



## MEMORANDUM

**To:** Dunwoody Mayor and City Council

**From:** Howard J. Koontz, AICP

**Date:** March 12, 2012

**Subject:** Starbucks at Ravinia waiver to development standards

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The applicant of the proposed Starbucks coffee shop, to be located at the intersection of Ashford Dunwoody Road and Ravinia Parkway, has submitted an application for a land disturbance permit. During the course of this review, staff has identified the need for a 25 foot right-of-way dedication along the east side of Ashford Dunwoody Road to the city per §16-488(b) of the city code. The applicant has indicated to the city that these improvements, based upon site constraints are not readily achieved on the site, and that the required right of way widening has already been affected as a function of the original Ravinia zoning approved in 1983. Therefore, they have requested that the requirement for the additional right of way be waived by the Mayor and City Council, pursuant to §16-488(e).

Code section 16-488(b), which requires the applicant to dedicate and improve additional right of way roads, in part:

- (b) Where a proposed subdivision or project requiring a land development permit has frontage on an existing public street, right-of-way shall be dedicated along that frontage so as to meet the standards of that street's classification in the city thoroughfare plan. The right-of-way shall be improved wherever required as further provided in this section. For existing streets on which a proposed subdivision or project requiring a land development permit has frontage, the applicant shall:
- (1) Dedicate a minimum of 50 percent of the required right-of-way width as measured from the centerline of the existing street right-of-way;
  - (2) Install all required sidewalks, street trees, streetlights, and place utilities according to the standards in section 16-487; and
  - (3) Provide a minimum of 50 percent of the roadway pavement required in section 16-487 and install it to the right-of-way centerline.

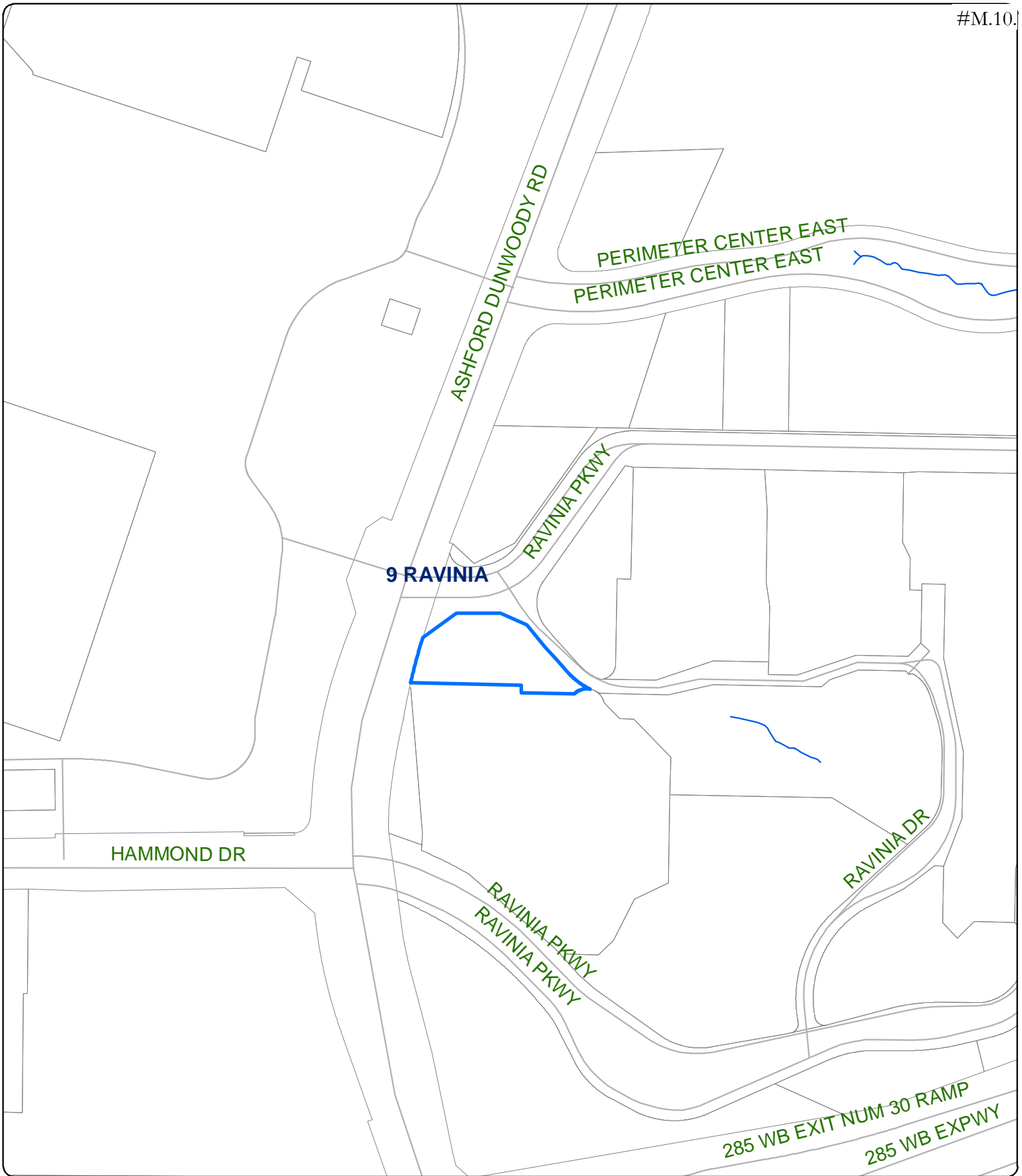
Code section 16-488(e), which empowers the Mayor and City Council to waive these development requirements, reads, in part:

- (e) The city council, after considering all related factors, may authorize deviations from this section as follows:
- (1) Right-of-way dedication may be waived or modified if:
    - a. Existing use of property is not to be substantially changed as a result of proposed development or construction;



- b. Existing government construction plans for the roadway indicate lesser right-of-way would be required for dedication; or
  - c. The adjoining frontage is developed and the predominant existing right-of-way meets city standards.
- (2) Road improvements may be waived or modified if:
- a. Existing use of property not to be substantially changed (i.e., traffic generation and ingress/egress would remain the same);
  - b. Governmental construction plans for the road indicate a pavement width less than city standards (only the planned pavement width shall be required);
  - c. No more than five percent of average daily traffic generation would occur between 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., on weekdays;
  - d. The existing road meets current county standards; or
  - e. Widening would create a hazard to traffic, pedestrians, or bicyclists along the thoroughfare.

Staff recommends approval of the applicant's request to waive the right-of-way dedication and associated road improvements as there is no plan in place for using 10 of the 25 feet of the required dedication for the right-of-way, and the linkages between the dedication are already improved without the road cross-section that includes the additional right-of-way. Also, the balance of the 25 feet (15 feet) would be used for a future utility corridor. However, the utilities are already in place and installed as a function of the original Ravinia zoning, completed some 29 years ago. To relocate the utilities now would be a considerable burden without an substantive gain. Finally, the existing construction to the south of the intended site is the parking garage entrance to- and the receiving and deliveries entrance for the Crowne Plaza hotel. There is a 30-foot change in elevation separating the Ashford Dunwoody Road right of way and the entry drive of the Crowne Plaza garage, which is held in place by a retaining wall. Further vehicular access along northbound Ashford Dunwoody Road from the south would be greatly constrained by this significant grade change, lending credibility to the idea that the required additional right of way on the part of Starbucks would constitute an unnecessary hardship on the development of the site.



