

MARTA REZONING PROPOSED CONDITIONS

Z-23-1246187

1. The development of the site shall be subject to the conditions contained herein, the requirements of the MU-5 (Mixed-Use Very High Density) Zoning District, and procedures contained in Section 2.19.4 of the *Zoning Ordinance*. To the extent possible, any future development shall comply with the TOD guidelines adopted by MARTA. In the event of a conflict between the TOD guidelines and the *DeKalb County Zoning Ordinance*, the requirements of the *DeKalb County Zoning Ordinance* shall prevail.
2. Prior to the submission of a Land Disturbance Permit (LDP) application, a Master Development Plan must be submitted. At the submission of the Master Development Plan, it will be determined if a Development of Regional Impact (DRI) is required. If a DRI is required, a Development of Regional Impact (DRI) application shall be submitted to the appropriate review authorities for the entire station area. The developer or property owner will be responsible for all traffic improvements identified in Appendix A of the future GRTA Notice of Decision once submitted and approved, in addition to any improvements recommended by the County Transportation Division to mitigate the proposed development phase.
3. Minimum density of the overall 35-acre tract shall be 40 units per acre up to a maximum of 120 units per acre with density bonuses. Minimum building height for properties fronting along Memorial Drive shall be 7 stories. Minimum building height shall be 4 stories for properties fronting along Kensington Road. Minimum building height shall be 4 stories for properties fronting along Memorial Drive. A minimum of 20% of the total building square footage of the 35-acre tract shall contain nonresidential uses. At least 50% of the non-residential uses must be located on the ground floor of proposed building(s).
4. Building materials shall comply with Article 5 of the Zoning Ordinance. The final building elevations shall be approved in writing by the District and Super District Commissioners for the District in which the Project Site is located prior to the issuance of the Building Permit.
5. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Planning Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by each entity.