



City of Tucker

Land Use Petitions: CA-17-001, RZ-17-002, SLUP-17-003

Date of Staff Recommendation Preparation: July 2017

Community Council: May 10, 2017

Planning Commission: July 27, 2017

Mayor and City Council, 1st Read: August 14, 2017

Mayor and City Council, 2nd Read: August 28, 2017

PROJECT LOCATION:	4650 Hugh Howell Road and 4750 Hugh Howell Road
DISTRICT//LANDLOT(S):	18 th District, Land Lots 215 and 216
ACREAGE:	88.62 acres
EXISTING ZONING	M (Light Industrial) and RE (Residential Estate)
PROPOSED ZONING:	MU-3 (Mixed-Use Medium Density)
FUTURE LAND USE MAP DESIGNATION:	LIND (Light Industrial)
OVERLAY DISTRICT:	Mountain Industrial Boulevard District
APPLICANT:	Macauley Investments, LLC
OWNER:	SCR Facilities Statutory Trust
PROPOSED DEVELOPMENT:	Comprehensive plan amendment from LIND (Light Industrial) to NC (Neighborhood Center); Rezoning to MU-3 for a master planned mixed-use development on 88.62 acres; SLUP for a personal care home (community, 7 or more).
STAFF RECOMMENDATION:	DENIAL of CA-17-001 DENIAL of RZ-17-002 DENIAL of SLUP-17-003

PROJECT DATA

The applicant is requesting review of three requests in order to develop a proposed master-planned mixed-use development on 88.62 acres on the northeast corner of Hugh Howell Road and Mountain Industrial Boulevard. The first request is a Comprehensive Plan Amendment (CA-17-001) to change the future land use designation of the property from LIND (Light Industrial) to NC (Neighborhood Center). The second request, which should not be granted if the comprehensive plan amendment does not occur, is the rezoning (RZ-17-002) of the two parcels from M (Light Industrial) and RE (Residential Estate) to MU-3 (Mixed-Use Medium Density). The third request is for a Special Land Use Permit (SLUP-17-003) to allow a 100-bed personal care home (community care home, 7 or more) within the proposed development.

The proposed development, as shown on the April 24, 2017 site plan, currently includes 308-units of multi-family housing, 175-units of independent senior housing (considered to be multi-family housing by the City of Tucker Zoning Ordinance), a 130-bed personal care home (keyed as supportive living on site plans), 98 single-family attached lots, 24 two-family dwelling units (12 lots), 156,000-square feet of retail, 88,000-square feet of office, a 45,000-square foot wellness center, a 44,000-square foot arts/tech civic space (exact use unknown), a 36,000-square foot grocery store, a 20,000-square foot child care center, and a 600-person elementary school.

Proposed Residential Use	Density
Multi-family	483 Units
Personal Care Home	130 beds
Single-family attached	98 Units
Two family dwellings	24 Units
Total residential units: up to 735 units	

Figure 1: Proposed Residential Units

20.50 acres, or 23% of the site, is reserved for open space, however a majority of this area is not accessible to the general public and not usable due to the stream (and associated buffer areas) that runs along all three sides of the area. The applicant intends to use this area for a proposed detention pond, which will further encroach into the usable open space. Based on the submitted plans, it appears this area is intended to be used as passive space.

The subject sites are located at the northeast corner of the intersection of Hugh Howell Road and Mountain Industrial Boulevard and are a part of the Stone Mountain Industrial Park. 4750 Hugh Howell Road is a 64.12-acre tract (labeled as tract 1 on the survey) that is currently developed with a 190,644-square foot industrial warehouse. Tract 2, also known as 4650 Hugh Howell Road, is located at the corner and is currently developed with a 321,129-square foot industrial warehouse and an 8,331-square foot NTB Building at the corner. Tract 2 also contains a 6,203 square foot brick building and a 6,304-square foot brick building related to the Georgia Power Company substation onsite. The current submitted site plan shows that the parcel lines will be redrawn so that the substation building will remain, but on the site of 2301 Mountain Industrial, also known as the Sears Outlet site. This land area is currently included in the subject parcels and if approved, would be rezoned. Any plat amendments that would shift the utility building onto the parcel to the north would force the site to the north to then have split zoning.

The large, vacant, industrial warehouses were developed in the 1960s and 1970s and were previously used by the Sears Corporation. The applicant estimates that the industrial buildings cover 14 acres and the asphalt parking and loading areas on the site constitute approximately 30 acres. The as-built survey submitted with the application indicates there are 847 regular parking spaces, 268 trailer spaces, and 17

handicapped spaces on the subject property (both tracts included). The northern portion of the 64.12-acre Tract 2 is undeveloped and heavily wooded, and contains the tract's most environmentally sensitive areas. Plans show that the pre-development existing impervious site coverage is 38%. The proposed post-development impervious site coverage is 57%, for an increase of 19% impervious coverage on the two-parcel development site. The site plan also shows a loss of approximately 32% of the tree canopy at the site, if approved and developed.

If approved, the project would require additional reviews for the proposed piping of the stream, encroachment into the local stream buffers, and the non-food drive through that is listed on the site plan. It is estimated that the proposed plan will require up to 81,550-square feet of stream buffer encroachments. Although the proposed stream buffer encroachment has decreased over the course of this project (as site plans have been revised over time), it is still a great amount and may have a substantial adverse effect on the natural riparian environment if approved. If the stream buffer encroachments are not approved, the site plan will need to be changed to remove the buildings from the buffers. This may require a future rezoning to change the conditions of approval (approvals are typically tied to the submitted site plan). Alternative designs that remove the buildings from the stream buffers should be studied, including vertical mixed-use.

BACKGROUND

A previous version of this application was originally submitted to DeKalb County, but was transitioned to the City of Tucker when the city acquired its zoning powers on July 11, 2016. The previous applications (CA-16-001, RZ-16-001, SLUP-16-002) were withdrawn by the applicant at the second read of the ordinance at the January 23, 2017 City Council meeting.

