

**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 FOR AHS AT 2059
NORTHLAKE PARKWAY.**

WHEREAS: Notice to the public regarding said special land use permit and concurrent variances 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 May 9, 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 May 9, 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 May 4, 2022, with changes to meet these conditions and other requirements of the code.
2. The use of the development shall be limited to office, retail/restaurant, co-working space, and multifamily residential, which shall consist of a maximum of 280 multi-family units in three residential buildings and a maximum of 129 residential units in the existing office building.
3. The two apartment buildings closest to Northlake Parkway shall be limited to a maximum height of 6 stories or 63' and the third apartment building, closest to East Exchange Place shall be limited to 7 stories or 72'.
4. Building elevations shall be constructed in general conformance with the architectural designs received by the City of Tucker Planning and Zoning Department on May __, 2022.
5. A minimum of 640 parking spaces shall be provided.
6. All ground floor units fronting Northlake Parkway shall have a patio with direct access to an internal sidewalk.
7. All ground floor units abutting the common amenity space shall have a patio with direct access to the amenity space.
8. All signage shall comply with the Sign Ordinance.

9. Utilities shall be located underground.
10. The minimum lease term shall not be shorter than 6 months.
11. An on-site leasing office with property maintenance staff shall be provided to serve as a contact point for residents and local authorities.
12. All businesses operating at this location, including the office spaces in the residential units, shall, where required, comply with the City of Tucker requirements for Occupational Tax Certificates.
13. A minimum of 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 and recalculated on each annual anniversary date. Owner shall submit proof of compliance with this condition by December 31 of each year, starting with the calendar year after the final Certificate of Occupancy issues, to the Planning and Zoning Director.
 - a. The breakdown of workforce housing units shall generally comply with the following ratios:
 - i. Studios: 20%;
 - ii. 1-Bed: 65%;
 - iii. 2-Bed: 10%; and
 - iv. 3-Bed: 5%.
 - b. The workforce housing units shall generally be interspersed with all other dwelling units and shall be provided in all four buildings shown on the site plan submitted May 4, 2022.
 - c. The interior and exterior finish, durability, and quality of construction of the workforce housing units shall be compatible with and comparable in quality and durability to the rest of the dwelling units in the development and shall comply with the design standards of the NL-2 zoning district.
 - d. Renewal of an OTC for the entire development shall be required annually, contingent upon compliance with workforce housing requirements.
14. Owner/Developer shall allow for future interparcel access to the adjacent properties to the east and west. Traffic barriers 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.
15. 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, as shown in the current version of the Trail Master Plan. An additional five foot (5') wide street furniture zone shall be provided along Northlake Parkway.
16. Owner/Developer shall construct a ten-foot (10') wide trail constructed of pervious concrete, subject to review and approval of the City Engineer, through the center of the development as shown on the site plan and per the current version of the Trail Master Plan. Owner/Developer

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 Certificate of Occupancy issuance.

17. Owner/Developer shall construct ADA compliant internal sidewalks with pervious concrete, subject to review and approval of the City Engineer 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.
18. 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.
19. The Development shall be limited to a maximum of one (1) right/left in / right out only curb cut on Northlake Parkway and two (2) full access curb cuts on East Exchange Place. Further, Owner shall add a "No Left Turn" sign and a raised median at the Northlake Parkway curb cut to restrict left-turning movements onto Northlake Parkway.
20. Owner/Developer shall construct a deceleration lane at the site entrance on Northlake Parkway.
21. 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.
22. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.

So effective this 9th day of May 2022.

Approved by:

Frank Auman, Mayor

Attest:

Bonnie Warne, City Clerk

SEAL