



## DeKalb County Department of Planning & Sustainability

178 Sams Street, Decatur, GA 30030 - (404) 371-2155

[Planning and Sustainability | DeKalb County GA](#)

**Planning Commission Sketch Plat Hearing Date: January 22, 2025 @ 6:00 P.M**

### STAFF ANALYSIS

**Case No.:** P-Plat #1247321 (Lulah Hills)                      **Agenda #** N1  
**Commission District:** 2    **Super District:** 6

**Location/Address:** 2050 Lawrenceville Highway

**Parcel ID(s):** 18 100 02 005

**Request:** Major subdivision to construct a mixed-use development

**Property Owner(s):** NDM EDENS, LLC

**Applicant/Agent:** James M. McKenney

**Acreage:** 71.67 acres

**Existing Land Use:** Shopping center

### SUBJECT PROPERTY & ZONING HISTORY

The subject property, in its current configuration, comprises approximately 71.67 acres and is part of the MU-4 (Mixed-Use High Density) Zoning District. The property was subject to several public hearings and administrative approvals that are outlined below:

- **CZ-73054 (1973):** In 1973, much of what is now the subject property was rezoned to the C-1 (Local Commercial) Zoning District, which allowed for the construction of what was formerly North DeKalb Mall. Additional parcels were rezoned to the C-1 Zoning District in 1985 and 2008.
- **Z-22-1245595 (2022):** On May 26, 2022, approximately 73.11 acres were conditionally rezoned to the MU-4 (Mixed-Use High Density) Zoning District in order to construct a mixed-use development in substantial compliance with a “Master Development Plan”, dated April 25, 2022. The development would consist of up to 320,000 square feet of “non-office commercial uses, up to 180,000 square feet of office space, up to 150 hotel rooms (180 dependent on the reduction of commercial space), and up to 1,800 total residential (multifamily and townhome) units.

- **#1246617 (2023):** On December 18, 2023, a Lot Combination was approved administratively by the County, resulting in the subject property’s current configuration.
- **#1246647 (2024):** A Land Development Permit (LDP) was approved administratively by the County on September 26, 2024 to allow for the construction of most site infrastructure (roads, stormwater, surface parking, utilities), including infrastructure for proposed buildings. A revision to this LDP is currently under review as a result of the approval of CZ-24-1247114.
- **CZ-24-1247114 (2024):** On November 21, 2024, a Major Modification of Zoning Conditions pursuant to Z-22-1245595 was approved by the Board of Commissioners, altering the layout of the original “Master Development Plan”. This case was approved concurrently with CZ-23-1247113, which rezoned two (2) additional properties (designated as 2052 Lawrenceville Highway and 3861 North Druid Hills Road) to the MU-4 Zoning District and incorporated them within the larger “Lulah Hills” development.

**PROJECT DESCRIPTION**

The applicant, James M. McKenney, proposes a major subdivision of the subject property to create a total of eleven (11) distinct parcels. The proposed Lots 1-6 and Lot 10 are already improved or are to be improved as a result of LDP #1246647. Lots 7, 8, and 9 are expected to be developed in future phases and the development of each of these lots will be subject to individual LDP reviews. The proposed Lot 11 is to comprise the majority of the required open space associated with the development site per Approved Zoning Conditions of CZ-24-1247114.

Access to the development site is provided via Orion Drive to the south, Lawrenceville Highway to the east, and several streets (Birch Road, Sweetbriar Road, Oak Tree Road, and Mistletoe Road) that intersect with North Druid Hills Road. Lot 10 is to consist of internal roads throughout the development site. Notably, streetscape improvements such as sidewalks, street trees, and lighting are to be located on the individual parcels and are to be provided as part of LDP #1246647 or part of individual LDP’s with Lots 7, 8, and 9. Public pedestrian, utility, and vehicular easements are proposed throughout the development.

**Sec. 14-96. - Standards for approval of Sketch Plats; approved Preliminary Plats.**

(a) The Planning Commission shall not approve a Sketch Plat unless it is found that:

**1) Provisions have been made for a water supply system that is sufficient in terms of quantity, dependability, and quality for purposes of health, emergency, and adequate fire protection for the subdivision proposed;**

Water service is to be provided by DeKalb County.

**2) If a public sewage system is proposed, adequate provision has been made for such a system and, if other methods of sewage disposal are proposed, that such systems will comply with federal, state, and local laws and regulations;**

Sewer service is to be provided by DeKalb County.

**3) Adequate areas have been allocated within a subdivision to meet the regulations in this chapter for the long-term collection, management, and treatment of stormwater;**

Detention facilities that meet the minimum requirements of the *Land Development Code* (Chapter 14) are provided per LDP #1246647 and may be required for any properties that are to be developed in future phases.

**4) The proposed subdivision is designed to avoid areas of flood plains, watercourses, wetlands, exceptional or specimen trees or woodlands;**

The subject property is adjacent to and consists of State Waters and flood plains. The majority of these features are to be located on the proposed Lot 11, which comprises the majority of the development's open space. Plans have been reviewed/approved by the County Arborist as part of LDP #1246647 and individual reviews will be required for future phases of development on Lots 7, 8, and 9.

**5) No platting of lots within the subdivision will create any non-conforming lots or increase the non-conformity of existing non-conforming lots on property within or adjacent to the subdivision;**

Newly created lots are in compliance with applicable lot standards in the MU-4 Zoning District.

**6) If the subdivision abuts a state designed highway, all applicable statutory provisions are followed, including the rules of Georgia Department of Transportation;**

Yes.

**7) The proposed subdivision meets all the requirements of this chapter, [Chapter 27](#), the official comprehensive plan, the official thoroughfare map, and all other standards and regulations adopted by all boards, commissions, agencies, and officials of DeKalb County and all other applicable laws from other, relevant jurisdictions;**

Yes.

**8) A properly issued certificate of appropriateness, when the subdivision or portions thereof lie within a designated historic area that required such a certificate as may be required by state law or this Code; and**

Not applicable.

**9) Lot lines have been laid out so as to minimize crossing municipal or county boundaries;**

All proposed lots are located in the unincorporated area of DeKalb County.

**10) All requirements of [section 14-89](#) and [section 14-90](#) have been fulfilled.**

Yes.

**STAFF RECOMMENDATION: *Approval***

The proposal is consistent with the goals of the *DeKalb County 2050 Unified Plan*, is in compliance with the approved Zoning Conditions of CZ-24-1247114, and is in compliance with all developmental standards of the *Zoning Ordinance*. All other regulatory reviews have been completed and approved (or conditionally approved). Therefore, the Planning and Sustainability Department recommends *Approval* of the submitted Sketch Plat application.



Drawing name: K:\at\civil\18381014\_north dekalb mail\CAD\plansheets\CS0-10 - ZONING CONDITIONS.dwg Co-10 ZONING CONDITIONS Dec 05, 2024 10:04am by sam.galliard

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**CONDITIONS C-24-1247113**  
**(Formally Z-22-1245895**  
**as approved by the Board of Commissioners on May 26<sup>th</sup>, 2022)**

**Rezone from C-1 (Local Commercial) to MU-4 (Mixed Use - 4)**

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**I. Zoning District, Master Development Plan and Exhibits:**

Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022 and revised 08/22/2024, is attached hereto as Exhibit "A" (the "Master Plan"). Subject to the other conditions contained herein, the Master Plan is hereby approved as the long-term planning document that will provide a guide for future growth and development. It is expressly recognized that the Master Plan is intended to be dynamic and to allow for future flexibility in both the design of the project and its development and reasonable modifications are both anticipated and authorized, as provided for in Article 27-7.3.10 of the Zoning Ordinance. However, the street layout and percentage mix of land uses, maximum square footages of land use types, and minimum square footage of open space in the development shall be substantially the same as those shown on the Master Plan. Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: existing to remain, commercial, and/or a hotel in Block B; commercial, commercial and townhomes or townhomes only in Block C; commercial, townhomes, or multi-family residential in Block F; and existing to remain or commercial in Block J. A Master Sign Program, prepared pursuant to Section 2.19.4.B.4.b. and attached as Exhibit "B" (the "Sign Package"), dated 05/26/2022 and revised 07/01/2024 is incorporated herein as a condition of this rezoning. The Architectural Standards, prepared pursuant to Section 2.19.4.B.4.a., are attached as Exhibit "C", dated 04/27/2022 and incorporated herein as a condition of this rezoning. Open Space shall be provided per the Open Space Plans which are attached as Exhibit "D", dated 05/20/2022 and incorporated herein as a condition of this rezoning. In addition, the Subject Property will be subdivided in the future and a subdivision map is attached hereto as Exhibit "E" (the "Subdivision Plan"), dated 04/25/2022 and revised 08/22/2024 and incorporated herein as a condition of this rezoning. A Sustainability Program, attached as Exhibit "F", dated 05/20/2022 and made a condition herein, shall be implemented as part of the overall project.

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**II. Phasing:**

a. Developer shall build no more than 750 multi-family units until 140,000 square feet of non-office commercial space (to include existing non-office commercial space proposed for renovation) has been constructed or renovated.

**III. Uses, Building Heights and Parking:**

a. Non-Office Commercial:

1. Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to 380,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).
2. Non-Office Commercial building heights shall be limited to a maximum of two stories or 50 feet, whichever is less, unless incorporated into a mixed-use building.

b. Office and Hotel:

1. Office uses shall be developed for up to 180,000 square feet, except that unused commercial square footage may be transferred to office uses, which shall increase this threshold proportionately (but not the DRI threshold for office uses).
2. Up to 150 hotel rooms are allowed. Additional hotel rooms may be added up to a maximum of 180 hotel rooms, but only if the amount of allowable commercial space is reduced by 500 square feet for each additional room (but not the DRI threshold for hotel rooms).
3. Office and hotel building heights shall be limited to a maximum of eight stories (100 feet).

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4. Developer shall be allowed to locate office and/or hotel uses throughout all Blocks except Blocks E and G. Further, Developer shall be allowed to locate office uses above any retail building, so long as the square footage thresholds and maximum building heights herein are not exceeded. If office is incorporated into the Flexible Area cross hatched in Block C, it shall be limited to three stories or 50'.

c. Residential:

1. Residential uses shall consist of a combination of multi-family units and townhome units (for-sale and/or for-rent) and shall not exceed 1,800 total units. Further, multi-family units shall not exceed 1,700 units. The Developer agrees to and shall submit a variance request for the minimum required number of parking spaces for multi-family units to 1 parking space per unit. Subject to approval of such variance, a maximum of 1.5 parking spaces shall be permitted per unit. Developer shall endeavor to provide the minimum number of parking spaces necessary and in no case more than one parking space per bedroom. This condition does not prohibit the rental of residential parking spaces separately from the residential housing.
2. Developer may add micro-units to townhouses, multi-family buildings, or stand-alone micro-unit buildings. Micro-units, as may subsequently be defined in the zoning ordinance, shall not count toward the overall unit count or the calculation of total building area in III.a.1. above.
3. Multi-family building heights shall not exceed six-stories (75 feet) unless ground floor commercial is incorporated, in which case the maximum building height shall be seven-stories (85 feet). The height of Residential Building D3 shall not exceed six-stories (75 feet) within 100 feet of the townhouses located in Block E.
4. Townhome building heights shall be a maximum of three stories (45 feet). Rooftop structures, e.g. trellises, canopies, building pop-ups, on townhomes that do not exceed 50% of the total area of the roof deck surface shall not be considered as a building story but shall be subject to the 45-foot height limitations herein.

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d. Prohibited Uses:

1. The following use shall be prohibited in all portions of the development: Any use related to adult entertainment or adult service facility, pawn shop, title loan, check cashing, convenience store, gas station, funeral home/crematorium, or drive-through restaurant.

**IV. Building Locations and Orientation:**

a. Subject to the other conditions contained herein, the final location, size, and use of buildings and parking shown on the plan may vary as provided for in Article 27-7.3.10 of the Zoning Ordinance, but the overall density cannot exceed the proposed development program summary, except as may be allowed by these conditions.

b. Block A shall have the following limitations:

1. A primary entrance to at least one tenant in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.
2. The primary entrance to tenants in Buildings A50 and A60 shall be on Road A, Road E and/or Road C and these facades shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level facade.
3. A primary or secondary entrance to at least one tenant in Buildings A65 and A70 shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. The sides of Buildings A70 and A80 that face Mistletoe Extension shall either have windows and/or doors that comprise at least fifty (50) percent of the width of the first-floor street-level facade; be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.

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4. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building A1 to Road E. The breezeway shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and un gated at all times.

5. The openings in Residential Building A1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.

6. In the areas of Residential Building A1 which do not have ground floor retail, the ground floor residential units shall provide doorways to Road C. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.

7. The rear of Building A10 and the service areas for A10 and A20 shall be screened from Road A with a combination of decorative walls and/or landscaping, subject to approval by the Director of Planning and Sustainability or designee.

c. Block B shall have the following limitations:

1. The primary entrance to tenants in Building B30 shall be on Road A and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.
2. The primary entrance to tenants in BuildingB80 shall be on Road A, Road C, or Tangerine Park and this primary entrance facade shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level facade.
3. The primary entrance to tenants in Building B70 shall be on Tangerine Park or Road C and this primary entrance facade shall have windows that comprise at least fifty (50) percent of the width of the first-floor street-level facade.
4. The primary lobby to Building B10 shall be on Road A or the Office Plaza adjacent to facades of Road A and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the facade.
5. The Flexible Area B hatched location indicated on the Site Plan can be Commercial Uses and/or a Hotel Use. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.

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6. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building B1 to Road A. In addition, breezeways shall be provided on each side of the vehicular entrance to the parking structure from Road A. The breezeways shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and un gated at all times.

7. The openings in the liner building around the structured parking in Block B intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.

8. The primary or secondary entrance to tenants in Building B90 shall be on Road C. This primary entrance facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.

d. Block C shall have the following limitations:

1. The primary entrance to tenants in Buildings C5, C10, and C30 shall be on Road A, Road C, or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.
2. The primary entrance to Building C50 (Existing Marshall's) shall remain in the existing store entrance location.
3. The primary entrance facades for Buildings C40A and C40B shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.
4. A primary or secondary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. These primary entrance facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade for buildings C80 and C85 and thirty-five (35) percent of the width of the first-floor street-level facade for Building C60.
5. The Flexible Area C hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.

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e. Block D shall have the following limitations:

1. The primary entrance to tenants in Buildings D5 and D10 shall be on Road A or Road C and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.
2. In the areas of Residential Building D1 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent roads. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
3. Ground floor retail can be constructed anywhere in Building D5 and in Residential Building D1 along Road A.
4. Ground floor retail in Buildings D2 and D3 shall not be required. If ground floor retail is constructed in Buildings D2 and/or D3 it shall be limited to 5,000 SF in each location and shall be located along the parks adjacent to Road D. The primary entrance to tenants in these retail spaces shall be on the adjacent roads or parks and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. At least thirty (30) percent of the width of the facades of stories above the ground floor, and of the ground floor if the ground floor is residential, shall be comprised of window and door openings.
5. The openings in Residential Building D1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.
6. Townhouses may be incorporated into Block D and the building locations may vary from those shown including the addition of internal streets as long the Shared-Use Path connecting Road B and Road C remains and a multi-use park and dog park at similar sizes to those shown on Sheet LA 2 are constructed adjacent to the path.
7. In the areas of Residential Building D2 and D3 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent streets. Such doorways can be secondary entrances but shall imitate front doors.

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The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units in all locations where adjacent sidewalk grades allow.

f. Block E shall have the following limitations:

1. Only Residential Dwellings as allowed in Table 4.1 Use Table of the DeKalb County Zoning code shall be permitted in Block E.
2. Where adjacent to single-family residential, building heights shall be limited by the transitional height plane as required by the DeKalb County code.
3. Residential units adjacent to Road B and the shared-use path shall provide doorways to Road B or the shared-use path. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.

g. Block F shall have the following limitations:

1. Uses shall consist of commercial buildings or residential buildings consisting either of townhouses or a multi-family building limited to 6 stories in height.
2. Due to the elevation change across the site, street facing doorways may not be possible in all locations but a connection to the street from all entry doors shall be required.

h. Block G – Open Space shall have the following limitations:

1. The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability, or designee based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.

i. Block J shall have the following limitations:

1. The Flexible Area J hatched location indicated on the Site Plan can be Commercial Uses only. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.

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**V. Open Space:**

a. Developer agrees to (a) contribute \$35,000 to DeKalb County (or other appropriate entity) towards improvements to the Community Garden and (b) construct a gravel driveway ramp to provide access to said Community Garden. Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete item (b) as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.

b. A 12' wide Shared-Use Path/Promenade and linear park shall be constructed between Wild Honey Park and Promenade Park in the general location shown on the Master Development Plan and Sheet LA 1 in Exhibit D. An 8' wide sidewalk and linear park shall be constructed north of Promenade Park, a portion of which is located in the already cleared portion of the 50' transitional buffer, in the general location as shown on the Master Development Plan and Sheet OS 1. These paths/sidewalks shall be located within a public access area and shall not be gated, although reasonable restrictions may be placed on the hours such paths are open to the general public.

c. Lemon Park shall be built in the first phase of the project and shall consist of a combination of turf, grass, landscaping, hardscaping, seating and/or play areas; the design shall be similar to that shown on Sheet LA 3 in Exhibit D. Outside dining and events shall be allowed if such dining and/or events remain inside the Park and do not obstruct pedestrian access to buildings via sidewalks and hardscaping around the buildings.

d. A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path, an internal road, or adjacent to a pedestrian path connecting to the Shared-Use Path or internal road. The multi-use park shall consist at a minimum of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.

e. Promenade Park shall consist of the Shared-Use Path and seating and landscape areas, creating an entry/transition from the future Block G PATH trail into the site. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.

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f. Wild Honey Park shall consist of a mixture of hard surfaces, landscaped areas, and casual seating that can be activated by a variety of events. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.

g. The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between Mistletoe Extension and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.

h. Public access shall be provided across all Open Spaces as shown on Sheets OS 1, LA 1, LA 2, and LA3 contained in Exhibit D. These areas are private but shall be made available to the general public, although reasonable restrictions may be placed as to the use of such spaces and the hours such spaces are open to the general public.

i. Before County issuance of a land disturbance permit, the Developer shall submit a plan to the Director of Planning and Sustainability outlining the continued maintenance of the Block G Open Space area. Such plan may be self-administered by the Developer and/or administered by a third party under contract or agreement with Developer or a combination thereof. Further, Developer may sell or transfer some or all of the area to a third party, such as a conservation organization or governmental entity, who accepts the ongoing maintenance responsibilities. While the primary intent of the area is as a forested conservation area, the continued maintenance will include general cleanup of trash, removal of invasive species, and maintenance of trails or other active/passive open spaces areas established in Block G. Developer may reserve the right to terminate any agreements with third parties and take back maintenance of the Block G Open Space area.

**VI. PATH Trail Connection:**

a. The Developer(s) and/or Owners shall allow construction of a future PATH trail in Block G as shown on the Master Plan and Sheet OS 1. The final location of such trail within Block G shall be determined by DeKalb County in conjunction with the Developer as long as the trail connects to trail built by the Developer in Promenade Park.

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PREPARED BY: **Kimley»Horn**  
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EDENSIS<sup>®</sup>

1221 MAIN ST. SUITE 1000  
 COLUMBIA, SC 29201

DATE	09/30/2024	SPG
BY		
NO.	1	SKETCH PLAT SUBMITTAL 1
ISSUANCE AND REVISION DESCRIPTIONS		

**LULAH HILLS PHASE 1**  
 2050 LAWRENCEVILLE HWY., DEKALB COUNTY, GA 30033

REGISTERED PROFESSIONAL ENGINEER  
 JOHN TYLER ROCKETT  
 09/02/24

GSWCC NO. (LEVEL II) 0000095769  
 DRAWN BY SPG  
 DESIGNED BY SPG  
 REVIEWED BY JTR  
 DATE 09/2/2024  
 PROJECT NO. 018381020

TITLE  
**ZONING CONDITIONS**

SHEET NUMBER  
**CS0.10**

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The Developer(s) and/or Owners shall grant, at no cost, to DeKalb County or appropriate entity a 25' wide permanent easement and construction easements as required for construction and continued operation and maintenance of such trail within Block G; the PATH trail within Block G shall be maintained by DeKalb County.

**VII. Infrastructure:**

a. Contingent upon any necessary approvals, Developer agrees to contribute \$550,000 to DeKalb County (or other appropriate entity) to be exclusively applied towards the following improvements, which are public improvements: (a) the improvements to the intersection of Birch Road and North Druid Hills Road as outlined in the GRTA Notice of Decision dated April 14, 2022 and (b) the construction of a Shared-Use Trail on Mistletoe Road extending from the project site to North Druid Hills Road (hereafter collectively the "Improvements"). Developer shall have no obligation to provide funding for the Improvements except as specified in this condition. Developer shall make said funds available within thirty (30) days of demand but in no case prior to the date Developer makes application for a Land Disturbance Permit. Further, DeKalb County shall cause the improvements identified in (a) and (b) above to be completed within 36 months of approval of this rezoning. The Developer shall self-perform the following improvement, which is a public improvement: the improvement to the intersection of Orion Drive and Lawrenceville Highway as outlined in the GRTA Notice of Decision dated April 14, 2022 (the "Orion Drive Improvement"). In the event that a Tax Allocation District (TAD) capable of funding the Improvements and/or the Orion Drive Improvement is created, Developer's obligation to fund said improvements and this condition shall immediately and automatically become null and void and, to the extent that Developer has already provided some or all of the funding for the Improvements and/or the Orion Drive Improvement, Developer shall be entitled to seek reimbursement for same from the TAD proceeds.

b. The Developer will work with MARTA to develop the best design and location(s) for a bus/transit stop within or adjacent to the development. The design shall include consideration of the need for pull-over lanes and shelters. Such obligation shall be completed prior to issuance of the initial Land Disturbance Permit.

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c. Unless noted otherwise, all "internal roads" shown on the plan are to be privately owned and maintained with a public access easement granted for vehicular and pedestrian traffic; internal roads will not be Private Streets as defined in the DeKalb County code. All lots will have frontage on internal roads or in the case of townhouses onto alleys which connect to internal roads.

d. Road A, Road B, Road C, Road E, and Mistletoe Extension shall be built at locations that are substantially the same as the locations in the general location shown on the Master Plan and shall be built as part of the first phase of the Project.

e. Road D may be built as part of a future phase and the exact location may vary as long as the shared-use path connection is maintained from the Future PATH trail to Road C. Additional "internal roads" may be constructed in Block D depending on the final building layout on this block.

f. Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimley Horn, dated 02/21/22 and revised 07/01/24. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshall agrees to reduce the road widths below 26' (2-13' lanes) adjacent to buildings taller than 30' high, then the width by which the drive aisles are decreased shall add the pedestrian zones on that street section. If the Fire Marshall approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.

g. Designated areas of internal roads may be periodically closed to vehicles to provide for street fairs, farmers markets, events, etc. as long as vehicular and pedestrian traffic routes are maintained to provide access to all parts of the site.

h. The shared-use path shown on the Master Plan connecting the Future PATH trail with Mistletoe Road shall be built in the first phase of the project. A temporary paved path may be provided from Road B to Road C until the permanent path is built when Road D is constructed.

i. Bike Nodes consisting of a combination of bike racks, information kiosks, and/or bike maintenance stands shall be constructed at key points along the shared-use path in the general location shown on the Site Plan.

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**VIII. Architecture:**

a. Building architecture shall be substantially compliant with the Architectural Standards in Exhibit "C". Building elevations will be submitted as part of the Land Disturbance Permit process and shall be reviewed by the Director of Planning and Sustainability or designee for substantial compliance with the Architectural Standards.

b. West facades of Residential Buildings D1 and D3 shall be articulated with design features that shall echo or be compatible with the scale of the front facades of the townhomes on the opposite side of Road B.

c. Ground floor retail uses, as well as stand-alone retail buildings, shall have functional door and window openings in the facades that face the sidewalks along the interior roads. Doors in the sidewalk-facing facades shall be unlocked and usable by customers during business hours. Windows in the sidewalk-facing facades shall be transparent and shall allow views into the interiors of the retail spaces.

d. Parking structures in Blocks A and D shall be screened with the use of liner buildings or other buildings to not be visible from public streets or internal roads.

e. The parking structure in Block B shall be screened from Road A and Road C with liner buildings. If the parking structure facing Stone Mountain Highway is not screened with a liner building or other building, then a mural and/or signage as allowed per the Master Sign Program shall be placed on the unscreened side. In lieu of a mural or signage, an alternative facade treatment or screening shall be allowed upon approval of the Director of Planning and Sustainability or designee.

**IX. Townhome Construction:**

a. The electrical panel in the townhomes shall be sized to accommodate a 40-amp double pole breaker on the opposite end of the panel labeled "reserved for solar".

b. A minimum of twenty-five (25) percent of townhomes shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage.

c. A minimum of twenty (20) percent of the townhomes shall be designed such that purchasers shall have the option to purchase an elevator.

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d. A minimum of one 240 V AC plug (or current industry standard) shall be installed in each townhouse garage to accommodate electric vehicle charging.

**X. Signage:**

a. Signage for the development shall be consistent with the standards in Exhibit "B." Prior to the issuance of a Land Disturbance Permit, the Developer shall submit to the Director of Planning and Sustainability design standards for minor signs, i.e. ground signs, directional signs, parking signs, and general wayfinding signs.

b. Flashing, animated, sound emitting, rotating and inflatable signs are prohibited. Electronic or digital signs shall comply with the DeKalb County Sign Ordinance.

**XI. Common Area Maintenance:**

a. The common areas within the Development shall be kept and maintained in first class order and repair as compared to any other first class mixed-use development similar to the caliber, type and character of the Development and located in the Atlanta, Georgia metropolitan area.

**XII. Subdivision:**

a. The Subject Property may be subdivided in general accordance with Exhibit E and parts of the Subject Property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.

b. 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, if any, 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.

c. 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 lots or uses and shall not require any changes to the Site Plan for the development nor any variances.

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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 the Site Plan.

**XIII. Housing Affordability and Retail Incubator**

a. Developer agrees to provide 10% workforce and affordable housing as part of the projects within the multi-family components, up to the maximum multi-family unit numbers in III.c.1. Developer agrees to provide 3 Affordable Housing Units (AHU) per multi-family building (15 total), defined as housing that is affordable to households earning no more than 60 percent of Area Median Income (AMI). The balance of the 10% shall be made up of Workforce Housing Units (WHU), defined as housing that is affordable to households earning between 60 percent and 120 percent of AMI. WHU and AHUs shall have the same access to amenities and services within the multi-family buildings as the market rate units. Subject to applicable laws, each multi-family building owner/operator shall establish a program to give a preference for rental of the AHU and WHU to individuals who work within the Project site.

b. The Department of Community Development shall be responsible for tracking the availability and rental of AHU and WHUs.

c. Developer shall submit an annual report on the rental history of AHU and WHUs to the Department of Community Development starting one year from the issuance of the first certificate of occupancy of a multi-family unit in the development. A copy of the report shall simultaneously be transmitted to the Director of the Department of Planning and Sustainability.

d. Developer recognizes the importance of local retail in the community as an economic opportunity and further agrees to create a space (the "Incubator Space") that fosters an entrepreneurial community within the project with support from programs such as but not limited to Emory StartMe Program. A goal of this condition is to graduate these entrepreneurs into permanent retail spaces and deals either in the project or elsewhere in competing retail centers throughout DeKalb County. The Incubator Space is to be leased for local retail with flexible terms relative to market with minimal investment required by the retailers to open for business. Developer shall pursue any number of deal structures to achieve this goal including but not limited to leasing spaces to individual retailers or leasing a space to one operator who then creates opportunities to host the local retailers in one cohesive retail experience.

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The Incubator Space shall in no event be less than 2,000 sf in total and shall be made available for a minimum of two years, starting from the date of issuance of a Certificate of Occupancy for the Incubator Space. Prior to commencing operations at the incubator, Developer shall provide a plan for the operation of the incubator to the Director of Planning and Sustainability. Developer shall then submit two reports to the Director of Planning and Sustainability summarizing the performance of the Incubator Space, the first to be submitted 12 months after the issuance of a Certificate of Occupancy for the Incubator Space and the second to be submitted 24 months after the issuance of the Certificate of Occupancy. At the end of 2 years, Developer will evaluate and determine the viability and sustainability of continuing the Incubator Space. Should Developer choose to discontinue the Incubator Space at any point after two years, it shall provide 90 days' written notice to the Director of Planning and Sustainability. During these 90 days, the Developer shall negotiate in good faith with the County to identify and deploy resources necessary to attempt to continue the incubator program.

**XIV. Miscellaneous:**

a. Food trucks, shipping container stores, and similar structures shall be allowed in all locations except Blocks E and G as long as adequate pedestrian access is maintained. Food trucks and shipping container stores shall comply with all applicable State and County regulations.

b. Outdoor dining associated with a restaurant or other commercial establishment shall be allowed throughout all Blocks except Blocks E and G, provided that such outdoor dining does not block access, by pedestrians or persons in wheelchairs, to building entrances and exits and provided that outdoor dining allows the use of sidewalks by pedestrians and persons in wheelchairs.

c. All Blocks, except Block E, shall be designated a Special Events Facility and otherwise be exempt from the requirements of section 27-7.6 and/or 27-4.3.

d. Information and advertising kiosks shall be allowed throughout all Blocks except Blocks E and G. This provision shall not preclude the installation of Directional Signage as allowed in the Master Sign Program in Blocks E and G as long as such signage does not include tenant signage.

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e. Walk-up ATMs shall be allowed either integrated into buildings or free-standing. A Drive-up ATM shall be allowed subject to a Special Land Use Permit.

f. Murals shall be allowed throughout the development. Murals which meet the definition of a sign shall comply with the requirements of the Master Sign Program.

g. A drive-through pharmacy shall be allowed as indicated at Building A10 subject to a Special Land Use Permit.

h. On all buildings in the development, roof mounted mechanical equipment and appurtenances shall be located and/or screened so that they are not visible from the ground immediately adjacent to the building. Said screening materials shall be compatible with the surrounding building materials and architectural design.

i. The development shall provide a minimum of one (1) bicycle/moped parking spaces per twenty (20) parking spaces in surface parking lots and non-residential parking structures and a minimum of one (1) secured bicycle parking spaces per twelve (12) parking spaces in multi-family parking structures, except that this provision shall not apply to townhouse garages.

j. A minimum of 3 percent of all surface parking lots and non-residential portions of parking structures shall be striped and signed for alternative fuel vehicle parking. EV charging station parking spaces may be used toward this total.

k. A minimum of two percent parking spaces in surface parking lots and parking structures shall have electric vehicle charging stations. In designing the overall electrical distribution for the development, the Developer will work with Georgia Power to ensure the overall system can accommodate enough power, either initially or through future upgrades, for eventual conversion of ten percent of all parking spaces to have EV charging stations and shall provide room sufficient enough to allow upgrading the transformers or adding transformers for such future electrical demands associated with the additional EV charging stations.

l. All multi-family parking structures shall be designed to accommodate the infrastructure for future conversion to allow for electric vehicle charging stations for a minimum twenty (20) percent of the parking spaces.

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All parking structures shall be designed so as to not preclude the addition of additional EV charging stations including designing the transformers to accommodate the loads from additional charging stations or providing room for additional transformers for such future electrical demands associated with the EV charging stations. Further, parking structures will be designed to either incorporate conduits or allow for future installation of conduits for the future EV charging stations without the need for structural modifications of the parking structure.

m. Smart thermostats shall be installed in all residential units (multi-family and townhouses).

n. The site shall be provided with underground utilities for electricity, phone, cable, and internet services.

o. Developer shall employ pest and rodent abatement measures during demolition.

p. Developer shall employ dust abatement measures during demolition.

q. Setbacks shall be measured by existing right-of-way, versus any future right-of-way that County may demand incidental to development.

r. No cell towers/structures/monopoles shall be permitted anywhere on project property, but non-tower-mounted flat antennas may be located on roof tops or parking structures.

s. The Sustainability Program included in Exhibit F shall be implemented as part of the overall project. The Sustainability Program can be updated in the future as needed based on future advances in sustainable design and practices; such updated Program shall be provided to the Director of Planning and Sustainability.

t. Before County issuance of a land disturbance permit, the Developer shall submit a framework plan for waste management. The framework plan shall outline the method of recycling that will be used in the development. Recycling bins shall be provided in all multi-tenant buildings in locations convenient for use by residents. Storage areas for construction materials and/or equipment shall be screened from view from residential properties and structures with opaque construction fencing.

u. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.

