



**MEMORANDUM**

**To:** Mayor and City Council  
**From:** Michael Smith, Public Works Director  
**Date:** October 13, 2014  
**Subject** **4400 Ashford Dunwoody Road:** Request to waive right of way dedication requirements of Sec. 16-222

**ITEM DESCRIPTION**

The applicant has submitted for a land disturbance permit to demolish the existing auto service center at Perimeter Mall and build a new Chick-fil-A restaurant (site plan attached). The attached plan shows the site located between two entrances to the mall property on Hammond Drive. The applicant has requested a waiver of the right of way dedication required by Section 16-222 of the city’s code of ordinances.

**BACKGROUND**

Development Code Review

Code section 16-222 applies to "...streets in subdivisions and in other projects requiring a development or land-disturbance permit from the city." Subsection (j) of 16-222 states that streets must be designed and constructed in accordance with the regulations of the following table excerpted from the code:

Type of Road	Travel Lanes	Bike Lanes	Curb and Gutter	Sidewalks	Shoulder [1]
Arterial and collector streets	11'	2 @ 4'	2 @ 2'	2 @ 5'	13'

[1] Shoulder width includes a minimum six foot planting strip, minimum five foot sidewalk and space for underground utilities (cable, TV, water, telephone, electric and natural gas)

Figure 14-2 of the code (attached) provides a visual depiction of the typical street cross section that is required.

The requirements are further stated in 16-222.k.2:

"For existing streets on which a proposed development or project requiring a land development permit has frontage, the applicant must:

- a. 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;
- b. Install all required sidewalks, street trees, streetlights, and public utilities in accordance with the standards in subsection (j); and
- c. Provide a minimum of 50 percent of the roadway pavement required in subsection (j) and install it to the right-of-way centerline."



Subsection k.5 empowers the Mayor and City Council to waive right of way dedication if existing government plans for the roadway indicate lesser right-of-way would be required for dedication.

#### Basis of Applicant's Request

City staff has met and corresponded with the applicant on multiple occasions regarding the required street improvements. The applicant does not control the property adjacent to the right of way that would need to be dedicated and is therefore requesting a waiver. It is the city's understanding that Chick-fil-A is entering into a sub-lease with Macy's who controls a small area surrounding the current building location with rights to use the adjacent parking and drive areas. The property between the sub-lease and easement area and the city right of way is controlled by the mall ownership.

#### Staff Analysis

##### *Applicable Plans and Standards*

In addition to being required by the city's code, the street improvements outlined above are generally consistent with the following conceptual plans applicable to this area of the city:

1. Perimeter Community Improvement Districts (PCIDs) Public Space Standards (figure attached)
2. Concept plans (figure attached) developed specifically for the Hammond Drive corridor by the PCIDs and referenced as a planned project in Dunwoody's Comprehensive Transportation Plan and the PCIDs Livable Communities Initiative (LCI) 2011 Update

Though the minimum dimensions of each of the proposed street elements vary in each of these plans, the overall concept for Hammond Drive in the city code and the applicable plans is to accommodate bicycles, and provide a landscape buffer between the roadway and pedestrians. The only element currently present is a sidewalk without a buffer. The addition of bike lanes on Hammond would also be consistent with Sandy Springs' draft Bicycle, Pedestrian & Trail Plan which recommends a side-path bicycle facility for Hammond Drive west of the Dunwoody city limits.

##### *Existing Site Characteristics*

The site is located less than 900 feet from the Dunwoody MARTA station which is well within the distance that a typical person would walk or bike to access transit. There are currently no bicycle facilities on Hammond Drive. Along the site frontage, there is an existing sidewalk approximately four feet wide with no landscape buffer and a short wall at the back of the sidewalk (picture attached). The relatively narrow sidewalk placed between a wall and the edge of the vehicle travel lanes is less than ideal for pedestrians, and is not consistent with city or PCIDs goals of creating a pedestrian friendly street environment.

##### *Proposed Improvements*

The applicant has provided a site plan that provides for a sidewalk adjacent to the parking lot with connection to the existing sidewalk along Hammond Drive at either end of the site.



