



MEMORANDUM

To: Dunwoody Mayor and City Council

From: Steve Dush, AICP, Community Development Director

Date: March 26, 2012

Subject: Starbucks at Ravinia waiver to development standards from Section 16-488

ITEM DESCRIPTION

The development team in charge of the proposed Starbucks coffee shop, to be located at the intersection of Ashford Dunwoody Road and Ravinia Parkway, has submitted to the City a plan set for land disturbance permit approval. During the course of this review, it has come to the attention of the Community Development Department that per the terms of §16-488(b), the land owners are required to dedicate twenty-five (25) feet of additional right-of-way along the east side of Ashford Dunwoody Road to the City in order to facilitate site improvements. The development team has indicated to the City that most of the improvements to be located within the 25 feet have already been achieved and 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).

BACKGROUND

Code section 16-488(b), which compels the applicant to dedicate and improve additional right of way reads, 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:

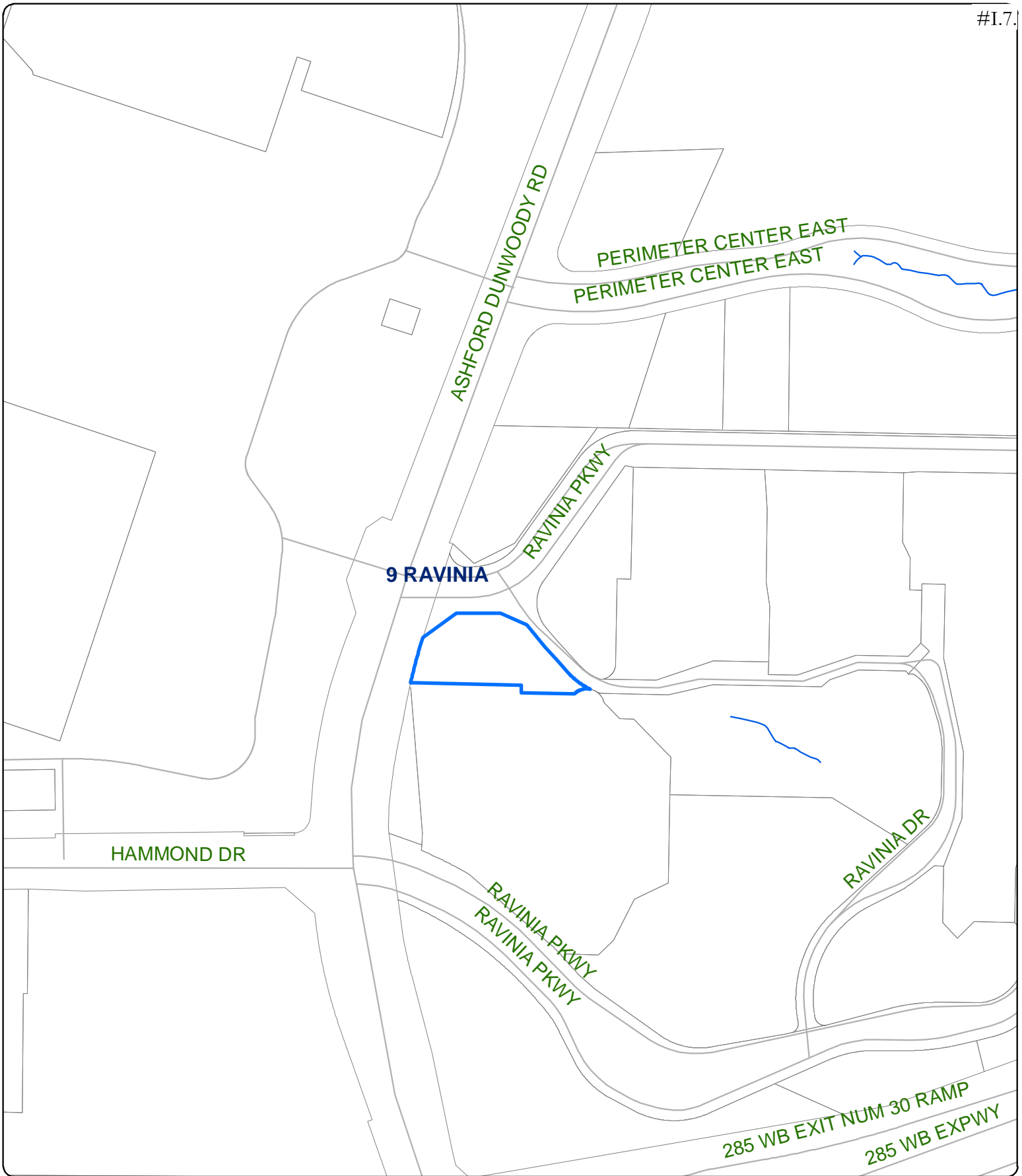


- (1) Right-of-way dedication may be waived or modified if:
 - a. Existing use of property is not to be substantially changed as a result of proposed development or construction;
 - b. Existing government construction plans for the roadway indicate lesser right-of-way would be required for dedication; 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 a portion of the additional right of way and improvements are ear-marked for future bike travel lane, and there is no plan in place to create a bike lane along this section of Ashford Dunwoody Road. Also, an additional 15 feet of that right-of-way is reserved for future utility corridor. The utilities in place along Ashford Dunwoody Road were installed as a function of the original Ravinia zoning, completed some 29 years ago. To move them now would be a considerable financial and physical burden on the applicant. 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.

RECOMMENDATION

At the March 12, 2012 meeting, Mayor and Council requested that staff investigate alternatives for future right-of-way acquisition. As a result of a meeting with the applicant team on March 15, 2012 staff recommends approving the waiver for the right-of-way dedication with the condition that a public access and landscaping easement per the attached plan is granted. This additional area would accommodate the future improvements that would have been located within 10 of the 25 feet and the remaining 15 feet for the utilities is not necessary as the utilities are already in place.



