

MEMORANDUM

To: Mayor and City Council

From: John Olson, AICP

Date: August 8, 2016

Subject: SLUP 16-081: JK Family Trust, owner of 1660 Mount Vernon Road, Dunwoody, GA 30338, by Dennis J. Webb Jr., attorney for owner, seeks the following: a.) Special Land Use Permit from Chapter 27, Section 27-97(i)(1) to allow for reduction in sidewalk width from 12 feet to 6 feet; b.) Special Land Use Permit from Chapter 27, Section 27-97(g)(2) to allow the existing front yard parking lot to remain as is; and c.) Special Land Use Permit from Chapter 27, Section 27-97(i)(3) to allow the pedestrian buffer zone along the abutting sides and rear of the building to remain as is. The tax parcel of the property is 18-366-07-013.



BACKGROUND

The subject site consists of one lot of record, owned in common totaling .82 acres. The site fronts the northwest corner of Mount Vernon Road and Dunwoody Village Parkway. The property is currently zoned O-I (Office), and is within the Dunwoody Village Overlay ("DVO"). The area around the site consists of a balance of retail, shopping, banks, restaurants and office uses. The character of the area generally consists of one to two-story buildings, consisting of pre-colonial "Williamsburg" style architecture.



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The subject site is improved with a one-story, 6,800 foot building, formally occupied by a bank. According to the site plan dated July 7, 2016, the developer proposes to adaptively reuse the existing building into a small scale shopping center with retail, restaurant, and/or office use. The submitted site plan indicates that the existing footprint of the structure will not be expanded with the new use, and therefore, all renovations will occur on the interior and exterior of the existing building. The submitted site plan also points out that the existing drive-thru and roof canopy will be repurposed for outdoor seating. The applicant has noted that that no trees are proposed to be removed with the project.

Sidewalk Reduction:

Code Section 27-97(i)(1) of the Zoning Ordinance states that a minimum 6-foot wide landscape area must be established abutting the back of the curb along abutting streets. In addition, all landscape areas that abut streets must adjoin a minimum 12-foot wide sidewalk. In its existing condition, the subject site does not meet the sidewalk or landscape strip standards. Along Dunwoody Village Parkway, the frontage of the site consists of a 6-foot wide landscape strip abutting the back of the curb. This strip consists of 4 small willow oaks recently planted by the City. Adjacent to the strip there is a 6-foot wide sidewalk that borders an approximately 22-foot wide landscape area. This area consists of a line of 9 hardwood trees ranging in trunk diameter from 7 inches to 22 inches. Based on a site visit conducted by staff, it was determined that the trees maintain an approximate 11 to 12-foot setback from the edge of the existing 6-foot wide sidewalk, which would provide adequate space to widen the sidewalk. At Mount Vernon Road, the frontage consists of a 4-foot wide landscape strip abutting the back of curb, a 4-foot wide sidewalk, and a 15-foot wide landscape area. No trees are currently found along this frontage.

In an effort to preserve 9 maple trees along Dunwoody Village Parkway, the applicant seeks approval of a Special Land Use Permit ("SLUP") to allow for a reduction in sidewalk width from 12 feet to 6 feet; this request for reduction will allow the eastern 6-foot sidewalk along Dunwoody Village Parkway to remain unchanged. The submitted site plan indicates that the streetscaping along Mount Vernon Road will comply with the DVO, resulting in a 6-foot wide landscape area and 12-foot wide sidewalk.

Based on a site visit from staff, however, there is currently 11 to 12 feet of space from the edge of the existing sidewalk to the trunks of the trees along Dunwoody Village Parkway. Given the amount of spacing available, it would appear that the sidewalk could be widened an additional 6 feet, while still maintaining a setback of 5 to 6 feet from the trunks of the trees. It shall be noted that the City Arborist has also visited the site and reviewed the request. Based on an email submitted to planning staff, she stated there is sufficient land area for continued growth and tree health to increase the width of the sidewalk from 6 feet to 12 feet. In response, staff has recommended denial of the SLUP request to reduce the sidewalk width from 12 feet to 6 feet.

Parking and Circulation:

Code section 27-97(g)(1) of DVO requires that new nonresidential uses provide a maximum parking allowance of no more than three parking spaces per 1,000 square feet of floor area. As a noted exception, however, "excess" parking spaces are not required to be removed. Review of the submitted site plan indicates that there are currently 32 spaces existing on the site, and yet, the DVO would require the building to have a maximum parking allowance of 20 spaces (e.g.: 6,800 square foot building, $6.8 \times 3 = 20.4$), resulting in 12 excess parking spaces. Taking into consideration the fact that excess parking is allowed to remain, the applicant may retain, and continue to use all 32 parking spaces.



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Code section 27-97(g)(2) requires parking to be separated from the “main” road by a minimum distance of 30 feet and wherever possible provide parking in the rear. Review of the submitted site plan indicates that a portion of the existing parking area is found in the front yard approximately 20 feet from Mount Vernon Road; hence, the parking area does not meet this requirement. Because the parking lot is an existing feature that will not change with the renovation, the applicant is requesting a SLUP to section 27-97(g)(2) to allow the parking lot to remain 20 feet from Mount Vernon Road. To improve pedestrian access and circulation from the street to the building, staff has recommended a condition that the owner shall provide a minimum of one (1) five foot wide, paved pedestrian access to connect an adjacent public right-of-way to the main building entrance.

Code Section 27-97(i)(3) of the Dunwoody Village Overlay requires a 10-foot wide pedestrian buffer and 6-foot wide sidewalk all the way around the footprint of the building. As developed, the existing improvements do not meet these requirements, as the submitted survey indicates that the buffer measures 8 feet along the south, 7 feet along the west, 15 feet on the east, and 4 feet along the north; additionally, there is only a 4 to 5-foot wide side walk along the east, west, and south portions of the buffer. In an effort to avoid impacting the existing parking lot and circulation, the applicant has requested to reduce the pedestrian buffer zone requirement, so it can be maintained in its existing condition.

It is important to make note that the subject SLUP request has been submitted with companion rezoning case: RZ 16-081, which seeks to rezone the parcel from O-I (Office-Institution) District to CR-1 (Commercial Residential Mixed Use) District. It shall also be noted that the applicant held an applicant initiated neighborhood meeting regarding the rezoning and SLUP requests on June 6, 2016 and has met all regulations for this meeting as required by ordinance. According to the applicant initiated meeting summary, the application was well received by neighbors and no real concerns were raised.

SURROUNDING LAND ANALYSIS

Direction	Zoning	Use	Current Land Use
N	O-I	Mixed Use	Institutional (Post Office)
S	O-I and C-1	Commercial	Office
E	O-I	Commercial	Commercial/Office (Bank)
W	O-I and C-1	Mixed Use	Commercial/Office (Bank)

ANALYSIS

Procedural excerpts from the code as discussed herein are provided below. The full text of the DVO is attached for reference. Portions of both the Comprehensive Plan related to the Dunwoody Village Character Area and its addendum, the Dunwoody Village Master Plan, are attached for consideration.

Zoning Ordinance Analysis

Purpose:

DVO, Section 27-97(l)

Modifications and adjustments. The regulations of subsections (e) through (k), may be modified only if reviewed and approved in accordance with the special land use permit procedures of article V, division 3.

Code Sections:

1. DVO, Section 27-97(i)(1) *Streetscape and pedestrian amenities.* A minimum six-foot wide landscape area must be established abutting the back of the curb along abutting streets. This landscape area must adjoin a minimum 12-foot wide sidewalk. Buildings must abut the sidewalk or be located within ten feet of the sidewalk
 - *Modification requested:* To allow for reduction in sidewalk width from 12 feet to 6 feet along Dunwoody Village Parkway.
2. DVO, Section 27-97(g)(2) *Parking and Circulation:* Parking areas must be separated from the main road by a minimum distance of 30 feet and include at least the landscaping required by section 27-229. Wherever possible, parking must be confined to the rear of structures or be placed underground.
 - *Modification Requested.* To allow the existing front yard parking lot to remain as is (20 feet from the Mount Vernon Road).
3. DVO, Section 27-97(i)(3) *Streetscape and pedestrian amenities:* Pedestrian buffer zones width of ten feet must be provided abutting the sides and rear of all buildings. All pedestrian walkways within buffer zones must be at least six feet and width and finished with brick pavers or other approved accents or designs.
 - *Modification Requested.* To allow the existing pedestrian buffer zone to remain as is.

Modifications requested:

1. DVO, Section 27-97(i)(1) *Streetscape and pedestrian amenities.* To allow for reduction in sidewalk width from 12 feet to 6 feet along Dunwoody Village Parkway.
2. DVO, Section 27-97(g)(2) *Parking and Circulation:* To allow the existing front yard parking lot to remain as is (20 feet from the Mount Vernon Road).

Dunwoody 2015-2035 Comprehensive Plan Analysis

The Comprehensive Plan serves as the City's guiding policy document for land use decisions. It divides the city into context-specific "Character Areas." The subject parcel is located in the "Dunwoody Village Character Area", which has historically been the center of Dunwoody. The context of the area is further broken down into sub-areas by the Dunwoody Village Master Plan. The Master Plan identifies this parcel in the "Village Center Mixed-Use," sub-area and the "Village Core" area.

The Dunwoody Village Master Plan

The Dunwoody Village Master Plan more specifically addresses the desired character of the district as a walkable, mixed use district, wherein the required architectural design and bulk standards in the DVO were developed specifically to implement the desired vision and development character sought in the Dunwoody Village Character Area. As stated in Section 27-97(a), the primary purpose and intent of the DVO is to implement the policies and objectives of the comprehensive plan and Dunwoody Village Master Plan.



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Review and Approval Criteria

Chapter 27, Section 27-359 identifies the following criteria to be applied by the department of planning, the planning commission, and the city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application:

1. Whether the proposed use is consistent with the policies of the comprehensive plan; ***The Dunwoody Comprehensive Plan and Dunwoody Village Master Plan support implementation of consistent sidewalks and streetscape elements, focused on pedestrian and bicycle amenities. Relative to this site, the Land Use Framework Plan for the Village Center within the Master Plan seeks to:***
 - *Create a central community gathering space within the Village;*
 - *Encourage high-quality redevelopment of underutilized areas, primarily the east, "back" side of the Dunwoody Village Shopping Center and underutilized surface parking areas;*
 - *Foster greater connectivity and accessibility by creating an internal street grid within the superblock;*
 - *Create a more walkable, vibrant Village Center with area appropriate goods and services; and*
 - *Provide an opportunity for a modest number of high-end residential units to foster greater livability, activity during evening and weekend hours, and security (more "eyes on the street")*

Equally as important, the Dunwoody Village Master Plan describes an opportunity for redevelopment to transform, on a parcel-by-parcel level, Dunwoody Village Parkway into a walkable "storefront" character. Moreover, to further enhance connectivity to and from the Village, a 12 to 15-foot wide multi-use path is recommended along Dunwoody Village Parkway. Considering these factors, the request to maintain a 6-foot sidewalk along Dunwoody Village Parkway fails to comply with the recommendations in the Comprehensive Plan and the Dunwoody Village Master Plan.

It shall be noted that the Dunwoody Comprehensive Plan and Dunwoody Village Master does not detail parking design, pedestrian buffer zones, or orientation, but suggests that convenient and abundant parking is an important part of making any commercial district viable. As such, keeping the existing pedestrian buffer zones and parking lot as they would exist would have no impact related to policies of the Comprehensive Plan and Dunwoody Village Master Plan.

2. Whether the proposed use complies with the requirements of this zoning ordinance; ***If the subject property is successfully rezoned from O-1 (Office-Institution) District to CR-1 (Commercial Residential Mixed Use) District, it will meet all requirements of the CR-1 District. Aside from the aforementioned DVO requests for SLUP's to section 27-97(g)(2) and section 27-97(i)(1), the applicant proposes to be in compliance with all Dunwoody Village Overlay regulations.***

3. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;

At .82 acres, the site is more than adequate to accommodate the new use. Review of the submitted site plan indicates that the use will be built within the existing footprint of the building, while staying within the requirements for lot coverage, parking and open space.

As previously noted, there is currently 11 to 12 feet of space from the edge of the existing sidewalk to the trunks of the trees along Dunwoody Village Parkway. Given the amount of spacing available, it is the opinion of staff that the sidewalk could be widened an additional 6 feet, maintaining a setback of 5 to 6 feet from the trunks of the trees. It shall be noted that the City Arborist has also visited the site and reviewed the request. Based on an email submitted to planning staff, she stated there is sufficient land area for continued growth and tree health to allow construction of a twelve foot wide sidewalk.

4. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:

- a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;

No, the proposed use will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated.

- b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

No, the proposed use will not create adverse impacts upon any adjoining land use by reason of the hours of operation.

- c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

No, considering that the proposed restaurant, retail and office use is similar in manner of operation to surrounding uses, it would not appear to create adverse impacts upon any adjoining land use by reason of the manner of operation.

- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;

The proposed use will not create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated. The proposed retail use will create lower levels of traffic during peak hours than the current office use, particularly if walkability enhancements are incorporated into the site design.

- e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and

No new buildings or additions are proposed with the use, so the size, scale and massing of proposed buildings are appropriate in relation to



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the size, scale and massing of adjacent and nearby lots and buildings as they exist today.

- f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed plan will not have an impact on any historic buildings, sites, districts, or archaeological resources. The area on the site, which the applicant proposes to develop, is already built upon.

5. Whether public services, public facilities and utilities—including motorized and non-motorized transportation facilities—are adequate to serve the proposed use;

Public services, facilities and utilities are sufficient to the serve the proposed use.

6. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;

Vehicular means of ingress and egress are not proposed to be changed as they currently exist and emergency vehicle access is proposed to be sufficient.

As noted, pedestrian flow within a 6-foot sidewalk will be insufficient in terms of the Dunwoody Village Master Plan's vision for this area to create a walkable environment. With future redevelopment of the area occurring, an issue of pedestrian traffic flow and pedestrian access along the Parkway may arise.

7. Whether adequate provision has been made for refuse and service areas; and
Provisions for refuse and services are proposed to be adequate.

8. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

The proposed use will not increase building height, so no negative shadow impact will occur to any adjoining lot or building.

SUMMARY

Overall, a reduction of the sidewalk width from 12 feet to 6 feet would be inconsistent with the vision of the Dunwoody Comprehensive Plan and Dunwoody Village Master Plan to create a walkable Village. In its existing context, the site provides an 11 to 12-foot wide strip of grass exists between the existing sidewalk and trees, which would provide adequate space to widen the sidewalk. Based on the research and information contained herein, it is recommended that the sidewalk be constructed to comply to meet a 12-foot width as prescribed in the DVO.

As noted, DVO code section 27-97(g)(2) requires parking areas to be confined to the rear of structures and be separated from the main road by a minimum distance of 30 feet; and yet, the existing development does not meet this requirement, as parking is currently located in the front yard approximately 20 feet from the Mount Vernon Road. Overall, the applicant has stressed that the strict application of this code section would cause them to lose almost half of the available parking, which they believe they need to operate a successful business. Moreover, the existing parking configuration would have no impact on and policies of the Comprehensive Plan and Dunwoody Village Master Plan. Based on the aforementioned findings, staff would be amicable to allow the parking to remain as is with the condition it



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meets the perimeter landscaping requirements of Section 27-229. To encourage pedestrian access from the sidewalks, staff has also added a condition stating a minimum 5-foot wide, paved pedestrian access must connect to an adjacent public right-of way to the main building entrance.

PLANNING COMMISSION RECOMMENDATION

At their July 12, 2016 meeting, the Planning Commission heard the applicant's request for the subject SLUPs. After much discussion with the applicant and staff, the Commission recommended the following:

- Denial of a SLUP to waive the requirements of the Dunwoody Village Overlay District regulations of Section 27-97(i)(1) to allow for reduction in sidewalk width from 12 feet to 6 feet. The motion passed 5 – 0.
- Approval of a SLUP from Section 27-97(g)(2) to allow the existing front yard parking lot to remain as is with the following conditions:
 1. The subject property shall be developed in accordance with the site plan dated July 7, 2016 with changes to meet land development and zoning regulations.
 2. The parking lot perimeter shall be required to meet the perimeter landscaping requirements of section 27-229.
 3. A minimum 5-foot wide, paved pedestrian access must connect all adjacent public rights-of-ways to the main building entrance.
 4. Three street trees shall be planted along Mount Vernon Road.
 5. Street trees shall be subject to staff approval in regards to species and size.
- Approval of a SLUP from Section 27-97(1)(3) to reduce pedestrian buffer zone around the existing building with the following condition:
 1. The subject property shall be developed in accordance with the site plan dated July 7, 2016 with changes to meet land development and zoning regulations.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, the request for a SLUP to Section 27-97(c)(1)(c) to allow a reduction in sidewalk width from 12 feet to 6 feet fails to comply with the review and approval criteria; therefore, staff recommends the request be **denied**.

Based upon the findings and conclusions herein, Staff recommends **Approval** of a SLUP to Section 27-97(g)(2) to allow the existing parking lot to remain as is and SLUP to Section 27-97(i)(3) to reduce the 10-foot pedestrian buffer zone width along the existing building. Should the petition be approved, the Community Development Department recommends the following conditions:

1. The subject property shall be developed in accordance with the site plan, dated July 7, 2016 with changes to meet land development and zoning regulations.
2. The parking lot perimeter shall be required to meet the perimeter landscaping requirements of section 27-229.
3. The owner shall provide shall one (1) minimum five-foot wide, paved pedestrian access to connect an adjacent public right-of-way to the main building entrance.
4. The owner shall provide three (3) street trees along Mt. Vernon Road.



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5. When the property is re-developed (i.e., existing building removed and replaced, site layout reconfigured...), the owner shall provide for inter-parcel access to at least one (1) of the adjacent parcels, including vehicular and pedestrian inter-parcel access, subject to any necessary approvals.
6. Street trees shall be subject to staff approval in regards to species and size.
7. Off-site streetscape improvements are required per the Dunwoody Village Overlay.

Attachments

- Ordinance
- Exhibit A: Site Plan, dated July 7, 2016
- Planning Commission Meeting Minutes, July 12, 2016
- Pictures
- Location, Zoning, Aerial, Character Area and Future Land Use Maps
- Dunwoody Village Overlay Excerpt, Sec. 27-97
- Dunwoody Village Master Plan Excerpt
- Dunwoody Comprehensive Plan Excerpt
- Application Packet

**AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING
MAP FOR ZONING CONDITIONS OF LOT PARCEL NUMBER 18 366 07 013
IN CONSIDERATION OF SPECIAL LAND USE PERMIT
SLUP 16-081 (1660 Mount Vernon Road)**

WHEREAS: Notice to the public regarding of said modification to conditions of zoning has been duly published in The Dunwoody Crier, the Official News Organ of the City of Dunwoody, Georgia; and

WHEREAS, the Special Land Use Permit 16-081 is requested to waive the requirement of the Dunwoody Village Overlay District Regulations of Section 27-97(i)(1) to allow for reduction in sidewalk width from 12 feet to 6 feet, Section 27-97(g)(2) to allow the existing front yard parking lot to remain as is, and Section 27-97(i)(3) to reduce the 10-foot pedestrian buffer zone width along the abutting sides and rear of the building; and

WHEREAS: the Mayor and City Council find that the submitted site plan indicates the streetscaping will comply with the Dunwoody Village Overlay and would help to preserve 9 maple trees along Dunwoody Village Parkway; and

WHEREAS: the Mayor and Council further find that a 12-foot, not a 6-foot sidewalk, would be most consistent with the Dunwoody Comprehensive Plan and Dunwoody Village Master Plan in order to create a walkable Village.

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby ordains as follows:

Section 1: Applicant's request for a SLUP to waive the requirements of Section 27-97(c)(1)(c), to allow a reduction in sidewalk from 12 feet to 6 feet fails to comply with the review and approval criteria and is, therefore **Denied**.

Section 2: Applicant's request for a SLUP to waive the requirements of Sections 27-97(g)(2) and 27-97(i)(3), to allow the existing parking lot to remain as is and to reduce the 10-foot pedestrian buffer zone width along the existing building, is hereby **Approved**, subject to the following conditions:

1. The subject property shall be developed in accordance with the site plan, dated July 7, 2016 with changes to meet land development and zoning regulations.
2. The parking lot perimeter shall be required to meet the perimeter landscaping requirements of section 27-229.
3. The owner shall provide shall one (1) minimum five-foot wide, paved pedestrian access to connect an adjacent public right-of-way to the main building entrance.
4. The owner shall provide three (3) street trees along Mt. Vernon Road.
5. When the property is re-developed (i.e., existing building removed and replaced, site layout reconfigured...), the owner shall provide for inter-parcel access to at

#9.

least one (1) of the adjacent parcels, including vehicular and pedestrian inter-parcel access, subject to any necessary approvals.

6. Street trees shall be subject to staff approval in regards to species and size.
7. Off-site streetscape improvements are required per the Dunwoody Village Overlay.

SO ORDAINED AND EFFECTIVE, this ____ day of _____, 2016.

Approved by:

Denis L. Shortal, Mayor

Attest:

Approved as to Form and Content

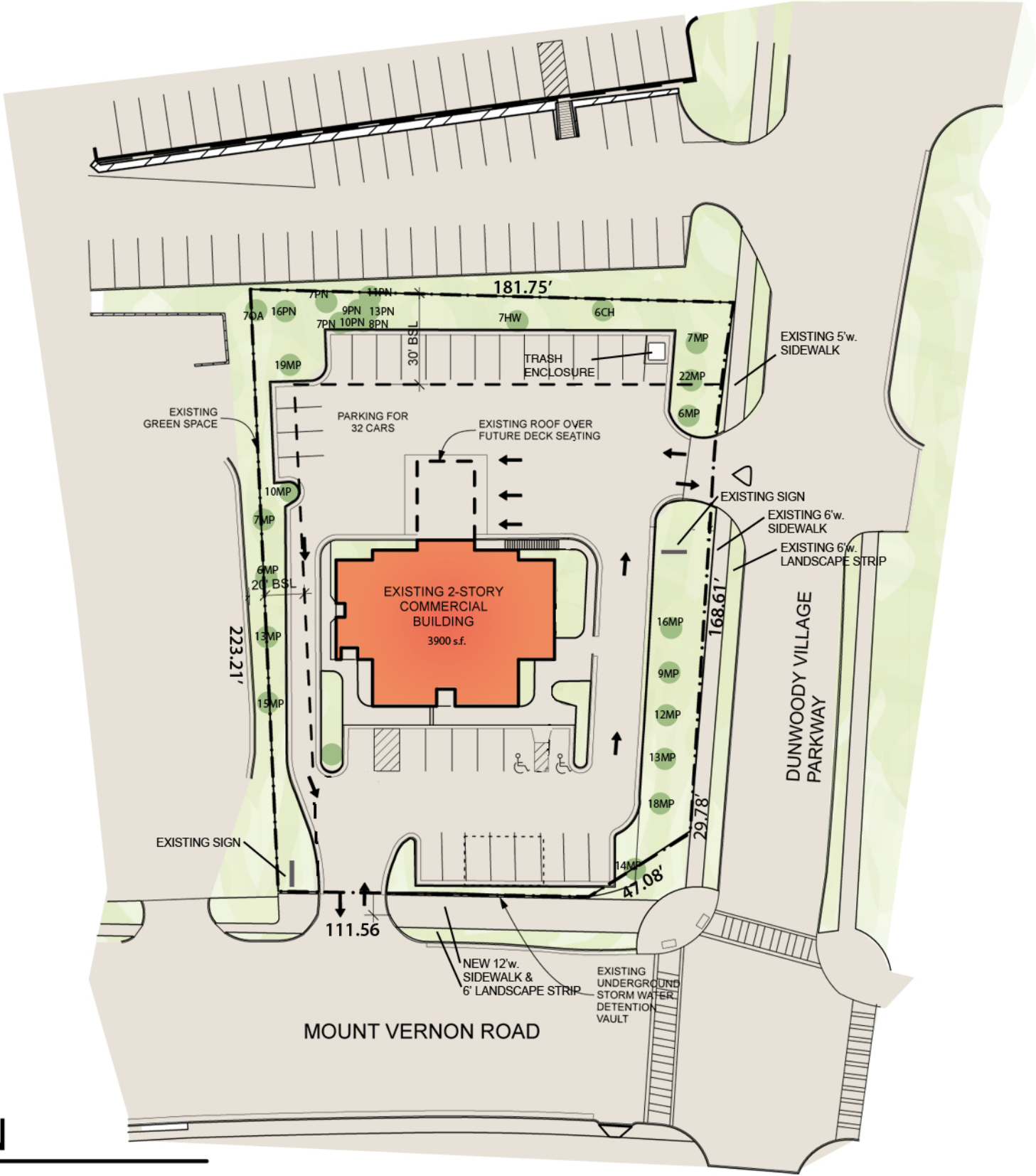
Sharon Lowery, City Clerk

City Attorney

SEAL

SITE PLAN

SCALE: 1" = 50'



PROJECT DATA

ACREAGE:	.82 ACRES = 35,719.20 sf
EXISTING BUILDING AREA:	3900 S.F.
EXISTING BLG HEIGHT:	< 45'
PROPOSED ZONING:	CR-1
PROPOSED USE:	RETAIL / OFFICE
BUILDING SETBACKS:	
FRONT/STREET	0'
SIDE	20'
REAR	30'
LOT COVERAGE	
ALLOWABLE (80%):	28,575 SF
PROVIDED (75%):	26,756 SF
PARKING SPACES-	32 TOTAL (EXISTING)
	30 REGULAR
	2 HANDICAP

NOTES:

1. ALL SITE PLAN INFORMATION IS BASED ON BOUNDARY & TOPOGRAPHIC SURVEY PREPARED BY TRAVIS PRUITT & ASSOCIATES INC ENTITLED '1660 MOUNT VERNON ROAD' DATED 7.6.2016, AND PARCEL MAP PROVIDED BY CITY OF DUNWOODY.
2. ALL TREES SHOWN ON SITE PLAN ARE EXISTING AND ARE INTENDED TO REMAIN. ALL TREE SAVE FENCING WILL BE SHOWN ON BUILDING / LAND DISTURBANCE PERMIT DRAWINGS.



NORTH



CITY OF DUNWOODY
JULY 12, 2016
PLANNING COMMISSION MINUTES

The Planning Commission of the City of Dunwoody held a Meeting on July 12, 2016 at 6:00 PM. The meeting was held in the City of Dunwoody City Hall, 41 Perimeter Center East, Dunwoody, Georgia 30346. Present for the meeting were the following:

Voting Members: Paul Player, Chair
Heyward Wescott, Vice-Chair
Kirk Anders, Commission Member
Bob Dallas, Commission Member
Bill Grossman, Commission Member
Richard Grove, Commission Member

Also Present: Steve Foote, Community Development Director
Andrew Russell, Planning Coordinator
Ronnie Kurtz, Planning Technician

A. CALL TO ORDER

Paul Player called the meeting to order.

B. ROLL CALL

All members were in attendance with the exception of Renate Herod.

C. MINUTES

1. Approval of Meeting Minutes from April 12, 2016 Planning Commission Meeting

Bob Dallas motioned to approve. Heyward Wescott seconded.

Passed For: 6 (Anders, Dallas, Grossman, Grove, Player, Wescott);
Against: 0; Abstain: 0; Absent: 1 (Herod)

D. ORGANIZATIONAL AND PROCEDURAL ITEMS

E. UNFINISHED BUSINESS

No unfinished business.

F. NEW BUSINESS

Andrew Russell asked Paul Player, Chair to allow the two items to be presented in a single presentation.

Paul Player stated the items could be presented in a single presentation.

1. RZ 16-081: JK Family Trust, owner of 1660 Mount Vernon Road, Dunwoody, GA 30338, by Dennis J. Webb Jr., attorney for owner, seeks permission to rezone property currently zoned O-I (Office-Institution) District to CR-1 (Commercial-Residential Mixed-Use) District to renovate the existing building into a small scale shopping center with retail, restaurant, and/or office use.

Andrew Russell presented the Rezoning and SLUP requests together on behalf of staff, and stated an additional SLUP request, (c), is requested by the applicant from Section 27-97(i)(3) to reduce the 10-foot pedestrian buffer zone width along the abutting sides and rear of the building.

Andrew recommended approval of the Rezoning application with conditions, and responded to questions from the applicant.

Den Webb, attorney on behalf of Jeff Kirker, applicant, presented on behalf of the Rezoning and SLUP applications. Den stated the existing building and parking configuration does not fit the Master Plan for the area, and that the applicant chose CR-1 over C-1 because C-1 is not recommended in the future land use plan and CR-1 is. Den stated the proposed development will meet all regulations of the district if the SLUPS are granted. Den stated the applicant applied for a SLUP to reduce required sidewalk width from 12 feet to 6 feet over concerns about the impact the 6 foot addition could have on the nearby trees. Den stated the additional SLUP, (c), was applied for because existing conditions preclude the development from adhering to the pedestrian buffer zone requirements.

Kirk Anders stated he will abstain from voting on the Rezoning or SLUP due to possibility of a conflict.

The Commission asked questions of the applicant and staff.

Bob Dallas asked the applicant and staff questions regarding the addition of 6 feet of sidewalk. Bob stated that a 12-foot sidewalk is necessary to fulfill the intent of the area.

Steve Foote responded to questions of the Commission. Steve stated the existing 6 feet of sidewalk would remain as is and the additional 6 feet would be added beside it.

Andrew Russell stated that the City Arborist has determined that the 6 foot sidewalk addition would not negatively impact the trees.

Heyward Wescott noted that the law office, located in the Dunwoody

Village Overlay at 1441 Dunwoody Village Parkway, was required to install the additional 6-feet of sidewalk required by code when that applicant submitted for a SLUP last year.

Heyward Wescott motioned to approve rezoning in accordance with the following condition:

1. The site shall be developed in general conformity with the site plan dated July 7, 2016, with changes to meet land development and zoning regulations.

Bill Grossman motioned to amend the motion with the following conditions:

2. The following uses shall be prohibited: 1. Shelter, homeless; 2. Vehicle storage and towing; 3. Vehicle or trailer sales and rental; 4. Taxi stand and taxi dispatching office; 5. Child care institutions of any size; 6. Transitional housing facilities; 7. Ambulance service; 8. Kindergarten; 9. Place of worship; 10. Essential utility facility; 11. Telecommunication tower; 12. Telecommunication antenna, co-located; 13. Nail salon; 14. Liquor store; 15. Funeral home or mortuary; 16. Laundromat, self-service; 17. Day care facility or center; 18. Personal care home, family, group or community.

Bill Grossman provided a handout to the Commission, staff, and the applicant, a copy of which was retained for the record. Discussion was had on the amendment to the motion.

Heyward Wescott seconded the amendment to the motion.

Passed For: 5 (Dallas, Grossman, Grove, Player, Wescott); Against: 0; Abstain: 1 (Anders); Absent: 1 (Herod)

Bob Dallas seconded the amended motion.

Passed For: 5 (Dallas, Grossman, Grove, Player, Wescott); Against: 0; Abstain: 1 (Anders); Absent: 1 (Herod)

2. SLUP 16-081: JK Family Trust, owner of 1660 Mount Vernon Road, Dunwoody, GA 30338, by Dennis J. Webb Jr., attorney for owner, seeks a Special Land Use Permit to waive the requirements of the Dunwoody Village Overlay District regulations of (a) Section 27-97(i)(1) to allow for reduction in sidewalk width from 12 feet to 6 feet (Dunwoody Village Parkway) and (b) Section 27-97(g)(2) to allow the existing front yard parking lot to remain as is. The tax parcel of the property is 18-366-07-013.

Andrew Russell recommended denial of SLUP request (a); approval of SLUP request (b) with conditions; and approval of SLUP request (c) with conditions.

Den Webb stated the applicant is generally okay with staff's conditions to the SLUP with the exception of Condition 3 on SLUP (b), changing the word "paved" to "marked"

Bob Dallas motioned to deny SLUP request (a). Bill Grossman seconded.

Passed For: 5 (Dallas, Grossman, Grove, Player, Wescott); Against: 0; Abstain: 1 (Anders); Absent: 1 (Herod)

Bill Grossman motioned to approve SLUP (b) with the following conditions:

1. The subject property shall be developed on accordance with the site plan dated July 7, 2016 with changes to meet land development and zoning regulations.
2. The parking lot perimeter shall be required to meet the perimeter landscaping requirements of section 27-229.
3. A minimum 5-foot wide, paved pedestrian access must connect all adjacent public rights-of-ways to the main building entrance.
4. Three street trees shall be planted along Mount Vernon Road.
5. Street trees shall be subject to staff approval on species and size.

Heyward Wescott seconded.

Passed For: 5 (Dallas, Grossman, Grove, Player, Wescott); Against: 0; Abstain: 1 (Anders); Absent: 1 (Herod)

Bob Dallas motioned to approve SLUP (C) with the following condition:

1. The subject property shall be developed in accordance with the site plan dated July 7, 2016 with changes to meet land development and zoning regulations.

Bill Grossman seconded.

Passed For: 5 (Dallas, Grossman, Grove, Player, Wescott); Against: 0; Abstain: 1 (Anders); Absent: 1 (Herod)

G. OTHER BUSINESS

H. PUBLIC COMMENT

I. COMMISSION COMMENT

Bob Dallas stated he would like to make the citizens aware that there is a development proposed in the central Perimeter area next to the MARTA station where there is the potential for a park.

Heyward Wescott stated that the Board has not received any communication from the City staff in regards to the changes to the DHA policy issued.

Bill Grossman stated he has not received an email regarding the aforementioned policy change, and asked for it to be sent to him.

Paul Player stated disapproval over the recent policy regarding board membership.

J. ADJOURN

Bob Dallas motioned to adjourn. Bill Grossman seconded.



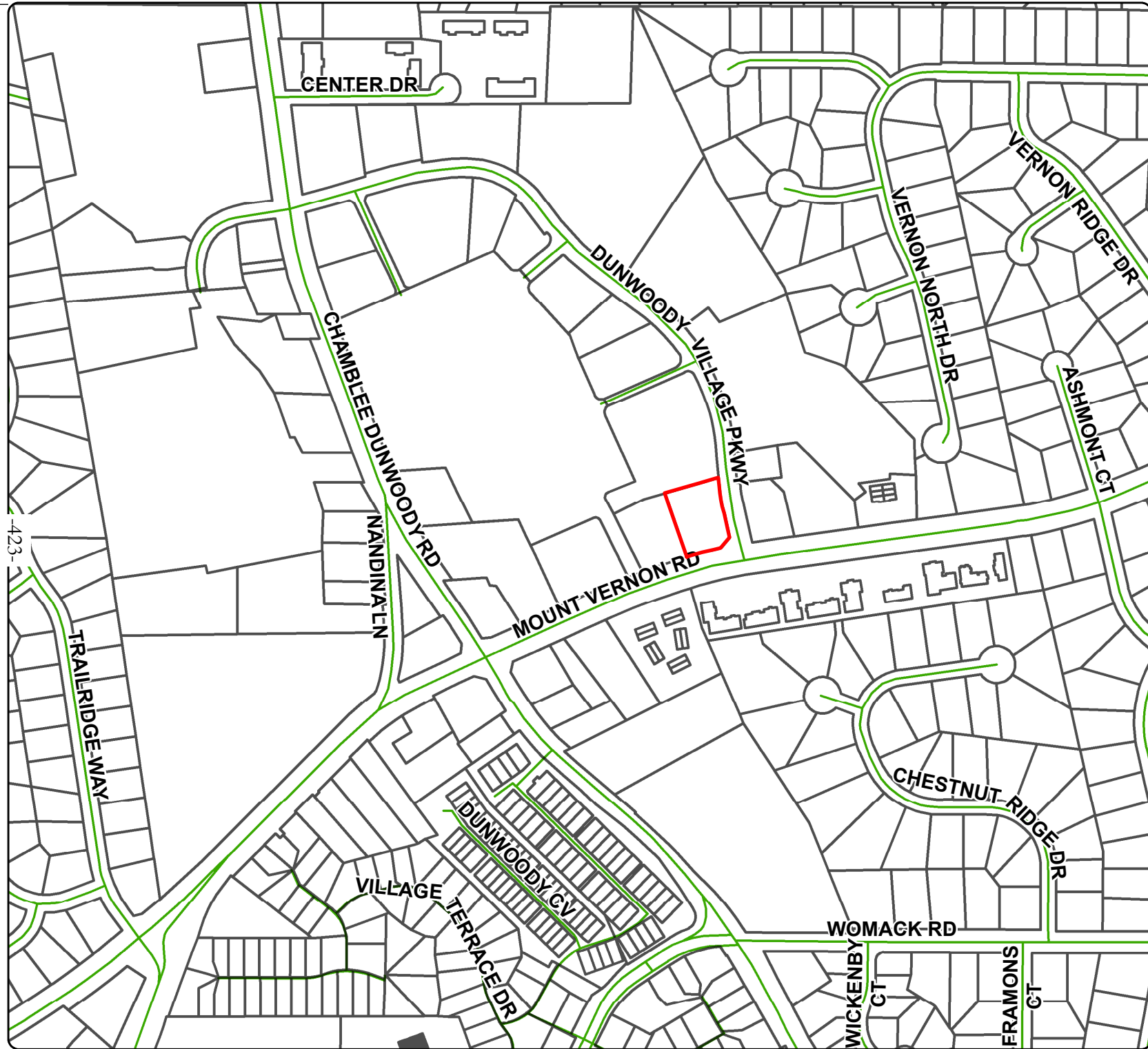
-419-



-421-

#9.







1660 Mount Vernon Road

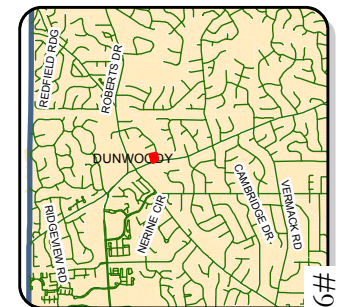
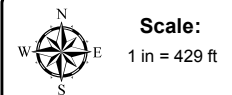
**RZ 16-081 &
 SLUP 16-081**

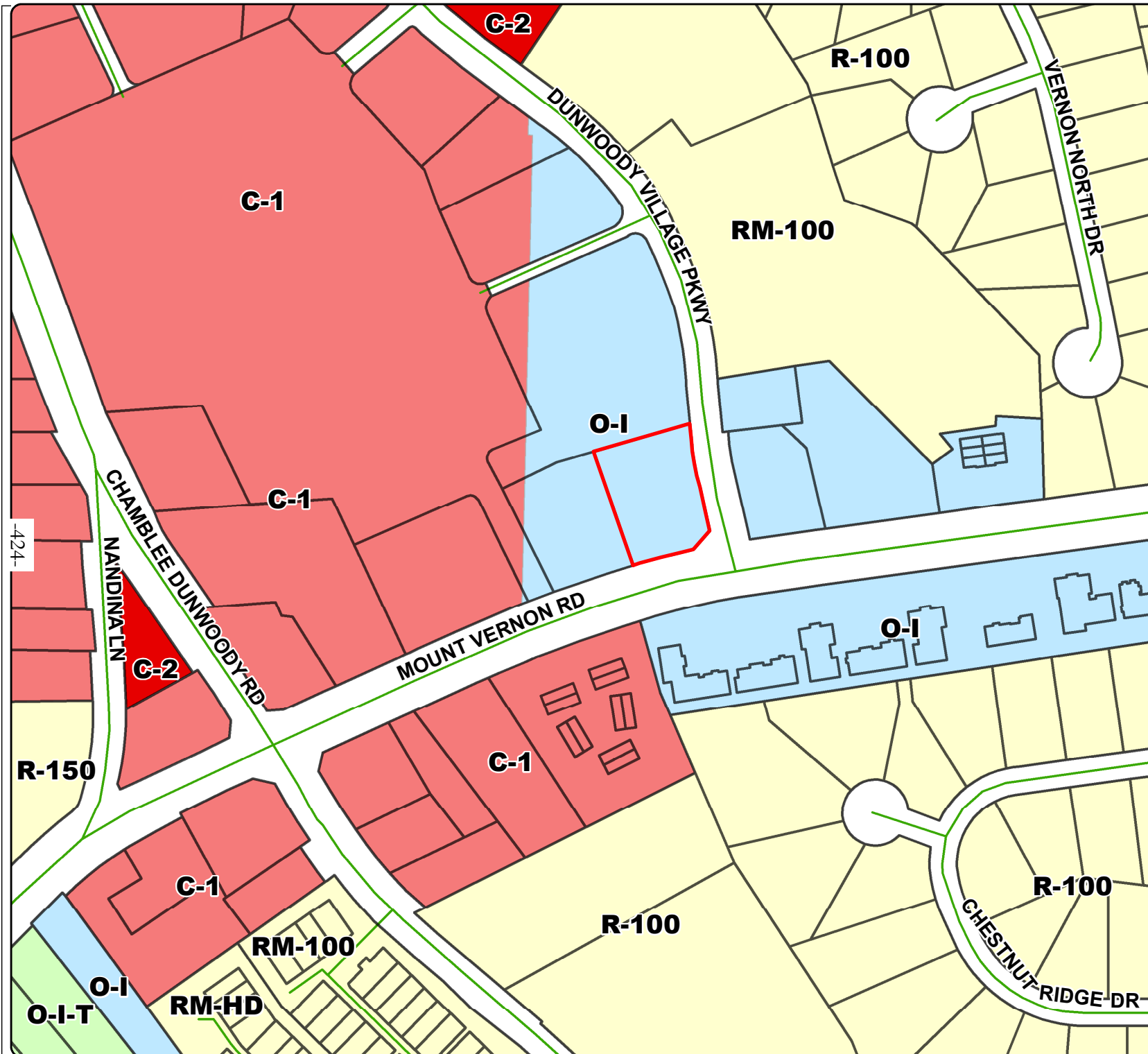
Location Map

August 2016

Legend

-  Parcel
-  Street Centerline





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#9.

1660 Mount Vernon Road

**RZ 16-081 &
SLUP 16-081**

Zoning Map

August 2016

Legend

Parcel
Street Centerline

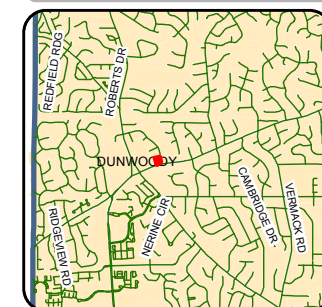
Zoning District

Local Commercial (C-1)
Local Commercial (C-1c)
General Commercial (C-2)
Commercial-Residential Mixed-Use (CR-1)
Industrial (M)
Neighborhood Shopping (NS)
Office-Distribution (O-D)
Office-Institution (O-I)
Office-Institution-Transitional (O-I-T)
Office-Institution (O-Ic)
Office-Commercial Residential (OCR)
Office-Commercial Residential (OCRc)
Planned Development (PD)
Residential (R)



Scale:

1 in = 242 ft



Disclaimer: All data is provided as is, with all faults, without warranty of any kind, either expressed or implied. This map is the property of the City of Dunwoody, Georgia and its assigns. All rights reserved.



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1660 Mount Vernon Road

**RZ 16-081 &
SLUP 16-081**

Aerial Map

August 2016

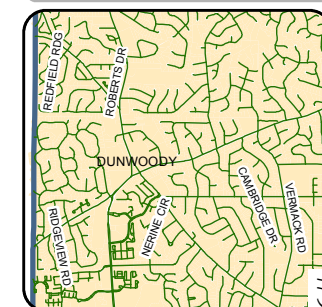
Legend

-  Parcel
-  Street Centerline



Scale:

1 in = 249 ft



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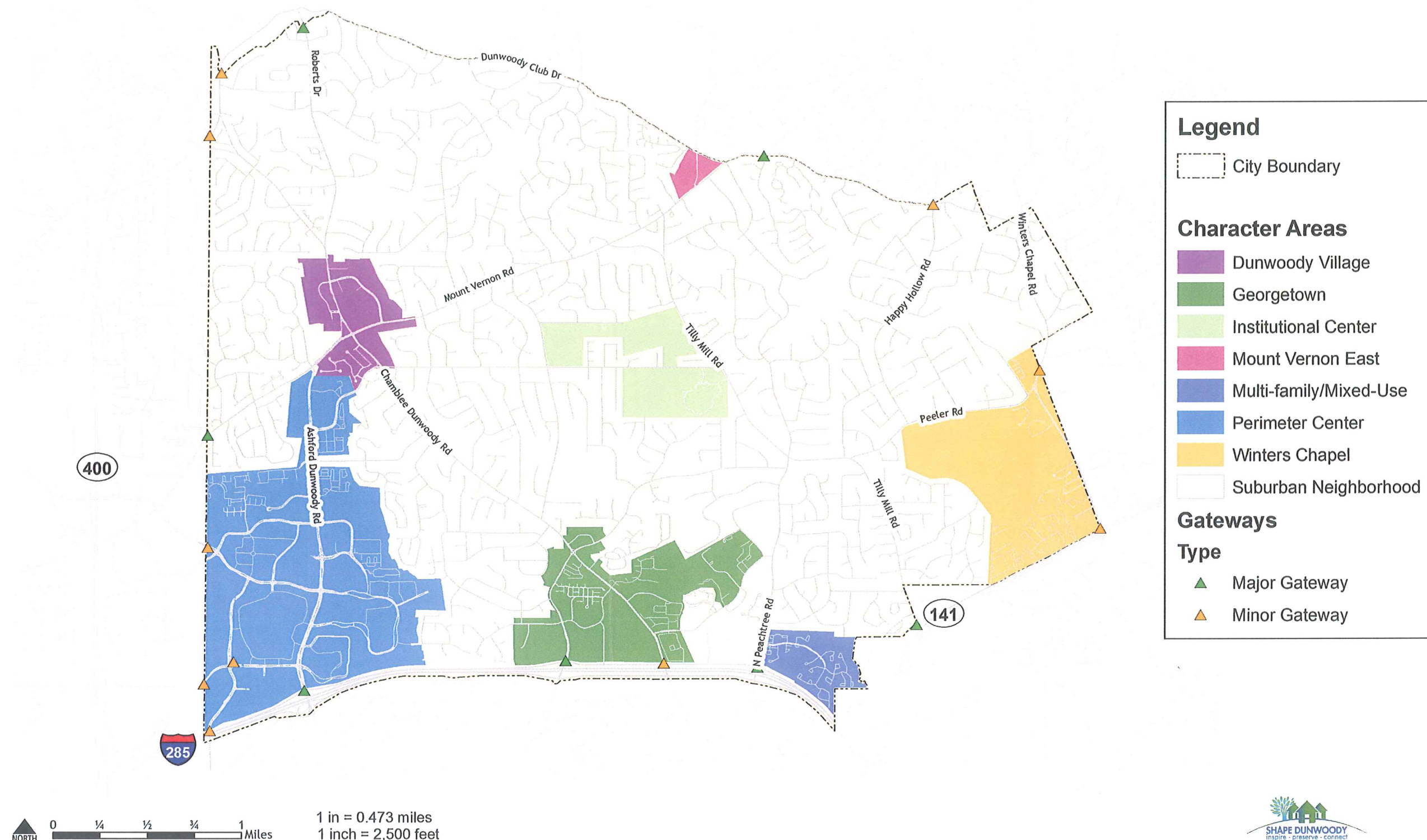


FIGURE 4: Character Areas Map

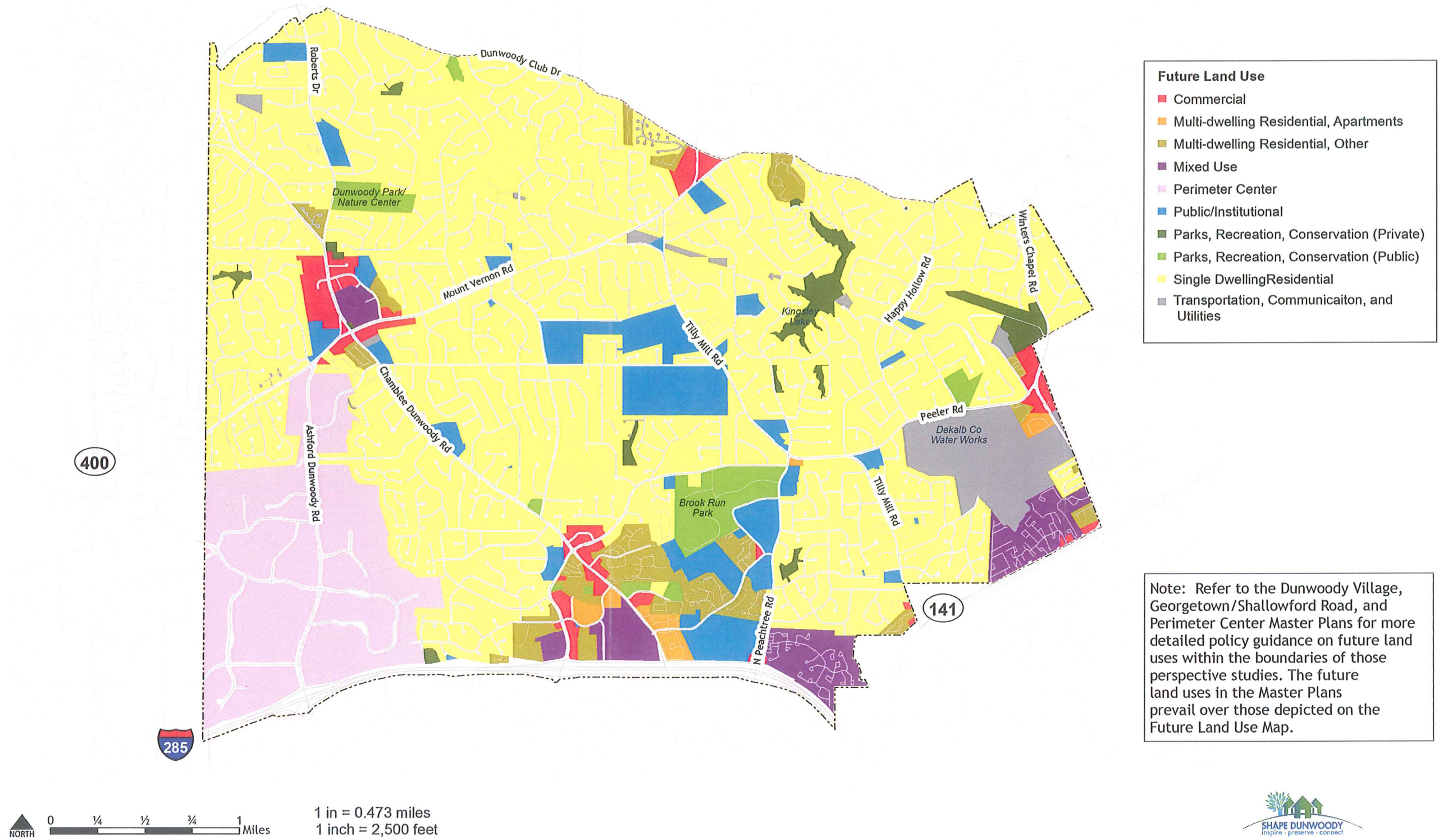


FIGURE 17: Future Land Use Map

CHAPTER 27 - ZONING ORDINANCE^[1]

Footnotes:

--- (1) ---

Editor's note—Ord. No. 2013-10-15, § 1, adopted Oct. 14, 2013, repealed former Ch. 27, §§ 27-1—27-1654, and enacted a new Ch. 27 as set out herein. Former Ch. 27 pertained to similar subject matter. See the Code Comparative Table for a complete derivation. For stylistic purposes, a uniform system of headings, catchlines, capitalization, citation to state statutes, and expression of numbers in text have been used to conform to the Code of Ordinances. Additions made for clarity are indicated by brackets and obvious misspellings and punctuation errors have been corrected without notation.

ARTICLE II. - ZONING DISTRICTS

DIVISION 2. - NONRESIDENTIAL AND MIXED-USE ZONING DISTRICTS

Sec. 27-71. - General.

(a) The districts. The city's nonresidential and mixed-use zoning districts are listed below.

	Zoning District	Map Symbol
Office	Office-Institution	O-I
	Office-Institution-Transitional	O-I-T
	Office-Distribution	O-D
	Office-Commercial-Residential	OCR
Commercial	Neighborhood Shopping	NS
	Local Commercial	C-1
	Commercial-Residential Mixed-Use	CR-1
	General Commercial	C-2
Industrial	Industrial	M

(b) Purposes.

- (1) General. The nonresidential and mixed-use districts are generally intended to promote consistency with the comprehensive plan and provide opportunities for shopping, employment, entertainment and living.
- (2) Office-institution and office-institution-transitional. The primary purposes of the O-I and O-I-T districts are as follows:
 - a. To provide convenient locations for office and institutional uses;
 - b. To provide locations for the development of cultural, recreational, educational and health service facilities; and
 - c. To limit building heights to two stories in O-I-T zoned areas adjacent to single-dwelling residential districts.
- (3) Office-distribution. The primary purpose of the O-D district is to provide convenient locations for office and distribution establishments.
- (4) Office-commercial-residential. The primary purposes of the OCR district are as follows:
 - a. To provide for economic development within the city through redevelopment of parcels of land that have been used in the past for commercial and light industrial uses but that have become obsolete and now offer an opportunity for establishing new moderate-intensity mixed-use developments consisting of a combination of office, commercial and residential uses;
 - b. To promote redevelopment and new development in an environment that is pedestrian-oriented and that provides employment, shopping, entertainment and living opportunities in close proximity thereby reduces auto dependency; and
 - c. To encourage the conversion of vacant commercial and industrial buildings into mixed-use projects.
- (5) Neighborhood shopping. The primary purposes of the NS district are as follows:
 - a. To provide convenient neighborhood retail shopping and service areas within the city;
 - b. To provide for the development of new neighborhood shopping districts;
 - c. To help ensure that the size and scale of neighborhood shopping centers and individual uses within shopping centers are compatible with the scale and character of surrounding neighborhoods; and
 - d. To accommodate uses designed to serve the convenience shopping and service needs of the immediate neighborhood.
- (6) Local commercial. The primary purposes of the C-1 district are as follows:
 - a. To provide convenient local retail shopping and service areas within the city;
 - b. To provide for the development of new local commercial districts; and
 - c. To accommodate uses designed to serve the convenience shopping and service needs of groups of neighborhoods.
- (7) Commercial-residential mixed-use. The primary purposes of the CR-1 district are as follows:
 - a. To provide convenient local retail shopping and service areas within a mixed-use (commercial-residential) setting;

- b. To provide for the development of new commercial-residential mixed-use districts; and
 - c. To promote development patterns that accommodate residential, employment and entertainment within a walkable, mixed-use environment.
- (8) General commercial. The primary purposes of the C-2 district are as follows:
- a. To provide convenient general business and commercial service areas within the city;
 - b. To provide for the development of new general commercial districts; and
 - c. To accommodate uses designed to serve the general business and commercial service needs of the city.
- (9) Industrial. The primary purposes of the M district are as follows:
- a. To provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment;
 - b. To help ensure that establishments operate so as to not create adverse noise and other impacts on nearby residential, office, commercial and mixed-use districts; and
 - c. To help ensure that M districts are located in areas with access to major arterials and freeways.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-5.10), 10-14-2013)

Sec. 27-72. - Uses allowed.

The following table identifies uses allowed in nonresidential and mixed-use zoning districts. See [subsection] 27-111(4) for information about how to interpret the use table.

USES	DISTRICTS									Supplemental Regulations
	O-I	O-I-T	O-D	OCR	NS	C-1	CR-1	C-2	M	
P = use permitted as of right / A = administrative permit req'd / E = special exception req'd / S = special land use permit req'd										
RESIDENTIAL										
Household Living										
Detached house	-	P	-	-	-	-	-	-	-	27-147
Multi-unit building	-	-	-	S	-	-	S	-	-	
Mixed-use building, vertical	-	-	-	P	-	-	P	-	-	

Group Living										
Convent and monastery	P	P	-	P	-	-	-	-	-	27-146
Fraternity house, sorority house or residence hall	P	-	-	-	-	-	-	-	-	
Nursing home	P	P	-	-	-	-	-	-	P	
Personal care home, family (1—4 persons)	-	-	P	-	P	P	P	P	-	
Personal care home, group (5—7 persons)	-	-	P	-	P	P	P	P	-	
Personal care home, community (8+ persons)	P	P	P	-	P	P	P	P	-	27-145
Child caring institution (1—6 persons)	P	P	P	-	P	P	P	P	-	
Child caring institution (7—15 persons)	P	P	P	-	P	P	P	P	-	
Child caring institution (16 or more)	P	S	P	-	P	P	P	P	-	
Community living arrangement (1—4 persons)				P		P	P			
Shelter, homeless	S	S	-	-	-	P	P	P	-	27-140
Transitional housing facility	S	S	-	-	-	P	P	P	-	27-140
QUASI-PUBLIC AND INSTITUTIONAL										
Ambulance Service	-	-	-	-	-	P	P	P	P	
Club or Lodge, Private	P	P	P	-	-	P	P	P	P	
Cultural Exhibit	P	P	P	-	-	P	P	P	-	
Day care facility, adult (6 or fewer persons)	-	-	P	-	-	-	-	-	-	27-137
Day care center, adult (7 or more)	P	P	P	P	P	P	P	P	-	
Day care facility, child (6 or fewer persons)	-	-	P	-	-	-	-	-	-	

Day care center, child (7 or more)	P	P	P	P	P	P	P	P		
Educational Services										
College or university	P	P	P	-	-	-	-	-	-	
Kindergarten	-	-	P	P	P	P	P	P	-	27-141
Research and training facility, college or university affiliated	P	P	P	-	-	-	-	-	P	
School, private elementary, middle or senior high	P	P	P	P	-	P	P	P	P	27-148
School, specialized non-degree	P	P	P	P	-	P	P	P	P	
School, vocational or trade	P	P	P	-	-	P	P	P	P	
Hospital	P	-	-	-	-	-	-	-	-	
Place of Worship	P	P	P	P	P	P	P	P	P	27-146
Utility Facility, Essential	E	E	P	E	E	P	P	P	P	27-151
COMMERCIAL										
Adult Use										
Body art service								P	P	
Sexually oriented business	P	-	-	P	-	-	-	P	P	27-149
Animal Services										
Animal care/boarding	-	-	-	S	S	P	P	P	P	27-131
Animal grooming	-	-	-	P	P	P	P	P	P	27-131
Animal hospital/veterinary clinic	-	-	-	P	P	P	P	P	P	27-131

Communication Services										
Radio and television broadcasting stations	P	P	P	-	-	P	P	P	P	
Recording studios	P	P	P	-	-	P	P	P	P	
Telecommunication tower	A	-	A	-	S	A	A	A	A	27-150
Telecommunication antenna, co-located	P	P	P	P	P	P	P	P	P	27-150
Construction and Building Sales and Services										
Building or construction contractor	-	-	-	-	-	-	-	P	P	
Commercial greenhouse or plant nursery	-	-	-	-	-	-	-	P	P	
Electrical, plumbing and heating supplies and services	-	-	-	-	-	P	P	-	P	
Lumber, hardware or other building materials establishment	-	-	-	-	-	P	P	P	P	
Eating and Drinking Establishments										
Restaurant, accessory to allowed office or lodging use	P	-	-	P	-	P	P	P	P	
Restaurant, drive-in or drive-through	-	-	-	-	-	P	S	P	P	
Food truck	P	P	P	P	P	P	P	P	P	27-138
Other eating or drinking establishment	-	-	-	P	P	P	P	P	-	
Entertainment and Spectator Sports										
Auditorium or stadium	-	-	-	-	-	-	-	P	P	
Drive-in theater	-	-	-	-	-	-	-	P		
Movie theater	-	-	-	P	-	-	-	P	-	

Special events facility	-	P	-	-	-	P	P	P	-	
Financial Services										
Banks, credit unions, brokerage and investment services	P	P	P	P	P	P	P	P	P	
Convenient cash business	-	-	-	-	-	-	-	P	-	27-136
Pawn shop	-	-	-	-	-	-	-	P	-	27-144
Food and Beverage Retail Sales										
Liquor store (as principal use)	-	-	-	-	-	P	P	P	P	
Liquor store (accessory to lodging or 3+ story office)	-	-	P	P	-	-	-	-	-	
Other food and beverage retail sales	-	-	P	P	P	P	P	P	P	
Funeral and Interment Services										
Cemetery, columbarium, or mausoleum	P	P	P	-	-	-	-	-	-	
Crematory	-	-	-	-	-	-	-	-	S	
Funeral home or mortuary	P	-	-	-	-	P	P	P	P	
Lodging	P	-	P	P	-	P	P	P	P	
Medical Service										
Home health care service	P	P	-	-	-	-	-	-	-	
Hospice	P	P	-	-	-	-	-	-	-	
Kidney dialysis center	P	P	-	-	-	-	-	-	-	
Medical and dental laboratory	P	P	-	P	-	P	P	-	P	

Medical office/clinic	P	P	P	P	P	P	P	P	P	
Office or Consumer Service	P	P	P	P	P	P	P	P	P	
Parking, Non-accessory	S	-	P	-	-	P	P	P	P	27-143
Personal Improvement Service										
Barber shop, beauty shop, nail salon, massage and/or spa establishments, estheticians, and other "typical" uses per [subsection] 27-114(14)	P	-	-	P	P	P	P	P	P	27-114(14)
Other personal improvement service	-	-	-	-	-	P	P	P	P	
Repair or Laundry Service, Consumer										
Laundromat, self-service	-	-	-	P	P	P	P	P	-	
Laundry or dry cleaning drop-off/pick-up	P	-	-	P	P	P	P	P	P	
Other consumer repair or laundry service	-	-	-	P	P	P	P	P	P	
Research and Testing Services	P	-	P	P	-	-	-	P	P	
Retail Sales										
Retail sales of goods produced on the premises	-	-	-	-	-	-	-	-	P	
Shopping Center	-	-	-	P	P	P	P	P	-	
Other retail sales	-	-	P	P	P	P	P	P	-	
Sports and Recreation, Participant										
Golf course and clubhouse, private	P	P	P	-	-	-	-	P	P	
Health club	-	-	P	P	P	P	P	P	P	
Private park	P	P	P	-	-	-	-	-	-	

Recreation center or swimming pool, neighborhood	P	P	P	-	-	-	-	-	P	
Recreation grounds and facilities	-	-	P	-	-	-	-	P	-	
Tennis center, club and facilities	P	P	P	P	-	P	P	P	-	
Other participant sports and recreation (Indoor)	P	-	-	P	-	P	P	P	-	
Other participant sports and recreation (Outdoor)	-	-	-	-	-	-	-	P		
Vehicle and Equipment, Sales and Service										
Car wash	-	-	-	-	-	P	-	P	P	27-134
Gasoline sales	-	-	-	-	-	P	-	P	P	27-139
Vehicle repair, minor	-	-	-	-	-	P	-	P	P	27-153
Vehicle repair, major	-	-	-	-	-	-	-	P	P	27-152
Vehicle sales and rental	-	-	-	-	-	S	S	P	P	27-154
Vehicle storage and towing	-	-	-	-	-	-	-	P	P	27-155
INDUSTRIAL										
Manufacturing and Production, Light	-	-	-	-	-	-	-	P	P	
Wholesaling, Warehousing and Freight Movement										
Warehousing and storage	-	-	P	-	-	-	-	-	-	
Self-storage warehouse	-	-	P	-	-	-	-	-	P	
Storage yard and truck terminal	-	-	-	-	-	-	-	-	S	
AGRICULTURE AND TRANSPORTATION										

Agriculture										
Agricultural produce stand	-	-	-	-	-	-	-	-	P	
Community garden	P	P	P	P	P	P	P	P	P	27-135
Crops, production of	-	-	-	-	-	-	-	-	P	
Transportation										
Heliport	S	-	S	-	-	S	S	-	P	
Stations and terminals for bus and rail passenger service	S	-	-	-	-	-	-	-	-	
Taxi stand and taxi dispatching office	-	-	-	-	-	P	P	-	P	

(Ord. No. 2013-10-15, § 1(Exh. A § 27-5.20), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015; Ord. No. 2015-06-13, § 1, 6-22-2015)

Sec. 27-73. - Lot and building regulations.

- (a) This section establishes basic lot and building regulations that apply in nonresidential and mixed-use zoning districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that stated minimums and maximums can be achieved on every lot. Other factors, such as topography, the presence of protected resources, off-street parking and other factors may work to further limit actual building and development potential.
- (b) The lot and building standards of the following table apply to all principal and accessory uses allowed in nonresidential and mixed-use districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 5-1).

	Regulation	O-I	O-I-T	O-D	OCR	NS	C-1	CR-1	C-2	M
L1	Minimum Lot Area (sq. ft.)	20,000	20,000[1]	43,560	87,120	20,000	20,000	20,000	30,000	30,000
L2	Minimum Lot Frontage (ft.)	100	100	150	100	100	100	100	100	100

	Maximum Density (dwelling units per acre)	NA	NA	NA	30	NA	NA	80	NA	NA
	Minimum Building/Structure Setbacks (ft.)									
S 1	Street, front and side	50	40	75	0	50	50	0	50	75
S 2	Side, interior	20	20	20	20	20	20	20[2]	20	20
S 3	Rear	30	30	30	40	30	30	30	30	30
C	Maximum Lot Coverage (%)	80	80	80	80	80	80	80	80	80
	Maximum Building Height (stories/ft.)	5/70[3]	2/35	2/35[4]	2/35[4]	2/25	2/35[4]	3/45[4]	2/35[4]	5/70[3]
	Maximum Building Floor Area (sq. ft.)	NA	NA	NA	NA	50,000[5]	NA	NA	NA	NA

[1] Attached house developments are subject to a minimum lot area requirement of 4,000 square feet per dwelling unit.

[2] No interior side setback required abutting C-1, CR-1 or C-2-zoned lots.

[3] Buildings may exceed three stories in height only if approved by fire and rescue services. Buildings in excess of five stories or 70 feet in height may be approved only through the special land use permit procedures of article V, division 3. Multi-unit residential and vertical mixed-use buildings that abut any attached single-dwelling residential district may not exceed 40 feet in height. Multi-unit residential buildings and vertical mixed-use buildings that abut any detached single-dwelling residential district may not exceed 35 feet in height.

[4] Buildings in excess stated height limits may be approved through the special land use permit procedures of article V, division 3. Buildings may exceed three stories in height only if approved by fire and rescue services.

[5] No individual building may exceed 50,000 sq. ft. (GSF). No multi-tenant center may exceed 100,000 sq. ft.

Figure 5-1: Lot and Building Regulations Diagram, Nonresidential and Mixed-use Districts



(Ord. No. 2013-10-15, § 1(Exh. A § 27-5.30), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

Sec. 27-74. - Other regulations.

Uses and development in nonresidential and mixed-use zoning districts may be subject to other regulations and standards, including the following.

- (1) Nonconformities. See article VI, division 4.
- (2) Accessory uses and structures. See article III, division 3.
- (3) Parking. See article IV, division 1.
- (4) Landscaping and screening. See article IV, division 2.
- (5) Signs. See chapter 20 of the Municipal Code.
- (6) Outdoor storage. See section 27-286.
- (7) Temporary uses. See article III, division 4.
- (8) Outdoor lighting. See article IV, division 3.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-5.40), 10-14-2013)

Secs. 27-75—27-85. - Reserved.

DIVISION 4. - OVERLAY ZONING DISTRICTS

Sec. 27-96. - General.

- (a) Establishment. Overlay zoning district regulations and overlay zoning district boundaries may be established or amended only in accordance with the amendment procedures of article V, division 2.
- (b) Interpretation. Overlay zoning district regulations apply in combination with underlying (base) zoning district regulations and all other applicable regulations of this zoning ordinance. When overlay district standards conflict with standards that would otherwise apply under this zoning ordinance, the regulations of the overlay zoning district govern. Otherwise, all applicable regulations of this zoning ordinance apply in overlay districts.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-7.10), 10-14-2013)

Sec. 27-97. - DVO, Dunwoody Village Overlay.

- (a) Purpose and intent. The Dunwoody Village Overlay district is primarily intended to implement the policies and objectives of the comprehensive plan and the Dunwoody Village master plan. It is further intended to help:
 - (1) Maintain and enhance the identity and image of the Dunwoody Village area;
 - (2) Accommodate and promote walkable, development patterns containing a complementary mix of land uses;
 - (3) Create new opportunities for public open spaces and gathering spaces in the commercial core of Dunwoody;
 - (4) Ensure that new development and substantial additions to existing buildings are compatible with the pre-1900 Mid Atlantic American Colonial Architecture that is characteristic of the district;
 - (5) Support efforts to create a vibrant shopping and entertainment area in which merchants and businesses thrive and grow, thereby helping to maintain property values and keeping vacancy rates low; and
 - (6) Maintain and enhance the area's role as a place for civic activities and public gatherings within well-designed open spaces.
- (b) Redevelopment. The city council anticipates that in the future a developer may desire to redevelop all or portions of the Dunwoody Village area, and that the type of redevelopment proposed may be difficult or impossible to carry out under the existing zoning. To accommodate and encourage large-scale redevelopment in accordance with the approved Dunwoody Village Master Plan, the city council may consider rezoning or planned development (PD) development proposals.
- (c) Thresholds for compliance.
 - (1) Full compliance. Except as otherwise expressly stated by the specific provisions of this section (section 27-97), permits for the following building and construction activities may be issued only if the entire building is determined to comply with the applicable regulations:
 - a. Construction of a new building;
 - b. Construction of building additions that result in a ten-percent or greater increase in the floor area or building coverage of the existing building;
 - c. Exterior construction or remodeling with a total value of 15 percent or more of the county tax assessor's 100 percent assessed value of the existing improvements only; and
 - d. Interior construction or remodeling with a total value of 25 percent or more of the county tax assessor's 100 percent assessed value of the existing improvements only.

- (2) Partial compliance. Permits for exterior remodeling or building activities that do not trigger full compliance may be issued only if the portion of the building affected by the work is determined to be in compliance with all applicable overlay district regulations.
- (d) Design review. No land-disturbance permit, building permit or sign permit may be issued for buildings or construction activities that are subject to one or more of the overlay district regulations of this section until the design review process of article V, division 4, has been completed.
- (e) Architecture and design.
 - (1) Exterior materials.
 - a. Exterior cladding material must consist of stone, earth tone brick (the preferred material) or white/cream painted horizontal lap siding. Lap siding must be wood, fiber cement lap siding or other substitute approved by the design review advisory committee because of its wood-like appearance and durability. If lap siding is used, the base of the structure must have brick or stone cladding from the grade to the first floor elevation. Vertical siding, stucco, external insulating finishing system (EIFS), metal siding, metal trim, vinyl siding, vinyl trim, marble siding, marble trim, exposed concrete and block are prohibited.
 - b. Exterior siding material must be consistent and uniform on all exterior elevations. Siding material must be predominantly brick, stone or lap siding. Buildings and building additions with masonry on only street-facing facades are prohibited. Buildings and building additions with first floor masonry and second floor lap siding are prohibited.
 - c. All exposed bricks must be approximately eight inches wide by three inches deep by 2.67 inches high and must be laid in a running bond. Engineer-size bricks and Flemish bond are also allowed. All joints must be tooled with grapevine joint, and mortar must be buff or ochre in color. Stone veneers must have ochre tooled mortar joints.





- d. When lap siding is used, the maximum allowable exposure on lap siding is eight inches.
- e. Applied trim materials, cornice and window casings must consist of painted wood or painted fiber cement or other substitute material approved by the design review advisory committee because of its wood-like appearance, durability and ability to hold paint. Metal, vinyl, stucco, block stone and concrete are prohibited, except that wrought-iron handrails are permitted. Nonmasonry trim colors are limited to colors available in the Martin Senour Williamsburg Paint Collection or similar approved alternatives.



- f. Exposed portions of the foundation must be covered in masonry veneer. Exposed block, stucco and concrete are prohibited.
- (2) Roofs. The following requirements apply to roofs visible from public rights-of-way, outdoor activity areas (e.g., seating areas) or other areas of the site intended for public access:
- a. Gabled roofs, hipped roofs, or combinations of such roof forms are permitted. Flat roofs and shed roofs are prohibited.



- b. Exterior roofing material is limited to asphalt (fiberglass) shingles, slate or cedar shake. Roofs must be black, a dark shade of gray or weathered wood color. All asphalt (fiberglass) shingles must be dimensional. Standing seam copper or bronze color metal roofs are permitted only as accents on porches or dormers.
- c. Roof overhangs must be at least eight inches but not greater than 12 inches. Gabled ends may have either an overhang or a flush rake.



- d. Eave lines must be consistent, largely unbroken and horizontal. All eaves must be architecturally detailed with one or more of the following elements: dental molding, crown molding, built-up fascia, or frieze board. The total width of fascias/cornices and rake trim must be at least 9.25 inches.
 - e. Roofs must contain at least one roof projection for every 75 lineal feet of building frontage. Roof projections may include cupolas, dormers, balustrade walks, chimneys or gables.
- (3) Building massing.
- a. Buildings that are longer than 75 feet must be designed so as to appear as multiple structures through the use of varied roof forms, building projections or architectural details.
 - b. Buildings that are longer than 100 feet must provide a pedestrian arcade or covered porch with minimum dimensions of eight feet in any direction. Exterior metal columns are prohibited. Exterior columns must include a base and a capital, and must generally align with story heights. Two-story exterior columns are prohibited. All exterior columns must be traditional in style.
 - c. The apparent exterior floor-to-floor height of each story of a building may not exceed 12 feet. Individual floors must be delineated on the building facade through the use of window placement and horizontal details.



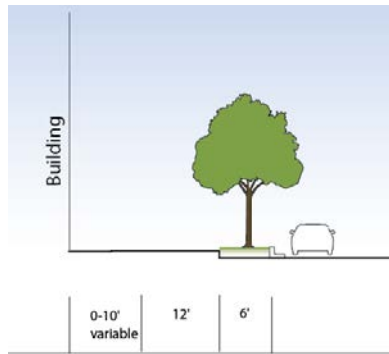
- d. Buildings must have at least one building projection on the front facade below the eave line. Building projections may consist of stoops, bay windows, covered porches, extruded entrances, pedestrian arcades or other approved features.
 - e. Primary building walls must be rectilinear and simplified in form. Curved walls or non-90-degree corners are prohibited, except that bay projections may be allowed.
- (4) Fenestration. The following requirements apply only to areas visible from public rights-of-way, outdoor activity areas (e.g., seating areas) or other areas of the site intended for public access:
- a. Doors must be compatible with pre-1900 Mid Atlantic American Colonial Architecture style. All-glass doors and flush doors are prohibited. Solid doors must be six-panel and may have sidelights or a transom sashes. Windowed doors must contain a solid border, a minimum of six-inch-wide panels, and must include mullions or divided lights not exceeding 12 inches in any direction. Mullions must be 0.75 inches in size. French, three-quarter glass or nine-light doors are allowed if they comply with the requirements of this paragraph.
 - b. Individual doors must be of a single color and are limited to colors available in the Martin Senour Williamsburg Paint Collection or similar approved alternatives. Dark stained doors are allowed if the shade is equal to or darker than Minwax special walnut.
 - c. Primary doors may not exceed 42 inches in width and 96 inches in height. Larger doors are prohibited.
 - d. Windows must be vertically proportioned standard sizes, with a minimum width of 28 inches and minimum height of 66 inches. Transom windows are not subject to vertical proportion requirements and do not count in the overall window proportion. Vertical windows may be grouped to create storefront windows but are limited to 15-foot sections with a minimum of four-inch mulls. Group windows must be separated by at least five feet of unbroken wall space. Slit windows, strip windows, and ribbon windows are prohibited.





- e. Blank facades are prohibited. Windowless sections of the front facade may not exceed 20 feet in width. Windows and doors must be provided on at least ten percent of the front facade but may not constitute no more than 50 percent of the total area of the front facade. For this purpose, windows must be measured at the sash and only the swinging part of the doors may be counted. Casing is not included in the measurement. Windows must generally be spaced in an even rhythm.
 - f. All windows must be rectilinear double hung, provided that arch top and fixed sash windows are allowed. Triangular or otherwise angular windows are prohibited. Round windows are permitted as accent windows in locations such as gables. Louvered gable vents are allowed, but they must be rectilinear and surrounded by one-by-four and backband.
 - g. All windows must have the appearance of mullions or divided lights. Mullions must be at least 0.75 inches in width. Panes must be vertical rectilinear, generally square in proportion. Diagonal panes are not permitted except in arch windows.
 - h. Shutters must be constructed of wood or a substitute material approved by the design review advisory committee because of its wood-like appearance and durability. Shutters must be sized to fit the window and include horizontal slats or raised panels. Metal and vinyl shutters are prohibited. Shutter colors are limited to colors available in the Martin Senour Williamsburg Paint Collection or similar approved alternatives. Shutters must appear operable, with hinges and tie backs.
 - i. All windows must have sill and header trim details. Cut brick jack arches must be installed on all windows visible from the street or parking lot.
 - j. The bottom of windows must be at least 20 inches above grade.
- (f) Signs. All signs within the Dunwoody Village Overlay district are subject to the requirements of the city's sign ordinance and the following additional regulations:
- (1) Signs must be designed and constructed to be compatible with the architectural style that is characteristic of the Dunwoody Village Overlay district area.
 - (2) Ground signs must be monument-style signs with a brick base.
 - (3) For lots containing nine or fewer storefronts, ground signs may not exceed eight feet in height and eight feet in width.
 - (4) For lots containing ten or more storefronts, ground signs may not exceed 12 feet in height and eight feet in width.

- (5) Window signs may not exceed two square feet in area.
- (6) Banners are prohibited except for pole banners as permitted in chapter 26 of the Municipal Code.
- (7) Signs must have a matte finish and be constructed of wood or other substitute material approved by the design review advisory committee because of its wood-like appearance and durability.
- (8) Sign colors, except for logos, are limited to colors available in the Martin Senour Williamsburg Paint Collection or similar approved alternatives.
- (9) All illuminated signs must be indirectly illuminated or halo lighted.
- (10) Neon, gas, colored, flashing, animated, marquee, sound emitting, fluorescent, rotating or otherwise moving signs are prohibited. This prohibition notwithstanding, a single LED or neon sign up to two square feet in area is allowed, provided that the sign does not employ any flashing, animation, movement or sound and provided that the sign may be illuminated only during hours in which the establishment is open for business.
- (11) Sign shape and lettering is limited as follows:
 - a. Sign facing must be flat in profile and may not exceed eight inches in thickness.
 - b. Signs with more than two faces are prohibited.
 - c. Sign lettering and logo content may not exceed 18 inches in height.
- (12) Standard informational signs:
 - a. May not be more than three feet above grade;
 - b. May not exceed six square feet in area;
 - c. May not have more than two sign faces;
 - d. May not be made from flexible materials, such as vinyl, cloth or paper;
 - e. Must be free-standing and not attached to permanent or temporary structures;
 - f. Must comply with the color standards of the district; and
 - g. Must be maintained in good repair.
- (g) Parking and circulation. The parking and circulation regulations of article IV, division 4, apply within the Dunwoody Village Overlay district except as modified by the following regulations:
 - (1) New nonresidential buildings and nonresidential uses and additions to existing nonresidential buildings and nonresidential uses may not provide more than three parking spaces per 1,000 square feet of floor area. This provision does not require that existing "excess" parking spaces be removed.
 - (2) Parking areas must be separated from the main road by a minimum distance of 30 feet and include at least the landscaping required by section 27-229. Wherever possible, parking must be confined to the rear of structures or be placed underground.
- (h) Landscaping. The landscaping and screening regulations of article IV, division 2, apply within the Dunwoody Village Overlay district. See also subsection (i).
- (i) Streetscape and pedestrian amenities.
 - (1) A minimum six-foot wide landscape area must be established abutting the back of the curb along abutting streets. This landscape area must adjoin a minimum 12-foot wide sidewalk. Buildings must abut the sidewalk or be located within ten feet of the sidewalk. If buildings are set back from the edge of the required 12-foot sidewalk, the setback area must include features such as outdoor dining and seating areas, plazas and landscaped open spaces that provide a safe, comfortable and active environment for pedestrians.



- (2) Street trees, spaced no more than 50 feet on center, must be provided in the required landscape area between the travel lanes and the sidewalk.
 - a. Maintenance of trees is the full responsibility of the owner of the adjacent site or the owner of the property on which the tree is located if it is located on private property.
 - b. Trees species must be selected from the city's approved street tree list, which is available in the community development department; alternative cultivars may be approved on a case-by-case basis with the approval of the city arborist.
 - c. Trees must be at least 2.5-inch caliper and at least eight feet in height at the time of planting. As street trees mature, they must be trimmed as necessary to provide a minimum vertical clearance of seven feet above the sidewalk.
- (3) Pedestrian buffer zones with a minimum width of ten feet must be provided abutting the sides and rear of all buildings. These areas provide a buffer between buildings and parking and service areas. The pedestrian buffer zones must contain walkways, planting areas, plazas, and similar pedestrian-oriented landscaped spaces. All pedestrian walkways within buffer zones must be at least six feet in width and finished with brick pavers or other approved accents or designs.
- (4) The front entrance of all buildings must be easily and safely accessible to pedestrians from the public sidewalk through a combination of pedestrian walkways and crosswalks. All entrances to crosswalks and sidewalks must include wheelchair ramps, per code.
- (5) Covered sidewalks that are a part of the building and that are located within the buildable area of the lot are encouraged. Such covered sidewalks may be used for outdoor seating and dining, and as terraces and arcades.
- (6) In multi-tenant retail buildings, a continuous, unimpeded walkway must be provided to connect all business entrances.
- (7) Sidewalks must conform to the following:
 - a. Sidewalks must be paved using concrete or alternative pervious material as approved by city staff.
 - b. Where a sidewalk exists conforming to the standards of this ordinance except for the width, the developer must supplement the existing sidewalk width, adding width to create a 12-foot sidewalk.
 - c. Streetscaping performed as a function of city-initiated redevelopment must provide a landscape area at least six feet in depth.
- (8) Lighting must conform to the following:
 - a. Pedestrian and street lighting must be placed in the landscape zone at intervals of 90 to 100 feet on center and must be equal distance from required street trees, in accordance with the Georgia Power Area-Wide Pedestrian Lighting Plan.

- b. Pole height may not exceed 15 feet.
 - c. Light poles and lamps must be selected from the city's approved streetscape list, which is available in the community development department; alternative designs may be approved on a case-by-case basis with the approval of the community development director.
- (9) Furniture must be provided as follows:
- a. Benches and trash and recycling receptacles must be installed every 250 feet along the public street and at each building entrance adjacent to a pedestrian walkway.
 - b. Furniture must be selected from the city's approved streetscape list, which is available in the community development department; alternative designs may be approved on a case-by-case basis with the approval of the community development director.
- (1) Maintenance of trash and recycling receptacles, including servicing, repair, and replacement, is the full responsibility of the nearest adjacent property owner.
- (2) Recycling receptacles must be clearly identified with symbols and/or text indicating its intended use for recyclables.
- (j) Public areas, service areas and retaining walls.
- (1) Public plazas and outdoor dining areas must be easily accessible to pedestrians and provide protection from vehicular traffic by means of their location and design.
- (2) All dumpsters and other building service areas must be concealed from view of public rights-of-way, publicly accessible areas of the site and residential zoning districts. All dumpsters must be concealed with secured gates screening in accordance with section 27-231.
- (3) Retaining walls must comply with the city building code. Visible areas of retaining wall must be covered with the face brick or stone of the downhill neighbor with a roll lock at the top. Horizontal wall expanses exceeding 20 feet must include offset pilasters with the same brick or stone rising three courses above the top of the adjoining wall and finished with a double course capital of the same brick or stone.
- (4) All utilities must be placed underground.
- (k) Village core area. The village core area form and design regulations of this subsection apply within designated village core area of the DV-O district to all new buildings. The regulations also apply to renovations of and additions to existing buildings within the village core area that result in an increase of 50 percent or more in the building' gross floor area. These requirements govern in the event of conflict with other DV-O district regulations.
- (1) Build-to-zone.
- a. The build-to zone is the area on the lot where a certain percentage of the front building facade must be located, measured as a minimum and maximum yard (setback) range from the edge of the right-of-way. The requirements are as follows:

Build-to-Zone	
Minimum/maximum (feet)	0/10
Minimum percent of building in build-to-zone (percent)	80
Parking Setback	

Minimum (feet)	30
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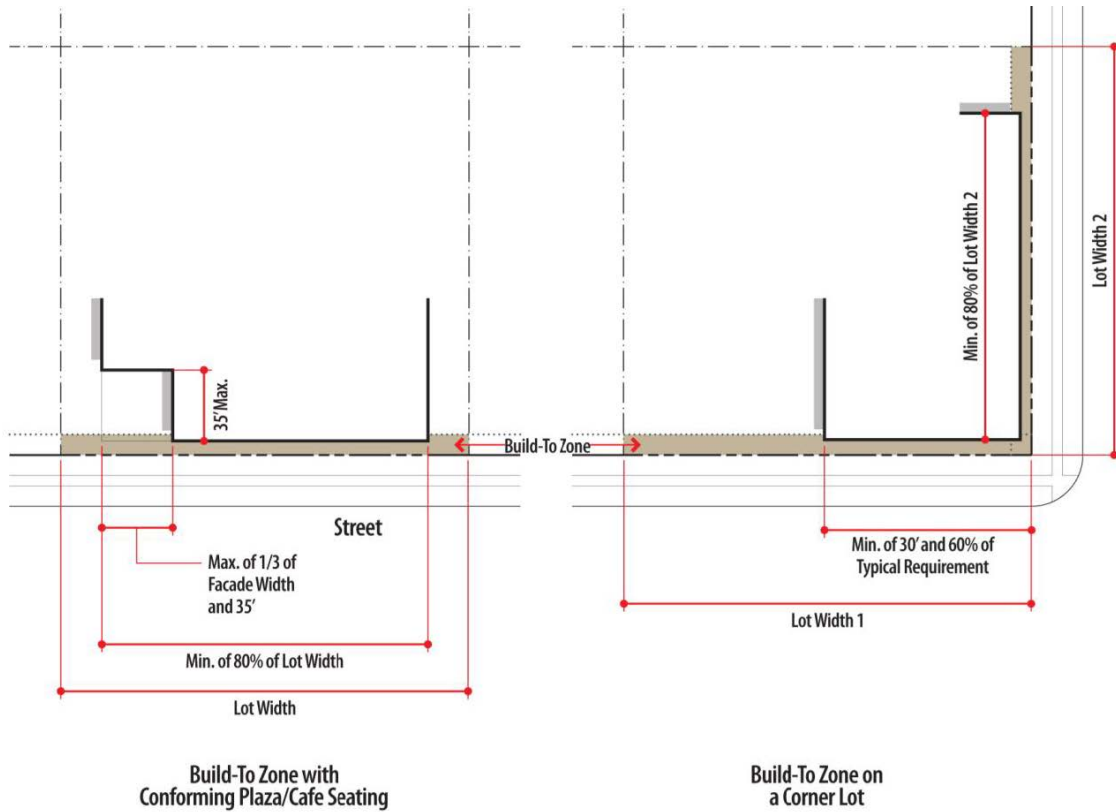
- b. The required percentage specifies the amount of the front building facade that must be located in the build-to zone, based on the width of the front building facade divided by the width of the lot.

Figure 7-1: Build-to-Zone (BTZ)



- c. Outdoor open space, plazas and outdoor dining areas are counted as part of the building for the purpose of measuring compliance with build-to zone requirements, provided that:
 - 1. The area does not exceed one-third the length of the building face or 35 feet, whichever is less; and
 - 2. The area is no more than 35 feet in depth (see Figure 7-2).

Figure 7-2: BTZ with allowed plaza (left) and BTZ on corner lot (right)



- d. On corner lots, minimum requirements governing the percent of building facade that must be located in the build-to-zone may be reduced by 60 percent along one of the frontages, at the property owner's option, provided that a building facade must be placed in the build-to zone for the first 30 feet along each street extending from the corner (the intersection of the build-to-zones) (see Figure 7-2).

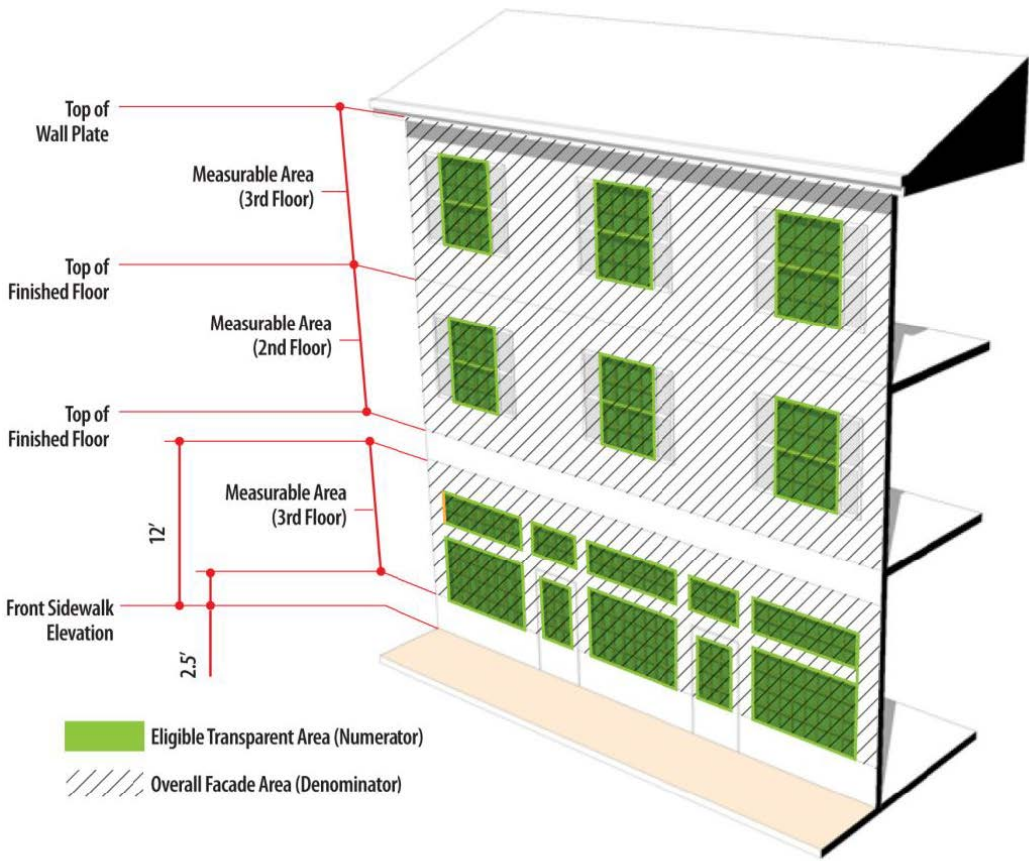
(2) Transparency.

- a. Transparency regulations govern the percentage of a street-facing building facade that must be covered by glazing (e.g., transparent windows and doors). The minimum requirements are as follows:

Transparency	
Minimum ground story (%)	65
Minimum upper story (%)	20

- b. The transparency of a ground story facade is measured between 2.5 and 12 feet above the adjacent sidewalk.
- c. The transparency of an upper-story facade is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper-story transparency is measured from the top of the finished floor to the top of the wall plate (see Figure 7-3).

Figure 7-3: Transparency Measurements



- d. Glazed element must be clear and non-reflective and not be painted or tinted, provided that low-emission (Low-E) glass coatings are permitted.
- (3) Blank wall area.
 - a. Blank walls are areas on the exterior facade of a building that do not include a substantial material change; windows or doors; columns, pilasters or other articulation greater than 12 inches in depth. Blank wall limits are established as follows:

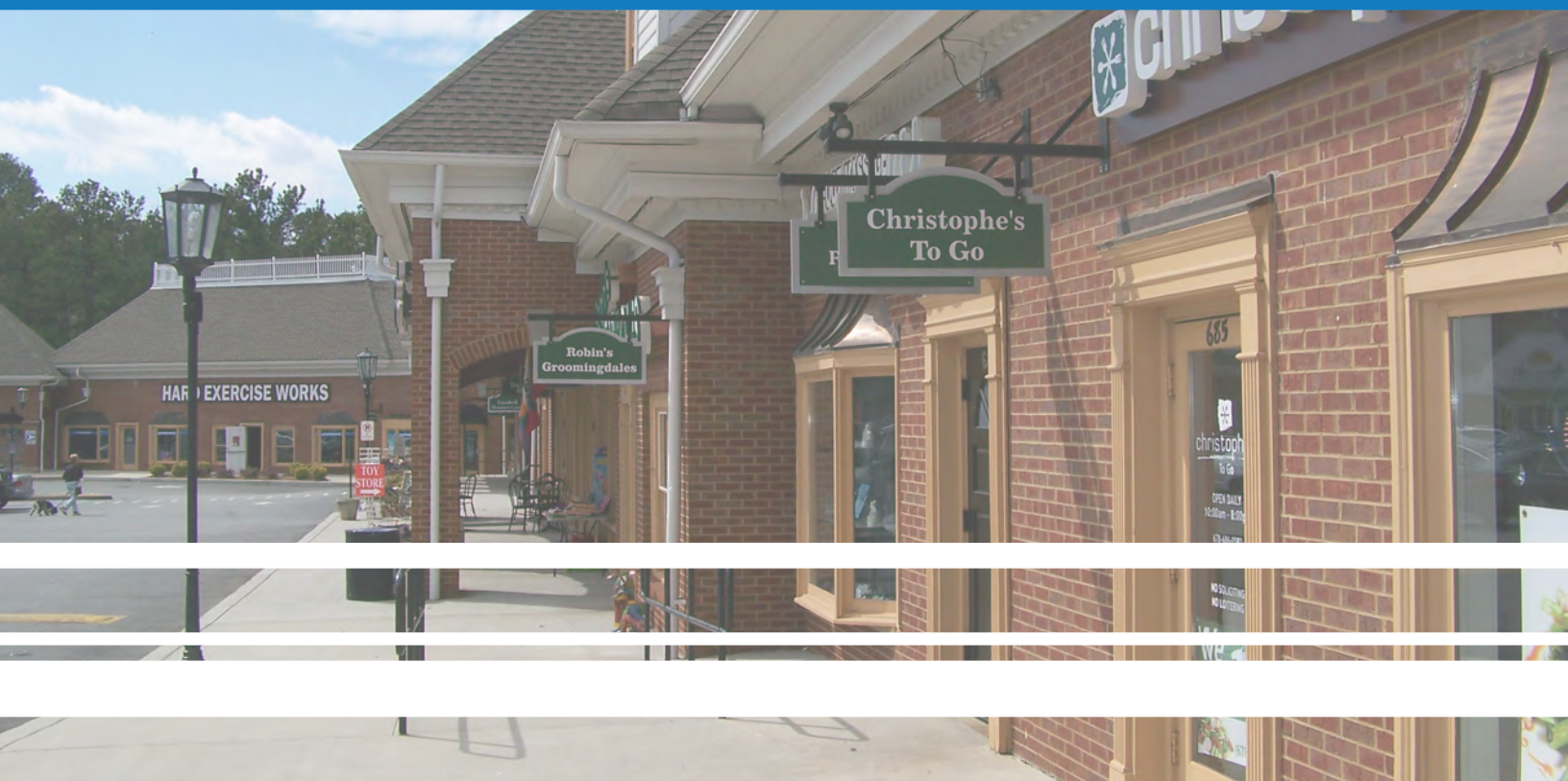
Maximum blank wall length (feet)	20
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- b. Blank wall area regulations apply in both a vertical and horizontal direction.
- (4) Street-facing building entrances. At least one street-facing building entrance must be provided on all principal buildings. The building entrance must provide ingress and egress for residents and customers. Additional entrances off another street, pedestrian area or internal parking area are also permitted.

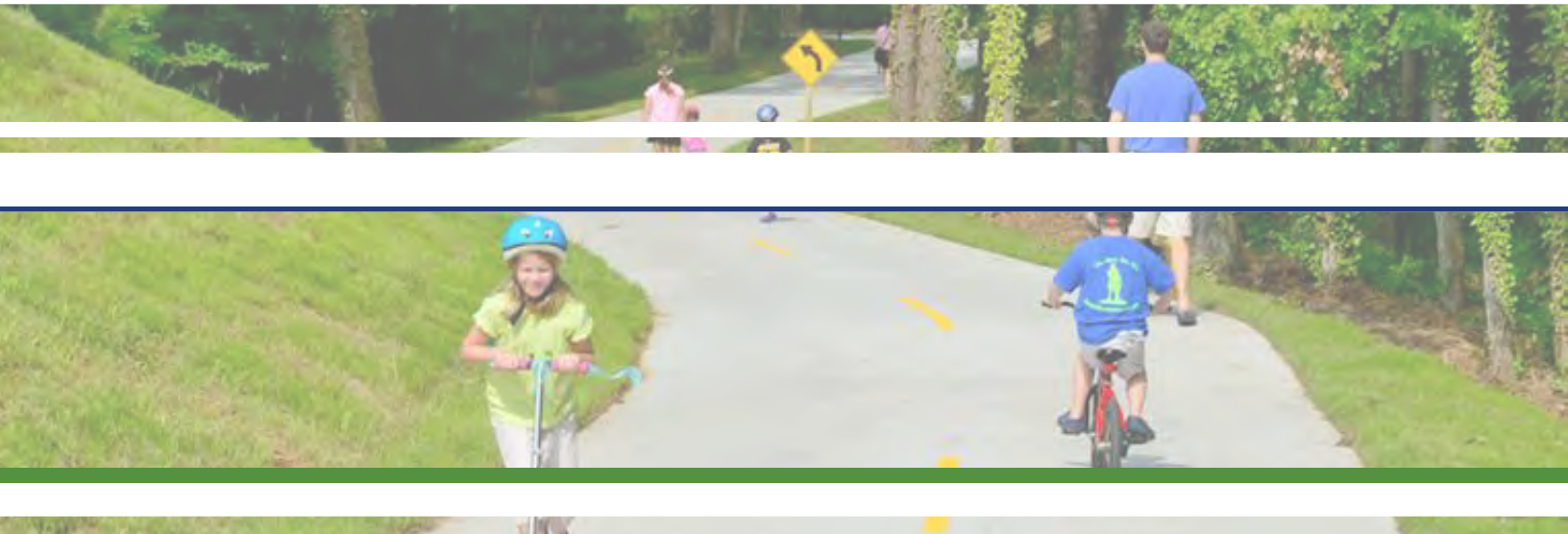
- (l) Modifications and adjustments. The regulations of subsections (e) through (k) may be modified only if reviewed and approved in accordance with the special land use permit procedures of article V, division 3.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-7.20), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

Secs. 27-98—27-110. - Reserved.



CITY OF DUNWOODY 2015-2035 COMPREHENSIVE PLAN



DUNWOODY VILLAGE

Vision/Intent

Dunwoody Village has historically been the “heart” of Dunwoody. A master planning process established a detailed vision for this center of the community, focused on pedestrian and bicycle amenities, functional public open space, a multi-modal transportation environment, architectural controls, connectivity and place making. A sense of history will add to the charm and sense of place. This area envisions a “village green” with civic activities and amenities, and redevelopment will draw community members to shopping, dining and entertainment. Furthermore, redevelopment should have a residential component for day and evening activity to foster community. The design should embody the unique character of Dunwoody.

Future Development

Form: Master planned design, high quality building materials, civic amenities, integrated open space and appropriate transitions from greater to less intense uses. The periphery of the character area will include a large transitional area to adequately protect single-family residential and other residential homes in the area.

Use (see Future Land Use Map): Mixed-Use (containing a mix of office, retail and residential, including both either vertical or horizontal mixed-use through the district), townhomes, other owner-occupied housing, live-work units, civic institutional, community retail (not greater than 50,000 square feet per tenant space), local and unique business, boutique retail, public assembly and entertainment.



FIGURE 6: Dunwoody Village Character Area Map



▲ Food Market in Dunwoody Village



▲ Local Shops

Action Items

- Create an active community center with public places to gather, following a master planning process that potentially supports a redevelopment investment program.
- Establish way-finding or landmark features that unify the Village and can be used across the City, if a way-finding or gateway plan does not already exist for the greater City as a whole.
- Regularly review the Dunwoody Village Overlay to ensure enforcement meets intent of Overlay and Character Area vision.
- Creatively address the parking and congestion that new local activity may generate.
- Identify solutions for structural parking.
- Establish bicycle network for new connectivity throughout the City so that “all roads lead to the Village.”
- Establish infrastructure thresholds that new development must meet.
- Complete site location evaluation and financing plan locating City Hall, Police and other civic functions, including options for joint public-private partnership. Note that the Georgetown area is also being considered as a possible location of City Hall.
- Create venues for cultural events like music and create programs for public uses of City Hall and library.
- For detailed circulation and open space recommendations concerning the Dunwoody Village character area, see the Dunwoody Village Master Plan.
- Pursue the creation of a central green space and alternatives for acquiring that space.

REDEVELOPMENT WITH OPEN SPACE

Several regional examples of redevelopment with open space were referenced during Community Meeting discussions about Dunwoody Village. The City of Smyrna allows higher buildings adjacent to the plaza at the Market Village. The City of Dunwoody envisions similar development and rules whereby densities may increase, contingent upon the provision of amenities (open space, plazas, etc.) or development features.



FIGURE 7: Dunwoody Village Master Plan

2.5 FUTURE LAND USE

The Future Land Use Map like the Character Areas map is a **visual representation of the City's future development policy**. Interpretation of the map is provided in the supporting text to be considered along with the City's zoning, the Character Areas Map, and other local policies when decision-makers consider land development questions or requests.

FIGURE 16: Future Land Uses Table

	LAND USE	DESCRIPTION	ZONING CATEGORIES
	Single Dwelling Residential	The predominant use of land is for single-family dwelling units, including detached, semi-attached or duplexes.	R- districts (R-150, R-100, R-85, R-75, R-60, R-50, RA, RA-5, RA-8, R-CD, R-CH)
	Multi-dwelling Residential - Apartments	The predominant use of land is for multi-family dwelling units, typically 12 units per acre or more.	RM- districts (RM-150, RM-100, RM-85, RM-75, RM-HD)
	Multi-dwelling Residential - Other	The predominant use of land is for multi-dwelling units, 3 or more units attached, including townhouses and condominiums.	RM- districts (RM-150, RM-100, RM-85, RM-75, and RM-HD)
	Commercial	Land dedicated to non-industrial business uses, including retail sales, office, service, and entertainment facilities. Accessory commercial uses may be located as a single use in one building or grouped together in a shopping center or office building.	O-I, O-I-T, C-1, C-2, NS, O-D
	Public/ Institutional	Government uses at all levels, and institutional land uses. Government uses include City Hall, police and fire stations, libraries, post offices, schools, etc. Examples of institutional land uses include colleges, churches, cemeteries, hospitals, etc. Does not include facilities that are publicly owned, but would be classified more accurately in another land use category. For example, publicly owned parks and/or recreational facilities are classified under park/ recreation/conservation category; and general office buildings containing government offices (such as the current Dunwoody City Hall) are included in the commercial category.	Any zoning district.

	LAND USE	DESCRIPTION	ZONING CATEGORIES
	Transportation/ Communication/ Utilities	Major transportation routes, public transit stations, power generation plants, railroad facilities, radio towers, telephone switching stations, airports, port facilities or other similar uses.	Any zoning district, subject to applicable zoning restrictions.
	Parks/ Recreation/ Conservation - Public	Land dedicated to active or passive recreational uses held in public ownership or land trust. These areas may include playgrounds, public parks, nature preserves, community centers or similar uses.	Any zoning district.
	Parks/ Recreation/ Conservation - Private	Land dedicated to active or passive recreational uses in private ownership. These areas may include subdivision recreation areas, golf courses, swim and tennis centers, or similar uses.	Any zoning district.
	Mixed Use	A mixture of uses on the same parcel, vertical (same building) or horizontal (different buildings). Typically this is made up of a combination of commercial and residential uses, but could include a mix of other uses as well.	OCR, PD, CR-1
	Perimeter Center	Livable regional center with office, retail, mixed-use, and multi-use residential buildings.	Draft PC-1, PC-2, PC-3 and PC-4 Districts

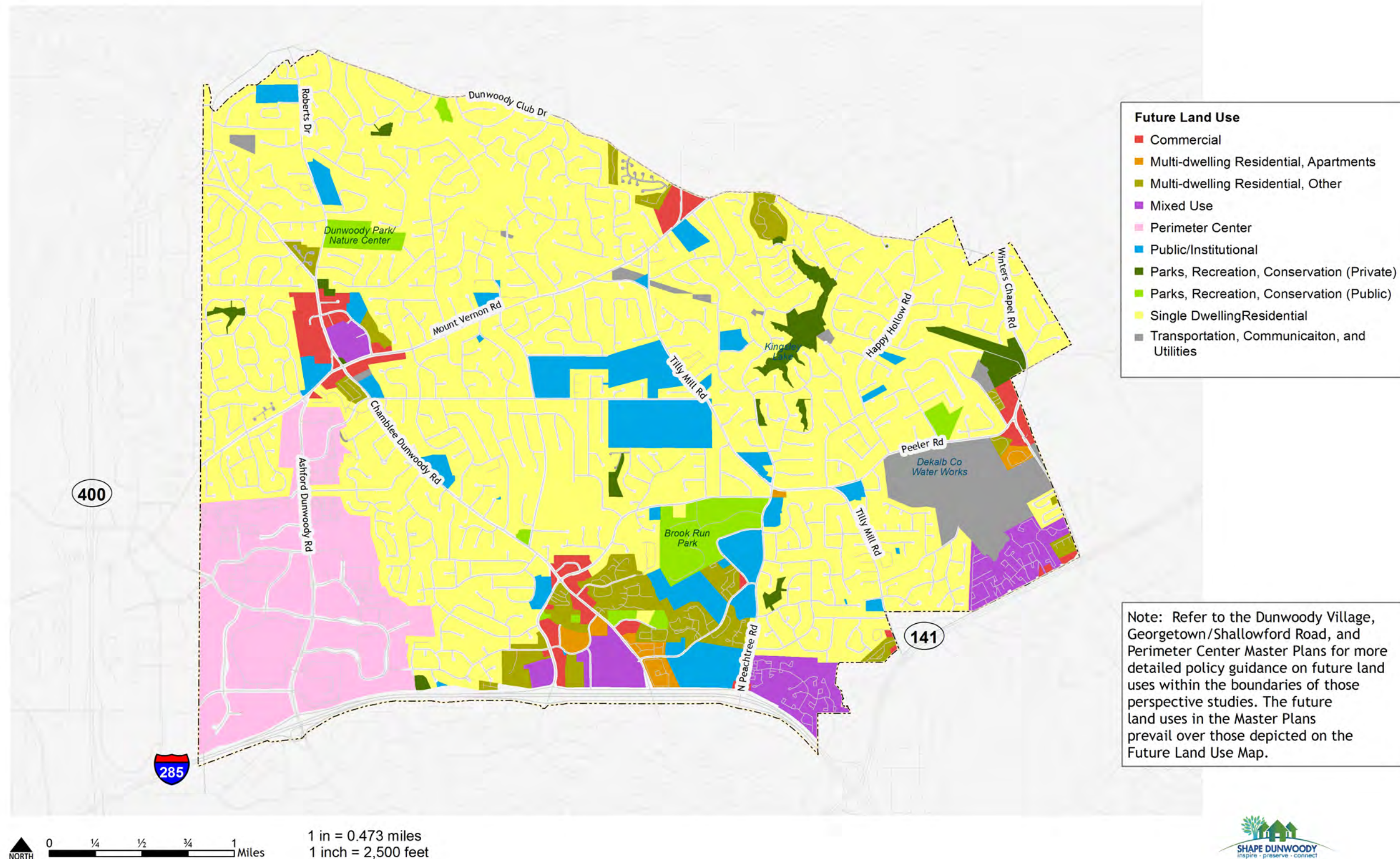


FIGURE 17: Future Land Use Map



LAND USE FRAMEWORK PLAN

The Land Use Framework Plan is intended to guide future redevelopment and community improvements within the Master Plan area over the next 10-20 years. The Dunwoody Village encompasses over 150 acres of property. Based upon current real estate market conditions and the significant amount of existing retail and office space within the Dunwoody Village, it is unlikely that large portions of the Village could experience redevelopment in the short-term (next 3-5 years).

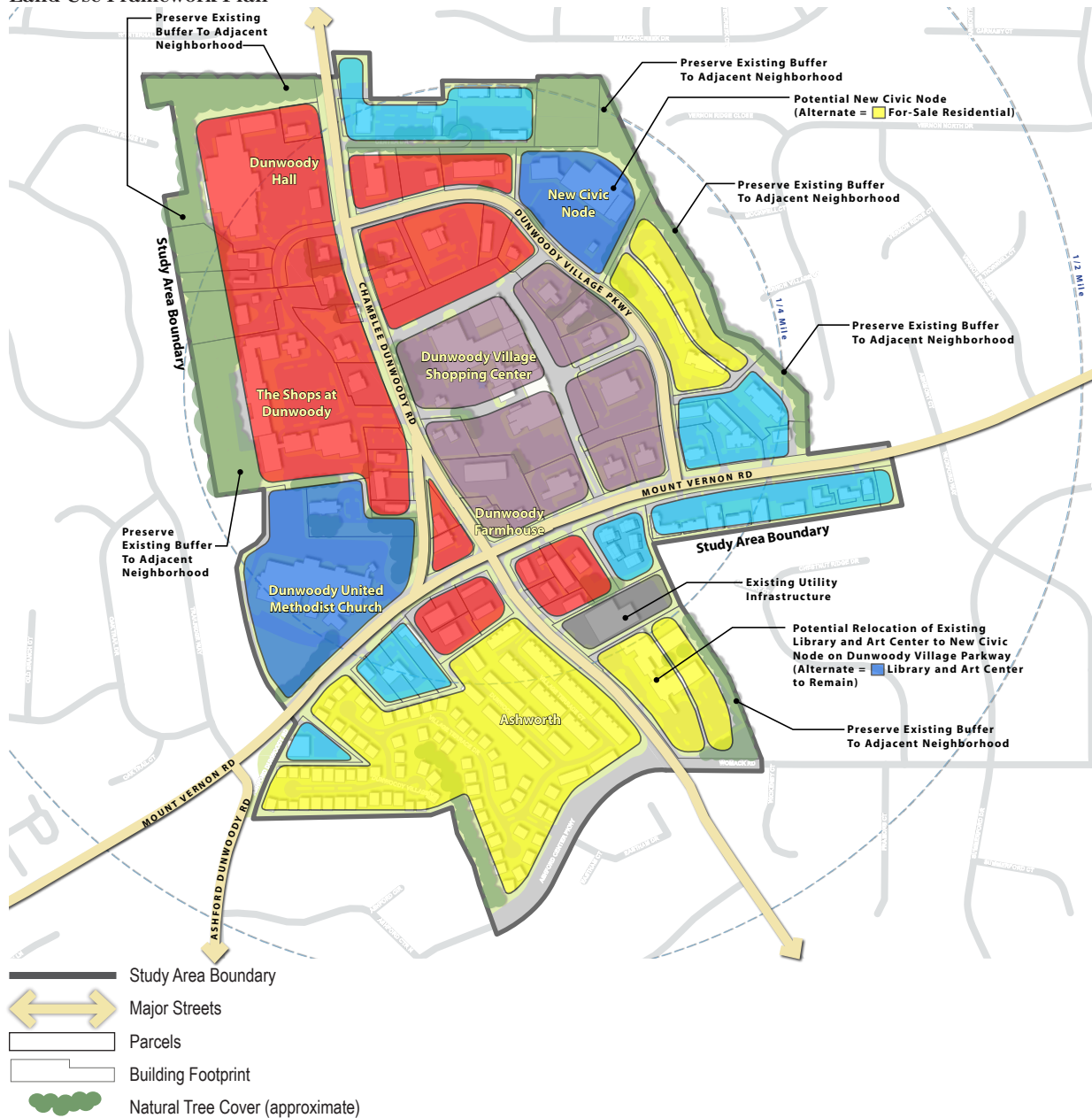
Additionally, a number of properties have multiple owners (office condominiums), are stable institutions or are higher performing retail properties and are unlikely to change in the short- to mid-term. These properties include the Ashworth neighborhood, Dunwoody United Methodist Church, The Shops at Dunwoody, Dunwoody Hall, and a series of office condos on the north side of the study area and along Mount Vernon Road. While some of these properties may need some upkeep and improvement, other areas within the Village exhibit lower levels of activity, rents, and occupancies. These areas are outlined in previous sections of this report related to Activity and Redevelopment Potential.

The land use framework plan seeks to create a 20-year vision for community improvement and redevelopment in areas that are most likely or most susceptible to change. Consistent with the community consensus points the Land Use Framework Plan seeks to:

- Create a more vibrant Village Center including a focal point community green space
- Encourage more compact development forms that promote walkability, but are appropriately sized and scaled to maintain and enhance the area's unique character and identity
- Maintain and enhance convenience retail centers that provide daily goods and services for nearby residents
- "Prune" lower performing retail and office sites over time to improve the area's market fundamentals and visual appeal of the Village
- Allow for modest residential development to enhance walkability and enliven the Village, but in doing so, encourage high-quality, owner-occupied units targeted at empty nesters and active adults

The following sections outline key strategies and recommendations for various districts within the Dunwoody Village Land Use Framework Plan.

Land Use Framework Plan



DUNWOODY VILLAGE DISTRICTS

- NEIGHBORHOOD & CONVENIENCE RETAIL:**
 - Primarily existing retail/commercial
 - Limited professional office
 - Limited opportunity for new development
 - Facade / tenant upgrades over time
 - Internal landscape / pedestrian / site improvements over time (private)
 - Generally 1-2 story development
- SMALL-SCALE OFFICE:**
 - Existing office space
 - Limited opportunity for new development
 - Facade / tenant upgrades over time
 - Internal landscape / pedestrian / site improvements over time (private)
 - Primarily 1-2 story development (third level of occupied space in some existing buildings)
- CIVIC / INSTITUTIONAL:**
 - Existing civic / institutional uses (Dunwoody United Methodist Church)
 - Opportunity for new Civic Node
 - New "town green / plaza" (0.5-1.0 acres)
 - Potential new Municipal Complex
 - Potential relocation of existing Library & Arts Center (from Chamblee Dunwoody Road)
 - Potential new civic uses
 - 1-3 story development
 - Potential supporting retail / office (small-scale 1-2 stories)
 - NOTE: See separate detailed site concept
- FOR-SALE RESIDENTIAL:**
 - Existing townhomes and small-lot single-family (Ashworth)
 - Opportunity for new development (Chamblee Dunwoody Road site & Dunwoody Village Parkway site)
 - 10 to 12 units per acre
 - 2 to 3 stories with private garages
 - Age-targeted (empty nesters)
 - Large units (greater than 2,000 sq. ft.)
 - For-sale product
 - Preserve existing buffers
 - High-quality design / materials
- VILLAGE CENTER MIXED-USE:**
 - Existing Village commercial
 - Preservation of Cheek-Spruill Farmhouse
 - Preservation of Fresh Market and Walgreens
 - Significant opportunity for redevelopment (multiple sites)
 - New "town green" (1.5-2.0 acres)
 - New internal street grid
 - "Walkable" storefront character
 - Potential new storefront retail / office
 - Potential for-sale loft housing over ground-floor commercial (40-80 units)
 - Age-targeted housing (empty nesters)
 - Large units (greater than 2,000 sq. ft.)
 - Generally for-sale product
 - Primarily 2-3 story development
 - High-quality design / materials (compatible with Village aesthetic)
 - NOTE: See separate detailed site concepts



NEIGHBORHOOD/CONVENIENCE RETAIL

Neighborhood retail centers that meet the daily needs of nearby residents and workers are one of the mainstays of the Dunwoody Village. Under this plan there should be incentives for façade, landscape, and streetscape enhancements to improve the appearance and accessibility of commercial properties primarily along the west side of Chamblee Dunwoody Road and the north end of Dunwoody Village Parkway. However, these shopping areas including Dunwoody Hall, the Shops at Dunwoody, and smaller parcels at the intersection of Chamblee Dunwoody Road and Mount Vernon Road will likely remain retail uses with some limited, storefront offices. Neighborhood/convenience retail areas should maintain consistency with the Dunwoody Village's traditional architectural character.

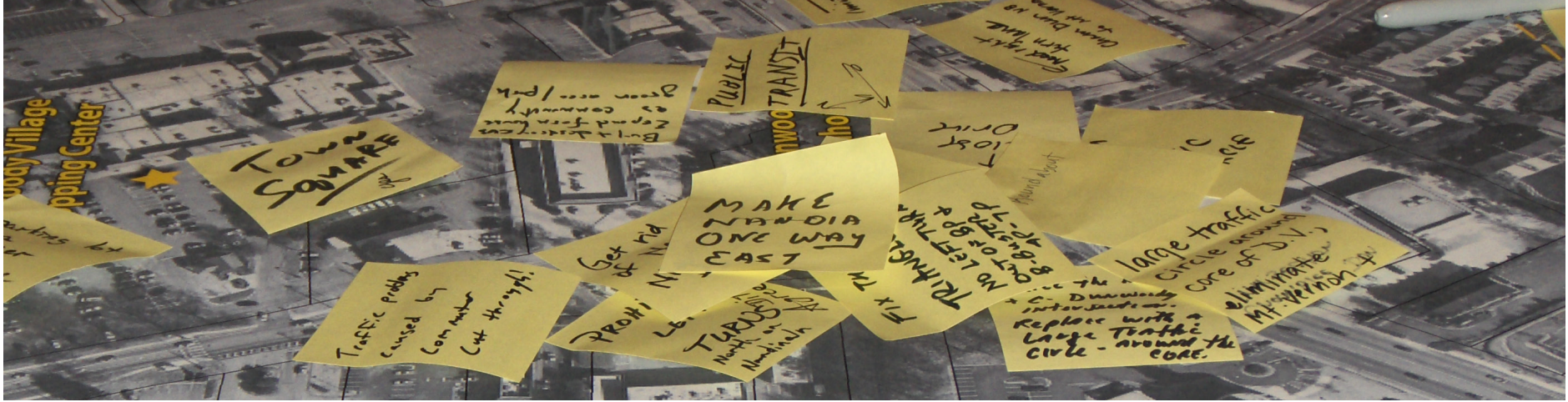
To enhance neighborhood retail areas the City of Dunwoody should consider:

- A façade and landscape improvement program
- Updating Chamblee Dunwoody Road, Mount Vernon Road, and Dunwoody Village Parkway streetscape requirements to be consistent with those planned in the Circulation and Open Space Framework Plan
- Reviewing the City's site design standards to encourage any redevelopment to address the street by placing buildings at the back of sidewalk and placing parking behind or to the side, screened from public right-of-way
- Enhancing the pedestrian environment by requiring pedestrian sidewalks/paths from major roadways to developments and enhancing parking lot landscaping where appropriate
- Encouraging (or requiring) inter-parcel connectivity and limit curb cuts to major roadways (Mount Vernon Road, Chamblee Dunwoody Road, and Dunwoody Village Parkway) as part of significant development or redevelopment efforts
- Reviewing the City's sign ordinance to ensure that it promotes the installation of low, traditionally styled, high-quality signage and does not serve as a disincentive that results in older, deteriorating signage remaining in place

SMALL-SCALE OFFICE

One of the unique features of the Dunwoody Village is a collection of smaller-scale, Williamsburg-esq office condos. These small scale office facilities are located along the southern edge of Mount Vernon Road between Ashford Dunwoody Road and Wickford Way, at the intersection of Mount Vernon Road and Dunwoody Village Parkway, and along Center Drive at the northernmost end of the Village. As office condos with multiple owners that reinforce the traditional character of the Village, these facilities are unlikely to change over the short- and mid-term. Similar to neighborhood/convenience retail areas, façade and landscape improvements should be undertaken as opportunities arise in keeping with the Village's traditional architectural character.

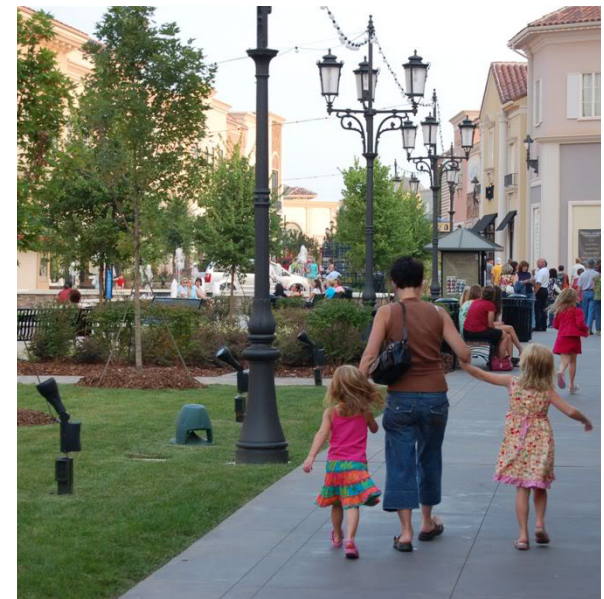
Maintaining small scale office opportunities is important to maintaining the unique, local character of the Dunwoody Village. However, pruning lower performing office buildings over time will help the Village Center be a more viable location for local businesses. As opportunities arise, low visibility, lower performing, stand-alone office (marked by lower rental rates and higher vacancies) should be removed from inventory over modest reinvestments that will only prolong consolidation and redevelopment.



CIRCULATION & OPEN SPACE FRAMEWORK PLAN

The Circulation and Open Space Framework Plan outlines key community green/open space and pedestrian, bicycle, and roadway improvements developed in conjunction with the land use and market goals established during the planning process. Outlining transportation improvements in conjunction with land use goals and objectives is vital to maintaining and enhancing the character of the Dunwoody Village. The Circulation and Open Space Framework Plan places emphasis on community goals to create additional open space and gathering areas, enhance walkability, and expand potential for alternative transportation modes to be utilized in and around Dunwoody Village.

The following sections outline key green space initiatives and recommended roadway, pedestrian, bicycle, and multi-use trail enhancements.



Circulation and Open Space Framework Plan



DUNWOODY VILLAGE CIRCULATION & OPEN SPACE INITIATIVES

- OPEN SPACES:**
 - "Town Green" - 1.5 to 2.0 acres (NOTE: location and layout TBD)
 - "Civic Green" - 0.5 to 1.0 acres
 - Farmhouse Green
 - Chamblee Dunwoody Road & Womack Pocket Park (if property is renovated/redeveloped)
 - The Shops at Dunwoody Plaza (private)
- PEDESTRIAN PATHS / TRAILS:**
 - 12-15 feet wide
 - Multi-use for pedestrians and recreational bikers (not bicycle commuters)
 - Some in public right of way, some on private property (with easements)
 - Potential trailheads connecting to adjacent neighborhoods (secured access to be further explored) (NOTE: Will require detailed discussions with affected neighborhoods and existing property owners to determine feasibility and exact locations)
- STREETSCAPE IMPROVEMENTS:**
 - Sidewalks, decorative lighting, street trees, mast arms, access management, landscaping, and on-street bike routes (dedicated lane on Dunwoody Village Parkway)
 - Chamblee Dunwoody Road
 - Mount Vernon Road
 - Dunwoody Village Parkway
 - Ashford Center Parkway
- INTERSECTION IMPROVEMENTS:**
 - Decorative Pedestrian Crossings
 - Pedestrian Signalization if warranted
 - Operational Improvements (Chamblee Dunwoody Road signalization changes associated with change to Nandina Lane)
- NEW VILLAGE CENTER STREET GRID:**
 - New roads to break up super block (associated with new development) (NOTE: location and layout TBD)
 - Roads may be public or private (TBD)
 - Pedestrian oriented streets
 - Operational Improvements
- ACCESS MANAGEMENT IMPROVEMENTS:**
 - Operational & access improvements to Chamblee Dunwoody Road north of Mount Vernon Road
 - Potential signal timing, reduced / consolidated curb-cuts, interparcel connectivity enhancements, etc. (requires additional detailed study)
- NANDINA LANE RECONFIGURATION:**
 - Conversion of Nandina to one-way (southbound)
 - Requires adjustments to operation of Chamblee Dunwoody Road & Mount Vernon Road intersection (requires additional detailed study)
 - Consider long-term removal

Dunwoody Village Master Plan

Urban Collage, Inc. | Houseal Lavigne Associates | RCLCO | Kimley-Horn and Associates, Inc. | Market + Main, Inc.



466- OPEN SPACE

As detailed in the Village Center description in the last section, the centerpiece of the proposed, walkable Village Center is a Village Green Space. The primary goal is to create an appropriately scaled community gathering space as a focal point of the Village Center. The Planning Team's recommended 1.5 to 2 acre open space would accommodate community gatherings of up to 10,000 or more if adjacent streets are designed in a manner that they can be closed for larger events.

The Village Green should be visible from and/or linked to each of the Village's major streets (Mount Vernon Road, Chamblee Dunwoody Road, and Dunwoody Village Parkway) through sidewalks, multi-use trails, and significant landscaping. The Green should also be linked to the Farmhouse via a pedestrian path and enhanced landscaping.

The most significant design challenge for the space is to create an open space that is large enough to accommodate community gatherings without feeling oversized and empty when not in use. To best meet this challenge, the green space must be designed in conjunction with surrounding redevelopment and utilize a variety of materials to create sub-areas. The space should include a combination of hardscape plazas and open green spaces to provide variety and flexibility to comfortably accommodate a variety of groups (from small gatherings to large events). The space is intended to be passive in nature and not a location for active recreation (playgrounds, athletics, etc.).

Other open space opportunities within the Dunwoody Village include maintaining and enhancing green spaces and mature trees that surround the Farmhouse, a more formal "civic green space" of ½ to 1 acre that should accompany the development or relocation of any civic facility into the Dunwoody Village, and encouraging enhanced community green space as a part of major, private redevelopment/improvement projects.

Any public or private redevelopment or major improvement property improvement project should be accompanied with landscape and green space improvements. The Planning Team recommends that the district's zoning classification be reviewed to encourage the creation and enhancement of smaller green spaces, provide street trees along major roadways and entries, and provide landscape islands and trees within surface parking areas. Generally these smaller open spaces should be used to create focal points within redevelopment projects and be bordered on at least one side by a public roadway where reasonable to enhance visibility and safety. If the City were to reposition the current Library/Arts Center site at Chamblee Dunwoody Road and Womack/Ashford Center Parkway, a landscaped area or pocket park should be considered on the northeast corner of the intersection as a gateway into the Dunwoody Village.

NEW ROADWAYS

Integral to enhancing the character of and enhancing walkability in the Dunwoody Village is breaking up the superblock bounded by Mount Vernon Road, Chamblee Dunwoody Road, and Dunwoody Village Parkway. The Dunwoody Village Master Plan calls for two new east-west connections between Chamblee Dunwoody Road and Dunwoody Village Parkway and one north-south connection through the block. These internal roadways should be local, low-speed streets with shared bicycle lanes on-street, on-street parking, landscape buffers (4-6 feet recommended), street trees, lighting and wide pedestrian sidewalks (8-12 feet in width recommended).

The internal street grid is proposed to enhance access, visibility, and walkability providing multiple options for cars, bicycles, and pedestrians alike. These roadways would also alleviate some pressure on the Mount Vernon Road/Chamblee Dunwoody Road intersection and Chamblee Dunwoody Road between Mount Vernon Road and Dunwoody Village Parkway as they would provide options for low circulation. Internal streets will reduce the opportunity to have the “back side” of buildings exposed to public right-of-way and reduce expanses of surface parking lots.





-408-

TRAFFIC ENHANCEMENTS

Congestion at the Mount Vernon Road and Chamblee Dunwoody Road intersection, in combination with Nandina Lane, inhibits travel to and through the Village on a daily basis. Particularly during afternoon peak hours, delay at the intersection can back traffic for expansive distances in all directions. Roadway expansions to improve capacity are not supported by the community and would not reinforce the character of the Dunwoody Village. Adjustments are necessary however, to better manage the intersection and enhance safety.

While some inventive concepts have been proposed for the intersection (two-lane roundabouts, bypasses, etc.), the Planning Team recommends a series of more modest improvements including modifications to Nandina Lane and enhanced traffic signal timing of this and all nearby traffic signals.

Left-turn movements onto and out of Nandina Lane create operational and safety conflicts due to their close proximity to the major intersection of Chamblee Dunwoody Road and Mount Vernon Road. This project would involve operationally changing

the intersections at both ends of Nandina Lane to become right-in-right-out only. This may result in needing turn lane reconfigurations at the primary intersection (to be determined by a future traffic study); however, the net result will yield better efficiency and safety within the proximity of this area. This project will also include replacing the existing span wire signals with decorative mast arms and utilizing countdown pedestrian signals and well-marked crosswalks. Over the long-term, Nandina Lane should be further studied as a one-way southbound street or eliminated.

One of the largest challenges for the Dunwoody Village is the high volume of traffic passing through the area along the major corridors of Mount Vernon Road and Chamblee Dunwoody Road. Much of this traffic is regional in nature resulting from traffic patterns that extend well beyond the district. It is unlikely that this traffic can be rerouted, so improving operational efficiency along the major corridors is paramount. Operational improvements can be made by evaluating signal timings and linking signals together to coordinate timings and achieve positive progression. This effort would involve a more detailed traffic study that evaluates the network of signals in and around the Dunwoody Village.

As part of any improvement project, access management along Chamblee Dunwoody Road and all major roadways in the Dunwoody Village area should be considered. Part of the traffic congestion problem in the area is the number of curb cuts and potential conflict points along major roadways. Any future redevelopment and/or streetscape project should consider reducing the number of curb cuts and directing as many turning movements as possible into a limited number of intersections and access points.



STREETSCAPE IMPROVEMENTS

To enhance walkability within Dunwoody Village pedestrian facilities (sidewalks, ramps, crossings) and the pedestrian environment (storefronts, lighting, benches, trash receptacles, etc.) must both be improved. Four significant streetscape (sidewalk, landscape, and lighting) projects are recommended for the Dunwoody Village.



Enhancements to Dunwoody Village Parkway are under design as part of a Transportation Enhancement Grant awarded to the City. Elements of the plan include:

- Reduction in the number of travel lanes from 2 in each direction to 1 northbound and 1 southbound lane
- On-street bicycle lanes
- Landscape buffers 6-feet in width between travel lanes and sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- 6-foot wide sidewalks in the short-term with potential to widen to 12-feet as part of future improvements and/or redevelopment
- Flexibility to add on-street parking on the west side of Dunwoody Village Parkway as part of future park development and/or private redevelopment

With future enhancements, efforts should be made to reduce the number of curb cuts along the roadway to limit potential conflict points between motorized vehicles, bicycles, and pedestrians.

Streetscape improvements should be undertaken for Chamblee Dunwoody Road in two phases. The first phase would improve the roadway from Mount Vernon Road to Roberts Drive (approximately 2,700 linear feet). Elements should include:

- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width, preferably 10-12 feet wide
- Off-street bicycle facility on one side of the street (5-foot dedicated path or as part of a 12-foot multi-use path)
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines
- Access management considerations to reduce and limit curb cuts and potential conflict areas along the corridor



The second phase of streetscape improvements along Chamblee Dunwoody Road (approximately 1,300 linear feet) should include the area from Mount Vernon Road south to Ashford Center Parkway.

- Landscape buffers no less than 4 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width,
- Off-street bicycle facility on one side of the street as part of a 12-foot multi-use path
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines

Multi-modal improvements along Mount Vernon Road from Ashford Dunwoody Road to Wickford Way (approximately 3,500 linear feet) should include:

- Landscape buffers no less than 4 feet in width and preferably 6 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks no less than 8 feet in width, preferably 10-12 feet wide adjacent to the proposed Village Center
- Off-street bicycle facility on one side of the street (5-foot dedicated path or as part of a 12-foot multi-use path on the north side of Mount Vernon Road)
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Removal of overhead utility lines and replace with underground utility lines
- Access management considerations to reduce and limit curb cuts and potential conflict areas along the corridor

Finally, pedestrian and bicycle enhancements on Ashford Center Parkway and/or Womack Road should consider:

- On-street bicycle lanes or shared lanes
- Landscape buffers no less than 4 feet in width between the roadway and pedestrian sidewalks
- Street trees, pedestrian lighting, and roadway lighting within the landscape buffer
- Wider sidewalks along both sides of major roadways no less than 6 feet in width
- Intersection enhancements including new mast arm traffic signals, pedestrian signals, high visibility crosswalks, and ADA Ramp improvements where necessary
- Extension of the Ashford Center Parkway median when and where feasible

BICYCLE ROUTES

A combination of on-street and off-street bicycle routes will be necessary to enhance the ability of bicycles to traverse the area more easily. On-street bicycle routes should be included on Dunwoody Village Parkway and as part of new internal street grid through the Village Center. On-street bicycle lanes should be 5 feet in width to meet AASHTO standards.

Off-street bicycle lanes should be considered as part of multi-use trails on one side of Mount Vernon Road and Chamblee Dunwoody Road due to high traffic volumes, the number of conflicts, and other safety concerns. Multi-use paths are typically 12-15 feet in width on one side of a street and accommodate pedestrians (runners/joggers), recreational bicyclists, and sometimes electric carts and/or other devices. Alternatively, dedicated off-street bicycle lanes between landscape buffers and pedestrian sidewalks should be 8 feet or greater in width.

These bicycle routes should be tied into a Citywide network of bicycle facilities in coordination with the City's Comprehensive Transportation Plan.



MULTI-USE PATHS/TRAILS

To further enhance connectivity to and from the Dunwoody Village, multi-use paths and trails should be considered, if desired by adjacent neighborhoods, to connect surrounding single-family neighborhoods to the Village. These paths would be 12-15 feet wide to accommodate pedestrians, bicycles, and potentially electric-carts (golf carts) or other devices. Trails would require cooperation within the neighborhoods to determine a proper location and property easements for the City to assist with construction of the path. The City of Dunwoody should consider a policy regarding these paths if individual neighborhoods desire their implementation.

Based upon public involvement in the Dunwoody Village Master Plan, potential priority locations for off-street multi-use trails include:

- A dedicated east-west path through the Village Center in conjunction with the realization of one of the recommended east-west roadways
- Potential links to adjacent neighborhoods (if the neighborhoods desire them and assist in defining the appropriate path):
 - The Branches,
 - Wynterhall,
 - Wyntercreek, and
 - Vernon North.



SPECIAL LAND USE PERMIT APPLICATION



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

* Applicant Information:

Company Name:	JK Family Trust		
Contact Name:	c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP		
Address:	1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309		
Phone:	404-815-3620	Fax:	404-685-6920
Email:	djwebb@sgrlaw.com		
Pre-application conference date (required):	May 26, 2016		

* Owner Information: ☐ Check here if same as applicant

Owner's Name:	JK Family Trust		
Owner's Address:	300 Galleria Parkway, 12th Floor, Atlanta, GA 30339		
Phone:	770-951-2434	Fax:	770-951-0054
Email:	jeff.kerker@tscg.com		

* Property Information:

Property Address:	1660 Mount Vernon Hwy.	Parcel ID:	18-366-07-013
Zoning Classification:	O-1		
Requested Use of the Property:	Shopping Center		

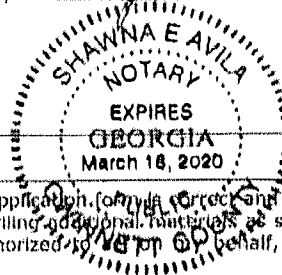
* Applicant Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name:	Dennis J. Webb, Jr.		
Applicant's Signature:		Date:	6-1-16

* Notary:

Sworn to and subscribed before me this	7 th	Day of	JUNE	, 20	16
Notary Public:	Shawna E. Avila				
Signature:					
My Commission Expires:	3-16-20				



* Owner Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name:	JK Family Trust		
Property Owner's Signature:		Date:	6/6/16

* Notary:

Sworn to and subscribed before me this	6	Day of	JUNE	, 20	16
Notary Public:	Lori Taft				
Signature:					
My Commission Expires:	4-13-18				

LORI TAIT
NOTARY PUBLIC
STATE OF GEORGIA
PAULDING COUNTY
MY COMMISSION EXPIRES
APRIL 13, 2018

Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

☐ YES ☒ NO

* Applicant / Owner: JK Family Trust

Signature: *[Signature]*

Date: 6/16/16

Address: 300 Galleria Parkway, 12th Floor, Atlanta, GA 30339

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

☐ YES ☒ NO

* Applicant / Owner: Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP

Signature: [Signature] Date: 6/3/14

Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission?

☐ YES ☒ NO

* Applicant / Owner: Smith, Gambrell & Russell, LLP

Signature: _____

Date: 6/8/14

Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Campaign Disclosure Statement



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ☐ YES ☒ NO

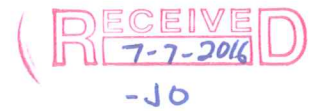
* Applicant / Owner: Vickie B. Chung, Smith, Gambrell & Russell, LLP

Signature: [Signature] Date: 6-5-16
Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

ORIGINAL



THIRD AMENDED STATEMENT OF INTENT

and

Other Material Required by
City of Dunwoody Zoning Ordinance
For the
Special Land Use Permit Application
(Application No. SLUP-16-081)

of

JK Family Trust

for

±0.82 Acres of Land located in
Land Lot 366, 18th District

1660 Mount Vernon Road
Dunwoody, Georgia 30338

Submitted for Applicant by:

Dennis J. Webb, Jr.
Vickie B. Chung
Smith, Gambrell & Russell, L.L.P.
Promenade, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

This Application seeks three Special Land Use Permits (“SLUPs”) in order to redevelop +0.82 acres of land located in Land Lot 366, 18th District of DeKalb County (the “Subject Property”), which is located in the Dunwoody Village Overlay District at the intersection of Mount Vernon Road and Dunwoody Village Parkway.¹ The Applicant seeks to transform an old, two-story, 6,800 square foot drive-through bank building into a small-scale shopping center with retail and/or restaurant uses on the ground floor and office uses on the second floor. The Applicant will completely renovate the existing building without expanding the current footprint, bringing it into greater compliance with the regulations and overall goals of the Dunwoody Village Overlay. In addition to eliminating an oversaturated use in Dunwoody in favor of one that is more pedestrian-oriented, the proposed use also has a favorable effect on traffic, as the expected traffic for a shopping center is actually less than that for a drive-in bank. The SLUPs requested in this Application are:

- (1) To decrease the 12’ sidewalk requirement of Section 27-97(i)(1) of the Code to 6’ on Dunwoody Village Parkway, which is necessary in order to preserve the mature trees on the eastern boundary of the Subject Property;
- (2) To reduce the minimum distance requirement of Section 27-97(g)(2) from 30’ to 20’ and allow the existing off-street parking to remain in front of the existing building; and
- (3) To reduce the 10’ pedestrian buffer zone requirement of Section 27-97(i)(3) to allow for existing conditions.

These SLUPs are requested because the Applicant anticipates exceeding the compliance

¹ In addition to this SLUP application, the Applicant has also submitted a rezoning application to rezone the Subject Property from O-I to CR-1 (Application No. RZ-16-081).

thresholds of Section 27-97(c) of the Code. Section 27-97(c) requires full compliance with the Dunwoody Village Overlay requirements if the cost of exterior remodeling is 15% or more of the county tax assessor's 100% assessed value of the existing improvements (Section 27-97(c)(1)(c)) and if the cost of interior remodeling is 25% or more of the county tax assessor's 100% assessed value of the existing improvements (Section 27-97(c)(1)(d)). Although exact construction cost estimates are not available at this point in the project, the Applicant anticipates that the value of the exterior renovations will exceed \$166,860 (15% x the Current Assessed Value) and the value of the interior renovations will exceed \$278,100 (25% x the Current Assessed Value), triggering full compliance under Section 27-97(c).

II. IMPACT ANALYSIS

The criteria considered by the City in granting a SLUP are listed in Article V, Division 3, Section 27-359 of the Code. The requested SLUPs should be granted because all applicable criteria are met.

A. Whether the proposed use is consistent with the policies of the comprehensive plan.

The Subject Property is located within the Dunwoody Village Character Area of the Comprehensive Plan and within the Dunwoody Village Overlay under the Code. The City's Future Land Use Map designates the Subject Property as "Mixed-Use." The Subject Property is not currently in compliance with the Overlay requirements, but the proposed renovation will bring the Subject Property closer to compliance and advance the goals of the Overlay. Furthermore, the proposed redevelopment is entirely consistent with these designations, which encompass high quality mixed-use developments that provide shopping, dining and other services to community members. In particular, the proposed redevelopment will further the following stated policies of the Comprehensive Plan:

- (a) Promoting redevelopments “focused on pedestrian and bicycle amenities”;
- (b) Promoting redevelopments that will “draw community members to shopping, dining and entertainment”; and
- (c) Promoting mixed-use developments “containing a mix of office, retail and residential, including both either vertical or horizontal mixed-use”

The Subject Property is designated for “Village Center Mixed-Use” under the Dunwoody Village Master Plan. The proposed redevelopment is consistent with this designation and will further the goals of the Dunwoody Village Master Plan, in particular:

- (a) Making the area “safer and more accommodating for pedestrians”; and
- (b) Encouraging “high-quality redevelopment of the underutilized areas, primarily the east, “back” side of Dunwoody Village Shopping Center”; and
- (c) Creating a “more walkable, vibrant Village Center with area appropriate goods and services.”

