

**CONDITIONS**

**(Z-20-1244108)**

1. The development shall substantially comply with the site plan dated July 1, 2020, as revised on December 4, 2020 (the "Site Plan"), prepared by Kimley-Horn, a copy of which is attached hereto as Exhibit "A".
2. The development shall contain a maximum of 264 dwelling units.
3. The exterior finishes of the buildings shall consist of glass, brick, stucco, stone, cementitious panels and siding, or aluminum, and/or any combination thereof.
4. Roof mounted mechanical equipment and appurtenances shall be located or screened so that they are not visible from the immediately adjacent ground level. Screening materials shall be compatible with the surrounding building materials and architectural design.
5. Refuse areas for the proposed multi-family buildings shall be located within the footprints of the buildings or the attached parking deck.
6. The development shall provide a minimum of 10 electric vehicle charging stations and 50 secured spaces for bicycles. Bicycle parking room, cage or lockers shall be secured by key, smart card, or code access.
7. Subject to any necessary approvals, the development shall provide a sheltered bus stop for the MARTA route 19 on Clairmont Road, the location and design of which shall be subject to review by the District Commissioner, or contribute to the construction of a sheltered bus stop. At a minimum, the bus shelter shall require a minimum construction envelope of 12' wide x 4.5' deep x 8' high, and setback from the curb, at least, 8 feet.
8. The proposed 4' bike lane on both Clairmont and Briarcliff Roads shall not be required and, instead, the 4' allotted for the bike lanes will be added to the proposed sidewalks on both Clairmont and Briarcliff Roads to create a 12' multi-use path, subject to any necessary approvals.
9. The site shall be provided with underground utilities for electricity, phone, cable and internet services.

10. To the extent tree recompense may be required under the DeKalb Tree Ordinance, the recompense may be used at or near the subject property, including area parks or public spaces, subject to any necessary approvals.
11. Setbacks shall be measured from existing right-of-way, versus any future right-of-way that may be dedicated incidental to development.
12. Parts of the subject property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
13. Should there be separate ownership of parts of the subject property and/or a conveyance of part of the subject property to different owners, all conditions and variances shall remain applicable to any portion of the subject property, regardless of what person or entity owns the property.
14. Separate ownership of parts of the subject property and/or conveyance of part of the subject property to different owners shall not create non-conforming uses and shall not require any changes to the Site Plan for the development nor any variances. The newly created property lines which arise from these conveyances are not required to observe setback, buffer or other zoning requirements, except as may be reflected on Site Plan.