The current application (CA-17-001, RZ-17-002, SLUP-17-003) that was submitted on April 24, 2017 made several changes to the previously mentioned application, which include a request for a less intense zoning district (from MU-5 down to MU-3), a less intense character area (Town Center to Neighborhood Center), and the removal of any feature that required Downtown Development Authority (DDA) tax abatements. These deletions include the water lily pond, the amenity areas/grand lawn (now referred to as common area landscape zone), the arts center building, the urban garden, and the trail system that ran through the open space at the northeast portion of the development. The "land use blocks" proposed originally have also been removed in favor of a more site-specific plan.

The current application includes the submittal of a "Development Standards and Architectural Character" document which will act as a master development plan if the requests are approved. This document includes overall site development standards, architectural and landscape design guidelines, sign regulations, an approval process for design review, and an index which includes photographs and renderings of the proposed buildings. Two site specific 3D renderings are included at the end of the document which show the views from the main entry points at Hugh Howell Road and Mountain Industrial Boulevard. The "Development Standards and Architectural Character" document will act as the regulatory code for the development and, if approved, will be used by staff to approve future building permits, sign permits, etc. A condition of approval would tie the development to the standards listed in the final version of the document.

Due to the size of the proposed development, the applicant was required to submit their proposal to both the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) for a Development of Regional Impact (DRI) review. Both reviews were completed and are included as supplemental information in the agenda packet. The transportation improvements recommended by GRTA have been included in Staff's list of recommended conditions, should the project be approved. As the proposed project has gone through several revisions since it first started with DeKalb County and the

initial DRI process, Staff contacted the ARC to determine if any additional review of the modifications was needed. Per ARC’s DRI rules at Chapter 110-12-7-.05(1)(c), ARC may evaluate whether a new review is warranted on a site that was previously reviewed. Examples of project changes that ARC considers include, but are not limited to, a substantial increase in project size (e.g., adding acreage or density) or a substantial change in the mix of uses. ARC also considers whether the potential for project impacts has changed and whether significant time has passed since the previous DRI process, thereby increasing the likelihood that the views of potentially affected parties have changed. On April 10, 2017, the ARC made a determination the “the current proposed changes are not substantial enough to warrant a new DRI review.”

A summary of the GRTA report and analysis on several GRTA conditions are provided at the end of the staff report.

COMMUNITY COUNCIL REVIEW

On May 10th, Stephen Macauley presented the development application to the Community Council for a Comprehensive Plan Amendment from Light Industrial to Town Center (note: Town Center designation request changed to a Neighborhood Center request after the Community Council meeting), a Rezoning to MU-3 from M and RE, as well as a Special Land Use Permit for a Personal Care Home. There were a number of items regarding the development that were brought up by the Community Council members that they wanted forwarded to the Planning Commission. These points included concern over preserving greenspace and the old growth forest, increased traffic, walkability to the site, sufficient parking and the need for adequate public transit access.

NEARBY/SURROUNDING LAND ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Current Land Use
Adjacent: North	M (Light Industrial)	Sears Outlet Store
Adjacent: North	M (Light Industrial)	Vacant
Adjacent: North	RE (Residential Estate)	Vacant
Adjacent: East	RE (Residential Estate)	Single-Family Residence
Adjacent: East	RE (Residential Estate) S-11-17343	Church
Adjacent: South	O-I (Office-Institutional) CZ-90086	Smoke Rise Community Garden
Adjacent: South	M (Light Industrial) (several parcels)	Industrial/Office
Adjacent: South	M-2 (Heavy Industrial)	LPS Labs

COMPREHENSIVE PLAN AMENDMENT

The applicant is requesting a comprehensive plan amendment from Light Industrial (LIND) to Neighborhood Center (NC). The comprehensive plan amendment needs to be considered first as the zoning ordinance (Sec. 7.3.2) requires consistency between the comprehensive plan and zoning decisions. If the comprehensive plan amendment is not approved, the rezoning request cannot be processed as the MU-3 zoning district is only permitted in the Town Center, Regional Center, Neighborhood Center, Institutional, and Commercial Redevelopment Corridor Character Areas.

The City of Tucker is currently going through a new comprehensive plan process, but the new plan has not been adopted. Therefore, Staff must use currently adopted ordinances and plans when drafting a staff recommendation.

Criteria (standards and factors) for amendments to the comprehensive plan are provided in Section 7.3.4 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff's findings which are independent of the applicant's responses to these criteria.

CRITERIA TO BE APPLIED – COMPREHENSIVE PLAN AMENDMENT

1. Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.

The subject site is centrally located within an industrial corridor that borders a low-density residential neighborhood and an existing church to the east. The commercial elements of the proposed project will serve the neighborhood and the surrounding employment centers, however, extending residential housing into an industrial corridor is not desirable, especially because the project proposes such a high percentage of residential units (705 units). The intent for the Light Industrial Character Area is to identify areas appropriate for industrial uses and that “the location of these areas (industrial areas) should preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses.” Industrial corridors play a critical role on the jobs/home balance and their infringement must be carefully protected. The intrusion of residential in an industrial park will create adverse impacts on the residential uses due to the noise and disturbances that are typically associated with the operation of industrial uses, both directly and indirectly.

The subject parcels are located on the eastern boundary of the city's Light Industrial area and do not abut any portion of the nearby Town Center Character Area. If approved, the project would create an island effect that produces a disjointed corridor. Any changes to the Comprehensive Plan should be done considering the area as a whole, as well as natural transition areas, such as major roads or rail lines. One of the potential dangers of a site-specific comprehensive plan amendment application is that it may fail to consider impacts on adjacent properties which may also need to be changed if the plan designation applied for is approved. As one example, it is worth examining whether the remaining light industrial development around the subject property is still appropriate, if the subject property is designated from light industrial to a neighborhood center.

Transitioning between character areas and between zoning districts is an important part of city planning. However, such transitions should be gradual. Placing a Neighborhood Center between a Suburban and Light Industrial character area does not offer a lot of transition, as you're going from one high intensity designation to another. Additionally, Neighborhood Centers tend to involve small land masses that serve as a neighborhood focal point. 88 acres is a large land mass

and the development of the site would constitute a neighborhood in and of itself that caters to many surrounding areas.