At the west end of the site the connection would require steps down to the sidewalk along the street. The benefits of the proposed sidewalk location are that it would provide an ample buffer from the roadway, provide better access into the mall at the west end of the site and allow for some of the existing trees to be preserved. The primary drawback to the proposed location is that it would not be located within public right of way, and thus its continued function as a public facility could not be guaranteed.

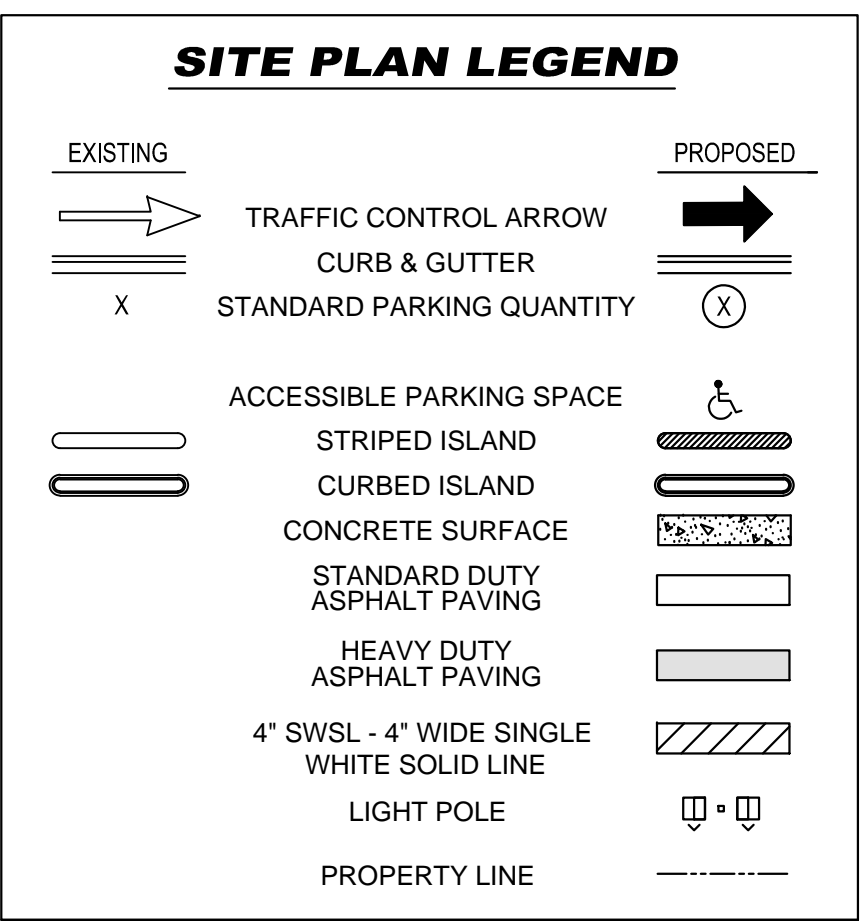
The applicant has demonstrated that the required bike lane can fit within the existing right of way and has elected to pay a fee in lieu of the bike lane improvement.

### **RECOMMENDATION**

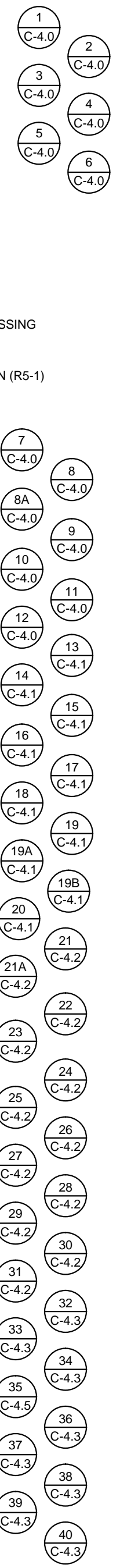
Staff recommends approval of the applicant's request to waive the requirements for right of way dedication provided that a permanent easement can be secured for the proposed sidewalk adjacent to Hammond Drive. The easement ensures that there will continue to be a sidewalk along Hammond Drive for public use. Otherwise, the existing right of way is not sufficient for construction of a sidewalk, and the other required improvements outlined in Section 16-222(j).

