## Special Land Use Permit Application



## Land Use Petition Application

All applications and plans must be submitted through the Project Portal https://Cityworks.BrookhavenGA.gov/ProjectPortal

## Land Use Petition Application

| PROPERTY |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Site Address(es): <br> 4170 Ashford Dunwoody Road, Brookhaven, GA |  | Parcel \#:$1833001015$ |  | Zip: |
|  |  | 30319 |
| Project Name (If applicable): Ashford Green |  |  |  |  |
| TYPE OF REQUEST (Select all applicable) |  |  |  |  |
| $\square$ Rezoning | 区 Special Land Use Permit |  |  | $\square$ Concurrent Variances | $\boldsymbol{\square}$ Modification of Conditions |  |
| Current Zoning | O-I Conditional (Office-Institution) | Proposed Zoning | O-I Conditiona | Office-Institution) |
| Current Use | Mixed-Use | Proposed Use | Mixed-Use |  |

## OWNER INFORMATION

| Name: |  |  |  |  |
| :--- | :--- | :--- | :--- | :---: |
| Address: | 2737 N. Haskell Drive, Tucson, AZ 85716 |  |  |  |
| Email: | talev@alineaholdings.com | Phone: |  |  |

APPLICANT

| Name: | Ashford Green Ventures, LLC c/o Dennis J. Webb, Jr. - Smith, Gambrell, and Russell |  |  |
| :--- | :---: | :--- | :---: |
| Address: | 1105 W. Peachtree St. NE, Suite 1000, Atlanta, GA 30309 |  |  |
| Email: | dwebb@sgrlaw.com | Phone: | $404-815-3620$ |

## AFFIDAVIT

To the best of my knowledge, this variance 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 Brookhaven Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Brookhaven Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

| Applicant's Name: | Dennis J, Webb, Jr. | (Authorized Agent for Ashford Green Ventures LLC) |  |  |
| :--- | :---: | :--- | :--- | :---: |
| Applicant's Signature: | $\chi \not Z \sqrt{29.2023}$ |  |  |  |

NOTARY


## Land Use Petition Application

All applications and plans must be submitted through the Project Portal https://Cityworks.BrookhavenGA.gov/ProjectPortal

## Land Use Petition Application

## PROPERTY

| Site Address(es): | Parcel \#: | Zip: |
| :--- | :--- | :--- |
| 4170 Ashford Dunwoody Road, Brookhaven, GA | 1833001015 | 30319 |
| Project Name (If applicable): Ashford Green |  |  |

TYPE OF REQUEST (Select all applicable)

| $\square$ Rezoning | $\boxtimes$ Special Land Use Permit $\quad \square$ | $\square$ Concurrent Variances | 区 Modification of Conditions |
| :---: | :---: | :---: | :---: |
| Current Zoning | O-I Conditional (Office-Institution) | Proposed Zoning | O-I Conditional (Office-Institution) |
| Current Use | Mixed-Use | Proposed Use | Mixed-Use |

OWNER INFORMATION

| Name: | Ashford Green Ventures, LLC |  |  |
| :--- | :--- | :--- | :--- |
| Address: | 2737 N. Haskell Drive, Tucson, AZ 85716 |  |  |
| Email: | talev@alineaholdings.com | Phone: |  |

## APPLICANT

| Name: | Ashford Green Ventures, LLC c/o Dennis J. Webb, Jr. - Smith, Gambrell, and Russell |  |  |
| :--- | :--- | :--- | :--- |
| Address: | 1105 W. Peachtree St. NE, Suite 1000, Atlanta, GA 30309 |  |  |
| Email: | dwebb@sgrlaw.com | Phone: | $404-815-3620$ |

## AFFIDAVIT



## Land Use Petition Application

All applications and plans must be submitted through the Project Portal https://Cityworks.BrookhavenGA.gov/ProjectPortal

## Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this variance application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.


Addltional Property Owner (if applicable)

| Name: |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: |  | City, State: |  | Zip: |
| Signature: |  |  | Date: |  |
| Sworn to and <br> Notary Public: | bscribed before me this $\qquad$ day of | , 20 |  |  |

Additional Property Owner (if applicable)

| Name: |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: |  | City, State: |  | Zip: |
| Signature: |  |  | Date: |  |
| Sworn to and subscribed before me this ___ day of ___ 20 |  |  |  |  |
| Notary Pub |  |  |  |  |

## 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 Brookhaven City Council or a member of the $\square$ Yes City of Brookhaven Planning Commission?

