



City of Tucker

Land Use Petition: SLUP-22-0002

Date of Staff Recommendation Preparation: May 3, 2022

Planning Commission: May 19, 2022

Mayor and City Council, 1st Read: June 13, 2022

Mayor and City Council, 2nd Read: July 11, 2022

PROJECT LOCATION:	2247 & 2251 Northlake Parkway
APPLICATION NUMBER	SLUP-22-0002
DISTRICT/LANDLOT(S):	Land District 18, Land Lot 210
ACREAGE:	6.44 acres
EXISTING ZONING	NL-2 (Northlake Office Park)
EXISTING LAND USE	Office Building
FUTURE LAND USE MAP DESIGNATION:	Regional Activity Center
OVERLAY DISTRICT:	N/A
APPLICANT:	SDM Northlake, LLC c/o Steve Martin
OWNER:	SDM Northlake, LLC
PROPOSED DEVELOPMENT:	Special Land Use Permit to allow a density above 24 units per acre.
STAFF RECOMMENDATION:	Approval with conditions of SLUP-22-0002

PROJECT DATA

The applicant is requesting a Special Land Use Permit (SLUP) to allow for a multi-family development with a density greater than 24 units per acre (216 total residential units/33.5 units per acre) within an existing office building. The subject parcels are approximately 6.44 acres, located on the eastern side of Northlake Parkway and are zoned NL-2 (Northlake Office Park). While multi-family residential developments are permitted by right in the NL-2 zoning district, the density is capped at 24 units per acre. If a density of over 24 dwelling units per acre is proposed, a SLUP is required.

The site is currently developed as a vacant office building and parking deck. The office building is a 315,800 sq.ft., 9-story office building that was constructed in 2001 by AT&T. The property is fully developed and is accessed via two full-access drive aisles on the adjacent property at 2245 Northlake Parkway. The subject property is bounded to the north by the Habersham at Northlake Office Park. The single-family detached subdivision, Winding Woods, is adjacent north and east. Located east and south of the subject property is the Tucker Meridian Shopping Center. To the west is another vacant office building, also previously occupied by AT&T, that has been rezoned to allow for an 80-unit for rent townhome development, owned by the same entity as the subject property.

An adaptive reuse project is planned for the existing nine story (approximately 137' tall) office building. The request is to retrofit the building for a total of 216 multi-family residential units. The applicant is not proposing to modify the exterior or add height to the existing office building, other than freshening up the façade. It is possible that balconies will be added (recessed) to the front elevation but that has not been decided at this point.

In discussions with the applicant, the unit breakdown of the 216 units will include approximately 151 one-bedroom units (approximately 765 sq.ft.) and approximately 65 two-bedroom apartments (approximately 1,450 sq.ft.). The applicant is not proposing any three-bedroom units. Indoor amenities (approximately 8,000 square feet) include a clubroom lounge, co-working style lounge (shared conference and phone rooms), fitness center, and dog spa. A proposed outdoor amenity area, including a pool and terrace (6,040 square feet), is shown near the southern property line, adjacent to the southern side of the proposed residential building. All amenity areas would serve the proposed apartment development and adjacent and entitled townhome development.

The submitted site plan shows approximately 3.77 acres of open space (59% of the site). While it should be noted that the open space provided would be undisturbed, it is not a requirement that it be usable open space, however usable open space would provide additional amenities to the proposed development.

The applicant is proposing to use the existing seven level parking deck on the property, which contains approximately 1,200 covered parking spaces, for the proposed multi-family development. From the submitted site plan, a new raised path connecting the parking deck to the residential building would be provided. It should be noted that the applicant is requesting a separate application, for the adjacent properties to the west, to amend approved conditions of zoning (RZ-22-0002) to allow for a minimum of 23 guest parking spaces for the townhome development to be relocated from the southern portion of the property to the parking deck.

Access would be provided to the multi-family building via two entrances along Northlake Parkway, through the adjacent 80-unit for rent townhome development. The property owner has stated that while the townhomes and office conversion would be done by different firms, all 296 units would be managed by the same property management group. The southern entrance includes a tree-lined boulevard with a pocket park. The northern entrance provides a direct connection to the existing 7-level parking deck (1200 spaces).

USE ANALYSIS AND DEVELOPMENT PERMISSIONS

The subject property is located within the NL-2 (Northlake Office Park) zoning district. The intent of the Northlake Zoning Districts is to encourage development and redevelopment of properties in order to implement the policies and objectives of the Comprehensive Plan; support higher-density housing, office, and mixed-use centers which have appropriate access and infrastructure; to provide for the development of sidewalks and walkways in order to promote safe and convenient pedestrian access and to reduce dependence on automobile travel; and to protect the health, safety, and welfare of the citizens of the City of Tucker. Taken together these items serve to unify the distinctive visual quality of the Northlake area.