**9 RAVINIA**

HAMMOND DR

ASHFORD DUNWOODY RD

PERIMETER CENTER EAST  
PERIMETER CENTER EAST

RAVINIA PKWY

RAVINIA PKWY  
RAVINIA PKWY

RAVINIA DR

285 WB EXIT NUM 30 RAMP  
285 WB EXPWY

**Dunwoody\***  
\*Smart people - Smart city

**Community Development**


41 Perimeter Center East | Dunwoody, Georgia  
Suite 250 | 30346-1902  
678-382-6800 - www.dunwoodyga.gov

**9 Ravinia**

Site Location

March 12, 2012

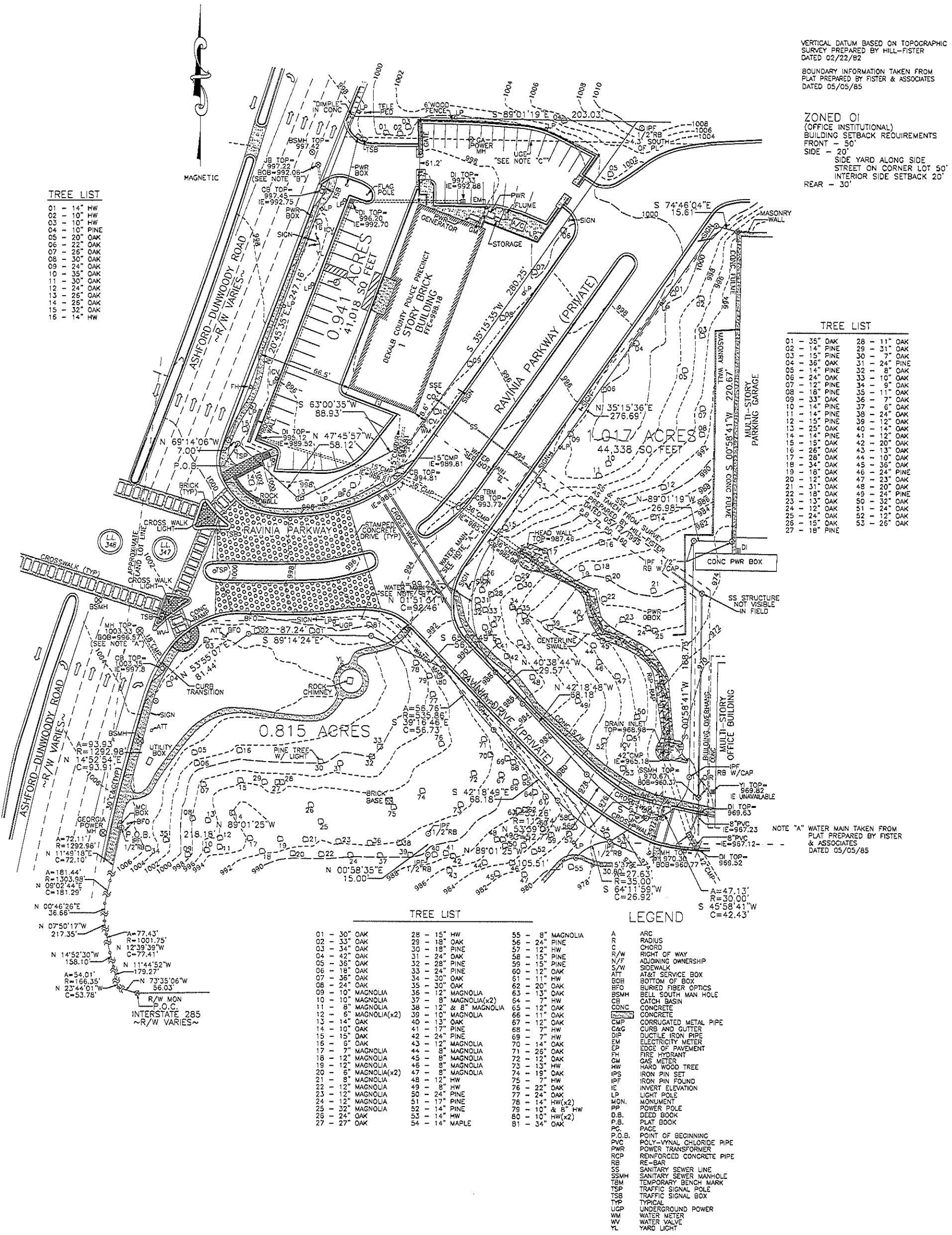
**Legend**

-  Streams
-  City Streets
-  9 Ravinia



Scale: 1" = 250'  
(1:3000)

Map Notes:



VERTICAL DATUM BASED ON TOPOGRAPHIC SURVEY PREPARED BY HILL-FISTER DATED 02/22/82

BOUNDARY INFORMATION TAKEN FROM PLAT PREPARED BY FISTER & ASSOCIATES DATED 05/05/85

ZONED OI (OFFICE INSTITUTIONAL) BUILDING SETBACK REQUIREMENTS FRONT - 50' SIDE - 20' SIDE YARD ALONG SIDE STREET ON CORNER LOT 50' INTERIOR SIDE SETBACK 20' REAR - 30'

**TREE LIST**

01	14"	HW
02	10"	HW
03	10"	HW
04	10"	PINE
05	20"	OAK
06	22"	OAK
07	25"	OAK
08	30"	OAK
09	24"	OAK
10	35"	OAK
11	30"	OAK
12	24"	OAK
13	26"	OAK
14	25"	OAK
15	32"	OAK
16	14"	HW