2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.

The proposed land use change will adversely affect the existing use and usability of the adjacent area. Land use effects on residential subdivisions and communities to the east along Hugh Howell Road are a primary concern. To a large extent, along the eastern property line of the proposed development, the existing church provides an appropriate, institutional, transitional step down between the proposed neighborhood center development on the west and residential development on the east side of the church. However, no other transitions exist and approval would result in a high-intensity, mixed use development abutting a high-intensity light industrial area and a low-density suburban character area. It would be more appropriate to develop the east portion of the site as Neighborhood Center and develop the west part of the site as a more traditional commercial or light industrial area since the west part of the site abuts the main artery of the industrial corridor. In addition, if the Neighborhood Center designation is assigned to these properties, it could adversely impact the remaining industrial properties to the north, west, and south as they will not have a functional relationship or land use similarity to any use in the proposed town center. This could set a precedent which would further erode the integrity of the industrial corridor.

The development of a neighborhood center so close to downtown Tucker may create a hardship on the viability of Main Street as well, assuming that there is not unlimited demand for retail and service uses.

3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed land use change will cause an excessive and burdensome use of existing streets, transportation facilities, utilities, and schools. The proposed density and trip generation is very high for this location, especially given the poor street connectivity (no interparcel connections to the north or east) and lack of premium transit. The approval of this development will require several transportation requirements to be made by the developer at time of construction, as well as potential improvements that the City of Tucker may be responsible for at a later date. In addition, the density of the proposed development will create more density than the existing development previously experienced, causing more impact on the utilities in the area. While the reduction in total residential units has created less of an impact for the DeKalb County School System, the analysis from DCSS has shown that the proposed development, if constructed, would put Tucker Middle School at capacity and force Tucker High School to become even more overcrowded. The proposed project will provide for a location for the relocation of Smoke Rise Elementary, which will provide an additional 34 seats. A separate traffic summary is attached to this staff report.

4. Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small area studies.

The proposed development is considered consistent with some of the various needs and opportunities identified on p. 19 of the Community Agenda portion of the comprehensive plan relative to land use and sense of place including replacing relatively unattractive development

with new, mixed-use redevelopment. However, the removal of several amenities, that were dependent on DDA funding, means that the proposed project does not contribute substantially in art and cultural amenities, spaces for social gathering, and the combination of civic, recreational and commercial activities. While the proposal would improve the current quality of the development on site, the proposed concept plan does not provide the appropriate arrangement of uses to provide transitional areas from one area to the next. The lack of engineering and formal site drawings limits staff from completing a thorough review of the request for compliance with all city codes and regulations. The applicant has stated that the plan was developed using “standard planning blocks” and a high level of detail, meaning issues like loading areas for commercial establishments and refuse areas have not been addressed. The functionality of a site is just as crucial of a design element as the scale and massing of a development and should be studied carefully.

The proposed uses on the site plan do comply with the primary uses of the Neighborhood Center, however, many quality community objectives and implementation measures are not addressed, such as:

- “Environmental protection” is lacking due to the encroachment into the state and local stream buffers.
- No “sense of place” has been established as only two renderings have been provided.
- Staff is unable to determine if “appropriate businesses” will be provided as a majority of the tenants have not been established.
- No “greenway/ trail network” is provided in the 20 acres of green space at the rear of the development.
- Many features are outside of a “walkable community design” as there is no sidewalk connectivity from the established residential areas that are located outside of the proposed development. Additionally, the site is so large that the standard ¼ mile walking radius does not apply to the development as a whole.

5. Whether there are potential impacts on property or properties in an adjoining government jurisdiction, in cases of proposed changes near county or municipal boundary lines.

As stated in the comprehensive plan, “DeKalb County does not have a formal and consistent coordination mechanism for land use planning with adjacent local governments” (p. 34; see also p. 20 of draft 2035 county comprehensive plan). The location of the proposed development is well within the city limits of Tucker, such that it is not close to the unincorporated area of DeKalb County or any municipality and is therefore unlikely to have a potential adverse impact on adjoining local jurisdictions (supports request). The proposed development is considered a “development of regional impact” (DRI) by state rules, and as alluded to in this report, the DRI process is largely responsible for determining and mitigating impact on properties in adjoining government jurisdictions. The findings of the DRI, and the GRTA review, are included as supplemental documents in the agenda packet. GRTA has made several required conditions to mitigate the impact to the immediate and surrounding areas. Staff will note that several conditions involve changes that would occur off of the subject property and therefore, will require additional approvals to be sought which may cause challenges in implementation. A separate traffic summary is attached to this staff report.

6. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

The DeKalb County Community Agenda indicates that “although forecasts by the Atlanta Regional Commission suggest a slight turn-around in future manufacturing employment, little activity among manufacturers has been occurring lately” (p. 28); the relative inactivity of manufacturers in the county constitutes an existing condition that supports the re-designation of the subject property from light industrial to another designation. However, the proposed site plan with a predominate residential component is too far reaching from the type of uses that could be supporting in an industrial park. A change from a distribution facility to office or commercial still keeps the essential job productivity, while residential will remove the employment center identity. The by-right zoning allows over 100 types of land use activities besides a distribution facility, which the applicants argues will never be used again. These uses include but are not limited to hospitals, colleges, offices, indoor recreation, special event facilities, retail warehouse/wholesales, small scale retail under 5,000-square feet, and restaurants. Staff will note that the city has been approached by two industrial developers who are interested in constructing large warehouses in the Mountain Industrial Corridor, further indicating the strength of the corridor. These developers have stated that there is a draw to develop industrial warehouses in Tucker due the high demand for overnight/2-night shipping and our proximity to metro Atlanta (close proximity to a large consumer base).

7. Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed changes.

There are no known historic buildings, sites, districts or archaeological resources on the subject properties.

