land used to access a Georgia Power substation which is zoned R-100. To the west of the site across Ashford-Dunwoody is C-1 property also developed for restaurant uses. The site is already zoned for this use although in a different configuration.

E. Whether there is 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.

This tract has 443 feet of frontage on Ashford Dunwoody Road, a principal arterial. It is already zoned for the same uses requested here. The proposal reinforces and promotes existing

mixed use activity centers which serve a regional market. Its proximity to the Dunwoody MARTA station allows easy mass transit access to the site via a hotel shuttle.

F. **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

No. To the applicant's knowledge this site does not contain historic buildings, chimney, farmhouses, remains of Spruill family residences or any specific archaeological resources. It is a surface parking lot.

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

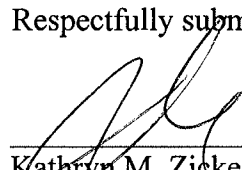
No. A full traffic study is being prepared and will be provided to the City. Utilities are available to serve the site. There will be no school-age children generated as a consequence of this development and therefore no impact on schools.

IV. **CONCLUSION**

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

This 22nd day of May, 2013.

Respectfully submitted,



Kathryn M. Zickert
Dennis J. Webb, Jr.
Attorneys For Applicant



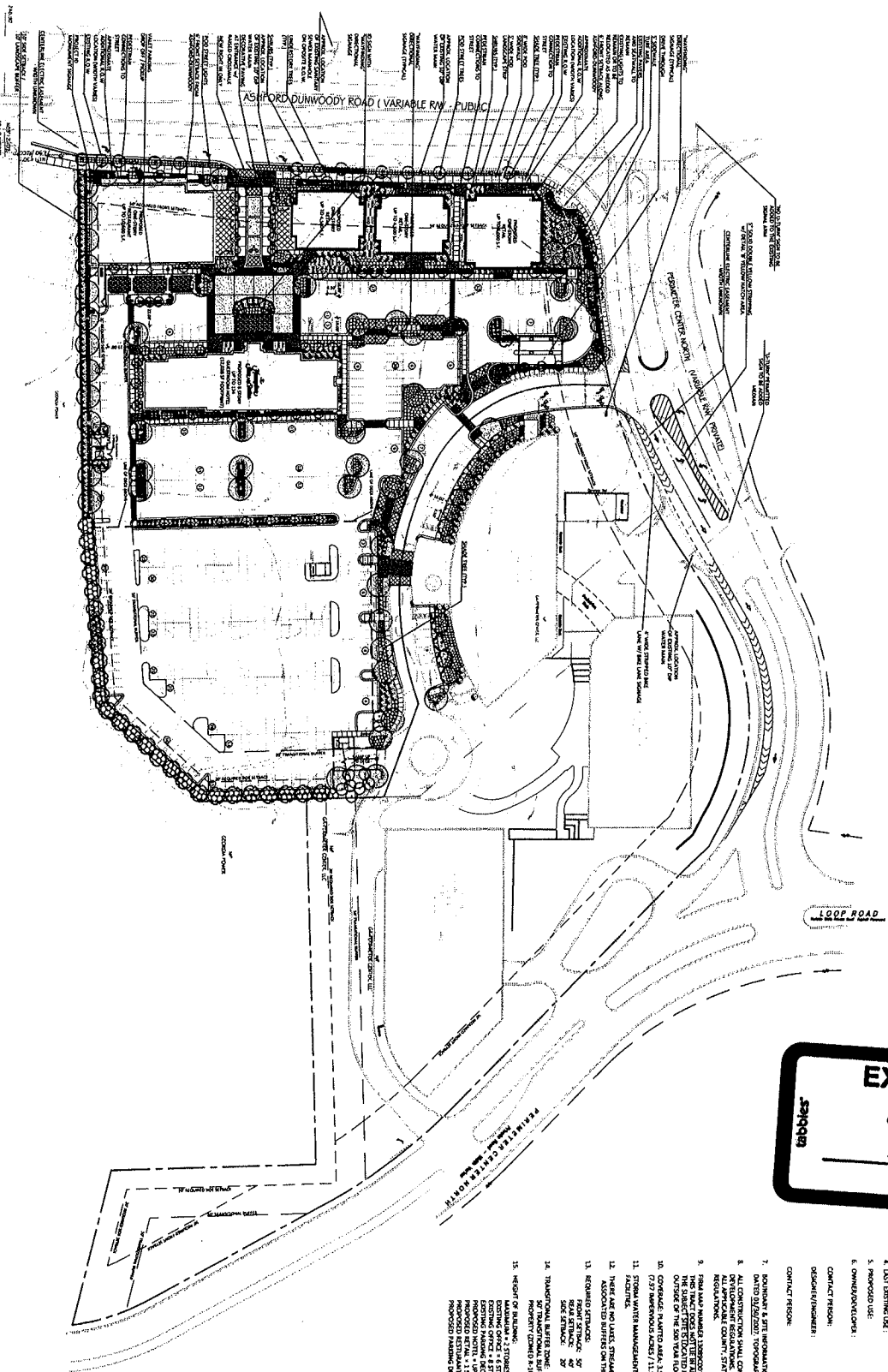
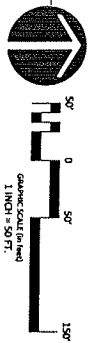
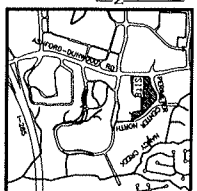


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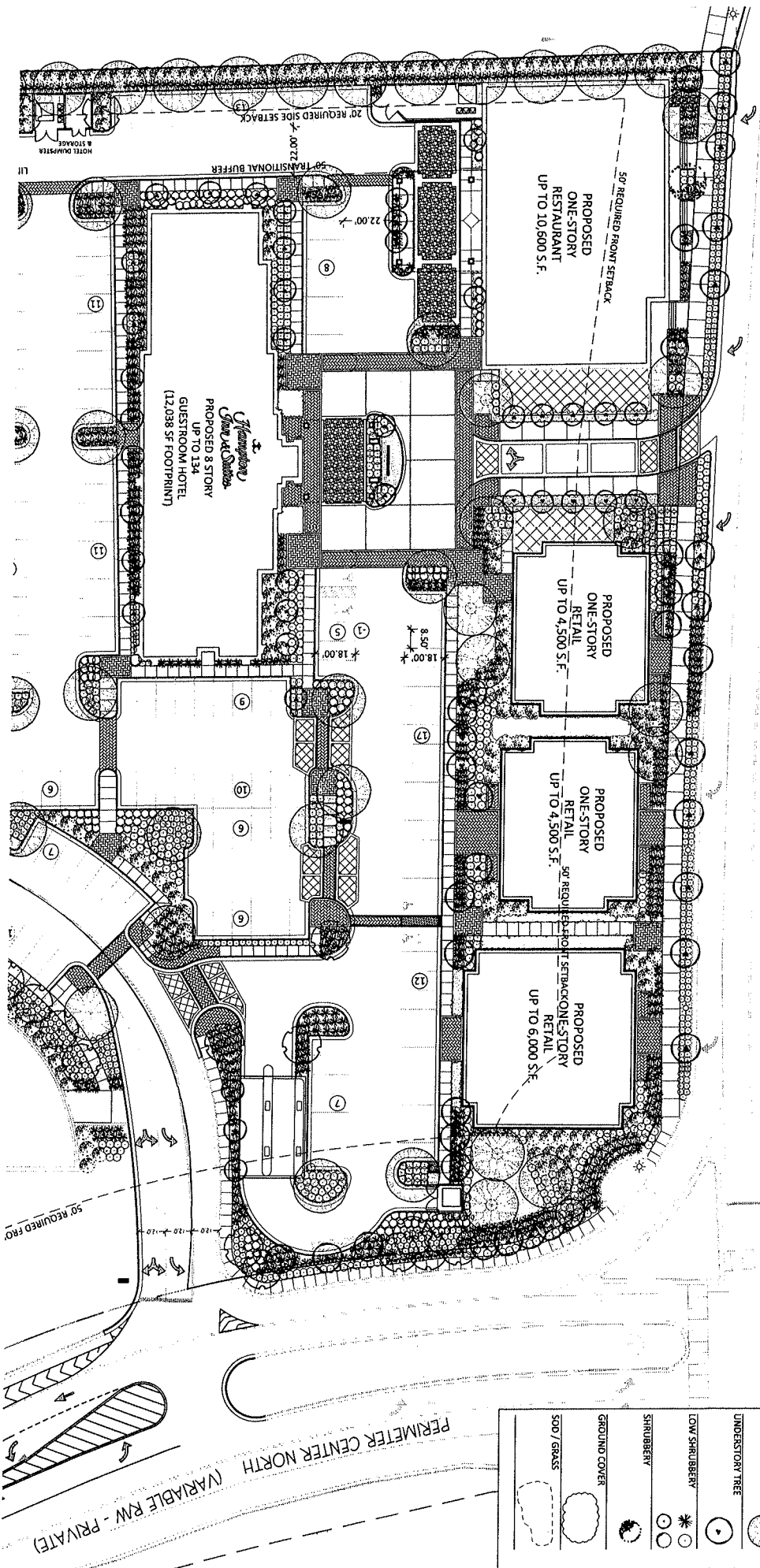
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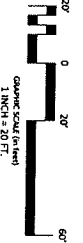
VICINITY MAP
NOT TO SCALE

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ASHFORD DUNWOODY ROAD (VARIABLE RW - PUBLIC)



LEGEND	
STREET LIGHT POLE	
STREET TREE	
SHADE TREE	
UNDERSTORY TREE	
LOW SHRUBBERY	
SHRUBBERY	
GROUND COVER	
SOD / GRASS	



CONDITIONS OF ZONING (RZ-13-051)

1. The development shall substantially comply with the Site Plan dated May 20, 2013, prepared by McFarland-Dyer & Associates.
2. Curbside access from Ashford-Dunwoody Road shall be restricted to a right-in turning movement.
3. Setbacks shall be measured from existing right-of-way, versus any future right-of-way which the City may demand incidental to development.
4. The development shall contain a hotel not to exceed eight (8) stories with up to one hundred thirty-four (134) rooms; a restaurant with up to 10,600 square feet of space; additional retail space of no more than 15,000 square feet of space; an existing eight (8) story office building; an existing six (6) story office building; an existing seven (7) level parking garage; and a new parking deck of up to three (3) levels. The total number of parking spaces shall not be less than 1,261.
5. The development shall contain a bike rack.
6. Neon, gas, flashing, animated, sound emitting, or rotating signs are prohibited. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all signs in the public right-of-way.
7. Developer will provide sidewalks along its property frontage along Ashford-Dunwoody Road and Perimeter Center North per PCID standards.
8. Outdoor seating shall be allowed in the front of the hotel and restaurant. Sidewalks adjacent to the area of outdoor seating shall have a minimum of eight (8) foot wide clear walkways for pedestrians.
9. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all lighting it installs in the public right-of-way.
10. All utilities shall be underground. All street lighting shall be installed with an underground feed.
11. Developer shall follow the "Best Practice Management for Erosion Guidelines" and shall be particularly sensitive to erosion control along the property lines.
12. Water Quality for this newly redeveloped portion of Sterling Pointe shall meet the minimum requirements of Georgia Stormwater Management Manual or the City of Dunwoody.
13. All HVAC equipment located on the roofs of buildings shall be screened from the view of pedestrians on public right-of-way.
14. Signs located at the entrances to the development shall be monument style signs and shall be externally lit.
15. Parts of the Property may be conveyed as separate tracts and to separate owners with different ownership structures under the zoning plan.
16. Should there be a conveyance of part of the property to different owners, all zoning conditions and variances shall remain applicable to any portion of the conveyed Property, regardless of what future person or entity owns the subdivided Property.
17. Conveyance of part of the property to different owners shall not require any changes to the zoning plan for the Development nor any variances. The newly-created property lines which arise from these conveyances are not required to observe setback, buffer or other requirements provided the building layout for the project as a whole continues to comply substantially with the submitted plan and existing condition of the site.

CONDITIONS OF ZONING (RZ-13-051)

1. The development shall substantially comply with the Site Plan dated ~~January 30,~~ May 20, 2013, prepared by McFarland-Dyer & Associates.
2. Curbcut access from Ashford-Dunwoody Road shall be restricted to a right-in/right-out turning movement.
3. Setbacks shall be measured from existing right-of-way, versus any future right-of-way which the City may demand incidental to development.
4. The development shall contain a hotel not to exceed eight (8) stories with up to one hundred thirty-four (134) rooms; an ~~outparcel~~ restaurant with up to ~~10,000~~ 10,600 square feet of space; additional ~~outparcel~~ retail space of no more than ~~10,400~~ 15,000 square feet of space; an existing eight (8) story office building; an existing six (6) story office building; an existing seven (7) level parking garage; and a new, ~~one (1)~~ level parking deck of up to three (3) levels. The total number of parking spaces shall not be less than 1,261.
5. ~~One of the outparcels~~ The development shall contain a bike rack.
6. Neon, gas, flashing, animated, sound emitting, or rotating signs are prohibited. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all signs in the public right-of-way.
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16. Should there be a conveyance of part of the property to different owners, all zoning conditions and variances shall remain applicable to any portion of the conveyed Property, regardless of what future person or entity owns the subdivided Property.

#M.1.

17. Conveyance of part of the property to different owners shall not require any changes to the zoning plan for the Development nor any variances. The newly-created property lines which arise from these conveyances are not required to observe setback, buffer or other requirements provided the building layout for the project as a whole continues to comply substantially with the submitted plan and existing condition of the site.

RECEIVED
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CPT

TRAFFIC IMPACT ANALYSIS

STERLING POINTE DEVELOPMENT

Hotel, Restaurant & Retail

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May 2013

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Introduction

The purpose of this study is to evaluate the traffic impact of the proposed new development of Sterling Pointe in Dunwoody, Georgia. The site, located in the southeast quadrant of the intersection of Ashford Dunwoody Road and Perimeter Center North, is presently occupied by a 512-space surface parking lot. It is anticipated that the new development proposed by Hotel Development Partners, LLC includes a 134-room hotel, a 10,600 square foot restaurant, two 4,500 square foot free-standing retail shops, and another 6,000 square foot free-standing retail shop. The proposed development will consist of 1,261 surface and deck parking spaces, which will serve the proposed development as well as two existing office buildings adjacent to the site of the proposed development.

Study Area

After consultation with City of Dunwoody traffic engineering staff, the following streets and intersections were included in the traffic impact study:

- Ashford Dunwoody Road and Perimeter Center North/Perimeter Center Terrace
- Ashford Dunwoody Road and Perimeter Center East/West
- Ashford Dunwoody Road between Perimeter Center North/Perimeter Center Terrace and Perimeter Center East/West
- Perimeter Center North, east of Ashford Dunwoody Road

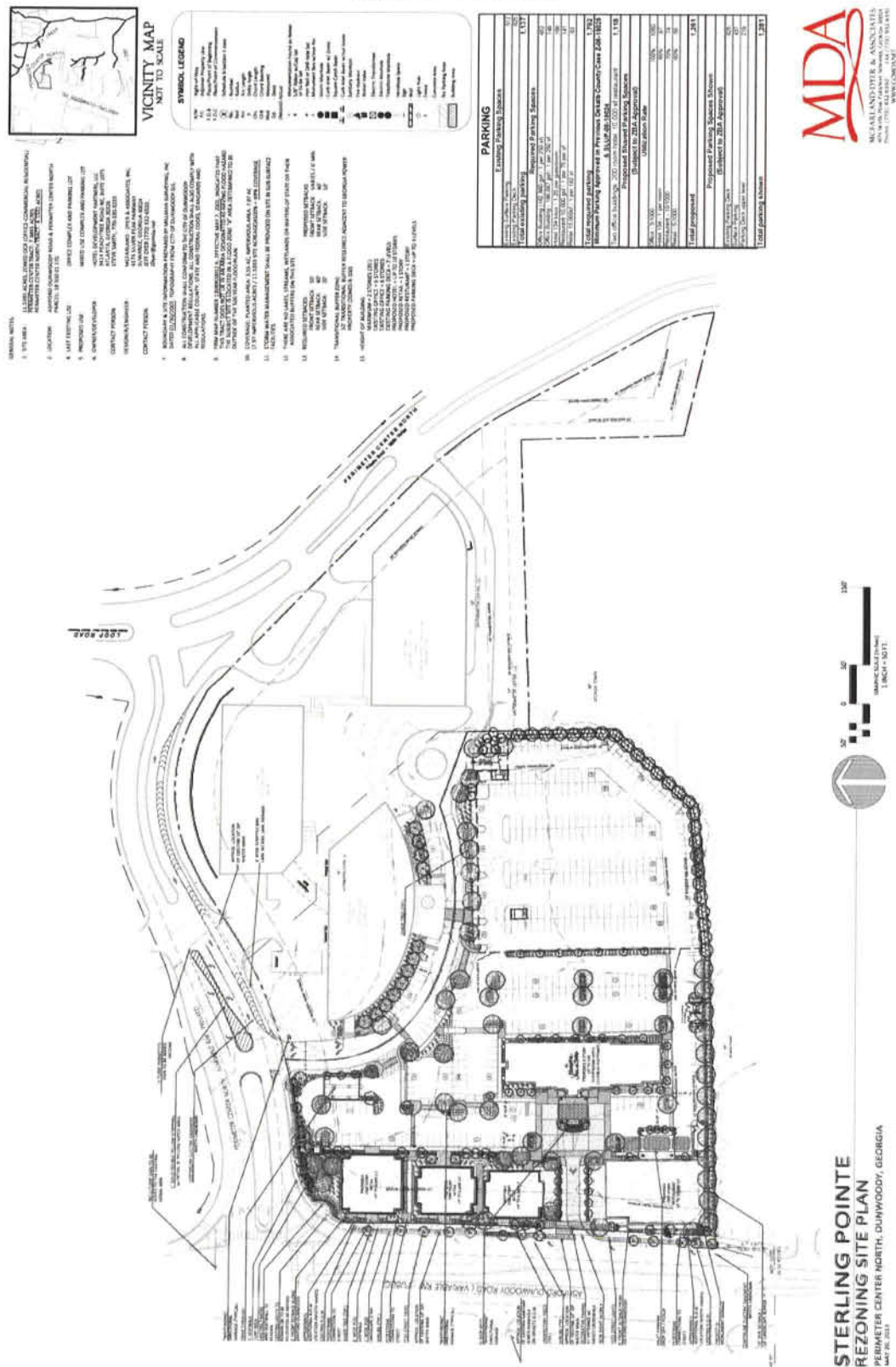
Existing Land Use

The site is presently a 512-space surface parking lot. The area surrounding the site has land uses that include office, commercial and retail. There is a MARTA rail station at Hammond Drive and Perimeter Center Parkway, which is approximately $\frac{2}{3}$ mile from the site. Figure 1 shows an aerial view of the site.