**TREE LIST**

01	35"	OAK
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04	36"	OAK
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07	12"	PINE
08	18"	PINE
09	33"	OAK
10	14"	PINE
11	14"	PINE
12	15"	PINE
13	25"	OAK
14	14"	PINE
15	15"	OAK
16	26"	OAK
17	28"	OAK
18	34"	OAK
19	18"	OAK
20	12"	OAK
21	31"	OAK
22	18"	OAK
23	13"	OAK
24	12"	OAK
25	24"	OAK
26	15"	OAK
27	18"	PINE
28	11"	OAK
29	31"	OAK
30	7"	OAK
31	24"	PINE
32	8"	OAK
33	10"	OAK
34	9"	OAK
35	11"	OAK
36	7"	OAK
37	6"	OAK
38	24"	OAK
39	12"	OAK
40	12"	OAK
41	22"	OAK
42	20"	OAK
43	13"	OAK
44	10"	OAK
45	36"	OAK
46	24"	PINE
47	23"	OAK
48	24"	PINE
49	32"	OAK
50	51"	OAK
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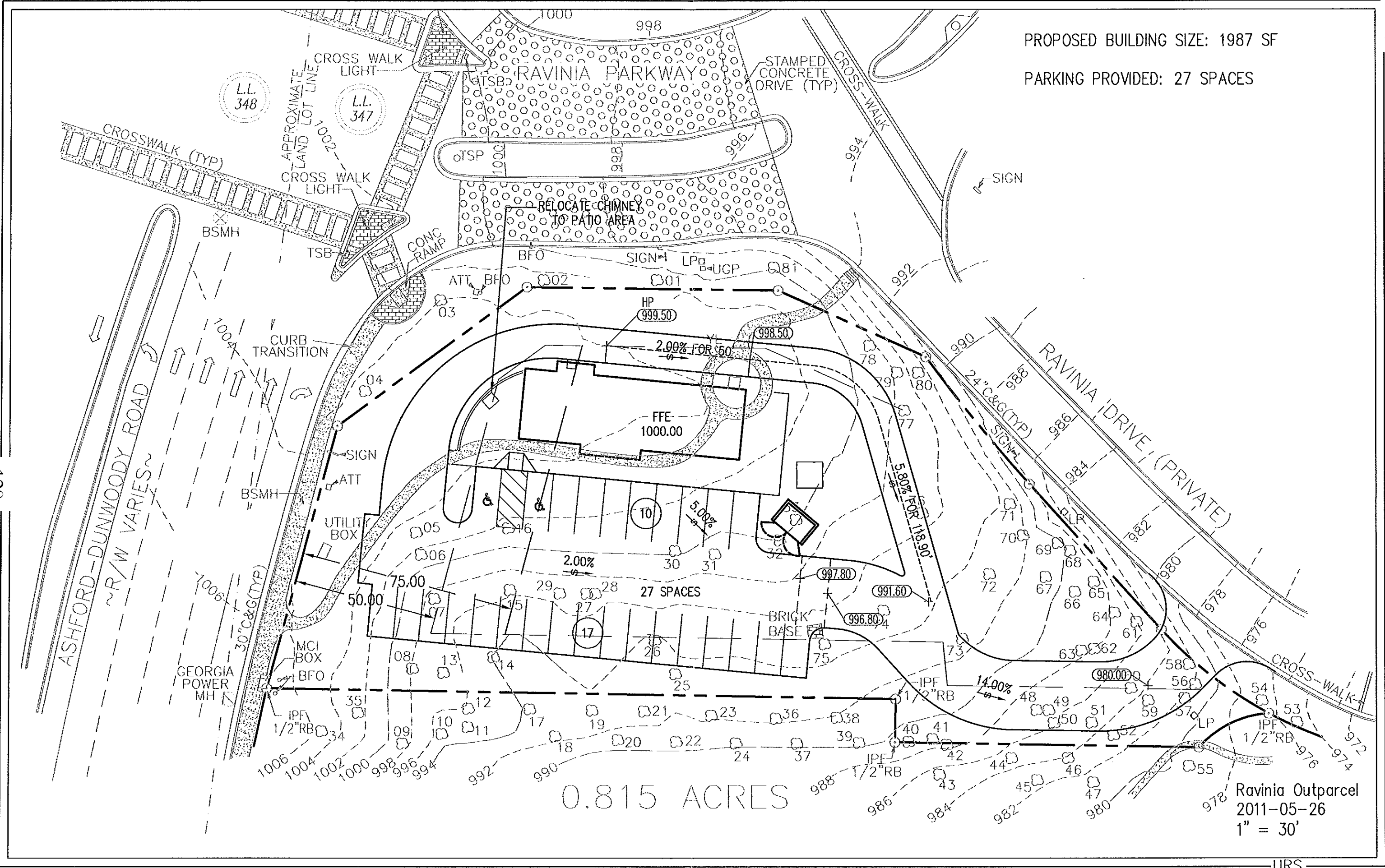
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**LEGEND**