B. Whether the proposed use complies with the requirements of this zoning ordinance.

In addition to its SLUP request, the Applicant also seeks a rezoning of the Subject Property from O-I (Office-Institutional) to CR-1 (Commercial Residential Mixed Use). The proposed site plan complies with all lot and building regulations of the CR-1 zoning district. In particular, the following requirements are met: minimum lot area of 20,000 square feet; minimum lot frontage of 100 feet; minimum side interior setback of 20 feet; minimum rear setback of 30 feet; maximum lot coverage of 80%; maximum building height of three stories or 45 feet.

The Applicant requests a SLUP to decrease the Dunwoody Village Overlay’s requirement of a 12’ sidewalk on Dunwoody Village Parkway to allow for the existing 6’

sidewalk to remain. The purpose of this SLUP is to preserve the 8 mature trees currently on site, which would have to be removed if the sidewalk on Dunwoody Village Parkway (the “eastern sidewalk”) were expanded to 12’. The Applicant has conferred with the Planning staff regarding this SLUP and has been advised that tree preservation is of higher priority to the City.

The Applicant also requests a SLUP to reduce the minimum distance requirement of Section 27-97(g)(2) from 30’ to 20’ and allow the existing off-street parking to remain in front of the existing building. Removing the existing parking in the front of the building would cause the Applicant to lose almost half of the available parking on site, which would cause a parking shortage for the new shopping center. Although the City has progressively been moving towards being more walkable, the reality is that commercial uses need adequate parking in order to succeed. This is evident in the fact that all of the buildings directly adjacent to the Subject Property on Mount Vernon Road have parking in front of the building, including the SunTrust, Urgent Care facility, Montessori School and Dunwoody Commons Center directly to the east and the Wells Fargo and PNC Bank directly to the west. Allowing the Applicant to maintain the existing parking on site would facilitate the redevelopment of the existing bank into a small, upscale shopping center, a much-needed service in the area.

Finally, the Applicant requests a SLUP to reduce the 10’ minimum pedestrian buffer zone of Section 27-97(i)(3) to allow for existing conditions as reflected on the site plan submitted with this application. The site currently contains a sidewalk and landscaped area around the periphery of the building, but the existing improvements do not meet the 10’ buffer and 6’ sidewalk requirement all the way around. Expanding the existing pedestrian buffer to the requirements of Section 27-97(i)(3) would negatively impact the parking and vehicular circulation that the site was designed around, and increase impervious lot coverage of the site. As previously stated, it is

the Applicant's intent to improve the existing site and building in a manner that brings both into greater compliance with the Dunwoody Village Overlay while providing a high-quality redevelopment. The requested SLUP would facilitate the redevelopment while allowing the existing pedestrian buffer to remain.

- C. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district.

There is more than adequate land area to accommodate the proposed use. The Subject Property is + 0.82 acres. The CR-1 zoning district allows for up to 80% lot coverage. The Applicant will renovate the existing 6,800 square foot building without expanding the building's footprint, staying within the allowable lot coverage. The Applicant will comply with all open space requirements of the Code.

- D. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:

- a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;

No. The Subject Property is adjoined by other commercial and office uses and will not create any adverse impacts due to noise, smoke, odor, dust or vibration.

- b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;

No. Hours of use will mirror those of the existing businesses in the Dunwoody Village commercial core.

- c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

No. Retail, office and restaurant uses have existed near the Subject Property for many years with no adverse impact on the surrounding properties.

- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;

No. The proposed project will have an insignificant effect on traffic in the area, and could lessen the number of trips generated under the current use. The Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) (Code 820)(subspecialty Shopping Center) was used to calculate vehicle trips for this development. For a roughly 7,000 square foot shopping center, an average of 7 trips is anticipated for the morning weekday peak period and an average of 26 trips is anticipated for the evening weekday peak period. In contrast, a drive-in bank, which the Subject Property is currently zoned for, would generate an average of 26 trips for the morning weekday peak period and an average of 54 trips for the evening weekday peak period for a bank with 10 employees.

- e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;

Yes. The existing building on the Subject Property is appropriate in terms of its size, scale and massing compared to other buildings in the Dunwoody Village commercial core. It complies with the Code's maximum height regulations and is well beneath the allowable square footage.

- f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;

The Applicant knows of no historic buildings, sites, districts, or archaeological resources either on the Subject Property or located in the immediate vicinity that would suffer adverse impacts from the requested SLUPs.

- E. Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use.

The proposal for the site in question will have minimal effects on city streets, infrastructure or schools. As noted above, the expected traffic generation for the proposed use is minimal, and projected to decrease when compared with traffic generated by the bank use currently allowed as-of-right. There is sufficient utility, water and sewer capacity to supply this site. The proposed redevelopment will have no effect on surrounding schools.

- F. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access.

The proposed shopping center will be serviced by existing driveways on Mount Vernon Road and on Dunwoody Village Parkway. Ingress, egress and traffic flow for the proposed use will not a problem.

- G. Whether adequate provision has been made for refuse and service areas.

Yes. See the attached site plan.

- H. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

No.

III. PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits that the Zoning Ordinance of the City of Dunwoody lacks adequate standards for the City Council to exercise its power to grant special land use permits. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Resolution also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

The City Council is granted the power to zone pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance of the City of Dunwoody violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance presently in effect is contrary to the best interest of the health and welfare of the citizens of the City of Dunwoody, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the Zoning Ordinance presently in effect is unconstitutional in that it renders

this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitutional and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

Any limitation on the time for presentation of the issues before the City Council who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

The Zoning Ordinance of the City of Dunwoody is unlawful, null and void in that its adoption and map adoption/maintenance did not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq.

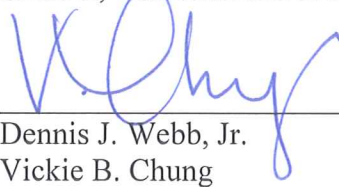
IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the SLUPs at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 6th day of July, 2016.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, L.L.P.



Dennis J. Webb, Jr.

Vickie B. Chung

Attorneys For Applicant

Promenade II, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309
404-815-3500

JK Family Trust

SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

1. *Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified):* We mailed a written notice to all properties owners within 1,000 feet. The mailing list and postcard are attached. We also ran an advertisement in the Dunwoody Crier as required by ordinance. Attached is a copy of that ad.
2. *Meeting location, date and time:* Monday, June 6, 2016 at 7:00 p.m. St. Luke's Presbyterian Church, 1978 Mt. Vernon Rd., Dunwoody, GA
3. *Who was involved in the discussions:* Den Webb and Jeff Kerker presented to the 5 persons in attendance (see attached sign-in sheet)
4. *Suggestions and concerns raised by neighbors:* The application was well received. The neighbors raised no real concerns and indicated they supported all SLUP changes, including the efforts to preserve the existing trees on Dunwoody Village Parkway. They did ask, however, that the applicant limit certain C-1 uses (i.e. "We Buy Gold" type establishments).
5. *What specific changes to the proposal were considered and/or made as a result of the meeting:* See above.

COMMUNITY MEETING

Application to rezone property located at 1660 Mt. Vernon Rd, Dunwoody from Q1 to C-1 for the purpose of redeveloping an existing building for use as a small scale shopping center with restaurant, retail and office uses.

Date: Monday, June 6, 2016
Time: 7:00 p.m. to 8:00 pm
Place: St. Luke's Presbyterian Church
1978 Mt. Vernon Rd.
Dunwoody, Georgia 30338

What is a Community Rezoning Meeting? Community rezoning meetings are designed to inform the surrounding communities of current rezoning and special use permit applications. It's an opportunity for the community to learn about the proposed project, ask questions, present concerns, and make suggestions.

***Saint Luke's Presbyterian Church has no interest, material or otherwise, regarding this zoning issue. The use of the facilities of Saint Luke's Presbyterian Church does not imply any relationship to the parties involved.**

Schroeder, Harold A.
Schroeder, Lora E.
1421 Mockwell Ct.
Dunwoody, GA 30338-4210

Henderson, Peter
Henderson, Allison
1443 Mockwell Ct.
Dunwoody, GA 30338-4210

Neel, Joseph N. IV
Neel, Susan O.
1436 Vernon Village Ct.
Dunwoody, GA 30338-4220

Anderson, Deborah C.
1354 Vernon North Dr.
Dunwoody, GA 30338

Wynn, Mary S.
Wynn, Edward M. Jr.
1322 Vernon North Dr.
Dunwoody, GA 30338-4214

Chang, Ae Sok
Chang, Su Kil
1319 Vernon North Dr.
Dunwoody, GA 30338

Vernon N LLC
5718 Bend Creek Rd.
Dunwoody, GA 30338

C Q Dunwoody Village Court LLC
1532 Dunwoody Village Pkwy #200
Dunwoody, GA 30338-4136

Collins, Patrick D.
Collins, Lillian W.
4178 Chestnut Ridge Dr.
Dunwoody, GA 30338-4678

Daniels, David A.
Daniels, Susan D.
1427 Mockwell Ct.
Dunwoody, GA 30338-4210

Bhardwaj, Jitender
Sharma, Pankaj
1368 Vernon North Dr.
Dunwoody, GA 30338

Radloff, Robert W.
Radloff, Debra S.
1437 Vernon Village Ct.
Dunwoody, GA 30338-4220

Nall, Terry W.
Nall, Donna C.
1344 Vernon North Dr.
Atlanta, GA 30338-4214

Targovnik, Harris
Targovnik, Tara
1314 Vernon North Dr.
Dunwoody, GA 30338-4214

Stevens, Robert Paul
Stevens, Dana Morella
1327 Vernon North Drive
Dunwoody, GA 30338

Bishop, Michael G.
Bishop, Cynthia P.
1351 Vernon North Dr.
Dunwoody, GA 30338-4213

Scott, Paul J.
Scott, Pamela L.
4194 Chestnut Ridge Dr.
Dunwoody, GA 30338-4678

Alyea, Fred N.
Alyea, Charlotte
4170 Chestnut Ridge Dr.
Dunwoody, GA 30338-4678

Lambert, Jerry S.
Bunker, Patti L.
1435 Mockwell Ct.
Dunwoody, GA 30338-4210

Nettles, David B.
Nettles Kelly F.
1442 Vernon Village Ct.
Dunwoody, GA 30338

Zyla, Marie T.
Fennell, Robert Sean
1441 Vernon Village Ct.
Dunwoody, GA 30338-4220

Gottlieb, Hulda M. Living Trust
Gottlieb, Hulda M.
1334 Vernon North Dr.
Dunwoody, GA 30338-4214

Victory, Stefan
Victory, Elizabeth C.
1311 Vernon North Dr.
Dunwoody, GA 30338-4213

Salas, Alexander
Salas, Crystal
1335 Vernon North Dr.
Dunwoody, GA 30338-4213

Benson, Martin J.
Benson, Lisa A.
1359 Vernon North Dr.
Dunwoody, GA 30338-4213

Shiran LYL LLC
1583 Withmere Ln.
Atlanta, GA 30388

Solomon, Darrell
4162 Chestnut Ridge Dr.
Dunwoody, GA 30338-4678

Syribey, Philip John
Syribey, Floredia Lauren
4154 Chestnut Ridge Dr.
Dunwoody, GA 30338

Tallent, Michael Warren
Tallent, Susan Bryant
1408 Joberry Ct.
Dunwoody, GA 30338-4606

Hill, Joseph
1400 Joberry Ct.
Dunwoody, GA 30338-4606

Markou, Christos
Makarouni, Spiridoula
1407 Joberry Ct.
Dunwoody, GA 30338-4606

Jackson, Christine S.
Jackson, Michael E.
4142 Chestnut Ridge Dr.
Dunwoody, GA 30338-4604

Lavin, Michael K.
4134 Chestnut Ridge Dr.
Dunwoody, GA 30338-4604

Stinnett, Robert Jr.
4126 Chestnut Ridge Dr.
Dunwoody, GA 30338-4604

James, William Harlan
James, Jane Neall
4121 Chestnut Ridge Dr.
Atlanta, GA 30338-4603

Gaudet, Richard B.
Nunn, Judith A.
4151 Chestnut Ridge Dr.
Dunwoody, GA 30338

Immerman, Leon Andrew
Immerman Joan Marie
4165 Chestnut Ridge Dr.
Dunwoody, GA 30338-4603

Anstey, Neil
Anstey, Erica
4179 Chestnut Ridge Dr.
Dunwoody, GA 30338

Overstreet, Lisa Kathryn
4187 Chestnut Ridge Dr.
Dunwoody, GA 30338-4603

City of Dunwoody
41 Perimeter Ctr E 250
Dunwoody, GA 30346

Bellsouth
P.O. Box 182333
Columbus, OH 43218-2333

Berry, Walter Douglas III
Berry Cecelia R.
1234 Village Terrace Ct # M6
Dunwoody, GA 30338-2317

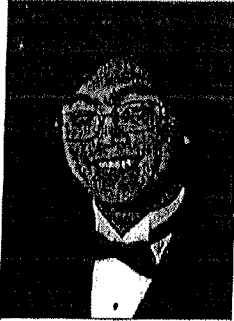
Magnuson, John A.
Magnuson, Louise J.
1230 Village Terrace Ct.
Dunwoody, GA 30338-2317

Dorfman, Tracy A.
1226 Village Terrace Ct.
Atlanta, GA 30338-2317

Layne, Shirley
1222 Village Terrace Ct. # M3
Dunwoody, GA 30338-2317

Benator, Donald
Benator, Cynthia
1218 Village Terrace Ct.
Dunwoody, GA 30338-2317

Braxton, Thomas M. Jr.
Braxton, Julia M.
1214 Village Terrace Ct.
Dunwoody, GA 30338



Ty Flynn

Alexander Tinsley Flynn (Ty) died on May 13, 2016 in a tragic fall in Atlanta.

He is survived by his beloved parents, Marcella (Mamie) Ellis Fulton and David (Dave) Michael Flynn, his wonderful brother, Harrison Flynn, his loving stepfather, Christopher Fulton and his grandparents, Judith and Tinsley Ellis of Fort Lauderdale and Atlanta. He was pre-deceased by his paternal grandparents, Martha and Alexander Flynn of Huntsville. He is also survived by his aunts and uncles, Tinsley Ellis, Jr. and Kelley, David Ellis and Lynn Kay, Ralph W. Ellis, Audrey Thomas, Mary Toomey and Pat, Bob Flynn, Tony Flynn and Mary Lynn and his cousins, Trey, Genny, and David Soong Ellis, Katie Dormant and Josh, Matthew Thomas and Bridget

and Patrick Toomey.

Ty was born on April 16, 1997 in Seoul, South Korea. He was a member of Dunwoody United Methodist Church. He attended school at Mount Vernon Presbyterian School, Peachtree Middle School and was a graduate of Dunwoody High School, class of 2015. He had just completed his freshman year at Georgia College and State University where he was pursuing a business/pre-law degree.

He was a talented musician, photographer, outdoorsman and served as captain of the debate team in high school.

He spent ten beloved summers at Camp Rockmont in Black Mountain, N.C. where he earned the top ranking of Paladin.

Ty was dearly loved by all of his family and many friends. He was truly a blessing to each life he touched. Memorial gifts can be made to Camp Rockmont in the name of the Ty Flynn Memorial Scholarship, 375 Lake Eden Rd, Black Mountain, N.C. 28711.

Family and friends attended a celebration of Ty's life at Brook Run Park in Dunwoody on Sunday.

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Public Notice

There will be a neighborhood meeting regarding an application to rezone property located at 1660 Mt. Vernon Road, Dunwoody, Georgia from O-1 to C-1 for the purpose of redeveloping an existing building for use as a small scale shopping center with restaurant, retail and office uses. Meeting to be held on Monday, June 6, 2016 at 7:00 p.m. at St. Luke's Presbyterian Church, 1978 Mt. Vernon, Rd., Dunwoody, GA.

OBITUARIES

Suzanne Gill Miller passed away May 10, 2016 at the age of 83.

Suzanne was born Feb. 9, 1933 in Pittsburgh to the late Frank Corydon Gill and Margaret Swindell Gill. She was raised in Fairfield, N.C., and Wilson, N.C. At the age of 15, Suzanne was dealt a setback as she was a part of the "polio epidemic of 1948" and was paralyzed, losing the use of her legs. She spent the next six months in a hospital in Portsmouth, Va., before coming to Warm Springs for the next 18 months. Her time at Warm Springs prepared her for life without the use of her legs. She saw other patients at Warm Springs that were in far worse shape than she was and she left prepared to rise above anything.

She returned home to Wilson, N.C. and finished high school graduating in 1951 and continued her education at Atlantic Christian College graduating in 1955.



Suzanne Miller

In 1956, she was working as a school teacher in Wilson when she met the love of her life, Dick Miller of Woodstock, Va. Dick Miller was playing pro baseball for the minor league team located in Wilson when they met at the ballpark. They soon married and started a family.

Suzanne and Dick lived in

North Carolina, Virginia and Florida before they moved to Dunwoody in 1970. They became faithful members of Kingswood United Methodist Church and became involved in everything from little league sports at Murphy-Chandler park, swim and tennis teams at Kingsley Swim & Racquet Club and Peachtree High School football. Suzanne was the team mom for not just some of the teams, but all of the teams that her kids were a part of. Suzanne and Dick were strong supporters of the University of Georgia and the University of North Carolina. They were season ticket holders for UGA football since the 1980s and those Saturdays in Athens were truly special.

Suzanne will be remembered as the most loving woman you could ever meet. She lived life to the fullest and was a wonderful daughter, sister, wife, mother, grandmother and great friend to all the people that she touched throughout her life. Our greatest memories of Suzanne are tied to those decades living in Dunwoody and the wonderful relationships made along the way that made all of our lives so special.

Suzanne Miller was preceded in death by her parents; her husband, Dick Miller, and her youngest sister, Helen Gill Keasler. She is survived by two daughters, Meg Miller and Lisa Britton; a son, Rick Miller and his wife, Stephanie Miller; two grandchildren, Brooke Miller & Jake Miller; a sister, Nancy Scott; and a brother, Frank Gill.

Memorial service to be held Saturday, June 4th at 2 p.m. at Kingswood United Methodist Church, 5015 Tilly Mill Road. Visitation with the family to follow the service in the Fellowship Hall at Kingswood. In lieu of flowers, please make contributions to Kingswood United Methodist Church or to the Easter Seals Foundation in honor of Suzanne Miller.

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JEWELRY FUNERAL CARE
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Helen Scherrer-Diamond
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Community Outreach Director
Helen@JewishFuneralCare.com

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- ♦ Fixing costs and how pre-payment works
- ♦ Out-of-town funeral planning
- ♦ Traditional and non-traditional options

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Edward Dressler
770.451.4999

NOTICE OF FILMING

Stalwart Films, LLC. will be filming near Perimeter Center, Dunwoody. Our Filming work is scheduled to take place on May 26 and 27.

Our Crew, Work Truck and Basecamp parking will be self-contained on the property. We will not be doing any lane or street closures, so we will not interfere with traffic.

Stalwart Films LLC., is very sensitive to the impact that filming can have on a community. It is with these issues in mind that we approach the logistical needs of the production so we can effectively work to minimize any inconveniences to those in the neighborhood.

On behalf of Stalwart Films, LLC., thank you for your patience and cooperation; it is greatly appreciated. If you have any questions you can reach us at the production office (404)-662-4050.

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cienewspapers.com

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JK FAMILY TRUST

June 6, 2016 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Den Weiss	1236 Radtree St 30305	djw154@sjr-lan.com
Jeff Karker	3944 Tuxedo Rd	Jkarker@aol.com
Bill Grossman	5061 Hidden Branches Dr 70778	Bill.GROSSMAN@COMCAST.NET
Kathy Carlsen	1709 Womack Rd	770/285-5064
Nancy Hawthorne	1010 Womack Rd	nancy.hawthorne@comcast.net
Neil Arnsd	4179 Chestnut Ridge Dr	
Judy Wilson	1439 Vernon N Dr.	Judy.wilson@comcast.net