Figure 1 - Site Location**Proposed Land Use**

The proposed land use for the site consists of a hotel, a quality restaurant, and three free-standing retail shops. Figure 2 shows the site plan.

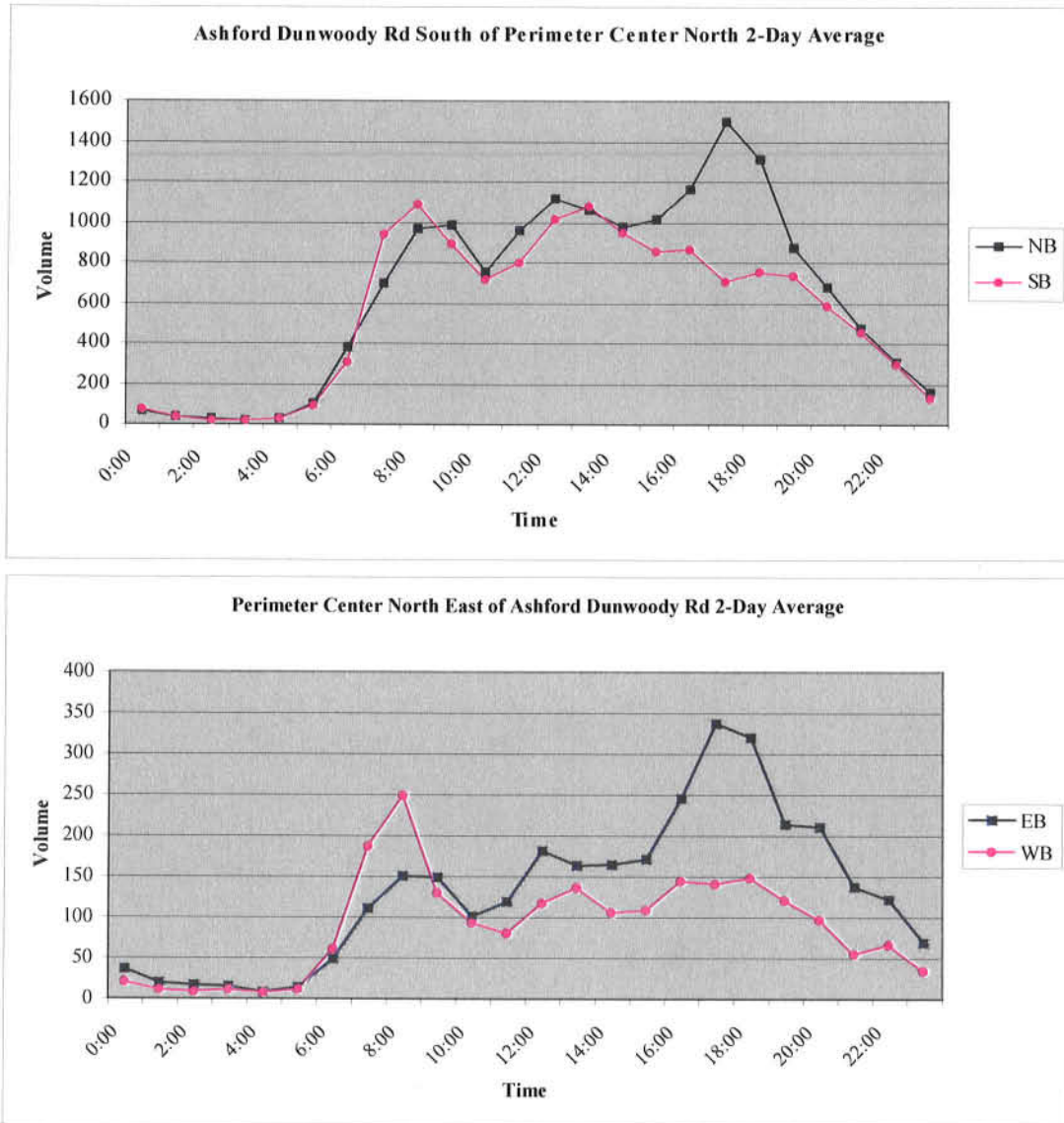
Figure 2 - Site Plan



Existing Traffic Volumes

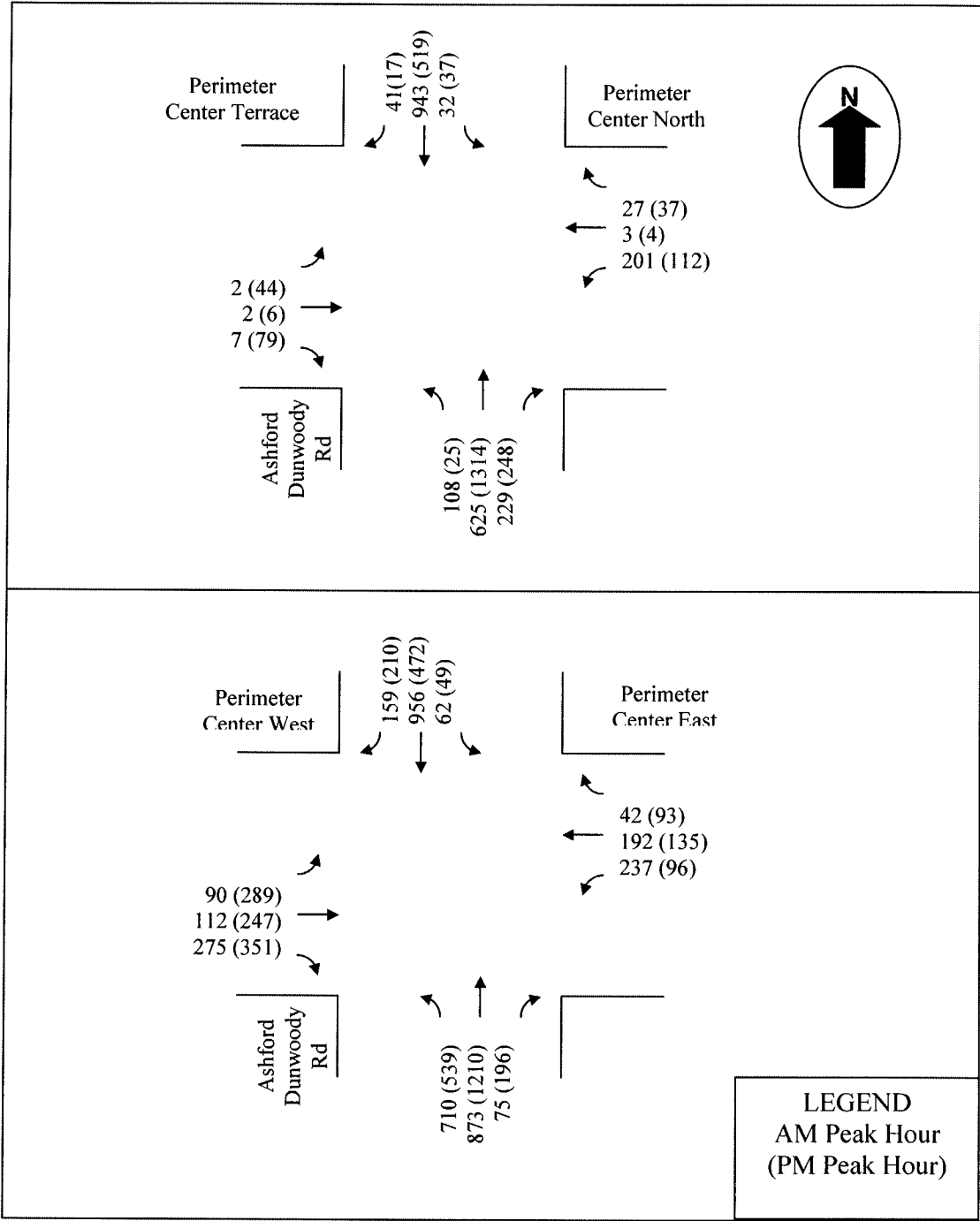
Two-day directional counts were conducted on Ashford Dunwoody Road south of Perimeter Center North and on Perimeter Center North just east of Ashford Dunwoody Road on Tuesday, January 8 and Wednesday, January 9. Figure 3 shows graphs of the average volumes of the two days for each location.

Figure 3 - Average Daily Volumes



Peak hour turning movement traffic counts were conducted at the study intersections on Tuesday, January 8. Figure 4 shows summaries of those counts. Full copies are included in the Appendix.

Figure 4 – Turning Movement Volumes



Methodology

Initial evaluations were made to assess the current conditions in the vicinity of the development. The peak hour turning movement counts, which were conducted at the study intersections, were used to determine base traffic conditions. Capacity analyses were performed to identify the level of service that currently exists at each intersection.

The *Trip Generation Manual*, published by the Institute of Transportation Engineers, was used to estimate the traffic that will be generated by the development. The new traffic was then distributed and assigned to the existing roadway network. The distribution of new traffic was based on the existing travel patterns derived from the traffic counts and the expected routes to and from the development.

After the generated traffic for the development was distributed and assigned, it was superimposed upon the existing traffic volumes. Capacity analyses were then conducted to evaluate the roadways with existing traffic and existing plus generated traffic.

Trip Distribution

There is a MARTA rail station $\frac{2}{3}$ mile from the site that will provide access to the site and provide some reduction in the generated trips. The Georgia Regional Transportation Authority (GRTA) allows a reduction of up to 20% for some combinations of transit proximity and land use. Based upon the existing office buildings that share the development site, an internal capture of 10% would appear to be very reasonable. However, in view of the importance of the number of trips to be generated by this development and their corresponding effect on the level of service (LOS) of the adjacent intersections, no reduction was taken in this study. Therefore, this report presents a worst-case scenario with regard to traffic impact. The actual average daily impact can be expected to be less than the impact shown in this study.

Trip distribution patterns for hotel and restaurant components of this development are projected to be different. A significant portion of the hotel traffic can be expected to come from I-285 via Ashford Dunwoody Road, as many of the patrons can be expected to come from the airport and/or interstate highway system. Another major route for hotel patrons from the north is expected to be from SR 400 by way of Perimeter Center West.

In contrast, the retail and restaurant traffic is expected to primarily come from the surrounding office, commercial and residential areas. Accordingly, two distribution patterns were developed, one for the hotel and one for the retail and restaurant. The pattern for the hotel is based heavily on engineering judgment and is expected to remain the same during both the AM and PM peak hours. The retail and restaurant pattern is based upon the existing distribution of traffic in the vicinity of the site. The area traffic patterns are different during the AM and PM peak hours, so different distribution patterns were developed to reflect the time of day variations. Figure 5 shows the AM peak pattern and Figure 6 shows the PM peak pattern.

Figure 5 – AM Peak Distribution

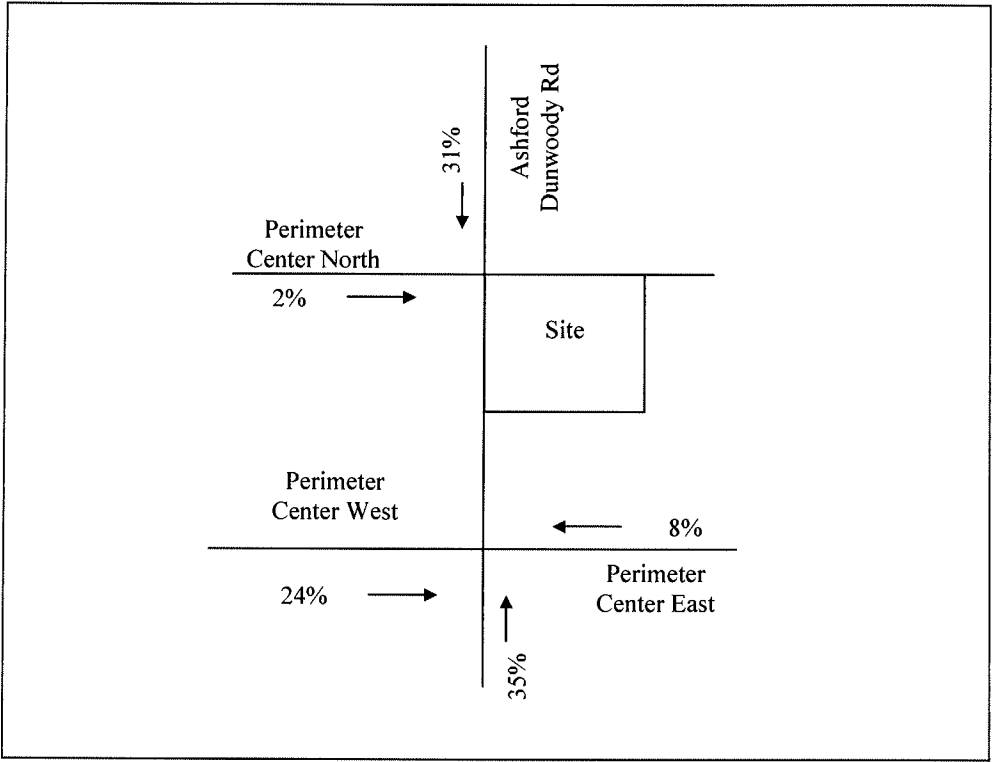
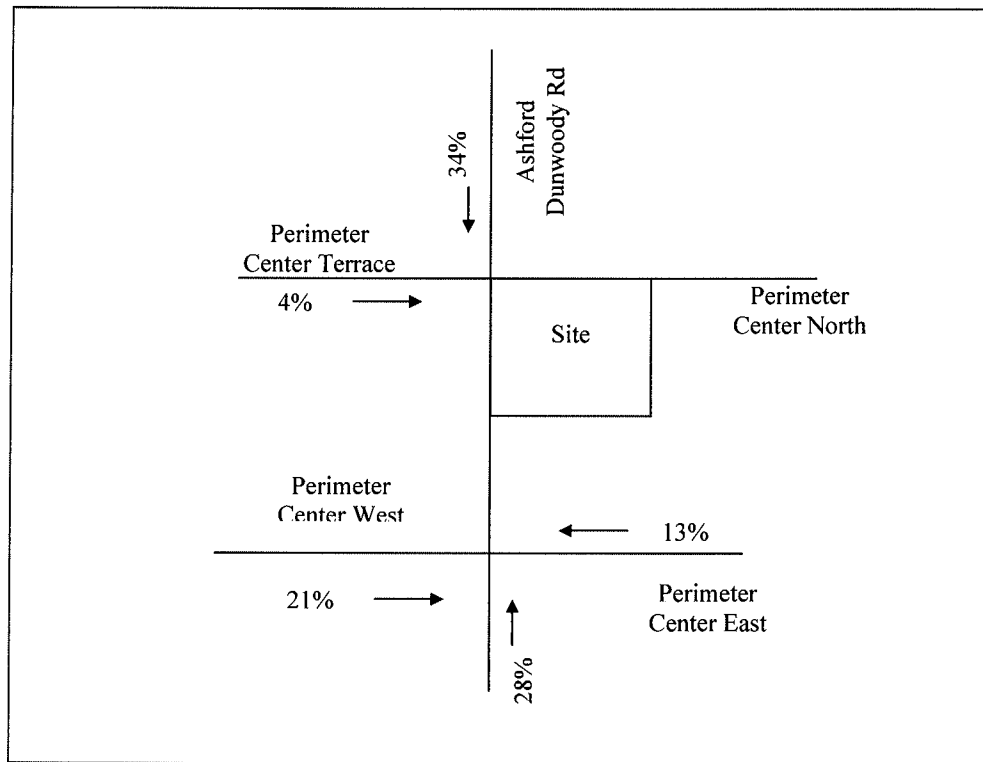


Figure 6 – PM Peak Distribution

Trip Generation

Estimates of traffic that are projected to be generated by the proposed development were based upon data contained in the *Trip Generation Manual* (TGM), published by the Institute of Transportation Engineers (ITE). That document is a compilation of trip generation data that have been gathered from counts of traffic entering and exiting developments after their completion.

The ITE data provides trip rates that can be applied to the size of a development to derive trip generation projections. The data are listed by type of land use. Since the Sterling Pointe development will consist of a hotel, retail space and a restaurant, the data used were taken from TGM Categories 310-Hotel, 814-Specialty Retail, and 831-Quality Restaurant. TGM software was used to facilitate the trip generation process.

Table 1 provides the resulting estimates of peak hour trip generation for the proposed development.

Table 1 – Trip Generation for the Proposed Development

Code	Category	Amount	Time	Entering	Exiting
310	Hotel	134 Rooms	AM Peak Hour	36	23
			PM Peak Hour	34	31
814	Specialty Retail	4,500 sq. ft.	AM Peak Hour	0	0
			PM Peak Hour	14	18
814	Specialty Retail	4,500 sq. ft.	AM Peak Hour	0	0
			PM Peak Hour	14	18
814	Specialty Retail	6,000 sq. ft.	AM Peak Hour	0	0
			PM Peak Hour	16	20
831	Quality Restaurant	10,600 sq. ft.	AM Peak Hour	8	3
			PM Peak Hour	54	26
	Total		AM Peak Hour	44	26
			PM Peak Hour	132	113

The Quality Restaurant will not be open for breakfast, so the traffic generated by the restaurant during the AM peak period will be very low. Likewise, the Specialty Retail will not be open during the AM peak period.