A	ARC
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C	CHORD
R/W	RIGHT OF WAY
N/O	ADJOINING OWNERSHIP
S/W	SIDEWALK
ATT	AT&T SERVICE BOX
BOB	BOTTOM OF BOX
BFO	BURIED FIBER OPTICS
BSMH	BELL SOUTH MAN HOLE
CB	CATCH BASIN
CONC	CONCRETE
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GM	GAS METER
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PWR	POWER TRANSFORMER
RCR	REINFORCED CONCRETE PIPE
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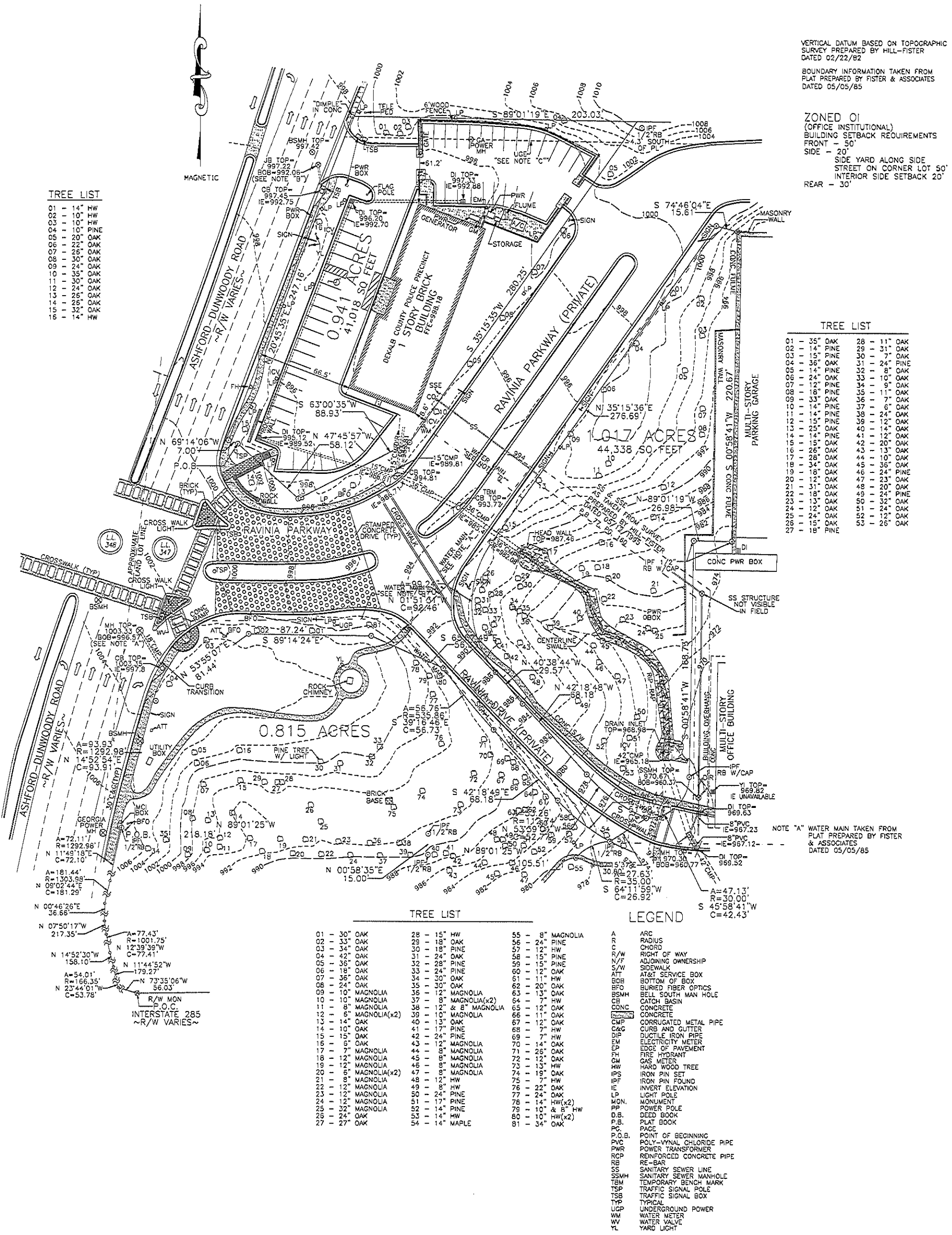
NOTE "A" WATER MAIN TAKEN FROM PLAT PREPARED BY FISTER & ASSOCIATES DATED 05/05/85

PROPOSED BUILDING SIZE: 1987 SF  
PARKING PROVIDED: 27 SPACES



0.815 ACRES

Ravinia Outparcel  
2011-05-26  
1" = 30'



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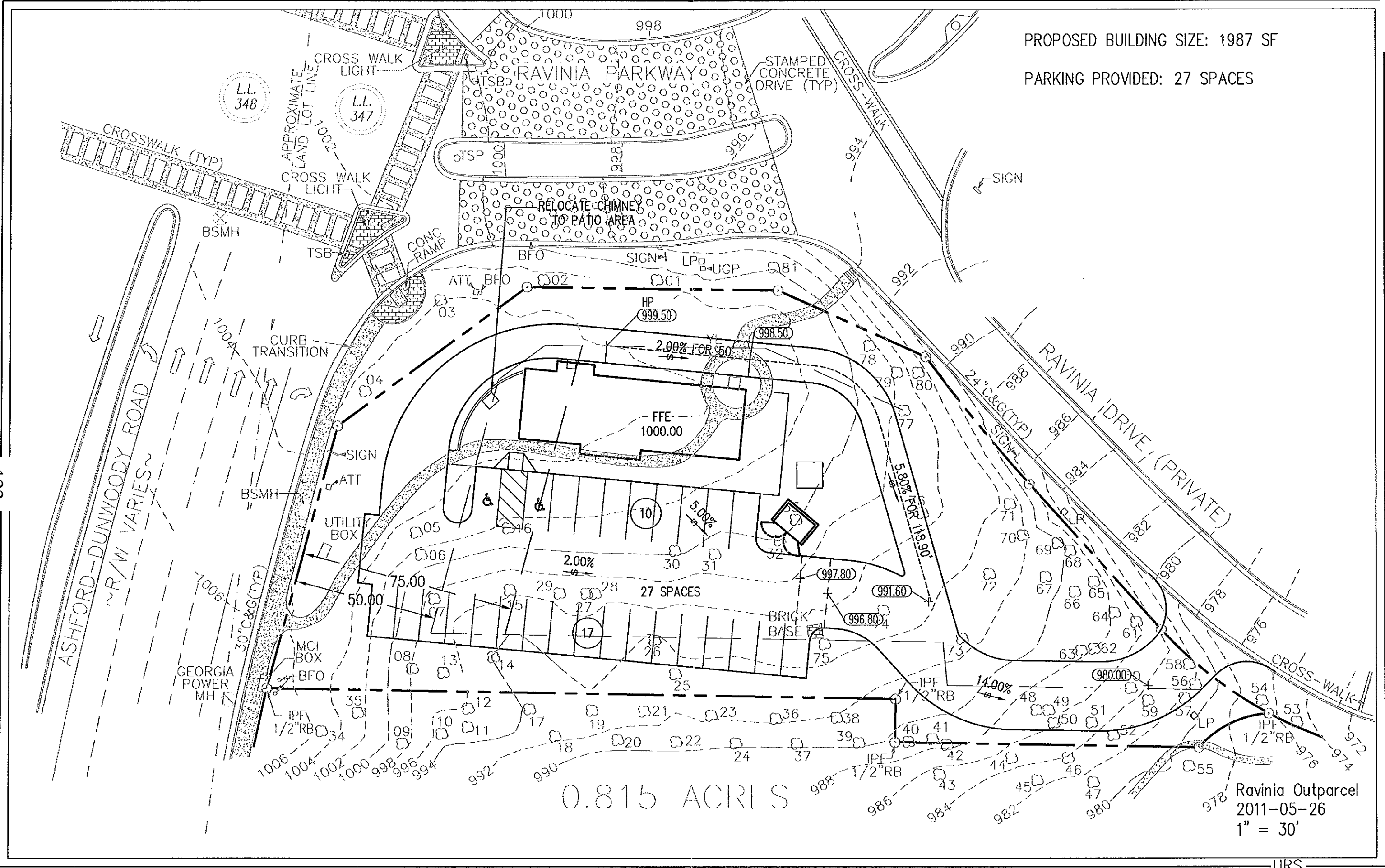
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