

## **MEMORANDUM**

To: Planning Commission

From: John Olson, AICP  
Planning Manager

Date: July 10, 2018

Subject: Amendment to City of Dunwoody Ordinances  
Chapter 27 - DVO, Dunwoody Village Overlay

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### **ITEM DESCRIPTION**

This item is a request to consider zoning text amendments to the Dunwoody Village Overlay (DVO) in regards to *Section 27-97*, and *Article V. Division 10. - Site Plan Review*. The proposed revisions are attached to this memo.

### **BACKGROUND**

Over the past few years the City of Dunwoody has seen an improving economy that has brought forth several new developments within the City. However, several projects have failed to come to fruition in Dunwoody Village Overlay (DVO) district, as property owners have struggled to attract new developments, mainly due to several challenging overlay restrictions.

One of the big challenges is a design restriction in place that requires all new buildings, renovations, and additions follow an old fashioned colonial style of architecture. Some of the defining elements include hipped roofs, dormers, columns, and wood and brick siding, which we see at the Shoppes of Dunwoody. The Village shopping Center is another variation of the style with elements such as gable roofs, divided light windows and doors, and wood siding. Of particular concern is the fact that this style of architecture does not allow flat roofs, whereby roof mounted equipment cannot be screened from view. Another issue is the fact that retailers cannot use large uninterrupted glass panels, as windows must be broken up by mullions or have the appearance of divided lights.

There are also thresholds for compliance that trigger either partial or full compliance when the value of certain construction activity exceeds pre-determined thresholds (based on the DeKalb County valuation). For staff and the applicant, thresholds for compliance have been difficult to accurately assess before construction commences, as separate itemized costs and calculations of exterior construction, interior renovations, and interior remodeling need to be provided early on in the development process. Moreover, because improvements are cumulative for all buildings on the entire site over time, value costs of old and new permits must be tracked perpetually over time. In 2015 the Council approved a Special Land Use Permit (SLUP) request for interior renovations at 1441 Dunwoody Village Parkway to allow the owner to exceed threshold limitations for interior renovations. Similar discussions regarding the DVO thresholds have been held with owners of the former Hickory House restaurant, the Shoppes at Dunwoody, the former Chevron gas station, and other sites within the Village. Each conversation illustrates the fact that threshold compliance does not provide a simple path for review.

The DVO district allows a maximum of 3 parking spaces per 1,000 square feet of floor area for all non-residential uses on all properties in the Overlay area ( for example, a 5,000 square foot restaurant would require a maximum of 15 off-street parking spaces). On the other hand, the underlying zoning regulations (city-wide) require a minimum of 6.67 spaces per 1,000 square feet of floor area for a restaurant use, and 4 spaces per 1,000 square feet of floor area for a retail use. This translates to having a minimum of 33 spaces for a 5,000 square restaurant. Ironically, the maximum parking standard in the overlay for restaurants and retail are found to be lower than any of the minimum city wide parking standards for retail and restaurant uses. In regards to the maximum parking restriction, it has been especially challenging for restaurants and retail, mainly because the current allowable ratio of 3 parking spaces per 1,000 square feet of floor area is insufficient for most retail and restaurant tenants. Staff would note that in the last two years there have been three separate SLUP requests to relieve the maximum parking restriction within the DVO district and all of them have been approved by Council; still, many other businesses have chosen to locate outside of the village due to the restriction, particularly because relief would require a four to six month SLUP review.

Finally, code section 27.97(l) of the DVO district requires variations of the design requirements to be reviewed as SLUPs. It is important to note that SLUPs are generally required for the approval of special uses that have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses. An example of this would be a church or bed and breakfast that wants to build in a single family residential neighborhood. The problem at hand is the fact that requested variations to the DVO district relate to the architecture, not land use, so variations to windows, roofs, and doors take 4 to 6 months to receive approval. Another problem is the SLUP land use criteria does not evaluate architecture. So oddly, staff is tasked with evaluating design changes against proposed use criteria (For example, a window or roof modification would be evaluated against use criteria such as impacts of noise, hours of operations, character of vehicles, etc.) The text amendments proposes to modify the process so variations to the DVO district can be reviewed as variances instead of SLUPs. This revision will cut the review time from 5 months to 6 weeks and cut the fee from \$500 to \$350.

In response to the aforementioned concerns, Council held a work session on June 4 with City staff. Following the staffs' presentation, Council members agreed that it was time to make some changes to the DVO district. During discussions, Council advised staff to not throw out the overlay, but fine tune it to allow more flexibility in architectural design. There were also discussion in regards to doing away with thresholds for compliance, maximum parking standards, and the Design Review Advisory Committee (DRAC). Council also stated that the overlay should be done in a manner that makes a clear separation of character from the less urban DVO district and Perimeter Center.

The proposed text amendment to the DVO district was initiated in response to Council's request that staff review and consider changes to these regulations. While a more comprehensive review of the DVO district will be undertaken in 2019, the proposed amendment is intended to address issues related to thresholds, architecture, parking, and design review, along with some other minor changes. The draft changes may be summarized as follows:

1. Relax the pre-1900 Mid Atlantic Colonial Architecture that is characteristic of DVO district, and encourage progressive urban design that allows flat roofs and large storefront windows;
2. Add a provision for major, minor, and accent materials;
3. We currently have two separate design review processes in our zoning ordinance code: *Article V. Division 10 –Site Plan Review* is used for projects coming into the Perimeter;

and Article V. Division 4 – Design Review is used for development projects coming into the Dunwoody Village Overlay. To streamline the process, we have proposed a text change that requires design review to be handled under site plan review process (*Article V. Division 10 –Site Plan Review*), which is now used for Perimeter projects. Staff would note that this process does not have a committee conducting advisory design review, so these changes will disengage the Design Review Advisory Committee from the Dunwoody Village Overlay and advisory design review will no longer be required;

4. Remove *Section 27-979(c) Thresholds for compliance*;
5. Remove *Section 27-97(g)(1)* in regards to maximum parking;
6. Take out redundant sections in *27-97(f) signs* that are already addressed in Chapter 20, signs;
7. Modify the landscaping section so it references Chapter 16, Section 16.238 Street Trees and remove redundant and inconsistent sections of code already covered in *Chapter 16, Street Trees* and the *landscaping and screening regulations of article IV, division 2*;
8. Prohibit drive-thrus on any new buildings;
9. Add a provision that any redevelopment, exterior remodel, or additions occurring on lots greater than 5 acres provide a minimum of 20% shared parking with adjoining lots;
10. Add a provision that buildings heights are allowed up to three stories in the DVO-district and buildings in excess of three-stories may be approved through the special land use permit procedures of article V, division 3; and
11. Modify the procedure for modifications and adjustments sections (d) thru (j) so variations to the DVO-district can be reviewed as variances instead of SLUPs.

## RECOMMENDATION

Staff recommends the proposed changes be forwarded to the City Council with a motion for support.

### Attachments:

Chapter 27, Section 27-97– with edits  
 Division 10. Site Plan Review– with edits

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;~~
  - (54) 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
  - (65) 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) *Site plan and design review.* All applications for development permits within the DVO district is subject to review and approval in accordance with Article V, Division 10.
- (e) ~~*Thresholds for compliance.*~~
- (1) ~~Partial compliance. Permits for the following activities may be issued only as described herein below.~~
- ~~a. Exterior construction and/or remodeling work described in [subsection] (2) below that does not trigger full compliance may be issued provided that the portion of the building affected by the work is determined to be in compliance with applicable overlay district regulations.~~
  - ~~b. Interior renovations, maintenance, and/or repair activities exceeding 50 percent of the county tax assessor's valuation may be authorized provided that partial compliance is achieved according to paragraph d. below.~~
  - ~~c. Interior remodeling or construction with a total value exceeding 35 percent of the county tax assessor's valuation may be authorized provided that partial compliance is achieved according to paragraph d. below.~~
  - ~~d. Partial compliance shall be achieved as determined by the community development director's reasonable discretion and includes those site and/or building improvements which can be achieved without requiring the demolition of principal buildings or the removal of substantial portions of parking lots. Improvements required under partial compliance may include, but are not limited to; [section] 27-97(f) signs, (h) landscaping, (i) subsections (2), (4), (7) (9), and (j) public areas, service areas and retaining walls as determined by the community development director. Modification of the director's decision may be sought per section 27-97(i).~~
  - ~~e. Calculations used for determining partial compliance do not include the cost of interior or exterior improvements required to comply with ADA and/or life safety code requirements, or exterior or interior improvements required as a condition of partial compliance. Work that does not require the issuance of a building permit, such as, painting and carpet replacement, is not included.~~

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(2) ~~Full compliance. Except as otherwise expressly stated by the specific provisions of this section (section 27-07), permits for the following building and construction activities may be issued only if the entire building is determined to comply with applicable Dunwoody Village overlay district regulations:~~

- ~~a. Construction of a new building;~~
- ~~b. Construction of building additions that result in an increase of 25 percent or more in the floor area or building coverage of the existing building;~~
- ~~c. Exterior construction or remodeling of the building, that does not increase the floor area of the building, but has a total value exceeding 25 percent of the county tax assessor's valuation;~~
- ~~d. Interior renovation, maintenance, and/or repair activities exceeding 75 percent of the county tax assessor's valuation.~~
- ~~e. Interior remodeling, construction, and/or addition activities exceeding 50 percent of the county tax assessor's valuation.~~
- ~~f. Calculations used for determining full compliance do not include the cost of interior or exterior renovations, maintenance, or repair work as defined herein, or interior or exterior improvements required to comply with ADA and/or life safety code requirements. Work that does not require the issuance of a building permit, such as, painting and carpet replacement, is not included. All remodeling, construction and addition work as defined herein is included.~~

(3) ~~Renovations, maintenance and repair: include the replacement, including the upgrading, of fixtures, appliances, countertops, painting and wallpaper, window coverings, flooring, roofing, exterior façades, and other similar features of building.~~

(4) ~~Remodeling, construction, and additions: include the physical alteration of a structure by moving, constructing, or the addition of new walls, plumbing, bathrooms, or similar space changes.~~

(5) ~~All references in this section to the "county tax assessor's valuation" shall mean the most recently published data from DeKalb County and refers to the 100-percent assessed valuation of existing improvements only (building). Land value is not included.~~

(6) ~~All calculations of improvements for full or partial compliance shall be cumulative for all buildings on the entire site and over time. Calculations are not "per building" or "per occurrence."~~

(d) ~~Design review. No building permit may be issued for buildings that are subject to one or more of the overlay district regulations of this section until the building has been reviewed through the process prescribed in article V, division 4.~~

(d) Architecture and design. The architecture and design regulations of this subsection apply within the Dunwoody Village Overlay District to all new buildings, additions, and exterior renovations to building façades. Work that includes maintenance and repair of the existing doors, windows, paint and roofs does not apply. These requirements govern in the event of conflict with other DV-O district and base zoning regulations.

(1) *Exterior materials.*

a. Major façade materials. Exterior finish materials must include brick, manufactured or natural stone, architectural block, wood or cement-based siding, cement-based panels, and/or hard coat stucco. Other high quality materials may be approved by the Director of Community Development during the site plan process. A minimum of 70 percent of each façade shall be constructed of major materials.

b. Minor materials. Acceptable high quality minor façade materials include all major materials; fiber cement lap siding; fiber cement shingles; architectural metal siding; architecturally finished concrete; wood lap siding; wood lap shingles; split-faced, burnished, glazed, or honed concrete masonry units (CMU), and cast stone concrete elements. No more than 30 percent of each façade shall consist of minor materials. Other materials may be approved by the Director of Community Development during the site plan process.

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c. Accent materials. The following materials may be used for trim, details, soffits, eaves, and other accent areas: aluminum and other durable metals; and metal for beams, lintels, trim, and ornamentation. Other materials may be approved by the Director of Community Development during the site plan process.

d. Restrictions. The use of plain CMU block, aluminum siding, and vinyl materials are prohibited as a façade material.

e. Roof materials. Acceptable roofing materials include asphalt shingles, wood shingles, reflective flat roofing systems, and other materials approved by the Director of Community Development. Wherever asphalt shingles are used, they shall be a minimum three-dimensional architectural type. Standing seam copper or bronze color metal roofs are permitted only as accents on porches or dormers.