**SITE PLAN DESIGN NOTES & KEY PLAN**

AREA SUMMARY		PARKING REQUIREMENTS	
EXISTING AREA TABULATION: BASED ON SITE ENVELOPE NOT LEASE AREA		PARKING RATIO = 1 SPACE PER 100 SF OF GFA, 5 MINIMUM	
IMPERVIOUS AREA BUILDING PAD, ASPHALT PAVEMENT, CONCRETE, GRAVEL	0.85 ACRES (76%)	TOTAL LEASABLE SPACE = 4,864 SF BUILDING	
PERVIOUS AREA GRASS/LANDSCAPE	0.27 ACRES (24%)	PARKING SPACES REQUIRED = 49	
<b>TOTAL AREA</b>	<b>1.12 ACRES (100%)</b>	STANDARD SPACES PROVIDED = 41 SPACES HANDICAP SPACES PROVIDED = 2 SPACES TOTAL SPACES PROVIDED = 43 ADDITIONAL PARKING SUPPLIED VIA CROSS PARKING AGREEMENTS AS THIS IS A BUILDING LEASE AREA ONLY	
PROPOSED AREA TABULATION: BASED ON SITE ENVELOPE NOT LEASE AREA		DEVELOPMENT DATA	
IMPERVIOUS AREA BUILDING, PAVEMENT, CONCRETE		SITE ZONING: C-1	
PERVIOUS AREA GRASS/LANDSCAPE		SETBACKS FRONT (SOUTH) - 50 FEET RIGHT SIDE (EAST) - 50 FEET LEFT SIDE (WEST) - 50 FEET REAR (NORTH) - 30 FEET	
<b>TOTAL AREA</b>	<b>1.12 ACRES (100%)</b>		
<b>TOTAL DISTURBED</b>	<b>0.92 ACRES (82%)</b>		