## Applicant/Property Owner

| Name: | Dennis J. Webb, Jr. (Smith, Gambrell, and Russell, LLP) |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: | 1105 W. Peachtree St. NE | City, State: |  | Zip: 30319 |
| Signature: | aR |  | Date: | 8.29.2023 |

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

| Date | Government Official \& Position | Description | Amount |
| :--- | :--- | :--- | :--- |
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## Campaign Disclosure Statement

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Applicant/Property Owner

| Name: | J. Alexander Brock (Smith, Gambrell, and Russell, LLP) |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: | 1105 W. Peachtree St. NE | City, State: | Atlanta, GA | Zip: 30319 |
| Signature: | 1. Ahal B/ |  | Date: | 8.29.2023 |

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

| Date | Government Official \& Position | Description | Amount |
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## Campaign Disclosure Statement

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Applicant/Property Owner

| Name: | Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP) |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: | 1105 W. Peachtree St. NE | City, State: | Atlanta, GA | Zip: 30319 |
| Signature: | Kathun M Żcht |  | Date: | 8.29.2023 |

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

| Date | Government Official \& Position | Description | Amount |
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# P\&Z 10-05-23 <br> Land Use Petition Application 

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## 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 Brookhaven City Council or a member of the $\square$ Yes入 No City of Brookhaven Planning Commission?

## Applicant/Property Owner

| Name: | Kirk R. Fjelstul (Smith, Gambrell, and Russell, LLP) |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Address: | 1105 W. Peachtree St. NE | City, State: |  | Zip: 30319 |
| Signature: | Six $=-1$ P |  | Date: | 8.29.2023 |

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

| Date | Government Official \& Position | Description | Amount |
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## 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 Brookhaven City Council or a member of the $\square$ Yes
$\square$ No City of Brookhaven Planning Commission?


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

| Date | Government Official \& Position | Description | Amount |
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## P\&Z 10-05-23

All that tract or parcel of land lying and being in Land Lots 329 \& 330 of the 18th District, City of Brookhaven, Dekalb County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the westerly right-of-way line of Ashford Dunwoody Road (having an apparent 100' right-of-way) and the southerly right-of-way line of Lake Hearn Drive (having an apparent variable width right-of-way); thence, leaving the aforesaid right-of-way of Lake Hearn Drive and running with the said right-of-way line of Ashford Dunwoody Road

1. 48.76 feet along the arc of a curve deflecting to the left and having a radius of $3,213.22$ feel and a chord bearing and distance of South $28^{\prime \prime} 16^{\prime} 01$ " East, 48.76 feet to a point; thence,
2. South $28^{\prime \prime} 42^{\prime} 06^{\prime \prime}$ East, 272.65 feet to a point; thence,
3. South $28^{\circ} 56^{\prime} 43^{\prime \prime}$ East, 349.39 feet to an iron pin set; thence leaving the said right-of-way of Ashford Dunwoody Road,
4. 90.90 feet along the arc of a curve deflecting to the right and having a radius of 100.00 feet and a chord bearing and distance of North $84^{\prime} 52^{\prime} 52^{\prime \prime}$ West, 87.80 feet to a point; thence,
5. 66.01 feet along the arc of a curve deflecting to the left and having a radius of 65.18 feet and a chord bearing and distance of North $89^{\prime} 34^{\prime} 41^{\prime \prime}$ West, 63.22 feet to a point; thence, 6. South $60^{\circ} 58^{\prime} 56^{\prime \prime}$ West, 211.72 feet to a point; thence,
6. 67.94 feet along the arc of a curve deflecting to the left and having a radius of 100.00 feet and a chord bearing and distance of South $41^{\circ} 31^{\prime} 03^{\prime \prime}$ West, 66.64 feet to a point; thence, 8. 149.18 feet along the arc of a curve deflecting to the left and having a radius of 425.00 feet and a chord bearing and distance of South $12^{\circ} 58^{\prime} 39^{\prime \prime}$ West, 148.42 feet to a point; thence,
7. South $03^{\prime \prime} 16^{\prime} 43^{\prime \prime}$ West, 160.69 feet to an iron pin set on the northerly right-of-way line at Perimeter Summit Parkway (having an apparent 100' right-of-way); thence, running along said right-of-way line of Perimeter Summit Parkway
8. North $84^{\circ} 32^{\prime} 49^{\prime \prime}$ West, 152.15 feet to a point; thence,
9. 177.93 feel along the arc of a curve deflecting to the left and having a radius of 470.05
feet and a chord bearing and distance of South $84^{\circ} 36^{\prime} 32^{\prime \prime}$ West, 176.87 feet to an Iron pin
set at the intersection of the aforesaid right-of-way line of Perimeter Summit Parkway and the easterly right-of-way line of Parkside Place (having an apparent variable width right-of-way); thence, leaving the aforesaid right-of-way line of Perimeter Summit Parkway and running with the said right-of-way line of Parkside Place
10. North $58^{\circ} 20^{\prime} 35^{\prime \prime}$ West, 64.24 feet to an iron pin set; thence, leaving the aforesaid right-ofway line of Parkside Place and running with property now or formerly owned by Brian Realty Corporation per Deed Book 7600, Page 426, recorded among the records of Dekalb County, Georgia
11. North or $26^{\prime} 13^{\prime \prime}$ West, 899.82 feet to an iron pin set; thence, leaving the aforesaid property of Brian Realty Corporation and running with property now or formerly owned by BRE SH Atlanta Perimeter owner, LLC per Deed Book 23739, Page 683, aforesaid records
12. South $83^{\circ} 41^{\prime} 58^{\prime \prime}$ East, 58A8 feet to an iron pin set; thence,
13. North $68^{\circ} 00^{\prime} 13^{\prime \prime}$ East, 176.68 feet to an iron pin set; thence,
14. North $38^{\circ} 33^{\prime} 50^{\prime \prime}$ East, 197.47 feet to an iron pin set on the aforesaid right-of-way line of Lake Hearn Drive; thence, leaving the aforesaid right-of-way line of BRE SH Atlanta Perimeter Owner, LLC and running with the aforesaid right-of-way line of Lake Hearn Drive
15. South $50^{\circ} 05^{\prime} 29^{\prime \prime}$ East, 128.23 feet to a point; thence,