CHARACTER AREA (Future Land Use)

The subject parcel is in the Regional Activity Center on the Future Land Use Map. Primary Land Uses in the Regional Activity Center Character Area include townhomes, apartments, condominiums, retail and service commercial, office, entertainment and cultural facilities, and public/private recreational uses.

Development strategies include encouraging a relatively high-density mix of retail, office, services, and employment to serve a regional market area and developing a diverse mix of higher-density housing types including multi-family. Because Northlake is readily accessible from the highway and is already more developed, redeveloping and retrofitting the area to include more residential uses in this portion of the city is considered both desirable and appropriate.

PUBLIC PARTICIPATION PLAN REPORT

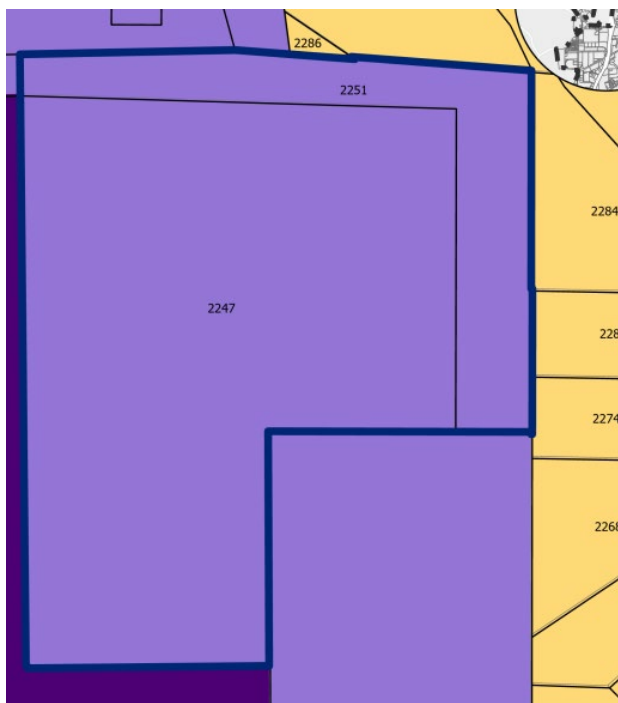
The applicant hosted a one-hour-and-fifteen-minute-long community meeting on March 30, 2022, after mailing a letter and site plan explaining the proposed project to all property owners within 500 feet of the subject parcel. Thirteen people were in attendance, including the applicant and developer.

This community meeting was held in conjunction with the community meeting for the adjacent parcel, 2245 & 2247 Northlake Parkway (RZ-22-0002). Questions included rental price, location of the proposed trail, parking, timeline for buildout, and number of bedrooms proposed.

It does not appear that any changes were made to the site plan as a result of the Public Participation Meeting. However, only minor site changes are proposed to the existing site.

NEARBY/SURROUNDING LAND ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Existing Land Use
Adjacent: North	NL-2 (Office Park)	Habersham at Northlake office park
Adjacent: Northeast; East	R-85 (Residential Medium Lot-85)	Winding Woods neighborhood
Adjacent: South	NL-2 (Office Park)	Tucker Meridian Shopping Center
Adjacent: Northwest	NL-2 (Office Park)	Office building and surface parking lot
Adjacent: Southwest	NL-4 (Vista Dale Court) and NL-2 (Office Park)	Surface parking for existing office building and Tucker Meridian Shopping Center
Adjacent: West	NL-4 (Vista Dale Court)	Office building and surface parking lot; entitled for townhomes



Zoning and Aerial Exhibits.

SLUP-22-0002 DENSITY

CRITERIA TO BE APPLIED – SPECIAL LAND USE PERMIT

Criteria (standards and factors) for special land use decisions are provided in Section 46-1594 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.

- 1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area 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.**

The subject property is approximately 6.44 acres and consists of an approximately 315,800-square foot 9-story office building and 7-story parking deck. The site is adequate in terms of land area and the applicant is proposing to retrofit the existing office building to allow for the proposed 216 multi-family units.

No site work is proposed other than the alteration and expansion of the existing drive aisle, to accommodate fire access requirements, and the addition of an elevated amenity area on the southern side of the subject building.

The 1,200 space parking deck well exceeds the parking requirements for the development.

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

From a land use standpoint, the proposed development is compatible with the land uses and development of adjacent properties with the exception of the Winding Woods Subdivision. However, only 2251 Northlake directly abuts Winding Woods and that parcel will remain undeveloped if the SLUP is approved. The detention pond for the Meridian Development is located in between the proposed multifamily conversion and the Winding Woods neighborhood.

