



**Land Use Petitions:** RZ-16-001, VC-16-001-01, SLUP-16-002, CA-16-001  
**Date of Staff Recommendation Preparation:** October 13, 2016  
**Community Council:** Cursory review on September 14, 2016  
**Planning Commission:** Cursory review on September 26, 2016  
**Planning Commission:** Official review on October 24, 2016  
**Mayor and City Council, 1<sup>st</sup> Read:** November 14, 2016  
**Mayor and City Council, 2<sup>nd</sup> Read:** December 12, 2016

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**PROJECT LOCATION:** 4650 Hugh Howell Road and 4750 Hugh Howell Road

**DISTRICT//LANDLOT(S):** 18<sup>th</sup> District, Land Lots 215 and 216

**ACREAGE:** 88.62 acres

**EXISTING ZONING** M (Light Industrial) and RE (Residential Estate)

**PROPOSED ZONING:** MU-5 (Mixed-Use Very High 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:** Rezoning to MU-5 for a master planned mixed-use development on 88.62 acres; Concurrent variance for a transitional buffer reduction; SLUP for senior housing; Comprehensive plan amendment from LIND (Light Industrial) to TC (Town Center).

**STAFF RECOMMENDATION:** **DENIAL of RZ-16-001**  
**DENIAL of VC-16-001-01**  
**DENIAL of SLUP-16-002**  
**DENIAL of CA-16-001**

**PROJECT DATA**

The applicant requests rezoning of two parcels, that combined total 88.62-acres, from M (light industrial) to MU-5 (Mixed-Use Very High Density) to develop a master-planned mixed-use development. One concurrent variance has been requested to reduce the required 50-foot transitional buffer along the eastern property lines that abut the Mountain West Church of God parcel to 25-feet. An SLUP is being requested to allow for a 240-unit senior housing community that is to be located within the blue color block on the “Intended Land Use Blocks” plan that was submitted on October 26<sup>th</sup>, 2016. The applicant is also requesting a Comprehensive Plan Amendment to change the future land use designation of the property from LIND (Light Industrial) to TC (Town Center). The granting of the Town Center designation is required in order to legally rezone to the MU-5 zoning district. Due to the conceptual nature of the development, the applicant has worked with Staff to come up with an “Intended Land Use Block” site plan that shows general layouts of the proposed project. It is the intention that if approved, the uses shown will be limited to their associated color blocks. This will allow for greater flexibility for minor site layout changes as the developer progresses through the build-out phase.

The proposed development currently includes 616-units of multi-family housing, 122-townhome units, 43-single-family (urban) lots, 240-units of senior housing, 160,000-square feet of retail, 28,000-square feet of office, a 36,000-square foot grocery store, a 250-seat performing arts center, a 20,000-square foot child care center, a 600-person elementary school, and a 2-acre urban farm. 19.50 acres, or 22% of the site, is reserved for open space, however a majority of this area is not usable due to the stream (and associated buffer areas) that runs along all three sides of the area. The applicant also intends to use this area for their proposed detention pond, which will further encroach into the usable open space and require a stream buffer variance. A total of 1,021-residential units is proposed.

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. Earlier versions of the proposed site plans showed these buildings as demolished, however, the most current submitted site plan shows that the parcel lines will be redrawn so that these 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 future minor plat revisions 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.

This application was originally submitted to DeKalb County, but was transitioned to the City of Tucker when the city pulled down its zoning powers on July 11, 2016. The applicant formally submitted to the City of Tucker on September 1, 2016 and has submitted several revisions since that date. Figure 1 outlines the changes to the project over the course of the City of Tucker review period. The greatest

change has been the replacement of a movie studio and post production offices with a greater percentage of residential housing.

Proposed Use	Density on 9.1.2016 Site Plans	Density on 9.13.2016 Site Plans	Density on 10.6.16 Site Plans
<i>Movie Studio</i>	450,000 SF	250,000 SF	<i>REMOVED</i>
<b>Multi-family</b>	520 Units	616 Units	616 Units
<b>Retail</b>	91,000 SF	160,000 SF	160,000 SF
<b>Office</b>	28,000 SF	28,000 SF	28,000 SF
<b>Town/Cluster Homes</b>	60 Units	80 Units	N/A
<b>Townhomes</b>	N/A	N/A	122 Units
<b>Urban SF Homes</b>	N/A	N/A	43 Lots
<b>Grocery</b>	36,000 SF	36,000 SF	36,000 SF
<b>Amphitheatre</b>	500 Seats	N/A	N/A
<b>Performing Arts</b>	N/A	500 Seats	250 Seats
<i>Hotel</i>	140 Rooms	140 Rooms	<i>REMOVED</i>
<b>Continuing Care Retirement Community/Senior Living</b>	200 Units	240 Units	240 Units
<b>Child Care</b>	12,000 SF	20,000 SF	20,000 SF
<b>Elementary School</b>	900 People	900 People	600 People
<b>Urban Farm</b>	2 Acres	2 Acres	2 Acres