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

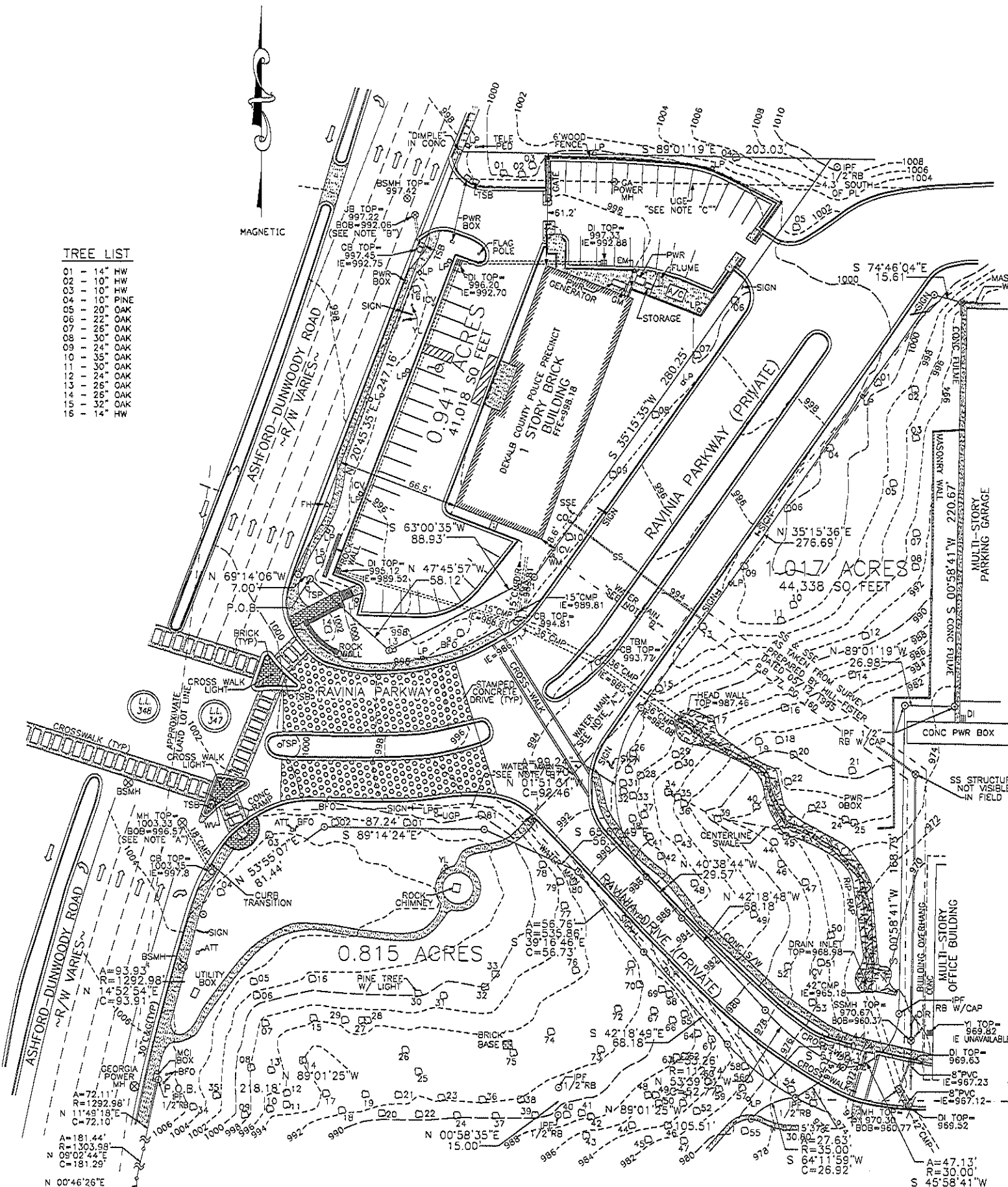
ZONED OI (OFFICE INSTITUTIONAL) BUILDING SETBACK REQUIREMENTS FRONT - 50' SIDE - 20' SIDE YARD ALONG SIDE STREET ON CORNER LOT 50' INTERIOR SIDE SETBACK 20' REAR - 30'

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	30"	OAK
15	32"	OAK
16	14"	HW

TREE LIST

01	35"	OAK
02	14"	PINE
03	15"	PINE
04	36"	OAK
05	14"	PINE
06	24"	OAK
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
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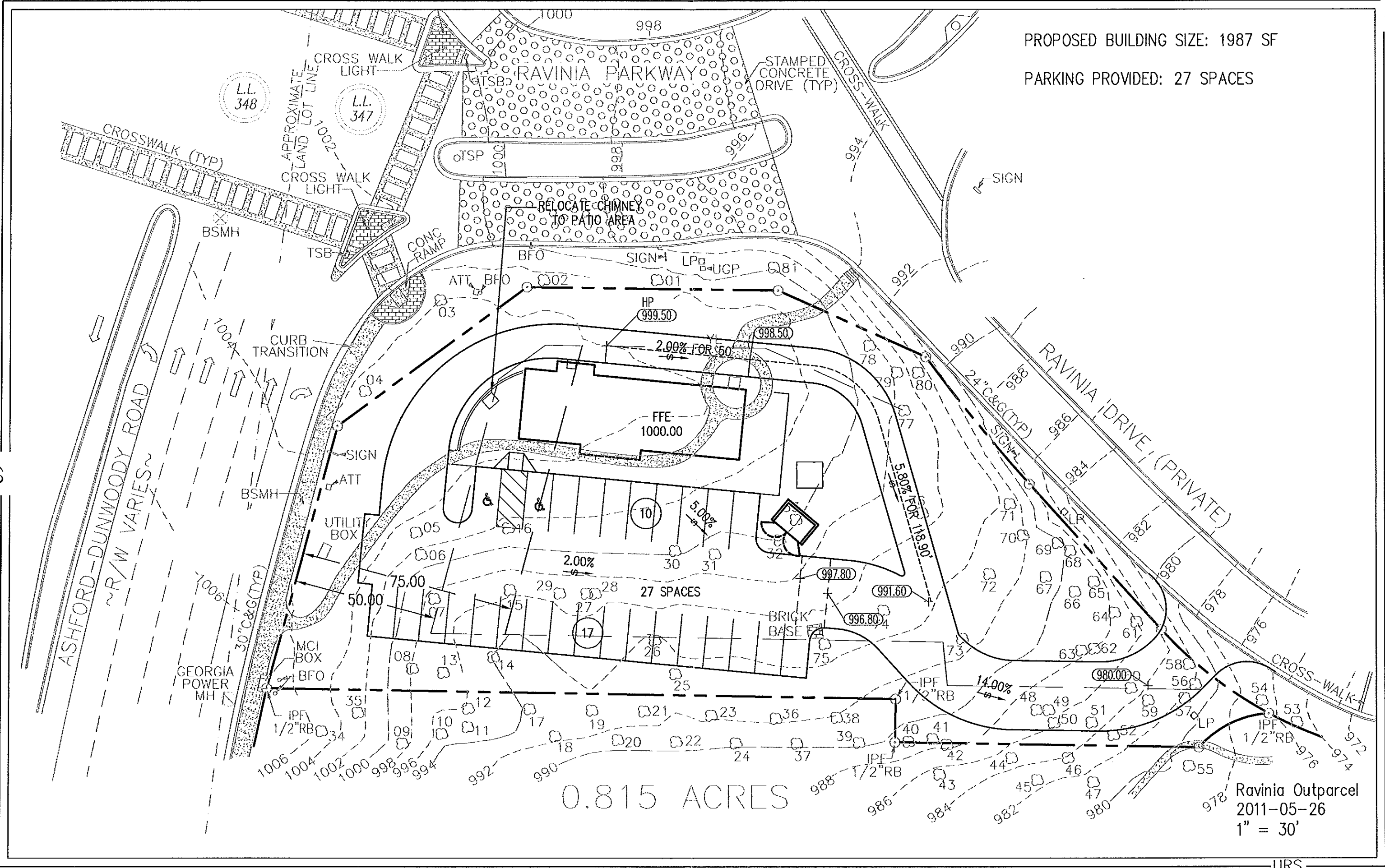
01	30"	OAK
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70	14"	OAK
71	26"	OAK
72	12"	OAK
73	13"	HW
74	19"	OAK
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LEGEND

A	ARC
R	RADIUS
C	CHORD
R/W	RIGHT OF WAY
N/O	ADJOINING OWNERSHIP
S/W	SIDEWALK
ATT	AT&T SERVICE BOX
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CB	CATCH BASIN
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P.C.	PAGE
P.O.B.	POINT OF BEGINNING
PVC	POLY-VYNAL CHLORIDE PIPE
PWR	POWER TRANSFORMER
RCR	REINFORCED CONCRETE PIPE
RE	RE-849
SS	SANITARY SEWER LINE
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UGP	UNDERGROUND POWER
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WV	WATER VALVE
YL	YARD LIGHT

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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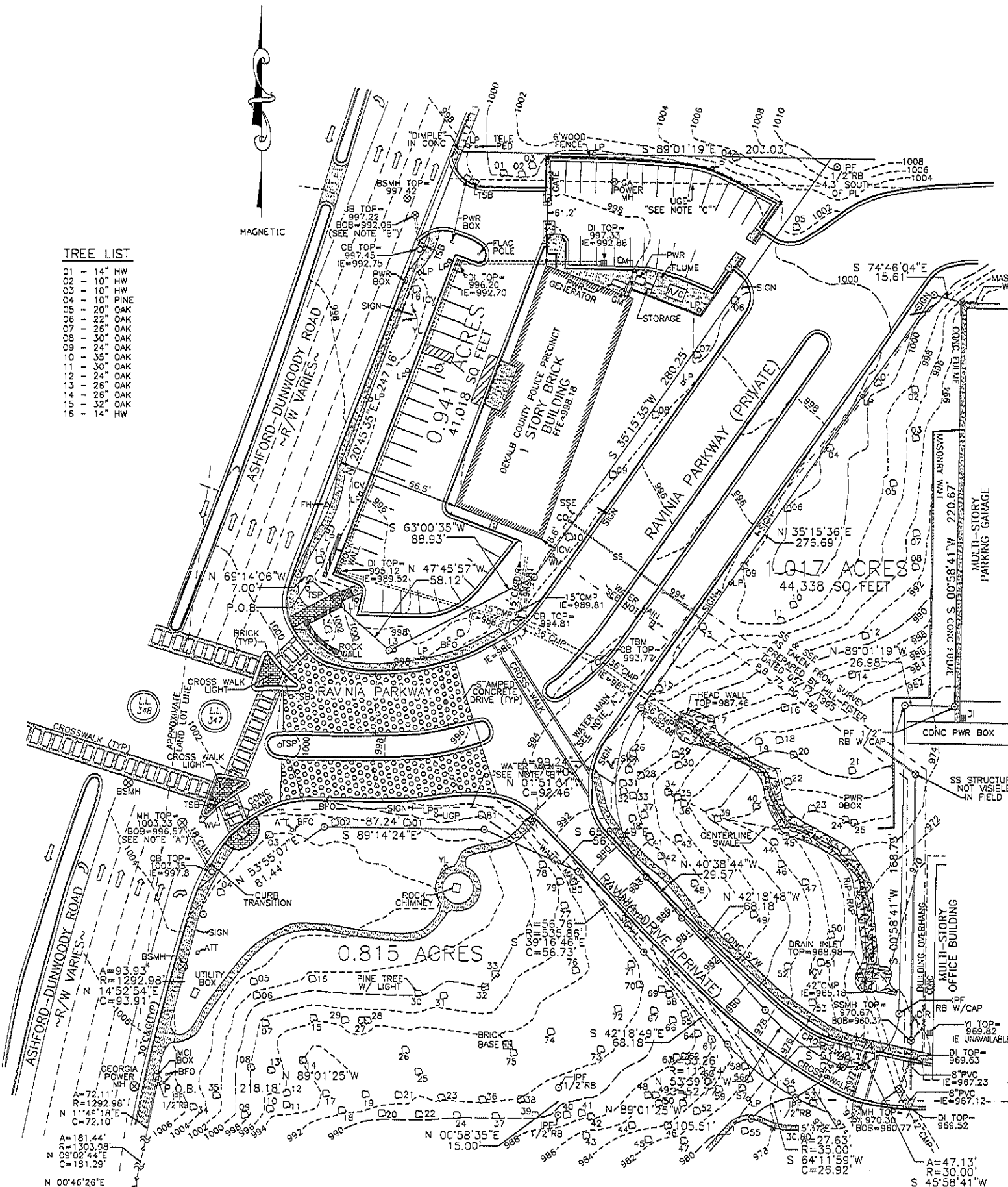
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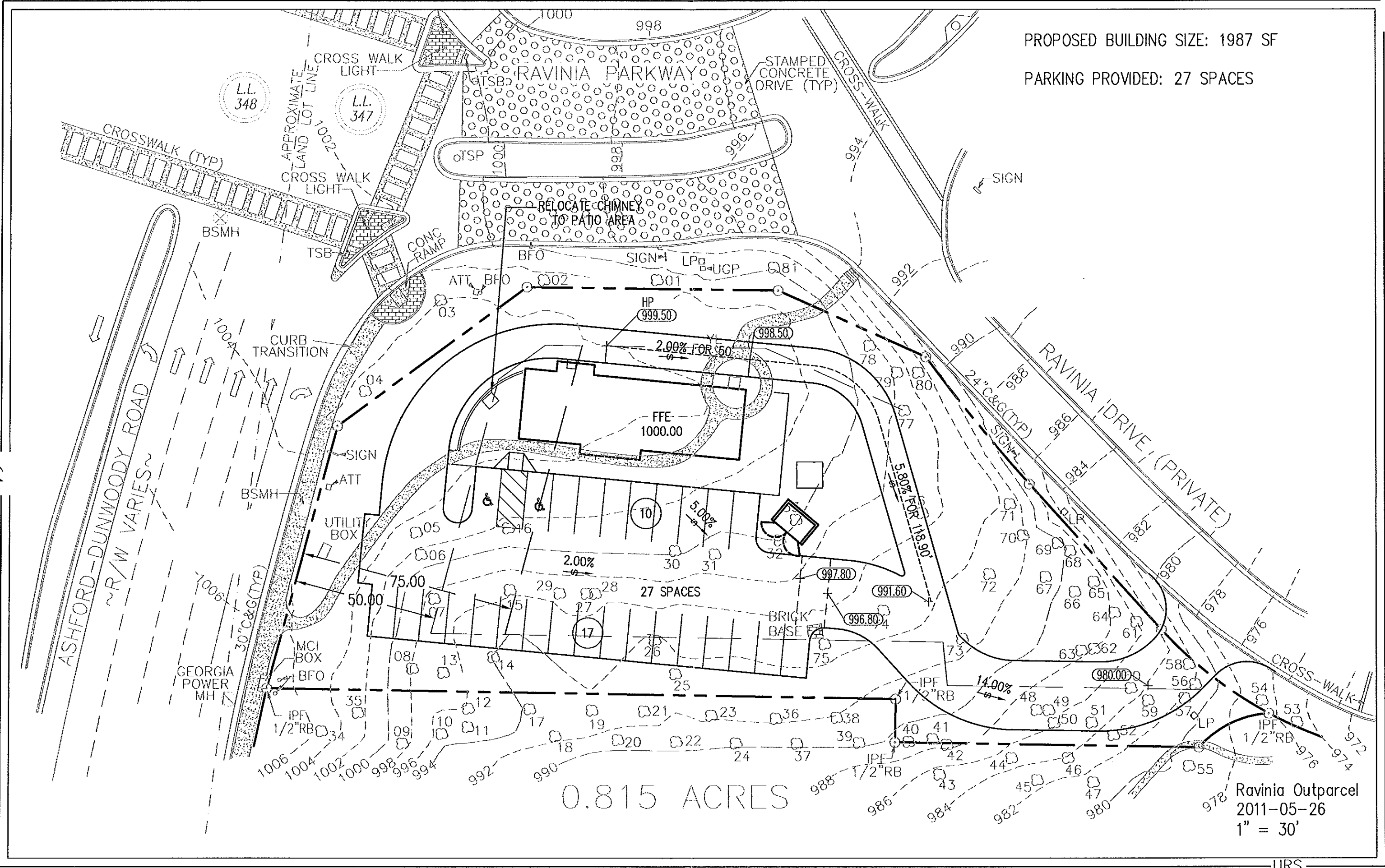
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2011-05-26
1" = 30'

BOB=996.57
(SEE NOTE "6")

#1.7.

CB TOP=
1003.35
IE=997.8

N 53°55'07"E
81.44'

11.0'

3.8'

15.0' TO
LANDSCAPE BUFFER

BSMH

A=93.93'

R=1292.98'

N 14°52'54"E

C=93.91'

3.2'

UTILITY
BOX

11.0' FROM
BACK OF CURB
TO PROPOSED
PUBLIC ACCESS
AND LANDSCAPE
EASEMENT

BFO

N 89°01'25"W
218.18'

P.O.B.

A=72.11'

R=1292.98'

N 11°49'18"E

C=93.88'

A=181.44'

R=1303.98'

N 09°02'44"E

C=181.29'



STARBUCKS
RAVINIA
PREPARED FOR
HINES
FIVE RAVINIA DRIVE
ATLANTA, GEORGIA 30346



URS Corporation
400 Northpark Town Center
1000 Abernathy Road N.E., Suite 900
Atlanta, Georgia 30328
Tel: (678) 808-8800, Fax: (678) 356-0055

SKETCH NO:

CSK-002

SCALE: 1"=20'