## P\&Z 10-05-23

18. 146.15 feet along the arc of a curve deflecting to the left, having a radius of 125.00 feet and a chord bearing and distance of South $83{ }^{\prime \prime} 35^{\prime} 11^{\circ}$ East, 137.97 feet to an iron pin set; thence, 19. South 79" $39^{\prime} 44^{\prime \prime}$ East, 17.67 feet to an iron pin set and the POINT OF BEGINNING, containing 620,399 square feet or 14.2424 acres of land, more or less.

#  <br> Brookhâven 

## Purpose \& Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review an application. To schedule a meeting, contact a member of the Planning and Zoning Division by calling (404) 637-0500 or via email at Planning@BrookhavenGA.Gov. This form will be completed during the pre-application meeting and must be submitted with the application for the submittal to be deemed complete.

| Applicant Name | Ashford Green Ventures, LLC c/o Dennis J. Webb, Jr. - Smith, Gambrell, and Russell, LLP | Applicant Email | dwebb@sgrlaw.com |  |
| :---: | :---: | :---: | :---: | :---: |
| Applicant Phone | 404.815.3620 |  |  |  |
| Site Address | 4170 Ashford Dunwoody Road | Parcel Size | 14.2 Acres |  |
| Tax Parcel \# | 1833001015 | City Council District | 1/Linley |  |
| Existing Zoning \& Case | O-I | Proposed Use: | Multi-Family (Seniors \& Senior Assisted Living facility) |  |
| Request |  |  |  | Fees |
| - Rezoning |  |  | Application Base | \$,2000 |
| $\square \quad$ with Concurrent Variances |  |  |  | \$00 |
| - Special Land Use Permit |  |  | nal Request + (0) | \$500 |
| $\square$ Board of Appeals Variance |  | Public Notice Sign (\$80) $\times(6)$ |  | \$480 |
| $\square$ Administrative Variance |  | Public Notice Advertisement |  | \$20 |
| $\square$ Stream Buffer |  | Estimated Total |  | \$3,000 |
| $\square$ Sign |  |  |  |  |

## Deadlines and Public Hearing Dates

| Application Deadline (If Applicable) | $8 / 30 / 23$ |
| :--- | :--- |
| Commission or Board Meeting Date (If Applicable) | Planning Commission: 11/1 $23=$ (Mandatory In-Person Meeting) <br> City Council 11/28/23 |

## Additional Studies

| $\square$ Trip Generation | $\square$ | Traffic Impact Study |
| :--- | :--- | :--- |
| $\square$ Development of Regional Impact Review | $\square \quad$ Environmental Impact Review |  |

## Proposal Descriiption

1) Rezoning and Major Modification of RZ13-11, SLUP13-12 and SLUP13-02 and new SLUP to allow Multi-family (Senior Living) or 4+ households

