

Draft Conditions (May 4, 2022)
to Approve Application as Presented by Applicant

1. The property shall be developed in general conformance with the site plan submitted on May __, 2022, with revisions to meet these conditions.
2. *The drive through facility may be located between the building and both Rosser Terrace and Hugh Howell, as shown on the May __, 2022 site plan (CV-21-0002).*
3. A mix of trees, shrubs, and ground cover shall be planted in the landscape strip between the drive-through restaurant and both Hugh Howell Road and Rosser Terrace to screen the appearance of the drive-through lanes from the street.
4. *The maximum building setback along Rosser Terrace shall be 65', as shown on the May __, 2022 site plan (CV-21-0003).*
5. Outdoor dining shall meet the requirements outlined in Section 46-998.
6. The drive-through establishment shall close no later than 10:00 p.m.
7. The Special Land Use Permit shall not be able to be transferred to another business.
8. Owner/ Developer shall provide direct pedestrian entrances from Hugh Howell Road and Rosser Terrace. The required pedestrian entrances must face the public street and provide ingress and egress.
9. Owner/Developer shall remove the existing billboard located on the northwestern portion of the property before/during the land development phase.
10. Inter-parcel access is not required (CV-21-0004).
11. *The transitional buffer along the southern property line of 2239 Dillard Street shall be reduced from 50' to 24.4' (CV-22-0006). A 6' tall wood fence shall be installed on or near the southern property line.*
12. *Owner/Developer shall install a sidewalk along the drive aisle on the Dillard Street parcel, as shown on the May __, 2022 site plan.*
13. Owner/Developer shall install six foot (6') wide sidewalk with a five foot (5') wide landscape strip along the entire frontage of Rosser Terrace and Hugh Howell Road.
14. *The development shall be limited to one (1) limited access driveway on Rosser Terrace (right in/left out) and one (1) full access driveway on Dillard Street. Curb cut locations are*

subject the sight distance requirements and the approval of the City Engineer. Signage and a raised median at the Rosser Terrace curb cut to restrict right turns out shall be constructed.

15. Owner/Developer shall construct a southbound deceleration lane on Rosser Terrace at the new entrance, subject to the approval of the City Engineer.
16. Owner/Developer shall construct a northbound right turn lane on Rosser Terrace at the intersection of Hugh Howell Road, subject to the approval of the City Engineer and the Georgia Department of Transportation.
17. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way as required to construct the above improvements and have a minimum of two feet (2') from the back of the future sidewalk.
18. Owner/Developer shall provide ADA compliant pedestrian connectivity between the sidewalks along both frontages and the building entrance.
19. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of thirty (30) units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree replacement units as required in the ordinance.
20. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.