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v. Rooftop amenities or uses on top of buildings or parking structures (i.e. cocktail bars, outside dining, special events facilities, recreation and entertainment facilities) shall be permitted and shall not be counted toward any square footage or height threshold defined herein or required parking. This condition shall not apply to townhouse rooftops which shall be governed by condition III.c.4.

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PREPARED BY: **Kimley Horn**  
© 2023 KIMLEY HORN AND ASSOCIATES, INC.  
3930 E. Jones Bridge Rd #350  
PEACHTREE CORNERS, GEORGIA 30092  
PHONE (770) 825-0744  
WWW.KIMLEY-HORN.COM

PREPARED FOR: **EDENSIS**  
1921 MAIN ST. SUITE 1000  
COLUMBIA, SC 29201

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
1	SKETCH PLAT SUBMITTAL 1	09/30/2024	SPG

PROJECT: **LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY., DEKALB COUNTY, GA 30033

REGISTERED PROFESSIONAL ENGINEER  
**JOHN TYLER ROUSSETT**  
09/02/24

GSWCC NO. (LEVEL II) 0000095769  
DRAWN BY SPG  
DESIGNED BY SPG  
REVIEWED BY JTR  
DATE 09/2/2024  
PROJECT NO. 018381020

TITLE: **ZONING CONDITIONS**

SHEET NUMBER: **CS0.11**

Drawing name: K:\atl\_civil\1838\1014\_north dekalb mail\CAD\plansheets\CS0-10 - ZONING CONDITIONS.dwg CS0-12 ZONING CONDITIONS Dec 05, 2024 10:05am by: sam.galliard



DeKalb County Zoning Board of Appeals  
Department of Planning & Sustainability 178 Sams Street  
Decatur, GA 30030



Michael L. Thurmond  
Chief Executive

Andrew Baker, AICP  
Office Director

Commission District 02 Super District 06

N6 Case No: A-22-1246650

Parcel ID 18-100-02-040; 18-100-02-041; 18-100-02-005; 18-100-02-057; 18-100-02-049; 18-100-04-014; 18-100-02-055

Applicant: NDM (EDENS), LLC C/O Dennis J. Webb, Jr.  
1105 W. Peachtree Street, NE, Suite 100-0  
Atlanta, GA 30309

Owner: NDM (EDENS), LLC  
3500 Peachtree Road, NW, Suite 580  
Atlanta, GA 30305

Project Name: North DeKalb Mall Redevelopment

Location: 2144, 2054, 2050, 2038, Lawrenceville Highway, 1086 Birch Road, 2692 Sweetbriar Road, 3777 North  
Druid Hills Road, Decatur, GA 30033

Request: 1. Section 5.4.5 to reduce the transitional buffer from 50 feet to 26 feet  
2. Section 6.7.7(G) - not applicable  
3. Section 6.1.4 to reduce the minimum number of required multi-family parking spaces.

THIS IS TO ADVISE YOU THAT THE ZONING BOARD OF APPEALS AT ITS REGULARLY SCHEDULED PUBLIC HEARING ON WEDNESDAY, OCTOBER 12, 2022 REACHED THE FOLLOWING DECISION ON THE ABOVE REFERENCED APPLICATION:

ZBOA Action: Approval with Conditions.

MOTION: Dan Wright moves to approve the variances with staff conditions- with the modification that multi-family parking spaces be a minimum number of 1 space per unit and a maximum of 1.5 spaces per unit. Tolbert seconds.  
Motion carries 4-0.

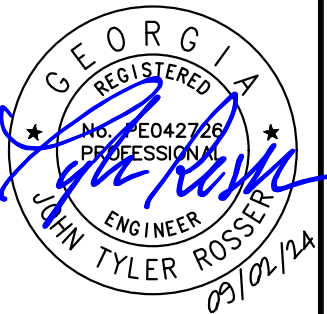
Conditions:

1. The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance, and condition(s) of approval.

- This approval does not permit any deviation from or modification of the zoning conditions approved by the Board of Commissioners.
- The buffer reduction shall apply only to Block E between Sweetbriar Road and Promenade Park, as illustrated on the Transitional Buffer Exhibit submitted to the Zoning Board of Appeals.
- No healthy, existing trees shall be removed from the transitional buffer.
- Multi-family parking spaces be a minimum number of 1 space per unit and a maximum 1.5 space per unit.

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
1	SKETCH PLAT SUBMITTAL 1	09/30/2024	SPG

PROJECT  
**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033



GSWCC NO. (LEVEL II) 0000095769  
 DRAWN BY SPG  
 DESIGNED BY SPG  
 REVIEWED BY JTR  
 DATE 09/2/2024  
 PROJECT NO. 018381020

TITLE  
**ZONING CONDITIONS**

SHEET NUMBER  
**CS0.12**

PREPARED BY  
**Kimley»Horn**  
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 3930 E. Jones Bridge Rd #350  
 PEACHTREE CORNERS, GEORGIA 30092  
 PHONE (770) 825-0744  
 WWW.KIMLEY-HORN.COM

PREPARED FOR  
**EDENS**  
 1221 MAIN ST, SUITE 1000  
 COLUMBIA, SC 29201

Drawing name: K:\atl\_civil\1838\1014\_north dekab mall\CA\plansheets\ZONING PLANS.dwg CS0.50 ZONING PLANS Nov 12, 2024 11:17am by: alex.gallegos

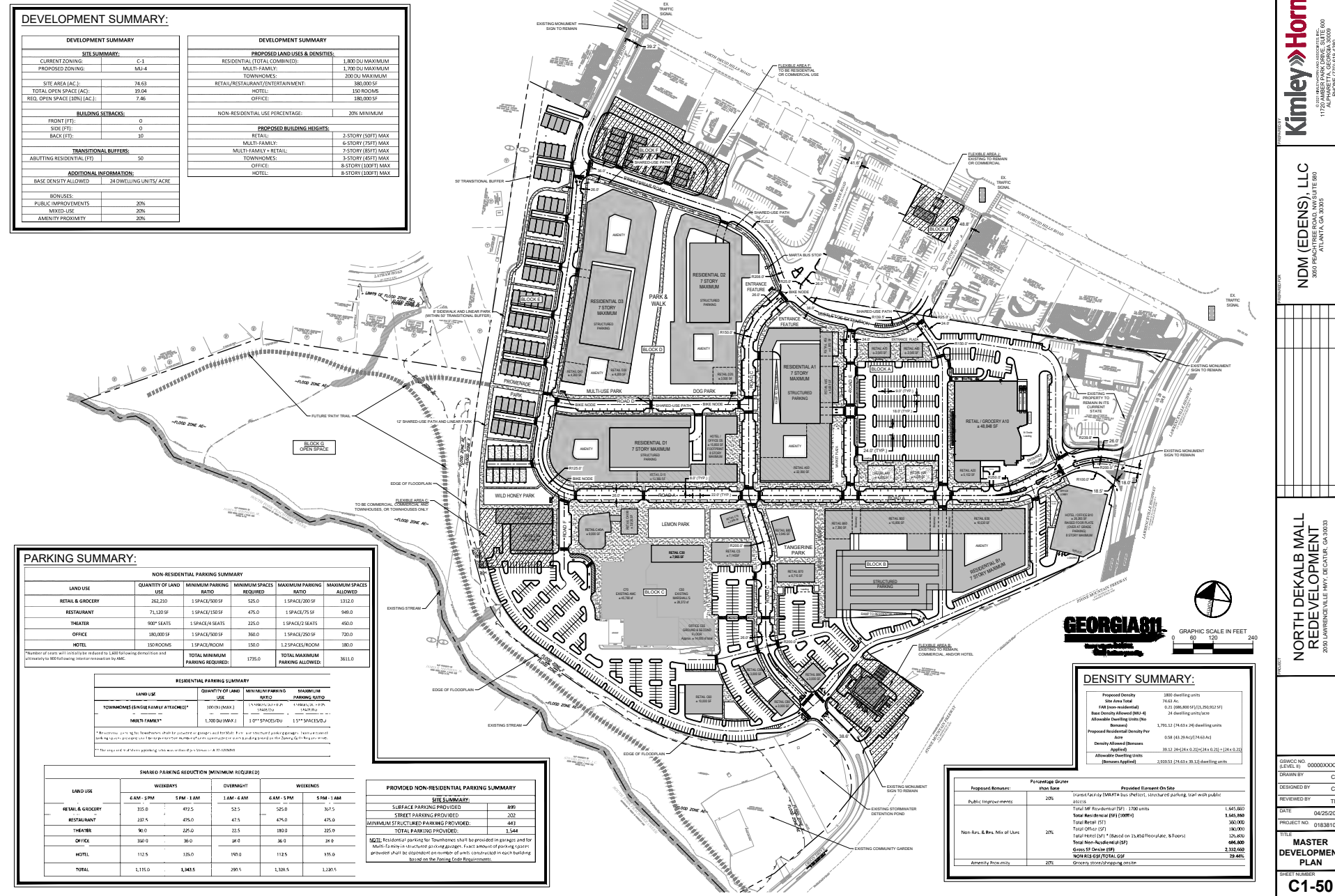


EXHIBIT A - MASTER DEVELOPMENT PLAN

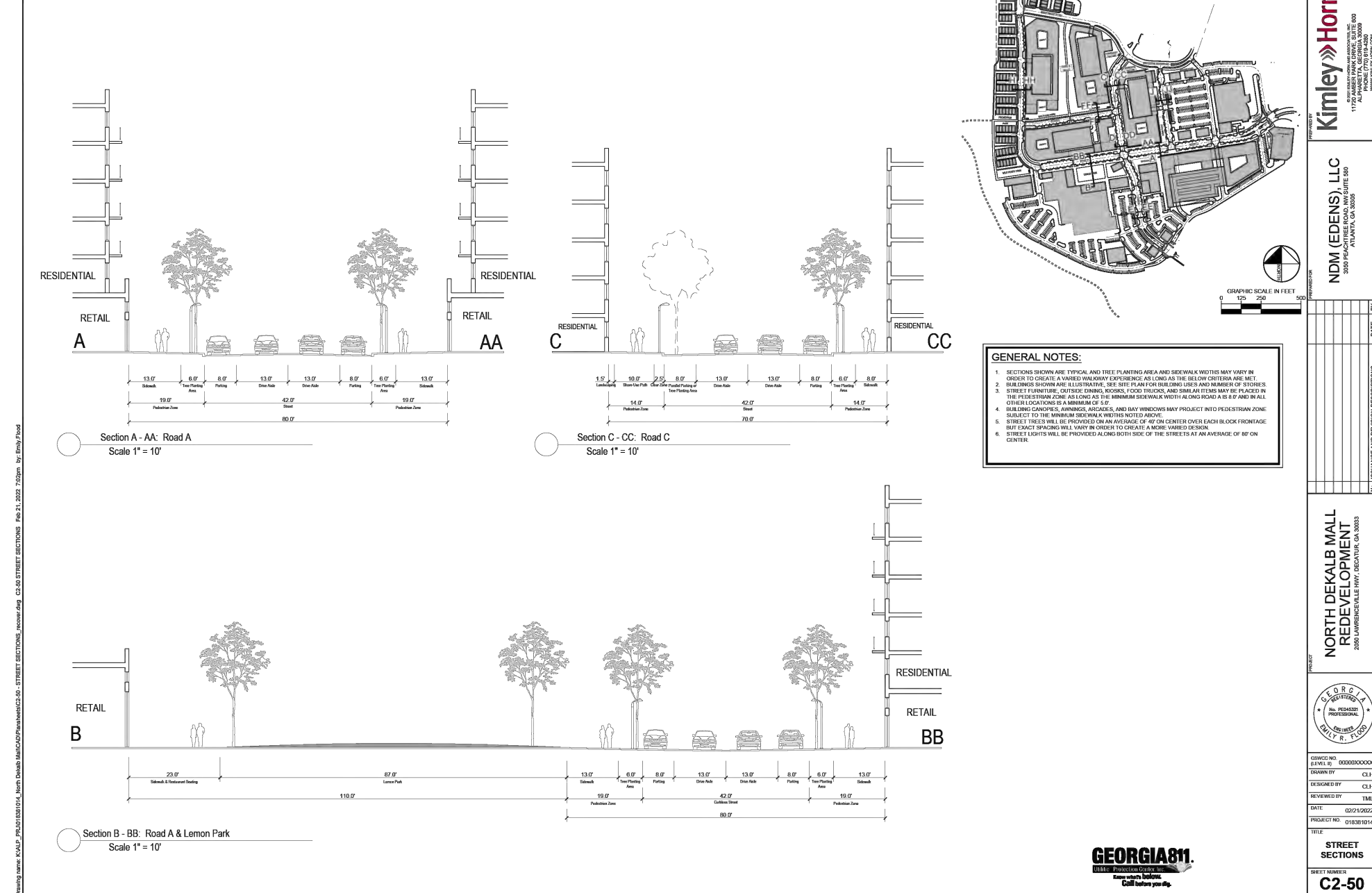


EXHIBIT B - STREET SECTIONS

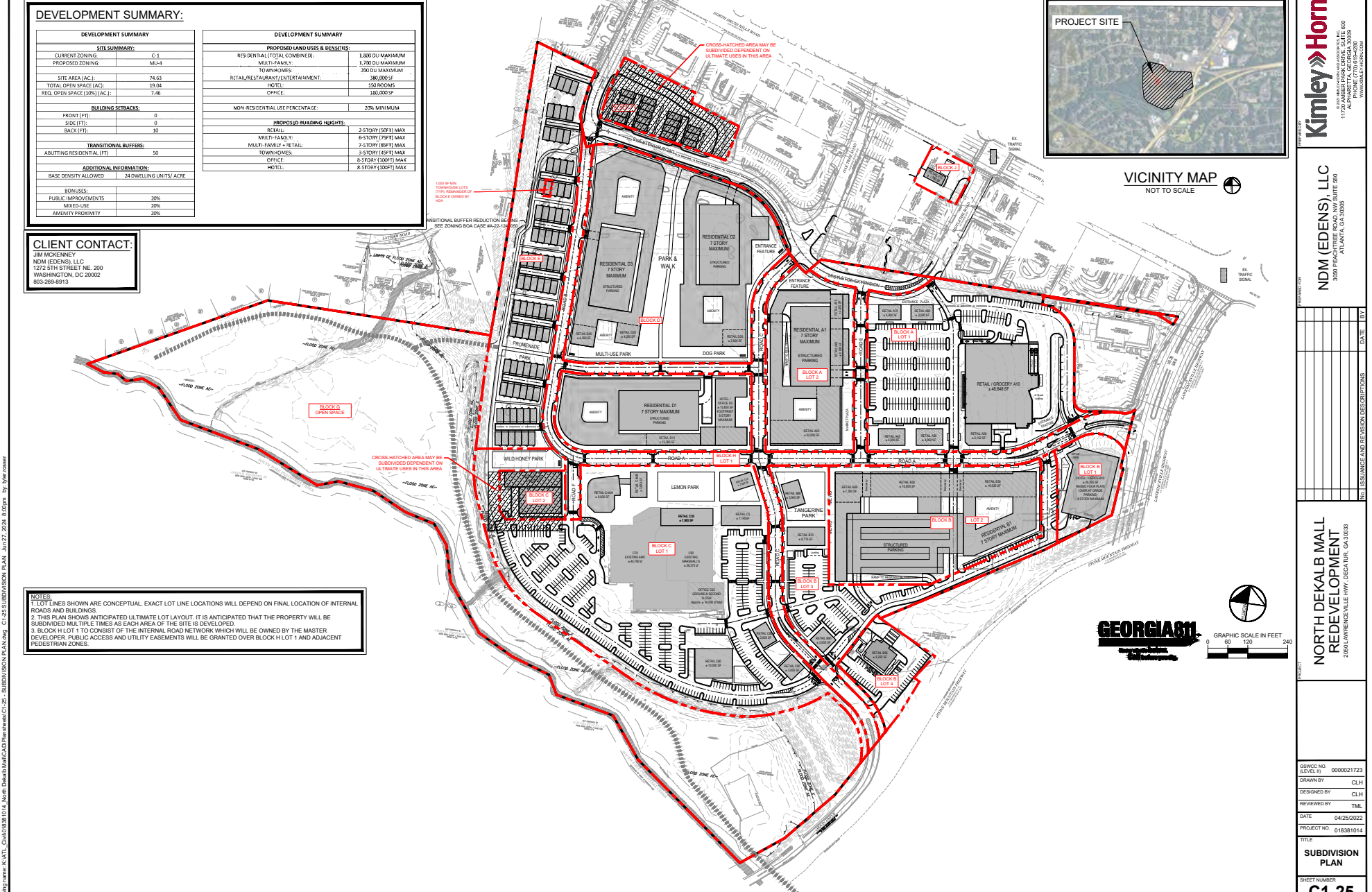


EXHIBIT C - CONCEPT SUBDIVISION PLAN

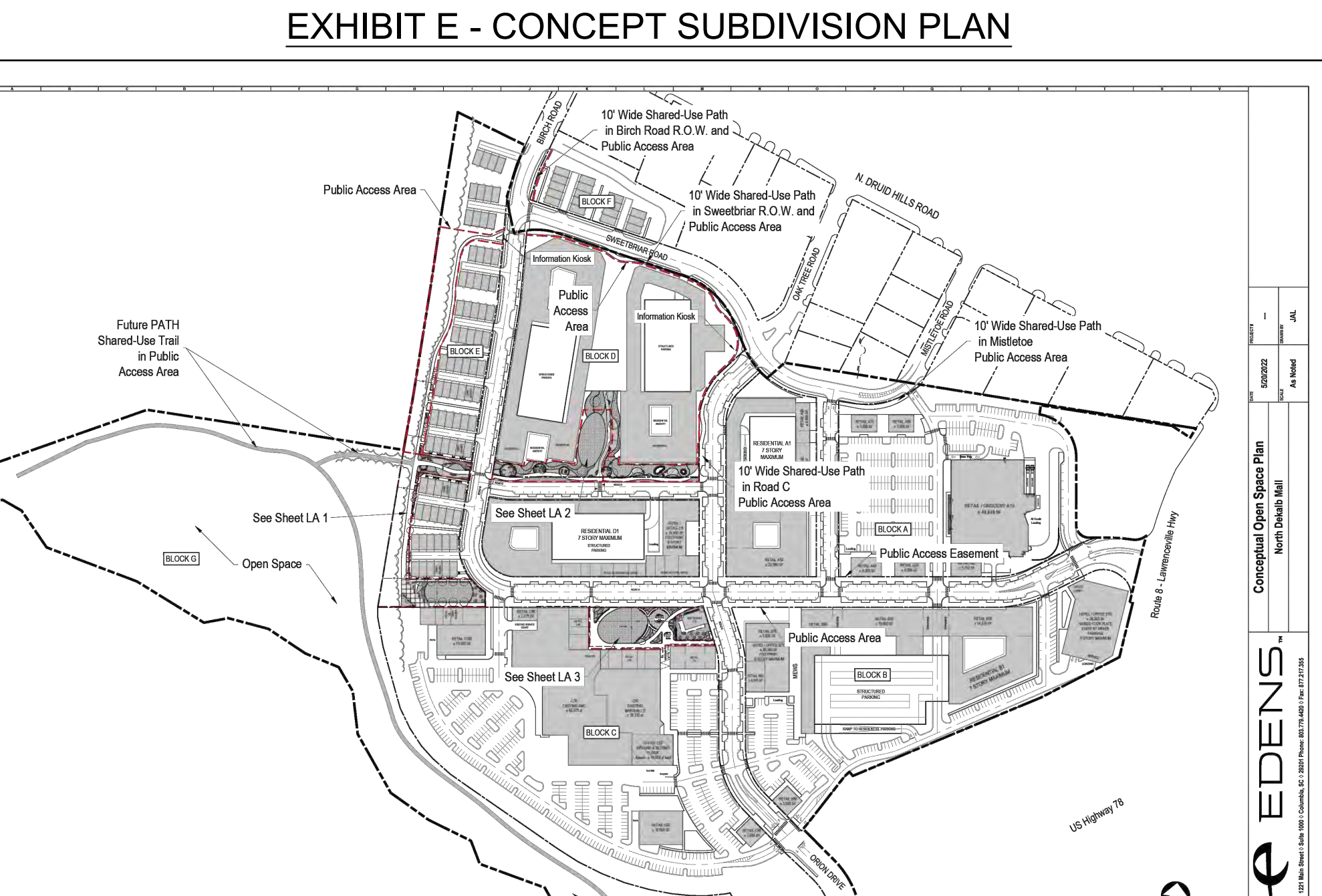
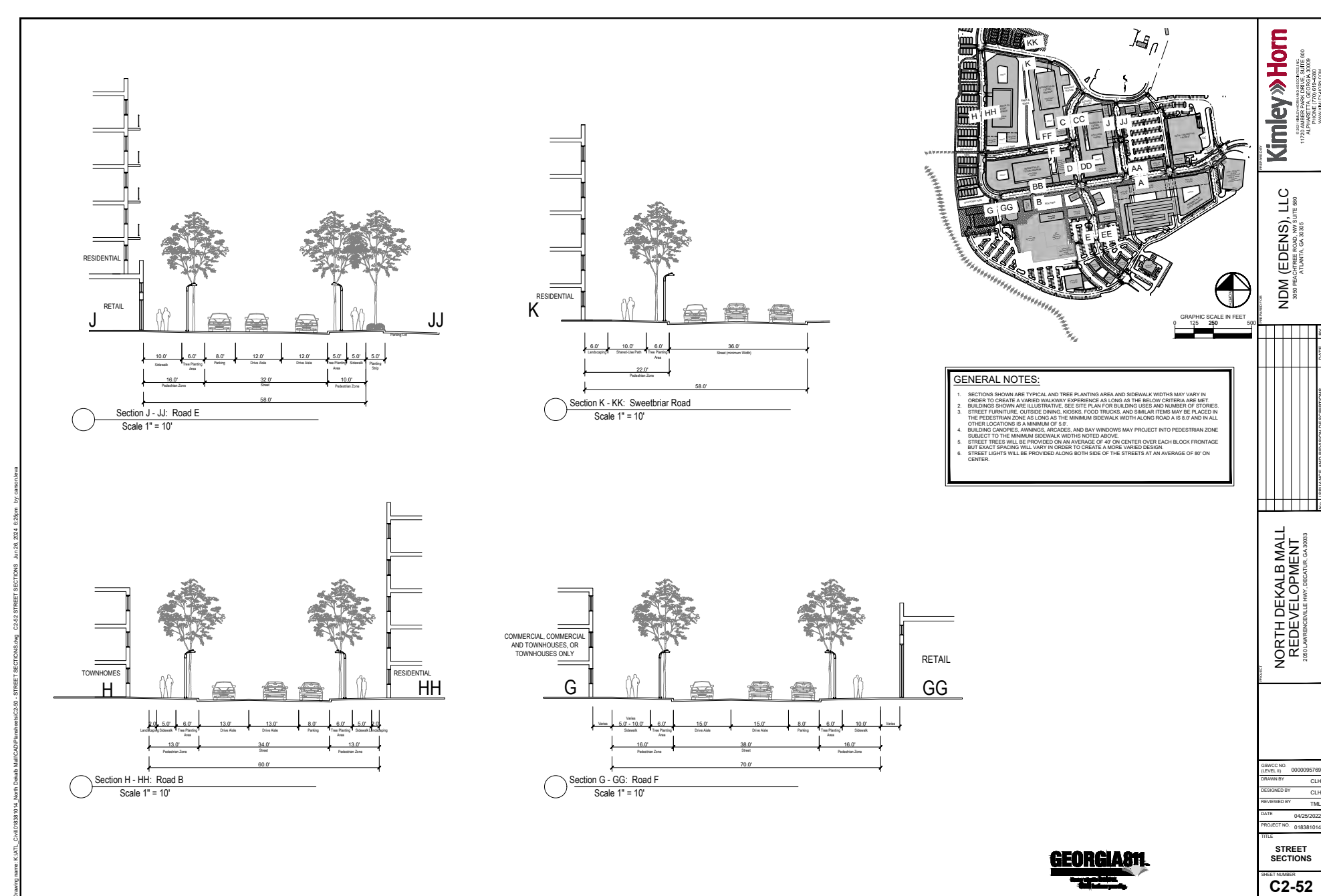
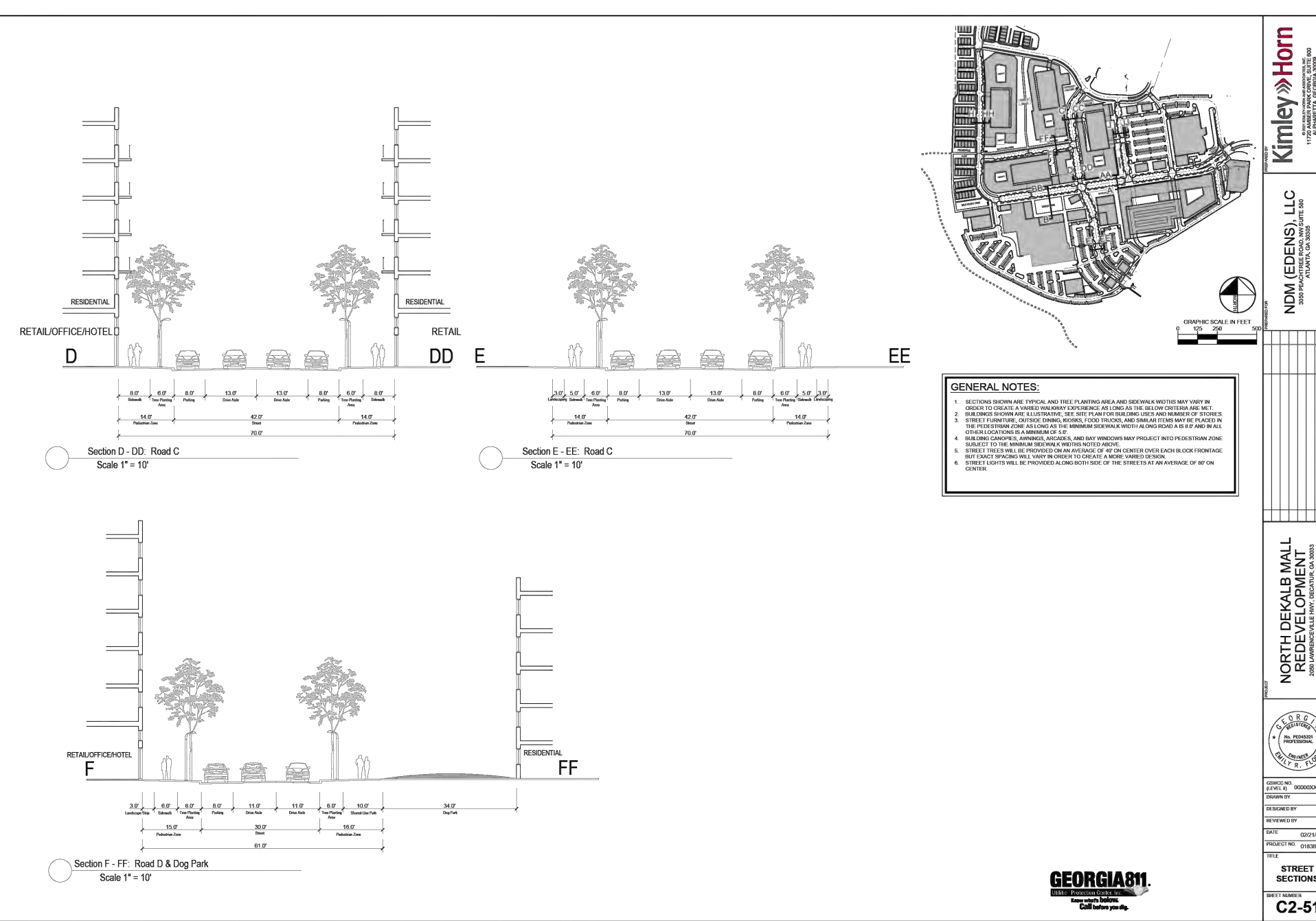