Applicant Signature: $\qquad$ Date: 8.30.2023
$\qquad$ Date: $\qquad$


P\&Z 10-05-23
Ashford Green 500' Buffer


# P\&Z 10-05-23 

1105 W. Peachtree St. NE, Suite 1000
Atlanta, Georgia 30309-3608
Tel: 404 815-3500
www.sgrlaw.com

## Smith Gambrell <br> Russell

Dennis (Den) J. Webb, Jr.
Direct Tel: 404-815-3620
Direct Fax: 404-685-6920

## Re: COMMUNITY MEETING Regarding Proposed Development at 4170 Ashford Dunwoody Road, Brookhaven, GA 30319

Dear Neighbor:
We represent Ashford Green Ventures, LLC ("AGV"), the owners of the Ashford Green office complex. AGV would like to provide senior residential uses on the property (active-adult, assisted living and memory care) and proposes to convert the existing office building and construct a new building in place of an office building that it has been authorized to build in the future. To accomplish these goals, AGV plans to file two land use applications: (1) a major modification application to modify existing conditions of zoning on the property; and (2) a Special Land Use Permit to allow for the senior residential uses.

We are contacting you as property owners within the immediate area to invite you to attend a community meeting to hear more about the proposed development and offer input. The meeting will be held on Thursday, September 7, 2023 at 7:00 p.m. at The Hilton Garden Atlanta Perimeter Center, located at 1501 Lake Hearn Drive, Atlanta, GA 30319.

We look forward to seeing you then.

Thank you,


Dennis (Den) J. Webb, Jr.
Representative for Ashford Green Ventures, LLC
UNITED STATES
Name and Address of Sender
Kylie Thomas
Smith, Gambrell \& Russell, LLP
1105 West Peachtree Street, NE
Atlanta, GA 30309
səqunn әр!! $\forall /$ бu!
PS Form 3877, January 2017 (Page 1 of 29)
PSN $7530-02-000-9098$










| 99. | MAYA ANDRES G 904 URBAN ASH CT JOHNS CREEK, GA 30022 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
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| 100. | STANIFORTH JOHN E 10 PERIMETER SUMMIT BLVD NE 4235 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 101. | CARR KEVIN <br> 10 PERIMETER SUMMIT BLVD 4231 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 102. | PEARSON ELIZABETH ANNE 1260 DUNWOODY LN NE ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 103. | DUMAS ELENA 10 PERIMETER SUMMIT BLVD NE 4230 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  | 0 C N |
| 104. | OCONNOR JOHN 6480 WESTCHESTER PL CUMMING, GA 30040 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  | 1 <br>  <br> 0 <br> 0 <br> 0 |
| 105. | DAVIDSON TAYLOR 10 PERIMETER SUMIT BLVD NE 4316 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  | $\begin{aligned} & \mathbf{1} \\ & \omega \end{aligned}$ |
| 106. | VILLA SONOMA LLC 3520 PIEDMONT RD NE 420 ATLANTA, GA 30305 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 107. | DAVIS CAROLYN D 10 PERIMETER SUMMIT BLVD NE 4217 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 108. | O MYONG HYE 10 PERIMETER SUMMIT BLVD NE 4318 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |





| 139. | 10 PERIMETER SUMMIT BLVD 4115 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
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| 140. | KWON HYEJIN <br> 10 PERIMETER SUMMIT BLVD NE UNIT 311 BROOKHAVEN, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
| 141. | GARG LOVE KUMAR 10 PERIMETER SUMMITMAV ATLLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
| 142. | EDWARDS MICHAEL C 10 PERIMETER SMT NE 4432 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
| 143. | FISHER MICHEELB 10 PERIMETER SMMMHTI BLVD NE 4140 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  | $\infty$ $\times$ $N$ |
| 144. | JAIN FAMILY REVOCABLE TRUST 8U25 DORAL DR DULUTH, GA 30097 | . 63 | . 57 |  |  |  |  |  |  |  |  | 苓 |
| 145. |  | . 63 | . 57 |  |  |  |  |  |  |  |  | $\stackrel{N}{N}$ |
| 146. | ATLANTA, GA 30319 <br> TAFUR RONALD A 10 PERIMETER SUMMIT BLVD NE ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
| 147. | debayo mutiat 1070 LONGSHORE CV DECATUR, GA 30032 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |
| 148. |  | 63 | . 57 |  |  |  |  |  |  |  |  |  |