- 1 DIRECTIONAL ARROW
- 2 DRIVE-THRU GRAPHICS
- 3 STOP LINE GRAPHIC
- 4 PAINTED ACCESSIBILITY SYMBOL
- 5 STANDARD PARKING STALL & STRIPING DETAIL, NEUTRAL AREAS SHALL BE MARKED WITH 4" WIDE STRIPES AT 48" O.C. UNLESS NOTED OTHERWISE.
- 6 DIRECTIONAL SIGNAGE (REFER TO SIGN PACKAGE FOR MORE DETAILS)  
ALL SIGNS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION.
- 6A STOP SIGN (R1-1 30"x30")
- 6B HANDICAP SIGN
- 6C DRIVE-THRU SIGN
- 6D RIGHT TURN ONLY SIGN
- 6E ONE WAY SIGN (R6-1 OR R6-2)
- 6F LEFT TURN ONLY
- 6G PEDESTRIANS CROSSING
- 6H EXIT ONLY SIGN
- 6I DO NOT ENTER SIGN (R5-1)
- 6J THANK YOU
- 7 SIDEWALK ACCESSIBLE RAMP
- 8 CURB RAMP w/ FLARED SIDES
- 8A CURB RAMP w/ SHORT FLARED SIDES
- 9 RETURNED CURB ACCESSIBLE RAMP
- 10 TRUNCATED DOMES (NOT USED)
- 11 TYPICAL CONCRETE SIDEWALK
- 12 SIDEWALK WITH CURB & GUTTER SECTION
- 13 DRIVE-THRU PLAN VIEW
- 14 DRIVE-THRU ISOMETRIC VIEW
- 15 SOLID PLASTIC WHEEL STOP
- 16 LANDSCAPE & IRRIGATION PROTECTOR
- 17 24" CONCRETE CURB & GUTTER - CATCHING & SPILLING
- 18 ROLLOVER/MOUNTABLE CURB
- 19 REFUSE ENCLOSURE FOUNDATION PLAN
- 19A REFUSE ENCLOSURE FOUNDATION PLAN (ALT)
- 19B REFUSE ENCLOSURE ALTERNATE DRAINAGE PLAN
- 20 CONCRETE BOLLARD
- 21 TYPICAL PAVEMENT SECTION
- 21A PAVEMENT EDGE DETAIL
- 22 TRANSVERSE & LONGITUDINAL CONTRACTION JOINT
- 23 TRANSVERSE & LONGITUDINAL DOWELED CONSTRUCTION JOINT
- 24 CONCRETE APRON @ TRASH ENCLOSURE
- 25 CONCRETE PAVING @ DRIVE THRU LANE
- 26 ALUMINUM HANDRAIL
- 27 TYPICAL ADA RAMP AND HANDRAIL
- 28 CONTRACTION JOINT
- 29 KEVED CONSTRUCTION JOINT
- 30 LONGITUDINAL BUTT JOINT
- 31 EXPANSION JOINT
- 32 MULTI-ORDER POINT DIRECTIONAL ARROW DETAILS
- 33 PAVER OR STAMPED CONCRETE CROSSWALK
- 34 DRIVE-THRU ORDER POINT ISLAND CURB
- 35 MENU BOARD LOOP DETECTION SYSTEM
- 36 ENTRY DOOR FROST SLAB DETAIL
- 37 SAN. C.O. OUTSIDE BUILDING
- 38 BUILDING DOWNSPOUT CONNECTION DETAIL
- 39 TYPICAL SECTION AT INLET/CATCH BASIN DETAIL
- 40 STORM WEEP HOLE DETAIL
- 41 CHICK-FIL-A SIGN (REFER TO SIGN PACKAGE)
- 42 PRE-SELL MENU BOARD (NOT USED)
- 43 MENU BOARD & CANOPY ORDERING STATION (REFER TO SIGN PACKAGE)
- 44 CHICK-FIL-A "ENTER" SIGN (NOT USED)
- 45 CHICK-FIL-A "EXIT" SIGN (NOT USED)
- 46 50' FLAG POLE (REFER TO SIGN PACKAGE)
- 47 CLEARANCE BARS (NOT USED)
- 48 LIGHT POLE & BASE
- 49 BITUMASTIC EXPANSION JOINT, TYP. INSTALL EXPANSION JOINT BETWEEN ALL CONCRETE PAVEMENT INTERFACE WITH BUILDINGS, CURB & GUTTER, AND OTHER CONSTRAINED OBJECTS, TYPICAL.
- 50 SITE CONTRACTOR SHALL REFER TO ARCHITECT PLANS FOR THE EXACT DIMENSIONS OF THE BUILDING AND THE LOCATION OF DOORWAYS, UTILITIES, ETC.
- 51 GATES TO BE INSTALLED BY BUILDING CONTRACTOR WITH DUMPSTER STRUCTURE. COORDINATE WITH PAVEMENT INSTALLATION.
- 52 SAVICUT EXISTING CURB & GUTTER AS NECESSARY TO COMPLETE NEW CURB & GUTTER CONNECTION. PROVIDE EXPANSION JOINT BETWEEN INTERFACE.
- 53 THE CONTRACTOR SHALL INSTALL NECESSARY TRAFFIC CONTROL, SAFETY BARRICADES, LIGHTING, AND OTHER REQUIRED CONTROL MEASURES TO SECURE THE WORK AREA FROM EXISTING TRAFFIC AND TO ENSURE PUBLIC SAFETY.
- 54 TRANSFORMER PAD
- 55 SINGLE WHITE SOLID LINE
- 56 BIKE RACK (SEE DETAIL SHEET)

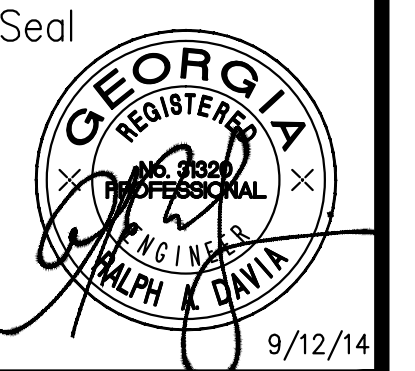


5200 Buffington Rd.  
Atlanta Georgia,  
30349-2998

Revisions:  
Mark Date By

Mark Date By

Mark Date By



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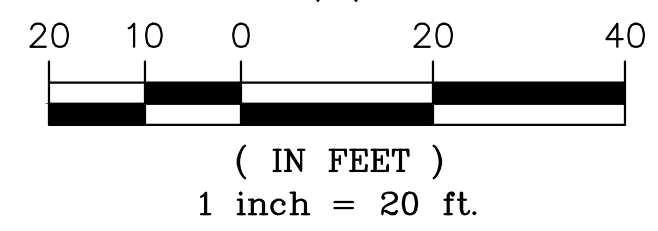
STORE PERIMETER AT HAMMOND FSU S08H-N-L-SQUARE-REVERSE 4300 Ashford-Dunwoody Road Dunwoody, GA

