

City of Johns Creek
Planning & Zoning Department
11360 Lakefield Drive
Johns Creek, GA 30097



9 August 2024

RE: RZ-24-0004 & VC-24-0003 – Rezoning Withdrawal
2950 Old Alabama Rd. Johns Creek, GA 30022

Received
August 9, 2024
RZ-24-0004 &
VC-24-0003
Planning & Zoning

Dear Ruchi & Ben,

Partners Development Group LLC (“PDG”) submitted an application to rezone the subject property located at 2950 Old Alabama Rd. John’s Creek, GA 30022 on 4/2/24. Based on the submittal date for rezoning (RZ-24-0004) and concurrent variance (VC-24-0003) along with the 60-day deferral of the rezoning case granted in final form via the John’s Creek City Council meeting on 7/29/24, the next target dates for Public Planning Commission meeting / City Council Hearing were scheduled respectively for 9/10/24 and 9/30/24.

At an in-person meeting with Ruchi Agarwal and Ben Song at John’s Creek City Hall on 6/27/24, PDG disclosed initial concerns driving request for the granted 60-day deferral. These concerns included both potential conditions associated with rezoning that would not be able to be met (interparcel access to adjacent commercial shopping property) as well as a general redevelopment budget cost bust in the magnitude of several million dollars discovered over the past few weeks, ultimately uncovering that the proposed rezoning and building conversion project is not financially feasible to deliver and operate as a long standing business within the City of John’s Creek. A copy of the initial letter is attached to this email for reference.

Due to the unforeseen variables, PDG will now exercise our right to formally withdraw rezoning and concurrent variance cases of RZ-24-0004 and VC-24-003.

Through conversations with you both during this tough decision, we understand that there may now be some level of restriction regarding a future rezoning decision potentially within 12 months from the current planned City Council Hearing decision scheduled for 9/30/24. Given the path of events that have unfolded, the existing subject property has now been on path to shut down and will be officially closed as a business by mid-August 2024. Any opportunity window to continue to operate the property as an assisted living community has passed as it is not feasible to run the operation at a monthly loss aligning with the initial approach to rezone property to a better long-standing use.

10882 Crabapple Road
Roswell, GA 30075
www.pdglc.com

PDG has however ran a simultaneous land reposition feasibility study to convert the existing parcel to residential housing and have offers on the table from qualified local builders that are willing and able to move forward through a rezone with PDG's assistance to convert the site to residential use similar to the surrounding area. We would request a discussion opportunity with City Council ahead of the 9/30/24 City Council Hearing to understand requirements related to this unique case in order to help John's Creek continue to be one of the greatest cities in Georgia through utilizing very centrally located prime real estate in best alignment with the City staff and decision makers.

It has been our goal to be transparent and cooperative alongside the City of John's Creek Planning & Zoning department and have appreciate the support of you both during the process. We look forward to working together to find a more feasible long-term landing solution for this property to best serve the City of John's Creek residents and community.

Sincerely,

A handwritten signature in blue ink that reads "Dan Marinko". The signature is fluid and cursive, with the first name "Dan" being larger and more prominent than the last name "Marinko".

Dan Marinko | VP of Operations, Partners Development Group

City of Johns Creek
Planning & Zoning Department
11360 Lakefield Drive
Johns Creek, GA 30097



1 July 2024

RE: RZ-24-0004 & VC-24-0003 - Request for Rezoning Deferral
2950 Old Alabama Rd. Johns Creek, GA 30022

Dear Ruchi,

Partners Development Group LLC ("PDG") submitted an application to rezone the subject property located at 2950 Old Alabama Rd. John's Creek, GA 30022 on 4/2/24. Based on the submittal date for rezoning (RZ-24-0004) and concurrent variance (VC-24-0003), the upcoming Planning Commission Meeting is slated for 7/9/24 and following City Council decision meeting for 7/29/24.

As discussed at the in-person meeting at John's Creek City Hall on 6/27/24, we have uncovered a few variables that have led to our request for a 60-day deferral on the rezoning timeline and decision to formally complete the Planning Commission Meeting and City Council Meeting on 9/10/24 and 9/30/24 respectively.

Through the process of working with the City of John's Creek P/Z department as well as through the public participation meeting efforts to date, it has been described that a supportive requirement suggested by the John's Creek planning and zoning department would be to accommodate inter parcel access to the adjacent commercial retail parcel to the subject properties East in efforts to help control traffic flow.

PDG has engaged in discussion with the Owner's (Kimco Realty) to float across concepts that included inter parcel access and an improved dumpster enclosure area to support both properties moving forwards. A meeting with the decision makers from Kimco (Ryan Peterson & Catherine Moran) took place on Monday June 24th, 2024, from which we were faced with concerns and hesitancy regarding the Kimco group's appetite to allow this connection to happen. On Tuesday June 25th, 2024, Partners Development Group LLC received a response from Kimco that they would not have any appetite for an easement agreement due to concerns "vastly outweighing any potential benefits from granting said easement".

10882 Crabapple Road
Roswell, GA 30075
www.pdgllc.com

Being that this was a suggested requirement for approval from the City of John's Creek P/Z department, PDG does not feel comfortable given the current rezoning timeline and obtaining rezoning approvals with conditions that aren't feasible given the conversations to date. A copy of the email exchange to support the timeline of events is included herein.

In addition to the inter parcel access items mentioned above, PDG has recently gotten pricing back from an identical project in a senior housing conversion project to senior apartments in the Cobb County Georgia jurisdiction. The East Cobb project has been fully designed and is currently working through the permit review process in hopes of starting construction in mid-July.

Initial conceptual pricing numbers obtained by general contracting partners have been exceeded by current delivered pricing by nearly 75% - adding nearly \$3,000,000 of construction costs to the deal. We are actively working on getting creative to drive costs down to the point that the project financially makes sense to carry out. Given the nearly identical scope of work - the assumption that these same cost hits will apply to our conversion project in John's Creek must be made.

In being granted the 60-day rezoning deferral request, PDG will have enough time to find a feasible landing spot for the traffic concerns raised by members of the Ivey Ridge HOA during public participation meetings as well as work as hard as possible to off-set some of the cost creep seen in recent pricing deliverables to ensure project feasibility.

It is our goal that the decision made at the City Council Meeting surrounding property rezone is one that allows a feasible project to be carried out and not back into a wall of unforeseen items that forces the project to die on the vine and a building to be Owned and forced to be closed within the John's Creek city limits.

We look forward to working alongside the city of John's Creek during the duration of this process and will provide consistent updates as to progress and direction during the weeks to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Marinko". The signature is fluid and cursive, with a large initial "D" and "M".

Dan Marinko | VP of Operations, Partners Development Group

Dan Marinko

From: Peterson, Ryan <RPeterson@kimcorealty.com>
Sent: Tuesday, June 25, 2024 2:18 PM
To: Dan Marinko
Cc: Moran, Catherine; Peterson, Ryan
Subject: RE: PDG Intro / Old Alabama Rd. Project

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Thank you, Dan. After discussing internally, along with the concerns raised on the call, we do not have an appetite for an easement agreement.
The concerns we have regarding the easement vastly outweigh any potential benefits from granting said easement.

Best Regards,

Ryan Peterson

Director, Asset Management | Southeastern Region



Phone: (516) 869-2661 | Cell: (516) 350-3728 | rpeterson@kimcorealty.com

500 North Broadway, Suite 201 | Jericho, NY 11753

kimcorealty.com



From: Dan Marinko <dan@pdgllc.com>
Sent: Monday, June 24, 2024 5:00 PM
To: Peterson, Ryan <RPeterson@kimcorealty.com>
Cc: Moran, Catherine <CMoran@kimcorealty.com>
Subject: RE: PDG Intro / Old Alabama Rd. Project

Ryan & Catherine,

Thank you for your time this morning discussing our plans for the adjacent senior living property located at 2950 Old Alabama Rd. in the city of John's Creek area.

Please see attached report that was issued by the P/Z department today in regard to zoning conditions and the recommendation of staff approval with the conditions listed at the tail end of the document.

Item #9 prevents any further curb cuts from being installed on Old Alabama Rd. or Ivey Ridge Lane.

Item #10 requires interparcel access connection to the Haynes Market Shopping center prior to issuance of a land disturbance permit.

I'd be happy to set up a call with the P/Z team at John's Creek if this would be a helpful follow-up. Please let me know if we can circle back up later this week or early next to talk through some of your concerns from today / how we could potentially help mitigate if we were able to find a landing spot to move forward under the right circumstances. Our goal at the end of the day would be to provide something both sides could benefit from as it has been made clear by John's Creek that inter parcel access is extremely important to them moving forwards.

Best,

Dan Marinko | Vice President of Operations



Partners Development Group LLC
10882 Crabapple Road | Roswell, GA 30075
O: 770.742.6927 | C: 618.781.8234
E: Dan@pdgllc.com

From: Peterson, Ryan <RPeterson@kimcorealty.com>
Sent: Tuesday, June 18, 2024 3:51 PM
To: Dan Marinko <dan@pdgllc.com>
Cc: Moran, Catherine <CMoran@kimcorealty.com>
Subject: RE: PDG Intro

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe. Sure, that can work for us.

Ryan Peterson

Director, Asset Management | Southeastern Region



Just Around the Corner

Phone: (516) 869-2661 | Cell: (516) 350-3728 | rpeterson@kimcorealty.com
500 North Broadway, Suite 201 | Jericho, NY 11753

kimcorealty.com



From: Dan Marinko <dan@pdgllc.com>
Sent: Tuesday, June 18, 2024 3:39 PM
To: Peterson, Ryan <RPeterson@kimcorealty.com>
Cc: Moran, Catherine <CMoran@kimcorealty.com>
Subject: Re: PDG Intro

Ryan,

Thanks for getting back. We have a company fundraiser event on Thursday and will be out of pocket.

Can you guys make 11:00 AM EST work on Monday morning?

Best,
Dan Marinko | Vice President of Operations
Partners Development Group
C: 618-781-8234

On Jun 18, 2024, at 10:02 AM, Peterson, Ryan <RPeterson@kimcorealty.com> wrote:

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning Dan,

Pleasure to meet you as well. Our office will be closed tomorrow in accordance with Juneteenth. We can schedule a call for either 10am EST or 3PM EST on Thursday 6/20/2024. We look forward to meeting with you, and reviewing your proposed offer, however I am cannot guarantee if approved that we would be concluded prior to your closing dates- there will certainly be several approvals we will need from our tenants, should we look to entertain this partnership.

[@Immel, Chad](#) thanks for the introduction, I am moving you to BCC on this thread.

Ryan Peterson
Director, Asset Management | Southeastern Region

<image002.png>

Phone: (516) 869-2661 | Cell: (516) 350-3728 | rpeterson@kimcorealty.com
500 North Broadway, Suite 201 | Jericho, NY 11753

kimcorealty.com
<image003.png>

From: Dan Marinko <dan@pdgllc.com>
Sent: Friday, June 14, 2024 4:41 PM
To: Immel, Chad <CImmel@kimcorealty.com>; Peterson, Ryan <RPeterson@kimcorealty.com>
Cc: Moran, Catherine <CMoran@kimcorealty.com>
Subject: RE: PDG Intro

Ryan & Catherine,

Pleasure to meet you both. Would you possibly be available for a quick intro discussion early next week by chance just to bring you up to speed? The long and short is that we are under contract to close on 7/1/24 on the adjacent senior living building currently known as Sunrise at Ivey Ridge. We have a conversion project to senior apartments that is requiring a rezone (subject to approval on 7/29/24) and the city of John's Creek is looking at it favorably but has said a condition will likely be the connection to the commercial property under Kimco ownership.

We took a stab at what the connection could look like as well as some of the proposed incentives we would bring to the table to make this mutually beneficial in nature.

Chad – thanks for getting us connected. No worries as I know you guys probably have a lot going on.

Best,

Dan Marinko | Vice President of Operations

<image004.jpg>

Partners Development Group LLC
10882 Crabapple Road | Roswell, GA 30075
O: 770.742.6927 | C: 618.781.8234
E: Dan@pdgllc.com

From: Immel, Chad <CImmel@kimcorealty.com>
Sent: Friday, June 14, 2024 4:26 PM
To: Dan Marinko <dan@pdgllc.com>; Peterson, Ryan <RPeterson@kimcorealty.com>
Cc: Moran, Catherine <CMoran@kimcorealty.com>
Subject: FW: PDG Intro

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Ryan/Catherine,

I wanted to sync you up with Dan Marinko with Partners Development Group who as I mentioned is wanting to discuss the possibility of adding a secondary entrance into their property from the back side of our Market at Haynes Bridge SC located in Johns Creek, GA. I'm sure Dan has more information that he wants to share with you all but again I wanted to link everyone up so further conversations can occur.

Dan,

I apologize for the slow responses from our end and good luck on your project.

Thanks,

Chad O. Immel, CDP

Director | Construction – South Region

<image002.png>

Phone/Fax: (470) 575-3729 | Cell: (404) 538-2763 | cimmel@kimcorealty.com
4745 Ashford Dunwoody Rd, Suite A | Atlanta, GA 30338
kimcorealty.com

From: Dan Marinko <dan@pdgllc.com>
Sent: Tuesday, May 21, 2024 10:11 AM
To: Immel, Chad <CImmel@kimcorealty.com>
Cc: Patel, Kush <Kush.Patel@kimley-horn.com>
Subject: RE: PDG Intro

Good morning Chad,

Are we able to circle up sometime this week to discuss? Not trying to rush anything but John's Creek asked me to get back to them before weeks end with a few updates on direction.

Look forward to hearing back.

Best,

Dan Marinko | Vice President of Operations

<image004.jpg>

Partners Development Group LLC
10882 Crabapple Road | Roswell, GA 30075
O: 770.742.6927 | C: 618.781.8234
E: Dan@pdgllc.com

From: Dan Marinko
Sent: Friday, May 17, 2024 12:22 PM
To: Immel, Chad <CImmel@kimcorealty.com>
Cc: Patel, Kush <Kush.Patel@kimley-horn.com>
Subject: Re: PDG Intro

Hey Chad,

Thanks for getting back. Per our project JC is making us add some additional parking spaces which forces us to relocate dumpster. There is not a great spot for truck access given the entrance to our site and given the new unit type we will no longer have excess amounts of trash from commercial kitchen service so a location in immediate proximity to building is no longer a first priority.

We would propose paying for and building an enclosure that would help clean up the dumpsters currently sitting in parking spaces at the back of your retail strip, especially if any amount of traffic would be utilizing the back alleyway in the future. Happy to discuss in more detail when we can all get on the phone.

Look forward to chatting soon.

Best,

Dan Marinko | Vice President of Operations
Partners Development Group
C: 618-781-8234

On May 17, 2024, at 10:52 AM, Immel, Chad <CImmel@kimcorealty.com> wrote:

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Thank you Dan and I will flip this to our Development team for their initial feedback and will report back to you. One thing i am not understanding is the dumpster enclosure. Why the need for your dumpster outside of your gate, doesn't make sense?

Thanks,

Chad O. Immel, CDP

Director | Construction – South Region

<Outlook-czuhny2t.png>

Phone/Fax: (470) 575-3729 | Cell: (404) 538-2763 | cimmel@kimcorealty.com

4745 Ashford Dunwoody Rd, Suite A | Atlanta, GA 30338

kimcorealty.com

From: Dan Marinko <dan@pdgllc.com>
Sent: Wednesday, May 15, 2024 10:02 AM
To: Patel, Kush <Kush.Patel@kimley-horn.com>; Immel, Chad <Cimmel@kimcorealty.com>
Subject: RE: PDG Intro

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Thanks for sharing Kush.

Chad – happy to jump on the line to chat through this when you’re available. We are proposing building a new dumpster enclosure to be shared with our dumpster and large enough for the two dumpsters currently sitting in parking spaces at the back of the retail strip adjacent to our site.

We would of course pay for all improvements here.

Look forward to circling up soon.

Best,

Dan Marinko | Vice President of Operations

<image001.jpg>

Partners Development Group LLC
10882 Crabapple Road | Roswell, GA 30075
O: 770.742.6927 | C: 618.781.8234
E: Dan@pdgllc.com

From: Patel, Kush <Kush.Patel@kimley-horn.com>
Sent: Wednesday, May 15, 2024 9:12 AM
To: cimmel@kimcorealty.com
Cc: Dan Marinko <dan@pdgllc.com>
Subject: RE: PDG Intro

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Good morning Chad,

Please see attached exhibit showing a proposed connection from the Sunrise Senior Living parcel to the Kroger Parcel. Let us know what your thoughts are on it.

Best,

Kush Patel P.E.

Kimley-Horn | 11720 Amber Park Drive, Suite 600, Alpharetta, GA 30009

Direct: 470-489-1875 | Mobile: 678-997-4508 |

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From: Dan Marinko <dan@pdgllc.com>
Sent: Friday, May 10, 2024 4:50 PM
To: cimmel@kimcorealty.com
Cc: Patel, Kush <Kush.Patel@kimley-horn.com>
Subject: PDG Intro

Chad,

Thanks for chatting on the phone a bit this afternoon surrounding our acquisition plans for the existing Sunrise Senior Living building in John’s Creek. Kush Patel is our

civil engineer from Kimley Horn who you guys worked with in the past on the adjacent property. I will have him mark something up to begin discussions sometime next week.

Look forward to continuing conversation soon.

Best,

Dan Marinko | Vice President of Operations

<image001.jpg>

Partners Development Group LLC
10882 Crabapple Road | Roswell, GA 30075
O: 770.742.6927 | C: 618.781.8234
E: Dan@pdgllc.com

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