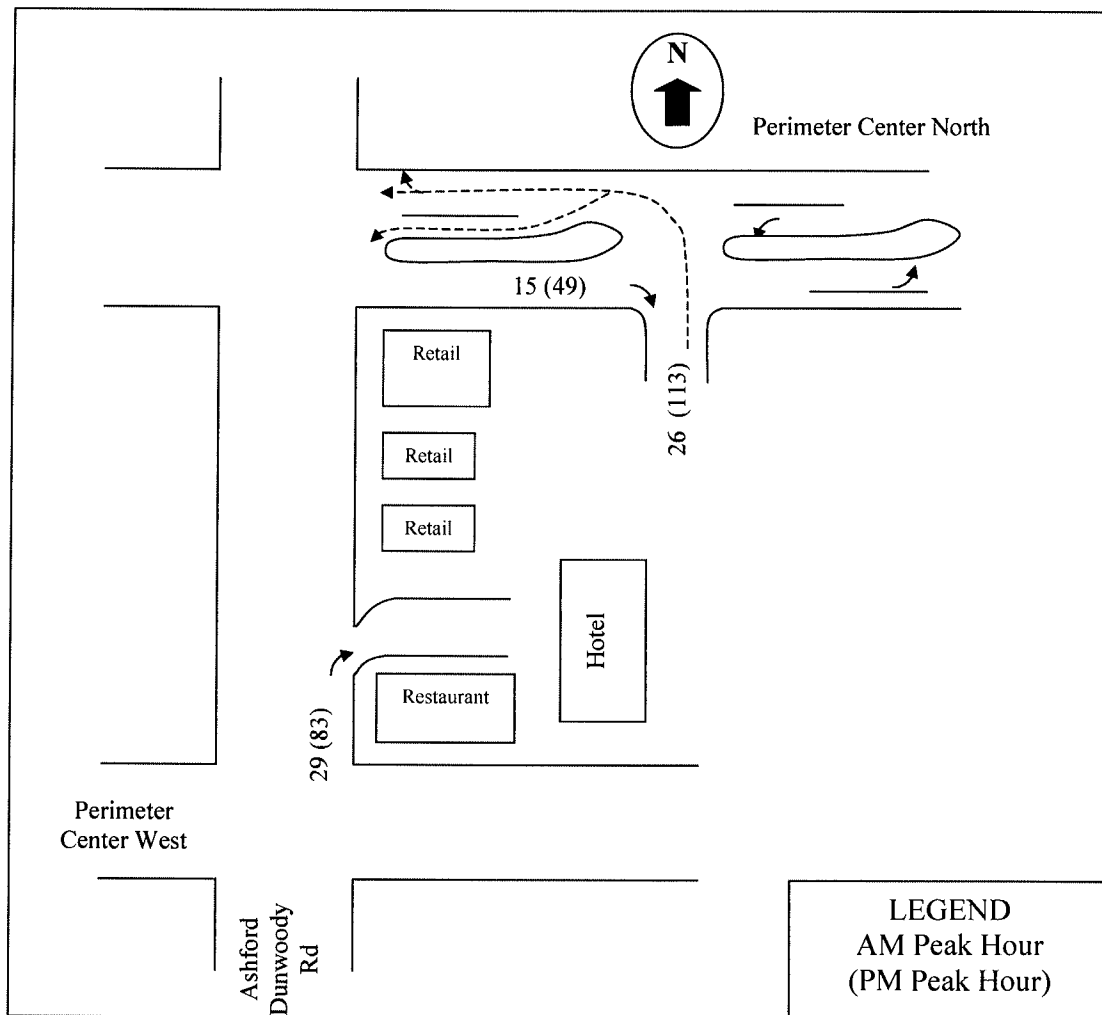
The site has excellent access to the existing office buildings located just east of the site, as well as the developments on the west side of Ashford Dunwoody Road. This will promote foot traffic in the area, attracting pedestrians and reducing vehicular traffic. However, to evaluate the worst-case scenario, no reductions in vehicular traffic were utilized in preparing this report.

Traffic Distribution From Site

The site presently has driveway access only on Perimeter Center North. As such, people wishing to access the hotel, restaurant or retail shops would have to somehow intuitively drive past the site, turn right into Perimeter Center North, turn right into the Sterling Pointe driveway and meander through the parking lot to get to their desired destination. This indirect point of access would make it difficult for drivers, particularly those from out of town, to find and gain access to the hotel. The added traffic generated that would be driving through the parking lot introduces safety issues for pedestrians, also. In order to make access easier and reduce the vehicle/pedestrian conflicts in the parking lot, the developer proposes to construct a right-in driveway on Ashford Dunwoody Road.

Based upon traffic patterns in the area and anticipated origins and destinations of the patrons of the retail, restaurant and hotel, it is projected that approximately 67% of the generated trips would enter the site by way of the proposed right-in driveway on Ashford Dunwoody Road during the AM peak and 62% would enter there during the PM peak. Figure 7 shows the distribution of traffic at the site.

Figure 7 – Distribution of Traffic at Site



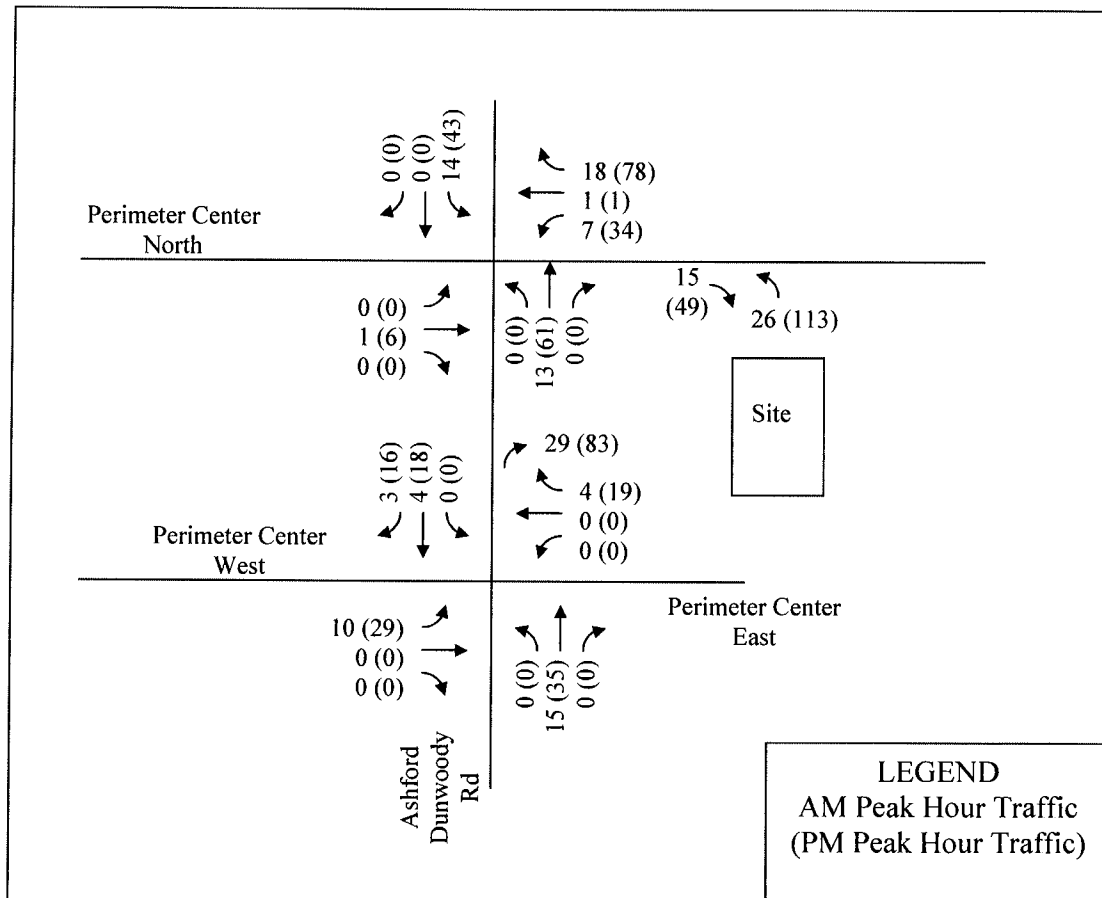
Trip Assignment to Roadway Network

After the magnitude of trip generation is established, it is then necessary to determine the routing of the new trips. As stated previously, for this study it is assumed that travel patterns of hotel trips will be predominantly oriented towards SR 400 and the Interstate Highway system. Restaurant trips are projected to follow existing traffic patterns in the area.

The assignment of generated traffic was a manual process that began at the site and moved outward from the site throughout the study area. Traffic exiting the site in the morning rush hour was evaluated first. The existing volumes obtained from the counts that were conducted at the study intersections were evaluated to determine the percentages traveling in each direction. These percentages were a factor in determining

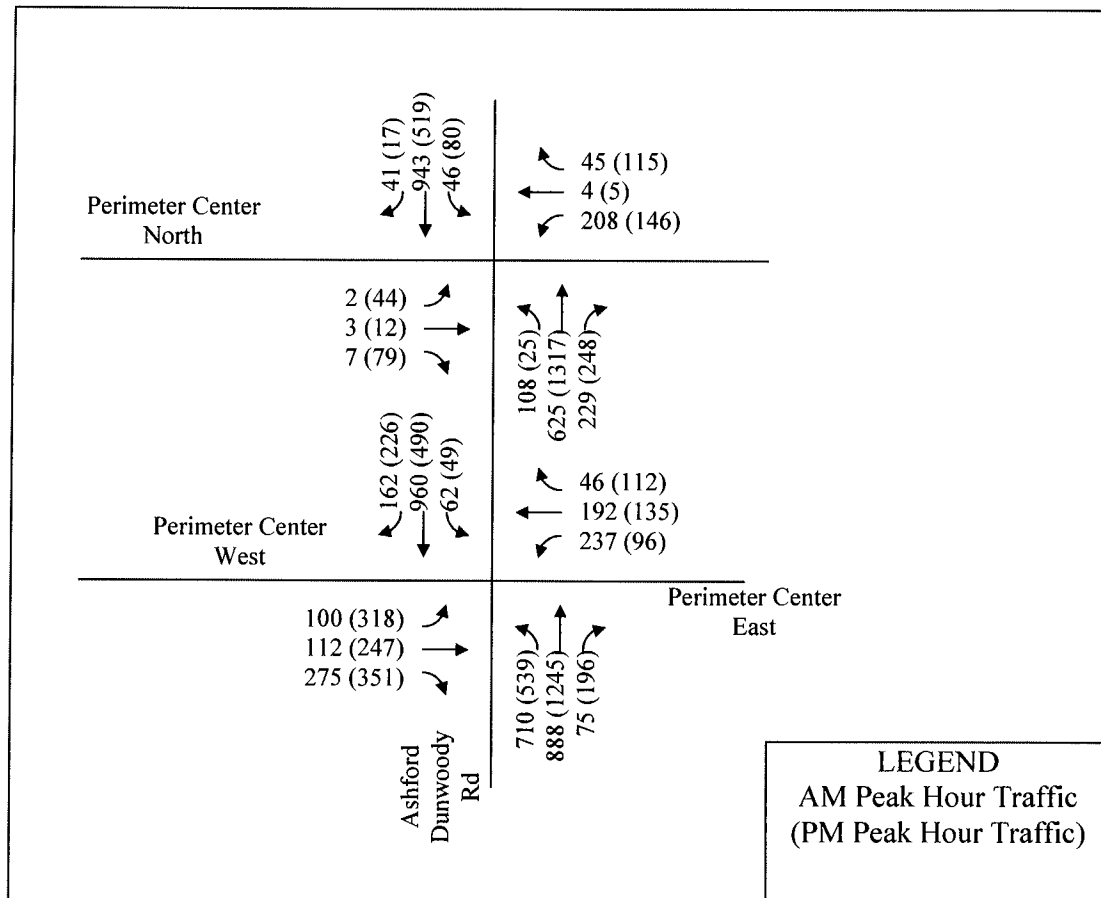
which direction to assign the generated traffic as it entered and left the site. Figure 8 shows the site-generated traffic as it was assigned to the roadway network.

Figure 8 – Assignment of Generated Traffic to Roadway Network



After the site-generated volumes were developed and plotted, the existing volumes from the traffic counts were added. Figure 9 shows the site-generated traffic plus the existing volumes.

Figure 9 – Existing Plus Generated Traffic



Capacity Analysis

Capacity analysis was performed to evaluate each of the study intersections with existing and existing plus generated traffic. Procedures outlined in the *Highway Capacity Manual* (HCM) were used to conduct the capacity analyses. Synchro software was used to facilitate the analysis process. Copies of the Synchro outputs are included in the Appendix. GCA did not have access to the existing signal timings when preparing this report, so Synchro was used to optimize the timings.

The HCM defines level of service (LOS) in terms of the amount of control delay experienced by road users. The LOS definitions for signalized intersections are provided in Table 2.

Table 2 – Level of Service Criteria for Signalized intersections

LEVEL OF SERVICE	CONTROL DELAY PER VEHICLE (SEC)
A	≤ 10
B	$> 10 \text{ and } \leq 20$
C	$> 20 \text{ and } \leq 35$
D	$> 35 \text{ and } \leq 55$
E	$> 55 \text{ and } \leq 80$
F	> 80

The HCM indicates that levels of service “A” through “E” are considered to be acceptable to most drivers. Level of service “F” indicates long delays that most drivers generally consider to be unacceptable.

LOS is defined in terms of the amount of control delay experienced by road users and is rated on a grading scale of “A” (excellent) through “F” (unacceptable). National guidelines indicate that LOS “A” through “E” are considered acceptable to most drivers. LOS “F” indicates long delays that most drivers generally consider to be unacceptable. LOS “D” is typically desired to be an acceptable goal. LOS “D” and “E” are common in urban areas both on arterials and in central business districts (CBD) particularly during peak periods. It is often thought that a LOS of “D” or “E” indicates that the maximum utilization of the roadway system is being achieved.

Results of Capacity Analysis

In addition to LOS, the amount of delay and the volume to capacity (V/C) ratios are useful indicators of the operation of an intersection. Table 3 shows those values that were calculated for the study intersections.

Table 3 – Calculated Intersection Levels of Service

Intersection	Condition	Time	LOS	Delay (sec)	V/C
Ashford Dunwoody Rd & Perimeter Center North	Existing	AM	B	12.2	0.42
	Existing + Generated	AM	B	13.2	0.42
	Existing	PM	B	12.1	0.53
	Existing + Generated	PM	B	15.6	0.54
Ashford Dunwoody Rd & Perimeter Center West	Existing	AM	D	35.8	0.67
	Existing + Generated	AM	D	35.7	0.67
	Existing	PM	C	23.4	0.77
	Existing + Generated	PM	C	27.1	0.85

Note: In some instances delay is shown to decrease after generated traffic is added. That is because the algorithm does not always react predictably to very small changes in volume. Those decreases should be disregarded.

Existing LOS

As illustrated by the table, the intersections presently operate at acceptable LOS during the peak periods.

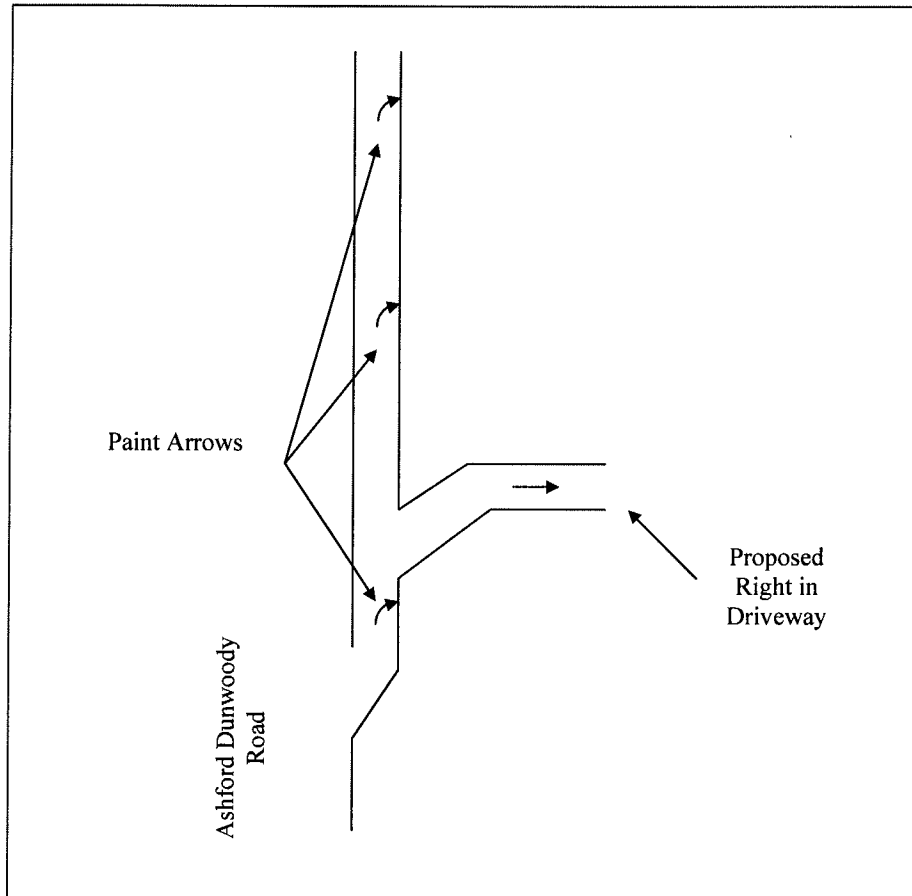
LOS With Existing Plus Generated Traffic

The amount of traffic generated by the development is minimal, compared to the existing on-street traffic. As a result, the effect on the LOS is small. In no instance did the letter LOS change after the site traffic was added. Predictably, delay did not increase by more than four (4) seconds at any intersection and there are very small increases in the V/C ratios as a result of the proposed development.

Right in Driveway Analysis

The proposed site plan includes a right in driveway on Ashford Dunwoody Road. Right in driveways are generally considered to be rather benign, with little or no adverse effect on other traffic. The developer has also prepared a parking lot plan to provide more direct access from the driveway on Perimeter Center North to the proposed hotel, restaurant and retail sites.

The site plan layout maximizes the deceleration bay lengths along Ashford Dunwoody Road for the right in driveway into his development as well as the right turn bay for the Perimeter Center North intersection. For the right in driveway into the new development, it is proposed that pavement markings be installed on Ashford Dunwoody Road at the proposed right in driveway to clarify traffic movements. Painted arrows on the pavement would guide traffic from the deceleration lane into the inbound lane at the driveway. Figure 10 illustrates these concepts schematically.

Figure 10 – Proposed Striping at Driveway

The developer is sensitive to pedestrian issues and wants this development to be pedestrian-friendly. With careful design, pedestrian/vehicle conflicts can be minimized. As such, the developer also proposes to install raised crosswalks with pavers to the island, which would cause drivers to slow while entering, and to install Yield To Pedestrians signs.

In order to facilitate southbound travel onto Ashford Dunwoody Road, the developer proposes to install wayfinding signage internal to the site directing traffic wishing to go south on Ashford Dunwoody Road to the exit on Perimeter Center North, where they can enter Ashford Dunwoody Road at the signal. To facilitate this maneuver, the developer proposes to add a median opening on Perimeter Center North at the development driveway to allow exiting traffic to go west to Ashford Dunwoody Road. Further, the developer proposes to cut a left turn lane in the median to allow westbound traffic on Perimeter Center North to turn left into the development, and to extend the existing short left turn lane on Perimeter Center North at the median opening east of the site driveway at the apartment complex driveway.