**SITE PLAN**

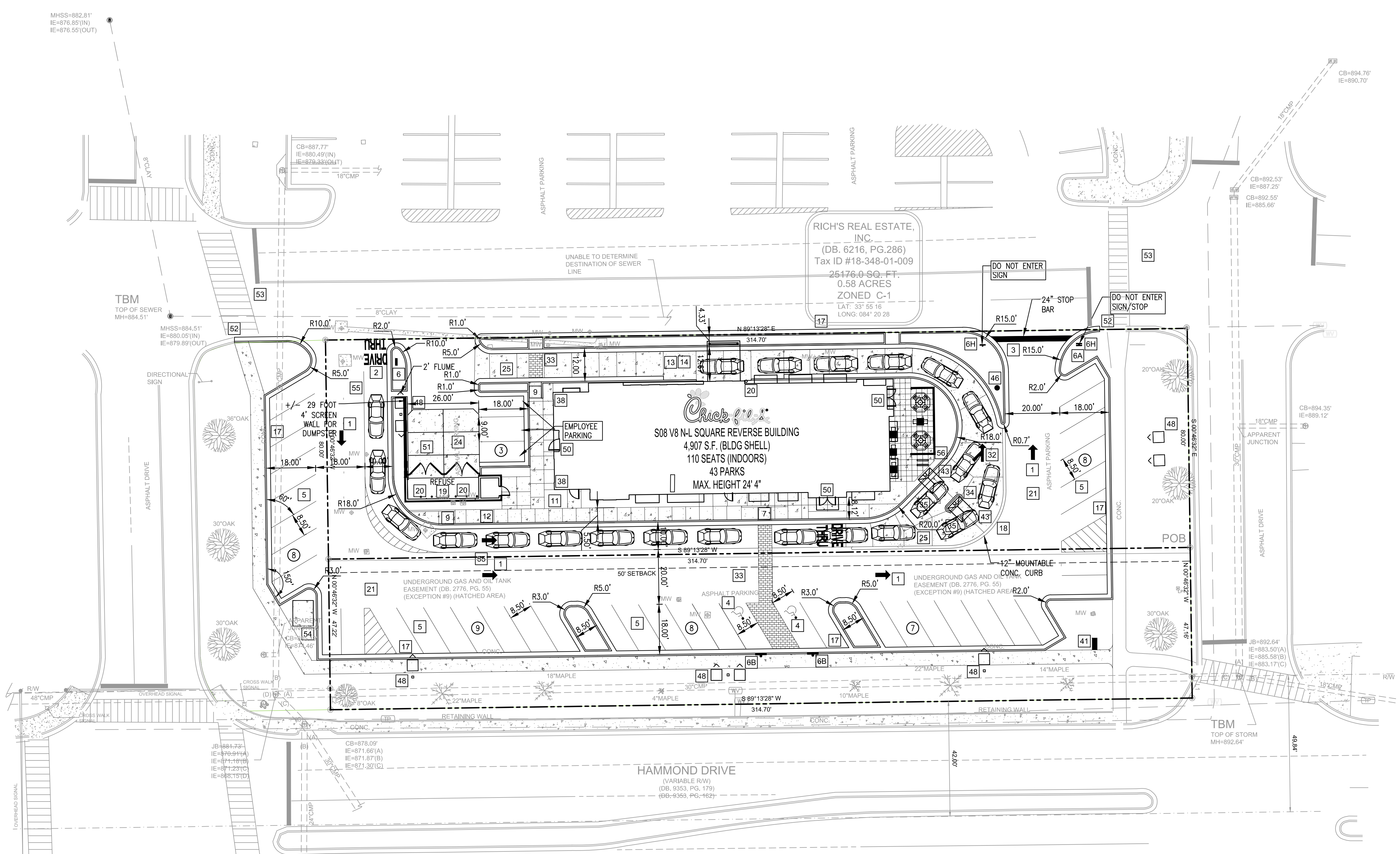
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ISSUE DATE: 7-2014