EXHIBIT D - OPEN SPACE PLAN

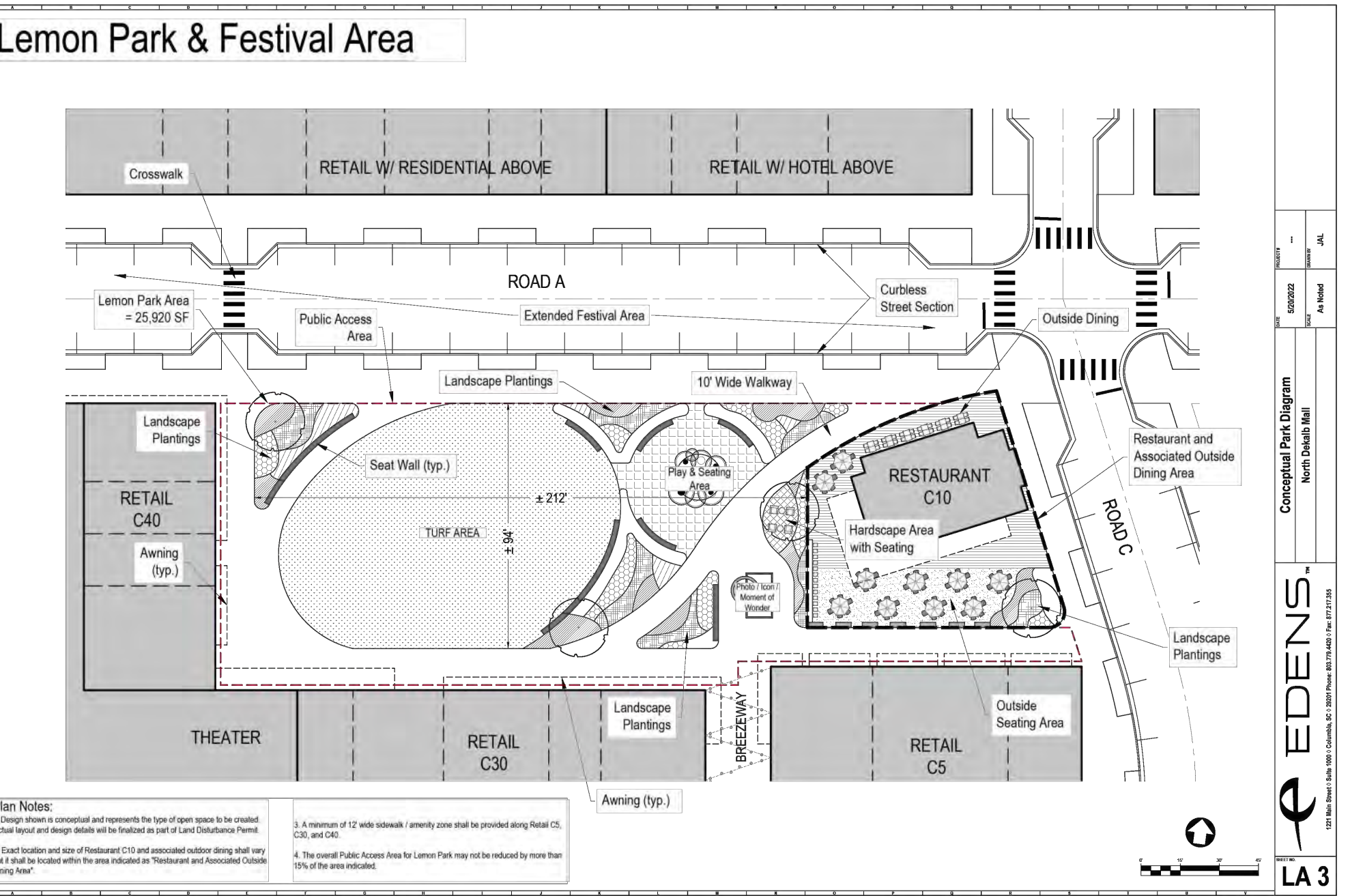
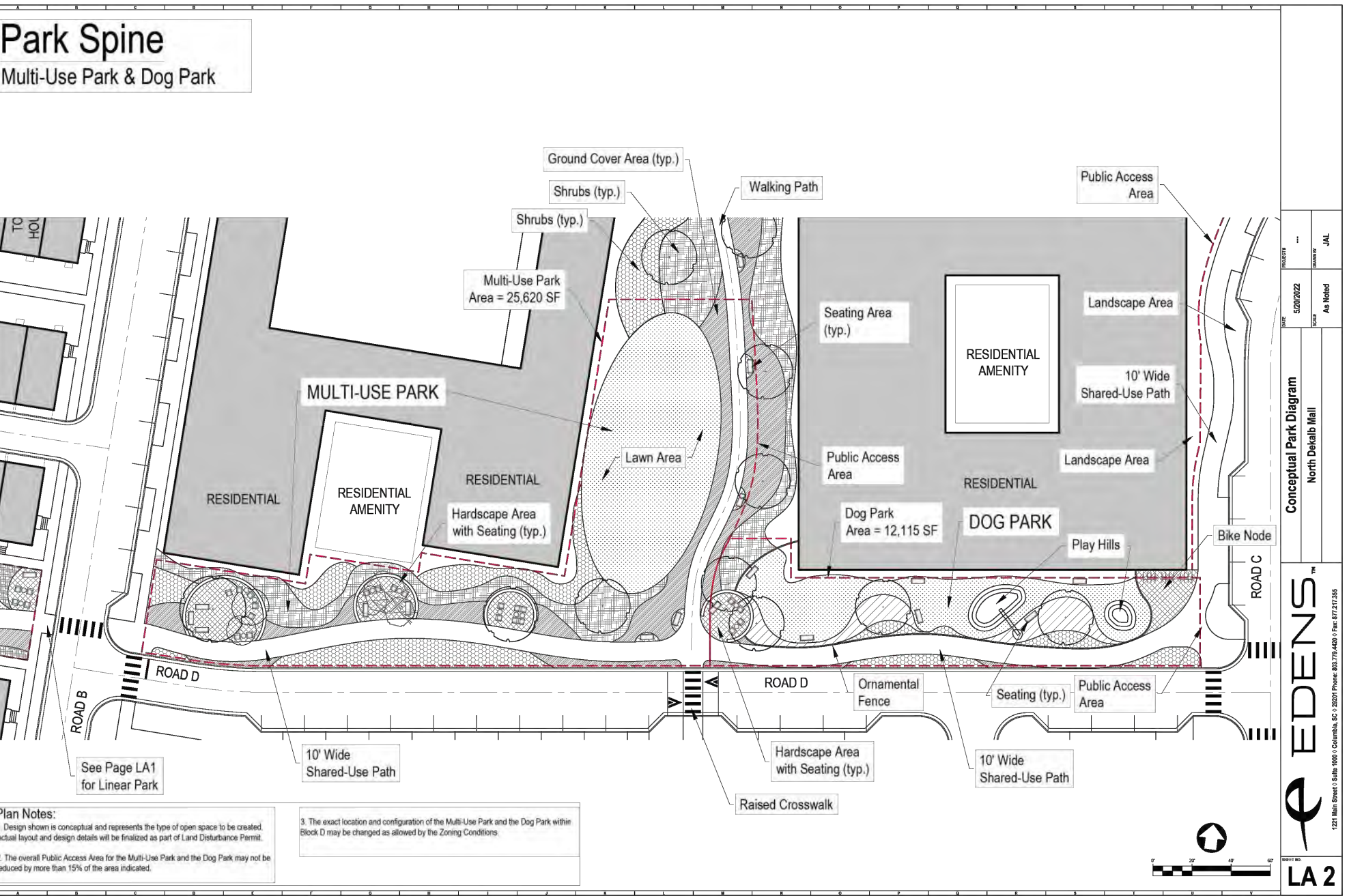
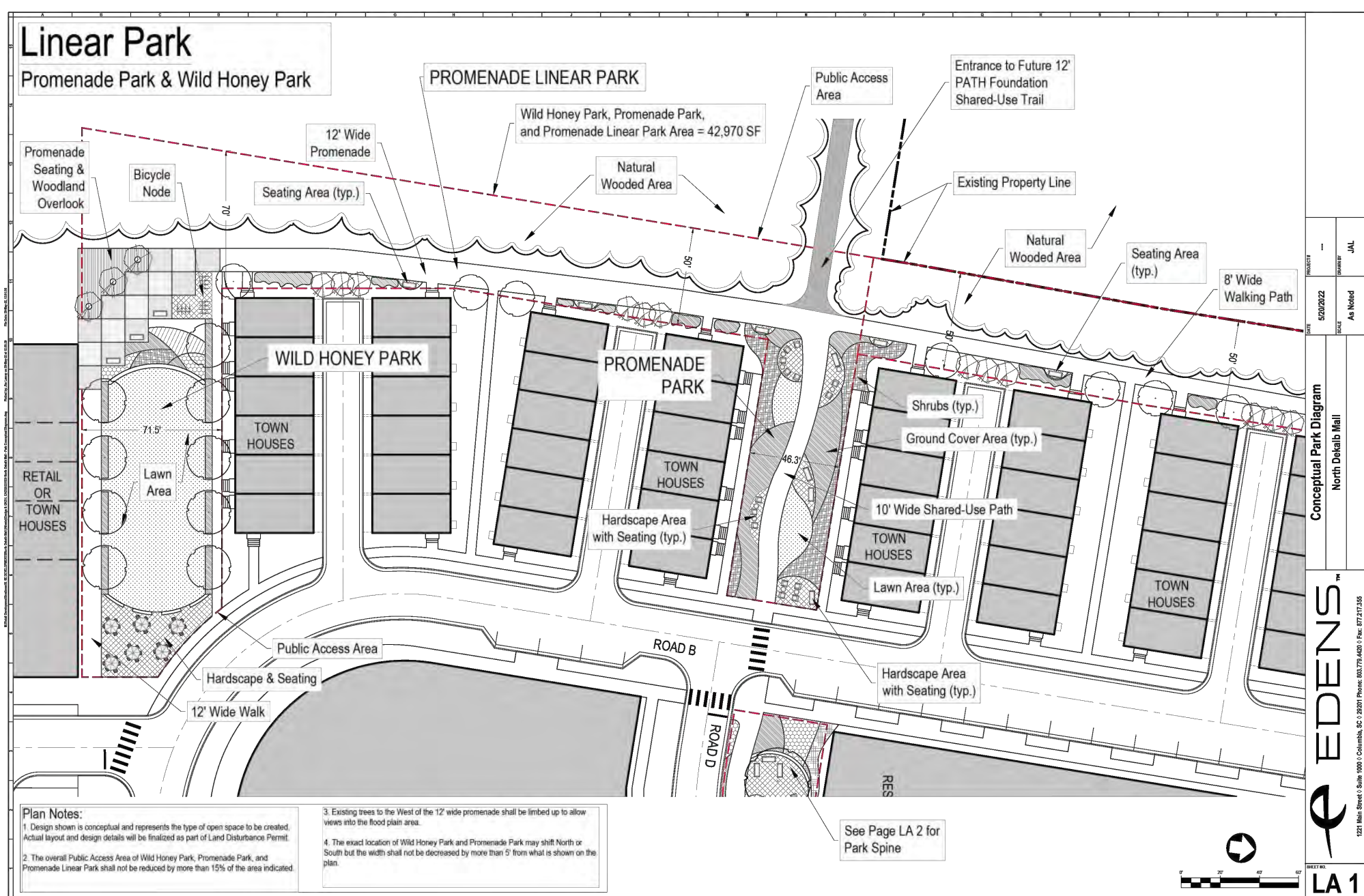


EXHIBIT D - OPEN SPACE PLAN

ZONING PLAN NOTE  
FOR FULL-SCALE ZONING PLANS, SEE APPROVED ZONING CASE NO. Z-22-124595

Kimley Horn  
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.  
3930 E. Jones Bridge Rd #350  
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PHONE (770) 825-0744  
WWW.KIMLEY-HORN.COM

EDENS  
1221 MAIN ST. SUITE 100  
COLUMBIA, SC 29201

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
3	LDP SUBMITTAL	01/28/2024	TGB
2	LDP SUBMITTAL	11/21/2023	TGB
1	LDP SUBMITTAL	09/06/2023	TGB

LULAH HILLS PHASE 1  
2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033

EDENS  
Conceptual Park Diagram  
North South Mall

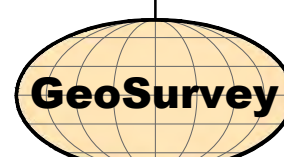
GSWCC NO. (LEVEL II) 0000095769  
DRAWN BY AG  
DESIGNED BY SPG  
REVIEWED BY JTR  
DATE 9/6/2023  
PROJECT NO. 018381020

TITLE  
ZONING PLANS  
SHEET NUMBER  
CS0.50



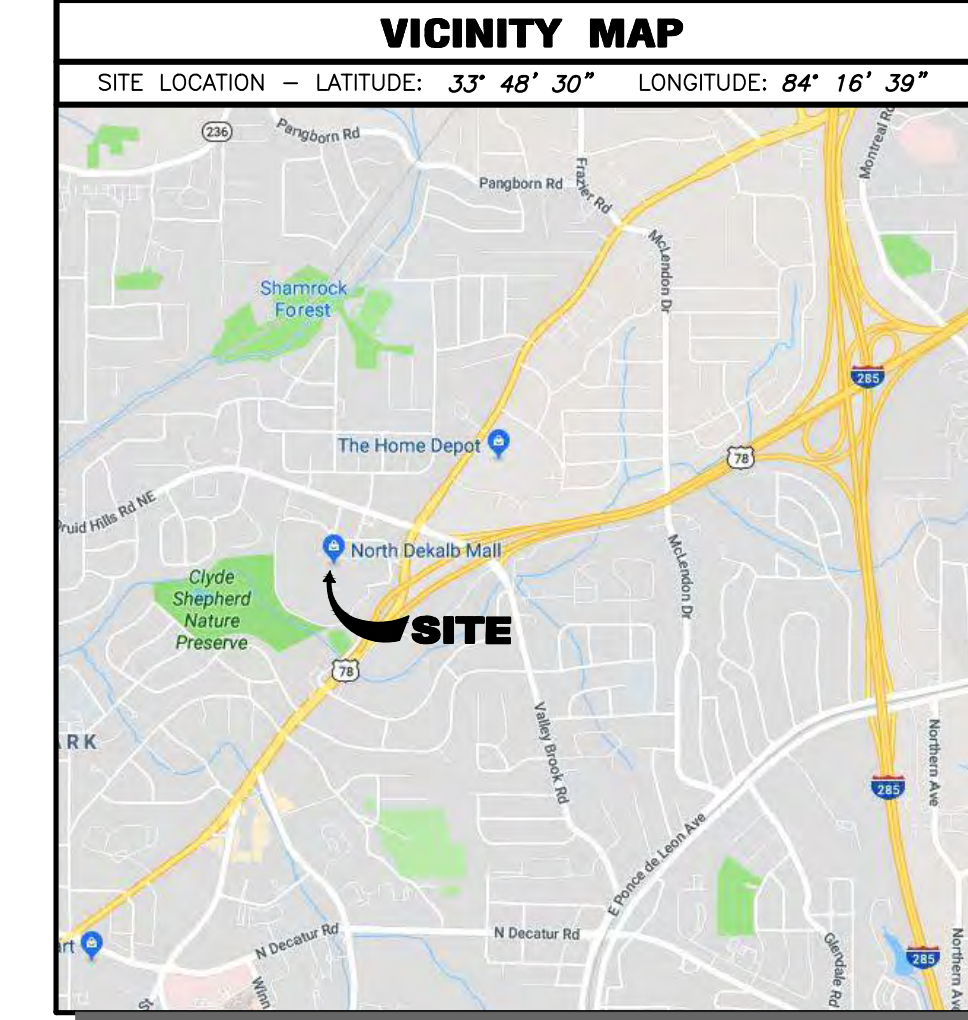
(CLERK OF COURT RECORDING INFORMATION)

GRID NORTH - GA. WEST ZONE



**SHEET INDEX**

SHEET 1 : COVERSHEET  
SHEETS 2-8 : EXISTING CONDITIONS SURVEY



**GENERAL NOTES**

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

A PORTION OF THE PROPERTY DEPICTED HEREON IS LOCATED IN FLOOD ZONE "AE" BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13089C0067K, AND THE DATE OF SAID MAP IS AUGUST 15, 2019. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE "SURVEY DATE" SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THE INTERIOR BUILDING LINES DIVIDING THE INDIVIDUAL SUITES ARE APPROXIMATE, BASED UPON OBSERVATIONS AND DIMENSIONS MADE FROM THE EXTERIOR OF THE BUILDING AND ARE NOT TO BE USED FOR REMODELING, CONSTRUCTION OR CALCULATIONS OF LEASE AREAS.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THIS SITE IS ZONED:

"MU-4" (MIXED USE HIGH DENSITY DISTRICT) AS SHOWN ON THE ZONING MAP OF DEKALB COUNTY. THE MINIMUM YARD SETBACKS ARE: FRONT - NO MIN./MAX.; SIDE - NO MIN./MAX.; REAR - NO MIN./MAX.

PLEASE NOTE: ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

THERE IS NO VISIBLE EVIDENCE OF BURY PITS AT DATE OF SURVEY

ELECTRIC SERVICE IS PROVIDED UNDERGROUND

WATER AND SEWER SERVICE IS PROVIDED BY DEKALB COUNTY, GEORGIA

A 75' TRIBUTARY BUFFER WILL BE MAINTAINED ON ALL STATE WATERS THAT ARE NOT APPROVED FOR A BUFFER ENCROACHMENT VARIANCE BY DEKALB COUNTY OR GEORGIA E.P.D.

THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR COMPLIANCE WITH THE CORPS OF ENGINEERS' REQUIREMENTS REGARDING WETLANDS

THE RECEIVING WATER BEING THE SOUTH FORK PEACHTREE CREEK

SURVEY REFERENCES  
1> ALTA/NSPS LAND TITLE SURVEY OF NORTH DEKALB MALL, PREPARED BY GEOSURVEY, LTD., DATED AUGUST 4, 2021 (JOB NO. 20175643-04).

**OWNER**

NDM EDENS LLC  
1221 MAIN ST SUITE 1000  
COLUMBIA SC 29201

**SHEET**  
1 OF 8

**CERTIFICATE OF CONFORMITY**  
I, David Hester, the engineer/surveyor  
for the Subdivision known as Lulah Hills  
located in Land Lot 100 & 101 of the 18th District, hereby certify  
that no lots platted within the subdivision are non-conforming or will result in any non-  
conforming lots.  
SIGNATURE: [Signature]  
NAME (PLEASE PRINT): David Hester  
ADDRESS: 1660 Barnes Mill Road  
CITY, STATE, ZIP: Marietta, GA 30062

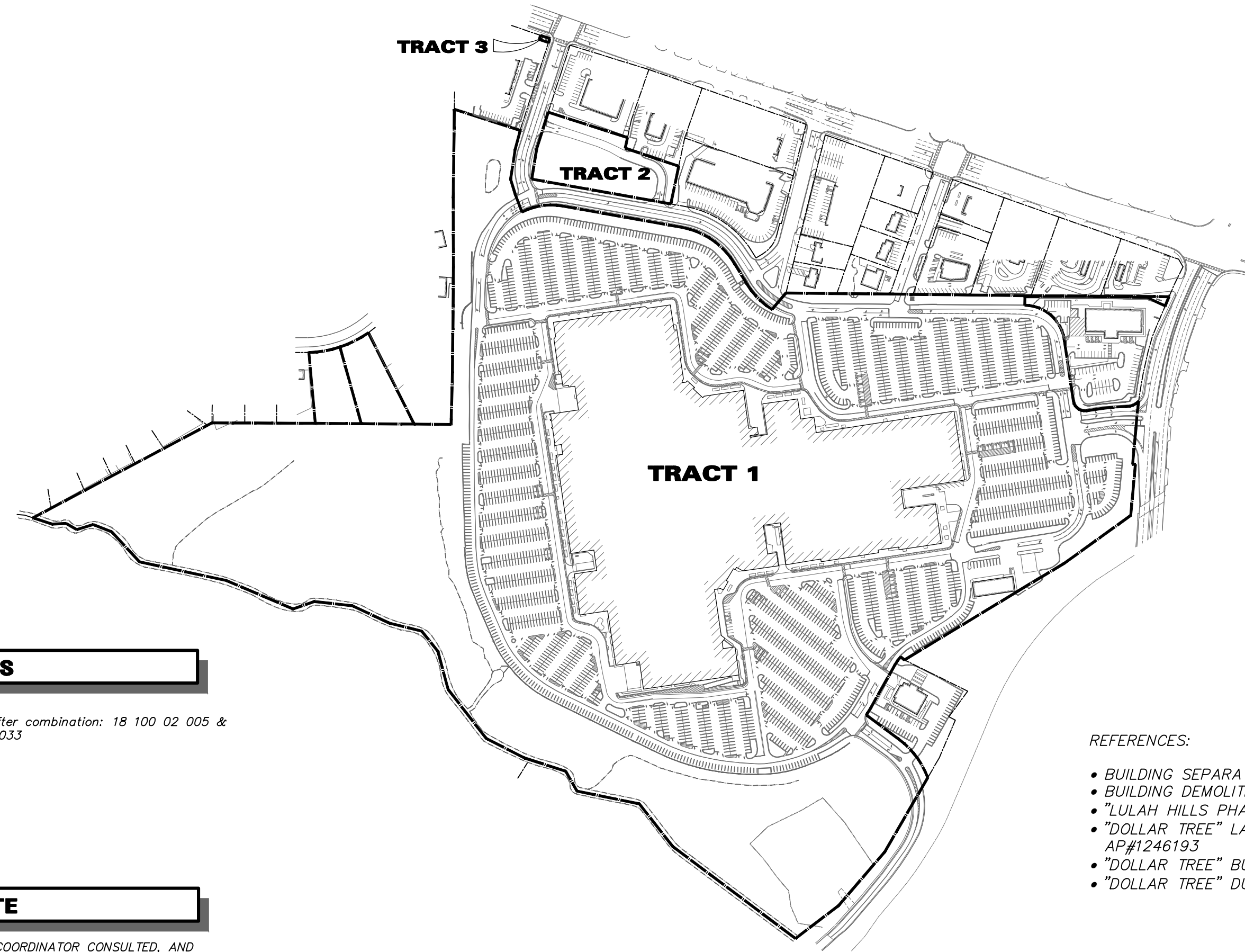
N/F PROPERTY OF  
**NDM (EDENS), LLC**  
DEED BOOK 29746 / PAGE 455  
DEED BOOK 29746 / PAGE 466  
DEED BOOK 29746 / PAGE 470

**TRACT ONE**  
71.666 Acres  
3,121,791 sf  
ZONED MU-4

**TRACT TWO**  
1.439 Acres  
62,662 sf  
ZONED MU-4

**TRACT THREE**  
0.007 Acres  
327 sf  
ZONED C-1

**TOTAL SITE AREA**  
73.112 Acres  
3,184,780 sf



**ADDRESSES**

Tract 1: Retaining Parcel ID# & Address, after combination: 18 100 02 005 & 2050 Lawrenceville Highway Decatur, GA 30033

**FLOOD NOTE**

THE WORK WAS EVALUATED, THE FLOODPLAIN COORDINATOR CONSULTED, AND THE ACTIVITY DEEMED IMMATERIAL TO THE BASE FLOOD. A FLOOD STUDY IS NOT REQUIRED.

**CLOSURE STATEMENT**

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 149,225, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE S-6 TOTAL STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 631,319 FEET. JEM, INT.

**IF YOU DIG**



Know what's below.  
Call before you dig.  
Dial 811  
Or Call 800-282-7411

**SURVEYOR'S ACKNOWLEDGEMENT**

In my opinion, this plat, drawn by me or under my supervision, was made from actual survey, and is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.  
Date: December 16, 2022

[Signature]  
David L. Hester  
Georgia Registered  
Land Surveyor # 3042

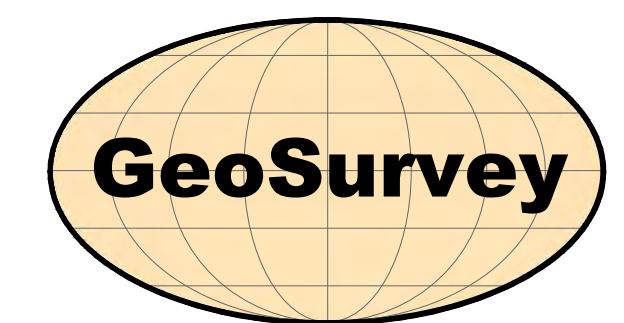
**SCOPE OF PLAT**

THE PURPOSE OF THIS PLAT IS TO COMBINE EXISTING PARCELS 1, 2, 3, 6 & 7 INTO ONE PARCEL.

**SURVEYOR CERTIFICATION**

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

[Signature]  
David L. Hester  
Georgia Registered  
Land Surveyor # 3042



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1660 Barnes Mill Road  
Marietta, Georgia 30062  
Phone: (770) 795-9900  
Fax: (770) 795-8880

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EMAIL: info@geosurvey.com  
Certificate of Authorization #LSF-000621

**EXISTING CONDITIONS**

**LULAH HILLS**

FOR

**NDM (EDENS), LLC**

GS JOB NO:	20175643	DRAWING SCALE:	1" = 40'	SURVEY DATE:	08-04-2021
FIELD WORK:	ZM/WG	CITY:	UNINCORPORATED	REVISIONS	
PROJ MGR:	JEM	COUNTY:	DEKALB	STATE:	GA
REVIEWED:	DLH	LAND LOT:	100 & 101	No.	Date
DWG FILE:	20175643-09.dwg	DISTRICT:	18TH	Description	

IF YOU DIG



Know what's below.  
Call before you dig.  
Dial 811  
Or Call 800-282-7411

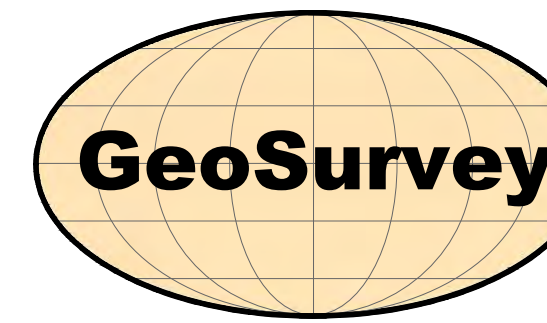
(CLERK OF COURT RECORDING INFORMATION)

LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
AC	AIR CONDITIONER
BH	BORER HOLE
BSL	BUILDING SETBACK LINE
C	CURB INLET
CMF	CORRUGATED METAL PIPE
CD	CONCRETE MONUMENT FND
CO	SANITARY CLEANOUT
CPED	COMMUNICATION PEDESTAL
CTP	CRIMPED TOP PIPE
DI	DROP INLET
DIP	DUCTILE IRON PIPE
DWCB	DOUBLE WING CATCH BASIN
FND	FOUND
GM	GAS METER
INV	INVERT
J	JUNCTION BOX
MH	MANHOLE
OH	OVERHEAD POWER
OT	OPEN TOP PIPE
PM	POWER METER
POB	POINT OF BEGINNING
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RCP	REINFORCED CONCRETE PIPE
RFB	IRON REINFORCING BAR
RFB	5/8" RFB FND CAPPED LSF 621
SS	SANITARY SEWER
SWCB	SINGLE WING CATCH BASIN
TRANS	ELECTRIC TRANSFORMER
POWER POLE	POWER POLE
GUY WIRE	GUY WIRE
LIGHT POLE	LIGHT POLE
ELECTRIC VAULT	ELECTRIC VAULT
ELECTRIC TRANSFORMER	ELECTRIC TRANSFORMER
WATER VAULT	WATER VAULT
GAS VALVE	GAS VALVE
GAS METER	GAS METER
WATER VALVE	WATER VALVE
WATER METER	WATER METER
FIRE HYDRANT	FIRE HYDRANT
UNDERGROUND ELECTRIC LINE	UNDERGROUND ELECTRIC LINE
UNDERGROUND GAS LINE	UNDERGROUND GAS LINE
UNDERGROUND COMMUNICATION LINE	UNDERGROUND COMMUNICATION LINE
UNDERGROUND WATER LINE	UNDERGROUND WATER LINE
REGULAR PARKING SPACE COUNT	REGULAR PARKING SPACE COUNT
HANDICAP PARKING SPACE	HANDICAP PARKING SPACE
TREE POSITION INDICATOR	TREE POSITION INDICATOR
SIGN	SIGN

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	131.39'	27.85'	27.79'	S35°30'32"W
C2	303.36'	17.02'	17.02'	S31°02'34"W
C3	27.00'	6.28'	6.27'	S25°59'53"W
C4	182.00'	118.33'	116.26'	N81°31'39"E
C5	219.00'	186.10'	180.55'	S55°30'10"E
C6	217.00'	102.25'	101.31'	S44°39'28"E
C7	114.00'	161.32'	148.19'	S48°56'11"E
C8	33.00'	51.69'	46.56'	S53°24'16"E
C9	441.76'	84.57'	84.52'	N85°52'43"E
C10	48.00'	39.15'	38.07'	N66°41'00"E
C11	1203.92'	78.21'	78.20'	S05°39'35"W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S17°52'15"W	11.94'
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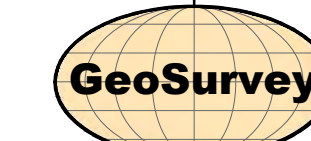
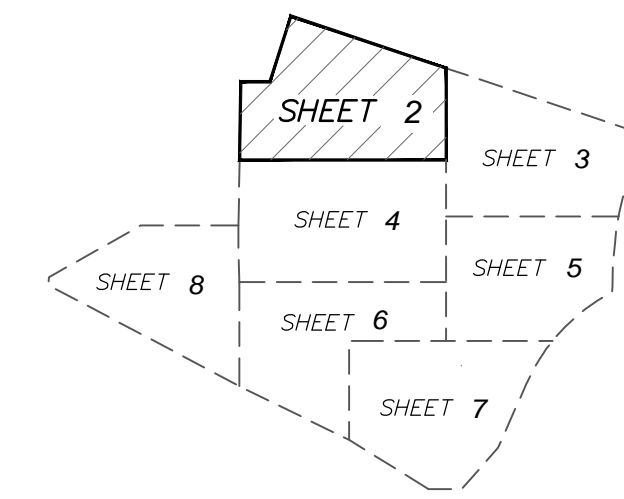
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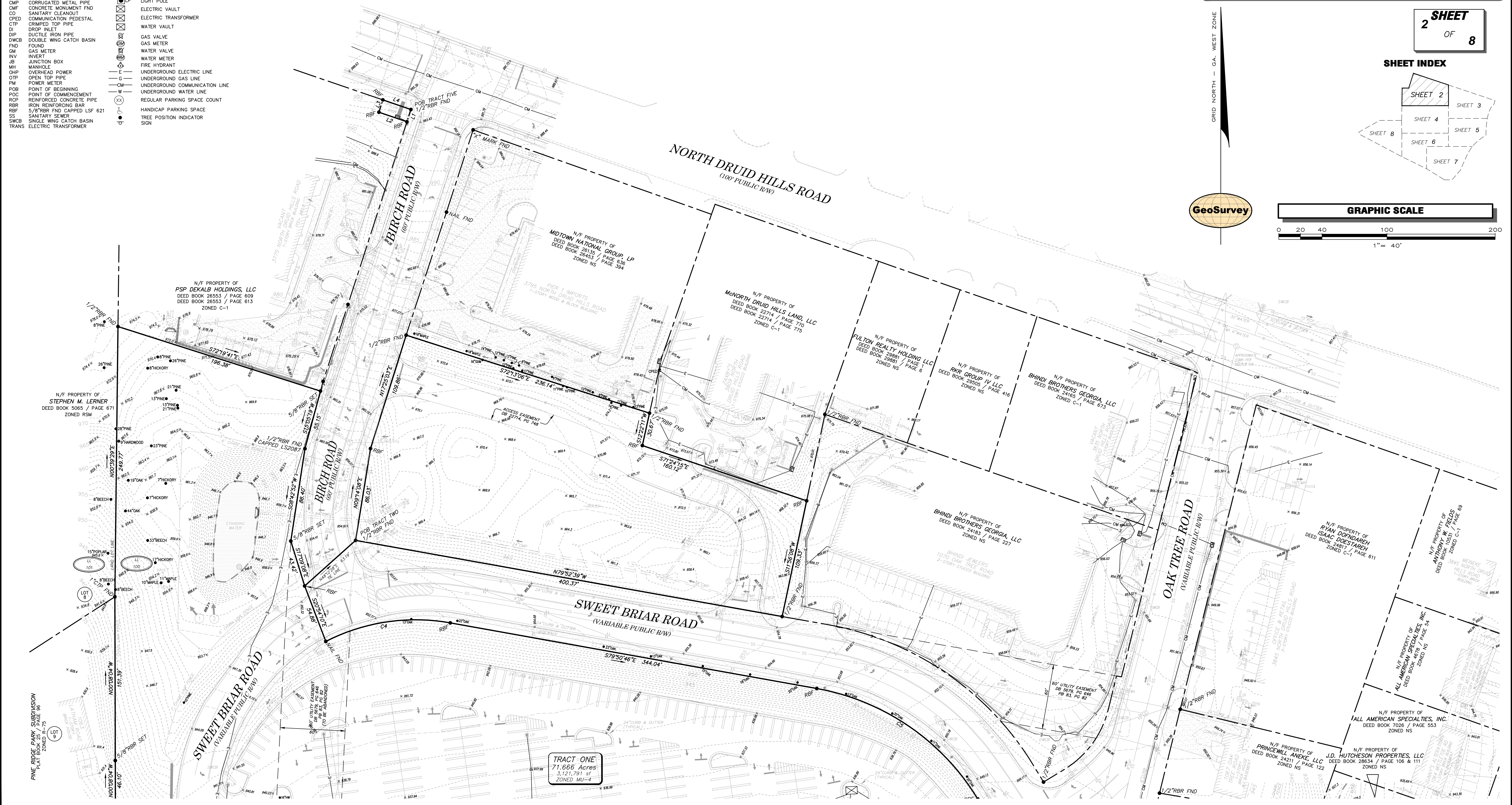
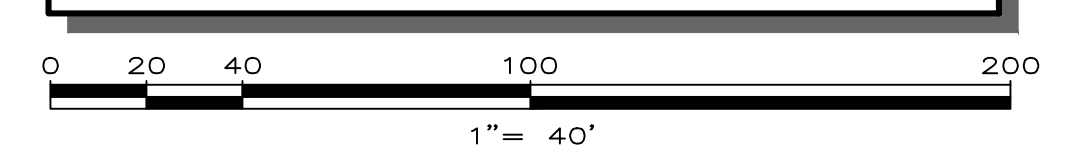
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SHEET 2 OF 8

SHEET INDEX



GRAPHIC SCALE



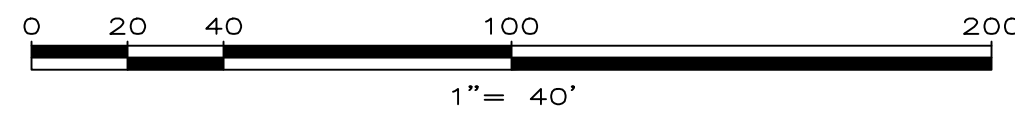
TRACT ONE  
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3,121,791 sq ft  
ZONED MU-4

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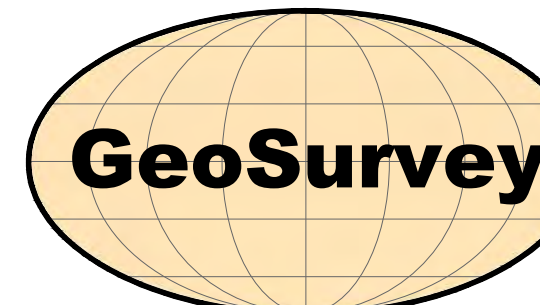


CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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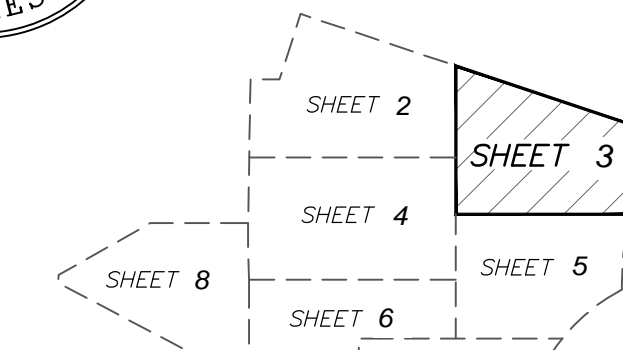
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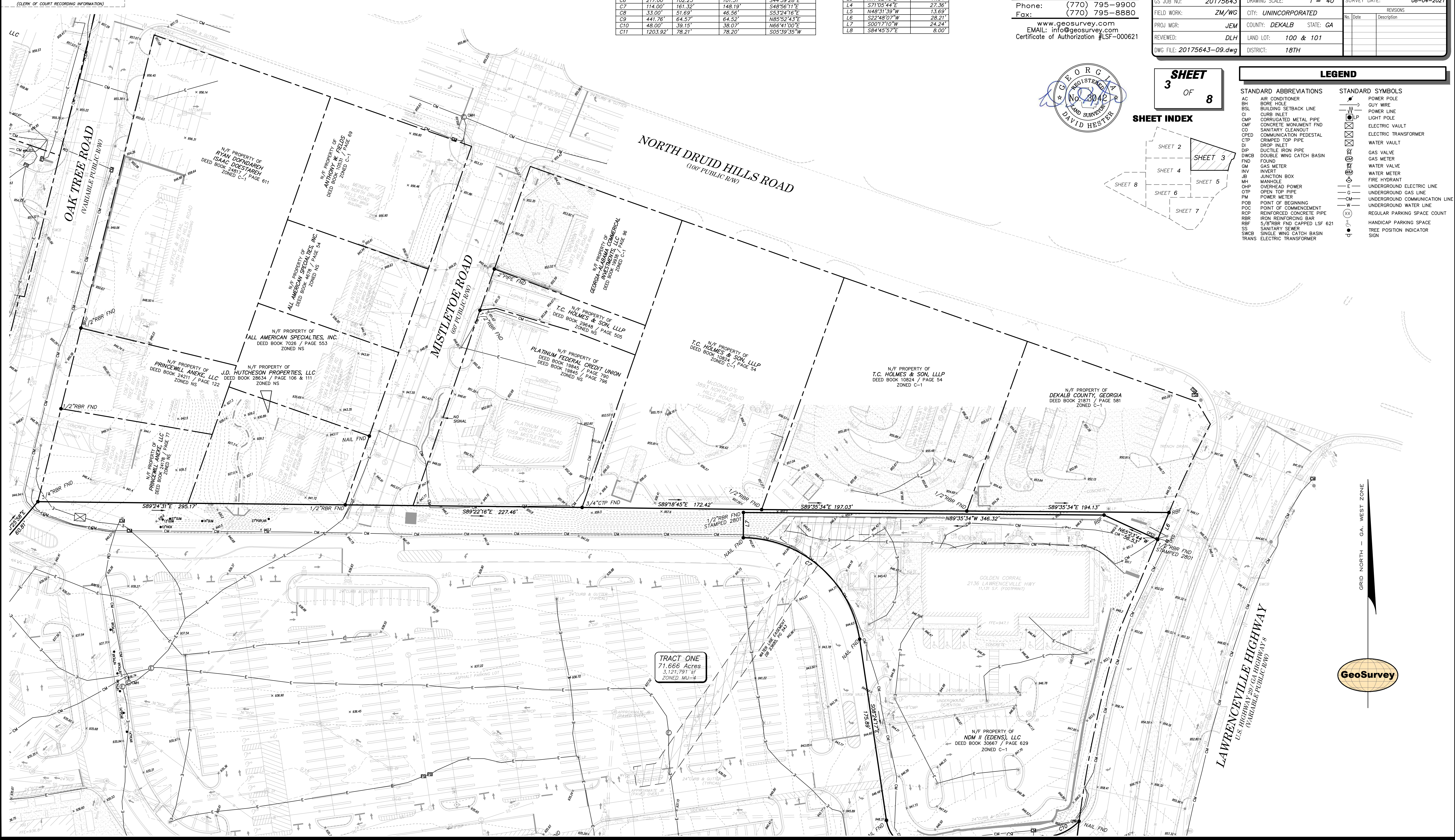
SHEET 3 OF 8

SHEET INDEX

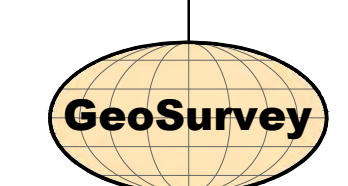


LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS		
AC	AIR CONDITIONER	⚡	POWER POLE
BH	BURE HOLE	—	GUY WIRE
BSL	BUILDING SETBACK LINE	—	POWER LINE
CI	CURB INLET	⊙	LIGHT POLE
CMP	CORRUGATED METAL PIPE	⊗	ELECTRIC VAULT
CMF	CONCRETE MONUMENT FND	⊗	ELECTRIC TRANSFORMER
CO	SANITARY CLEANOUT	⊗	WATER VAULT
CPED	COMMUNICATION PEDESTAL	⊗	GAS VALVE
CTP	CRIMPED TOP PIPE	⊗	GAS METER
DI	DROP INLET	⊗	WATER METER
DIP	DUCTILE IRON PIPE	⊗	FIRE HYDRANT
DWCB	DOUBLE WING CATCH BASIN	⊗	UNDERGROUND ELECTRIC LINE
FND	FOUND	—	UNDERGROUND GAS LINE
GM	GAS METER	—	UNDERGROUND COMMUNICATION LINE
INV	INVERT	—	UNDERGROUND WATER LINE
JB	JUNCTION BOX	⊗	REGULAR PARKING SPACE COUNT
MH	MANHOLE	⊗	HANDICAP PARKING SPACE
OMP	OVERHEAD POWER	⊗	TREE POSITION INDICATOR
OTP	OPEN TOP PIPE	⊗	SIGN
PM	POWER METER	⊗	
POB	POINT OF BEGINNING	⊗	
POC	POINT OF COMMENCEMENT	⊗	
RCP	REINFORCED CONCRETE PIPE	⊗	
RFB	IRON REINFORCING BAR	⊗	
RFB	5/8" RFB FND CAPPED LSF 621	⊗	
SS	SANITARY SEWER	⊗	
SSCB	SINGLE WING CATCH BASIN	⊗	
SWCB	ELECTRIC TRANSFORMER	⊗	



GRID NORTH - GA. WEST ZONE



(CLERK OF COURT RECORDING INFORMATION)

### GRAPHIC SCALE



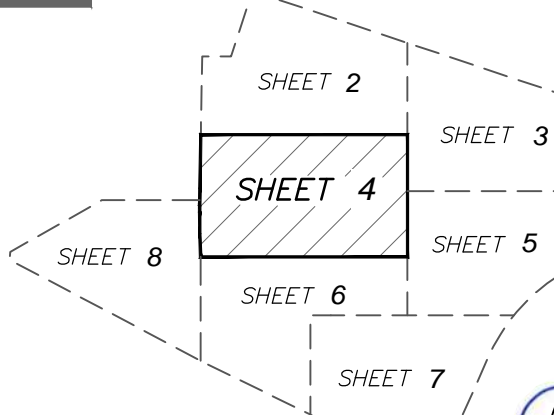
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### LEGEND

<b>STANDARD ABBREVIATIONS</b>	<b>STANDARD SYMBOLS</b>
AC AIR CONDITIONER	— POWER POLE
BH BORE HOLE	— GUY WIRE
BSL BUILDING SETBACK LINE	— POWER LINE
CI CURB INLET	— LIGHT POLE
CMF CORRUGATED METAL PIPE	— ELECTRIC VAULT
CMF CONCRETE MONUMENT FND	— ELECTRIC TRANSFORMER
CD SANITARY CLEANOUT	— WATER VAULT
CFED COMMUNICATION FEDESTAL	— GAS VALVE
CTP CRUMPED TOP PIPE	— GAS METER
DI DUCTILE IRON PIPE	— INVERT
DWCB DOUBLE WING CATCH BASIN	— JUNCTION BOX
FND FOUND	— MANHOLE
GM GAS METER	— OVERHEAD POWER
INV INVERT	— OPEN TOP PIPE
JB JUNCTION BOX	— POWER METER
MH MANHOLE	— POINT OF BEGINNING
OHP OVERHEAD POWER	— POINT OF COMMENCEMENT
OTP OPEN TOP PIPE	— REINFORCED CONCRETE PIPE
POB POINT OF BEGINNING	— 5/8" RIB FND CARRED LSF 621
POC POINT OF COMMENCEMENT	— SS
RFP REINFORCED CONCRETE PIPE	— SWEB
RFR IRON REINFORCING BAR	— TRANS
SS 5/8" RIB FND CARRED LSF 621	
SWEB SINGLE WING CATCH BASIN	
TRANS ELECTRIC TRANSFORMER	

### SHEET INDEX



**SHEET**  
4 OF 8



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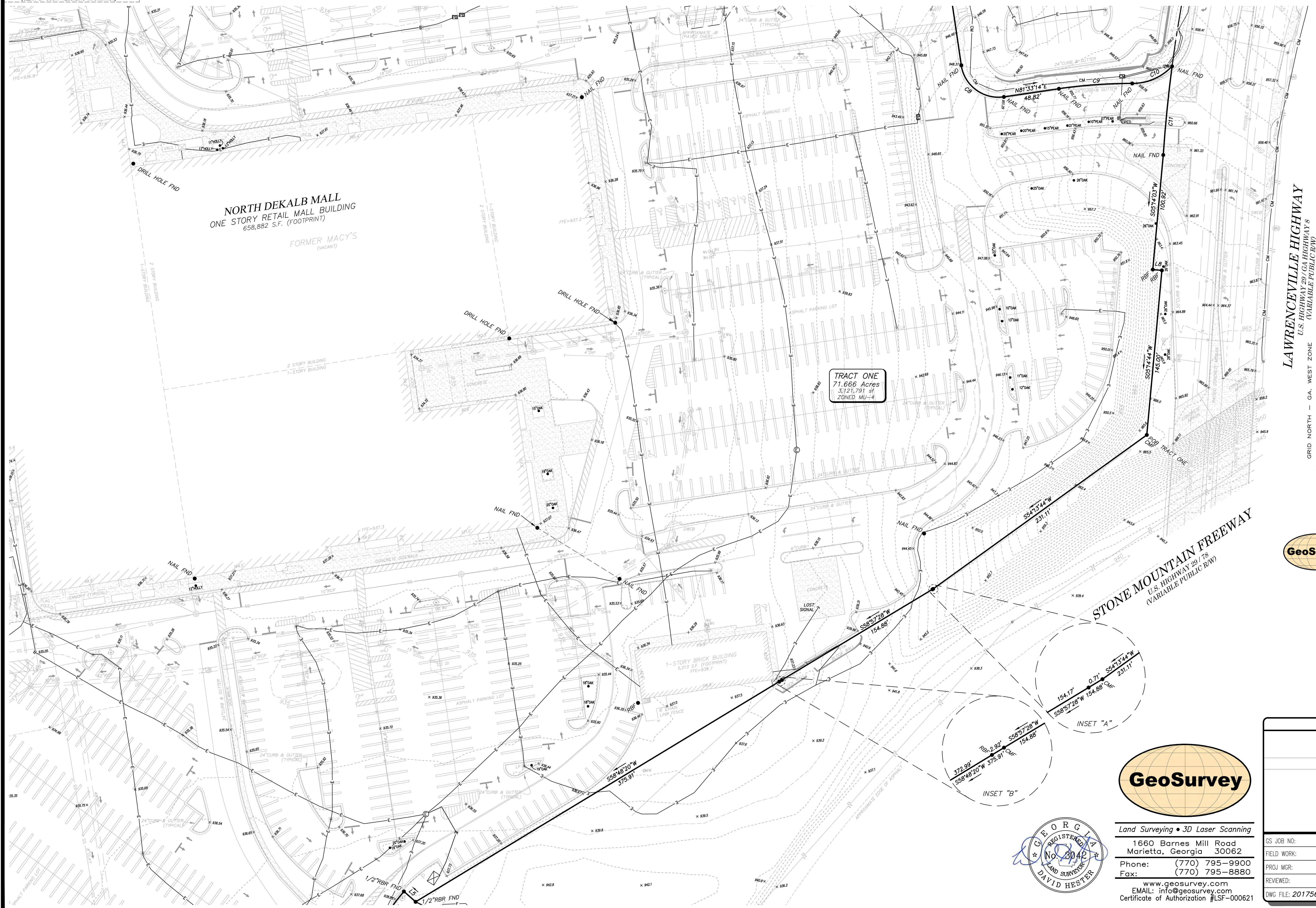
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GS JOB NO:	20175643	DRAWING SCALE: 1" = 40'
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**TRACT ONE**  
71.666 Acres  
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ZONED MU-4

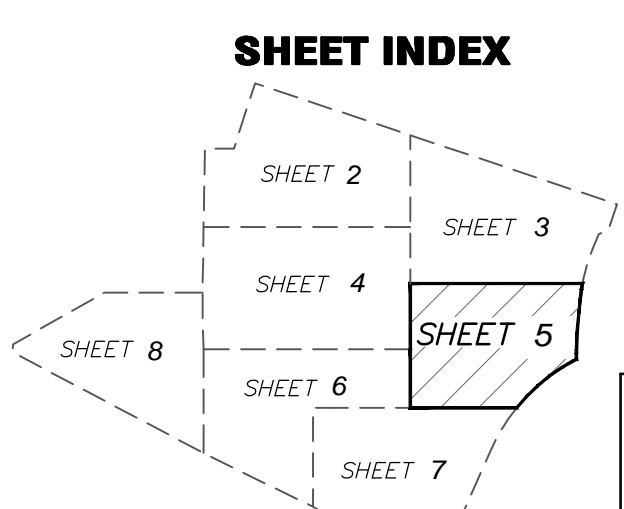
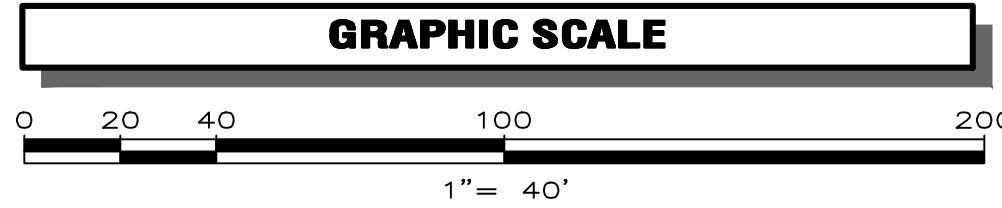
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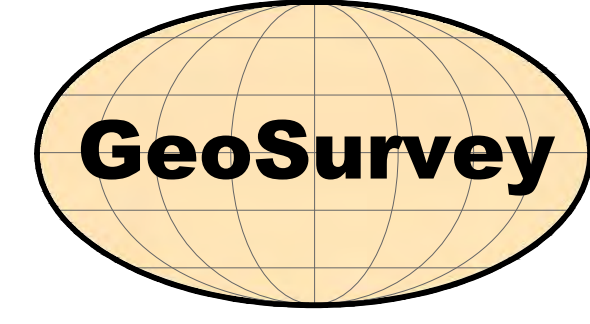
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**SHEET**  
5 OF 8

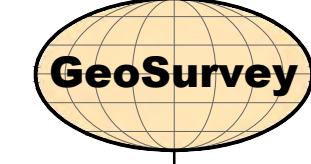


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GRID NORTH - GA. WEST ZONE



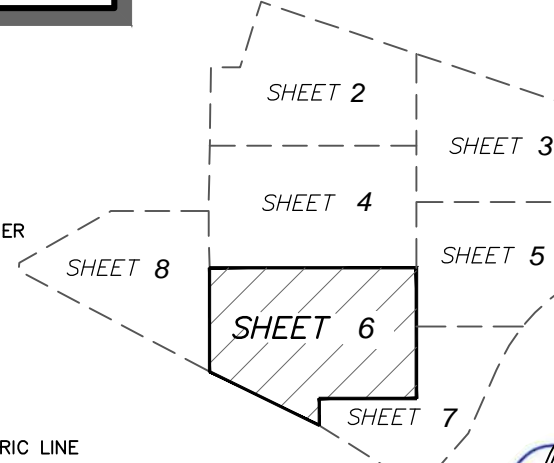
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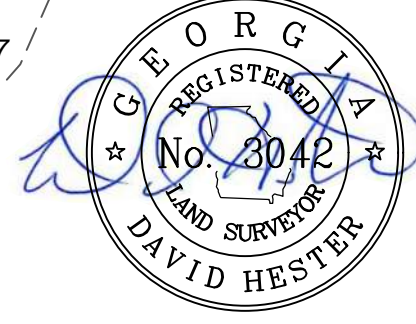
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OH OVERHEAD POWER	UNDERGROUND GAS LINE
OTF OPEN TOP PIPE	UNDERGROUND COMMUNICATION LINE
PM POWER METER	UNDERGROUND WATER LINE
POB POINT OF BEGINNING	REGULAR PARKING SPACE
POC POINT OF COMMENCEMENT	HANDICAP PARKING SPACE
RCP REINFORCED CONCRETE PIPE	TREE POSITION INDICATOR
RBR IRON REINFORCING BAR	TRANS
RSF SANITARY SEWER	
SS SINGLE WING CATCH BASIN	
SWCB SW/8" RBR FND CAPPED LSF 621	
TRANS ELECTRIC TRANSFORMER	

SHEET INDEX



SHEET 6 OF 8



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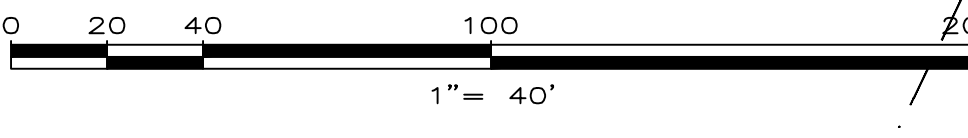
www.geosurvey.com  
EMAIL: info@geosurvey.com  
Certificate of Authorization #LSF-000621

EXISTING CONDITIONS		
LULAH HILLS		
FOR		
NDM (EDENS), LLC		
GS JOB NO: 20175643	DRAWING SCALE: 1" = 40'	SURVEY DATE: 08-04-2021
FIELD WORK: ZM/WG	CITY: UNINCORPORATED	REVISIONS
PROJ MGR: JEM	COUNTY: DEKALB STATE: GA	No. Date Description
REVIEWED: DLH	LAND LOT: 100 & 101	
DWG FILE: 20175643-09.dwg	DISTRICT: 18TH	



N/F PROPERTY OF JAMES H. SHEPHERD, JR. DEED BOOK 24737 / PAGE 328 ZONED R-75

GRAPHIC SCALE

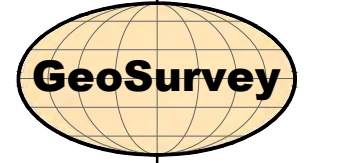


S36°5' CH=1, AN=1, R=2

NORTH DEKALB MALL  
ONE STORY RETAIL MALL BUILDING  
658,882 S.F. (FOOTPRINT)

AMC THEATRE

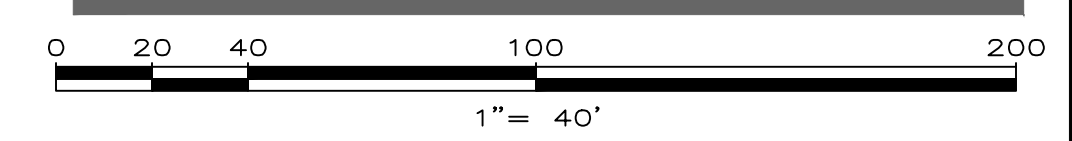
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CITIZEN & SOUTHERN NATIONAL BANK  
DEED BOOK 5557 / PAGE 587  
ZONED C-1



**LEGEND**

- |                                |                                  |
|--------------------------------|----------------------------------|
| <b>STANDARD ABBREVIATIONS</b>  | <b>STANDARD SYMBOLS</b>          |
| AC AIR CONDITIONER             | ⊕ POWER POLE                     |
| BH BORE HOLE                   | — GUY WIRE                       |
| BSL BUILDING SETBACK LINE      | — POWER LINE                     |
| CI CURB INLET                  | ⊕ LIGHT POLE                     |
| CMF CORRUGATED METAL PIPE      | ⊕ ELECTRIC VAULT                 |
| CMF CONCRETE MONUMENT FND      | ⊕ ELECTRIC TRANSFORMER           |
| CO SANITARY CLEANOUT           | ⊕ WATER VAULT                    |
| CPED COMMUNICATION PEDESTAL    | ⊕                                |
| CTP CRIMPED TOP PIPE           | ⊕                                |
| DI DROP INLET                  | ⊕                                |
| DIP DUCTILE IRON PIPE          | ⊕                                |
| DWCB DOUBLE WING CATCH BASIN   | ⊕                                |
| FND FOUND                      | ⊕                                |
| GM GAS METER                   | ⊕                                |
| INV INVERT                     | ⊕                                |
| JB JUNCTION BOX                | ⊕                                |
| MH MANHOLE                     | ⊕                                |
| OHP OVERHEAD POWER             | — FIRE HYDRANT                   |
| OTP OPEN TOP PIPE              | — UNDERGROUND ELECTRIC LINE      |
| PM POWER METER                 | — UNDERGROUND GAS LINE           |
| POB POINT OF BEGINNING         | — UNDERGROUND COMMUNICATION LINE |
| POC POINT OF COMMENCEMENT      | — UNDERGROUND WATER LINE         |
| RCP REINFORCED CONCRETE PIPE   | ⊕ REGULAR PARKING SPACE COUNT    |
| RBR IRON REINFORCING BAR       | ⊕ HANDICAP PARKING SPACE         |
| RF 5/8" RBR FND CAPPED LSF 621 | ⊕ TREE POSITION INDICATOR        |
| SS SANITARY SEWER              |                                  |
| SWCB SINGLE WING CATCH BASIN   |                                  |
| TRANS ELECTRIC TRANSFORMER     |                                  |

**GRAPHIC SCALE**

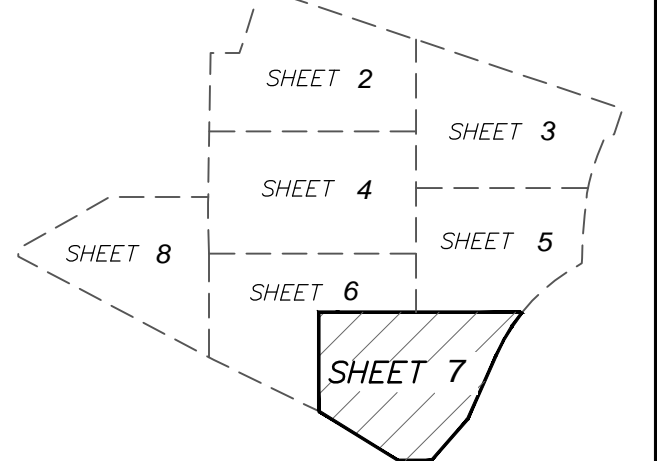


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**SHEET INDEX**



**SHEET**  
7 OF 8

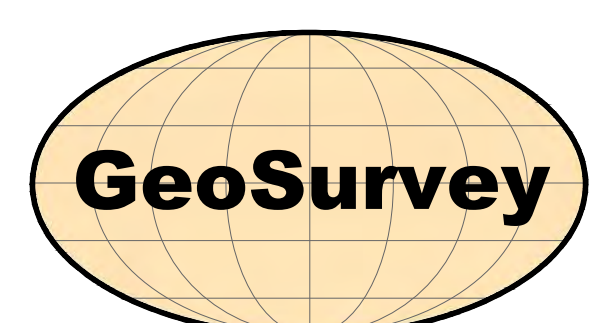
**CURVE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	131.39'	27.85'	27.79'	S35°30'32"W
C2	303.36'	17.02'	17.02'	S31°02'34"W
C3	27.00'	6.28'	6.27'	S25°58'53"W
C4	182.00'	118.33'	116.26'	N61°31'39"E
C5	219.00'	186.10'	180.55'	S53°30'10"E
C6	217.00'	102.25'	101.31'	S44°39'28"E
C7	114.00'	161.32'	148.19'	S48°56'11"E
C8	33.00'	51.69'	46.56'	S53°24'16"E
C9	441.76'	64.52'	64.52'	N85°52'43"E
C10	48.00'	39.15'	38.07'	N66°41'00"E
C11	1203.92'	78.21'	78.20'	S05°39'35"W

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S17°52'15"W	11.94'
L2	N71°05'44"W	27.36'
L3	N17°52'15"E	11.94'
L4	S71°05'44"E	27.36'
L5	N48°31'39"W	13.69'
L6	S22°48'07"W	28.21'
L7	S00°17'10"W	24.24'
L8	S84°45'57"E	8.00'

TRACT ONE  
71.666 Acres  
3,121,791 sq ft  
ZONED MU-4



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EXISTING CONDITIONS

**LULAH HILLS**

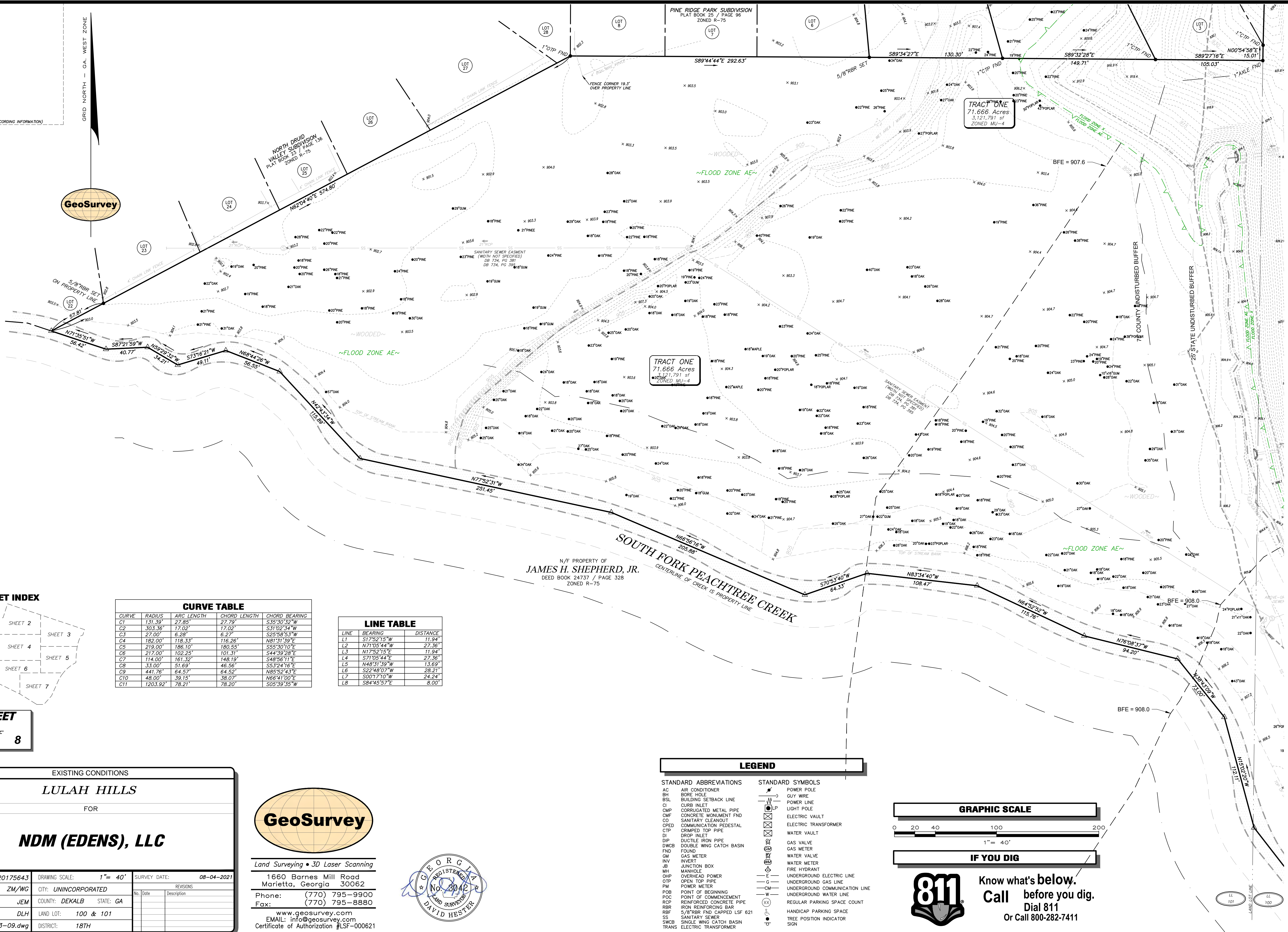
FOR

**NDM (EDENS), LLC**

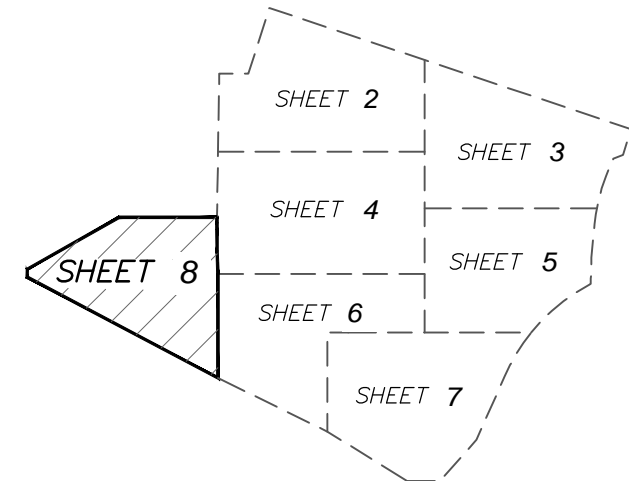
GS JOB NO:	20175643	DRAWING SCALE:	1" = 40'	SURVEY DATE:	08-04-2021
FIELD WORK:	ZM/WG	CITY:	UNINCORPORATED	REVISIONS	
PROJ MGR:	JEM	COUNTY:	DEKALB	STATE:	GA
REVIEWED:	DLH	LAND LOT:	100 & 101	No.	Date
DWG FILE:	20175643-09.dwg	DISTRICT:	18TH	Description	

(CLERK OF COURT RECORDING INFORMATION)

GRID NORTH - GA. WEST ZONE



SHEET INDEX



SHEET 8 OF 8

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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EXISTING CONDITIONS

**LULAH HILLS**

FOR

**NDM (EDENS), LLC**

GS JOB NO:	20175643	DRAWING SCALE:	1" = 40'	SURVEY DATE:	08-04-2021
FIELD WORK:	ZM/WG	CITY:	UNINCORPORATED	REVISIONS	
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**LEGEND**

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
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BH BORE HOLE	GUY WIRE
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RFR IRON REINFORCING BAR	
RFB 5/8" RBR FND CAPPED LSF 621	
SS SANITARY SEWER	
SWCB SINGLE WING CATCH BASIN	
TRANS ELECTRIC TRANSFORMER	

**GRAPHIC SCALE**

0 20 40 100 200

1" = 40'

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### DIMENSIONAL REQUIREMENTS (MU-4)

DWELLING UNITS / ACRE = 24-40  
 MINIMUM STREET FRONTAGE = 50 FT  
 MINIMUM SITE SIZE = N/A  
 FRONT SETBACK = N/A  
 SIDE SETBACK = N/A  
 REAR SETBACK = 10 FT

OPEN SPACE REQUIRED = 10%  
 TRANSITIONAL BUFFER (MU-4 TO R) = 50 FT  
 MINIMUM NON-RESIDENTIAL = 20% GSF

SINGLE FAMILY DETACHED - NOT ALLOWED

**SINGLE FAMILY ATTACHED**  
 MINIMUM LOT AREA = 1,000 SF  
 MINIMUM LOT WIDTH = 20 FT  
 MINIMUM LOT COVERAGE = 90%  
 MINIMUM FRONT SETBACK = N/A  
 MINIMUM SIDE SETBACK = N/A  
 MINIMUM REAR SETBACK = 10 FT (5 FT W/ ALLEY)  
 MINIMUM UNIT AREA = 850 SF

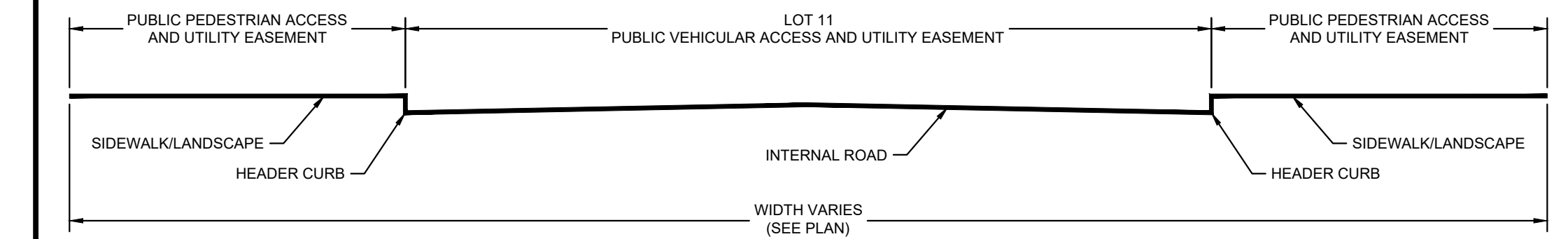
**MULTI-FAMILY**  
 MINIMUM LOT AREA = 12,500 SF  
 MINIMUM LOT WIDTH = 50 (1 BLDG); 100 (2+ BLDGS)  
 MAXIMUM LOT COVERAGE = N/A  
 MINIMUM FRONT SETBACK = N/A  
 MINIMUM SIDE SETBACK = N/A  
 MINIMUM REAR SETBACK = 10 FT  
 MINIMUM UNIT AREA = VARIES

### APPROVED VARIANCES

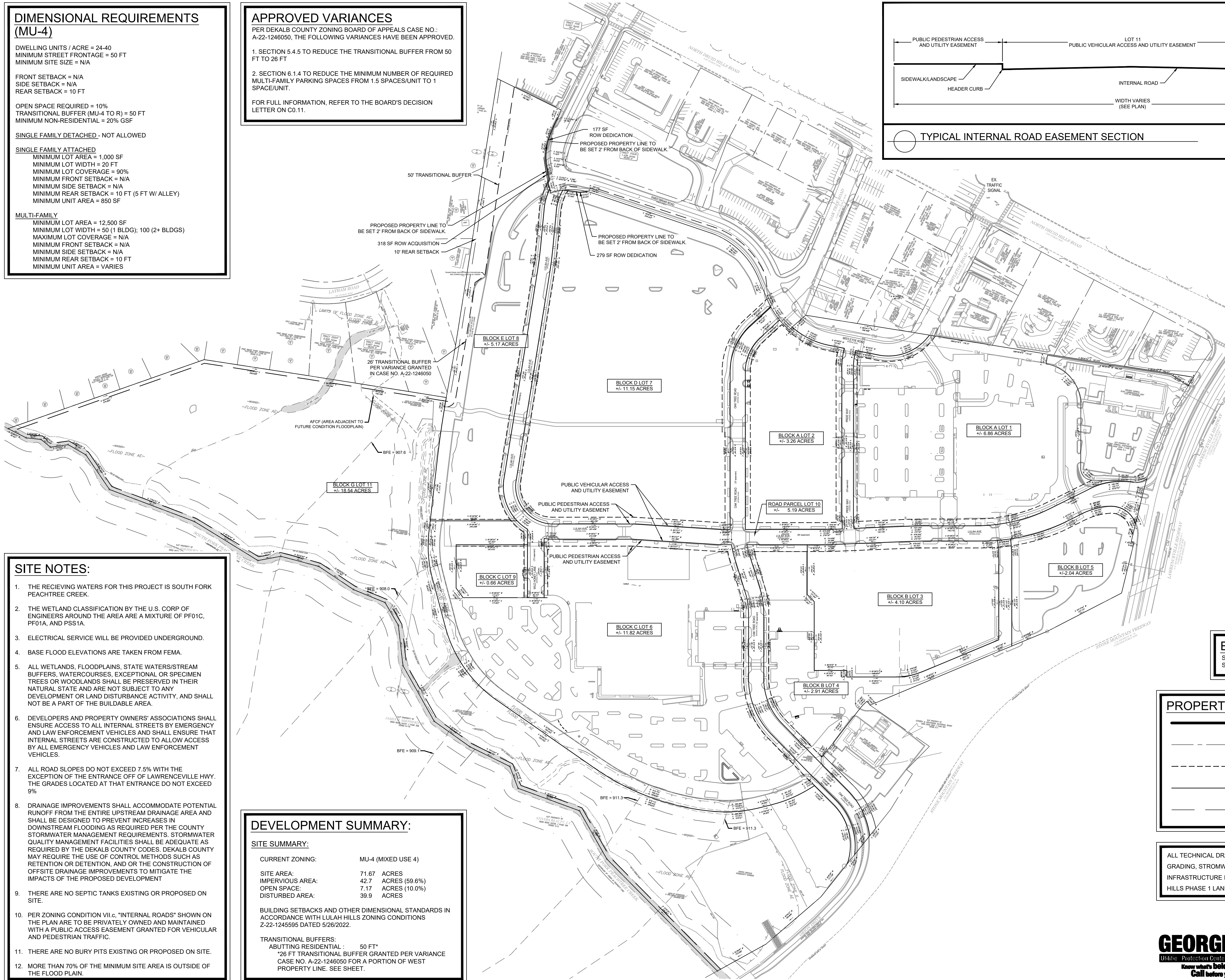
PER DEKALB COUNTY ZONING BOARD OF APPEALS CASE NO. A-22-1246050, THE FOLLOWING VARIANCES HAVE BEEN APPROVED.

- SECTION 5.4.5 TO REDUCE THE TRANSITIONAL BUFFER FROM 50 FT TO 26 FT
- SECTION 6.1.4 TO REDUCE THE MINIMUM NUMBER OF REQUIRED MULTI-FAMILY PARKING SPACES FROM 1.5 SPACES/UNIT TO 1 SPACE/UNIT.

FOR FULL INFORMATION, REFER TO THE BOARD'S DECISION LETTER ON C0.11.



TYPICAL INTERNAL ROAD EASEMENT SECTION



### SITE NOTES:

- THE RECEIVING WATERS FOR THIS PROJECT IS SOUTH FORK PEACHTREE CREEK.
- THE WETLAND CLASSIFICATION BY THE U.S. CORP OF ENGINEERS AROUND THE AREA ARE A MIXTURE OF PF01C, PF01A, AND PSS1A.
- ELECTRICAL SERVICE WILL BE PROVIDED UNDERGROUND.
- BASE FLOOD ELEVATIONS ARE TAKEN FROM FEMA.
- ALL WETLANDS, FLOODPLAINS, STATE WATERS/STREAM BUFFERS, WATERCOURSES, EXCEPTIONAL OR SPECIMEN TREES OR WOODLANDS SHALL BE PRESERVED IN THEIR NATURAL STATE AND ARE NOT SUBJECT TO ANY DEVELOPMENT OR LAND DISTURBANCE ACTIVITY, AND SHALL NOT BE A PART OF THE BUILDABLE AREA.
- DEVELOPERS AND PROPERTY OWNERS' ASSOCIATIONS SHALL ENSURE ACCESS TO ALL INTERNAL STREETS BY EMERGENCY AND LAW ENFORCEMENT VEHICLES AND SHALL ENSURE THAT INTERNAL STREETS ARE CONSTRUCTED TO ALLOW ACCESS BY ALL EMERGENCY VEHICLES AND LAW ENFORCEMENT VEHICLES.
- ALL ROAD SLOPES DO NOT EXCEED 7.5% WITH THE EXCEPTION OF THE ENTRANCE OFF OF LAWRENCEVILLE HWY. THE GRADES LOCATED AT THAT ENTRANCE DO NOT EXCEED 9%.
- DRAINAGE IMPROVEMENTS SHALL ACCOMMODATE POTENTIAL RUNOFF FROM THE ENTIRE UPSTREAM DRAINAGE AREA AND SHALL BE DESIGNED TO PREVENT INCREASES IN DOWNSTREAM FLOODING AS REQUIRED PER THE COUNTY STORMWATER MANAGEMENT REQUIREMENTS. STORMWATER QUALITY MANAGEMENT FACILITIES SHALL BE ADEQUATE AS REQUIRED BY THE DEKALB COUNTY CODES. DEKALB COUNTY MAY REQUIRE THE USE OF CONTROL METHODS SUCH AS RETENTION OR DETENTION, AND OR THE CONSTRUCTION OF OFFSITE DRAINAGE IMPROVEMENTS TO MITIGATE THE IMPACTS OF THE PROPOSED DEVELOPMENT
- THERE ARE NO SEPTIC TANKS EXISTING OR PROPOSED ON SITE.
- PER ZONING CONDITION VII.c, "INTERNAL ROADS" SHOWN ON THE PLAN ARE TO BE PRIVATELY OWNED AND MAINTAINED WITH A PUBLIC ACCESS EASEMENT GRANTED FOR VEHICULAR AND PEDESTRIAN TRAFFIC.
- THERE ARE NO BURY PITS EXISTING OR PROPOSED ON SITE.
- MORE THAN 70% OF THE MINIMUM SITE AREA IS OUTSIDE OF THE FLOOD PLAN.

### DEVELOPMENT SUMMARY:

#### SITE SUMMARY:

CURRENT ZONING: MU-4 (MIXED USE 4)  
 SITE AREA: 71.67 ACRES  
 IMPERVIOUS AREA: 42.7 ACRES (59.6%)  
 OPEN SPACE: 7.17 ACRES (10.0%)  
 DISTURBED AREA: 39.9 ACRES

BUILDING SETBACKS AND OTHER DIMENSIONAL STANDARDS IN ACCORDANCE WITH LULAH HILLS ZONING CONDITIONS Z-22-124595 DATED 5/26/2022.

TRANSITIONAL BUFFERS:  
 ABUTTING RESIDENTIAL: 50 FT  
 26 FT TRANSITIONAL BUFFER GRANTED PER VARIANCE CASE NO. A-22-1246050 FOR A PORTION OF WEST PROPERTY LINE. SEE SHEET.

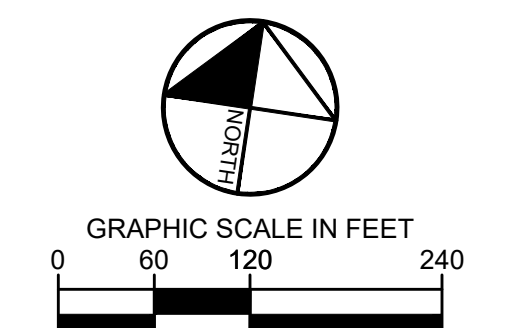
### EASEMENT

SEE SHEET CS3.30 FOR STORM EASEMENTS  
 SEE SHEET CS4.30 FOR WATER EASEMENTS

### PROPERTY PLAN LEGEND:

- PERIMETER BOUNDARY OF OVERALL TRACT
- ADJACENT PROPERTY BOUNDARY LINE
- PUBLIC ACCESS AND UTILITY EASEMENT (SEE SHEETS CS3.30 & CS4.30)
- PROPOSED SUBDIVISION LINE
- REAR SETBACK LINE

ALL TECHNICAL DRAWINGS INCLUDING UTILITIES, STORM DRAINAGE, GRADING, STORMWATER MANAGEMENT, AND OTHER INFRASTRUCTURE IMPROVEMENTS ARE DETAILED IN THE LULAH HILLS PHASE 1 LAND DISTURBANCE PERMIT (AP #124667)



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 PEACHTREE CORNERS, GEORGIA 30092  
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 WWW.KIMLEY-HORN.COM

**EDENS**  
 1221 MAIN ST. SUITE 100  
 COLUMBIA, SC 29201

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
1	SKETCH PLAN SUBMITTAL 1	09/30/2024	SPG

**LULAH HILLS PHASE 1**  
 2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033




GSWCC NO. (LEVEL II) 0000095769  
 DRAWN BY SPG  
 DESIGNED BY SPG  
 REVIEWED BY JTR  
 DATE 09/2/2024  
 PROJECT NO. 018381020  
 TITLE  
**SUBDIVISION PLAN**  
 SHEET NUMBER  
**CS2.80**

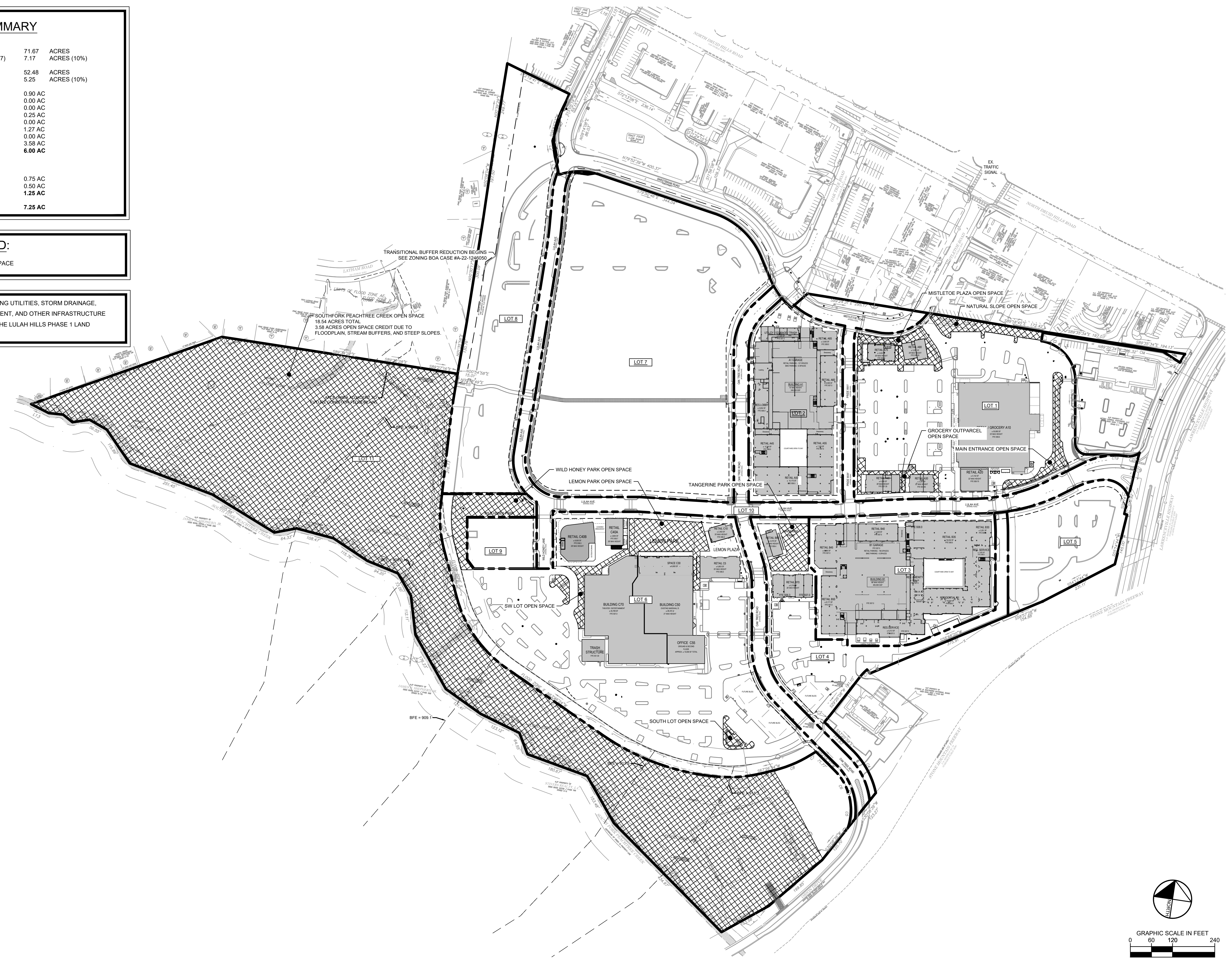
### OPEN SPACE SUMMARY

SITE AREA	71.67	ACRES
REQUIRED OPEN SPACE (TABLE 2.17)	7.17	ACRES (10%)
<b>PHASE 1 SITE AREA</b>		
REQUIRED OPEN SPACE (PHASE 1)	5.25	ACRES (10%)
<b>LOT 1</b>		
	0.90	AC
<b>LOT 2</b>		
	0.00	AC
<b>LOT 3</b>		
	0.00	AC
<b>LOT 4</b>		
	0.25	AC
<b>LOT 5</b>		
	0.00	AC
<b>LOT 6</b>		
	1.27	AC
<b>LOT 10</b>		
	0.00	AC
<b>LOT 11</b>		
	3.58	AC
<b>SUBTOTAL (PHASE 1)</b>	<b>6.00</b>	<b>AC</b>
<b>REQUIRED OPEN SPACE (FUTURE)</b>		
LOT 7	0.75	AC
LOT 8	0.50	AC
<b>SUBTOTAL (FUTURE PHASE)</b>	<b>1.25</b>	<b>AC</b>
<b>TOTAL (PHASE 1 &amp; FUTURE)</b>	<b>7.25</b>	<b>AC</b>

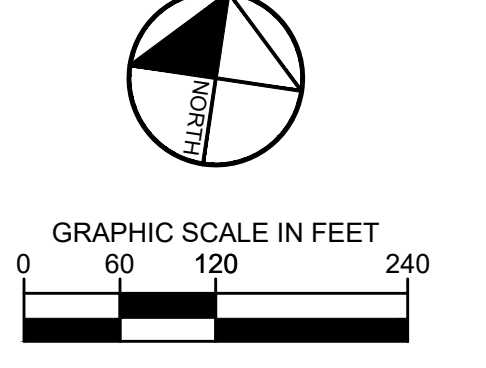
### SITE PLAN LEGEND:

 OPEN SPACE

ALL TECHNICAL DRAWINGS INCLUDING UTILITIES, STORM DRAINAGE, GRADING, STORMWATER MANAGEMENT, AND OTHER INFRASTRUCTURE IMPROVEMENTS ARE DETAILED IN THE LULAH HILLS PHASE 1 LAND DISTURBANCE PERMIT (AP #124667)



Drawing name: K:\atl\_civil\18381014\_north dekalb mail\CAD\plansheets\CS2-90 - SITE PLAN\_OPENSACE.dwg CS2-90 OPEN SPACE PLAN Dec 05, 2024 10:23am by sam.galliard



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 PEACHTREE CORNERS, GEORGIA 30092  
 PHONE (770) 825-0744  
 WWW.KIMLEY-HORN.COM

**EDENS**  
 1221 MAIN ST. SUITE 100  
 COLUMBIA, SC 29201

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
1	SKETCH PLAT SUBMITTAL 1	09/30/2024	SPG

**LULAH HILLS PHASE 1**  
 2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033

**GEORGIA REGISTERED PROFESSIONAL ENGINEER**  
 JOHN TYLER ROSSETT  
 09/22/24

GSWCC NO. 0000095769  
 (LEVEL II)  
 DRAWN BY SPG  
 DESIGNED BY SPG  
 REVIEWED BY JTR  
 DATE 09/2/2024  
 PROJECT NO. 018381020

TITLE  
**OPEN SPACE PLAN**  
 SHEET NUMBER  
**CS2.90**

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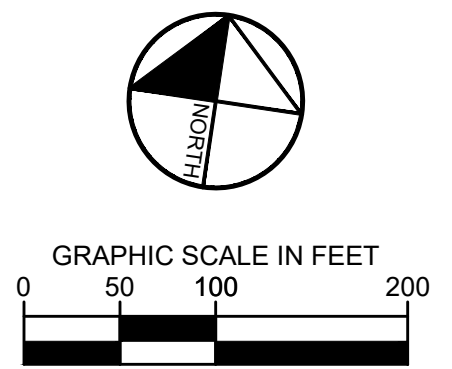


**LEGEND:**

- PUBLIC UTILITY EASEMENT
- STORM EASEMENT
- SWM MAINTENANCE EASEMENT
- EXISTING MAINTENANCE EASEMENT TO BE VACATED

INFRASTRUCTURE IMPROVEMENTS INCLUDING UTILITIES, STORM DRAINAGE, STORMWATER MANAGEMENT AND EASEMENTS ARE DETAILED IN THE LULAH HILLS PHASE 1 LAND DISTURBANCE PERMIT (AP #124667)

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COLUMBIA, SC 29201

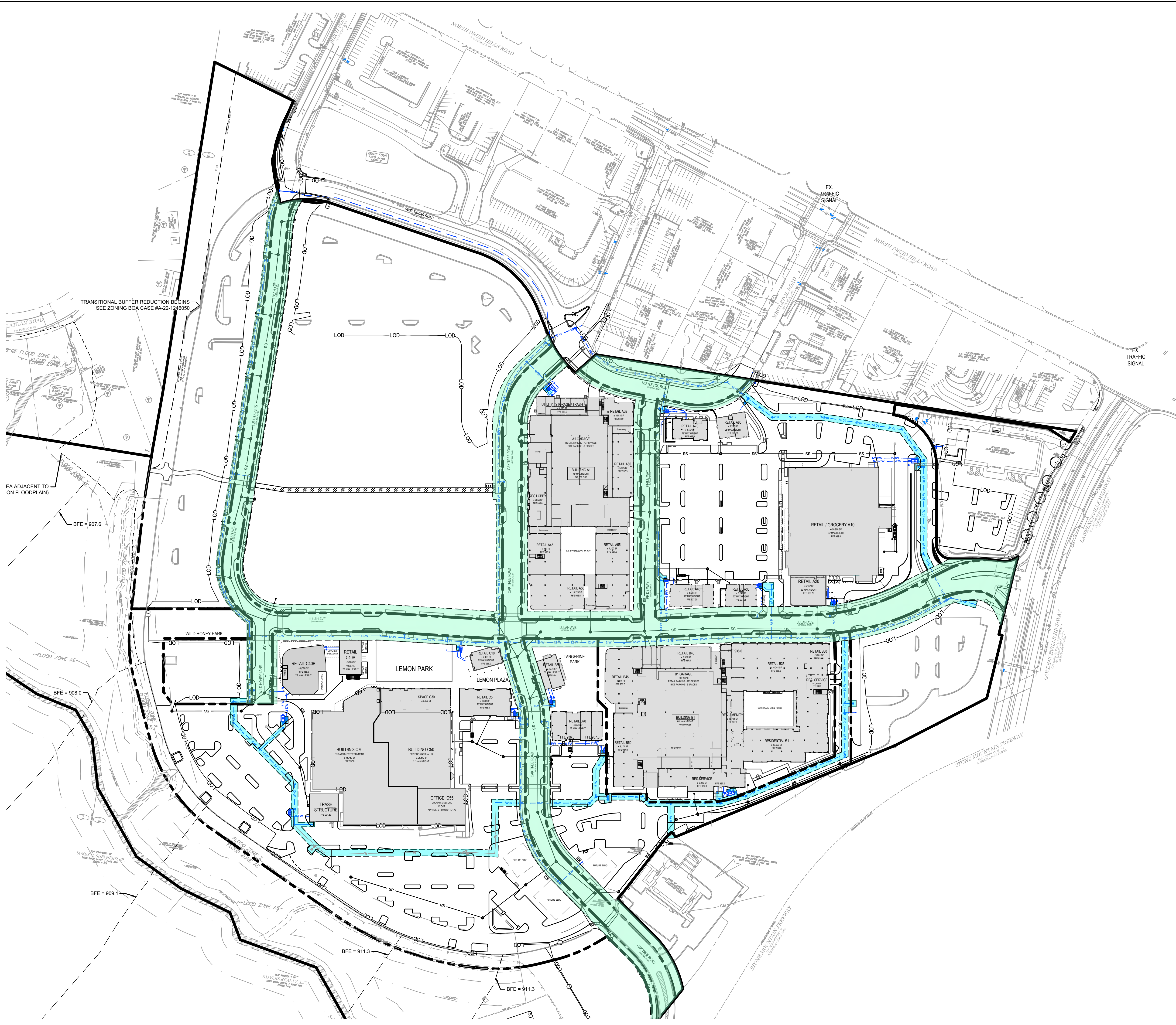
No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
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**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY., DEKALB COUNTY, GA 30033

GSWCC NO. (LEVEL II)	0000095769
DRAWN BY	SPG
DESIGNED BY	SPG
REVIEWED BY	JTR
DATE	09/2/2024
PROJECT NO.	018381020
TITLE	<b>STORM EASEMENTS</b>
SHEET NUMBER	<b>CS3.30</b>

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Drawing name: K:\atl\_civil\18381014\_north dekalb mail\CAD\plansheets\CS4-30 - WATER EASEMENT.dwg CSA-30 WATER EASEMENTS Dec 04, 2024 11:12am by: alex.gallegos




**LEGEND:**

- PUBLIC UTILITY EASEMENT
- 15' PUBLIC WATER EASEMENT

INFRASTRUCTURE IMPROVEMENTS INCLUDING UTILITIES, AND EASEMENTS ARE DETAILED IN THE LULAH HILLS PHASE 1 LAND DISTURBANCE PERMIT (AP #124667)

SANITARY SEWER TO BE PRIVATELY OWNED/MAINTAINED


PREPARED FOR



EDENS

1221 MAIN ST. SUITE 100  
COLUMBIA, SC 29201

PREPARED BY




**Kimley-Horn**

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PEACHTREE CORNERS, GEORGIA 30092  
PHONE (770) 825-0744  
WWW.KIMLEY-HORN.COM


No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
1	SKETCH PLAT SUBMITTAL 1	09/30/2024	SPG

**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033



JOHN TYLER ROSSET  
REGISTERED PROFESSIONAL ENGINEER  
09/22/24

GSWCC NO. (LEVEL II)	0000095769
DRAWN BY	SPG
DESIGNED BY	SPG
REVIEWED BY	JTR
DATE	09/2/2024
PROJECT NO.	018381020
TITLE	<b>WATER EASEMENTS</b>
SHEET NUMBER	<b>CS4.30</b>



GRAPHIC SCALE IN FEET

0 50 100 200

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**SKETCH PLAT APPLICATION**

Application Fee: \$300 plus \$10 per lot created.  
Only digital copies will be accepted.

Contact [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov) for any questions regarding submittal requirements.

**Project Name** Lulah Hills

Project Address 2050 Lawrenceville Highway

Parcel ID Number(s) 18 100 02 005

Proposed Use Mixed-Use

Date(s) of Pre-Application Meeting(s) November 7, 2024

Site Acreage 71.67 Acre(s) No. of Lots 11 No. of Units N/A

Public Sewer (Y/N?) N Septic (Y/N?) N

**Property Owner** NDM (EDENS), LLC Phone 803.269.8913

Address 1221 Main Street, Suite 1000

City Columbia State SC Zip 29201

**Agent Authorized to Receive All Notifications** Jessica Mack (EDENS)

Address 56 East Andrews Drive NW, Suite 28 Phone 757.717.2032

City Atlanta State GA Zip 30305

**Developer** NDM (EDENS), LLC Phone 803.269.8913

Address 1221 Main Street, Suite 1000

City Columbia State SC Zip 29201

**Engineer/Architect** Tyler Rosser (KHA) Phone 470.299.7057

Address 3930 East Jones Bridge Road, Suite 350


City Peachtree Corners State GA Zip 30092

**Applicant** James M. McKenney

Company Name EDENS Phone 803.269.8913

Address 56 East Andrews Drive NW, Suite 28

City Atlanta State GA Zip 30305

**SIGNATURE OF APPLICANT**  Date 11/7/24

Chief Executive Officer  
Michael Thurmond

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

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**SKETCH PLAT REVIEW CHECKLIST**

**Date:** November 7, 2024

**Project Name:** Lulah Hills

**Zoning District:** MU-4

**Map Reference or Parcel Numbers:** 18 100 02 005

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**Associated Rezoning or Other Application Numbers:**

Z-22-1245595, A-22-1246050, AP# 1246617, AP# 1246647

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**SKETCH PLAT SUBMITAL REQUIREMENTS**



**14-87 - Conference with County Officials** Date: November 7, 2024

Before filing the sketch plat for a subdivision for review and approval, the applicant shall meet with the planning [staff] to discuss the procedure for approval of a subdivision plat and the requirements as to general layout of streets, reservations of open space, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services, including schools. The planning [staff] may advise the applicant, when appropriate, to discuss the proposed subdivision with those officials who must eventually approve those aspects of the subdivision plat coming within their jurisdiction. This conference will allow early evaluation of the applicant's intentions and coordination with the comprehensive plan and the zoning ordinance. This conference will also allow county officials to discuss with the applicant the necessary regulations that will properly accomplish the project.

Please contact [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov) or [awchappell@dekalbcountyga.gov](mailto:awchappell@dekalbcountyga.gov) with questions.

✓ **14-89 - Required information**

The following **existing conditions** shall be shown on a sketch plat:

✓ (1) *Boundary lines*. Perimeter boundary of the overall tract, bearings and distances, referred the legal point of beginning; **Sheets 9-15 of 16 (Combo Plat)**

✓ (2) *Streets on or adjacent to tract*. Name, right-of-way width, and location of streets on and adjacent to the tract, and any existing railroad, sidewalk, trail, or bike lane; **Sheets 9-15 of 16 (Combo Plat)**

✓ (3) *Contour data*. Topographic contour data at no more than two-foot elevation intervals. The source of this data shall be written on the plat. Existing contour data from the DeKalb County Geographic Information System Department may be used where available; **Sheets 9-15 of 16 (Combo Plat)**

✓ (4) *Tree survey*. A tree survey in compliance with [section 14-39](#) or tree sample calculations where allowed by the county arborist which may be submitted as a separate plan; **LDP L1 Series (Tree Protection)**

N/A (5) *Historic resources*. Any building, structure, site or district identified as historic by the DeKalb County Historic Preservation Commission, the DeKalb County Historic Resources Survey, the comprehensive plan, by listing on the Georgia or National Register of Historic Places, or by listing as a National Historic Landmark.

✓ (6) *Natural features on tract*. Other conditions on the tract such as stream buffers, state waters, cemeteries, wetlands, existing structures, intermediate regional floodplain boundary (where available), rock outcroppings, and archeological resources; **Sheets 9-15 of 16 (Combo Plat)**

✓ (7) *Soils*. Location of soils as shown on Soil Survey of DeKalb County, Georgia by the United States Department of Agriculture; **LDP C5.80 (Erosion Control)**

✓ (8) *Geographical data*. Numerical and graphic scales, north arrow, land lot and district numbers and lines, city and county names and limit lines; **All Sheets; District number on CS0.00 (Cover)**

✓ (9) *Prior subdivisions*. Name and reference of any formerly recorded subdivision crossing any of the land shown on the plat; **Sheet 1 of 16 (Combo Plat)**

✓ (10) *Zoning district*. Show zoning district, case number and conditions of zoning; **For zoning conditions associated with any rezoning of the subject property, include conditions and submitted site plan with the rezoning on a separate sheet. CS0.00 (Cover); Conditions on sheet 16 of 16 (Combo Plat)**

✓ (11) *Permits*. Show any special administrative permit number, special land use permit number, or board of appeals case number and conditions; **CS0.00 (Cover)**

✓ (12) *Variances*. Show any variance approvals; **CS0.00 (Cover); CS2.80 (Subdivision)**

N/A (13) *Septic tanks*. Show existing septic tank and drain field location or note absence; **CS2.80 (Subdivision)**

✓ (14) *Sewers*. Show size and location of sanitary sewer main(s) available; **Sheets 9-15 of 16 (Combo Plat)**

N/A (15) *Sewer easements*. Show a sanitary sewer easement with a minimum width of fifteen (15) feet of for all county maintained lines not within county right-of-way, unless otherwise required by water and sewer department; **Private Sewer**

## DEPARTMENT OF PLANNING & SUSTAINABILITY

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- (16) *Water mains*. Show size and location of water main(s) and fire hydrants; **Sheets 9-15 of 16 (Combo Plat)**
- N/A (17) *Water main easements*. Show a water main easement with a minimum width of fifteen (15) feet for all county maintained lines not within right-of-way; **Blanket Easement**
- (18) *IRF*. Show on plan whether FEMA or county benchmark used to establish IRF also identify location of Benchmark; **Sheets 14-15 of 16 (Combo Plat)**
- (19) *Wetlands*. Provide wetlands determination from U.S. Army corps of engineers; **CS2.80 (Subdivision)**
- (20) *Receiving waters*. Provide distance to and name of receiving waters; **Sheet 1 of 16 (Combo Plat) CS2.80 (Subdivision)**
- (21) *Certificate of conformity*. Certification by the applicant that no lots platted are non-conforming or will result in any non-conforming lots. **CS0.00 (Cover)**
- N/A (22) *Bury pits*. Show location of any existing inert waste bury pits. **Sheet 1 of 16 (Combo Plat) CS2.80 (Subdivision)**
- (23) *Seal*. All sheets of plats must be sealed by a professional engineer, architect, surveyor, or landscape architect currently registered in the state of Georgia; **All Sheets**

### 14-90 - Depiction of proposed physical layout

The following **proposed features** shall be shown on the sketch plat:

- (1) *Title*. The title under which the proposed subdivision is to be recorded, if known, with the name of the property owner(s) and designers and the date of the plat; **CS 2.80 (Subdivision)**
- (2) *Street names*. The name of all proposed streets. **CS 2.80 (Subdivision)**
- (3) *Rights-of-way*. Street rights-of-way and widths indicated, including any necessary right-of-way required for improvements as shown on the thoroughfare plan; **CS 2.80 (Subdivision)**
- (4) *Sidewalks*. All proposed sidewalk and bike lane locations; **Show width of proposed improvements, including landscape strips. LDP C2.00 Series (Site Plan)**
- (5) *Lots*. Lot lines, lot numbers, block letters, and the total number of proposed lots within the development; **CS 2.80 (Subdivision)**
- N/A (6) *Dedications*. Sites, if any, to be dedicated or reserved for common areas, public parks, open space, schools, playgrounds, multi-use trails, or other public uses, together with the purpose and the conditions or limitations of these dedications, if any;
- (7) *Yards*. Minimum building setback lines as required under the yard requirements of zoning ordinance. **Setback lines shall be provided for ALL proposed lots. CS 2.80 (Subdivision)**
- (8) *Zoning conditions*. All conditions of zoning and proposed deed restrictions shall be recited on the sketch plat; **For zoning conditions associated with any rezoning of the subject property, include conditions and submitted site plan with the rezoning on a separate sheet. Sheet 16 of 16 (Combo Plat)**
- N/A (9) *Corner lots*. Show that corner lots shall have an extra width of not less than fifteen (15) feet more than required for interior lots for the zoning district within which they are located;



- ✓ (10) *Transitional buffers*. Show transitional buffers, if any and any required screening fencing; CS 2.80 (Subdivision)
- ✓ (11) *BMPs*. Show conceptual location of storm water management and water quality BMP facilities on sketch plat; CS 3.30 (Storm Easements)
- ✓ (12) *IRF*. Show proposed IRF contour, spot elevation (if available) and source; Sheets 14-15 of 16 (Combo Plat)
- ✓ (13) *Covenants*. Indicate whether the proposed subdivision will be subject to private covenants and whether a homeowner's association will be established; CS0.00 (Cover)
- N/A (14) *Sewer easements*. Show a sanitary sewer easement with a minimum width of fifteen (15) feet for all county maintained lines not within county right-of-way; Private Sewer
- ✓ (15) *Water main easements*. Show a water main easement with a minimum width of fifteen (15) feet for all county maintained lines not within right-of-way; CS 4.30 (Water Easements)
- ✓ (16) *Fire hydrants*. Show new fire hydrant(s) and eight-inch fireline(s); and LDP C2.50 Series (Fire Protection)
- ✓ (17) *Fencing*. Show any required fencing around detention ponds, if required. LDP C2.24 (Site Plan)
- ✓ (18) *Electrical service*. Show whether electrical service will be above ground or underground. CS 2.80 (Subdivision)

- ✓ **14-91 - Additional information to be filed with the sketch plat**

- ✓ (1) *Owner consent*. The property owner must consent in writing to the proposed development in a consent affidavit provided by the planning director with the application;
- ✓ (2) *Taxes*. Provide statement from tax commissioner certifying that all ad valorem taxes on the property have been paid;
- ✓ (3) *Location*. A small map of DeKalb County depicting the subdivision location within the county; CS0.00 (Cover)
- ✓ (4) *Vicinity map*. Vicinity map at a scale of four hundred (400) feet to one (1) inch showing the location of the tract with reference to surrounding properties, streets, municipal boundaries, and streams within five hundred (500) feet of the tract show zoning districts of adjoining property; CS0.00 (Cover)
- ✓ (5) *Adjacent properties*. Names of adjoining property owners and the zoning classification of adjacent properties. **Include Zoning of adjacent properties.** CS 2.80 (Subdivision)
- ✓ (6) *Engineer*. Name, address and phone of developer and engineer on plat. CS0.00 (Cover)

- ✓ **14-92 - Scale**

Sketch plats shall be prepared at an appropriate scale of not more than one hundred (100) feet to one (1) inch. Maximum sheet size shall be twenty-four (24) inches by thirty-six (36) inches. All Sheets

- ✓ **14-96 (c)**

After review of the sketch plat and related comments, and where, in the judgment of the planning commission, the sketch plat conforms to all of the requirements of this chapter and Chapter 27 of this Code, all conditions of zoning, and any other applicable county regulations or law, the planning commission chairman shall approve said sketch plat. The following wording for approval shall be shown on the sketch plat: CS0.00 (Cover)

This sketch plat has been submitted to and approved by the planning commission of DeKalb County, on this \_\_\_\_\_ day of \_\_\_\_\_.  
 By: \_\_\_\_\_ (By Dir.)  
 Planning Commission Chairman  
 DeKalb County, Georgia

DEPARTMENT OF PLANNING & SUSTAINABILITY

**PLEASE ACKNOWLEDGE THAT THE FOLLOWING ITEMS HAVE BEEN ADDRESSED:**  
**See individual code sections for details on requirements**

- [14-166. - Adequate public facilities](#)
- 14-167. - Conservation of natural resources.
- 14-181. - Generally.
- 14-182. - Arrangement where not shown on thoroughfare plan.
- 14-183. - Minor streets/minor arterials.
- 14-184. - Thoroughfare plan.
- 14-185. - Subdivisions bordering on or containing arterial streets, railroad right-of-way or limited-access highway right-of-way.
- 14-186. - Reserve strips.
- 14-187: Street intersection spacing.
- 14-188: Intersections – right angle.
- 14-189: Property line to be curved or mitered.
- 14-190: Street classification and right-of-way width.
- 14-191: Improvements, right-of-way dedication.
- 14-191 (e): Board of Commissioners waiver of right-of-way, road improvements.
- 14-192: Half streets.
- 14-193: Temporary dead-end streets.
- 14-194: Permanent dead-end street; cul-de-sac required.
  - (a) Cul-de-sac required.
  - (b) Minimum radius; provide a landscaped island.
- 14-195: Alleys.
- 14-196: Street grades.
- 14-197: Minimal horizontal curve radius.
- 14-198: Minimum sight distance.
- 14-199: Design of intersections.
- 14-200: Access management.
- 14-200 (e): Number of access points.
- 14-200 (j): Deceleration

This Sketch Plat is intended to document the proposed lots and easements to be created as part of Lulah Hills Phase 1. All technical drawings including utilities, storm, drainage, grading, stormwater management and other infrastructure improvements are detailed in the Lulah Hills Phase 1 Land Disturbance Permit (AP #1246647).

- 14-201: Planting Strips
- 14-217: Permission for easement dedication required.
- 14-218: Floodplain easements – on-site.
- 14-219: Drainage easements – off-site.
- 14-220: Pedestrian and bicycle easements and paths.
- 14-236: Length, width, and shape of blocks.
- 14-237: Desirable maximum and minimum block length.
- 14-238: Mid-block easements and pedestrian paths.
- 14-256: Lot compliance with zoning ordinance.
- 14-257: Corner lots.
- 14-258: Frontage.
- 14-259: Through lots and reverse frontage lots prohibited.
- 14-260: Side lot lines
- 14-275: Open space required; purposes. **CS 2.90 (Open Space Plan)**
- 14-276: Restrictions on open space.
- 14-277: Dedication of parks, open space, recreation areas, and conservation easements.
- 14-286: Reservation of sites for civic use.
- 14-351(e): Dry sewer waiver.
- 14-356: Comments, recommendations to be marked on preliminary plat.
- 14-379(d): Contour intervals.
- 14-383: Sidewalks and bicycle lanes.
- 14-384: Parking on public right-of-way.
- 14-385: Underground utilities.
- 14-386: Street lights.
- 14-396: Septic tank data.
- 14-397: Contour intervals.
- 14-398: Soil analysis.
- 14-399: Analysis.
- 14-404: Board of Health recommendations.
- 14-405: Impoundment permit.

## DEPARTMENT OF PLANNING & SUSTAINABILITY

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### ADDITIONAL REQUIRED PLAT REVIEW ITEMS

Show developer's name, address, and phone number. CS0.00 (Cover)

Show number of lots / units in development. CS0.00 (Cover)

Who will provide water service? CS0.00 (Cover)

Who will provide sewer service? CS0.00 (Cover)

N/A Add note: Recorded off-site sewer easement required prior to issuance of development permit.

Add note: A 75' tributary buffer will be maintained on all state waters that are not approved for a buffer encroachment variance by DeKalb County or GA. E.P.D. CS0.00 (Cover)

Add note: Sketch plat approval does not constitute approval of the storm drainage or sanitary sewer systems. No construction shall begin until construction plans are approved and a development permit is obtained. CS0.00 (Cover)

Add note: The owner of the property is responsible for compliance with the Corps of Engineers requirements regarding wetlands CS0.00 (Cover)

Chief Executive Officer  
Michael Thurmond

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

Interim Director  
Cedric Hudson

**CERTIFICATE OF CONFORMITY**

Only digital copies will be accepted.

Contact [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov) for any questions regarding submittal requirements.

I, \_\_\_\_\_, the engineer/surveyor  
for the subdivision known as \_\_\_\_\_,  
located in Land Lot \_\_\_\_\_ of the \_\_\_\_\_ District, hereby  
certify that no lots platted within the subdivision are non-conforming or will result in  
any non-conforming lots.



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Address

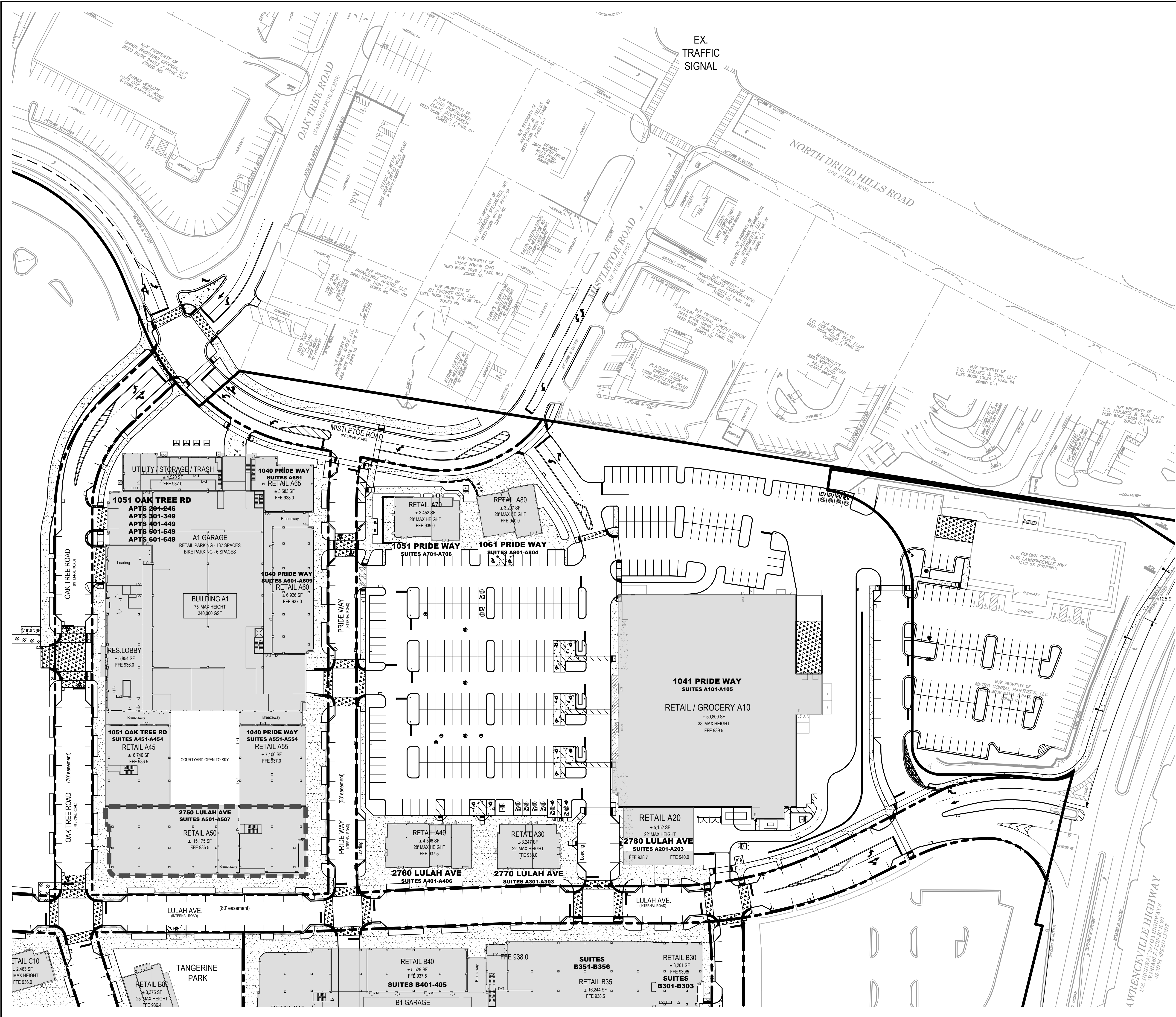
\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip



Drawing name: K:\ATL\_Civil\18381014\_North Dekalb MailCAD\Plansheets\C2-01 - SITE PLAN\_VIEW 1 OF 4 May 03, 2024 2:46pm by: Tyler Bishop



EX. TRAFFIC SIGNAL

DeKalb County  
GEORGIA  
DEVELOPMENT SERVICES

APPROVED

AP 1246647  
DATE 9/26/2024

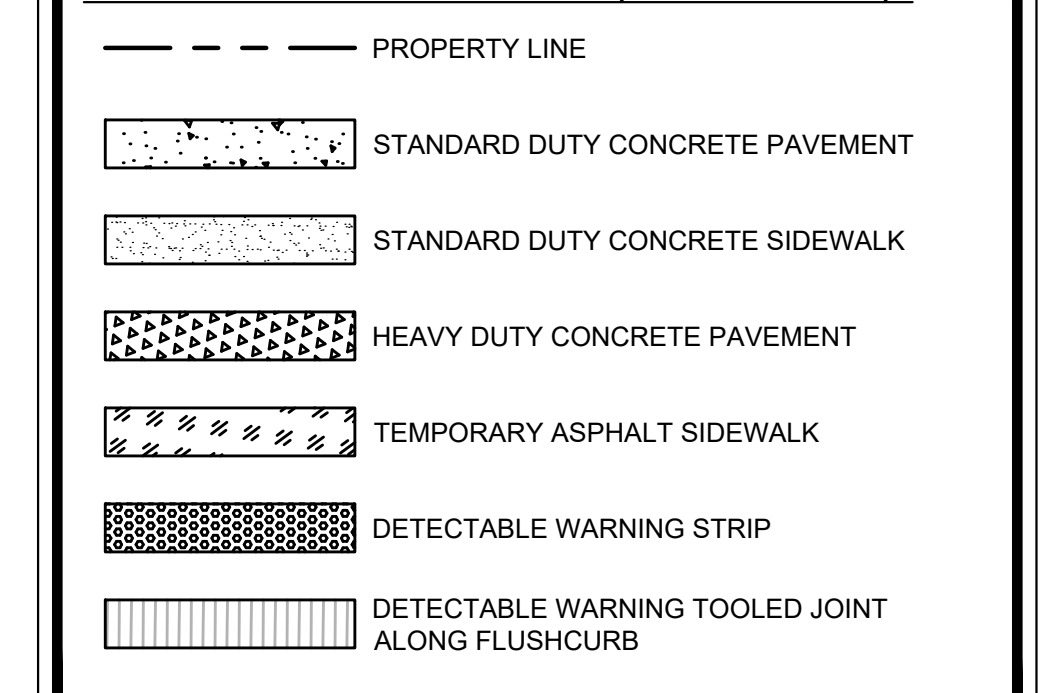
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The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of applicable codes or of any other ordinance of the jurisdiction. Permits are issued on the basis of the information provided by the applicant and the provisions of applicable codes and any other ordinance of the jurisdiction shall not be void. The issuance of a permit based on construction documents and other data shall not prevent the code official from requiring the correction of errors.

Plumbing, Mechanical, Gas, and Electrical sections of these plans have not been reviewed for compliance with technical codes and will be field-verified during inspection.

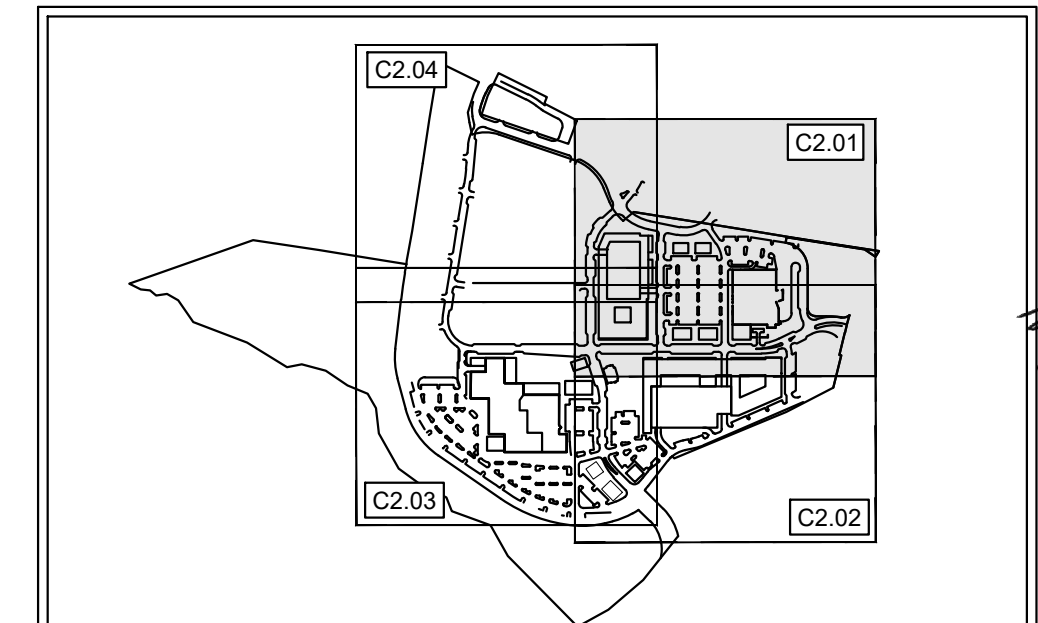
A set of these approved plans shall be kept on the jobsite at all times and shall not be modified or altered without authorization from DeKalb County Development Services.

**SITE PLAN LEGEND (50-SCALE):**



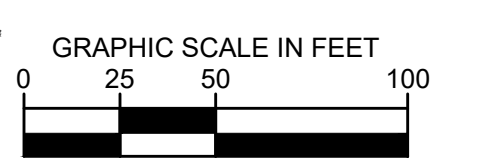
**NOTE:**

- SEE SHEETS C2-40 TO C2-43 FOR VEHICULAR PAVEMENT LIMITS AND TYPES. LIMITS OF HATCH SHOWN REPRESENT PEDESTRIAN PAVEMENTS.
- ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.



KEY MAP  
N.T.S.

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**EDENS**

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY
3	LDP SUBMITTAL	01/28/2024	TGB
2	LDP SUBMITTAL	11/21/2023	TGB
1	LDP SUBMITTAL	09/06/2023	TGB

**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033

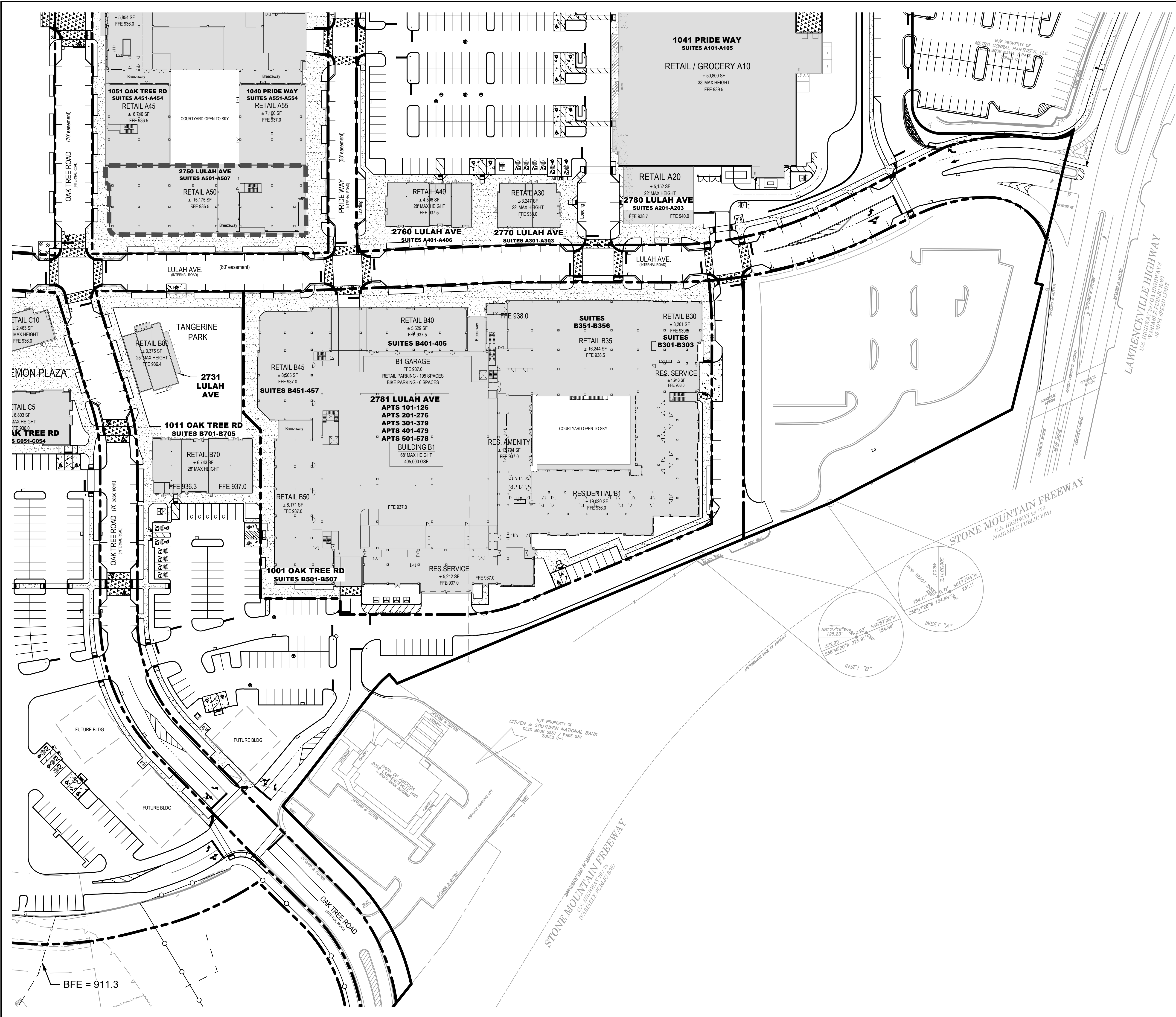
REGISTERED PROFESSIONAL ENGINEER  
No. PE060335  
J. B. BISHOP

GSWCC NO. (LEVEL II) 0000095769  
DRAWN BY RAN  
DESIGNED BY TGB  
REVIEWED BY JTR  
DATE 9/6/2023  
PROJECT NO. 018381020

TITLE  
**SITE PLAN VIEW 1 OF 4**  
SHEET NUMBER  
**C2.01**

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**DEVELOPMENT SERVICES**

**APPROVED**

AP 1246647  
DATE 9/26/2024

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**LEGEND:**

FOR SITE PLAN LEGEND (50-SC), REFER TO SHEET C2.01.

**KEY MAP**

N.T.S.

**GRAPHIC SCALE IN FEET**

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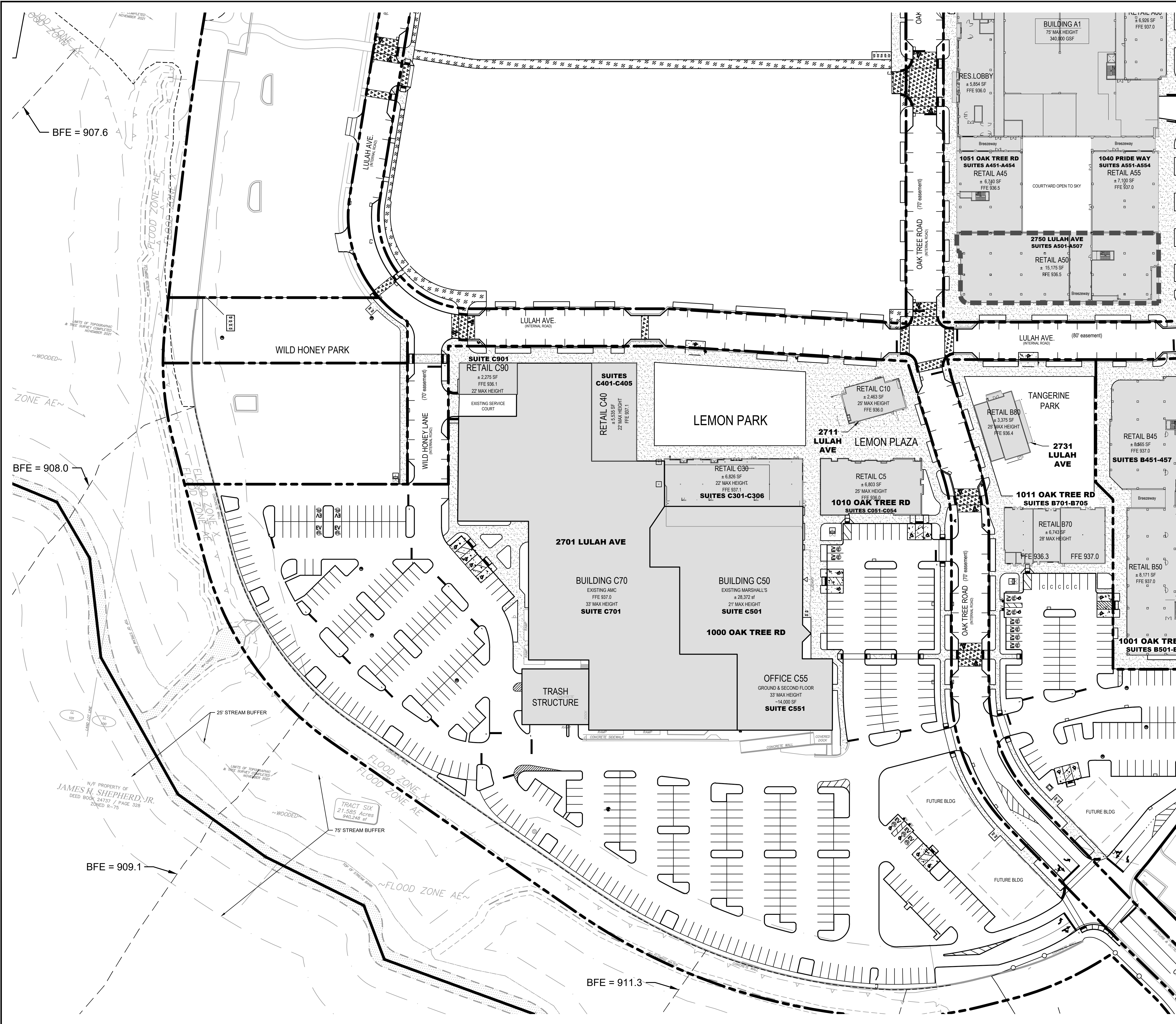
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**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY, DEKALB COUNTY, GA 30033

GSWCC NO. (LEVEL II)	0000095769
DRAWN BY	RAN
DESIGNED BY	TGB
REVIEWED BY	JTR
DATE	9/6/2023
PROJECT NO.	018381020
TITLE	<b>SITE PLAN VIEW 2 OF 4</b>
SHEET NUMBER	<b>C2.02</b>



Drawing name: K:\ATL\_Civil\18381014\_North DeKalb MailCAD\Plansheets\C2-01 - SITE PLAN\_50SC.dwg C2.05 SITE PLAN VIEW 3 OF 4 May 03, 2024 2:46pm by: tyler.bishop



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AP 1246647  
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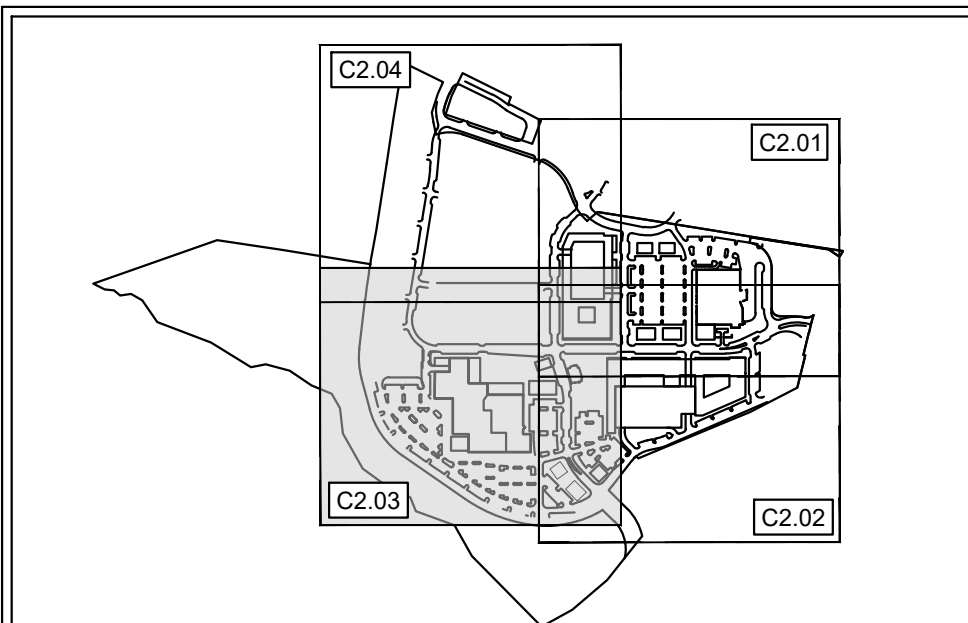
**EDENS**  
1221 MAIN ST. SUITE 1000  
COLUMBIA, SC 29201

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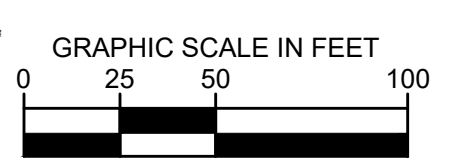
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PROJECT NO. 018381020  
TITLE  
**SITE PLAN VIEW 3 OF 4**  
SHEET NUMBER  
**C2.03**

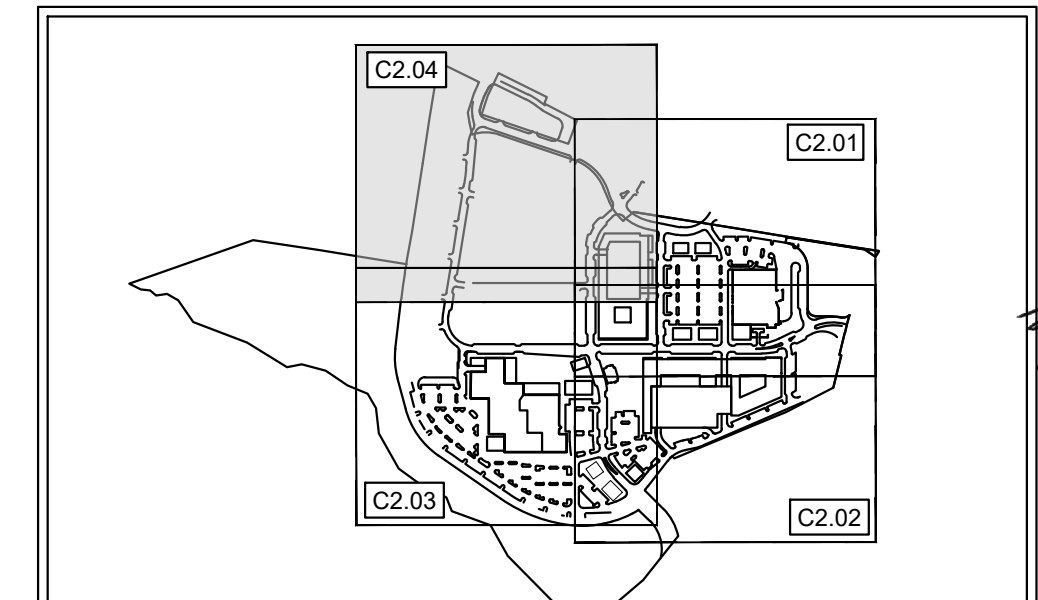
Drawing name: K:\ATL\_Civil\18381014\_North Dekalb MailCAD\Plansheets\C2.01 - SITE PLAN\_VIEW 4 OF 4 May 03, 2024 2:46pm by: tyler.bishop



**NOTE:**

- SEE SHEETS C2-40 TO C2-43 FOR VEHICULAR PAVEMENT LIMITS AND TYPES. LIMITS OF HATCH SHOWN REPRESENT PEDESTRIAN PAVEMENTS.
- ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
- STREETSCAPE IMPROVEMENTS ALONG SWEETBRIAR ROAD WILL BE COMPLETED DURING THE CONSTRUCTION OF DEVELOPMENTS WITHIN BLOCK D.

**LEGEND:**  
FOR SITE PLAN LEGEND (50-SC), REFER TO SHEET C2.01.



**GEORGIA811**  
Utility Protection Center, Inc.  
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GRAPHIC SCALE IN FEET  
0 25 50 100

DATE: 9/6/2023  
PROJECT NO: 018381020  
TITLE: SITE PLAN VIEW 4 OF 4  
SHEET NUMBER: C2.04

DeKalb County  
GEORGIA  
DEVELOPMENT SERVICES  
**APPROVED**  
AP 1246647  
DATE 9/26/2024

This Department is not responsible for any errors or omissions by engineers or other design professionals on design or county code requirements of this project.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of applicable codes or of any other ordinance of the jurisdiction. Permits are issued on the basis of the information provided by the applicant and the provisions of applicable codes or any other ordinance of the jurisdiction shall not be voided. The issuance of a permit based on construction documents and other data shall not prevent the code official from requiring the correction of errors.

Plumbing, Mechanical, Gas, and Electrical sections of these plans have not been reviewed for compliance with technical codes and will be field-verified during inspection.

A set of these approved plans shall be kept on the jobsite at all times and shall not be modified or altered without authorization from DeKalb County Development Services.

**Kimley»Horn**  
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.  
3930 E. Jones Bridge Rd #350  
PEACHTREE CORNERS, GEORGIA 30092  
PHONE (770) 825-0744  
WWW.KIMLEY-HORN.COM

EDENS  
1221 MAIN ST. SUITE 100  
COLUMBIA, SC 29201

NO.	DATE	BY	DESCRIPTION
3	01/28/2024	TGB	LDP SUBMITTAL
2	11/21/2023	TGB	LDP SUBMITTAL
1	09/06/2023	TGB	LDP SUBMITTAL
1			ISSUANCE AND REVISION DESCRIPTIONS

**LULAH HILLS PHASE 1**  
2050 LAWRENCEVILLE HWY., DEKALB COUNTY, GA 30033



GSWCC NO. (LEVEL II) 0000095769  
DRAWN BY RAN  
DESIGNED BY TGB  
REVIEWED BY JTR  
DATE 9/6/2023  
PROJECT NO. 018381020  
TITLE SITE PLAN VIEW 4 OF 4  
SHEET NUMBER C2.04

## Edens Lulah Hills - Conditions Matrix

Condition # and Title	Existing Condition Language	New Condition Language	FINAL	County Notes	Recommendation
<p>CZ-24-1247114</p> <p>Modify Zoning Condition pursuant to 2-22-1245595</p> <p>September, 2024</p>					
<b>I. Zoning District, Master Development Plan and Exhibits:</b>	<p>Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022</p> <p>Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: commercial, commercial and townhomes or townhomes only in Block C; commercial, townhouses, or multi-family residential in Block F.</p>	<p>Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022 and revised 08/22/2024.</p> <p>Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: <del>existing to remain, commercial, and/or a hotel in Block B;</del> commercial, commercial and townhomes or townhomes only in Block C; and commercial, townhouses, or multi-family residential in Block F; <del>and existing to remain or commercial in Block J.</del></p>	<p>Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022 and revised 08/22/2024</p> <p>Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: existing to remain, commercial, and/or a hotel in Block B; commercial, commercial and townhomes or townhomes only in Block C; and commercial, townhouses, or multi-family residential in Block F; and existing to remain or commercial in Block J.</p>	<p>Acknowledgment of the revision date throughout the updated Master Development Plan. The flexible areas in Block B and Block F are newly acquired and set for rezone (per 2-24-1247113 from C-1 to MU-4). Additional Parcels are to maintain the same types of densities currently permitted by the underlying C-1 zoning, despite the rezoning to MU-4, but provide the applicant flexibility to incorporate commercial in Block J and/or hospitality and Commercial in Block B as shown on Site Plan "Master Re-development Plan".</p>	<p>Approval</p>
<b>III. Uses, Building Heights and Parking</b>					
<b>a. Non-Office Commercial:</b>					
	<p>Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to 320,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).</p>	<p>Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to 380,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).</p>	<p>Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to 380,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).</p>	<p>Clarification to square footage of development.</p>	
a1.					
<b>b. Office and Hotel:</b>					
b4.	<p>Developer shall be allowed to locate office and/or hotel uses on the areas shown on the Site Plan interchangeably.</p>	<p>Developer shall be allowed to locate office and/or hotel throughout all Blocks except Blocks E and G.</p>	<p>Developer shall be allowed to locate office and/or hotel throughout all Blocks except Blocks E and G.</p>	<p>Blocks E (Residential Townhomes) and G (open space).</p>	<p>Approval</p>
<b>b. Block A shall have the following limitations:</b>					
	<p>The primary entrance to tenants in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>A primary entrance to at least one tenant in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>A primary entrance to at least one tenant in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>Applicant is incorporating an entrance along Road A to one tenant in Building A20. This modification of windows and doors supports the connection between the built environment and public space. Likely to enhance street activity, streetscape design, and promote walkability.</p>	<p>Approval</p>
b1.	<p>The primary entrance to tenants in Buildings A65 and A70, and A80 shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance facades facing Mistletoe Extension and Road E shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>A primary or secondary entrance to at least one tenant in Buildings A65 and A70, and A80 shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance facades facing Mistletoe Extension and Road E shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. The sides of Buildings A70 and A80 that face Mistletoe Extension shall either have windows and/or doors that comprise at least fifty (50) percent of the width of the first-floor street-level facade; be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.</p>	<p>A primary or secondary entrance to at least one tenant in Buildings A65 and A70 shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. The sides of Buildings A70 and A80 that face Mistletoe Extension shall either have windows and/or doors that comprise at least fifty (50) percent of the width of the first-floor street-level facade; be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.</p>	<p>Applicant is incorporating either primary or secondary entrance(s) to tenants in Buildings A65 and A70 along Mistletoe Extension or Road E. Further enhancing street level activity, streetscape design, and will promote walkability.</p>	<p>Approval</p>
b3.	<p>The openings in Residential Building A1 for vehicular ingress and egress shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>The openings in Residential Building A1 intended for vehicular ingress and egress loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>The openings in Residential Building A1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>Clarification to loading access point height of Residential Building A1.</p>	<p>Approval</p>
b5.					
<b>c. Block B shall have the following limitations:</b>					
	<p>The primary entrance to tenants in Buildings B70 and B80 shall be on Road A, or Road C, and these primary facades shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level facade.</p>	<p>The primary entrance to tenants in Building B70 shall be on Road A, or Road C, or Tangerine Park and this primary entrance facade shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level facade.</p>	<p>The primary entrance to tenants in Building B80 shall be on Road A, Road C, or Tangerine Park and this primary entrance facade shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level facade.</p>	<p>Applicant is incorporating primary entrance(s) along Road A, Road C, or Tangerine Park to tenants in Buildings B80. This modification of windows and doors supports connectivity between the built environment and public space. Further enhancing street level activity, streetscape design, and will promote walkability.</p>	
c2.	<p>The Building B70 that face Road A shall either have windows that comprise at least 50% of the width of the facade.</p>	<p>The primary entrance to tenants in Building B70 shall be on Tangerine Park or Road C. Road A shall either have windows that comprise at least fifty (50) percent of the width of the first-floor street-level facade, or be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.</p>	<p>The primary entrance to tenants in Building B70 shall be on Tangerine Park or Road C and this primary entrance facade shall have windows that comprise at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>Applicant is incorporating primary entrance(s) to tenants in Building B70. This modification of windows and doors supports connectivity between the built environment and public space. Further enhancing street level activity, streetscape design, and will promote walkability.</p>	<p>Approval</p>
c3.	<p>The primary lobby to Building B75 shall be on Road C or the facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>The primary lobby to Building B75 shall be on Road C or the facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. The Flexible Area B hatched location indicated on the Site Plan can be Commercial Uses and/or a Hotel Use. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.</p>	<p>The Flexible Area B hatched location indicated on the Site Plan can be Commercial Uses and/or a Hotel Use. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.</p>	<p>Provide the applicant flexibility to incorporate hospitality and/or Commercial in the Flexible Area B (one of two Additional Parcels) within Block B, shown on Site Plan "Master Development Plan".</p>	<p>Approval</p>
c5.	<p>The openings in the liner building around the structured parking in Block B for vehicular ingress and egress shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>The openings in the liner building around the structured parking in Block B intended for vehicular ingress and egress loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>The openings in the liner building around the structured parking in Block B intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.</p>	<p>Clarification to loading access point height of Residential Building A1.</p>	<p>Approval</p>
c7.	<p>The primary entrance to tenants in Building B90 shall be on Road C. The facades facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the facade.</p>	<p>The primary or secondary entrance to tenants in Building B90 shall be on Road C. This primary entrance facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.</p>	<p>The primary or secondary entrance to tenants in Building B90 shall be on Road C. This primary entrance facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.</p>	<p>Applicant is incorporating primary or secondary entrance(s) to Road C to tenants in Building B90. This modification of windows and doors supports connectivity between the built environment and public space. Further enhancing street level activity, streetscape design, and will promote walkability.</p>	<p>Approval</p>
c8.					
<b>d. Block C shall have the following limitations:</b>					
	<p>The primary entrance to tenants in Buildings C5, C10, C30, and C40 shall be on Road A, Road C, or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>The primary entrance to tenants in Buildings C5, C10, and C30, and C40 shall be on Road A, Road C, or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>The primary entrance to tenants in Buildings C5, C10, and C30 shall be on Road A, Road C, or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p>Applicant is incorporating primary entrance(s) to Road A, Road C, or Lemon Park to tenants in Buildings C5, C10, C30. This modification of windows and doors supports connectivity between the built environment and public space. Further enhancing street level activity, streetscape design, and will promote walkability.</p>	<p>Approval</p>
d1.					

	<p>The primary entrance to tenants in Buildings C90 and C110 shall be on Road A and Wild Honey Park, respectively, and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade.</p>	<p><del>The primary entrance to tenants in Buildings C90 and C110 shall be on Road A and Wild Honey Park, respectively, and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade. The primary entrance facades for Buildings C40A and C40B shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.</del></p>	<p>The primary entrance facades for Buildings C40A and C40B shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor facade.</p>	<p>The recent plans to downsize of the AMC Theater from approximately 15 screens to approximately 11 screens has created more developable space. The Applicant has proposed to build new retail, outside dining, and walkways to parkways and the AMC from the parking lot in the southwest corner of the site. Applicant is incorporating primary or secondary entrance(s) to Road C to tenants in Buildings C60, C80, and C85. This modification of windows and doors supports connectivity between the built environment and public space. Further enhancing street level activity, streetscape design, and will promote walkability. Clarification regarding hatched area, proposed as Flexible Area C.</p>	Approval
d3.	<p>The primary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. The facade facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade for building C80 and thirty-five (35) percent of the width of the first-floor street-level facade for building C60.</p>	<p><del>The primary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. The primary entrance facades facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade for buildings C80 and C85 and thirty-five (35) percent of the width of the first-floor street-level facade for building C60.</del></p>	<p>A primary or secondary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. These primary entrance facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level facade for buildings C80 and C85 and thirty-five (35) percent of the width of the first-floor street-level facade for building C60.</p>	<p>Approval</p>	
d4.	<p>The Flexible Area hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only with fronts facing on Wild Honey Park, or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.</p>	<p><del>The Flexible Area C hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only with fronts facing on Wild Honey Park, or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.</del></p>	<p>The Flexible Area C hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only, or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.</p>	<p>Approval</p>	
d5.	<p><b>E. Block D shall have the following limitations:</b></p> <p>The openings in Residential Building D1 for vehicular ingress and egress shall be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.</p>	<p><del>The openings in Residential Building D1 intended for vehicular ingress and egress loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.</del></p>	<p>The openings in Residential Building D1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.</p>	<p>Clarification to height and accommodation of Residential Building D1.</p>	Approval
e5.	<p><b>h. Block G - Open Space shall have the following limitations:</b></p> <p>The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability, or designed based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.</p>	<p><del>The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability, or designed based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.</del></p>	<p>1. The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability or designed based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.</p>	<p>Added numbering. No language change.</p>	Approval
h1.	<p><b>NEW SUB SECTION</b></p>	<p><del><b>I. Block J shall have the following limitations:</b></del></p> <p>The Flexible Area I hatched location indicated on the Site Plan can be Commercial Uses only. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.</p>	<p><b>I. Block J shall have the following limitations:</b></p> <p>1. The Flexible Area I hatched location indicated on the Site Plan can be Commercial Uses only. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.</p>	<p>Added section "I" and provided clarification of limitations.</p>	Approval
i.	<p><b>Block J shall have the following limitations:</b></p> <p><b>V. Open Space:</b></p> <p>Developer agrees to (a) contribute \$35,000 to DeKalb County for other appropriate entity towards improvements to the Community Garden (b) construct a gravel driveway ramp to provide access to said Community Garden and (c) install piping between the existing storm drainage system and/or a detention pond to a 5,000-gallon cistern for use of the Community Garden. Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete items (b) and (c) as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.</p>	<p><del>Developer agrees to (a) contribute \$33,500 to DeKalb County for other appropriate entity towards improvements to the Community Garden, and (b) construct a gravel driveway ramp to provide access to said Community Garden and (c) install piping between the existing storm drainage system and/or a detention pond to a 5,000-gallon cistern for use of the Community Garden. Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete items (b) and (c) as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.</del></p>	<p>Developer agrees to (a) contribute \$35,000 to DeKalb County for other appropriate entity towards improvements to the Community Garden, and (b) construct a gravel driveway ramp to provide access to said Community Garden. Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete items (b) and (c) as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.</p>	<p>Developer has agreed to increase contribution by 10k to DeKalb County for other appropriate entity towards improvements of the Community Garden. Removal of plans to install pipe drain system.</p>	Approval
a.	<p>A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path. The multi-use park shall consist of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.</p>	<p><del>A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path. The multi-use park shall consist of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.</del></p>	<p>A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path or internal road. The multi-use park shall consist of a minimum of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.</p>	<p>Clarifying connection pattern of road and path network.</p>	Approval
d.	<p>The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between the shared-use path and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.</p>	<p><del>The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between the shared-use path, Mistletoe Extension, and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.</del></p>	<p>The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between Mistletoe Extension and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.</p>	<p>Clarifying the connection pattern.</p>	Approval
g.	<p><b>VII. Infrastructure:</b></p>	<p><del>The Developer will work with MARTA to develop the best design and location/s for a bus/transit stop on Sweetwater Road and along Lawrenceville Highway within or adjacent to the development. The design shall include consideration of the need for pull-over lanes and shelters. Such obligation shall be completed prior to issuance of the initial Land Disturbance Permit. Further, a sidewalk shall be constructed connecting the bus stop on Lawrenceville Highway to the development.</del></p>	<p>The Developer will work with MARTA to develop the best design and location/s for a bus/transit stop on Sweetwater Road and along Lawrenceville Highway within or adjacent to the development. The design shall include consideration of the need for pull-over lanes and shelters. Such obligation shall be completed prior to issuance of the initial Land Disturbance Permit.</p>	<p>Flexibility of bus stop location.</p>	Approval
b.	<p>Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimberly Horn, dated 02/21/22. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshal agrees to reduce the road widths below 26' (2-13' lanes) adjacent to buildings taller than 30' high, then the width by which the drive aisles are decreased shall be added to the pedestrian zones on that street section. If the Fire Marshal approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.</p>	<p><del>Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimberly Horn, dated 02/21/22 and revised 07/01/2024. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshal agrees to reduce the road widths below 26' (2-13' lanes) adjacent to buildings taller than 30' high, then the width by which the drive aisles are decreased shall be added to the pedestrian zones on that street section. If the Fire Marshal approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.</del></p>	<p>Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimberly Horn, dated 02/21/22 and revised 07/01/2024. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshal agrees to reduce the road widths below 26' (2-13' lanes) adjacent to buildings taller than 30' high, then the width by which the drive aisles are decreased shall be added to the pedestrian zones on that street section. If the Fire Marshal approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.</p>	<p>Revision date.</p>	Approval
f.	<p><b>IX. Townhome Construction:</b></p> <p>A minimum of twenty-five (25) percent of townhouses shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage. Micro-units shall be as defined in condition III.C.2.</p>	<p><del>A minimum of twenty-five (25) percent of townhouses shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage. Micro-units shall be as defined in condition III.C.2.</del></p>	<p>A minimum of twenty-five (25) percent of townhouses shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage.</p>	<p>Removal of micro-units.</p>	Approval
b.	<p>A minimum of twenty-five (25) percent of the townhouses shall be designed such that purchasers shall have the option to purchase an elevator.</p>	<p><del>A minimum of twenty-five (25) percent of the townhouses shall be designed such that purchasers shall have the option to purchase an elevator.</del></p>	<p>A minimum of twenty (20) percent of the townhouses shall be designed such that purchasers shall have the option to purchase an elevator.</p>	<p>Decrease the minimum number of townhomes that are designed for the option of elevator installation from 25% to 20%.</p>	Approval
c.	<p><b>XIV. Miscellaneous:</b></p>	<p><del>Murals shall be allowed except in Block E and G. Murals which meet the definition of a sign shall comply with the requirements of the Master Sign Program.</del></p>	<p>Murals shall be allowed throughout the development. Murals which meet the definition of a sign shall comply with the requirements of the Master Sign Program.</p>	<p>Clarification of permitted mural locations.</p>	Approval
f.	<p>On all buildings in the development, roof mounted mechanical equipment and appearances shall be located so that they are not visible from the ground immediately adjacent to the building. Said screening materials shall be compatible with the surrounding building materials and architectural design.</p>	<p><del>On all buildings in the development, roof mounted mechanical equipment and appearances shall be located and/or screened so that they are not visible from the ground immediately adjacent to the building. Said screening materials shall be compatible with the surrounding building materials and architectural design.</del></p>	<p>On all buildings in the development, roof mounted mechanical equipment and appearances shall be located and/or screened so that they are not visible from the ground immediately adjacent to the building. Said screening materials shall be compatible with the surrounding building materials and architectural design.</p>	<p>Clarification on screening mechanical equipment.</p>	Approval
h.	<p></p>	<p><del></del></p>	<p></p>	<p>Approval</p>	

**North DeKalb Mall Master Sign Program**

CZ-24-1247114

Modifications to the North DeKalb Master Sign Program - approved 5/22/2024 revised 7/1/2023

September, 2024

Section	EDENS Requested Sections for Modification	County Notes	Recommendation
i. Property Sign Criteria	<p>Directional Signs Sign Plan</p>	<p>Please see Exhibit B - Master Sign Program. Please see Exhibit B - Master Sign Program.</p>	<p>Approval</p>
ii. Tenant Sign Criteria	<p>Facade/Primary Identification Signage Criteria Number of Wall Signs Prohibited Elements Tenant Facade Sign Types - Canopy / Sloped Roof Signs</p>	<p>Please see Exhibit B - Master Sign Program. Please see Exhibit B - Master Sign Program. Please see Exhibit B - Master Sign Program. Please see Exhibit B - Master Sign Program.</p>	<p>Approval Approval Approval Approval</p>

**CONDITONS CZ-24-1247114**  
**(Formally Z-22-1245595**  
**as approved by the Board of Commissioners on May 26<sup>th</sup>, 2002)**

**Rezone from C-1 (Local Commercial) to MU-4 (Mixed Use – 4)**

**August 22, 2024**

**I. Zoning District, Master Development Plan and Exhibits:**

Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022 and revised 08/22/2024, is attached hereto as Exhibit “A” (the “Master Plan”). Subject to the other conditions contained herein, the Master Plan is hereby approved as the long-term planning document that will provide a guide for future growth and development. It is expressly recognized that the Master Plan is intended to be dynamic and to allow for future flexibility in both the design of the project and its development and reasonable modifications are both anticipated and authorized, as provided for in Article 27-7.3.10 of the Zoning Ordinance. However, the street layout and percentage mix of land uses, maximum square footages of land use types, and minimum square footage of open space in the development shall be substantially the same as those shown on the Master Plan. Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: existing to remain, commercial, and/or a hotel in Block B; commercial, commercial and townhomes or townhomes only in Block C; commercial, townhouses, or multi-family residential in Block F; and existing to remain or commercial in Block J. A Master Sign Program, prepared pursuant to Section 2.19.4.B.4.b. and attached as Exhibit “B” (the “Sign Package”), dated 05/26/2022 and revised 07/01/2024 is incorporated herein as a condition of this rezoning. The Architectural Standards, prepared pursuant to Section 2.19.4.B.4.a., are attached as Exhibit “C”, dated 04/27/2022 and incorporated herein as a condition of this rezoning. Open Space shall be provided per the Open Space Plans which are attached as Exhibit “D”, dated 05/20/2022 and incorporated herein as a condition of this rezoning. In addition, the Subject Property will be subdivided in the future and a subdivision map is attached hereto as Exhibit “E” (the “Subdivision Plan”), dated 04/25/2022 and revised 08/22/2024 and incorporated herein as a condition of this rezoning. A Sustainability Program, attached as Exhibit “F”, dated 05/20/2022 and made a condition herein, shall be implemented as part of the overall project.

II. **Phasing:**

- a. Developer shall build no more than 750 multi-family units until 140,000 square feet of non-office commercial space (to include existing non-office commercial space proposed for renovation) has been constructed or renovated.

III. **Uses, Building Heights and Parking:**

a. Non-Office Commercial:

1. Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to 380,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).
2. Non-Office Commercial building heights shall be limited to a maximum of two stories or 50 feet, whichever is less, unless incorporated into a mixed-use building.

b. Office and Hotel:

1. Office uses shall be developed for up to 180,000 square feet, except that unused commercial square footage may be transferred to office uses, which shall increase this threshold proportionately (but not the DRI threshold for office uses).
2. Up to 150 hotel rooms are allowed. Additional hotel rooms may be added up to a maximum of 180 hotel rooms, but only if the amount of allowable commercial space is reduced by 500 square feet for each additional room (but not the DRI threshold for hotel rooms).
3. Office and hotel building heights shall be limited to a maximum of eight stories (100 feet).

4. Developer shall be allowed to locate office and/or hotel uses throughout all Blocks except Blocks E and G. . Further, Developer shall be allowed to locate office uses above any retail building, so long as the square footage thresholds and maximum building heights herein are not exceeded. If office is incorporated into the Flexible Area cross hatched in Block C, it shall be limited to three stories or 50’.

c. Residential:

1. Residential uses shall consist of a combination of multi-family units and townhome units (for-sale and/or for-rent) and shall not exceed 1,800 total units. Further, multi-family units shall not exceed 1,700 units. The Developer agrees to and shall submit a variance request to reduce the minimum required number of parking spaces for multi-family units to 1 parking space per unit. Subject to approval of such variance, a maximum of 1.5 parking spaces shall be permitted per unit. Developer shall endeavor to provide the minimum number of parking spaces necessary and in no case more than one parking space per bedroom. This condition does not prohibit the rental of residential parking spaces separately from the residential housing.
2. Developer may add micro-units to townhouses, multi-family buildings, or stand-alone micro-unit buildings. Micro-units, as may subsequently be defined in the zoning ordinance, shall not count toward the overall unit count or the calculation of total building area in III.a.1. above.
3. Multi-family building heights shall not exceed six-stories (75 feet) unless ground floor commercial is incorporated, in which case the maximum building height shall be seven-stories (85 feet). The height of Residential Building D3 shall not exceed six-stories (75 feet) within 100 feet of the townhouses located in Block E.
4. Townhome building heights shall be a maximum of three stories (45 feet). Rooftop structures, e.g. trellises, canopies, building pop-ups, on townhomes that do not exceed 50% of the total area of the roof deck surface shall not be considered as a building story but shall be subject to the 45-foot height limitations herein.

d. Prohibited Uses:

1. The following use shall be prohibited in all portions of the development: Any use related to adult entertainment or adult service facility, pawn shop, title loan, check cashing, convenience store, gas station, funeral home/crematorium, or drive-through restaurant.

IV. **Building Locations and Orientation:**

- a. Subject to the other conditions contained herein, the final location, size, and use of buildings and parking shown on the plan may vary as provided for in Article 27-7.3.10 of the Zoning Ordinance, but the overall density cannot exceed the proposed development program summary, except as may be allowed by these conditions.
- b. Block A shall have the following limitations:
  1. A primary entrance to at least one tenant in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. The primary entrance to tenants in Buildings A50 and A60 shall be on Road A, Road E and/or Road C and these facades shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level façade.
  3. A primary or secondary entrance to at least one tenant in Buildings A65 and A70 shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance façades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade. The sides of Buildings A70 and A80 that face Mistletoe Extension shall either have windows and/or doors that comprise at least fifty (50) percent of the width of the first-floor street-level façade; be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.



4. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building A1 to Road E. The breezeway shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and ungated at all times.
  5. The openings in Residential Building A1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.
  6. In the areas of Residential Building A1 which do not have ground floor retail, the ground floor residential units shall provide doorways to Road C. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
  7. The rear of Building A10 and the service areas for A10 and A20 shall be screened from Road A with a combination of decorative walls and/or landscaping, subject to approval by the Director of Planning and Sustainability or designee.
- c. Block B shall have the following limitations:
1. The primary entrance to tenants in Building B30 shall be on Road A and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. The primary entrance to tenants in Building B80 shall be on Road A, Road C, or Tangerine Park and this primary entrance façade shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level façade.
  3. The primary entrance to tenants in Building B70 shall be on Tangerine Park or Road C and this primary entrance façade shall have windows that comprise at least fifty (50) percent of the width of the first-floor street-level façade.
  4. The primary lobby to Building B10 shall be on Road A or the Office Plaza adjacent to Road A and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the façade.
  5. The Flexible Area B hatched location indicated on the Site Plan can be Commercial Uses and/or a Hotel Use. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.

6. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building B1 to Road A. In addition, breezeways shall be provided on each side of the vehicular entrance to the parking structure from Road A. The breezeways shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and ungated at all times.
  7. The openings in the liner building around the structured parking in Block B intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.
  8. The primary or secondary entrance to tenants in Building B90 shall be on Road C. This primary entrance façades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor façade.
- d. Block C shall have the following limitations:
1. The primary entrance to tenants in Buildings C5, C10, and C30 shall be on Road A, Road C, or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. The primary entrance to Building C50 (Existing Marshall's) shall remain in the existing store entrance location.
  3. The primary entrance façades for Buildings C40A and C40B shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor façade.
  4. A primary or secondary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. These primary entrance façades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade for buildings C80 and C85 and thirty-five (35) percent of the width of the first-floor street-level façade for building C60.
  5. The Flexible Area C hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.

- e. Block D shall have the following limitations:
1. The primary entrance to tenants in Buildings D5 and D10 shall be on Road A or Road C and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. In the areas of Residential Building D1 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent roads. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
  3. Ground floor retail can be constructed anywhere in Building D5 and in Residential Building D1 along Road A.
  4. Ground floor retail in Buildings D2 and D3 shall not be required. If ground floor retail is constructed in Buildings D2 and/or D3 it shall be limited to 5,000 SF in each location and shall be located along the parks adjacent to Road D. The primary entrance to tenants in these retail spaces shall be on the adjacent roads or parks and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade. At least thirty (30) percent of the width of the facades of stories above the ground floor, and of the ground floor if the ground floor is residential, shall be comprised of window and door openings.
  5. The openings in Residential Building D1 intended for loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.
  6. Townhouses may be incorporated into Block D and the building locations may vary from those shown including the addition of internal streets as long the Shared-Use Path connecting Road B and Road C remains and a multi-use park and dog park at similar sizes to those shown on Sheet LA 2 are constructed adjacent to the path.
  7. In the areas of Residential Building D2 and D3 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent streets. Such doorways can be secondary entrances but shall imitate front doors.

The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units in all locations where adjacent sidewalk grades allow.

- f. Block E shall have the following limitations:
  - 1. Only Residential Dwellings as allowed in Table 4.1 Use Table of the DeKalb County Zoning code shall be permitted in Block E.
  - 2. Where adjacent to single-family residential, building heights shall be limited by the transitional height plane as required by the DeKalb County code.
  - 3. Residential units adjacent to Road B and the shared-use path shall provide doorways to Road B or the shared-use path. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
  
- g. Block F shall have the following limitations:
  - 1. Uses shall consist of commercial buildings or residential buildings consisting either of townhouses or a multi-family building limited to 6 stories in height.
  - 2. Due to the elevation change across the site, street facing doorways may not be possible in all locations but a connection to the street from all entry doors shall be required.
  
- h. Block G – Open Space shall have the following limitations:
  - 1. The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability, or designee based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.
  
- i. Block J shall have the following limitations:
  - 1. The Flexible Area J hatched location indicated on the Site Plan can be Commercial Uses only. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.

V. **Open Space:**

- a. Developer agrees to (a) contribute \$35,000 to DeKalb County (or other appropriate entity) towards improvements to the Community Garden and (b) construct a gravel driveway ramp to provide access to said Community Garden. Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete item (b) as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.
- b. A 12' wide Shared-Use Path/Promenade and linear park shall be constructed between Wild Honey Park and Promenade Park in the general location shown on the Master Development Plan and Sheet LA 1 in Exhibit D. An 8' wide sidewalk and linear park shall be constructed north of Promenade Park, a portion of which is located in the already cleared portion of the 50' transitional buffer, in the general location as shown on the Master Development Plan and Sheet OS 1. These paths/sidewalks shall be located within a public access area and shall not be gated, although reasonable restrictions may be placed on the hours such paths are open to the general public.
- c. Lemon Park shall be built in the first phase of the project and shall consist of a combination of turf, grass, landscaping, hardscaping, seating and/or play areas; the design shall be similar to that shown on Sheet LA 3 in Exhibit D. Outside dining and events shall be allowed if such dining and/or events remain inside the Park and do not obstruct pedestrian access to buildings via sidewalks and hardscaping around the buildings.
- d. A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path, an internal road, or adjacent to a pedestrian path connecting to the Shared-Use Path or internal road. The multi-use park shall consist at a minimum of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.
- e. Promenade Park shall consist of the Shared-Use Path and seating and landscape areas, creating an entry/transition from the future Block G PATH trail into the site. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.

- f. Wild Honey Park shall consist of a mixture of hard surfaces, landscaped areas, and casual seating that can be activated by a variety of events. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.
- g. The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between Mistletoe Extension and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.
- h. Public access shall be provided across all Open Spaces as shown on Sheets OS 1, LA 1, LA 2, and LA3 contained in Exhibit D. These areas are private but shall be made available to the general public, although reasonable restrictions may be placed as to the use of such spaces and the hours such spaces are open to the general public.
- i. Before County issuance of a land disturbance permit, the Developer shall submit a plan to the Director of Planning and Sustainability outlining the continued maintenance of the Block G Open Space area. Such plan may be self-administered by the Developer and/or administered by a third party under contract or agreement with Developer or a combination thereof. Further, Developer may sell or transfer some or all of the area to a third party, such as a conservation organization or governmental entity, who accepts the ongoing maintenance responsibilities. While the primary intent of the area is as a forested conservation area, the continued maintenance will include general cleanup of trash, removal of invasive species, and maintenance of trails or other active/passive open spaces areas established in Block G. Developer may reserve the right to terminate any agreements with third parties and take back maintenance of the Block G Open Space area.

VI. **PATH Trail Connection:**

- a. The Developer(s) and/or Owners shall allow construction of a future PATH trail in Block G as shown on the Master Plan and Sheet OS 1. The final location of such trail within Block G shall be determined by DeKalb County in conjunction with the Developer as long as the trail connects to trail built by the Developer in Promenade Park.

The Developer(s) and/or Owners shall grant, at no cost, to DeKalb County or appropriate entity a 25' wide permanent easement and construction easements as required for construction and continued operation and maintenance of such trail within Block G; the PATH trail within Block G shall be maintained by DeKalb County.