The City of Dunwoody proposes to reduce the number of lanes in each direction on Perimeter Center North in the area east of the Sterling Pointe driveway from two to one and add bicycle lanes. That change would not affect this traffic study as no projected Sterling Pointe traffic was assigned to that segment of roadway.

Conclusions

Good and convenient access is a critical factor in the success or failure of a development such as Sterling Pointe. As we all know, it is very frustrating, particularly for out of town and first time patrons to finally be within sight of a hotel or restaurant and not see a way to enter the parking area. In fact, that can be an important factor in deciding whether to complete the trip or go to a more convenient facility. And it would be a factor in deciding whether to return in the future.

GCA feels that a right in driveway on Ashford Dunwoody Road is very important to the success of the Sterling Pointe redevelopment project. This report has shown that the Sterling Pointe development with such a driveway would not change the levels of service at the Ashford Dunwoody Road/Perimeter Center North or Ashford Dunwoody/Perimeter Center West intersections. Delay would increase insignificantly. GCA recommends that a right in driveway be approved for Sterling Pointe on Ashford Dunwoody Road as shown in the site plan in this report.

The traffic that will be generated by the proposed Sterling Pointe hotel, restaurant and retail stores will have a very small, almost unnoticeable effect on the roadway network. The two signalized intersections already operate at acceptable LOS during the AM and PM peak periods with existing traffic and will continue to operate virtually unchanged with the addition of the site traffic.

Recommendations

Recommendations concerning the proposed right in driveway for the Sterling Pointe development include the following:

That the right in driveway on Ashford Dunwoody Road be constructed as illustrated in Figure 10.

1. That a raised crosswalk with pavers be constructed across the right in driveway.
2. That Yield To Pedestrians signs be installed on the inbound lane at the crosswalk.
3. That signing internal to the site be installed to direct traffic wishing to go south to use the driveway on Perimeter Center North.
4. That a median opening be constructed on Perimeter Center North at the development driveway. The opening should include a westbound left turn lane into the development driveway.
5. That the short left turn lane on Perimeter Center North at the median opening east of the site driveway be extended back to the driveway.

HCM Signalized Intersection Capacity Analysis

1: Perimeter Center Terr & Ashford Dunwoody Rd

AM Existing
2/11/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	2	2	7	201	3	27	108	625	229	32	943	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	1.00	1.00	0.95	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	0.95	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1863	1583	1681	1688	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.95	1.00	1.00	0.95	0.95	1.00	0.24	1.00	1.00	0.37	1.00	1.00
Satd. Flow (perm)	1770	1863	1583	1681	1688	1583	444	3539	1583	695	3539	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	2	8	218	3	29	117	679	249	35	1025	45
RTOR Reduction (vph)	0	0	0	0	0	26	0	0	65	0	0	13
Lane Group Flow (vph)	2	2	8	111	110	3	117	679	184	35	1025	32
Turn Type	Split		Free	Split		Perm	pm+pt		Perm	pm+pt		Perm
Protected Phases	4	4		8	8		5	2		1	6	
Permitted Phases			Free			8	2		2	6		6
Actuated Green, G (s)	1.3	1.3	140.0	14.5	14.5	14.5	112.2	103.6	103.6	100.7	96.1	96.1
Effective Green, g (s)	1.3	1.3	140.0	14.5	14.5	14.5	112.2	103.6	103.6	100.7	96.1	96.1
Actuated g/C Ratio	0.01	0.01	1.00	0.10	0.10	0.10	0.80	0.74	0.74	0.72	0.69	0.69
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	16	17	1583	174	175	164	470	2619	1171	535	2429	1087
v/s Ratio Prot	c0.00	0.00		c0.07	0.07		c0.02	c0.19		0.00	c0.29	
v/s Ratio Perm			0.01			0.00	0.18		0.12	0.04		0.02
v/c Ratio	0.12	0.12	0.01	0.64	0.63	0.02	0.25	0.26	0.16	0.07	0.42	0.03
Uniform Delay, d1	68.8	68.8	0.0	60.2	60.2	56.4	8.4	5.9	5.4	7.4	9.7	7.0
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.33	0.22	0.13	1.00	1.00	1.00
Incremental Delay, d2	3.5	3.1	0.0	7.5	6.9	0.0	0.2	0.2	0.3	0.1	0.5	0.1
Delay (s)	72.3	71.9	0.0	67.7	67.1	56.4	3.0	1.5	1.0	7.4	10.2	7.1
Level of Service	E	E	A	E	E	E	A	A	A	A	B	A
Approach Delay (s)		24.0			66.1			1.5			10.0	
Approach LOS		C			E			A			B	

Intersection Summary

HCM Average Control Delay	12.2	HCM Level of Service	B
HCM Volume to Capacity ratio	0.42		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	54.4%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis

2: Perimeter Center West & Ashford Dunwoody Rd

AM Existing
2/11/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	90	112	275	237	192	42	710	873	75	62	956	159
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	0.95	1.00	1.00	0.91	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	3433	3539	1583	1770	5085	1583
Flt Permitted	0.62	1.00	1.00	0.54	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	1156	3539	1583	999	3539	1583	3433	3539	1583	1770	5085	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	98	122	299	258	209	46	772	949	82	67	1039	173
RTOR Reduction (vph)	0	0	0	0	0	36	0	0	42	0	0	49
Lane Group Flow (vph)	98	122	299	258	209	10	772	949	40	67	1039	124
Turn Type	pm+pt		Free	pm+pt		Perm	Prot		Perm	Prot		Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4		Free	8		8			2			6
Actuated Green, G (s)	29.0	18.0	140.0	46.0	31.0	31.0	43.0	69.0	69.0	13.0	39.0	39.0
Effective Green, g (s)	29.0	18.0	140.0	46.0	31.0	31.0	43.0	69.0	69.0	13.0	39.0	39.0
Actuated g/C Ratio	0.21	0.13	1.00	0.33	0.22	0.22	0.31	0.49	0.49	0.09	0.28	0.28
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Grp Cap (vph)	288	455	1583	460	784	351	1054	1744	780	164	1417	441
v/s Ratio Prot	0.03	0.03		c0.10	0.06		c0.22	0.27		0.04	c0.20	
v/s Ratio Perm	0.04		0.19	c0.09		0.01			0.03			0.08
v/c Ratio	0.34	0.27	0.19	0.56	0.27	0.03	0.73	0.54	0.05	0.41	0.73	0.28
Uniform Delay, d1	46.6	55.1	0.0	37.0	45.1	42.7	43.4	24.6	18.5	59.9	45.8	39.5
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	0.80	0.62
Incremental Delay, d2	3.2	1.4	0.3	4.9	0.8	0.2	4.5	1.2	0.1	6.9	3.2	1.5
Delay (s)	49.8	56.5	0.3	41.9	45.9	42.9	47.9	25.8	18.6	64.0	39.9	26.0
Level of Service	D	E	A	D	D	D	D	C	B	E	D	C
Approach Delay (s)		22.8			43.6			34.9			39.3	
Approach LOS		C			D			C			D	

Intersection Summary

HCM Average Control Delay	35.8	HCM Level of Service	D
HCM Volume to Capacity ratio	0.67		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	68.5%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

#M.1.

HCM Signalized Intersection Capacity Analysis 1: Perimeter Center Terr & Ashford Dunwoody Rd

PM Existing
2/11/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	44	6	79	112	4	37	25	1317	248	37	519	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	1.00	1.00	0.95	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	0.96	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1863	1583	1681	1690	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.95	1.00	1.00	0.95	0.96	1.00	0.43	1.00	1.00	0.15	1.00	1.00
Satd. Flow (perm)	1770	1863	1583	1681	1690	1583	796	3539	1583	272	3539	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	48	7	86	122	4	40	27	1432	270	40	564	18
RTOR Reduction (vph)	0	0	0	0	0	37	0	0	62	0	0	4
Lane Group Flow (vph)	48	7	86	63	63	3	27	1432	208	40	564	14
Turn Type	Split		Free	Split		Perm	pm+pt		Perm	pm+pt		Perm
Protected Phases	4	4		8	8		5	2		1	6	
Permitted Phases			Free			8	2		2	6		6
Actuated Green, G (s)	8.5	8.5	160.0	11.3	11.3	11.3	120.5	118.1	118.1	127.9	121.8	121.8
Effective Green, g (s)	8.5	8.5	160.0	11.3	11.3	11.3	120.5	118.1	118.1	127.9	121.8	121.8
Actuated g/C Ratio	0.05	0.05	1.00	0.07	0.07	0.07	0.75	0.74	0.74	0.80	0.76	0.76
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	94	99	1583	119	119	112	614	2612	1168	275	2694	1205
v/s Ratio Prot	c0.03	0.00		c0.04	0.04		0.00	c0.40		c0.01	0.16	
v/s Ratio Perm			0.05			0.00	0.03		0.13	0.11		0.01
v/c Ratio	0.51	0.07	0.05	0.53	0.53	0.03	0.04	0.55	0.18	0.15	0.21	0.01
Uniform Delay, d1	73.7	72.0	0.0	71.8	71.8	69.2	6.0	9.2	6.3	12.0	5.4	4.6
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.60	0.73	0.73	1.00	1.00	1.00
Incremental Delay, d2	4.6	0.3	0.1	4.2	4.2	0.1	0.0	0.5	0.2	0.2	0.2	0.0
Delay (s)	78.3	72.3	0.1	76.0	76.0	69.3	3.6	7.3	4.8	12.2	5.6	4.6
Level of Service	E	E	A	E	E	E	A	A	A	B	A	A
Approach Delay (s)		30.3			74.4			6.9			6.0	
Approach LOS		C			E			A			A	

Intersection Summary

HCM Average Control Delay	12.1	HCM Level of Service	B
HCM Volume to Capacity ratio	0.53		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	16.0
Intersection Capacity Utilization	53.1%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis

2: Perimeter Center West & Ashford Dunwoody Rd

PM Existing

2/11/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	289	247	351	96	135	93	539	1210	196	49	472	210
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	0.95	1.00	1.00	0.91	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	3433	3539	1583	1770	5085	1583
Flt Permitted	0.47	1.00	1.00	0.59	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	866	3539	1583	1093	3539	1583	3433	3539	1583	1770	5085	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	314	268	382	104	147	101	586	1315	213	53	513	228
RTOR Reduction (vph)	0	0	0	0	0	89	0	0	110	0	0	152
Lane Group Flow (vph)	314	268	382	104	147	12	586	1315	103	53	513	76
Turn Type	pm+pt		Free	pm+pt		Perm	Prot		Perm	Prot		Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4		Free	8		8			2			6
Actuated Green, G (s)	22.6	13.8	80.0	14.4	9.6	9.6	18.9	38.8	38.8	6.6	26.5	26.5
Effective Green, g (s)	22.6	13.8	80.0	14.4	9.6	9.6	18.9	38.8	38.8	6.6	26.5	26.5
Actuated g/C Ratio	0.28	0.17	1.00	0.18	0.12	0.12	0.24	0.48	0.48	0.08	0.33	0.33
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	346	610	1583	237	425	190	811	1716	768	146	1684	524
v/s Ratio Prot	c0.10	0.08		0.03	0.04		c0.17	c0.37		0.03	0.10	
v/s Ratio Perm	c0.15		0.24	0.05		0.01			0.07			0.05
v/c Ratio	0.91	0.44	0.24	0.44	0.35	0.06	0.72	0.77	0.13	0.36	0.30	0.14
Uniform Delay, d1	26.4	29.6	0.0	28.6	32.3	31.2	28.1	16.9	11.3	34.7	19.9	18.8
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.10	0.85	1.00
Incremental Delay, d2	26.3	0.5	0.4	1.3	0.5	0.1	3.2	3.3	0.4	1.5	0.5	0.6
Delay (s)	52.7	30.1	0.4	29.9	32.8	31.4	31.3	20.2	11.7	39.9	17.3	19.4
Level of Service	D	C	A	C	C	C	C	C	B	D	B	B
Approach Delay (s)		25.7			31.5			22.4			19.4	
Approach LOS		C			C			C			B	
Intersection Summary												
HCM Average Control Delay			23.4			HCM Level of Service			C			
HCM Volume to Capacity ratio			0.77									
Actuated Cycle Length (s)			80.0			Sum of lost time (s)			8.0			
Intersection Capacity Utilization			69.9%			ICU Level of Service			C			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis

1: Perimeter Center Terr & Ashford Dunwoody Rd

AM Existing + Generated

5/14/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	2	3	7	208	4	45	108	625	229	46	943	41
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	1.00	1.00	0.95	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	0.95	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1863	1583	1681	1688	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.95	1.00	1.00	0.95	0.95	1.00	0.23	1.00	1.00	0.37	1.00	1.00
Satd. Flow (perm)	1770	1863	1583	1681	1688	1583	437	3539	1583	693	3539	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	3	8	226	4	49	117	679	249	50	1025	45
RTOR Reduction (vph)	0	0	0	0	0	44	0	0	66	0	0	13
Lane Group Flow (vph)	2	3	8	115	115	5	117	679	183	50	1025	32
Turn Type	Split		Free	Split		Perm	pm+pt		Perm	pm+pt		Perm
Protected Phases	4	4		8	8		5	2		1	6	
Permitted Phases			Free			8	2		2	6		6
Actuated Green, G (s)	1.3	1.3	140.0	14.9	14.9	14.9	111.8	103.1	103.1	98.7	94.0	94.0
Effective Green, g (s)	1.3	1.3	140.0	14.9	14.9	14.9	111.8	103.1	103.1	98.7	94.0	94.0
Actuated g/C Ratio	0.01	0.01	1.00	0.11	0.11	0.11	0.80	0.74	0.74	0.71	0.67	0.67
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	16	17	1583	179	180	168	480	2606	1166	525	2376	1063
v/s Ratio Prot	0.00	c0.00		c0.07	0.07		c0.02	c0.19		0.00	c0.29	
v/s Ratio Perm			0.01			0.00	0.17		0.12	0.06		0.02
v/c Ratio	0.12	0.18	0.01	0.64	0.64	0.03	0.24	0.26	0.16	0.10	0.43	0.03
Uniform Delay, d1	68.8	68.8	0.0	60.0	60.0	56.1	8.9	6.0	5.5	8.3	10.6	7.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.35	0.21	0.14	1.00	1.00	1.00
Incremental Delay, d2	3.5	4.9	0.0	7.7	7.2	0.1	0.2	0.2	0.2	0.1	0.6	0.1
Delay (s)	72.3	73.7	0.0	67.7	67.2	56.2	3.3	1.4	1.0	8.3	11.2	7.8
Level of Service	E	E	A	E	E	E	A	A	A	A	B	A
Approach Delay (s)		28.1			65.5			1.6			10.9	
Approach LOS		C			E			A			B	

Intersection Summary

HCM Average Control Delay	13.2	HCM Level of Service	B
HCM Volume to Capacity ratio	0.42		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	54.6%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis

2: Perimeter Center West & Ashford Dunwoody Rd

AM Existing + Generated

3/12/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	100	112	275	237	192	46	710	888	75	62	960	162
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	0.95	1.00	1.00	0.91	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	3433	3539	1583	1770	5085	1583
Flt Permitted	0.62	1.00	1.00	0.54	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	1156	3539	1583	999	3539	1583	3433	3539	1583	1770	5085	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	109	122	299	258	209	50	772	965	82	67	1043	176
RTOR Reduction (vph)	0	0	0	0	0	39	0	0	42	0	0	50
Lane Group Flow (vph)	109	122	299	258	209	11	772	965	40	67	1043	126
Turn Type	pm+pt		Free	pm+pt		Perm	Prot		Perm	Prot		Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4		Free	8		8			2			6
Actuated Green, G (s)	29.0	18.0	140.0	46.0	31.0	31.0	43.0	69.0	69.0	13.0	39.0	39.0
Effective Green, g (s)	29.0	18.0	140.0	46.0	31.0	31.0	43.0	69.0	69.0	13.0	39.0	39.0
Actuated g/C Ratio	0.21	0.13	1.00	0.33	0.22	0.22	0.31	0.49	0.49	0.09	0.28	0.28
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Grp Cap (vph)	288	455	1583	460	784	351	1054	1744	780	164	1417	441
v/s Ratio Prot	0.03	0.03		c0.10	0.06		c0.22	0.27		0.04	c0.21	
v/s Ratio Perm	0.05		0.19	c0.09		0.01			0.03			0.08
v/c Ratio	0.38	0.27	0.19	0.56	0.27	0.03	0.73	0.55	0.05	0.41	0.74	0.29
Uniform Delay, d1	46.9	55.1	0.0	37.0	45.1	42.7	43.4	24.8	18.5	59.9	45.8	39.6
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.93	0.79	0.60
Incremental Delay, d2	3.8	1.4	0.3	4.9	0.8	0.2	4.5	1.3	0.1	6.9	3.2	1.5
Delay (s)	50.6	56.5	0.3	41.9	45.9	42.9	47.9	26.0	18.6	62.7	39.4	25.4
Level of Service	D	E	A	D	D	D	D	C	B	E	D	C
Approach Delay (s)		23.6			43.6			35.0			38.7	
Approach LOS		C			D			C			D	

Intersection Summary

HCM Average Control Delay	35.7	HCM Level of Service	D
HCM Volume to Capacity ratio	0.67		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	68.6%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis

1: Perimeter Center Terr & Ashford Dunwoody Rd

PM Existing + Generated

5/14/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	44	12	79	146	5	115	25	1317	248	80	519	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	1.00	1.00	0.95	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	0.96	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1863	1583	1681	1690	1583	1770	3539	1583	1770	3539	1583
Flt Permitted	0.95	1.00	1.00	0.95	0.96	1.00	0.42	1.00	1.00	0.14	1.00	1.00
Satd. Flow (perm)	1770	1863	1583	1681	1690	1583	791	3539	1583	255	3539	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	48	13	86	159	5	125	27	1432	270	87	564	18
RTOR Reduction (vph)	0	0	0	0	0	115	0	0	68	0	0	5
Lane Group Flow (vph)	48	13	86	81	83	10	27	1432	202	87	564	13
Turn Type	Split		Free	Split		Perm	pm+pt		Perm	pm+pt		Perm
Protected Phases	4	4		8	8		5	2		1	6	
Permitted Phases			Free			8	2		2	6		6
Actuated Green, G (s)	8.5	8.5	160.0	13.2	13.2	13.2	114.3	111.9	111.9	126.3	119.9	119.9
Effective Green, g (s)	8.5	8.5	160.0	13.2	13.2	13.2	114.3	111.9	111.9	126.3	119.9	119.9
Actuated g/C Ratio	0.05	0.05	1.00	0.08	0.08	0.08	0.71	0.70	0.70	0.79	0.75	0.75
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	94	99	1583	139	139	131	580	2475	1107	300	2652	1186
v/s Ratio Prot	c0.03	0.01		0.05	c0.05		0.00	c0.40		c0.02	0.16	
v/s Ratio Perm			0.05			0.01	0.03		0.13	0.21		0.01
v/c Ratio	0.51	0.13	0.05	0.58	0.60	0.08	0.05	0.58	0.18	0.29	0.21	0.01
Uniform Delay, d1	73.7	72.2	0.0	70.7	70.8	67.8	8.0	12.1	8.3	17.3	6.0	5.1
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	0.46	0.66	0.25	1.00	1.00	1.00
Incremental Delay, d2	4.6	0.6	0.1	6.1	6.7	0.3	0.0	0.6	0.2	0.5	0.2	0.0
Delay (s)	78.3	72.8	0.1	76.8	77.6	68.0	3.7	8.7	2.3	17.8	6.2	5.1
Level of Service	E	E	A	E	E	E	A	A	A	B	A	A
Approach Delay (s)		32.1			73.2			7.6			7.6	
Approach LOS		C			E			A			A	

Intersection Summary

HCM Average Control Delay	15.6	HCM Level of Service	B
HCM Volume to Capacity ratio	0.54		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	61.7%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis

2: Perimeter Center West & Ashford Dunwoody Rd

PM Existing + Generated

3/12/2013

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	318	247	351	96	135	112	539	1245	196	49	490	226
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	0.95	1.00	1.00	0.91	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	3539	1583	1770	3539	1583	3433	3539	1583	1770	5085	1583
Flt Permitted	0.46	1.00	1.00	0.59	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	864	3539	1583	1093	3539	1583	3433	3539	1583	1770	5085	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	346	268	382	104	147	122	586	1353	213	53	533	246
RTOR Reduction (vph)	0	0	0	0	0	108	0	0	112	0	0	167
Lane Group Flow (vph)	346	268	382	104	147	14	586	1353	101	53	533	79
Turn Type	pm+pt		Free	pm+pt		Perm	Prot		Perm	Prot		Perm
Protected Phases	7	4		3	8		5	2		1	6	
Permitted Phases	4		Free	8		8			2			6
Actuated Green, G (s)	23.5	14.7	80.0	14.3	9.5	9.5	18.9	37.8	37.8	6.7	25.6	25.6
Effective Green, g (s)	23.5	14.7	80.0	14.3	9.5	9.5	18.9	37.8	37.8	6.7	25.6	25.6
Actuated g/C Ratio	0.29	0.18	1.00	0.18	0.12	0.12	0.24	0.47	0.47	0.08	0.32	0.32
Clearance Time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)	367	650	1583	236	420	188	811	1672	748	148	1627	507
v/s Ratio Prot	c0.12	0.08		0.03	0.04		c0.17	c0.38		0.03	0.10	
v/s Ratio Perm	c0.16		0.24	0.05		0.01			0.06			0.05
v/c Ratio	0.94	0.41	0.24	0.44	0.35	0.08	0.72	0.81	0.13	0.36	0.33	0.16
Uniform Delay, d1	26.2	28.8	0.0	28.7	32.4	31.4	28.1	18.0	11.9	34.6	20.7	19.5
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.90	1.06	2.67
Incremental Delay, d2	32.4	0.4	0.4	1.3	0.5	0.2	3.2	4.3	0.4	1.5	0.5	0.6
Delay (s)	58.6	29.3	0.4	30.0	32.9	31.5	31.3	22.4	12.3	32.8	22.5	52.5
Level of Service	E	C	A	C	C	C	C	C	B	C	C	D
Approach Delay (s)		28.4			31.6			23.8			32.0	
Approach LOS		C			C			C			C	
Intersection Summary												
HCM Average Control Delay			27.1				HCM Level of Service			C		
HCM Volume to Capacity ratio			0.85									
Actuated Cycle Length (s)			80.0				Sum of lost time (s)			12.0		
Intersection Capacity Utilization			72.4%				ICU Level of Service			C		
Analysis Period (min)			15									
c Critical Lane Group												

All Traffic Data Services, Inc

1336 Farmer Road

Conyers, Ga 30012

404-374-1283

File Name : #1 AshfordDunwoody@PerimeterCenWAM

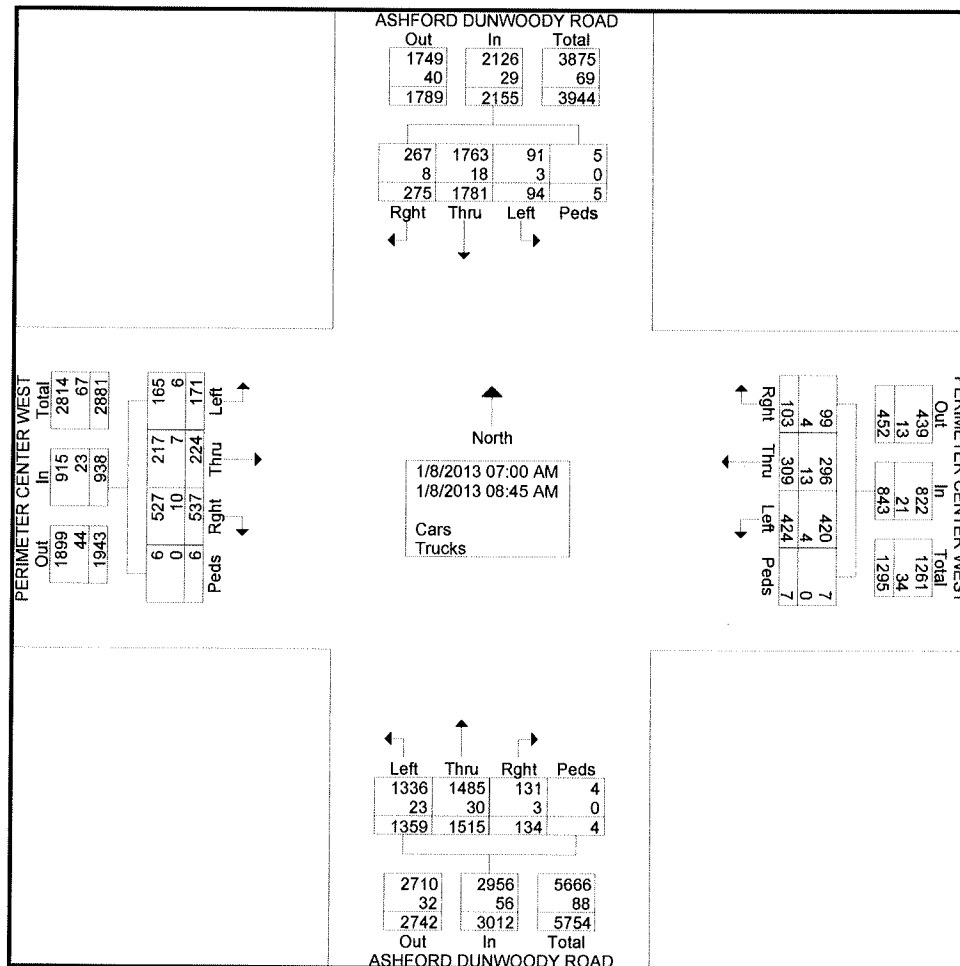
Site Code :

Start Date : 1/8/2013

Page No : 1

Groups Printed- Cars - Trucks

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER WEST Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER WEST Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	7	132	28	1	168	34	19	12	0	65	164	158	12	1	335	23	21	52	0	96	664
07:15 AM	8	193	24	1	226	53	27	22	0	102	160	140	15	0	315	17	28	62	0	107	750
07:30 AM	9	280	33	0	322	47	31	16	0	94	174	154	17	0	345	14	27	72	3	116	877
07:45 AM	14	254	32	0	300	51	53	7	0	111	169	201	22	0	392	26	25	71	0	122	925
Total	38	859	117	2	1016	185	130	57	0	372	667	653	66	1	1387	80	101	257	3	441	3216
08:00 AM	21	236	44	1	302	63	57	12	0	132	188	210	14	1	413	19	28	72	3	122	969
08:15 AM	15	241	48	0	304	65	39	9	3	116	186	246	20	1	453	23	30	70	0	123	996
08:30 AM	12	225	35	1	273	58	43	14	4	119	167	216	19	0	402	22	29	62	0	113	907
08:45 AM	8	220	31	1	260	53	40	11	0	104	151	190	15	1	357	27	36	76	0	139	860
Total	56	922	158	3	1139	239	179	46	7	471	692	862	68	3	1625	91	123	280	3	497	3732
Grand Total	94	1781	275	5	2155	424	309	103	7	843	1359	1515	134	4	3012	171	224	537	6	938	6948
Apprch %	4.4	82.6	12.8	0.2		50.3	36.7	12.2	0.8		45.1	50.3	4.4	0.1		18.2	23.9	57.2	0.6		
Total %	1.4	25.6	4	0.1	31	6.1	4.4	1.5	0.1	12.1	19.6	21.8	1.9	0.1	43.4	2.5	3.2	7.7	0.1	13.5	
Cars	91	1763	267	5	2126	420	296	99	7	822	1336	1485	131	4	2956	165	217	527	6	915	6819
% Cars	96.8	99	97.1	100	98.7	99.1	95.8	96.1	100	97.5	98.3	98	97.8	100	98.1	96.5	96.9	98.1	100	97.5	98.1
Trucks	3	18	8	0	29	4	13	4	0	21	23	30	3	0	56	6	7	10	0	23	129
% Trucks	3.2	1	2.9	0	1.3	0.9	4.2	3.9	0	2.5	1.7	2	2.2	0	1.9	3.5	3.1	1.9	0	2.5	1.9



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#M.1.

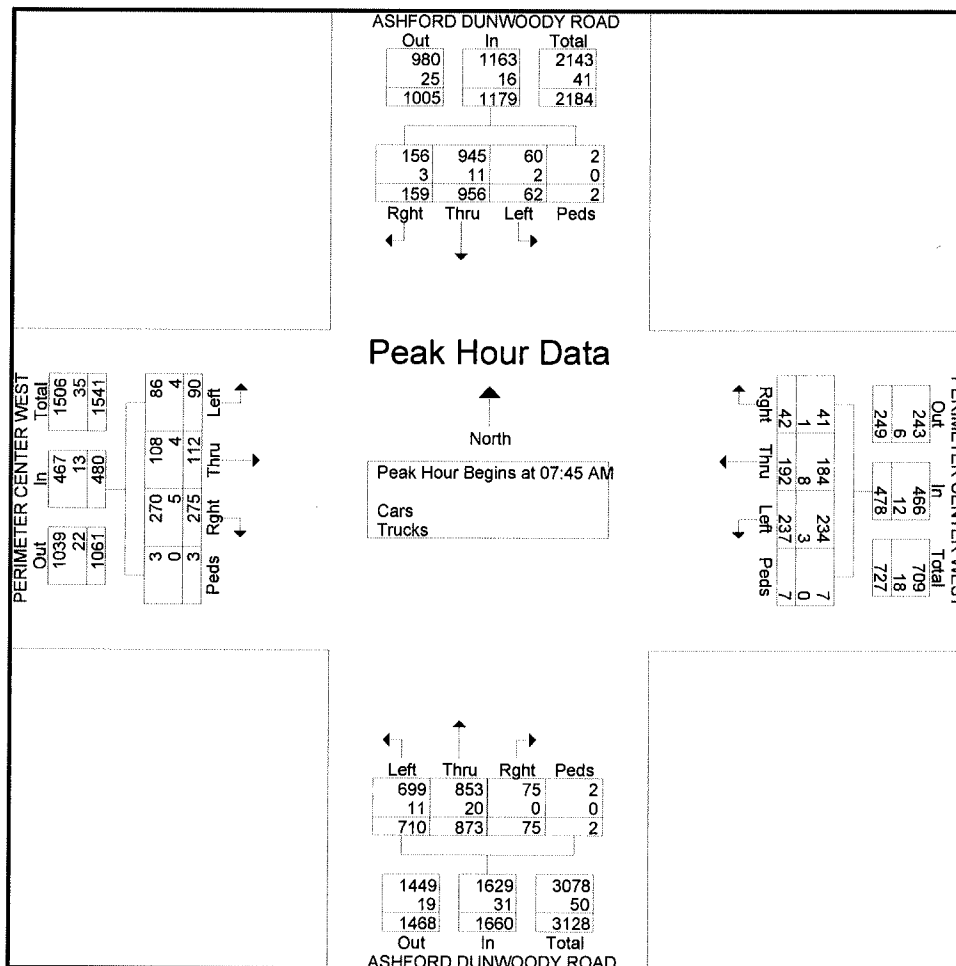
File Name : #1 AshfordDunwoody@PerimeterCenWAM

Site Code :

Start Date : 1/8/2013

Page No : 2

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER WEST Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER WEST Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
07:45 AM	14	254	32	0	300	51	53	7	0	111	169	201	22	0	392	26	25	71	0	122	925
08:00 AM	21	236	44	1	302	63	57	12	0	132	188	210	14	1	413	19	28	72	3	122	969
08:15 AM	15	241	48	0	304	65	39	9	3	116	186	246	20	1	453	23	30	70	0	123	996
08:30 AM	12	225	35	1	273	58	43	14	4	119	167	216	19	0	402	22	29	62	0	113	907
Total Volume	62	956	159	2	1179	237	192	42	7	478	710	873	75	2	1660	90	112	275	3	480	3797
% App. Total	5.3	81.1	13.5	0.2		49.6	40.2	8.8	1.5		42.8	52.6	4.5	0.1		18.8	23.3	57.3	0.6		
PHF	.738	.941	.828	.500	.970	.912	.842	.750	.438	.905	.944	.887	.852	.500	.916	.865	.933	.955	.250	.976	.953
Cars	60	945	156	2	1163	234	184	41	7	466	699	853	75	2	1629	86	108	270	3	467	3725
% Cars	96.8	98.8	98.1	100	98.6	98.7	95.8	97.6	100	97.5	98.5	97.7	100	100	98.1	95.6	96.4	98.2	100	97.3	98.1
Trucks	2	11	3	0	16	3	8	1	0	12	11	20	0	0	31	4	4	5	0	13	72
% Trucks	3.2	1.2	1.9	0	1.4	1.3	4.2	2.4	0	2.5	1.5	2.3	0	0	1.9	4.4	3.6	1.8	0	2.7	1.9



#M.1.

All Traffic Data Services, Inc

1336 Farmer Road

Conyers, Ga 30012

404-374-1283

File Name : #1 AshfordDunwoody@PerimeterCenWPM

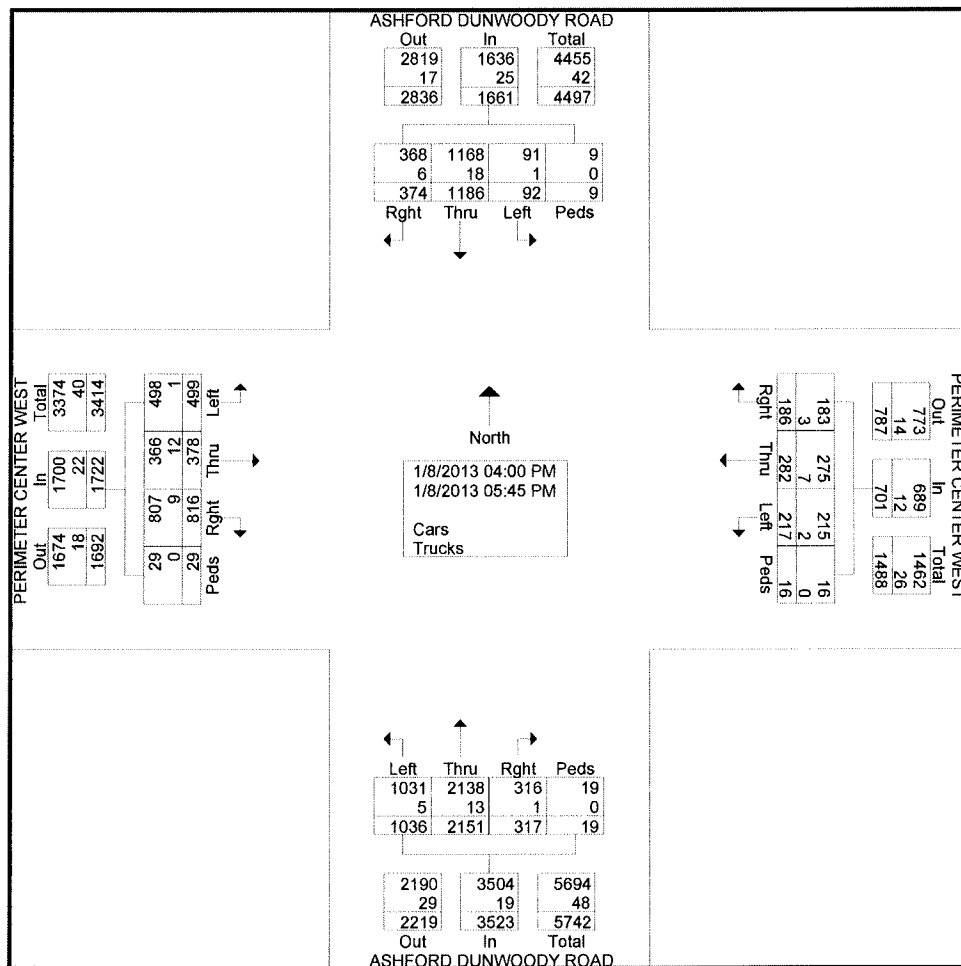
Site Code :

