



41 Perimeter Center East, Suite 250
Dunwoody, Georgia 30346
P (678) 382-6700
dunwoodyga.gov

MEMORANDUM

To: Mayor and City Council

From: Michael Smith, PE, through Steve Foote, AICP

Date: March 28, 2016

Subject **4362 North Peachtree Road (Ioan Donuts Holdings, LLC):** Waiver request from Sec. 16-259 to waive the requirement to install bicycle lanes along North Peachtree Road

ITEM DESCRIPTION

The site is located at the corner of North Peachtree Road and Cotillion Drive. The site consists of an existing BP fuel station and convenience store and an attached space recently vacated by a dry cleaning business. The applicant desires to open a Dunkin Donuts store in the vacant tenant space.

During the review process, staff identified, pursuant to the terms of Sec. 16-217 and Sec. 16-259, that the applicant is required to install a 4-foot wide bicycle lane, landscape buffer and sidewalk along the property frontage. These road improvements are required by the development code because of the increased intensity in use of the property quantified by the addition of parking spaces and greater than 10% increase in the number of vehicle trips generated by the uses on the site. in the outside lane of the roadway adjacent to the curb and shoulder. The applicant has agreed to install the landscape buffer and sidewalk but is requesting a waiver for the bicycle lane.

BACKGROUND

Code Section 16-237(j), which empowers the Mayor and City Council to waive these development requirements, reads, in part:

The city council, after considering all related factors, may authorize deviations from this section as follows:

- ...
- b. Road improvements may be waived or modified if:
 1. Existing use of property not to be substantially changed (i.e., traffic generation and ingress/egress would remain the same);
 2. Governmental construction plans for the road indicate a pavement width less than city standards (only the planned pavement width is required);
 3. Widening would create a hazard to motorized or non-motorized traffic.

CONTEXT

The city's development code requires bicycle lanes on all arterial and collector streets. This section of North Peachtree Road is classified as a collector street. Over the past several years



41 Perimeter Center East, Suite 250
Dunwoody, Georgia 30346
P (678) 382-6700
dunwoodyga.gov

the city has incorporated bicycle lanes on North Peachtree by narrowing the lanes after paving. The lanes stop about 1,000 feet north of the subject site because there is not enough room within the existing roadway to incorporate bicycle lanes and because there are not bicycle facilities to connect to across or along I-285 at the southern boundary of the city. To the west of the site Cotillion Drive, with a speed limit of 45 mph and no shoulder, is less conducive to cycling. To the south North Peachtree continues under I-285 and into Chamblee. The City of Chamblee's comprehensive plan recommends shoulder bike lanes on North Peachtree Road. Even if this project were constructed the I-285 underpass would present an obstacle to connecting bike lanes between the two cities.

RECOMMENDATION

Considering the context described above, staff considers the existing pavement width adequate for the proposed development and recommends granting a waiver for the requirement to install bicycle lanes.

APPEAL REQUEST FOR
BICYCLE LANE REQUIREMENT
FROM CITY OF DUNWOODY

FOR

DUNKIN DONUTS SITE
4362 NORTH PEACHTREE ROAD

PURPOSE OF REQUEST

To waive the requirement of the installation of a proposed bicycle lane along the frontage of the existing site.

NARRATIVE

My client, Dunkin Donuts (Ioan Donuts Holdings, LLC), is requesting that the City of Dunwoody waive the requirement for a proposed bicycle lane along the frontage of the existing development located at 4362 North Peachtree Road. This is an existing commercial development that has been used as a convenience store and dry cleaners. The convenience store is currently open for business and will continue to operate. The dry cleaner space was vacated in December of 2015. The only reason they moved out was due to Dunkin Donuts thought they would be further along with permitting and potential be underway with interior remodeling of that space.

Comments received from the City were that my client shall install a sidewalk and bicycle lane along the frontage of the subject tract. My client is not the property owner of the subject property, but does not have a problem with absorbing the cost of installing a proposed sidewalk(s) to improve the foot traffic access in and around the site. The extra cost of installing a proposed bicycle lane, and all associated roadway improvements, will potential kill the project. The next closest section of existing bicycle lane is approximately 500 feet away.

We do not believe that approval of the appeal request, to waive the installation of a proposed bicycle lane, would in any way devalue or pose hardships on any of the surrounding properties. We appreciate your consideration. If you have any questions feel free to call me at 678-513-8836.

Sincerely,

Myles Montgomery
Civilsapes, Inc.