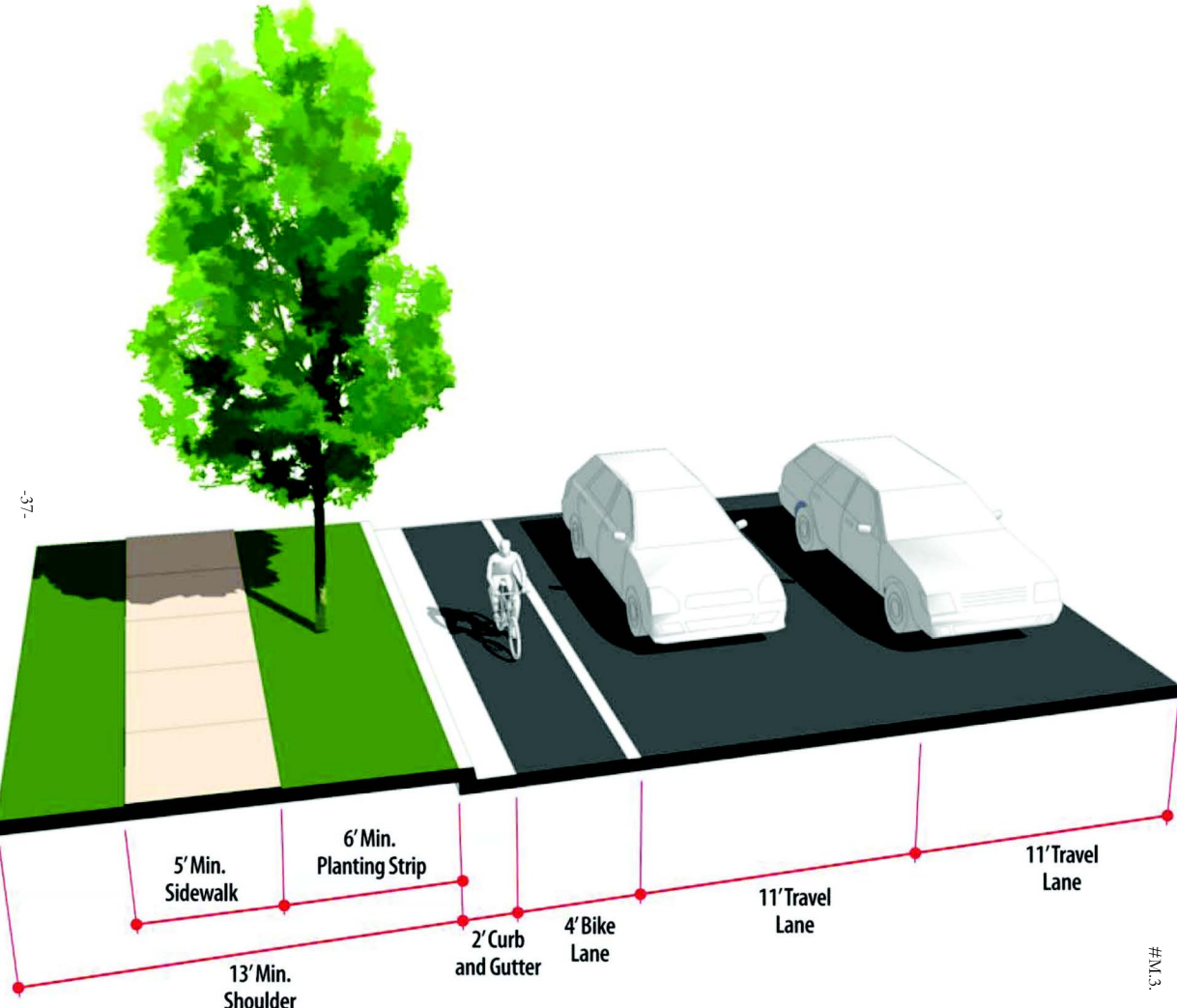
Job No. : 11-034  
Store : 03049  
Date : 09/12/14  
Drawn By : RAD  
Checked By : TMR