Start Date : 1/8/2013

Page No : 1

Groups Printed- Cars - Trucks

Start Time	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER WEST Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER WEST Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
04:00 PM	9	205	43	0	257	34	27	21	0	82	123	227	22	2	374	56	24	131	2	213	926
04:15 PM	16	160	47	4	227	32	35	27	1	95	136	206	34	1	377	44	29	103	6	182	881
04:30 PM	6	194	43	1	244	25	45	28	1	99	111	260	27	2	400	53	32	133	3	221	964
04:45 PM	12	155	31	1	199	30	40	17	3	90	127	248	38	6	419	57	46	98	5	206	914
Total	43	714	164	6	927	121	147	93	5	366	497	941	121	11	1570	210	131	465	16	822	3685
05:00 PM	9	167	52	1	229	30	33	21	1	85	141	294	31	1	467	70	38	118	6	232	1013
05:15 PM	9	131	37	0	177	32	21	23	2	78	146	305	50	1	502	71	63	118	1	253	1010
05:30 PM	15	82	53	0	150	15	44	26	5	90	121	324	53	1	499	71	68	43	5	187	926
05:45 PM	16	92	68	2	178	19	37	23	3	82	131	287	62	5	485	77	78	72	1	228	973
Total	49	472	210	3	734	96	135	93	11	335	539	1210	196	8	1953	289	247	351	13	900	3922
Grand Total	92	1186	374	9	1661	217	282	186	16	701	1036	2151	317	19	3523	499	378	816	29	1722	7607
Apprch %	5.5	71.4	22.5	0.5		31	40.2	26.5	2.3		29.4	61.1	9	0.5		29	22	47.4	1.7		
Total %	1.2	15.6	4.9	0.1	21.8	2.9	3.7	2.4	0.2	9.2	13.6	28.3	4.2	0.2	46.3	6.6	5	10.7	0.4	22.6	
Cars	91	1168	368	9	1636	215	275	183	16	689	1031	2138	316	19	3504	498	366	807	29	1700	7529
% Cars	98.9	98.5	98.4	100	98.5	99.1	97.5	98.4	100	98.3	99.5	99.4	99.7	100	99.5	99.8	96.8	98.9	100	98.7	99
Trucks	1	18	6	0	25	2	7	3	0	12	5	13	1	0	19	1	12	9	0	22	78
% Trucks	1.1	1.5	1.6	0	1.5	0.9	2.5	1.6	0	1.7	0.5	0.6	0.3	0	0.5	0.2	3.2	1.1	0	1.3	1



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1336 Farmer Road
Conyers, Ga 30012
404-374-1283

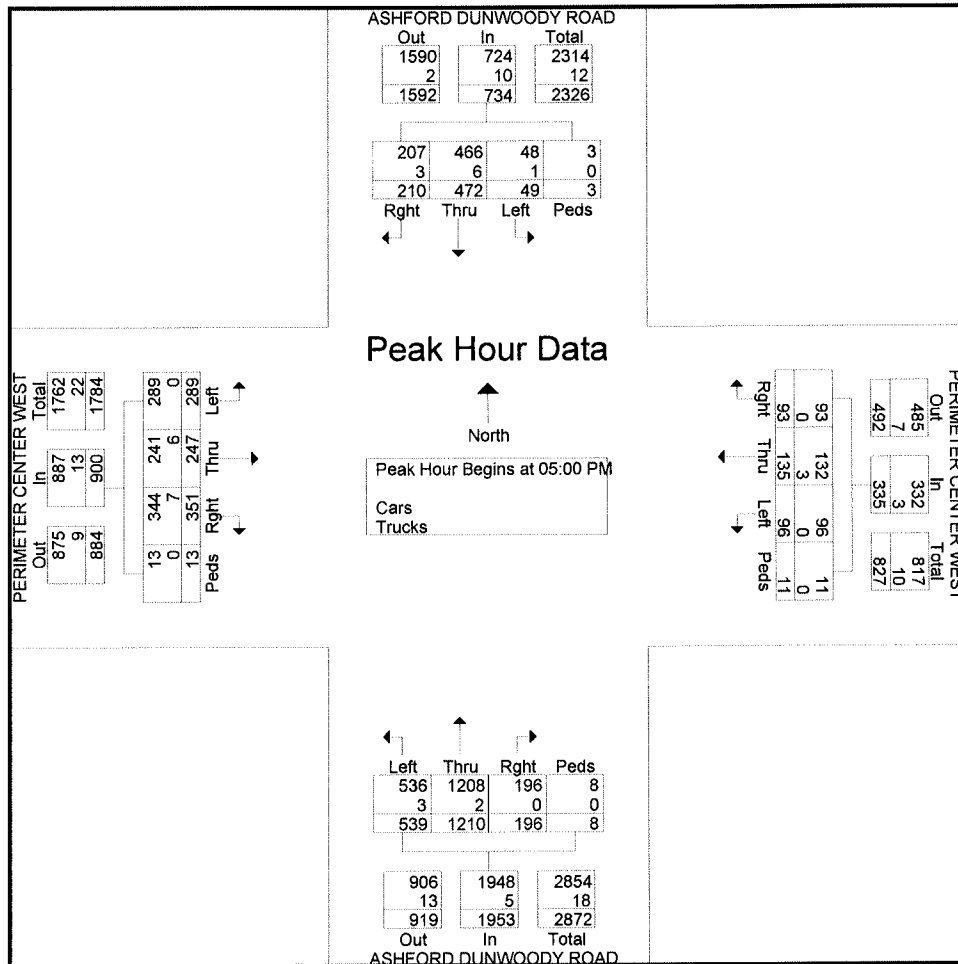
File Name : #1 AshfordDunwoody@PerimeterCenWPM

Site Code :

Start Date : 1/8/2013

Page No : 2

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER WEST Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER WEST Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	9	167	52	1	229	30	33	21	1	85	141	294	31	1	467	70	38	118	6	232	1013
05:15 PM	9	131	37	0	177	32	21	23	2	78	146	305	50	1	502	71	63	118	1	253	1010
05:30 PM	15	82	53	0	150	15	44	26	5	90	121	324	53	1	499	71	68	43	5	187	926
05:45 PM	16	92	68	2	178	19	37	23	3	82	131	287	62	5	485	77	78	72	1	228	973
Total Volume	49	472	210	3	734	96	135	93	11	335	539	1210	196	8	1953	289	247	351	13	900	3922
% App. Total	6.7	64.3	28.6	0.4		28.7	40.3	27.8	3.3		27.6	62	10	0.4		32.1	27.4	39	1.4		
PHF	.766	.707	.772	.375	.801	.750	.767	.894	.550	.931	.923	.934	.790	.400	.973	.938	.792	.744	.542	.889	.968
Cars	48	466	207	3	724	96	132	93	11	332	536	1208									
% Cars	98.0	98.7	98.6	100	98.6	100	97.8	100	100	99.1	99.4	99.8	100	100	99.7	100	97.6	98.0	100	98.6	99.2
Trucks	1	6	3	0	10	0	3	0	0	3	3	2	0	0	5	0	6	7	0	13	31
% Trucks	2.0	1.3	1.4	0	1.4	0	2.2	0	0	0.9	0.6	0.2	0	0	0.3	0	2.4	2.0	0	1.4	0.8



#M.1.

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1336 Farmer Road
Conyers, Ga 30012
404-374-1283

File Name : #2 AshfordDunwoody@PerimeterCentTerrAM

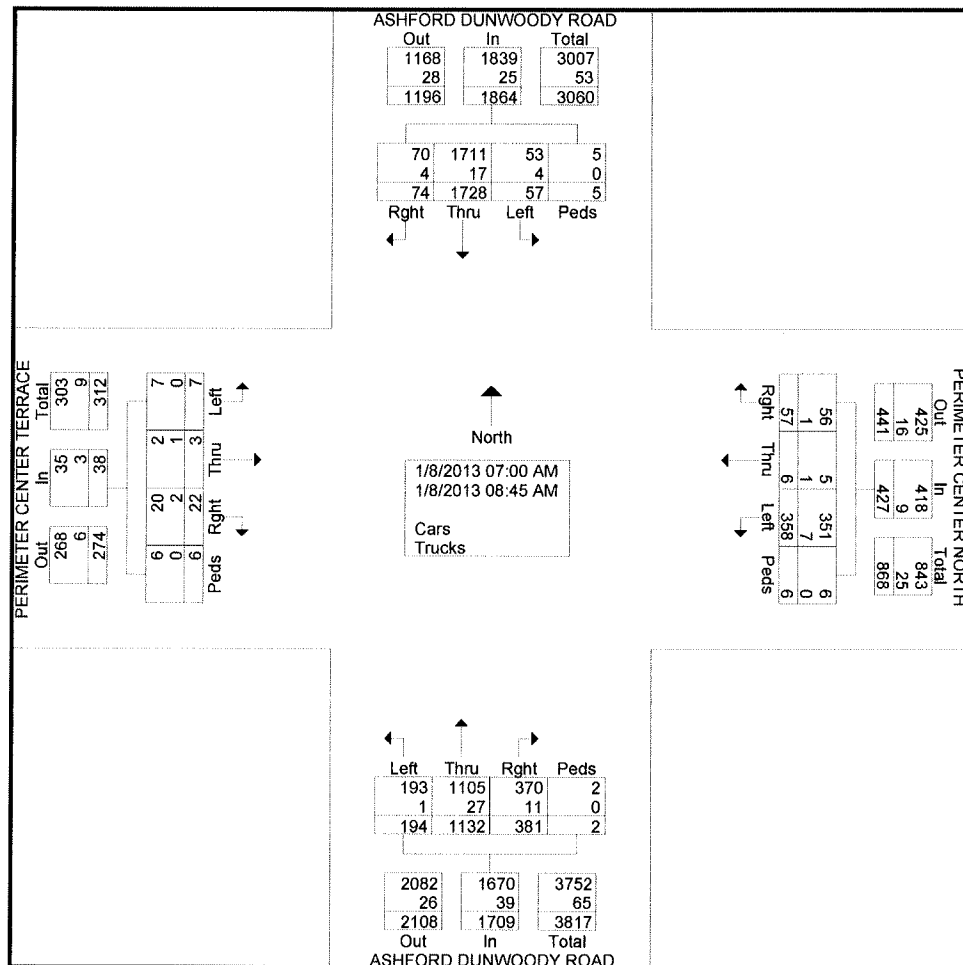
Site Code :

Start Date : 1/8/2013

Page No : 1

Groups Printed- Cars - Trucks

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER NORTH Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER TERRACE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
07:00 AM	2	144	8	2	156	21	1	9	2	33	23	124	39	0	186	0	1	5	0	6	381
07:15 AM	7	186	6	0	199	40	1	5	2	48	20	106	37	0	163	0	0	3	1	4	414
07:30 AM	7	260	10	0	277	50	1	8	0	59	21	124	34	0	179	2	0	3	3	8	523
07:45 AM	7	229	7	0	243	50	0	12	1	63	28	140	55	2	225	0	1	3	1	5	536
Total	23	819	31	2	875	161	3	34	5	203	92	494	165	2	753	2	2	14	5	23	1854
08:00 AM	6	236	12	2	256	47	1	2	0	50	25	160	49	0	234	1	1	0	0	2	542
08:15 AM	8	258	12	1	279	52	2	5	1	60	26	188	56	0	270	1	0	2	0	3	612
08:30 AM	11	220	10	0	241	52	0	8	0	60	29	137	69	0	235	0	0	2	0	2	538
08:45 AM	9	195	9	0	213	46	0	8	0	54	22	153	42	0	217	3	0	4	1	8	492
Total	34	909	43	3	989	197	3	23	1	224	102	638	216	0	956	5	1	8	1	15	2184
Grand Total	57	1728	74	5	1864	358	6	57	6	427	194	1132	381	2	1709	7	3	22	6	38	4038
Apprch %	3.1	92.7	4	0.3		83.8	1.4	13.3	1.4		11.4	66.2	22.3	0.1		18.4	7.9	57.9	15.8		
Total %	1.4	42.8	1.8	0.1	46.2	8.9	0.1	1.4	0.1	10.6	4.8	28	9.4	0	42.3	0.2	0.1	0.5	0.1	0.9	
Cars	53	1711	70	5	1839	351	5	56	6	418	193	1105	370	2	1670	7	2	20	6	35	3962
% Cars	93	99	94.6	100	98.7	98	83.3	98.2	100	97.9	99.5	97.6	97.1	100	97.7	100	66.7	90.9	100	92.1	98.1
Trucks	4	17	4	0	25	7	1	1	0	9	1	27	11	0	39	0	1	2	0	3	76
% Trucks	7	1	5.4	0	1.3	2	16.7	1.8	0	2.1	0.5	2.4	2.9	0	2.3	0	33.3	9.1	0	7.9	1.9



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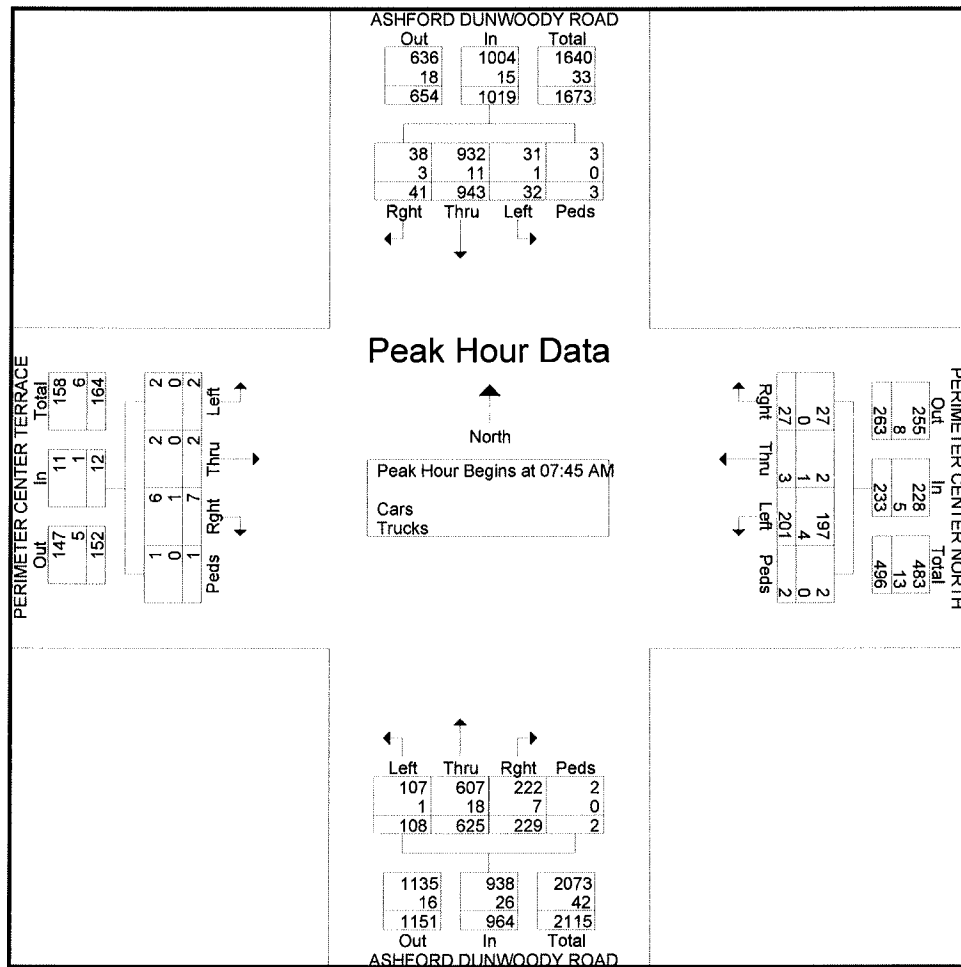
File Name : #2 AshfordDunwoody@PerimeterCentTerrAM

Site Code :

Start Date : 1/8/2013

Page No : 2

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER NORTH Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER TERRACE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:45 AM																					
07:45 AM	7	229	7	0	243	50	0	12	1	63	28	140	55	2	225	0	1	3	1	5	536
08:00 AM	6	236	12	2	256	47	1	2	0	50	25	160	49	0	234	1	1	0	0	2	542
08:15 AM	8	258	12	1	279	52	2	5	1	60	26	188	56	0	270	1	0	2	0	3	612
08:30 AM	11	220	10	0	241	52	0	8	0	60	29	137	69	0	235	0	0	2	0	2	538
Total Volume	32	943	41	3	1019	201	3	27	2	233	108	625	229	2	964	2	2	7	1	12	2228
% App. Total	3.1	92.5	4	0.3		86.3	1.3	11.6	0.9		11.2	64.8	23.8	0.2		16.7	16.7	58.3	8.3		
PHF	.727	.914	.854	.375	.913	.966	.375	.563	.500	.925	.931	.831	.830	.250	.893	.500	.500	.583	.250	.600	.910
Cars	31	932	38	3	1004	197	2	27	2	228	107	607	222	2	938	2	2	6	1	11	2181
% Cars	96.9	98.8	92.7	100	98.5	98.0	66.7	100	100	97.9	99.1	97.1	96.9	100	97.3	100	100	85.7	100	91.7	97.9
Trucks	1	11	3	0	15	4	1	0	0	5	1	18	7	0	26	0	0	1	0	1	47
% Trucks	3.1	1.2	7.3	0	1.5	2.0	33.3	0	0	2.1	0.9	2.9	3.1	0	2.7	0	0	14.3	0	8.3	2.1



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Conyers, Ga 30012
404-374-1283

File Name : #2 AshfordDunwoody@PerimeterCentTerrPM

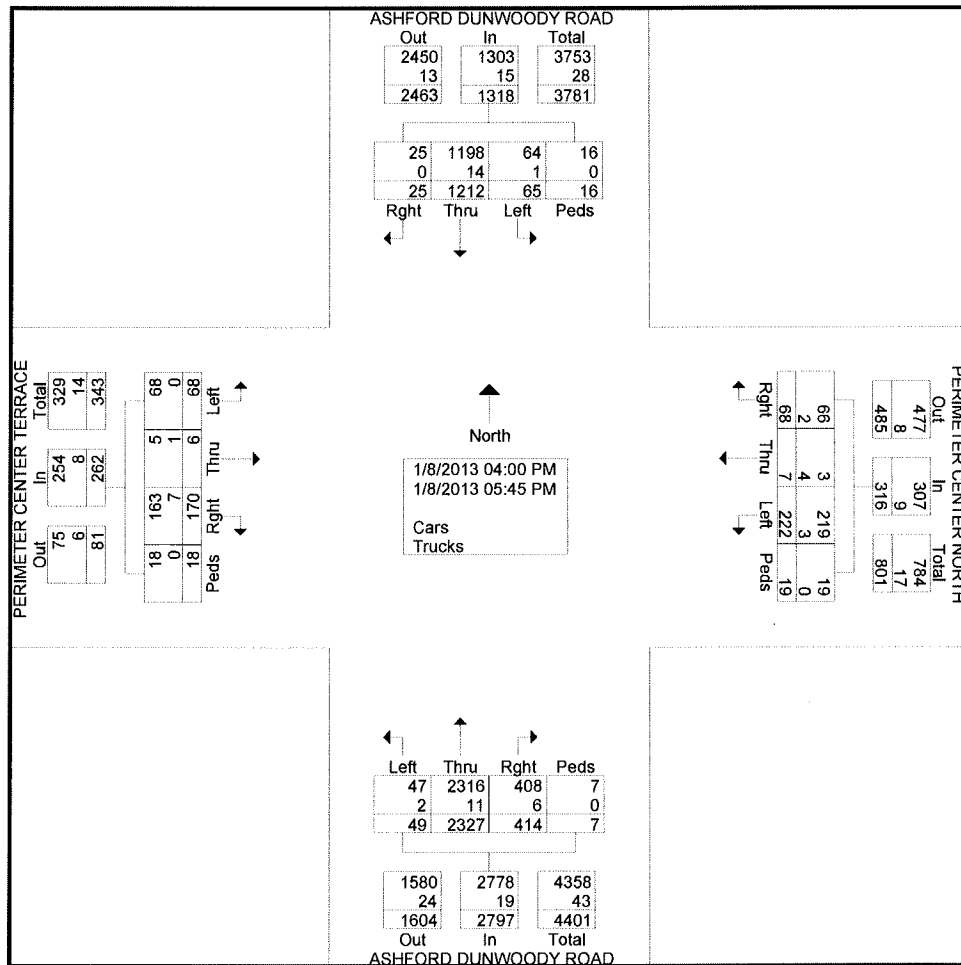
Site Code :