| 239. | LEEPER JAMES JOSEPH 10 PERIMETER SUMMIT BLVD NE 4328 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
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| 240. | MIAMI, FL 33196 <br> BRAVO SIMON 11695 SW 153RD AVE | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 241. | NF IV VA ATL PERIMETER LLC 3424 PEACHTREE RD 2000 ATLANTA, GA 30326 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 242. | KURTZ ARI <br> 4124 OAK FOREST DR NE ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 243. | CLARK KEVIN M 10 PERIMETER SUMMIT BLVD NE 4414 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  | O |
| 244. | LEROY ZAINE C 10 PERIMETER SUMMIT BLVD NE 1308 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 245. | SIMON CAREN B 10 PERIMETER SUMMIT BLVD NE 4244 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  | $\begin{aligned} & \text { ı} \\ & \mathrm{N} \end{aligned}$ |
| 246. | THOMAS TREVOR 10 PERIMETER SUMMIT BLVD NE 1407 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 247. | MILLER JOAN 10 PERIMETER SUMMIT BLVD NE 4442 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |
| 248. | WILSON KINDRA 10 PERIMETER SUMMIT BLVD 4323 ATLANTA, GA 30319 | . 63 | . 57 |  |  |  |  |  |  |  |  |  |  |  |



| 25. | Ava ¢ounioulionumwn | ${ }^{63}$ | . 57 |  |  |  |  |  |  |  |
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| 260. | VU STACY TRANG 10 PERIMETER SUMMIT BLVD 4239 ATLANTA, GA 30319 | ${ }^{63}$ | . 57 |  |  |  |  |  |  |  |
| 26. |  | ${ }^{63}$ | . 57 |  |  |  |  |  |  |  |
| 26. |  | ${ }^{63}$ | . 57 |  |  |  |  |  |  |  |
| 263. | NWE KHIN LAY 10 PERIMETER SUMMIT BLVD 1310 ATLANTA, GA 30319 | ${ }^{63}$ | . 57 |  |  |  |  |  |  | \% |
| 26. |  | ${ }^{63}$ | . 57 |  |  |  |  |  |  | $\stackrel{\rightharpoonup}{\mathbf{O}}$ |
| 265. |  | ${ }^{63}$ | . 57 |  |  |  |  |  |  | * |
| 266. |  | . 63 | . 57 |  |  |  |  |  |  |  |
| 26. | TERAN OCHOA DANIEL R 10 PERIMETER SUMMIT BLVD NE 4228 ATLANTA, GA 30319 | ${ }^{63}$ | 57 |  |  |  |  |  |  |  |
| 268. | ${ }^{\text {coremer }}$ | . 63 | . 57 |  |  |  |  |  |  |  |




## P\&Z 10-05-23

## MEMORANDUM

TO: City of Brookhaven, Department of Community Development
FROM: J. Alexander Brock, P.E. Smith, Gambrell \& Russell, LLP (GA P.E. 031209)
Dennis J. Webb, Jr., Smith, Gambrell \& Russell, LLP
Kathryn M. Zickert, Smith, Gambrell \& Russell, LLP
DATE: $\quad$ August 30, 2023, Revised October 4, 2023
RE: Environmental Site Analysis - 4170 Ashford Dunwoody Road

## 1) CONFORMANCE WITH THE COMPREHENSIVE PLAN.

This Application seeks (a) a Major Modification to modify existing conditions of zoning; and (b) a Special Land Use Permit ("SLUP") to allow a proposed senior residential development on a $\pm 14.29$-acre property. Known as Ashford Green, the property is located in Land Lot 329 of the 18th District of DeKalb County, Georgia and more particularly at 4170 Ashford Dunwoody Road. The Applicant, Ashford Green Ventures, LLC, intends to develop $\pm 201$ units of agerestricted, active adult residences in a new five-story building, plus convert the existing 273,632 square foot office building into a variety of senior living residences, including 138 independent living units, 41 assisted living units and 28 memory care units.

The Subject Property falls within the Perimeter Center (PC) character area under the City of Brookhaven's 2034 Comprehensive Plan ("Comprehensive Plan"). The Comprehensive Plan does not detail specific requirements for development within the PC character area. The Comprehensive Plan does, however, encourage development to allow its residents to age in place:

A vision has been set for Brookhaven to continue as a lifelong community. While there are some senior resources currently in the city, there is room for improvement. The City should support opportunities for residents to age in place. See Comp Plan, Community Goals, pg. 43.

Brookhaven is an attractive location for people of all ages and there is a strong desire for it to be supportive of the aging population. See Comp Plan, Implementation Strategy, pg. 97.

The Proposed Development meets this need through its single facility, progressive care housing. The residences will range from active adult, whose residents are still active and need no support, to long-term assisted living and memory care, for those who need more support from 24 -hour nursing staff.

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## 2) ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.

