



CITY OF DUNWOODY

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MEMORANDUM

To: City of Dunwoody, Georgia – Mayor and City Council

From: Howard J. Koontz, City Planner

Date: May 10, 2010

Subject: Text amendment to City of Dunwoody Zoning Ordinance

Staff offers for Mayor and City Council consideration an amendment to the text of Chapter 27, Division 2T, which contains the provisions for the Office-Institution Zoning District. Currently, restaurant uses are only permitted where accessory to hotel or motel, and retail and service uses are not permitted by right unless accessory to high rise apartment or high rise office, and the retail/service use must be accessible only by entering the interior lobby of the building.

These requirements do not appear to be conducive to fostering business activity over the course of the entire day. Staff believes the city should encourage more business activity through multi-uses with activity over a longer day. A longer period of business activity is a successful premise of multi-use properties. If made to close from lack of access or lack of patrons, businesses close when the associated office building closes.

Staff encourages the Mayor and City Council to consider the feasibility of retail and service uses in the O-I zoning district. A possible suggestion for a text change would read as follows:

Sec. 2T-4. Accessory Uses and Structures.

The following accessory uses of land and structures shall be authorized in the O-I (Office-Institution) District:

- (a) Ambulance service, where accessory to a hospital.
- (b) Parking lot and parking garage.

~~(c) Restaurant, where accessory to a hotel or motel.~~

~~(c) Retail liquor store where accessory to a hotel, motel or high-rise office building.~~

(c) Retail use where accessory to a high-rise apartment building or high-rise office building; ~~provided that all such uses shall be located on the ground floor of such high-rise building and shall be entered from the interior lobby of said building, and said accessory retail uses shall be designed and sealed to meet the needs of the tenants of the building and their guests.~~

(d) Signs are allowed in accordance with the provisions of the City's Sign Ordinance and this Chapter.

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Sec. 2T-5. Special Permits.

The following uses and structures shall be authorized only by permits of the type indicated:

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(c) *Special land use permit from City Council:*

- (1) Building exceeding five (5) stories in height.
- (2) Heliport.
- (3) Shelter for homeless persons.
- (4) Stations and terminal for bus and rail passenger service.
- (5) Transitional housing facility.
- (6) High-rise apartment development but if the property line for the high-rise apartment development abuts any parcel of land that is zoned for any single family detached residential district classification, then the maximum height of any structure in the high-rise apartment development described in this subsection shall not exceed thirty-five (35) feet.
- (7) High-rise apartment development but if the property line for the high-rise apartment development abuts any parcel of land that is zoned for any single family attached residential district classification, then the maximum height of any structure in the high-rise apartment development described in this subsection shall not exceed forty (40) feet.
- (8) High-rise apartment development.
- (9) Restaurant (excluding drive-through restaurant).