Start Date : 1/8/2013

Page No : 1

Groups Printed- Cars - Trucks

Start Time	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER NORTH Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER TERRACE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
04:00 PM	9	189	2	2	202	32	2	6	2	42	6	232	43	3	284	9	0	31	1	41	569
04:15 PM	3	187	2	2	194	21	0	11	0	32	3	240	41	0	284	4	0	19	1	24	534
04:30 PM	7	171	0	2	180	27	1	7	3	38	10	266	44	0	320	8	0	26	1	35	573
04:45 PM	9	146	4	1	160	30	0	7	1	38	5	272	38	1	316	3	0	15	3	21	535
Total	28	693	8	7	736	110	3	31	6	150	24	1010	166	4	1204	24	0	91	6	121	2211
05:00 PM	10	143	6	1	160	44	1	12	1	58	10	298	61	0	369	17	2	29	2	50	637
05:15 PM	10	127	6	2	145	18	0	3	2	23	4	359	60	0	423	5	1	17	2	25	616
05:30 PM	8	104	0	5	117	23	3	12	7	45	5	322	70	0	397	17	2	20	6	45	604
05:45 PM	9	145	5	1	160	27	0	10	3	40	6	338	57	3	404	5	1	13	2	21	625
Total	37	519	17	9	582	112	4	37	13	166	25	1317	248	3	1593	44	6	79	12	141	2482
Grand Total	65	1212	25	16	1318	222	7	68	19	316	49	2327	414	7	2797	68	6	170	18	262	4693
Apprch %	4.9	92	1.9	1.2		70.3	2.2	21.5	6		1.8	83.2	14.8	0.3		26	2.3	64.9	6.9		
Total %	1.4	25.8	0.5	0.3	28.1	4.7	0.1	1.4	0.4	6.7	1	49.6	8.8	0.1	59.6	1.4	0.1	3.6	0.4	5.6	
Cars	64	1198	25	16	1303	219	3	66	19	307	47	2316	408	7	2778	68	5	163	18	254	4642
% Cars	98.5	98.8	100	100	98.9	98.6	42.9	97.1	100	97.2	95.9	99.5	98.6	100	99.3	100	83.3	95.9	100	96.9	98.9
Trucks	1	14	0	0	15	3	4	2	0	9	2	11	6	0	19	0	1	7	0	8	51
% Trucks	1.5	1.2	0	0	1.1	1.4	57.1	2.9	0	2.8	4.1	0.5	1.4	0	0.7	0	16.7	4.1	0	3.1	1.1



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1336 Farmer Road
Conyers, Ga 30012
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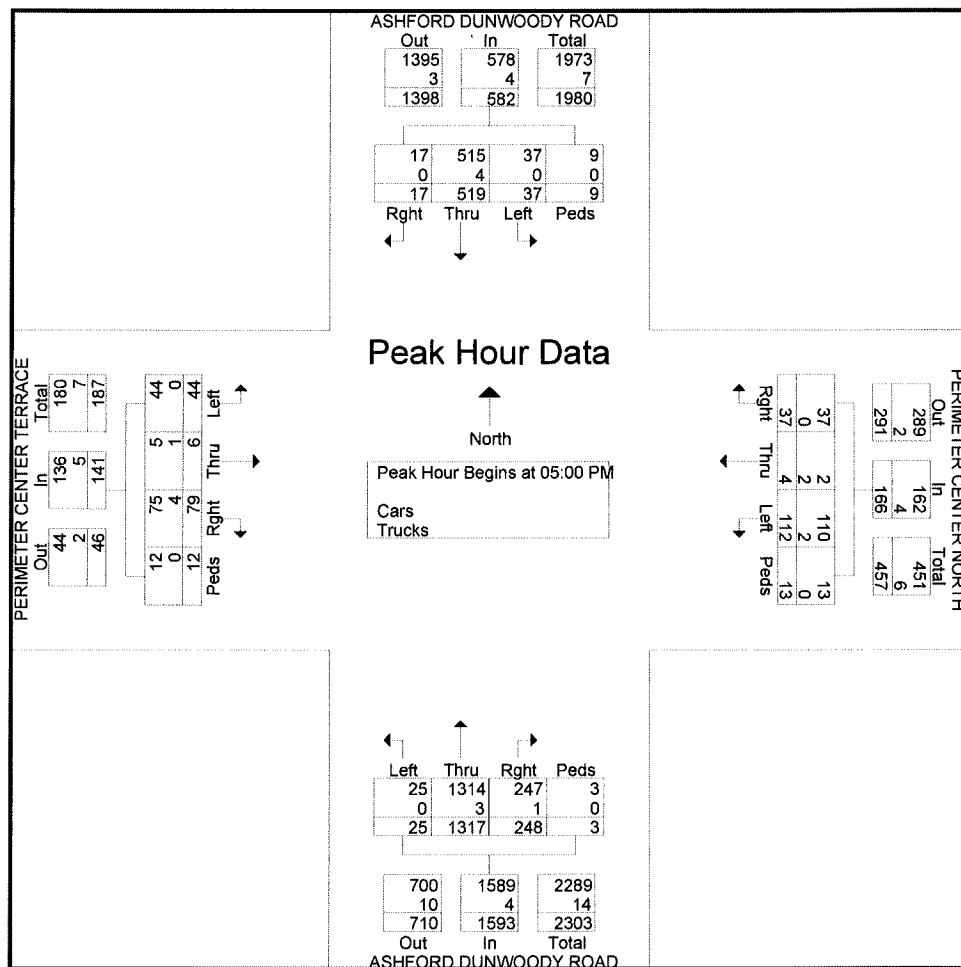
File Name : #2 AshfordDunwoody@PerimeterCentTerrPM

Site Code :

Start Date : 1/8/2013

Page No : 2

	ASHFORD DUNWOODY ROAD Southbound					PERIMETER CENTER NORTH Westbound					ASHFORD DUNWOODY ROAD Northbound					PERIMETER CENTER TERRACE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	10	143	6	1	160	44	1	12	1	58	10	298	61	0	369	17	2	29	2	50	637
05:15 PM	10	127	6	2	145	18	0	3	2	23	4	359	60	0	423	5	1	17	2	25	616
05:30 PM	8	104	0	5	117	23	3	12	7	45	5	322	70	0	397	17	2	20	6	45	604
05:45 PM	9	145	5	1	160	27	0	10	3	40	6	338	57	3	404	5	1	13	2	21	625
Total Volume	37	519	17	9	582	112	4	37	13	166	25	1317	248	3	1593	44	6	79	12	141	2482
% App. Total	6.4	89.2	2.9	1.5		67.5	2.4	22.3	7.8		1.6	82.7	15.6	0.2		31.2	4.3	56	8.5		
PHF	.925	.895	.708	.450	.909	.636	.333	.771	.464	.716	.625	.917	.886	.250	.941	.647	.750	.681	.500	.705	.974
% Cars	100	99.2	100	100	99.3	98.2	50.0	100	100	97.6	100	99.8	99.6	100	99.7	100	83.3	94.9	100	96.5	99.3
Trucks	0	4	0	0	4	2	2	0	0	4	0	3	1	0	4	0	1	4	0	5	17
% Trucks	0	0.8	0	0	0.7	1.8	50.0	0	0	2.4	0	0.2	0.4	0	0.3	0	16.7	5.1	0	3.5	0.7



#M.1.

All Traffic Data Services, Inc

1336 Farmer Road
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Page 1

Site Code: 1
Station ID: 1
ASHFORD DUNWOODY ROAD SOUTH OF
PERIMETER CENTER TERRACE
Latitude: 0' 0.000 Undefined

Start Time	08-Jan-13 Tue	NB		Hour Totals	
		Morning	Afternoon	Morning	Afternoon
12:00		32	256		
12:15		18	248		
12:30		16	287		
12:45		10	302	76	1093
01:00		13	247		
01:15		12	274		
01:30		8	284		
01:45		15	266	48	1071
02:00		7	250		
02:15		7	277		
02:30		3	242		
02:45		4	224	21	993
03:00		6	225		
03:15		3	247		
03:30		6	249		
03:45		6	302	21	1023
04:00		2	286		
04:15		9	284		
04:30		3	288		
04:45		16	306	30	1164
05:00		11	366		
05:15		13	376		
05:30		36	426		
05:45		46	376	106	1544
06:00		60	403		
06:15		72	300		
06:30		104	313		
06:45		168	306	404	1322
07:00		180	252		
07:15		167	206		
07:30		164	178		
07:45		224	169	735	805
08:00		240	186		
08:15		256	198		
08:30		229	170		
08:45		215	131	940	685
09:00		246	148		
09:15		252	107		
09:30		226	113		
09:45		230	113	954	481
10:00		190	84		
10:15		174	91		
10:30		182	67		
10:45		183	62	729	304
11:00		174	51		
11:15		201	34		
11:30		264	36		
11:45		274	30	913	151
Total		4977	10636		
Percent		31.9%	68.1%		

All Traffic Data Services, Inc

1336 Farmer Road
Conyers, GA 30012
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Site Code: 1
Station ID: 1
ASHFORD DUNWOODY ROAD SOUTH OF
PERIMETER CENTER TERRACE
Latitude: 0' 0.000 Undefined

Start Time	09-Jan-13 Wed	NB		Hour Totals	
		Morning	Afternoon	Morning	Afternoon
12:00		14	295		
12:15		22	272		
12:30		11	288		
12:45		15	293	62	1148
01:00		5	254		
01:15		10	282		
01:30		7	251		
01:45		12	268	34	1055
02:00		12	240		
02:15		4	242		
02:30		14	262		
02:45		5	218	35	962
03:00		6	216		
03:15		3	246		
03:30		1	260		
03:45		5	282	15	1004
04:00		6	257		
04:15		2	264		
04:30		3	321		
04:45		11	311	22	1153
05:00		11	327		
05:15		8	390		
05:30		28	384		
05:45		52	352	99	1453
06:00		54	373		
06:15		66	318		
06:30		113	314		
06:45		135	296	368	1301
07:00		129	288		
07:15		159	259		
07:30		172	220		
07:45		200	184	660	951
08:00		250	163		
08:15		258	192		
08:30		230	165		
08:45		252	152	990	672
09:00		268	142		
09:15		266	128		
09:30		230	112		
09:45		249	90	1013	472
10:00		200	83		
10:15		190	85		
10:30		194	72		
10:45		198	67	782	307
11:00		178	64		
11:15		260	29		
11:30		266	45		
11:45		300	28	1004	166
Total		5084	10644		
Percent		32.3%	67.7%		
Grand Total			10061	21280	
Percent			32.1%	67.9%	
ADT			ADT 15,670		AADT 15,670

#M.1.

All Traffic Data Services, Inc

1336 Farmer Road
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Page 1

Site Code: 1.5
Station ID: 1.5
ASHFORD DUNWOODY SOUTH OF
PERIMETER CENTER TERRACE
Latitude: 0' 0.000 Undefined

Start Time	08-Jan-13 Tue	SB		Hour Totals	
		Morning	Afternoon	Morning	Afternoon
12:00		33	259		
12:15		20	243		
12:30		18	250		
12:45		9	269	80	1021
01:00		13	268		
01:15		6	269		
01:30		7	288		
01:45		5	252	31	1077
02:00		4	246		
02:15		3	247		
02:30		4	260		
02:45		6	201	17	954
03:00		6	242		
03:15		4	221		
03:30		1	203		
03:45		4	195	15	861
04:00		3	237		
04:15		8	226		
04:30		8	238		
04:45		11	178	30	879
05:00		12	218		
05:15		20	160		
05:30		38	152		
05:45		22	175	92	705
06:00		40	182		
06:15		52	202		
06:30		86	206		
06:45		134	181	312	771
07:00		158	216		
07:15		208	162		
07:30		304	198		
07:45		280	156	950	732
08:00		276	172		
08:15		288	152		
08:30		264	126		
08:45		252	130	1080	580
09:00		234	122		
09:15		232	118		
09:30		206	102		
09:45		220	104	892	446
10:00		196	90		
10:15		170	68		
10:30		173	65		
10:45		180	61	719	284
11:00		148	48		
11:15		189	29		
11:30		198	26		
11:45		198	30	733	133
Total		4951	8443		
Percent		37.0%	63.0%		

All Traffic Data Services, Inc

1336 Farmer Road
Conyers, GA 30012
alltrafficdata.net

Site Code: 1.5
Station ID: 1.5
ASHFORD DUNWOODY SOUTH OF
PERIMETER CENTER TERRACE
Latitude: 0' 0.000 Undefined

Start Time	09-Jan-13 Wed	SB		Hour Totals	
		Morning	Afternoon	Morning	Afternoon
12:00		16	238		
12:15		22	246		
12:30		13	248		
12:45		11	278	62	1010
01:00		15	285		
01:15		4	282		
01:30		11	274		
01:45		8	236	38	1077
02:00		4	211		
02:15		9	234		
02:30		8	246		
02:45		7	258	28	949
03:00		6	230		
03:15		4	204		
03:30		5	224		
03:45		3	192	18	850
04:00		6	215		
04:15		4	206		
04:30		6	234		
04:45		10	190	26	845
05:00		12	210		
05:15		18	149		
05:30		34	168		
05:45		38	184	102	711
06:00		31	188		
06:15		60	170		
06:30		79	194		
06:45		126	178	296	730
07:00		159	200		
07:15		226	185		
07:30		278	189		
07:45		265	169	928	743
08:00		244	154		
08:15		290	150		
08:30		302	136		
08:45		262	143	1098	583
09:00		262	136		
09:15		211	127		
09:30		218	98		
09:45		196	110	887	471
10:00		194	115		
10:15		194	90		
10:30		163	64		
10:45		167	40	718	309
11:00		166	46		
11:15		230	30		
11:30		237	34		
11:45		235	19	868	129
Total		5069	8407		
Percent		37.6%	62.4%		
Grand Total			10020	16850	
Percent			37.3%	62.7%	
ADT			ADT 13,435		AADT 13,435

#M.1.

All Traffic Data Services, Inc

1336 Farmer Road
Conyers, GA 30012
alltrafficdata.net

Page 1

Site Code: 2
Station ID: 2
PERIMETER CENTER NORTH EAST OF
ASHFORD DUNWOODY ROAD
Latitude: 0' 0.000 Undefined

Start Time	08-Jan-13 Tue	EB		Hour Totals		WB		Hour Totals		Combined Totals	
		Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00		17	34			8	22				
12:15		8	46			6	24				
12:30		11	49			4	30				
12:45		3	54	39	183	3	36	21	112	60	295
01:00		4	53			3	32				
01:15		7	38			2	30				
01:30		3	42			4	38				
01:45		8	34	22	167	2	36	11	136	33	303
02:00		6	46			5	29				
02:15		2	41			1	22				
02:30		6	34			2	22				
02:45		5	42	19	163	2	31	10	104	29	267
03:00		8	36			5	30				
03:15		5	36			3	21				
03:30		3	42			1	38				
03:45		2	48	18	162	1	23	10	112	28	274
04:00		0	64			0	40				
04:15		2	62			3	32				
04:30		2	64			1	36				
04:45		4	58	8	248	6	36	10	144	18	392
05:00		7	85			4	59				
05:15		0	87			1	27				
05:30		4	101			5	40				
05:45		3	78	14	351	3	31	13	157	27	508
06:00		6	94			6	45				
06:15		7	88			8	39				
06:30		16	67			14	34				
06:45		14	80	43	329	26	39	54	157	97	486
07:00		28	54			33	35				
07:15		30	57			42	20				
07:30		22	45			58	32				
07:45		35	56	115	212	58	28	191	115	306	327
08:00		39	68			64	28				
08:15		35	43			60	20				
08:30		50	49			67	28				
08:45		46	42	170	202	64	17	255	93	425	295
09:00		36	46			30	20				
09:15		44	26			34	7				
09:30		33	25			28	9				
09:45		33	32	146	129	30	12	122	48	268	177
10:00		26	30			28	22				
10:15		24	30			20	14				
10:30		36	28			19	16				
10:45		20	28	106	116	32	16	99	68	205	184
11:00		21	20			12	12				
11:15		25	20			14	11				
11:30		34	16			19	6				
11:45		39	22	119	78	21	8	66	37	185	115
Total		819	2340			862	1283			1681	3623
Percent		25.9%	74.1%			40.2%	59.8%			31.7%	68.3%

All Traffic Data Services, Inc

1336 Farmer Road
Conyers, GA 30012
alltrafficdata.net

Site Code: 2

Station ID: 2

PERIMETER CENTER NORTH EAST OF
ASHFORD DUNWOODY ROAD
Latitude: 0' 0.000 Undefined