## a) Wetlands

There are no wetlands adjacent to the property as indicated by the U.S. Fish and Wildlife Service, National Wetlands Inventory Maps. Accordingly, there are no impacts to the any wetlands proposed.


Figure 1. National Wetlands Inventory Map

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## b) Floodplain

The rear portion of the property, adjacent to the North Fork of Peachtree Creek is located in in a Special Flood Hazard Area (Zone AE), while the remainder of the property is in an Area of Minimal Flood Hazard according to FEMA FIRM Map, Panel number 13089C0012K, effective on $08 / 15 / 2019$. No disturbance is proposed within the Special Flood Hazard area.


This map complies with FEMA's standards for the use of
This map complies with FEMA's standards for the use of
digital flood maps if it is not void as described below. digita flood maps if it is not void as described below
The basemap shown complies with FEMA's basema accuracy standards
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map
was exported on $8 / 30 / 2023$ at $8: 41 \mathrm{AM}$ and does not was exported on $8 / 30 / 2023$ at $8: 41$ AM and does not time. The NFHL and effective information may change or become superseded by new data over time.
This map image is void if the one or more of the following map lements do not appear: basemap imagery, flood zone labels,
legend, scale bar, map creation date, community identifiers, FIRM panel I unmber, and FIRM effective date. Map images for egulatory purposes.

Figure 2. FEMA FIRM Panel

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## c) Streams/stream buffers

There are no state waters present on the Subject Property based on site observations and as indicated by the ALTA survey by TerraMark Land Surveying, Inc., dated 12/20/22.

## d) Slopes exceeding $\mathbf{2 5}$ percent over a $\mathbf{1 0}$-foot rise in elevation

Based on topographic information obtained from the Brookhaven GIS and site observation there are no slopes in excess of $25 \%$ over a 10 -feet in rise on the Subject Property.
e) Vegetation

The project site is developed with some areas of forested vegetation and parking lot landscaping. An IPaC Trust Resource Report was generated from the U.S. Fish and Wildlife Service. The report revealed that there is one plant native to the region (Michaux's Sumac) that is endangered. This species was not found onsite.

## f) Wildlife Species (including fish)

An IPaC Trust Resource Report was generated from the U.S. Fish and Wildlife Service. The report revealed that there are two endangered species native to the region including Whooping Cranes and Monarch Butterflies. None were found to be present or nesting at the project location during the site visit on August 30, 2023.

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## g) Archeological/Historical Sites

According Georgia's Natural, Archaeological and Historic Resources GIS (GNAHRGIS) maps, the project site is not on a historic or archaeological registry. The site is currently developed with an office building, parking deck and appurtenant site improvements.


Figure 3. GNAHRGIS Map

## 3) PROJECT IMPLEMENTATION MEASURES.

The existing building and site improvements will remain in the same configuration after rezoning and no site work or other land disturbing activities are anticipated to allow the proposed restaurant. As a result, here will be no impacts to the items below from the proposed rezoning:
a) Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

N/A
b) Protection of water quality

The proposed project will treat stormwater for pollutants prior to discharge from the site. The overall impact to the downstream stormwater infrastructure will be positive.
c) Minimization of negative impacts on existing infrastructure

The Proposed Development has access to existing utilities to support the proposed use. The proposed use is not anticipated to overly burden existing utilities.
d) Minimization on archeological/historically significant areas

N/A
e) Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

N/A

## f) Creation and preservation of green space and open space

The Applicant's design incorporates landscaped green and open space areas throughout the development.
g) Protection of citizens from the negative impacts of noise and lighting

The proposed noise and lighting will be similar to other multifamily residential developments and is not anticipated to have negative impacts on the surrounding properties.
h) Protection of parks and recreational green space

The Proposed Development will not be impacting any existing parks or recreational green space.

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## i) Minimization of impacts to wildlife habitats

The plans call for the redevelopment of most of the site, however the Subject Property is located in an area that is already highly developed. As a result, impacts to wildlife habitats are anticipated to be minimal.

HOUSING AFFORDABILITY IMPACT STATEMENT
FORM A: Qualitative Analysis of Housing Affordability

| Name of Project/Plan: | Ashford Green |
| :--- | :--- |
| Project/Plan Number: |  |
| Current Zoning: | O-I Conditional (Office-Institution) |
| Proposed Use: | Multi-Family (Seniors \& Senior Assisted Living facility) |

Policy Impact on Housing Affordability
Policy Considerations
Projected Impact
® Increased $\square$ Decreased $\square$ No Impact

Impact on implementation of vision, goals, and priorities of the Affordable Housing Task Force Recommendations:

Impact on regulatory barriers to housing development:

Explain:
The development will provide $10 \%$ of the Active Adult and Independent Living units at the City's required AMI, this will be a positive impact as more workforce housing will be added to the city's existing stock.
$\square$ Increased $\square$ Decreased $\boldsymbol{X}$ No Impact Explain:
$\square$ Increased Decreased $\quad \underset{\square}{ }$ No Impact
Explain: The development will provide $10 \%$ of the Active Adult and Independent Living units at the City's required AMI, this will be a positive impact as more workforce housing will be added to the city's existing stock.

区 Increased $\square$ Decreased $\square$ No Impact Explain:
We do not anticipate there will be a significant impact on the cost of development by adding a workforce housing component.

| Policy Impact on Housing Affordability |  |
| :---: | :---: |
| Policy Considerations | Projected Impact |
| Impact on production of affordable housing | Increased <br> Decreased <br> Explain: <br> We do not anticipate that this project will have an impact on the production of affordable housing. |
| Proposed Changes Impacting Housing Affordability: | Increased <br> Decreased <br> No Impact Explain: <br> We do not anticipate that this project will have proposed changes that will impact housing affordability. |
| Alternative Policy Language to Maximize Affordable Housing Opportunities: | $\square$ Increased $\square$ Decreased Nolmpact |
| Other Housing Policy Considerations: |  |
| Engagement of stakeholders from different racial/ethnic groups, especially those most adversely affected: |  |
| Evaluate racial/ethnic groups most advantaged and most disadvantaged by the issues the policy seeks to address: | Increased <br> Decreased <br> No Impact Explain: |

## Land Use Petition Application

## HOUSING AFFORDABILITY IMPACT STATEMENT

FORM B: Quantitative Analysis of Housing Affordability


## Kimley») Horn

## MEMORANDUM

To: Mr. Josh Mackenzie, Buckhaven Construction Services, LLC<br>From: Ms. Ana Eisenman, P.E., Kimley-Horn<br>Mr. Askar O'Malley, Kimley-Horn

Date: September 19, 2023
RE: Ashford Green - City of Brookhaven - Trip Generation Memorandum

Kimley-Horn is pleased to provide this opinion memorandum regarding the project trip generation evaluation for the Ashford Green development in the City of Brookhaven, Georgia.

## PROJECT OVERVIEW

The Ashford Green development in Brookhaven, Georgia is located on an approximately 14.24-acre site west of Ashford Dunwoody Road and north of Perimeter Summit Parkway. A previous master planning effort conducted in 2017 for the site included 300 proposed multifamily residential units and a total of 773,632 SF of office space in its program. The current master plan in 2023 includes 300 multifamily residential units, 408 senior housing units, and a future office with $253,574 \mathrm{SF}$.

The 2017 master plan conducted a traffic impact study that identified new development traffic associated with the build-out of the site to determine if traffic would be accommodated by adjacent roadway and intersection capacity. No roadway improvements were recommended based on the full build-out of the 2017 master plan program. This memorandum summarizes the trip generation conditions associated with the current master plan compared with the build out of the 2017 master plan.

## TRIP GENERATION

Gross trips associated with the Ashford Green development were estimated using the Institute of Transportation Engineers' (ITE) Trip Generation Manual, $11^{\text {th }}$ Edition, 2021 for both the 2017 master plan and the 2023 master plan. Under both scenarios, mixed-use trip reductions were taken according to the ITE Trip Generation Handbook, Third Edition, 2017. No reductions for alternative mode or passby trips were taken for the purposes of this trip generation memorandum.

The 2017 master plan included an existing 273,632 SF office building that was operational at the time of the traffic data collection, and projections for future traffic generated by proposed additional density including 500,000 SF of new office and 300 multifamily residential units. Trip generation for the proposed 2017 master planning effort was calculated in Table 1 below for the full 2017 program (operational and proposed) based upon the following land uses:

- Land Use 221: Multifamily Housing (Mid-Rise)
- Land Use 710: General Office Building

| Table 1: Trip Generation Summary - 2017 Master Plan |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| ITE Code | Land Use | Density | Daily Traffic |  |  | AM Peak Hour |  |  | PM Peak Hour |  |  |
|  |  |  | Total | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit |
| 221 | Multifamily Housing (MidRise) | 300 Dwelling Units | 1,384 | 692 | 692 | 120 | 28 | 92 | 117 | 71 | 46 |
| 710 | General Office Building | $\begin{gathered} 773,632 \\ \text { SF } \end{gathered}$ | 6,880 | 3,440 | 3,440 | 973 | 856 | 117 | 907 | 154 | 753 |
| Gross Project Trips |  |  | 8,264 | 4,132 | 4,132 | 1,093 | 884 | 209 | 1,024 | 225 | 799 |
| Mixed-Use Reduction |  |  | -40 | -20 | -20 | -4 | -2 | -2 | -10 | -5 | -5 |
| Net New Project Trips |  |  | 8,224 | 4,112 | 4,112 | 1,089 | 882 | 207 | 1,014 | 220 | 794 |

