

**AN ORDINANCE FOR SPECIAL LAND USE PERMIT 22-0001 IN LAND LOT 189 OF
THE 18th DISTRICT TO ALLOW FOR DENSITY OVER 24 UNITS PER ACRE.**

WHEREAS: Notice to the public regarding said rezoning have been duly published in The Champion, the Official News Organ of Tucker; and

WHEREAS: A Public Hearing was held by the Mayor and City Council of Tucker on March 14, 2022, and April 11, 2022;

WHEREAS: The Mayor and City Council is the governing authority for the City of Tucker;

WHEREAS: The Mayor and City Council has reviewed the special land use request and concurrent variances based on the criteria found in Section 46-1594 and 46-1633 of the Zoning Ordinance of the City of Tucker;

NOW THEREFORE, the Mayor and City Council of the City of Tucker while in Regular Session on April 11, 2022 hereby ordains and approves Special Land Use Permit 22-0001 to allow for a mixed-use, multifamily development with a density over 24 units per acre, subject to the following conditions:

1. The property shall be developed in general conformance with the site plan received by the City of Tucker Planning and Zoning Department on January 14, 2022, with changes to meet these conditions and other requirements of the code.
2. The use of the development shall be limited to office, co-working space, and multifamily residential, which shall consist of a maximum of 368 multi-family units in three residential buildings and a maximum of 129 residential units in the existing office building.
3. The 129 residential units in the existing office building shall be limited to one- and two-bedroom units with dedicated workspace within each unit.
4. The two apartment buildings closest to Northlake Parkway shall be limited to a maximum height of 8 stories or 83' and the third apartment building, closest to East Exchange Place shall be limited to 9 stories or 89'.
5. Building elevations shall be constructed in general conformance with the architectural designs received by the City of Tucker Planning and Zoning Department on January 18, 2022.
6. Additional parking shall be provided, as well as additional parking lot landscaping that complies with the regulations of the Zoning Ordinance.

7. All ground floor units fronting Northlake Parkway shall have a patio with direct access to an internal sidewalk.
8. All ground floor units abutting the common amenity space shall have a patio with direct access to the amenity space.
9. All signage shall comply with the Sign Ordinance.
10. Utilities shall be located underground.
11. The minimum lease term shall not be shorter than 6 months.
12. An on-site leasing office with property maintenance staff shall be provided to serve as a contact point for residents and local authorities.
13. All businesses operating at this location, including the office spaces and residential units, shall comply with the City of Tucker requirements for Occupational Tax Certificates.
14. 15% of the units shall qualify as workforce housing units, defined as housing that is affordable to households earning between 80 and 140 percent of area median income (AMI). AMI shall be defined as the area median income for the area within a 3-mile radius of the subject property at the time of Certificate of Occupancy issuance.
15. Owner/Developer shall allow for future interparcel access to the adjacent properties to the east and west. Wheel stops may be temporarily put in drive aisle radius to allow parking until the adjacent properties are redeveloped. Owner/Developer shall grant a construction easement to adjacent property owner when the future interparcel access to the east and/or west is constructed.
16. Owner/Developer shall construct a ten foot (10') wide concrete trail and a five foot (5') landscape strip along the entire frontage of Northlake and East Exchange Place. An additional five foot (5') wide street furniture zone shall be provided along Northlake Parkway.
17. Owner/Developer shall construct a ten foot (10') wide concrete trail through the center of the development and shall provide the city with a permanent easement for the trail. The easement shall be dedicated at no cost to the City by time of LDP issuance.
18. Owner/Developer shall construct ADA compliant internal sidewalks and crosswalks that will provide pedestrian connectivity from all apartment buildings to the sidewalk along Northlake Parkway and East Exchange Place. A pedestrian Circulation plan shall be subject to review and approval of the Planning and Zoning Director.

19. A maximum of twenty percent (20%) of parking spaces may be compact spaces. A compact space shall be defined as any space narrower than nine feet (9') in width. Compact spaces shall be identified with appropriate signage.
20. The Development shall be limited to a maximum of one (1) right in / right out only curb cut on Northlake Parkway and two (2) full access curb cuts on East Exchange Place.
21. Owner/Developer shall construct a deceleration lane at the site entrance on Northlake Parkway.
22. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way along the entire frontage of Northlake Parkway such that there is a minimum of seventy-five feet (75') from centerline, twelve feet (12') from back of curb, or two feet (2') from back of sidewalk, whichever is greater.

SO EFFECTIVE this 11th day of April 2022.

Approved by:

Frank Auman, Mayor

Attest:

Bonnie Warne, City Clerk

SEAL