Start Time	09-Jan-13 Wed	EB		Hour Totals		WB		Hour Totals		Combined Totals	
		Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00		9	54			2	30				
12:15		13	44			11	28				
12:30		8	32			4	34				
12:45		4	50	34	180	3	30	20	122	54	302
01:00		6	49			3	42				
01:15		3	51			2	34				
01:30		2	30			2	34				
01:45		6	30	17	160	4	26	11	136	28	296
02:00		8	37			4	28				
02:15		1	44			0	28				
02:30		4	43			3	21				
02:45		2	42	15	166	0	30	7	107	22	273
03:00		4	35			4	30				
03:15		5	47			3	20				
03:30		2	46			3	34				
03:45		1	52	12	180	2	21	12	105	24	285
04:00		1	59			0	39				
04:15		2	66			1	41				
04:30		1	68			2	32				
04:45		4	50	8	243	2	32	5	144	13	387
05:00		3	72			2	39				
05:15		1	86			1	28				
05:30		4	74			6	26				
05:45		6	92	14	324	1	31	10	124	24	448
06:00		8	96			8	38				
06:15		14	69			6	22				
06:30		13	74			20	37				
06:45		20	72	55	311	34	42	68	139	123	450
07:00		18	66			32	34				
07:15		26	50			32	30				
07:30		25	56			68	36				
07:45		38	44	107	216	50	26	182	126	289	342
08:00		34	58			53	33				
08:15		28	60			64	26				
08:30		31	48			74	24				
08:45		38	53	131	219	52	17	243	100	374	319
09:00		44	38			34	13				
09:15		42	42			40	18				
09:30		32	33			31	14				
09:45		34	32	152	145	32	16	137	61	289	206
10:00		32	34			23	20				
10:15		22	39			25	18				
10:30		20	24			19	20				
10:45		22	30	96	127	20	6	87	64	183	191
11:00		23	24			23	9				
11:15		30	10			30	6				
11:30		32	14			22	12				
11:45		34	12	119	60	20	4	95	31	214	91
Total		760	2331			877	1259			1637	3590
Percent		24.6%	75.4%			41.1%	58.9%			31.3%	68.7%
Grand Total		1579	4671			1739	2542			3318	7213
Percent		25.3%	74.7%			40.6%	59.4%			31.5%	68.5%
ADT		ADT 5,266				AADT 5,266					

RIGHT OF WAY DEEDFILED & RECORDED
DEKALB COUNTY
SEP 19 1 44 PM '80STATE OF GEORGIA
COUNTY OF DEKALB*William H. Wiley*
CLERK OF SUPERIOR COURT

THIS INDENTURE made this 16th day of September, 1980, by and between TAYLOR & MATHIS ENTERPRISES, a Georgia general partnership, as to an undivided 50% interest (said general partnership being comprised of CHARLES MCKENZIE TAYLOR, as to a 41.28% interest, T. HARVEY MATHIS, as to a 41.28% interest, GRAYDON B. LEAKE, JR., as to a 13.44% interest, JAMES D. FLUKER, JR., as to a 2% interest and E. H. AVERY, as to a 2% interest); METROPOLITAN LIFE INSURANCE COMPANY, A New York corporation, as to an undivided 45% interest; and 2154 TRADING CORPORATION, a New York corporation, as to an undivided 5% interest, being joint venturers doing business as PERIMETER CENTER NORTH ASSOCIATES, hereinafter referred to as "Owner" of the first part, and DEKALB COUNTY, a political subdivision of the State of Georgia, hereinafter referred to as "County" of the second part.

W I T N E S S E T H :

That for and in consideration of the sum of One Dollar (\$1.00) the Owner, subject to the reservations and conditions hereinafter set forth, does hereby grant and convey to the County the following described property, to wit:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 350 of the 18th District of DeKalb County, Georgia, being the property designated as "1.190 Ac.", on the plat of survey, a copy of which is attached hereto as Exhibit "A", and by this reference made a part hereof; said plat being entitled "Plat for Right-of-Way Deed Purposes for Widening of Ashford-Dunwoody Road", prepared by W. L. Jorden & Co., Inc., dated September 5, 1980.

TOGETHER WITH a temporary construction easement in, to and over the strip of land designated as "TEMPORARY CONSTRUCTION EASEMENT" which is shown on the aforementioned Exhibit "A" plat as being 0.67 Ac., more or less; said easement to terminate upon the completion of Ashford-Dunwoody widening project.

DeKalb County, Georgia
Real Estate Transfer Tax

Paid \$ NONE

CLERK, SUPERIOR COURT

By *Paul H. Wiley*
Deputy Clerk

BOOK 4339 PAGE 399

4339-399

Received 3/14/13

Said property is conveyed subject to existing utility facilities and the reservations and conditions set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

Driveways and entrances to the property of the undersigned shall be preserved in case they are affected by a change of grade, and, where drainage pipes are necessary for driveways now in use, same shall be furnished by the County, not to exceed 16 feet in length for each driveway.

The Owner further grants the right to all necessary drainage in the widening construction of Ashford-Dunwoody Road and the maintenance of said road and also releases the County from any claim or damage arising on account of construction of said road or fills and embankments, ditches or culverts or bridges on account of back water changing of courses of streams, or in any other manner.

TO HAVE AND TO HOLD the said conveyed premises in fee simple.

The Owner hereby warrants that it has the right to sell and convey said land and binds itself, its successors and assigns forever to defend by virtue of these presents against the claims of persons claiming under Owner.

By the acceptance of delivery of this deed, the County recognizes (i) that the said property is conveyed subject to the conditions and reservations set forth on said Exhibit "B" and (ii) the County waives any obligation of Owner to maintain or repair the Ashford-Dunwoody Right-of-Way within the boundaries of the conveyed property.

IN WITNESS WHEREOF, the Owner has hereunto set its hand
and seal the day and year first above written.

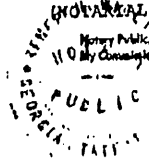
As to Taylor & Mathis
Enterprises: Signed,
sealed and delivered
in the presence of:

Virginia H. Hiley
Witness

Frank H. Williams
Notary Public
My Commission Expires:

(NOTARIAL SEAL)

Notary Public, Georgia, State at Large
My Commission Expires July 27, 1963



As to Metropolitan Life
Insurance Company: Signed,
sealed and delivered in
the presence of:

Bulah Nigamany
Witness

Judith Q. Ross
Notary Public
My Commission Expires:

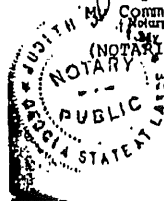
(NOTARIAL SEAL)

As to 2154 Trading
Corporation: Signed,
sealed and delivered
in the presence of:

Bulah Nigamany
Witness

Judith Q. Ross
Notary Public
My Commission Expires:

(NOTARIAL SEAL)



TAYLOR & MATHIS ENTERPRISES, a
Georgia general partnership

By: Charles McKenzie Taylor (SEAL)
CHARLES MCKENZIE TAYLOR, as
partner

By: T. Harvey Mathis (SEAL)
T. HARVEY MATHIS, as partner

By: Graydon B. Drake, Jr. (SEAL)
GRAYDON B. DRAKE, JR., as
partner

By: James D. Fluker, Jr. (SEAL)
JAMES D. FLUKER, JR., as
partner

By: E. H. Avery (SEAL)
E. H. AVERY, as partner

AND

METROPOLITAN LIFE INSURANCE COMPANY,
a New York corporation

By: Frederic C. Anhalt
Title: Assistant Vice President

Attest: John P. Miley
Title: Assistant Secretary
(CORPORATE SEAL)

2154 TRADING CORPORATION, a New York
corporation

By: Ralph F. Lewis
Title: VICE PRESIDENT

Attest: John P. Miley
Title: Assistant Secretary
(CORPORATE SEAL)

as the joint venturers doing business
as Perimeter Center North Associates

BOOK 4339 PAGE 401

METROPOLITAN LIFE INSURANCE COMPANY, as Lender, joins herein for the purpose of releasing said property, designated as "1.19 Ac." on said Exhibit "A" from the lien and effect of that certain Deed to Secure Debt dated June 28, 1979, recorded in Deed Book 4073, Page 462 of the DeKalb County records and transferred to Metropolitan Life Insurance Company by virtue of a Transfer and Assignment dated June 28, 1979, recorded in Deed Book 4073, Page 492, and consents to the grant of said temporary construction easement as set forth in the within and foregoing Right-of-Way Deed.

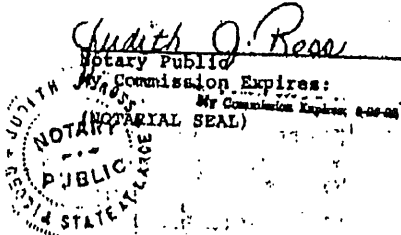
Signed, sealed and delivered
in the presence of:

METROPOLITAN LIFE INSURANCE COMPANY

By: Fried S. Burkhardt
Title: Assistant Vice President

Bulah Mizgany
Witness

Attest: James A. [Signature]
Title: Assistant Secretary



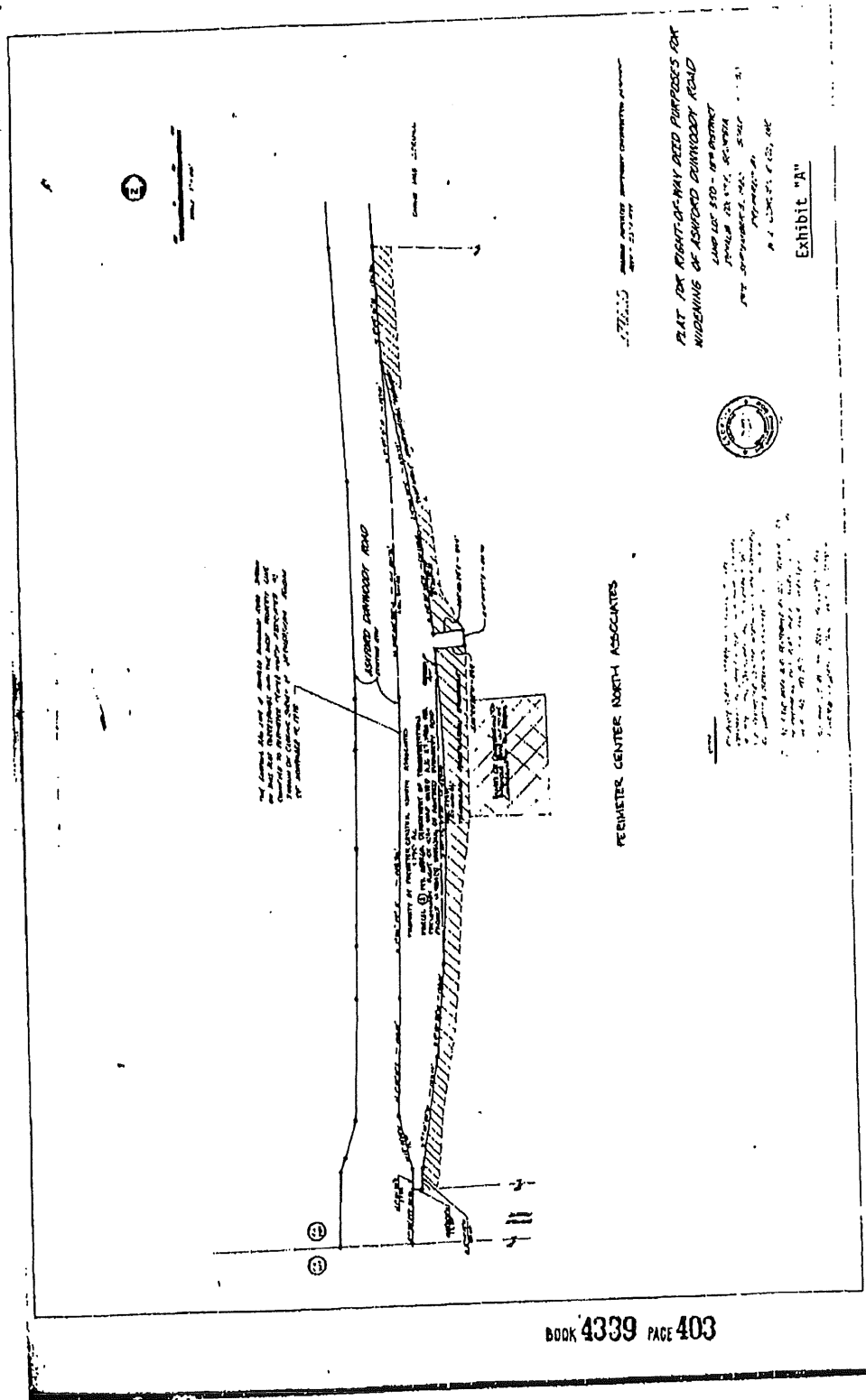


EXHIBIT "B"

Said property is conveyed to the County subject to the following reservations and conditions:

1. The Owner reserves the road cut that is presently under construction into its property at the intersection of Ashford-Dunwoody Road and the Perimeter Center North (Main Road), which intersection is to be signalized; said Perimeter Center North (Main Road) having been approved by DeKalb County and being at present in the final stage of completion.
2. The Owner has the right to cause to be made one (1) curb cut from its property into Ashford-Dunwoody Road at some point north of the Perimeter Center North (Main Road) intersection and one (1) curb cut into Ashford-Dunwoody at some point south of the Perimeter Center North (Main Road) cut. Said curb cuts are to be made at locations in the discretion of the Owner.
3. The parties comprising Owner, hereby reserve for themselves, their respective heirs, legal representatives, successors and assigns, the unrestricted right of ingress and egress through the road cut and the other curb cuts to be constructed as set forth in Conditions 1 and 2 hereof.
4. The parties comprising Owner further reserve for themselves, their respective heirs, legal representatives, successors and assigns, the right to make full use of all utilities and drainage facilities that now exist or that may later be introduced within the boundaries of the conveyed property or the right-of-way of Ashford-Dunwoody Road.

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2013-XX-XX

AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING CLASSIFICATION AND MAP FOR ZONING CONDITIONS OF LAND LOT 350, District 18 IN CONSIDERATION OF ZONING CASE RZ-13-051 (275, 301 and 303 Perimeter Center North)

WHEREAS: HDP Acquisitions, LLC, c/o Hotel Development Partners, LLC seeks permission to rezone and change zoning conditions located on the Southeast corner of the intersection of Ashford Dunwoody Road and Perimeter Center North; and

WHEREAS: the Property, consisting of 11.53 acres of land, is currently zoned Office-Commercial-Residential-conditional (OCR-c), conditioned to a site plan pursuant to a rezoning that took place in 2008 that entitled a ten (10) story, 200-room hotel and an 8500 square foot restaurant and the applicant seeks permission to amend the site plan through a change of conditions to allow for the construction of an 8-story, 134-room hotel and a one-(1) story restaurant of up to 10,600 feet, two (2) 1-story retail structures of up to 4,500 square feet each, and a one(1) story retail building of up to 6,000 square feet; and

WHEREAS, the application does not propose a change in land uses on the Property and is requested solely to reorient the existing proposed development for additional uses and requests a curb cut onto Ashford Dunwoody Road and is expected to produce a more economically viable development while being better aligned with the City's Comprehensive Plan, including pedestrian access; and

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

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

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAINES AND APPROVES** the rezoning of this said property from Office-Commercial-Residential-conditional (OCR-c) to Office-Commercial-Residential-conditional District (OCR-c) by revising the previously adopted conditions of the 2008 rezoning in their entirety to read as follows:

1. The development shall substantially comply with the Site Plan dated March 20, 2013 prepared by McFarland-Dyer & Associates.
2. Curb-cut access from Ashford-Dunwoody Road shall be restricted to a right-in turning movement.
3. Setbacks shall be measured from existing right-of-way, versus any future right-of-way which the City may demand incidental to development.
4. The development shall contain a hotel not to exceed eight (8) stories with up to one hundred thirty-four (134) rooms; an outparcel restaurant with up to 10,600 square feet of space; additional outparcel retail space of no more

than 15,000 square feet of space; an existing eight (8) story office building; an existing six (6) story office building; an existing seven (7) level parking garage; and a new, parking deck of up to three (3) levels. The total number of parking spaces shall not be less than 1,261.

5. The Development shall contain a bike rack.
6. Neon, gas, flashing, animated, sound emitting, or rotating signs are prohibited. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all signs in the public right-of-way.
7. Developer will provide sidewalks along its property frontage along Ashford-Dunwoody Road and up to the curb-cut on Perimeter Center North per PCID standards.
8. Outdoor seating shall be allowed in the front of the hotel and restaurant. Sidewalks adjacent to the area of outdoor seating shall have a minimum of eight (8) foot wide clear walkways for pedestrians.
9. The Developer shall follow the 2007 Perimeter CID Public Standards for "Boulevards" for all lighting it installs in the public right-of-way.
10. All utilities shall be underground. All street lighting shall be installed with an underground feed.
11. Developer shall follow the "Best Practice Management for Erosion Guidelines" and shall be particularly sensitive to erosion control along the property lines.
12. Water Quality for this newly redeveloped portion of Sterling Pointe shall meet the minimum requirements of Georgia Stormwater Management Manual for the City of Dunwoody.
13. All HVAC equipment located on the roofs of buildings shall be screened from the view of pedestrians on public right-of-way.
14. Signs located at the entrances to the development shall be monument style signs and shall be externally lit.
15. Parts of the Property may be conveyed as separate tracts and to separate owners with different ownership structures under the zoning plan.
16. Should there be a conveyance of part of the property to different owners, all zoning conditions and variances shall remain applicable to any portion of the conveyed Property, regardless of what future person or entity owns the subdivided Property.
17. Conveyance of part of the property to different owners shall not require any changes to the zoning plan for the Development, nor any variances provided a subdivision process is not required.
18. In order to minimize vehicle/pedestrian conflicts, construct a raised crosswalk with pavers across the right-in driveway, install "Yield to Pedestrians" signs

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2013-XX-XX

on the inbound lane on the crosswalk, and install on-site signage to direct traffic wishing to go South on Ashford Dunwoody Road to use the driveway on Perimeter Center North.

19. Construct a median opening on Perimeter Center North at the development driveway, including a westbound left-turn lane into the development driveway.
20. Extend the short left-turn lane on Perimeter Center North at the median opening East of the site driveway back to the apartments' driveway.
21. Restrict left turns in the rightmost outbound lane from the development to Perimeter Center North; identify with right-turn only arrows.
22. Require vehicles wishing to turn right from Ashford Dunwoody Road onto Perimeter Center North to yield before entering by striping the right lane so as to block direct movement from the turn lane into the development in order to reduce weave conflicts and improve the safety for vehicles turning left out of the development.
23. Construct all signs pursuant to the City Sign Ordinance.

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

SO ORDAINED AND EFFECTIVE, this the ____ day of _____, 2013.

Approved by:

Approved as to Form and Content

Michael G. Davis, Mayor

City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL