

**SUBSTITUTE**  
**Recommended Conditions**  
**2023-0589**  
**(Z-23-1246461)**  
**November 7, 2023 (10:50am)**

1. The subject property shall be developed for multi-family housing at a minimum of 290 dwelling units and not to exceed 650 dwelling units and at a minimum density of 40 dwelling units per acre in a manner generally consistent with the “Rezoning Site Plan,” dated 11/06/2023. All associated principal structures must be a minimum building height of four stories. All applicable provisions of the HR-3 Zoning District including required density bonuses and accessory uses shall apply. Minor modifications to this plan, as defined in Section 7.3.10 of the *Zoning Ordinance*, must be distributed to the District Commissioner and the Super District Commissioner for review and comment at least 30 days prior to submitting an application for a land disturbance permit. Further, any final site plan shall meet these conditions and contain the following features:
  - (a) Subject to any necessary approvals, including but not limited to an access agreement, a connection to the Peachtree Creek Greenway, except that Developer shall not be required to expend more than \$250,000 for said connection nor be required to fund or install any bridge(s) across a waterway(s). Prior to the issuance of a CO, Developer shall place into an escrow account \$250,000 to be applied towards the future cost of said connection;
  - (b) A sidewalk network, both internal to the site and on road frontages. The sidewalks along the public right-of-way shall be a minimum of 6’ in width;
  - (c) Amenities, which may include but are not limited to a fitness center, a community club room and a co-working space;
  - (d) Bike parking, a minimum of 50% of which shall be covered;
  - (e) Dog park; and

- (f) Retail or other permissible nonresidential uses, which may be satisfied by but are not limited to pop-up containers.
- 2. The residential buildings shall have elevators.
- 3. The Applicant/Owner shall provide a minimum open space of 15% as specified in Section 2.11.2 Dimensional Requirements.
- 4. The building architecture shall generally comply with submitted elevations and adhere to the building material components of Article 5.
- 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.
- 6. The Applicant/Owner shall provide a summary of anticipated maintenance and ownership of streets, private drives, easements, and open space prior to the issuance of any land development permits.
- 7. The Applicant/Owner agrees to work with DeKalb County, in good faith, on an easement or other transaction to accommodate the Peachtree Creek Greenway.
- 8. The Applicant/Owner shall provide confirmation of approval by the DeKalb County Public Works Department—Transportation Division prior to the issuance of any building permits.
- 9. The development shall provide a minimum of 3% of the total parking spaces as alternative fuel parking stations.
- 10. To the extent tree recompense may be required under the DeKalb County Tree Protection regulations, the recompense may be used at or near the subject property, including area parks or public spaces, subject to any necessary approvals.
- 11. Developer shall make available at least one residential unit to a member of law enforcement at a reduced rental rate that is at least 50% lower than the rental rate for a comparable unit at the same development.