Based on ITE trip generation rates and equations, the 2017 master plan is expected to generate 8,224 net new trips on a typical weekday, including 1,089 net new trips in the AM peak hour (882 entering and 207 exiting) and 1,014 net new trips in the PM peak hour ( 220 entering, 794 exiting).

The proposed 2023 master plan includes the 300 multifamily residential units proposed from the former plan. Additionally, the new program proposes to include a new building with 201 senior adult independent living units, a conversion of the original existing 273,632 SF office building into 207 mixed senior housing units, and a future office building proposed to be 253,574 SF. Trip Generation for the current 2023 master plan was calculated based upon the following land uses:

- Land Use 221: Multifamily Housing (Mid-Rise)
- Land Use 252: Senior Adult Housing - Multifamily (Independent Living)
- Land Use 255: Continuing Care Retirement Community (Mixed Independent, Assisted, and Nursing Home Care)
- Land Use 710: General Office Building

Table 2 summarizes the anticipated trip generation for the proposed development's updated 2023 master plan.

| ITE Code | Land Use | Density | Daily Traffic |  |  | AM Peak Hour |  |  | PM Peak Hour |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  | Total | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit |
| 252 | Senior Adult Housing Multifamily | 201 Dwelling Units | 606 | 303 | 303 | 39 | 13 | 26 | 50 | 28 | 22 |
| 255 | Continuing Care Retirement Community | 207 Dwelling Units | 664 | 332 | 332 | 49 | 32 | 17 | 82 | 32 | 50 |
| 710 | General Office Building | $\begin{gathered} 253,574 \\ \text { SF } \end{gathered}$ | 2,608 | 1,304 | 1,304 | 373 | 328 | 45 | 359 | 61 | 298 |
| Gross Project Trips |  |  | 5,262 | 2,631 | 2,631 | 581 | 401 | 180 | 608 | 192 | 416 |
| Mixed-Use Reduction |  |  | -52 | -26 | -26 | -6 | -3 | -3 | -20 | -10 | -10 |
| 2023 Net New Project Trips |  |  | 5,210 | 2,605 | 2,605 | 575 | 398 | 177 | 588 | 182 | 406 |

Based on ITE methodology, the updated 2023 master planning program is expected to generate 5,210 net new trips on a typical weekday, including 575 net new trips in the AM peak hour ( 398 entering and 177 exiting) and 588 net new trips in the PM peak hour (182 entering, 406 exiting).

Table 3 provides a trip generation comparison of the 2017 master plan with the current proposed 2023 master plan, including percent change.


Based on the proposed new program, the site is projected to have 3,014 fewer trips in daily ( $36.7 \%$ reduction), 514 fewer trips in the AM peak hour ( $47.2 \%$ reduction), and 426 fewer trips in the PM peak hour ( $42.0 \%$ reduction) as compared with the 2017 program.

## SUMMARY

Based on the trip generation comparison, the Ashford Green development is projected to generate 5,210 net new trips, including 575 and 588 trips during the AM and PM peak hours under the current 2023 master plan. The updated 2023 master planning program is expected to generate $36.7 \%$ fewer daily trips, $47.2 \%$ fewer AM peak hour trips, and $42.0 \%$ fewer PM peak hour trips when compared to the 2017 program.

With the expected lower daily, AM, and PM peak hour traffic anticipated for the full build-out of the 2023 program as compared with the 2017 master plan, it is expected that traffic impacts from the new development program will be lesser than those identified in the former traffic impact study. No roadway improvements were recommended in the 2017 traffic impact study; therefore the new proposed development program is unlikely to identify improvements.

If you have any questions concerning this letter or need additional information, please do not hesitate to contact me at 404-201-6155, or at ana.eisenman@kimley-horn.com.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.


Ana Eisenman, P.E.


Asker O'Malley

Attachments:

- Proposed Site Plan
- Trip Generation
- Site Location Map
- Site Aerial


## Reference Document:

- 2017 Hanover Ashford Green Traffic Impact Study (March 2017)



## P\&Z 10-05-23



## P\&Z 10-05-23