Sheet # **C-2** of **M.3**



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5' Min.  
Sidewalk

6' Min.  
Planting Strip

2' Curb  
and Gutter

4' Bike  
Lane

11' Travel  
Lane

11' Travel  
Lane

13' Min.  
Shoulder



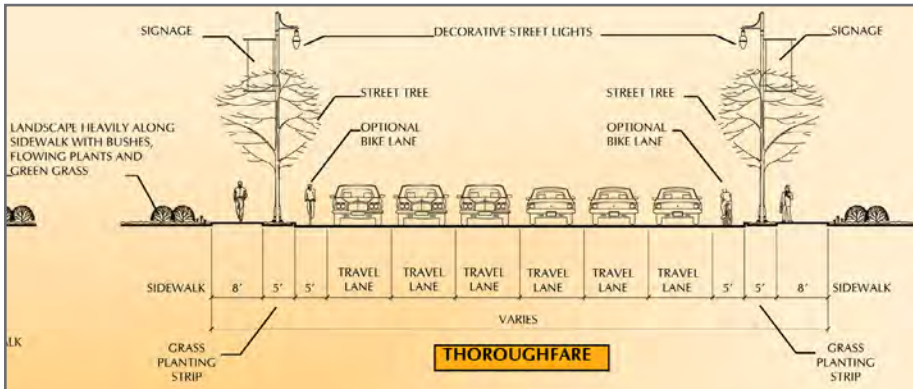
**PUBLIC SPACE STANDARDS**

# LIVE.WORK.WALK.PLAY

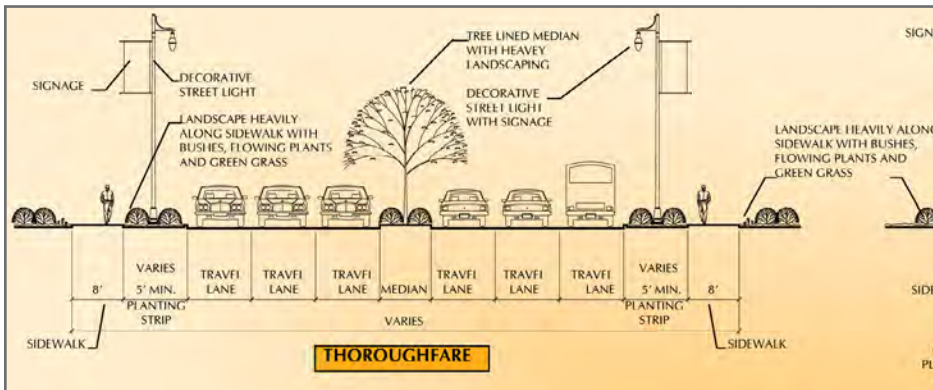
## Thoroughfare

- Primary route for commuters (heavy traffic)
- Existing or planned connection to interstate system
- Primary connections to other regions outside of the Perimeter area
- May have a median
- Less traveled by pedestrians
- Bicycle lanes or Share the Road lanes
- Connections to Shuttle Connector/Bicycle Path

- Characteristics:**
- Heavy landscaping
  - Tree-lined medians
  - \*8 to 10-foot minimum sidewalks separated from travel lanes by
  - \*5-foot minimum planting strip
  - Decorative street lights
  - Median lights
  - Pedestrian lights
  - Street trees
  - Fenced Tree Planters
  - Pedestrian signage
  - Bicycle lanes or "Share the Road" lanes
- Examples within the PCID:**
- Abernathy Road
  - Ashford Dunwoody Road
  - Perimeter Center West
  - Glennridge Drive
  - Hammond Drive
  - Johnson Ferry Road
  - Mt. Vernon Road (portion)
  - Peachtree Dunwoody Road



*Thoroughfare without median*



*Thoroughfare with median*

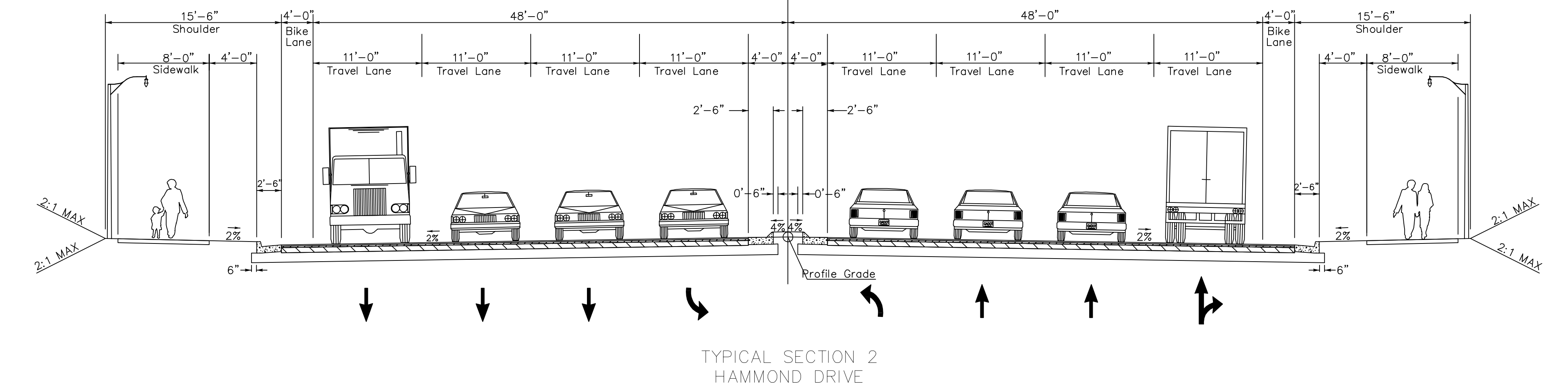
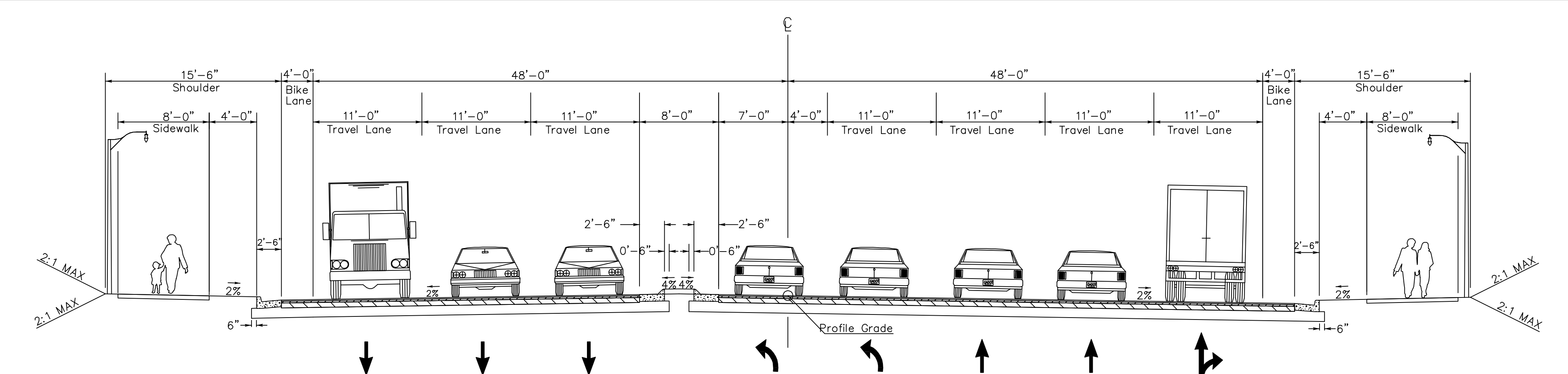
**NOTE:**  
 \*Widths are the desired minimum. Adjustments to these widths can occur where there are conflicts with utilities, right-of-way or other unforeseen challenges. Adjustments will be approved on a case by case basis.

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GA 400

CONCOURSE PKWY

CONCOURSE PKWY



PUBLIX

PEACHTREE DUNWOODY RD

CORPORATE CAMPUS

CONCOURSE

PEACHTREE DUNWOODY RD

CITY OF SANDY SPRINGS

CITY OF DUNWOODY

245 PERIMETER CENTER

PERIMETER CENTER PARKWAY

GOLDKIST ROAD

HIGH STREET

PERIMETER CENTER PARKWAY

MARTA - DUNWOODY STATION

PERIMETER MALL

ASHFORD DUNWOODY ROAD

#M.3.

