

CONDITIONS

(Z-16-20863; LUA-16-20864; SLUP-16-20865)

1. The development shall substantially comply with the conceptual masterplan titled "North Decatur Square," prepared by Phillips, dated September 27, 2016, and attached as Exhibit "A" (the "Site Plan").
2. Subject to any necessary approvals, Developer shall plant over-story trees 40 feet on center on the North Decatur Road and Church Street frontages between the street and sidewalk. The parking lot tree plantings shall substantially comply with the conceptual landscape plan prepared by Site Solutions, dated September 27, 2016, and attached as Exhibit "B" ("Landscape Plan"). An irrigation system shall be installed for the parking lot landscaping.
3. Building elevations shall substantially comply with the conceptual elevations prepared by Phillips, dated September 27, 2016 and/or the conceptual elevations prepared by Cooper Carry dated September 27, 2016 and attached as Exhibit "C".
4. Four monument signs shall be permitted for the development and shall substantially comply with the conceptual monument sign plan dated September 27, 2016 is attached as Exhibit "D". The corner of Church Street and North Decatur Road may include a monument sign not to exceed 6 feet in height. The monument sign at the corner of Church Street and North Decatur Road shall not include tenant names or logos. Two 10 foot tall monument signs with a base not to exceed 12'-4" in width shall be permitted at both of the development entrances from Church Street (total of 2 signs). A 12 foot tall monument sign with a base not to exceed 10 feet in width shall be permitted at the development entrance from North Decatur Road. One blade sign shall be permitted for the multifamily building not to exceed 22 feet in height and 4 feet in width. The Tenant in Building 100, shall be permitted copy space for each wall sign not to exceed 1 square foot per linear foot of the side of the building. All other tenants (excluding Building 100) shall be permitted two wall signs (including canopy signs) with copy space for each wall sign not to exceed 1.5 square foot per linear foot of the side of the leased space where the sign is attached. The developer may install smaller or fewer signs than those permitted.
5. The development shall include a minimum of 1 acre of open space provided for public use which shall be located around Building 100 and the multi-family building.
6. Subject to necessary approvals, the development shall provide for safe pedestrian crossings internal to the site through the use of signage, cross-walks, speed-tables and/or similar features. Pedestrian crossings shall be continued across curb cuts on Church Street and North Decatur Road by differentiating the paving materials, color, height or texture of the pedestrian crossing from that of the street or private drive, subject to any necessary approvals.
7. A minimum of seven non-residential parking spaces shall be designated and marked as spaces for alternative fuel vehicles.
8. Traffic related improvements on adjoining streets shall be subject to approval by DeKalb County Transportation Division.
9. Setbacks shall be measured from existing right-of-way, versus any future right-of-way DeKalb County may demand incidental to development.
10. The development shall contain a minimum of 6 bike racks to accommodate bike parking for at least 36 bikes. At least one bike rack shall be located at the front entrance of the grocery store.

11. The development shall include underground utilities for electricity, phone, cable and internet services.
12. The development shall contain a maximum of 300 multi-family units.
13. The multi-family residential building shall provide space and facilities for tenants to recycle. A secure storage area shall be provided to accommodate the storage of a minimum of 20 bikes for the multi-family residential building tenants. The multi-family residential building shall make provision for a dog walk, with refuse station.
14. On all buildings in the development, roof mounted mechanical equipment and appurtenances shall be located and screened so that they are not visible from the immediately adjacent ground level. Said screening shall be with materials that are compatible with the surrounding building materials and architectural design.
15. The following uses shall be prohibited: nightclub or late-night establishment; extended stay hotel/motel; funeral home/crematorium.
16. Developer shall follow the “Best Practice Management for Erosion Guidelines.”
17. Developer shall employ pest and rodent abatement measures during demolition.
18. Developer shall employ dust abatement measures during demolition.
19. Water Quality shall meet the minimum requirements of Georgia Stormwater Management Manual or DeKalb County.
20. Parts of the subject property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
21. 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. A true copy of the approved conditions and zoning agreement shall be attached to any and all legal documents transferring ownership of any part of the development.
22. 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.
23. If an adjacent parcel on North Decatur Road is redeveloped, the Owner shall meet with the adjacent property owner to discuss the potential for inter-parcel access and conduct good faith negotiations for connectivity between the two properties.

ADDITIONAL CONDITIONS FOR THE SLUP APPROVAL

24. The SLUP approved for the Subject Property shall be issued to S. J. Collins and shall be transferrable in accordance with Article 7.4.12 of the DeKalb County Code.
25. The SLUP is limited to approval for a drive-through use affiliated with a bank or financial institution only.
26. The drive-through use affiliated with a bank or financial institution approved shall be located in the general area depicted as Building 400 on the Site Plan attached as Exhibit A, shall not exceed 2,803 square feet of floor area, and shall be one story in height.
27. Vehicular access shall be from the interior of the development site.
28. A pedestrian crossing strip consisting of textured or contrasting-color paving shall be provided across the entrance to the drive-through lanes located within the interior of the development.
29. The façade that faces North Decatur Road shall be designed to present a visually attractive and pedestrian friendly façade along the public street. Final design of the façade that faces North Decatur Road shall be subject to approval by the Director of the Department of Planning and Sustainability. The materials that are used for the front façade shall be used on all sides.
30. A safety fence shall be constructed around the exterior edge of the bypass lane to prevent vehicles from crossing over the edge of the lane, subject to approval by the Division of Transportation and the Division of Development Services. The appearance of the fence shall detract as little as possible from the street appearance of the building and shall be subject to approval by the Director of the Department of Planning and Sustainability.