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

Schools. When fully constructed, the proposed development would be expected to add 22 students to DeKalb Schools, which includes 9 at Midvale Elementary, 3 at Tucker Middle, 6 at Tucker High, 4 at other DCSD schools, and 0 at private schools. The DeKalb County School District stated that all three neighborhood schools have capacity for additional students.

Stormwater management. Owner/developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.

Water and sewer. Water and sewer approval is required by the DeKalb County Department of Watershed Management. Approval of the SLUP shall be conditional to Watershed approval.

- 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 subject property has two existing full-access curb cuts along Northlake Parkway. The City Engineer has reviewed the application and did not have any comments regarding inadequate access to the site.

The applicant submitted a trip generation memo which analyzed the traffic generated by the existing office building (if fully leased), the proposed development by itself, and proposed development with the adjacent for-rent townhome development, to the west. In the memo, the existing approximately 299,275-square foot office building, would generate a net of 3,078 total daily trips, with 308 AM peak hour trips and 323 PM peak hour trips.

The expected trips generated by proposed development would generate approximately 1,088 total daily trips, with 68 AM peak hour trips and 86 PM peak hour trips. It should be noted that the trip generation memo analyzed the impact of 200 multi-family units; however, 216 multi-family units are proposed with this development.

The memo also included an analysis of the traffic generated by the townhomes and multifamily units. The expected trips for both developments would result in approximately 1,652 total daily trips, with 107 AM peak hour trips and 134 PM peak hour trips.

The traffic study that was submitted on May 13, 2022 states that “all study intersections currently operate at acceptable LOS during both the AM and PM peak hours” and that under no build and build conditions all “intersections are projected to continue to operate at acceptable LOS during both the AM and PM peak hours.” Additionally, the study states that no off-site intersection or site-access improvements are recommended.

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.

It is not expected that Land Uses along Northlake Parkway would be adversely affected as the proposed development has two access points, one of which is located at the intersection of Northlake Parkway and Northlake Center Drive and contains a traffic signal. Additionally, the proposed development is located approximately 400' from the on-ramp to I-285 west. With the proximity of the proposed development to the interstate, the proposed development should not generate an exorbitant amount of traffic volume.

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.

The proposed development meets this standard. The two development plans align and provide sufficient pedestrian and automobile access throughout the site. Alterations have been proposed to the ingress/egress for emergency vehicles to the south of the office building and amenity area. The proposed expansion would provide sufficient access for emergency 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 development will not generate excessive noise, nor will it emit smoke, odor, dust or vibration. Therefore, no adverse impacts on adjoining land uses are anticipated.

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.

It is not expected that the proposed 216 multi-family units, if approved, would result in unusual hours of activity.

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.

Allowing a multi-family development at a density of 33.5 units per acre could affect the existing use or usability of nearby properties. Ideally, you transition zoning and development from low density single-family detached to a medium density residential (such as townhomes), to commercial/office/high density residential (such as apartments). Providing a transition from more intense development to less intense development is typical of traditional zoning as it provides a step-down in intensity as you move away from the urban core of a city.

If this application is approved, that transition would not be provided as townhomes would be located adjacent to Northlake Parkway and apartments would be adjacent to Winding Woods subdivision. However, staff will note that only the undisturbed green space at the northeast side of the property is immediately adjacent to Winding Woods. The detention pond for Meridian separates the proposed multifamily building from Winding Woods.

The only patios that could be included on the building face away from Winding Woods.

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.

While the proposal for 216 multifamily units on 6.44 acres yields a density of 33.5 units per acre, the density would be less if calculated using all four parcels that are owned by SDM Northlake. Combined, there could be a total of 296 units (townhomes and multi-family rentals) on 13.73 acres. This yields a density of 21.56 units per acre which complies with the NL-2 zoning district.

The submitted site shows approximately 3.7 acres of undisturbed open space (exceeding the 20% requirement), however; the only dedicated open space that is being proposed is the pool area, located at the southern portion of the property. While providing more usable open space is not a requirement of the zoning district it would offer an additional amenity for the proposed multi-family development.

It should be noted that the development will require further review regarding landscaping, proposed retaining walls, crosswalks, etc., at the time of Site & Land Development Review, if approved.

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

The subject properties are located in the Regional Activity Center on the Future Land Use Map. Primary land uses include townhomes, higher density multi-family, including apartments and condominiums, retail and service commercial, office, entertainment and cultural facilities, and public and private recreational uses.

Northlake is mostly built-out so development strategies focus on redeveloping and retrofitting the area to include more residential uses and encouraging a diverse mixture of housing types including multi-family townhomes and apartments. Because the Northlake area is readily accessible from the highway and already more developed, future development is considered both desirable and appropriate.

While higher density developments are considered appropriate within the Regional Activity Center Character Area, the transition of uses is not what is typically desired. Approving the SLUP request would allow for a pocket of high density between the townhomes and the Winding Woods neighborhood, but it would create a unique housing option that is not currently available in the city.

The removal of all of the office space could have a negative impact on the regional market area.

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.

The proposed development will meet this standard.

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

The submitted site plan does not specifically call out the proposed dumpster locations, however the applicant's letter of intent states adequate refuse and services areas are provided.

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

No limits on the length of time on the special land use permit are recommended, if granted.

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 proposed development would not result in any new buildings. While the existing 137' tall office building may not be appropriate next to single-family detached residences, the applicant is not proposing to add any additional height to the structure, should this application be approved.

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. Therefore, no adverse effects are anticipated (meets standard).

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

Not applicable.

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.

A negative shadow would not be created as the office building that is proposed to be converted into multi-family units is existing. It should also be noted that while the office building is nine stories tall, the building is located more than 400' from the nearest single-family home within the Winding Woods subdivision. Although this would be a change in use, there is no proposed development for the project that would create a negative shadow impact on the surrounding properties.

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

The proposed development could be considered a proliferation of this use in the area, as several multifamily developments exist/are entitled in this quadrant of Northlake. However, this would be the only adaptive reuse of an office building in this quadrant. The height, facades, and large windows create more of an urban high rise feel than that of traditional multifamily buildings. While rental townhomes were recently approved on the adjoining properties, this proposal may appeal to a different type of resident as the proposed apartments would be limited to one and two-bedroom units and the townhomes next door are three-bedrooms.

To the southwest of the subject property is The Reid, a multi-family development that consists of 245 units on 8.65 acres (28.32 units per acre). Further south is Northlake Senior, which contains 90 units on 1.67 acres (53.89 units per acre).

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 multi-family development provides a unique housing type and the adaptive reuse of a vacant office building. However, the removal of all of the office space on these properties could have a negative impact on the community as a whole. Preserving more office space would allow for a reduced density more in keeping with the area and serve the regional market area as a whole.

CONCLUSION

The request meets the intent of the Comprehensive Plan in terms of primary land use (multi-family), a unique housing type, and the retrofit of vacant office. However, the incorporation of some office space and more usable open space would make the proposal more desirable to future residents and the regional activity center.

Therefore, Staff recommends **approval with conditions**

Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **SLUP-22-0002**.

1. Use of the subject property shall be limited to office and multi-family residential at a density of 30 units per acre within the existing office building.
2. The existing office building shall be limited to a height of 137’.
3. The property shall be developed in general conformance with the site plan and elevations received by the City of Tucker Planning and Zoning Department on April 19, 2022, with changes to meet these conditions and other requirements of the code.
4. Balconies shall only be permitted on the west elevation.
5. The minimum lease term shall not be shorter than 6 months.
6. An on-site leasing office with property maintenance staff shall be provided for both the townhome and multifamily units to serve as a contact point for residents and local authorities.
7. All indoor and outdoor amenity spaces shall serve both the townhome and multifamily units.
8. All signage shall comply with the Sign Ordinance.
9. Owner/Developer shall provide stormwater management in compliance with Tucker’s Post Construction Stormwater Management Ordinance.
10. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of thirty (30) units/acre shall be required.
11. Owner/Developer shall construct ADA compliant internal sidewalks and crosswalks that will provide pedestrian connectivity within the development.
12. The development of the property is contingent on approval from DeKalb County Department of Watershed Management.

Department Comments

DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT

Because of the density and size of the proposed development, this will likely be required to participate in generating sewer credits if the increase in flow cannot be certified through model evaluation. If the existing office building has been vacant since before 2019, it will not receive credit for 'existing' use for the purposes of the Consent Decree.

DEKALB COUNTY FIRE MARSHAL OFFICE

No comments.

DEKALB COUNTY SCHOOL SYSTEM

When fully constructed, the proposed development would be expected to add 22 students to DeKalb Schools, which includes 9 at Midvale Elementary, 3 at Tucker Middle, 6 at Tucker High, 4 at other DCSD schools, and 0 at private schools. The DeKalb County School District stated that all three neighborhood schools have capacity for additional students.

CITY ENGINEER

- The development shall construct internal sidewalks and ramps to provide ADA accessibility.
- Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.

LAND DEVELOPMENT

- Modification of the stormwater detention to meet the new changes.