REZONING

The applicant seeks rezoning from M (Light Industrial) and RE (Residential Estate) to MU-3 (Mixed-Use Very High Density). Purposes of the MU zoning districts are many, including among others: accommodation of mixed uses in flexible arrangements; a variety of housing options; harmony of scale, design, and intensity; accommodation of bicyclists and pedestrians, promoting social interaction and sense of community, and reduced automobile traffic and congestion (Sec. 2.18.1 zoning ordinance). Property rezoned to MU-3 must be shown in the comprehensive plan as either a Neighborhood Center, Town Center, Regional Center, Institutional, or Commercial Redevelopment Corridor future development map of the comprehensive plan. The applicant has filed a concurrent application to change the character area designation of the subject property to Neighborhood Center, as described and evaluated in the preceding section of this report.

The MU-1 zoning district (and by extension the MU-3 zoning district) requires applicants to submit several development standards, including a summary of the anticipated maintenance and ownership of streets and open spaces and a set of binding and enforceable architectural standards that will be utilized by the developer to ensure aesthetic continuity throughout the life of the project. As previously noted, the applicant has submitted a “Development Standards and Architectural Character” document with the application. This document includes a very brief overview of anticipated maintenance and ownership of streets and open spaces. More detail needs to be submitted by the applicant.

Criteria (standards and factors) for rezoning decisions are provided in Section 7.3.5 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff’s findings which are independent of the applicant’s responses to these criteria. In addition, the findings of this staff report relative to the comprehensive plan amendment are applicable also to the rezoning application and are therefore also adopted as findings for the rezoning application, whether reiterated or not in the staff findings of this section.

REZONING - CRITERIA TO BE APPLIED:**1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject properties are currently located within the Light Industrial (LIND) Character Area which does not support mixed-use developments such as the one that is proposed. The LIND Character Area supports light industrial uses, manufacturing, warehouse/distribution, wholesale/trade, automotive, accessory commercial, educational institutions, and community facilities. In addition, the zoning ordinance states that the property is not eligible to be rezoned to the MU-3 (Mixed-Use Medium Density) District without first being a part of the Neighborhood Center, Town Center, Regional Center, Institutional, or Commercial Redevelopment Corridor.

The applicant has requested a concurrent application, CA-16-001, to amend the character area designation of the subject properties from LIND to NC (Neighborhood Center). The Town Center Character Area supports townhomes, condominiums, apartments, retail and commercial, office, institutional uses, parks and recreational facilities, and public and civic facilities. Two-family dwellings and personal care homes are not listed as primary uses.

In addition, the quality community objectives, such as environmental protection and implementation measures (e.g., greenway/trail network) are not met. Staff is unable to determine if appropriate businesses will be provided as a majority of the tenants have not been established.

Furthermore, the proposed changes are not in keeping with the Mountain Industrial Overlay. Section 3.40.3.A. states that the purpose and intent of the overlay is “to preserve and enhance the long-term economic viability of the Mountain Industrial Boulevard corridor by encouraging investment that increases the tax base and provides employment opportunities to the citizens of Tucker. Although the project if approved would add some jobs and increase the tax base, it would result in a net loss of light industrial land area which provides for a more diverse job base overall in the city.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

Rezoning to MU-3 will allow for extensive residential development in an industrial corridor and in a manner that is considered by staff to be unsuitable in view of the use and development of adjacent and nearby properties. Several abutting parcels to the north and east are zoned RE, which is the lowest density zoning classification in the City. To allow the rezoning to MU-3 would place one of the highest intensity zoning districts next to the lowest intensity district (MU-3 abutting RE). As noted before, this does not provide the gradual transition of land uses desired in the city. If approved, the project is likely to have a negative impact on the existing residential neighborhoods. An example of what could be more appropriate transitioning is to have MU-3 abut commercial or high-density residential zoning districts. This rezoning would also allow for MU-3 to abut an industrial zoning district without any protection measures, as MU-3 is not required to provide any transitional buffers abutting M (M is required to buffer against MU-3). Transitional zoning should be used to protect the surrounding properties, as well as the subject property. The applicant has not proposed any additional buffers or other measures to offset the impact that the MU-3 classification would have on the RE parcels to the east, nor any measures to protect their development from the M properties to the north, west, and south. For example, while the majority of the residential is on the east side of the site, the applicant proposes 308-multifamily units that abut two utility buildings and an active loading dock for the Sears Outlet Center. A natural buffer between the two is proposed to be removed by piping the stream to allow for extra buildable land.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Both properties have a reasonable economic use as currently zoned. There are over 100 different permitted uses available under the current light industrial zoning district, meaning that there are a variety of other options for the property other than past use of a distribution facility. For example, a 65,000-square foot genetic testing laboratory opened last year to the north of the site/railroad. Staff recognizes that the east portion of the site does contain a portion of RE zoning. Staff would support future rezoning requests to rezone the current RE (Residential Estate) portion to nonresidential zoning categories, possibly including M (Light Industrial), if proper buffers were provided to protect the neighboring residential areas.

4. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

The lack of transitional zoning will adversely affect the existing use and usability of adjacent and nearby properties. The high intensity of the MU-3 zoning district will greatly affect the lower density neighborhoods to the east as there will not be an appropriate, transitional step down between them and the proposed development. In addition, if the MU-3 designation is assigned to these properties, it could impact the remaining industrial properties to the north, west, and south as they will not have a functional relationship or zoning classification similarity to any use in the proposed

neighborhood center. A more appropriate transition would be to step the zonings down to ensure the appropriate mix and transition of uses, on all sides of the proposed development.

5. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The existing conditions of a low-density residential neighborhood and an industrial park currently in place give supporting grounds for disapproval of the zoning proposal, since the diversity of uses proposed calls for transitional zoning to be implemented in order to protect not only the surrounding properties, but the subject properties as well. Staff understands the need for some type of connection between Smoke Rise and Downtown Tucker, however, 88 acres of transition, that stretches north from Hugh Howell appropriately 2,000-feet (on the east side) is extreme. It would be more appropriate to have a narrower stretch of commercial or mixed-use buildings lining Hugh Howell, while allowing more intense commercial or light industrial uses near the north side of the west parcel to ensure separation of uses and protection to both the residential and industrial uses. As mentioned previously, the light industrial uses of the current times include a variety of uses other than distribution facilities which would offer a softer transition. Industrial can be more than warehouses and distribution facilities. These are Staff believes that there are better alternative layouts than the site plan that the applicant has proposed which would allow for transitional zoning and protection of existing residential and industrial uses. The entitlement of 88-acres is an extensive, complex request that could have extreme impacts (both short and long term) to the area and care should be taken to ensure that the proposed plan is the most appropriate layout for the City of Tucker, considered in the context of the broader comprehensive planning process as opposed to a site-specific proposal from a developer.

6. Whether the zoning proposal will adversely affect historic buildings, site, districts, or archaeological resources.

There are no known historic buildings, sites, districts or archaeological resources on the subject properties.

7. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed land use change will cause an excessive and burdensome use of existing streets, transportation facilities, utilities, and schools. The proposed density and trip generation is very high for this location, especially given the lack of premium transit and interparcel connectivity. In addition, the density of the proposed development is substantially higher than the existing development, causing more impact on the utilities in the area. A specific concern is the impact on the DeKalb County School System as they have stated that the proposed development, if constructed, would put Tucker Middle School at capacity and force Tucker High School to become even more overcrowded. The sewer action plan that the applicant has with DeKalb County shows that the applicant will have to provide temporary sewage storage tanks to handle the load that the development will provide. If the sewage is pumped to the existing manholes on Hugh Howell Road, it would flow to the South Fork Peachtree basin and would not involve Gwinnett County.

8. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The proposed zoning request will adversely impact the environment and surrounding natural resources as the proposed development calls for severe encroachments into the required stream buffers and the piping portions of stream. The applicant intends to request that 45.64-percent of local stream buffer areas be reduced from 75-feet to 25-feet, eliminating 81,550-square feet of local buffers. An additional 16,653-square feet would (if the project is approved) be disturbed in the state buffer by piping the stream. This yields a total impact of 98,203-square feet (more than two acres), which would have an extreme adverse impact on the environment as well as conflict with the overall intent of the stream buffer protection ordinance. The stream piping will require review and approval from the United States Army Corps of Engineers (USACOE) and the Georgia Environmental Protection Division, as well as the City of Tucker Zoning Board of Appeals. An application has not been filed for the local stream buffer variance.

SPECIAL LAND USE PERMIT

The applicant has requested a special land use permit for a personal care home (community, 7 or more) for a supportive living facility totaling 130-beds (note: April 24, 2017 site plan shows 100-beds). Of the 130-beds, 97-beds are devoted to assisted living patients and 33-beds are devoted to memory care patients. The zoning ordinance defines a personal care home as:

A building(s) in which housing, meals, personal assistance services, and twenty-four (24) hour continuous watchful oversight for adults are provided and which facility is licensed or permitted as a personal care home by the State of Georgia. The term “personal care home” shall not include a “child care institution,” “transitional housing,” a “rehabilitation housing facility,” a “rooming house,” or a “boarding house.” “Personal care home” includes a “community living arrangement,” which is an establishment licensed by the State of Georgia and providing a residence for adults receiving care for mental health, development disabilities, and/or addictive diseases.

As 24-hour oversight is proposed, this use is classified as a personal care home. If only some oversight/care was provided, it would be classified as dwelling, multifamily supportive living. Independent senior living is classified as multifamily dwellings.

Criteria (standards and factors) for special land use decisions are provided in Section 7.4.6 of the City of Tucker Zoning Ordinance. Supplemental use regulations are outlined in Section 4.2.41. The applicant is required to address these criteria (see application); below are staff’s findings which are independent of the applicant’s responses to these criteria. The approval of the special land use should be subject to approval of the comprehensive plan amendment and the rezoning.

CRITERIA TO BE APPLIED – SPECIAL LAND USE PERMIT

- 1. Adequacy of the size of the site for the use contemplated and whether or not adequate land areas is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

Adequacy cannot be determined due to the conceptual nature of the proposed site plans. More detailed site drawings are needed to adequately review the proposal for a personal care home.

- 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The Comprehensive Plan states that assisted living facilities are primary land uses of the Suburban and Traditional Neighborhood Character Areas.

- 3. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

The proposed development as a whole, including the personal care home component, is likely to cause an excessive and burdensome use on public services and utilities. The proposed density and trip generation is very high for this location, especially given the lack of interparcel connectivity and premium transit. Access to the personal care home facility appears disjointed on the site plan, with one of the two main entrances being accessed from the single-family attached/duplex portion of the development. In addition, the density of the proposed development

will be considerably higher than the existing development previously experienced, causing more impact on the utilities in the area.

4. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The proposed development as a whole, including the personal care home component, will increase traffic and congestion in the area. The GRTA report has included several conditions that would help alleviate these issues. The personal care home component would have a minimal impact compared to the other uses in the proposed mixed-use development as the residents would likely not have cars, however, the applicant would still need to provide proper parking for residents and frequent visitors of residents, as well as off-street parking for the staff of the facility. Adequate room for emergency service vehicles is necessary due to the high volume of service calls often made by this type of facility.

5. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

Implementation of the GRTA conditions would lessen the impact to existing land uses located along access routes to the site. The proposed personal care home project would have a minimal impact on traffic compared to the other uses in the proposed mixed-use development, however, adequate room for emergency service vehicles is necessary due to the high volume of service calls often made by assisted living facilities.

6. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

Personal care home developments with a large percentage of assisted or memory care living units typically have a large volume of emergency responder requests so adequate room for safety, flow and control, access, and parking is needed to accommodate emergency service vehicles while not obstructing the surrounding community or thoroughfares. A more detailed site plan is needed to determine if the proposed project provides sufficient room to comply with this requirement. Based on the submitted drawings, the flow and access appears disjointed and could be altered to allow better access and flow for emergency service vehicles.

7. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use would not create noise, smoke, odor, dust, or vibration that would create adverse impacts upon any adjoining land use. However, the opposite is possible, or in other words, the residents of the proposed project if approved may be adversely affected by the off-site impacts generated by existing industrial development in the industrial corridor.

8. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed use could create adverse impacts upon adjoining land uses by reason of the hours of operation, due to one of the two main access points being located immediately adjacent to the proposed duplexes and single-family attached units. If employees are using this access point when they come and go from their shifts there could be a number of cars cutting through the residential area that could cause disruptions during the shift transitions.

9. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use should not create adverse impacts upon adjoining land uses by reason of the manner of operation.

10. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

Due to the lack of supplemental material submitted with the application, Staff is unable to determine if the proposed use is consistent with the parking requirements for employees, residents and visitors.

11. Whether or not the proposed use is consistent with the policies of the comprehensive plan.

The Comprehensive Plan states that assisted living facilities are primary land uses of the Suburban and Traditional Neighborhood Character Areas.

12. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

Individual uses within the MU-3 zoning district do not have to provide buffers when abutting one another. However, an industrial property with an active loading dock exists to the west of the proposed personal care home. A natural stream buffer now exists between the proposed personal care home and the industrial property to the west, however, the applicant intends to encroach on this buffer, thereby removing some of the protection to the personal care home.

13. Whether or not there is adequate provision of refuse and service areas.

There are no refuse or service areas shown on the plans so staff cannot make a determination whether adequate provisions are provided. If approved, the plans will have to be altered to provide for refuse and service areas.

14. Whether the length of time for which the special land use permit is granted should be limited in duration.

If granted, there should be no restrictions on length of time for the requested special land use permit.

15. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The applicant has proposed a three-story personal care home near the rear of the property. A large warehouse is located to the west of the proposed building, and two- and three- story duplexes and single-family attached units are proposed to abut the personal care home to north and east. Appropriate massing and scale appears to be achieved.

16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

There are no known historic buildings, sites, districts or archaeological resources on the subject properties.

17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The applicant did not submit architectural drawings or a parking plan per the supplemental regulations listed in Section 4.2.41.

18. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The three-story proposed building is consistent with the height of both existing and proposed buildings and should not create a negative shadow impact.

19. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

There are several senior housing developments, namely Hearthside and the Orchard, within a mile of the proposed development. Hearthside is located within the Town Center character area designation, but the two senior housing developments are located in close proximity of one another. The subject property is currently located in a Light Industrial Character Area, but the applicant is requesting a comprehensive plan amendment to change the two parcels to Neighborhood Center.

20. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use would be located in an industrial area of the city which does not have a need for senior housing. The proposed development could serve the Smoke Rise community to the east, however, there are other senior housing developments located within a mile of that particular area. The overall objective of the comprehensive plan is to create a livable, walkable community that creates a sense of place as well as serve the neighborhood's need for goods and services. The personal care home component would provide an opportunity for Smoke Rise residents, as well as other future residents of the proposed development, to "age in place" (or in other words, not be required to move out of their existing neighborhood as they grow older).

STAFF ANALYSIS

The requested comprehensive plan amendment is not supported by staff as the proposal does not permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties, will adversely affect the existing use or usability of adjacent or nearby property or properties, will cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools, and does not comply with all of the written policies in the comprehensive plan text, especially the lack of environmental protection. The inclusion of 705 residential units will have a big impact on both the industrial corridor and the future residents as they would be located in an established industrial area. The approval of this type of project could further impact the corridor by setting a precedent to abandon the industrial vein of the City of Tucker. A smaller, more well-organized layout could provide an opportunity for connections to various parts of the city, while still respecting the industrial nature of the area.

As the comprehensive plan amendment cannot be supported, Staff cannot recommend that the rezoning be approved as the zoning ordinance limits the MU-3 zoning district to the Neighborhood Center, Town Center, Regional Center, Institutional, or Commercial Redevelopment Corridor. Should Mayor and City Council chose to support the Comprehensive Plan amendment, staff does not recommend approval of the rezoning as the proposed project is not in conformity with the policy and intent of the comprehensive plan, would permit a use that is not suitable in view of the use and development and the adjacent and nearby area, would adversely affect the existing use or usability of adjacent and nearby property, would cause an excessive and burdensome use of existing streets, transportation facilities, utilities, and schools, and would adversely impact the environment and surrounding natural resources. The change would also adversely impact a major industrial corridor for the City of Tucker by threatening the operations of existing industrial operations in the area and reducing the prospect of future industrial uses in the city. Staff also believes that the site plan could be altered to provide better transitions of uses between the residential and industrial area.

Commercial, office, or mixed-use zoning might be considered a suitable zoning category for this parcel as the area could transition away from industrial corridor, however, current land use information shows that the majority of the area should remain as an employment center. Additionally, the MU-3 Zoning District cannot be supported at this time as rezonings are ultimately tied to an approved use(s) and site plan and Staff believes that supporting the MU-3 Zoning District without an appropriate mixture of uses/site plan would not be in the best interest of the City. The applicant has not submitted specific uses and businesses at this time.

The proposed special land use permit for the personal care home should also be denied as it is not compatible with the adjacent land uses and is inconsistent with the Comprehensive Plan. In addition, not enough information was submitted by the applicant to determine if it meets all of the criteria per the supplemental use regulations in Section 4.2.41 or the special land use permit criteria in Section 7.4.6. Concerns include refuse and service areas, access via emergency vehicles, ingress and egress areas, and parking for residents and employees

In conclusion, Staff recommends denial of CA-17-001, RZ-17-002, and SLUP-17-003, so long as the site plan stays in its current configuration.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **DENIAL** of Land Use Petition **CA-17-001, RZ-17-002, and SLUP-17-003**.

Should the governing bodies choose to approve the requests, Staff recommends that the rezoning request and special land use permit be approved subject to the following conditions:

1. The property should be developed in general conformance with the site plan submitted on April 24, 2017 to the Community Development Department, except for revisions required to meet the conditions of zoning approval.
2. Densities shall be limited to 308-units of multi-family housing, 175-units of independent senior housing (considered to be multi-family housing by the City of Tucker Zoning Ordinance), a 130-bed personal care home (keyed as supportive living on site plans), 98 single-family attached lots, 24 two-family dwelling units (12 lots), 156,000-square feet of retail, 88,000-square feet of office, a 45,000-square foot wellness center, a 44,000-square foot arts/tech civic space, a 36,000-square foot grocery store, a 20,000-square foot child care center, and a 600-person elementary school.
3. The “Development Standards and Architectural Character” document that was submitted on May 25, 2017 shall be revised as necessary to meet these conditions of approval and shall be a set of binding development standards for the project which must be followed.
4. The commercial component (grocery and retail) and the multi-family component on the west side of the development shall be developed simultaneously. No multi-family units shall be issued certificates of occupancy until the retail space is fully constructed and certificates of occupancy issued.
5. Each development stage shall be planned so as to ensure that green space and any other amenities will be provided along with proposed construction at each phase of construction.
6. Duplexes shall be rear-loaded. Townhomes shall be rear-loaded where feasible.
7. Loading areas and refuse areas shall be screened from view of all public right-of-way and main internal drives.
8. There shall be at least one main east/west and one main north/south thoroughfare/boulevard that provides continuous access throughout the development.
9. No parking lots shall front Mountain Industrial Boulevard or Hugh Howell Road. Parking shall not be permitted between any building and these public right-of-ways.
10. A prominent building shall be located at the southwest corner of the development, at the intersection of Mountain Industrial Boulevard and Hugh Howell Road. The site location, building features, and architecture shall be subject to the review and approval of the Community Development Director. The building shall have a main entrance façade facing either Hugh Howell Road or Mountain Industrial Boulevard. The building shall be located within 15 feet of

the street corner and be diagonally oriented toward the intersection. The storefront shall integrate a prominent entry feature combining substantial roofline modulation with vertical building modulation and a distinctive change in materials and/or colors.

Substantial landscaping shall be planted adjacent to the street corner. The subject area must be four hundred (400) square feet of ground surface area with hardscape elements making up at most 25% of the space. Planted areas should contain a combination of trees, shrubs, perennials, and ground cover that provides four-season interest

11. A 50' foot planted buffer shall be established along all northern and eastern property lines.
12. It is recommended that the development shall contain at least five public art pieces, subject to the review and approval of the Mayor and City Council.
13. All existing buildings, including the utility buildings on the northwest portion of the site, on the current properties shall be demolished before any new construction can begin.
14. The communication lines along Mountain Industrial Boulevard and High Howell Road shall be buried. The electrical lines along Mountain Industrial Boulevard and High Howell Road shall be reorganized and reinstalled on higher poles (clean power pole).
15. All utilities in the interior of the development shall be placed underground.
16. There shall be no stream buffer encroachments in the "Preservation Open Space" area as shown at the rear of the development on the site plan that was submitted on April 24, 2017.
17. A pervious trail system, as approved by the EPD and the Community Development Director, shall be installed throughout the entire length of the "Preservation Open Space" area, as shown on the site plan received on April 24, 2017. The pervious trail system shall be installed and operational prior to building permits being issued for the 200th dwelling unit on the subject property. Interparcel access shall be provided for any future regional trail systems as determined by the Community Development Director.
18. Owner/Developer shall install all required public transportation improvements, including additional lanes, sidewalk and traffic signal, or obtain acceptable performance bonds prior to the issuance of any Certificate of Occupancy.
19. Owner/Developer shall dedicate additional right-of-way along Mountain Industrial Boulevard and along Hugh Howell Road to accommodate all required road improvements. Future right-of-way shall be a minimum of eleven feet (11') from back of curb or two feet (2') from back of sidewalk, whichever is greater.
20. Owner/Developer shall provide sidewalks on both sides of all internal roads connecting all buildings and site access points (GRTA).
21. Owner/Developer shall provide sidewalks along all property frontages (GRTA).

22. Owner/Developer shall provide bike racks at all non-residential or multi-family buildings (GRTA).
23. Owner/Developer shall provide a bus shelter along Hugh Howell Road (SR236), in coordination with and per MARTA's approval (GRTA).
24. Owner/Developer shall provide internal road connectivity between all site access points, as shown on plan (GRTA).
25. Owner/Developer shall allow for future inter-parcel connections to adjacent properties to the north or east (GRTA).
26. A maximum of four (4) site driveways shall be allowed along Hugh Howell Road (SR 236) (GRTA). All curb cuts on SR 236 are subject to the approval of the Georgia Department of Transportation.
27. The easternmost driveway on Hugh Howell Road may be a full access driveway, subject to meeting applicable sight distance requirements. However, if the proposed elementary school is not developed, the Owner/Developer must make application to the City of Tucker for this driveway. The driveway may be eliminated or restricted, subject to the approval of the City of Tucker Community Development Director.
28. A maximum of two (2) site driveways are allowed along Mountain Industrial Boulevard (GRTA). Driveways on Mountain Industrial Boulevard shall be spaced a minimum of two hundred forty-five feet (245') from any existing or proposed driveway per the City of Tucker Development Regulations. The northernmost driveway on Mountain Industrial Boulevard may be combined with the existing driveway on the adjacent property, subject to the approval of the City of Tucker Director of Community Development.
29. Internal intersections must begin a minimum of one hundred feet (100') from both adjacent roadways (GRTA).
30. No outparcels shall be allowed direct access onto either Hugh Howell Road (SR 236) or Mountain Industrial Boulevard (GRTA).
31. Mountain Industrial Boulevard at Hugh Howell Road (SR 236) (Int #3): Owner/Developer shall add a second westbound left-turn lane along Hugh Howell Road (SR 236) (GRTA).
32. Hugh Howell Road (SR 236) at Mountain Industrial Boulevard (Int #3): Owner/Developer shall provide a westbound right turn lane along Hugh Howell Road.
33. Hugh Howell Road (SR 236) at Site Drive #1: Owner/Developer shall provide a dedicated eastbound left-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
34. Hugh Howell Road (SR 236) at Site Drive #1: Owner/Developer shall provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).

35. Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2: Owner/Developer shall provide a dedicated eastbound left-turn lane along Hugh Howell Road (SR 236) into the site (GRTA). Owner/Developer shall also provide a dedicated westbound left-turn lane into Flintstone Drive.
36. Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2: Owner/Developer shall provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
37. Hugh Howell Road (SR 236) at Site Drive #3: Owner/Developer shall provide a dedicated eastbound left-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
38. Hugh Howell Road (SR 236) at Site Drive #3: Owner/Developer shall provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
39. Mountain Industrial Boulevard at Site Drive #4: Owner/Developer shall provide a dedicated northbound right-turn lane along Mountain Industrial Blvd. into the site (GRTA).
40. Mountain Industrial Boulevard at Site Drive #4: Owner/Developer shall provide a dedicated southbound left-turn lane along Mountain Industrial Blvd into the site (GRTA).
41. Mountain Industrial Boulevard at Site Drive #5: Owner/Developer shall provide a dedicated northbound right-turn lane along Mountain Industrial Blvd into the site (GRTA).
42. Mountain Industrial Boulevard at Site Drive #5: Owner/Developer shall provide a dedicated southbound left-turn lane along Mountain Industrial Blvd into the site (GRTA).
43. Owner/Developer shall provide a traffic signal warrant analysis for the intersection of Hugh Howell Drive at Flintstone Drive. If and when the traffic signal is warranted, it shall be designed and installed by the Owner/Developer at no cost to the City of Tucker. Owner/Developer shall obtain all permits and approvals required by the Georgia Department of Transportation, the DeKalb County Department of Public Works, and the City of Tucker. The traffic signal shall have mast arm poles and shall be installed per GDOT, DeKalb County, and City of Tucker standards.
44. Driveway locations are required to meet sight distance and spacing requirements specified in the City of Tucker Development Regulations.
45. Owner/Developer shall provide detention, water quality, and channel protection in accordance with the Georgia Stormwater Manual. Detention shall be provided for the 1 thru 100-year storm events with no increased runoff. For the purpose of these calculations, the existing runoff rate shall be considered to be a wooded, predeveloped condition.
46. The piping of any state water requires a permit by the United States Army Corps of Engineers (USACOE) and a state stream buffer variance from the Georgia Environmental Protection Division (EPD). Any encroachment into the required 50' stream buffer or the 75' impervious setback shall require a variance from the City of Tucker Zoning Board of Appeals.

47. Owner/Developer shall provide a mitigation plan showing landscape compensation for the proposed elimination of stream buffers on the site.
48. 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 30 units/acre shall be required. Any specimen trees removed during the redevelopment shall require additional tree replacement units as required in the ordinance. Compensatory mitigation for elimination of stream buffers shall not be counted toward meeting this code requirement.
49. The development of the project is contingent on approval from DeKalb County Watershed Management.

DEPARTMENT COMMENTS

DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT

“This project has had previous discussions regarding Sewer Capacity and the applicant has an approved Sewer Action Plan designed to address those capacity issues.”

DEKALB COUNTY FIRE MARSHAL OFFICE

“The general site, as submitted, does not appear to pose any problems from a fire access standpoint. Please note that without knowing actual building heights, some road widths may be required to be widened. Once a formal site plan is submitted these are items that can be addressed.”

DEKALB COUNTY SCHOOL SYSTEM

If approved, this project is projected to add 186 students to DCSD schools (75 to Smoke Rise ES, 31 to Tucker MS, 56 to Tucker HS, 23 to other DCSD schools and 1 to private schools). This development will bring the current Smoke Rise ES to nearly 88.7% capacity. The proposed replacement school (at 600 FTE) would be at approximately 83.8%. Tucker MS would be at capacity, while Tucker HS would become even more overcrowded. An additional 56 students at Tucker HS would require an additional portables on an already crowded campus. By 2021, Tucker MS is currently forecast to grow by 14.3% while Tucker HS is currently forecast to grow by 5.4%.

Schools	Total Capacity	Current Enrollment	Students generated from proposed development
Smoke Rise ES	566	427	75
Tucker MS	1,312	1,278	31
Tucker HS	1,747	1,739	56

LAND DEVELOPMENT

1. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Tucker.
 - a. Note that Hugh Howell Road is a State Route. Any access or construction improvements within the right-of-way of Hugh Howell Road requires the approval of the Georgia Department of Transportation.
 - b. Ensure that the R/W is cleared of all obstructions that may limit the sight-distance of the driver. This includes at a minimum all trees and/or shrubs and fencing. Coordinate all improvements in the R/W with the City of Tucker and DeKalb County.
 - c. Line of sight must remain entirely in the right-of-way. Additional right-of-way or a permanent easement may need to be dedicated to meet this requirement.
2. Curb cut locations shall meet the minimum requirements for spacing and sight distance and are subject to approval by the City of Tucker and DeKalb County.
3. Owner/Developer shall provide ADA compliant pedestrian access from the building frontage to the sidewalk along Hugh Howell Road and along Mountain Industrial Boulevard.
4. Any existing sidewalk along Hugh Howell Road and Mountain Industrial Boulevard that is damaged shall be repaired/replaced at no cost to the City of Tucker.

5. Provide interparcel access easements throughout the site.
6. This project qualifies as a Development of Regional Impact (DRI) and is subject to all requirements of the Georgia Regional Transportation Authority (GRTA) and their Notice of Decision dated September 8, 2016.
7. The piping of any state water requires a permit by the United States Army Corps of Engineers (USACOE), a state stream buffer variance of the Georgia Environmental Protection Division (EPD), and a local stream buffer variance by the City of Tucker.
8. Provide a mitigation plan showing landscape compensation for the elimination of stream buffers.
9. There is no area dedicated for stormwater detention shown on the site plan. All stormwater detention, water quality, and channel protection shall comply with the Georgia Stormwater Manual.
10. Development plans shall meet all the requirements of the City of Tucker Development Regulations, Tree Protection, Erosion & Sedimentation Control, Floodplain, and Stream Buffer Ordinances prior to the issuance of a Land Disturbance Permit.
11. Water and sewer approval is required by the DeKalb County Department of Watershed Management.