## (2) Building Facades

a. Provide front entrance(s) that are distinct and visible from the street, but should not exaggerate or double the height of the entrance.

b. Simple massing is preferred and should be used with stoops, porches, galleries, arcades, roof eaves, and/or balconies to provide expressive character.

c. Facades shall provide a discernable base, middle and cap that are clearly defined by horizontal elements along the bottom and top of the building. Expression of the elements should be handled through changes in material selection, color, or plane. Use of horizontal bands, cornices, and or varied window patterns can assist in expression.

d. Building wall materials may be combined on each facade only horizontally, with the lighter above more substantial materials.

e. All glass shall be clear and free of color.

f. Low pitch or flat roofs shall be enclosed by a parapet that is a minimum of 42" in height, or a greater height as necessary to conceal mechanical equipment.

g. Hardwood used for rafters, fascia boards and all visible portions of roof decking shall be varnished, oiled, stained or painted. Pressure treated wood shall be painted.

~~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 façades 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.~~

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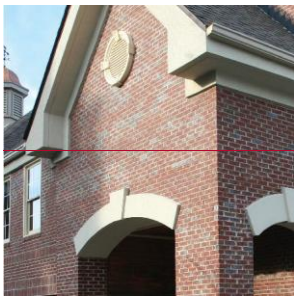
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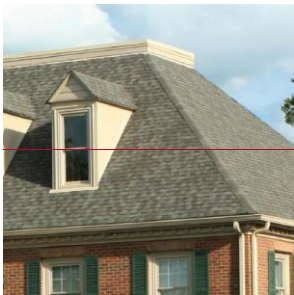
- d. ~~When lap siding is used, the maximum allowable exposure on lap siding is eight inches.~~
- e. ~~Applied trim materials, cornice and window casings must consist of painted wood or painted fiber cement or other substitute material approved by the design review advisory committee because of its wood-like 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.*

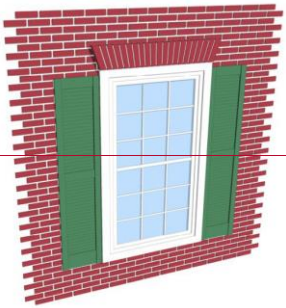
- a. Buildings that are longer than 75 feet must be designed so as to appear as multiple structures through the use of varied roof forms, building projections or architectural details.
- b. Buildings that are longer than 100 feet must provide a pedestrian arcade or covered porch with minimum dimensions 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 façade through the use of window placement and horizontal details.



- d. Buildings must have at least one building projection on the front façade 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 façades are prohibited. Windowless sections of the front façade may not exceed 20 feet in width. Windows and doors must be provided on at least ten percent of the front façade but may not constitute no more than 50 percent of the total area of the front façade. 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.~~

~~(fe)~~ *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;~~

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~~c.~~ 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.

(gf) *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.~~

(1) Motor vehicle parking reductions, as deemed applicable, maybe approved per section 27-204.

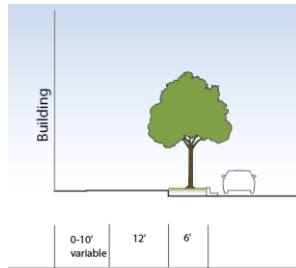
(2) Any commercial redevelopment, addition or exterior remodel occurring on lots greater than 5 acres shall provide shared parking with adjoining lots. Agreements for shared parking shall allocate a minimum of 20% of the sites spaces as shared. All shared parking agreements shall follow the ULI standards for shared parking.

(23) 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.

(hg) Landscaping. The landscaping and screening regulations of article IV, division 2 and Chapter 16, Section 16.238 Street Trees, apply within the Dunwoody Village Overlay district. See also subsection (i).

(ih) Streetscape and pedestrian amenities.

(1) The streetscape and pedestrian regulations of this subsection apply within the Dunwoody Village Overlay District to all new buildings, additions, and exterior renovations. 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.~~

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- ~~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.~~
- ~~(82) 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.~~
- ~~(93) 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.

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- (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, and drive-thrus.*

- (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) Evergreen hedges and street walls may be used to mask parking, so long as they are no less than seventy-five (75) percent opaque and built along the build-to-line. Street walls shall be a minimum of three and one-half (3.5) feet in height. The street wall shall have other individual openings not exceeding four (4) square feet in area at height of less than three and one-half (3.5) feet.
- (5) All utilities must be placed underground unless otherwise approved by the Director of Community Development and the Public Works Director.
- (6) Drive-thrus for new buildings are prohibited.

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- (k) ~~Village core area.~~ Building Placement. The ~~village core area~~ form and design regulations of this subsection apply within ~~designated village core area of the DV-O district~~ the Dunwoody Village Overlay to all new buildings. The regulations also apply to renovations of and additions to existing buildings within the ~~village core~~ DVO-district area that result in an increase of ~~10~~ 50 percent or more in the building's gross floor area. These requirements govern in the event of conflict with other DVO district regulations or base zoning regulations.

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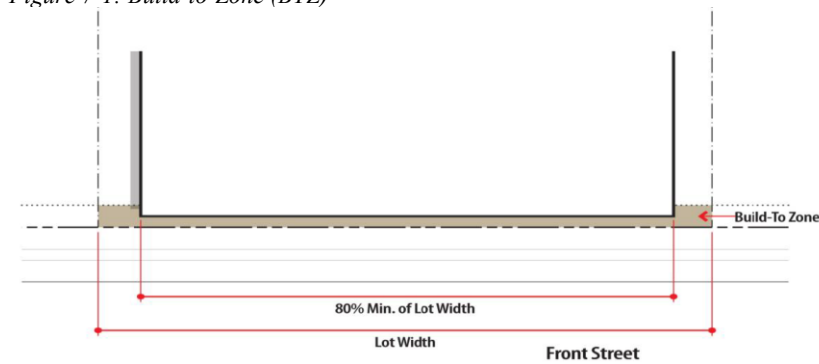
(1) *Build-to-zone.*

- a. The build-to zone is the area on the lot where a certain percentage of the front building façade 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<br>(percent) | 80   |
| Parking Setback   |      |
| Minimum (feet)  | 30   |

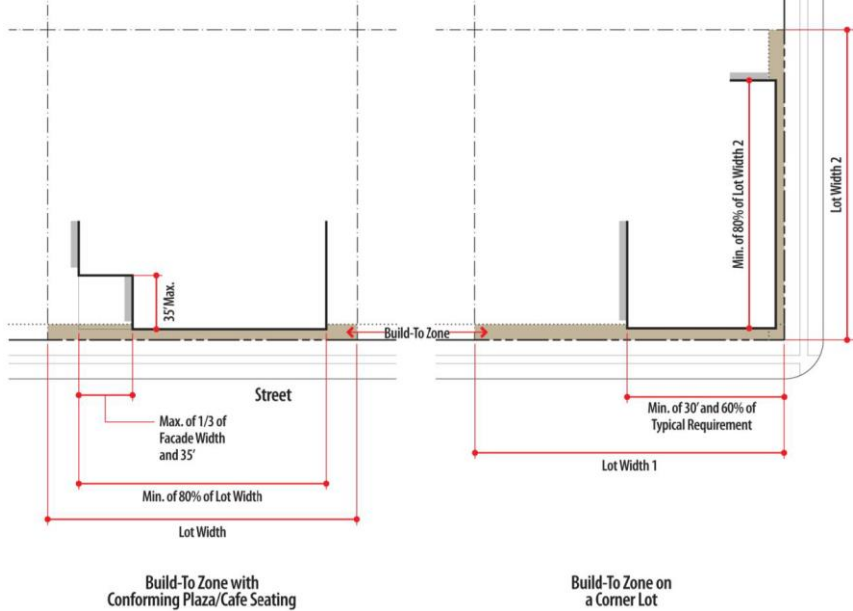
- b. The required percentage specifies the amount of the front building façade that must be located in the build-to zone, based on the width of the front building façade divided by the width of the lot.

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 façade 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 façade 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.

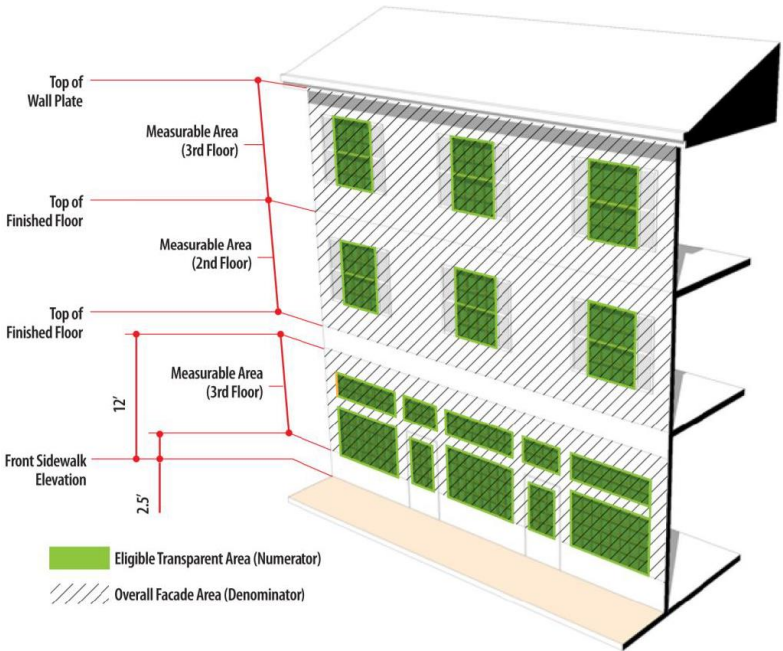
- a. Transparency regulations govern the percentage of a street-facing building façade that must be covered by glazing (e.g., transparent windows and doors). The minimum requirements are as follows:

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

- b. The transparency of a ground story façade is measured between 2.5 and 12 feet above the adjacent sidewalk.

- c. The transparency of an upper-story façade 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.
- e. On the ground floor or street level, finished ceiling heights must be a minimum of 12 feet tall.
- f. Along street frontages, the base of the building and entrances shall be at the average level of the sidewalk.

(3) **Blank wall area.**

- a. Blank walls are areas on the exterior façade 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 |
|----------------------------------|----|

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.

(k) *Building Heights.* All buildings heights are allowed up to three stories in the DVO-district. Buildings in excess of three-stories may be approved through the special land use permit procedures of article V, division 3.

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(l) *Modifications and adjustments.* The regulations of subsections (ed) through (ki) above ~~and decisions of the Community Development Director in [subsection] (c)(2)~~ may be modified only if reviewed and approved in accordance with the ~~special land use permit procedures of article V, division 3~~ variance procedures of Article V, Division 5.

(Ord. No. 2013-10-15, § 1(Exh. A § 27-7.20), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015; Ord. No. 2017-02-03, § 1, 2-13-2017; Ord. No. 2017-04-07, § 1, 4-11-2017)

DIVISION 10. - SITE PLAN REVIEW<sup>[3]</sup>

## Footnotes:

--- (3) ---

**Editor's note—** Ord. No. 2017-04-07, § 4, adopted April 11, 2017, enacted provisions designated as div. 10, §§ 27-485—27-493. Inasmuch as §§ 27-491—27-493 already exist within the Code, said provisions have been redesignated as div. 10, §§ 27-481—27-485, at the editor's discretion in order to avoid duplication.

## Sec. 27-481. - Applicability.

- (a) *General.* Site plan review and approval, in accordance with the procedures of this division, is required before a land development permit may be issued.
- (b) *Exemptions.*
  - (1) Site plan review requirements do not apply to detached houses.
  - (2) The community development director is authorized to waive or modify the site plan review requirements for proposed construction activities and changes of use that will result in no significant exterior changes or site modifications.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

## Sec. 27-482. - Authority to file.

Applications and site plans may be filed by the owner of the subject property or the property owner's authorized agent.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

## Sec. 27-483. - Application filing.

Site plans must be filed with the community development director. The site plan must include at least the following information, unless waived by the community development director:

- (1) *Site location map.* Location of site within a half mile context of streets, rail lines, stations, and notable sites.
- (2) *Site data table.* Tabular summary comparing zoning requirements with proposed plans, including lot, building and site regulations and parking requirements,
- (3) *Survey plat.* Location and dimensions of property lines, easements, rights-of-way and a legal description of the site.
- (4) *Boundaries.* Development boundaries and proposed phasing (as applicable).
- (5) *Existing conditions plan.* Existing on-site and adjacent off-site structures, driveways, sidewalks, streets, utilities (underground and above ground), easements, and pavement noted either on an aerial photograph or site survey. Identify all structures proposed for demolition.
- (6) *Construction staging plan.* Plans for deliveries and storage of construction materials, location of employee parking and work areas, plans for site and adjacent right-of-way clean-up.

- (7) *Existing natural resources plan.* Existing topography, trees, vegetation, drainageways, floodplain/way, or other unique features including plans for removal or modifications of existing natural resource areas.
- (8) *Grading plan and site plan.* A preliminary grading plan and site plan delineating all proposed structures and surfaces, including parking, pavement, sidewalks, patios, landscape areas, retaining walls and any freestanding signs.
- (9) *Building plans.* Floor plans illustrating compliance with all applicable requirements of the Dunwoody Village Overlay, Perimeter Center Overlay and Perimeter Center zoning district, as deemed applicable.
- (10) *Use requirements.* A table of uses is required on the building plan delineating locations and floor area of proposed uses, illustrating compliance with applicable use regulations.
- (11) *Building elevations.* Building elevations of all façades, rendered to illustrate compliance with the applicable general building design criteria of the Dunwoody Village Overlay, Perimeter Center Overlay (see section 27-98(d)) and all applicable building type and design regulations of the underlying Perimeter Center zoning district (see section 27-105). Include information on colors and building materials.
- (12) *Landscape plan.* Plans illustrating compliance with all applicable landscaping, screening and transition regulations, including a tabular summary identifying all plant materials, sizes and graphic symbols used on the landscape plan.
- (13) *Parking plan.* Parking layout plan, including driveway and drive aisle location and design.
- (14) *Material board.* Material boards of all physical materials that illustrate compliance with the applicable major, minor, and accent materials referenced in the Dunwoody Village Overlay, Perimeter Center Overlay or Perimeter Center zoning district.
- (14) *Other information.* Any other information deemed necessary by the community development director to allow for competent review of the site plan or to demonstrate compliance with applicable regulations, expressly including Dunwoody Village Overlay, Perimeter Center Overlay and Perimeter Center zoning district regulations.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-484. - Community development director's decision

- (a) The community development director must review each site plan and act to approve the site plan, approve the site plan with conditions, or deny site plan approval.
- (b) The community development director's decision must be based on the approval criteria of section 27-485.
- (c) Decisions to deny site plan approval must be accompanied by a written explanation of the reasons for denial.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-485. - Review criteria.

Special administrative permits may be approved by the community development director, after consulting with other city departments and affected agencies, only when the community development director determines that the proposed plan complies with all applicable regulations.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

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Sec. 27-486. - Appeals.

Final decisions of the community development director may be appealed by any person aggrieved by the decision in accordance with the appeal procedures of article V, division 8.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-487. - Transfer of site plan approval.

Approved site plans, and any attached conditions, run with the land and are not affected by changes in tenancy or ownership.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-488. - Amending conditions of approval.

A request for changes in conditions of approval attached to an approved site plan must be processed as a new site plan application in accordance with the procedures of this division.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-489. - Lapse of approval.

An approved site plan lapses and has no further validity or effect 12 months after the date of its approval unless a land development permit is issued for construction pursuant to the approved site plan. The community development director is authorized to grant up to two successive 12-month extensions if the community development director determines that there have been no changes to the zoning ordinance or land development regulations that would significantly affect the approved site plan. Site plan extension requests must be filed before the site plan lapses.

(Ord. No. 2017-04-07, § 4, 4-11-2017)

Sec. 27-490. - Reserved.