Figure 1: Proposed Density Comparison Table

The applicant originally submitted for five concurrent variances, however, only one could be reviewed at this time due to the information provided and the nature of the requests. A second concurrent variance request was originally advertised, VC-16-001-02, but has since been withdrawn as the transitional buffer that the applicant requested to be varied is not required by the Zoning Ordinance. It is expected that the applicant will most likely need several additional variances in the future, including those related to parking spaces, parking lot landscaping, and signage. Due to the conceptual nature of the submitted master-plan, there is not enough information to determine if or for how much of a variance is needed.

One of the most impactful variance requests, which is required by Chapter 14 of the City Code to be reviewed by the Zoning Board of Appeals, pertains to the stream buffers on the site. The initial request was to reduce all of the stream buffers on site from 75-feet to 25-feet, but now the applicant only intends to request that 52-percent of all stream buffer areas be reduced from 75-feet to 25-feet. While this is a reduction from the initial request, it is still a prodigious amount and will have a substantial adverse effect if approved. A stream buffer variance application has not been filed with the City of Tucker. The applicant will also be seeking to pipe approximately 617-linear feet of stream in order to remove two portions of streams (and their associated buffers) that terminate in the multi-family portion of the development. This will require review and approval from the United States Army Corps of Engineers (USACOE) and the Georgia Environmental Protection Division. If the piping of the stream is not approved by the Army Corps of Engineers, the site design will need to be reworked and may require a future rezoning to change the conditions.

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 recommended transportation improvements from GRTA have also been included in Staff's list of recommended conditions, should the project be approved. However, due to the substantial changes to the proposed uses and density, Staff reached out to 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. As of October 14, 2016, the ARC is currently reviewing the revised submission dated October 6, 2016 to determine if a new review is warranted. If a new review is needed, the City of Tucker cannot take final action (council approval) on the proposed project until the additional review has been completed.

**NEARBY/SURROUNDING LAND ANALYSIS**

Adjacent & Surrounding Properties	Zoning (Petition Number)	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

\*Density is not available as the City of Tucker does not have access to entitlement files.

**COMPREHENSIVE PLAN AMENDMENT**

The applicant is requesting a comprehensive plan amendment from Light Industrial (LIND) to Town Center (TC). 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-5 zoning district is only permitted in the Town Center or Regional Center Character Areas.

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 located within an industrial park that borders a low-density neighborhood and an existing church to the east. The commercial elements of the project will serve the neighborhood and the surrounding employment centers, however, extending residential housing into an industrial area is not suitable, especially when the proposal calls for such a high percentage of residential units. The current policy and intent for the Light Industrial Character Area specifically states 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.” If light industrial uses should not be allowed to intrude on residential areas, it is not appropriate for residential uses to intrude into industrial areas. Additionally, industrial corridors play a critical role on the jobs/home balance and their infringement must be carefully protected.

The subject parcels are located on the eastern boundary of the city’s Light Industrial area and do not abut any portion of the Town Center Character Area. If approved, it would create an island effect that produces a disjointed corridor. Any changes to the Comprehensive Plan should be done holistically to look at the area as a whole, as well as natural transition areas, such as major roads or rail lines.

**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 or usability of the adjacent area. Land use effects on residential subdivisions and communities to the east along Hugh Howell Road are the 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 town center development on the west and residential development on the east side of the church, north and south of Hugh Howell Road. In addition, if the Town Center designation is placed on these properties, it could 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.

The development of a town 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 through connections to the north or east) and lack of premium transit. 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. A specific concern is the impact on the DeKalb Sewer system as the Department of Watershed Management has stated that the proposed project will “increase the sewer flows significantly.” The DeKalb County School System has also stated that the proposed development, if constructed, “will bring the current Smoke Rise Elementary School to nearly 100% capacity.” It will also make Tucker Middle School overcrowded, and force Tucker High School to become even more overcrowded.

**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 the various needs and opportunities identified on p. 19 of the comprehensive plan relative to land use and sense of place (supports request). These include replacing relatively unattractive development with new, mixed-use redevelopment; the introduction of art and cultural amenities in the development; potentially the introduction of 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 is very disjointed, does not provide proper flow, or 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.

Given a lack of information on employment generated by the proposed development if approved, staff cannot ascertain the relative balance of jobs and housing units within the development. Based on the price-points mentioned by the applicant, it does not appear that the development would provide any affordable housing either.

The proposed land use change should not be approved as the proposed project does not comply with several of the primary land uses or quality community objectives of the requested character area. Single-family residential is not listed as a primary land use, nor is senior housing or assisted living. Furthermore, a continuing care facility is not encouraged in an activity center as it is not an active use. Additionally, the quality community objectives of environmental protection growth preparedness are not met. Staff is unable to determine if appropriate businesses will be provided as a majority of the tenants have not been established.

**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 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 be sought which may cause challenges in implementation.

**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 still keeps the essential job productivity, while residential will remove the employment center identity.

**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-5 (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-5 must be shown in the comprehensive plan as either a Town Center or Regional Center (character area) on the 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 Town Center, as described and evaluated in the preceding section of this report.

The MU-1 zoning district (and by extension the MU-5 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. These two documents have not been 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 finding 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, you cannot rezone to the MU-5 (Mixed-Use Very High Density) District without first being a part of the Town Center or Regional Center Character Area.

The applicant has requested a concurrent application request, CA-16-001, to amend the character area designation of the subject properties from LIND to TC (Town Center). The Town Center Character Area supports townhomes, condominiums, apartments, health care facilities, retail and commercial, office, institutional uses, entertainment and cultural facilities, park and recreational facilities, and public and civic facilities. Neither single-family residences or continuing care retirement facilities are supported in the Town Center Character Area as this area promotes more active uses than those previously mentioned.

In addition, the quality community objectives of environmental protection growth preparedness are not met. Staff is unable to determine if appropriate businesses will be provided as a majority of the tenants have not been established.

**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-5 will permit a use that is not suitable 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-5 would place the highest intensity zoning district next to the lowest intensity district. This is likely to have a negative impact on the existing residential neighborhoods, especially with the concurrent variance request to reduce part of the required 50-foot transition buffer along one of the abutting properties. This rezoning would also allow for MU-5 to abut an industrial zoning district without any protection measures, as MU-5 is not required to provide any transitional buffers abutting M (M is required to buffer against MU-5). 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-5 classification would have on RE, nor any measures to protect their development from the M properties.

**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.

**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-5 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-5 designation is placed on 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 town center.

**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 give supporting grounds for disapproval of the zoning proposal as the diversity of uses calls for transitional zoning to be implemented in order to protect not only the surrounding properties, but the subject properties as well.

**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 poor street connectivity (no through

connections to the north or east) and lack of premium transit. 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. A specific concern is the impact on the DeKalb Sewer system as the Department of Watershed Management has stated that the proposed project will “increase the sewer flows significantly.” The DeKalb County School System has also stated that the proposed development, if constructed, “will bring the current Smoke Rise Elementary School to nearly 100% capacity.” It will also make Tucker Middle School overcrowded, and force Tucker High School to become even more overcrowded.

**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 of 617-linear feet of stream. The applicant intends to request that 52-percent of all stream buffer areas be reduced from 75-feet to 25-feet. A gross estimation shows that this is likely to total around 100,000-square feet of buffer reduction (estimated), 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. An application has not been filed for the stream buffer variance.

**CONCURRENT VARIANCE**

One concurrent variance has been requested to reduce the required 50-foot transitional buffer along the eastern property lines that abuts the Mountain West Church of God parcel to 25-feet. The Zoning Ordinance states that “transitional buffers are intended to create a visual screen in order to diminish the potential negative impacts of non-residential and mixed land uses on adjacent residential land uses” as well as “higher intensity residential developments on adjacent single-family residential land uses.” Table 5.2(a) and 5.2(b) state that a 50-foot buffer is required when MU-5 abuts RE. The applicant only intends to reduce the buffer where it abuts the church property, as the church wants to be perceived as part of the development.

Criteria for variance approval are provided in Section 7.5.3 of the City of Tucker Zoning Ordinance. This is a concurrent variance to the rezoning application. The approval of the concurrent variance should be subject to the approval of the rezoning, which is subject to the approval of the comprehensive plan amendment.

**CRITERIA TO BE APPLIED – CONCURRENT VARIANCE**

- 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slopes), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

While the site does have some topographic challenges, the buffer reduction request is not the result of the need to grade or develop the land. The applicant is simply requesting the variance because they want a smaller area to separate the proposed development from the church and therefore, the hardship criteria does not apply.

- 2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

The granting of the variance would constitute a special privilege as the request does not meet all five variance criteria.

- 3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**

If the property to the east is later developed with a residential use, the reduction of the buffer on the MU-5 property would be detrimental to the public welfare of those who would not be protected by a sufficient buffer.

- 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**

The literal interpretation and strict application of the transitional buffer requirement would not cause undue and unnecessary hardship as there are other ways to incorporate the church into the proposed development.

**5. The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.**

The spirit and purpose of this regulation is to provide a planted area that separates higher intensity uses/densities from lower intensity uses/densities. The amount of buffer width required correlates to the intensity of the zoning districts. While the proposal calls for an elementary school to abut an existing church, the buffer shall remain to protect future redevelopment from the overall master-planned development.

**SPECIAL LAND USE PERMIT**

The applicant has requested a special land use permit for a senior housing facility totaling 240-units. The facility will include 200-assisted living units and 40-independent living units.

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 4.2.46. 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 senior living within its proposed 6-acre intended land use block. In addition, the required submittal documents for a proposed senior housing project (Section 4.2.46) were not included in the application packet.

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

The proposal for senior housing, which calls for a majority of assisted living units, is not a compatible use within the Town Center Character Area. The intent of the proposed mixed-use development in an activity center is to promote an active area where people can live, work, and play. Active adult senior housing is a more compatible use.

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

The proposed development as a whole, including the senior housing 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 poor street connectivity (no through connections to the north or east) and lack of premium transit. 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. A specific concern is the impact on the DeKalb Sewer system as the Department of Watershed Management has stated that the proposed project will “increase the sewer flows significantly.”

- 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 senior housing component, will increase traffic and congestion in the area. The GRTA report has included several conditions that would help alleviate these issues. The senior housing component would have a minimal impact compared to the other uses in the proposed mixed-use development. Adequate room for

emergency service vehicles is necessary due to the high volume of service calls often made by assisted living facilities.

- 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 senior housing 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.**

Senior housing developments with a large percentage of assisted 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.

- 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.

- 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 should not create adverse impacts upon adjoining land uses by reason of the hours of operation.

- 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, however, it is unlikely to add to the development in terms of a thriving active use that contributes to the overall success of the development.

- 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 requirements of the zoning district classification, especially as it relates to the supplemental use regulations listed in Section 4.2.46.

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

Senior housing and/or assisted living is not consistent with the Town Center Character Area that the applicant has requested through CA-16-001. This character area promotes townhomes, condominiums, apartments, health care facilities, retail and commercial, office, institutional uses, entertainment and cultural facilities, park and recreational facilities, and public and civic facilities. An assisted living facility is not appropriate in an activity center.

**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-5 zoning district do not have to provide buffers when abutting one another. The overall master-planned mixed-use development is requesting to vary the required transitional buffers on one side of the property, but this does not impact the proposed special land use permit request for the senior housing development.

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

There are no refuse or service areas shown on the plans. If approved, the plans will have to be altered to allow for these 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 five-story senior housing facility fronting Hugh Howell Road. There are no other five-story buildings in the vicinity, so the height fronting Hugh Howell is out of character for the area. Within the proposed development, the five-story building abuts smaller, one-story buildings on either side. The massing and scale of the proposed senior housing facility is disproportionate to the other buildings along Hugh Howell, both inside and outside of the proposed master-planned development.

**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 any information regarding the requirements contained within the supplemental regulations so staff is unable to analyze where the proposed project is in

compliance. However, based on the overall proposal for the master-planned mixed-use development, the senior living facility would have “proximity and pedestrian access to retail services and public amenities,” “transportation alternatives” with the MARTA bus stop nearby, and would be part of “diverse housing types” featured within the development. While there is no “integration into existing neighborhoods through connectivity and site design,” the proposed senior housing development would be integrated with the overall master-planned development.

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

While the proposed building is significantly taller than several of the surrounding retail buildings, the buildings are separated by open space and parking area so it is unlikely that the proposed senior living facility will 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 same character area designation, but the two developments are not in a contiguous portion of the Town Center Character Area. The subject property is currently located in a predominate Light Industrial Character Area and is requesting a comprehensive plan amendment to change the two parcels to Town 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 regional identity. Senior housing that features a predominate number of assisted living units does not contribute to an active development.



**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 those for the Town Center Character Area.

As the comprehensive plan amendment cannot be supported, Staff cannot recommend that the rezoning be approved as the zoning ordinance limits the MU-5 zoning district to the Town Center and Regional Center Character Area. 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, would adversely impact the environment and surrounding natural resources. The change would also adversely impact a major industrial corridor for the City of Tucker.

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. Addition, the MU-5 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-5 Zoning District without an appropriate mixture of uses/site plan would not be in the best interest of the City.

Staff recommends denial of the concurrent variance request to reduce the transitional buffer from 50-feet to 25-feet as there is not only no hardship, but the request goes against the spirit and purpose of the required buffer area. Furthermore, the granting of the variance would constitute a special privilege and be materially detrimental to the public welfare.

The proposed special land use permit for the continuing care retirement facility 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 to determine if it meets all of the criteria per the supplemental use regulations in Section 4.2.46 or the special land use permit criteria in Section 7.4.6. Concerns include massing and scale, refuse and service areas, ingress and egress areas, whether or not site and building design encourages social interaction, and if the building design meets Easy Living standards.

In conclusion, Staff recommends denial of RZ-16-001, VC-16-001-01, SLUP-16-001, and CA-16-001.

## **STAFF RECOMMENDATION**

Based upon the findings and conclusions herein, Staff recommends **DENIAL** of Land Use Petition **RZ-16-001, VC-16-001-01, SLUP-16-001, and CA-16-001**.

Should the governing bodies feel compelled to approve the requests, Staff recommends that approval be subject to the following conditions:

1. Proposed uses of the subject property shall be limited to within their respected color block, as shown on the “Intended Land Use Blocks” plan, received by the Community Development Department on October 6, 2016.
2. Densities shall be limited to 160,000 square feet of retail, 28,000 square feet of office, 122 townhomes, 43 urban single-family lots, a 36,000 square foot grocery, a 250 seat performing arts center, a 240-unit senior living facility, a 20,000 square foot child care center, a 600-person elementary school, and a 2-acre urban farm.
3. Multi-family units shall not exceed 24-units per acre of the subdivided parcel. The total number of units cannot exceed 520. Each future parcel shall meet this requirement.
4. The multi-family component and the commercial component (grocery and retail) in the “Live/Play Mixed-Use” block shall be developed simultaneously. No multi-family units can be leased until the retail space is fully built out.
5. Each stage within the development shall be planned and related to existing and/or planned services and facilities, including commercial space, such that each phase is self-sufficient and not dependent on later phases and so that failure to proceed to the subsequent stages will not have any adverse impacts on the development, its surroundings, or the community in general.
6. Each 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.
7. The “senior living” land use block shall be restricted to active adult use only.
8. Townhomes and urban single-family residences shall be rear-loaded.
9. Loading areas and refuse areas shall be screened from view of all public right-of-way and main internal drives.
10. The main internal east/west drive that originated at the proposed curb cut on Mountain Industrial Road, as shown on the site plan dated September 13, 2016, shall be a part of the overall site design to create a prominent boulevard that connects the overall development.
11. No parking lots shall front Mountain Industrial Boulevard or Hugh Howell Road.
12. 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.

13. Design Guidelines shall be submitted for review by the Community Development Department. Architectural elevations for all buildings are subject to the review and approval by the Community Development Director.
14. A 50' foot buffer shall be established along all northern and eastern property lines.
15. It is recommended that the development shall contain at least five public art pieces, subject to the review and approval of the Community Development Director.
16. All existing buildings on the current properties shall be demolished before any new construction can begin.
17. All utilities along Mountain Industrial Boulevard and Hugh Howell Road shall be placed underground.
18. All utilities in the interior of the development shall be placed underground.
19. No stream buffers variances shall be requested within the "Open Space and Preservation" block on the "Intended Land Use Block" plan, as submitted on October 6, 2016.
20. A previous trail system, as approved by the EPD, shall be installed throughout the entire length of the "Open Space and Preservation" block, as shown on the "Intended Land Use Blocks" plan that was submitted on October 6, 2016.
21. The green space located in the "Civic Mixed Use" block, as shown on the "Intended Land Use Blocks" plan submitted on October 6, 2016, shall be used for active uses. An amenity area plan, that includes a landscape plan, is required to be submitted and shall be subject to the review and approval of the Community Development Department Director.
22. Urban farms and community gardens are only permitted in the "Open Space and Preservation" block on the "Intended Land Use Block" plan, as submitted on October 6, 2016.
23. Interim sewer storage shall not be located in either the "Open Space and Preservation" or the green space that is a part of the "Civic Mixed Use" block, as shown on the "Intended Land Use Block" plan that was submitted on October 6, 2016.
24. Provide sidewalks on both sides of all internal roads connecting all buildings and site access points (GRTA).
25. Provide sidewalks along all property frontages (GRTA).
26. Provide bike racks at all non-residential or multi-family buildings (GRTA).
27. Provide a bus shelter along Hugh Howell Road (SR236), in coordination with and per MARTA's approval (GRTA).

28. Provide internal road connectivity between all site access points, as shown on plan (GRTA).
29. Allow for future inter-parcel connections to adjacent properties to the north or east (GRTA).
30. A maximum of four (4) site driveways is allowed along Hugh Howell Road (SR 236) (GRTA).
31. A maximum of two (2) site driveways is allowed along Mountain Industrial Boulevard (GRTA).
32. Internal intersections must begin a minimum of 100' from both adjacent roadways (GRTA).
33. No outparcels are allowed direct access onto either Hugh Howell Road (SR 236) or Mountain Industrial Boulevard (GRTA).
34. Mountain Industrial Boulevard at Hugh Howell Road (SR 236) (Int #3): Add a second westbound left-turn lane along Hugh Howell Road (SR 236) (GRTA).
35. Mountain Industrial Boulevard at Stone Mountain Freeway (US 78/SR 10) Westbound Ramps: Restripe westbound off ramp to one shared left-turn/right-turn lane and one right turn lane (GRTA).
36. Hugh Howell Road (SR 236) at Site Drive #1: Provide a dedicated eastbound left-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
37. Hugh Howell Road (SR 236) at Site Drive #1: Provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
38. Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2: Provide a dedicated eastbound left-turn lane along Hugh Howell Road (SR 236) into the site (GRTA).
39. Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2: Provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
40. Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2: Provide a traffic signal, if and when warranted, as approved by GDOT (GRTA).
41. Hugh Howell Road (SR 236) at Site Drive #3: Provide a dedicated eastbound left-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
42. Hugh Howell Road (SR 236) at Site Drive #3: Provide a dedicated westbound right-turn lane along Hugh Howell Rd (SR 236) into the site (GRTA).
43. Mountain Industrial Boulevard at Site Drive #4: Provide a dedicated northbound right-turn lane along Mountain Industrial Blvd. into the site (GRTA).
44. Mountain Industrial Boulevard at Site Drive #4: Provide a dedicated southbound left-turn lane along Mountain Industrial Blvd into the site (GRTA).

45. Mountain Industrial Boulevard at Site Drive #5: Provide a dedicated northbound right-turn lane along Mountain Industrial Blvd into the site (GRTA).
46. Mountain Industrial Boulevard at Site Drive #5: Provide a dedicated southbound left-turn lane along Mountain Industrial Blvd into the site (GRTA).
47. 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 be installed per GDOT, DeKalb County, and City of Tucker standards.
48. 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.
49. 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.
50. 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.
51. Owner/Developer shall provide a mitigation plan showing landscape compensation for the proposed elimination of stream buffers on the site.

## DEPARTMENT COMMENTS

### DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT (based on October 6, 2016 submittal)

1. This project is going to increase the sewer flows significantly.
2. All approvals will be based on sewer capacity availability.
3. Applicant may proceed with the rezoning, as long as they understand that DWM will not approve any plans with our capacity available.
4. Developer must complete the Sewer Capacity Evaluation Request Form.

### DEKALB COUNTY FIRE MARSHAL OFFICE (based on October 6, 2016 submittal)

- **2012 IFC Section - 503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
- **2012 IFC Section - 503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the fire code official. The DeKalb County Fire Rescue services policy is 35 Ft. I.D. / 50 Ft. O.D.
- **2012 IFC Section - 503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus..
- **2012 IFC Section - D104.1 Buildings exceeding three stories or 30 feet in height.** Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.
- **2012 IFC Section - D105.1 Where required.** Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
- **2012 IFC Section - D105.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
- **2012 IFC Section - D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

DEKALB COUNTY SCHOOL SYSTEM (based on October 6, 2016 submittal)

If approved, this project is projected to add approximately 360 students to DCSD schools (146 to Smoke Rise ES, 60 to Tucker MS, 106 to Tucker HS, 42 to other DCSD schools and 6 to private schools) This development will bring the current Smoke Rise ES to nearly 100% capacity. The proposed replacement school (at 600 FTE) would be at approximately 92%. Tucker MS would become overcrowded, while Tucker HS would become even more overcrowded. An additional 105 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%.

<b>Schools</b>	<b>Total Capacity</b>	<b>Current Enrollment</b>	<b>Students generated from proposed development</b>
Smoke Rise ES	566	407	146
Tucker MS	1,312	1,254	60
Tucker HS	1,747	1,726	106

LAND DEVELOPMENT (based on October 6, 2016 submittal)

**Zoning Comments**

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.

**Recommended Zoning Conditions for Requested MU-5 Zoning:**

1. Owner/Developer shall provide the following improvements as recommended in Georgia Regional Transportation Authority Notice of Decision dated September 8, 2016:

Pedestrian, Bicycle and Transit Facilities

- Provide sidewalks on both sides of all internal roads and connecting all buildings and site access points.
- Provide sidewalks along all property frontages.
- Provide bike racks at all non-residential or multi-family buildings.
- Provide a bus shelter along Hugh Howell Road (SR236), in coordination with and per MARTA’s approval.

Road Connectivity

- Provide internal road connectivity between all site access points, as shown on plan.
- Allow for future inter-parcel connections to adjacent properties to the north or east.

Access Management

- A maximum of four (4) site driveways is allowed along Hugh Howell Road (SR 236).
- A maximum of two (2) site driveways is allowed along Mountain Industrial Boulevard.
- Internal intersections must begin a minimum of 100’ from both adjacent roadways.
- No outparcels are allowed direct access onto either Hugh Howell Road (SR 236) or Mountain Industrial Boulevard.

Mountain Industrial Boulevard at Hugh Howell Road (SR 236) (Int #3)

- Add a second westbound left-turn lane along Hugh Howell Road (SR 236)

Mountain Industrial Boulevard at Stone Mountain Freeway (US 78/SR 10) Westbound Ramps

- Restripe westbound off ramp to one (1) shared left-turn/right turn lane and one (1) right turn lane

Hugh Howell Road (SR 236) at Site Drive #1

- Provide a dedicated eastbound left-turn lane along Hugh Howell Road (SR 236) into the site
- Provide a dedicated westbound right-turn lane along Hugh Howell Road (SR 236) into the site

Hugh Howell Road (SR 236) at Flintstone Drive/Site Drive #2



- Provide a dedicated eastbound left-turn lane along Hugh Howell Road (SR 236) into the site
- Provide a dedicated westbound right-turn lane along Hugh Howell Road (SR 236) into the site
- Provide a traffic signal, if and when warranted, as approved by GDOT

Hugh Howell Road (SR 236) at Site Drive #3

- Provide a dedicated eastbound left-turn lane along Hugh Howell Road (SR 236) into the site
- Provide a dedicated westbound right-turn lane along Hugh Howell Road (SR 236) into the site

Mountain Industrial Boulevard at Site Drive #4

- Provide a dedicated northbound right-turn lane along Mountain Industrial Boulevard into the site
- Provide a dedicated southbound left-turn lane along Mountain Industrial Boulevard into the site

Mountain Industrial Boulevard at Site Drive #5

- Provide a dedicated northbound right-turn lane along Mountain Industrial Boulevard into the site
  - Provide a dedicated southbound left-turn lane along Mountain Industrial Boulevard into the site
2. 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 be installed per GDOT, Dekalb County, and City of Tucker standards.
  3. 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.
  4. 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.
  5. 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.
  6. Owner/Developer shall provide a mitigation plan showing landscape compensation for the proposed elimination of stream buffers on the site.

**The GRTA Report and the DRI Report have been included  
as supplemental items in the agenda packet.**