VII. **Infrastructure:**

- a. Contingent upon any necessary approvals, Developer agrees to contribute \$550,000 to DeKalb County (or other appropriate entity) to be exclusively applied towards the following improvements, which are public improvements: (a) the improvements to the intersection of Birch Road and North Druid Hills Road as outlined in the GRTA Notice of Decision dated April 14, 2022 and (b) the construction of a Shared-Use Trail on Mistletoe Road extending from the project site to North Druid Hills Road (hereafter collectively the "Improvements"). Developer shall have no obligation to provide funding for the Improvements except as specified in this condition. Developer shall make said funds available within thirty (30) days of demand but in no case prior to the date Developer makes application for a Land Disturbance Permit. Further, Dekalb County shall cause the improvements identified in (a) and (b) above to be completed within 36 months of approval of this rezoning. The Developer shall self-perform the following improvement, which is a public improvement: the improvement to the intersection of Orion Drive and Lawrenceville Highway as outlined in the GRTA Notice of Decision dated April 14, 2022 (the "Orion Drive Improvement"). In the event that a Tax Allocation District (TAD) capable of funding the Improvements and/or the Orion Drive Improvement is created, Developer's obligation to fund said improvements and this condition shall immediately and automatically become null and void and, to the extent that Developer has already provided some or all of the funding for the Improvements and/or the Orion Drive Improvement, Developer shall be entitled to seek reimbursement for same from the TAD proceeds.
- b. The Developer will work with MARTA to develop the best design and location/s for a bus/transit stop within or adjacent to the development. The design shall include consideration of the need for pull-over lanes and shelters. Such obligation shall be completed prior to issuance of the initial Land Disturbance Permit.

- c. Unless noted otherwise, all “internal roads” shown on the plan are to be privately owned and maintained with a public access easement granted for vehicular and pedestrian traffic; internal roads will not be Private Streets as defined in the DeKalb County code. All lots will have frontage on internal roads or in the case of townhouses onto alleys which connect to internal roads.
- d. Road A, Road B, Road C, Road E, and Mistletoe Extension shall be built at locations that are substantially the same as the locations in the general location shown on the Master Plan and shall be built as part of the first phase of the Project.
- e. Road D may be built as part of a future phase and the exact location may vary as long as the shared-use path connection is maintained from the Future PATH trail to Road C. Additional “internal roads” may be constructed in Block D depending on the final building layout on this block.
- f. Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimley Horn, dated 02/21/22 and revised 07/01/24. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshall agrees to reduce the road widths below 26’ (2-13’ lanes) adjacent to buildings taller than 30’ high, then the width by which the drive aisles are decreased shall be added to the pedestrian zones on that street section. If the Fire Marshall approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.
- g. Designated areas of internal roads may be periodically closed to vehicles to provide for street fairs, farmers markets, events, etc. as long as vehicular and pedestrian traffic routes are maintained to provide access to all parts of the site.
- h. The shared-use path shown on the Master Plan connecting the Future PATH trail with Mistletoe Road shall be built in the first phase of the project. A temporary paved path may be provided from Road B to Road C until the permanent path is built when Road D is constructed.
- i. Bike Nodes consisting of a combination of bike racks, information kiosks, and/or bike maintenance stands shall be constructed at key points along the shared-use path in the general location shown on the Site Plan.



**VIII. Architecture:**

- a. Building architecture shall be substantially compliant with the Architectural Standards in Exhibit “C”. Building elevations will be submitted as part of the Land Disturbance Permit process and shall be reviewed by the Director of Planning and Sustainability or designee for substantial compliance with the Architectural Standards.
- b. West facades of Residential Buildings D1 and D3 shall be articulated with design features that shall echo or be compatible with the scale of the front facades of the townhomes on the opposite side of Road B.
- c. Ground floor retail uses, as well as stand-alone retail buildings, shall have functional door and window openings in the facades that face the sidewalks along the interior roads. Doors in the sidewalk-facing facades shall be unlocked and usable by customers during business hours. Windows in the sidewalk-facing facades shall be transparent and shall allow views into the interiors of the retail spaces.
- d. Parking structures in Blocks A and D shall be screened with the use of liner buildings or other buildings to not be visible from public streets or internal roads.
- e. The parking structure in Block B shall be screened from Road A and Road C with liner buildings. If the parking structure facing Stone Mountain Highway is not screened with a liner building or other building, then a mural and/or signage as allowed per the Master Sign Program shall be placed on the unscreened side. In lieu of a mural or signage, an alternative façade treatment or screening shall be allowed upon approval of the Director of Planning and Sustainability or designee.

**IX. Townhome Construction:**

- a. The electrical panel in the townhouses shall be sized to accommodate a 40-amp double pole breaker on the opposite end of the panel labeled “reserved for solar”.
- b. A minimum of twenty-five (25) percent of townhouses shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage.
- c. A minimum of twenty (20) percent of the townhouses shall be designed such that purchasers shall have the option to purchase an elevator.

- d. A minimum of one 240 V AC plug (or current industry standard) shall be installed in each townhouse garage to accommodate electric vehicle charging.

X. **Signage:**

- a. Signage for the development shall be consistent with the standards in Exhibit "B." Prior to the issuance of a Land Disturbance Permit, the Developer shall submit to the Director of Planning and Sustainability design standards for minor signs, i.e. ground signs, directional signs, parking signs, and general wayfinding signs.
- b. Flashing, animated, sound emitting, rotating and inflatable signs are prohibited. Electronic or digital signs shall comply with the DeKalb County Sign Ordinance.

XI. **Common Area Maintenance:**

- a. The common areas within the Development shall be kept and maintained in first class order and repair as compared to any other first class mixed-use development similar to the caliber, type and character of the Development and located in the Atlanta, Georgia metropolitan area.

XII. **Subdivision:**

- a. The Subject Property may be subdivided in general accordance with Exhibit E and parts of the Subject Property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
- b. 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, if any, 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.
- c. 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 lots or 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 the Site Plan.

**XIII. Housing Affordability and Retail Incubator**

- a. Developer agrees to provide 10% workforce and affordable housing as part of the projects within the multi-family components, up to the maximum multi-family unit numbers in III.c.1. Developer agrees to provide 3 Affordable Housing Units (AHU) per multi-family building (15 total), defined as housing that is affordable to households earning no more than 60 percent of Area Median Income (AMI). The balance of the 10% shall be made up of Workforce Housing Units (WHU), defined as housing that is affordable to households earning between 60 percent and 120 percent of AMI. WHU and AHUs shall have the same access to amenities and services within the multi-family buildings as the market rate units. Subject to applicable laws, each multi-family building owner/operator shall establish a program to give a preference for rental of the AHU and WHU to individuals who work within the Project site.
- b. The Department of Community Development shall be responsible for tracking the availability and rental of AHU and WHUs.
- c. Developer shall submit an annual report on the rental history of AHU and WHUs to the Department of Community Development starting one year from the issuance of the first certificate of occupancy of a multi-family unit in the development. A copy of the report shall simultaneously be transmitted to the Director of the Department of Planning and Sustainability.
- d. Developer recognizes the importance of local retail in the community as an economic opportunity and further agrees to create a space (the “Incubator Space”) that fosters an entrepreneurial community within the project with support from programs such as but not limited to Emory StartMe Program. A goal of this condition is to graduate these entrepreneurs into permanent retail spaces and deals either in the project or elsewhere in competing retail centers throughout DeKalb County. The Incubator Space is to be leased for local retail with flexible terms relative to market with minimal investment required by the retailers to open for business. Developer shall pursue any number of deal structures to achieve this goal including but not limited to leasing spaces to individual retailers or leasing a space to one operator who then creates opportunities to host the local retailers in one cohesive retail experience.

The Incubator Space shall in no event be less than 2,000 sf in total and shall be made available for a minimum of two years, starting from the date of issuance of a Certificate of Occupancy for the Incubator Space. Prior to commencing operations at the incubator, Developer shall provide a plan for the operation of the incubator to the Director of Planning and Sustainability. Developer shall then submit two reports to the Director of Planning and Sustainability summarizing the performance of the Incubator Space, the first to be submitted 12 months after the issuance of a Certificate of Occupancy for the Incubator Space and the second to be submitted 24 months after the issuance of the Certificate of Occupancy. At the end of 2 years, Developer will evaluate and determine the viability and sustainability of continuing the Incubator Space. Should Developer choose to discontinue the Incubator Space at any point after two years, it shall provide 90 days' written notice to the Director of Planning and Sustainability. During these 90 days, the Developer shall negotiate in good faith with the County to identify and deploy resources necessary to attempt to continue the incubator program.

**XIV. Miscellaneous:**

- a. Food trucks, shipping container stores, and similar structures shall be allowed in all locations except Blocks E and G as long as adequate pedestrian access is maintained. Food trucks and shipping container stores shall comply with all applicable State and County regulations.
- b. Outdoor dining associated with a restaurant or other commercial establishment shall be allowed throughout all Blocks except Blocks E and G, provided that such outdoor dining does not block access, by pedestrians or persons in wheelchairs, to building entrances and exits and provided that outdoor dining allows the use of sidewalks by pedestrians and persons in wheelchairs.
- c. All Blocks, except Block E, shall be designated a Special Events Facility and otherwise be exempt from the requirements of section 27-7.6 and/or 27-4.3.
- d. Information and advertising kiosks shall be allowed throughout all Blocks except Blocks E and G. This provision shall not preclude the installation of Directional Signage as allowed in the Master Sign Program in Blocks E and G as long as such signage does not include tenant signage.

- e. Walk-up ATMs shall be allowed either integrated into buildings or free-standing. A Drive-up ATM shall be allowed subject to a Special Land Use Permit.
- f. Murals shall be allowed throughout the development. Murals which meet the definition of a sign shall comply with the requirements of the Master Sign Program.
- g. A drive-through pharmacy shall be allowed as indicated at Building A10 subject to a Special Land Use Permit.
- h. On all buildings in the development, roof mounted mechanical equipment and appurtenances shall be located and/or screened so that they are not visible from the ground immediately adjacent to the building. Said screening materials shall be compatible with the surrounding building materials and architectural design.
- i. The development shall provide a minimum of one (1) bicycle/moped parking spaces per twenty (20) parking spaces in surface parking lots and non-residential parking structures and a minimum of one (1) secured bicycle parking spaces per twelve (12) parking spaces in multi-family parking structures, except that this provision shall not apply to townhouse garages.
- j. A minimum of 3 percent of all surface parking lots and non-residential portions of parking structures shall be striped and signed for alternative fuel vehicle parking. EV charging station parking spaces may be used toward this total.
- k. A minimum of two percent parking spaces in surface parking lots and parking structures shall have electric vehicle charging stations. In designing the overall electrical distribution for the development, the Developer will work with Georgia Power to ensure the overall system can accommodate enough power, either initially or through future upgrades, for eventual conversion of ten percent of all parking spaces to have EV charging stations and shall provide room sufficient enough to allow upgrading the transformers or adding transformers for such future electrical demands associated with the additional EV charging stations.
- l. All multi-family parking structures shall be designed to accommodate the infrastructure for future conversion to allow for electric vehicle charging stations for a minimum twenty (20) percent of the parking spaces.

- All parking structures shall be designed so as to not preclude the addition of additional EV charging stations including designing the transformers to accommodate the loads from additional charging stations or providing room for additional transformers for such future electrical demands associated with the EV charging stations. Further, parking structures will be designed to either incorporate conduits or allow for future installation of conduits for the future EV charging stations without the need for structural modifications of the parking structure.
- m. Smart thermostats shall be installed in all residential units (multi-family and townhouses).
  - n. The site shall be provided with underground utilities for electricity, phone, cable, and internet services.
  - o. Developer shall employ pest and rodent abatement measures during demolition.
  - p. Developer shall employ dust abatement measures during demolition.
  - q. Setbacks shall be measured by existing right-of-way, versus any future right-of-way that County may demand incidental to development.
  - r. No cell towers/structures/monopoles shall be permitted anywhere on project property, but non-tower-mounted flat antennas may be located on roof tops or parking structures.
  - s. The Sustainability Program included in Exhibit F shall be implemented as part of the overall project. The Sustainability Program can be updated in the future as needed based on future advances in sustainable design and practices; such updated Program shall be provided to the Director of Planning and Sustainability.
  - t. Before County issuance of a land disturbance permit, the Developer shall submit a framework plan for waste management. The framework plan shall outline the method of recycling that will be used in the development. Recycling bins shall be provided in all multi-tenant buildings in locations convenient for use by residents. Storage areas for construction materials and/or equipment shall be screened from view from residential properties and structures with opaque construction fencing.
  - u. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.

- v. Rooftop amenities or uses on top of buildings or parking structures (i.e. cocktail bars, outside dining, special events facilities, recreation and entertainment facilities) shall be permitted and shall not be counted toward any square footage or height threshold defined herein or required parking. This condition shall not apply to townhouse rooftops which shall be governed by condition III.c.4.



DeKalb County  
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

Date Submitted: 7/1/2024 Case No.: \_\_\_\_\_

Existing Conditional Zoning No.: CZ-22-1245595

APPLICANT NAME: NDM (EDENS), LLC c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP

Daytime Phone#: 404.815.3620 Fax #: 404.685.6920 E-mail: dwebb@sgrlaw.com

Mailing Address: 1105 W. Peachtree Street, NE, Suite 1000, Atlanta, Georgia 30309

OWNER NAME: See Attachment A

(If more than one owner, attach contact information for each owner)

Daytime Phone#: 803.779.4420 Fax #: 803.765.0684 E-mail: \_\_\_\_\_

Mailing Address: See Attachment A

SUBJECT PROPERTY ADDRESS OR LOCATION: See Attachment B

\_\_\_\_\_, DeKalb County, GA, \_\_\_\_\_

District(s): 18 Land Lot(s): 100 and 101 Block(s): \_\_\_\_\_ Parcel(s): See Attachment A

Acreeage or Square Feet: 74.63 ac Commission District(s): 2/6 Existing Zoning: MU-4

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Signature of Applicant: 

Printed Name of Applicant: Dennis J. Webb, Jr. Smith, Gambrell & Russell, LLP



**ATTACHMENT A To  
NDM (EDENS), LLC  
Modification Application**

**NDM (EDENS), LLC**

1221 Main Street  
Suite 1000  
Columbia, SC, 29201

**NDM III (EDENS), LLC**

1221 Main Street  
Suite 1000  
Columbia, SC 29201

**ATTACHMENT B To  
NDM (EDENS), LLC  
Modification Application**

Owner NDM (EDENS), LLC

2050 Lawrenceville Highway Decatur, GA 30033 (Parcel ID 18 100 02 005)

2692 Sweet Briar Road Decatur, GA 30033 (Parcel ID 18 100 04 014)

3777 North Druid Hills Road Decatur, GA 30033 (Parcel ID 18 100 02 055)

3861 North Druid Hills Road Decatur, GA 30033 (Parcel ID 18 100 02 052)

Owner NDM III (EDENS), LLC:

2052 Lawrenceville Highway Decatur, GA 30033 (Parcel ID 18 100 02 001)

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**MAJOR MODIFICATION APPLICATION CHECKLIST**

- \_\_\_\_\_ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre- Application form** (to be completed in pre-application meeting). Please email [lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov) for appointment.
- \_\_\_\_\_ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners' association(s) may also be provided.
- \_\_\_\_\_ 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)
  - \_\_\_\_\_ **A. Application form** with name and address of applicant and owner, and address of subject property;
  - \_\_\_\_\_ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;
  - \_\_\_\_\_ **C. Letter of application and impact analysis**
    - \_\_\_\_\_ **1. Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
    - \_\_\_\_\_ **2. Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
  - \_\_\_\_\_ **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
  - \_\_\_\_\_ **E. Campaign disclosure statement** (required by State law).
  - \_\_\_\_\_ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*
  - \_\_\_\_\_ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:
    - \_\_\_\_\_ a. complete boundaries of subject property;
    - \_\_\_\_\_ b. dimensioned access points and vehicular circulation drives;
    - \_\_\_\_\_ c. location of all existing and proposed buildings, structures, setbacks and parking;
    - \_\_\_\_\_ d. location of 100-year floodplain and any streams;
    - \_\_\_\_\_ e. notation of the total acreage or square footage of the subject property;
    - \_\_\_\_\_ f. landscaping, tree removal and replacement, buffer(s); and
    - \_\_\_\_\_ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
  - \_\_\_\_\_ **H. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
  - \_\_\_\_\_ **I. Building Form Information.** Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
  - \_\_\_\_\_ **J. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

# PRE-APPLICATION MEETING



DeKalb County  
GEORGIA

Government Services Center  
178 Sams Street  
Decatur, GA 30030  
[www.dekalbcountyga.gov/planning](http://www.dekalbcountyga.gov/planning)  
404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer  
Michael Thurmond

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

Interim Director  
Cedric Hudson

**PRE-APPLICATION FORM  
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE  
(Required prior to filing application: signed copy of this form must be submitted at filing)**

Applicant Name: Denn Webb-EDENS Phone: 404-815-3620 Email: dwebb@sgrlaw.com

Property Address: 2050 L'ville Hwy; 2692 Sweet Briar Rd; 3777 N. Druid Hills Rd; 3861 N. Druid Hills Rd; 2052 L'ville Hwy

Tax Parcel ID: See 3rd pg of this document. Comm. District(s): 2 & 6 Acreage: TBD

Existing Use: \_\_\_\_\_ Proposed Use: N. DeKalb Mall Redevelopment

Supplemental Regs: \_\_\_\_\_ Overlay District: None are. DRI: \_\_\_\_\_

Rezoning: Yes  No \_\_\_\_\_

Existing Zoning: MU-4 & C-1 Proposed Zoning: \_\_\_\_\_ Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: The owner, EDENS, wants to add two parcels to the overall property. Both will have the same zoning designation as the master property—MU-4. EDENS also wants to clean up some of the conditions approved with the original rezoning.

Land Use Plan Amendment: Yes \_\_\_\_\_ No

Existing Land Use: TC & SUB Proposed Land Use: \_\_\_\_\_ Consistent  Inconsistent \_\_\_\_\_

Special Land Use Permit: Yes \_\_\_\_\_ No \_\_\_\_\_ Article Number(s) 27- \_\_\_\_\_

Special Land Use Request(s): \_\_\_\_\_

**Major Modification:**

Existing Case Number(s): CZ-22-1245595

Condition(s) to be modified:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION**

Pre-submittal Community Meeting: \_\_\_\_\_ Review Calendar Dates: \_\_\_\_\_ PC: \_\_\_\_\_ BOC: \_\_\_\_\_  
 Letter of Intent: \_\_\_\_\_ Impact Analysis: \_\_\_\_\_ Owner Authorization(s): \_\_\_\_\_ Campaign Disclosure: \_\_\_\_\_  
 Zoning Conditions: \_\_\_\_\_ Community Council Meeting: \_\_\_\_\_ Public Notice, Signs: \_\_\_\_\_  
 Tree Survey, Conservation: \_\_\_\_\_ Land Disturbance Permit (LDP): \_\_\_\_\_ Sketch Plat: \_\_\_\_\_  
 Bldg. Permits: \_\_\_\_\_ Fire Inspection: \_\_\_\_\_ Business License: \_\_\_\_\_ State License: \_\_\_\_\_  
 Lighting Plan: \_\_\_\_\_ Tent Permit: \_\_\_\_\_ Submittal Format: NO STAPLES, NO BINDERS PLEASE

**Review of Site Plan**

Density: \_\_\_\_\_ Density Bonuses: \_\_\_\_\_ Mix of Uses: \_\_\_\_\_ Open Space: \_\_\_\_\_  
 Enhanced Open Space: \_\_\_\_\_ Setbacks: front \_\_\_\_\_ sides \_\_\_\_\_ side corner \_\_\_\_\_ rear \_\_\_\_\_  
 Lot Size: \_\_\_\_\_ Frontage: \_\_\_\_\_ Street Widths: \_\_\_\_\_ Landscape Strips: \_\_\_\_\_  
 Buffers: \_\_\_\_\_ Parking Lot Landscaping: \_\_\_\_\_ Parking - Auto: \_\_\_\_\_ Parking - Bicycle: \_\_\_\_\_  
 Screening: \_\_\_\_\_ Streetscapes: \_\_\_\_\_ Sidewalks: \_\_\_\_\_ Fencing/Walls: \_\_\_\_\_  
 Bldg. Height: \_\_\_\_\_ Bldg. Orientation: \_\_\_\_\_ Bldg. Separation: \_\_\_\_\_ Bldg. Materials: \_\_\_\_\_  
 Roofs: \_\_\_\_\_ Fenestration: \_\_\_\_\_ Façade Design: \_\_\_\_\_ Garages: \_\_\_\_\_ Pedestrian Plan: \_\_\_\_\_  
 Perimeter Landscape Strip: \_\_\_\_\_  
 Possible Variances: Variances may be sought depending on development.

Comments: Applicant will apply to combine and rezone two additional parcels (3861 N Druid Hills & 2052 Lawrenceville Hwy)  
from C-1 to MU-4 (the principle parcel) as well as modify conditions from CZ-  
22-1245595 as it pertains to the Master Plan for the North DeKalb Mall redevelopment.

Planner: Andrea Folgherait, Sr. Planner Date: 06/18/2024

**FILING FEES**

<b>REZONING:</b>	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
<b>LAND USE MAP AMENDMENT</b>		\$500.00
<b>SPECIAL LAND USE PERMIT</b>		\$400.00

**EDENS c/o DENN WEBB  
NORTH DEKALB MALL REDEVELOPMENT**

**PROPERTY/PARCEL ID INFORMATION  
(NONE ARE IN AN OVD)**

<b>PARCEL ID#</b>	<b>PROPERTY ADDRESS</b>	<b>ZONING</b>	<b>LAND USE</b>	<b>Z-CONDITIONS?</b>
<b>18 100 02 005</b>	2050 Lawrenceville Highway	MU-4	TC	Z-22-1245595
<b>18 100 04 014</b>	2692 Sweet Briar Road	MU-4	TC	Z-22-1245595
<b>18 100 02 055</b>	3777 North Druid Hills Road	MU-4	SUB	CZ-22-1245595
<b>18 100 02 052</b>	3861 North Druid Hills Road	C-1	TC	NONE
<b>18 100 02 001</b>	2052 Lawrenceville Highway	C-1	TC	NONE

**STATEMENT OF INTENT/  
WRITTEN JUSTIFICATION**

and

Other Material Required by  
DeKalb County Zoning Ordinance for the  
Rezoning and  
Major Modification Applications

of

**NDM (EDENS), LLC**

for

Land Located in Land Lots 100 and 101, 18th District

**Rezone Two Parcels From C-1 to MU-4 (±1.52 Acres)**

**Major Modification of CZ-22-1245595 (±74.63 Acres) To Add The Two Parcels Above and  
Revise Approved Conditions**

Submitted for the Applicant by:

Dennis J. Webb, Jr.  
Kathryn M. Zickert  
J. Alexander Brock  
Smith, Gambrell & Russell, LLP  
1105 West Peachtree St., NE  
Suite 1000  
Atlanta, Georgia 30309  
404-815-3500



## I. INTRODUCTION

The Applicant, NDM (EDENS), LLC (“EDENS” and/or “Applicant”), is the owner and developer of “Lulah Hills,” a new mixed-used development intended to transform the former North DeKalb Mall site into a vibrant, pedestrian-oriented, live-work-play environment. EDENS’ original plan for the ±73.11 acre former North Dekalb Mall property consisted of ±320,000 square feet of retail, commercial and restaurant space, ±180,000 square feet of office space, a ±150-room hotel and ±1,800 residential units, to consist of a mix of apartment and townhome units (“Lulah Hills”).<sup>1</sup> The Dekalb County Board of Commissioners approved EDENS’ request in May of 2022 (CZ-22-1245595), rezoning the ±73.11 acre former mall property from C-1 (Local Commercial) to MU-4 (Mixed Use High Density) (the “2022 Rezoning”). The 2022 Rezoning was approved subject to multiple conditions, a Master Development Plan, a Sign Plan and a Subdivision Plan, among other things.

In the two years since, EDENS has acquired two additional parcels in proximity that collectively total ±1.52 acres, one located at 3861 North Druid Hills Road Decatur, GA 30033 (Parcel ID 18 100 02 052) and the other at 2052 Lawrenceville Highway Decatur, GA 30033 (Parcel ID 18 100 02 001) (collectively referred to as the “Additional Parcels”). Both are zoned C-1. It also has prepared more advanced engineering and grading plans, plans that have revealed that some modifications to the original zoning conditions are warranted. This application follows. Through it, EDENS seeks to (a) rezone the Additional Parcels from C-1 to MU-4 so that they can be added to the Lulah Hills master development; and (b) modify the original 2022 Rezoning conditions to add the Additional Parcels and to revise certain requirements originally

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<sup>1</sup> Floor areas and uses are taken from the documents attached to Rezoning Case CZ-22-1245595.

imposed.<sup>2</sup> The proposed edits to the CZ-22-1245595 conditions and the amended Master Development Plan are attached as exhibits to this application.

It is important to note that neither the addition of the two parcels nor the requested modifications will result in any increased impact from the revised Lulah Hills development. The Applicant's plan for the Additional Parcels is to maintain the same types of densities currently permitted by the underlying C-1 zoning, despite the rezoning to MU-4. Hence, there should be no additional impacts on the surrounding infrastructure from the rezoning or redevelopment of the Additional Parcels. The existing parcels are developed with a Meineke Oil Change, located at 3861 North Druid Hills Road, and a Bank of America, located at 2052 Lawrenceville Highway. The revised Master Development Plan attached to this application labels the Additional Parcels as flexible space. The 3861 North Druid Hills Road parcel will be incorporated into Lulah Hills as a separate block, labeled as Block J, and it is noted the existing commercial may remain and/or the site may be redeveloped for a commercial use. The 2052 Lawrenceville Highway parcel will be incorporated into the Master Development Plan's existing Block B, labeled as Flexible Area B ("Flexible Area B"). The Flexible Area B parcel is currently developed with a Bank of America building and while the bank is not open, the ATM is still in operation. EDENS intends to keep the existing bank building and/or allow the land upon which it is located to be redeveloped as either a commercial or hotel use. EDENS does not currently have a plan for the redevelopment of the Additional Parcels, however it wishes to preserve flexibility to allow for a development that is harmonious and complementary with the remainder of Lulah Hills.

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<sup>2</sup> Most if not all of the modifications to the zoning conditions could have been handled administratively. Since EDENS is already going through a public process to rezone the Additional Parcels, however, it has chosen to pursue through a public hearing a Major Modification application designed to clean-up certain conditions of the 2022 Rezoning.

In addition to the rezoning of the Additional Parcels, EDENS is seeking to modify select conditions from the 2022 Rezoning, including the Master Development Plan. As noted above, the changes are the result of a refinement of the design over the last two years and the need to update development calculations due to the incorporation of the Additional Parcels. The modifications are more particularly shown in the edits to the 2022 Rezoning Conditions and the updated Master Development Plan attached to this application. Among other things, EDENS seeks to incorporate the following changes:

1. Modification to several conditions regarding the location of building entrances. The Applicant has reworded these conditions, among other reasons, to allow chamfered entrances and tweaks to where entrances are located based on the site grading.
2. Revise the layout of the open space and retail building in the southeast quadrant of the intersection of Road A and Road C. The new layout proposes a smaller retail building with surrounding open space.
3. Revise the layout at the northeast corner of Block C, near Lemon Park, to create two smaller retail buildings (Retail C45 and Retail C40), and to shrink the footprint of the existing movie theater which will allow for a plaza area in front of the movie theater entrance, creating better pedestrian connectivity.
4. Create Road F to allow potential townhome alleys to connect to an internal roadway.
5. Revise the parking and layout along the southern portion of Road C, near the Retail C80 building, to create a  $\pm 3,000$  square foot retail building and a plaza.
6. As noted above, incorporate the 3861 North Druid Hills Road parcel as Block J and the 2052 Lawrenceville Highway parcel into Block B as Flexible Area B.
7. Update the calculations concerning property area (floor area ratios, density, open space, etc.) on the Master Development Plan to account for the 1.52 acres contributed by the Additional Parcels.
8. Update the floor areas for non-office commercial space to account for the Additional Parcels and the site design adjustments reflected in the updated Master Development Plan.
9. Update the Density Summary Tables and Parking Tables to account for the Master Development Plan revisions and the Additional Parcels.
10. Update the Parking Summary Table to reflect the parking ratios approved per Variance A-22-1246050, the Additional Parcels, and the modified plan layout.

The amount of office and residential uses in the revised Master Development Plan will remain the same after the requested approvals. There will be an increase in non-office commercial space (i.e. restaurant, retail, etc.), however, due to the incorporation of the Additional Parcels.<sup>3</sup> Nonetheless, EDENS does not anticipate an increase in traffic or other impacts from the Additional Parcels because, again, it is proposing densities on both parcels that would be allowed under their current C-1 zoning (i.e. it will have the same development impact today as it will after rezoning to MU-4).

EDENS submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a Written Justification for the Application as required by the DeKalb County Zoning Ordinance §27-7.3.5.

## **II. HISTORY**

The Lulah Hills property is zoned MU-4 and designated as “Town Center” and “Conservation Open Space” on the County’s Future Land Use Map. The Additional Parcels are zoned C-1 and designated as “Town Center” on the County’s Future Land Use Map. The Lulah Hills property was zoned subject to ordinances Z-73054, CZ-85160, CZ-08-14806, CZ-08-14809, and CZ-22-1245595. Ordinance CZ-22-1245595 contained multiple conditions and incorporated a Master Development Plan, among other things, prepared by Kimley-Horn and Associates, Inc. and dated 04/22/2022, that serves as the guiding document for the proposed Lulah Hills Development. A variance, A-22-1246050, was granted in 2022 to reduce the proposed multifamily parking ratio to a minimum of 1.0 spaces per unit and a maximum of 1.5 spaces per unit and allow a sidewalk and associated amenities and utilities to be located in a

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<sup>3</sup>The proposed Master Development Plan and revised conditions depict an increase of ±60,000 square feet of non-office commercial space.

portion of the 50' buffer (which had been previously cleared). The Additional Parcels are not subject to any prior rezoning or variance ordinances.

### III. IMPACT ANALYSIS

#### A.

#### THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN

The Additional Parcels are designated as “Town Center” (TC) by the DeKalb County 2035 Comprehensive Plan (the “Comp Plan”). The TC character area supports the MU-4 zoning district. Further, the TC character area is specifically intended “to promote the concentration of residential and commercial structures, which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage.”<sup>4</sup> It also is designed to create “focal point[s] for several neighborhoods with a variety of activities such as general retail, commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians.”<sup>5</sup>

The Applicant’s request to rezone the Additional Parcels to MU-4, incorporate the Additional Parcels into the Lulah Hills development and modify the 2022 Rezoning conditions all are intended advance the general policies and strategies for Town Center character area, including:

- Pedestrian Scale Development - Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
- Mixed Use Development - Create compact mixed-use districts and reduce automobile dependency and travel to obtain basic services.

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<sup>4</sup> See *DeKalb County 2035 Comprehensive Plan*, p. 64.

<sup>5</sup> *Id.*

- Parking - Clearly define road edges by locating buildings near the road-side with parking in the rear.
- Open Space and Linkages - Encourage development and redevelopment in activity centers to provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages, and other design features.
- Healthy Neighborhoods - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity.
- Pedestrian Enhancements - Create pedestrian-friendly environment, by adding sidewalks that link neighborhood amenities.
- Traffic Calming - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
- Pedestrian Oriented Design - Design shall be pedestrian-oriented with walkable connections between different uses.
- Preferred Uses - Each Town Center shall include a high-density mix of residential, retail, office, services, and employment to serve several neighborhoods.<sup>6</sup>

B.

THE PROPOSED REZONING AND ZONING MODIFICATION PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY

The Lulah Hills property is immediately adjacent to several commercial uses and in the nearby vicinity of several residential neighborhoods. The Additional Parcels are immediately

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<sup>6</sup> See DeKalb County 2035 Comprehensive Plan, p. 66.

adjacent to right-of-way and other commercial uses. As noted in the paragraphs above, the rezoning of the Additional Parcels and the proposed modifications to the 2022 Zoning Conditions will have little, if any, negative impact on adjacent or nearby property.

EDENS will have the flexibility to maintain the current uses on the Additional Parcels in the near term while allowing for their redevelopment at a later date for other commercial or hotel uses.<sup>7</sup> EDENS future development will be limited to other commercial uses, similar to what is allowed under the current C-1 zoning, for the 3861 North Druid Hills Road parcel and commercial and/or hotel uses for the 2052 Lawrenceville Highway. These uses are either allowed on the Additional Parcels under their current zoning or can be found in the proposed Lulah Hills and surrounding development. In addition, the Applicant's proposed zoning modification request only seeks to update design elements and will not introduce any new uses. As a result, there will be no negative impacts the adjacent and nearby property from the proposed use.

C.

THE SUBJECT PROPERTY DOES NOT HAVE A  
REASONABLE ECONOMIC USE AS PRESENTLY ZONED.

The Additional Parcels are currently developed for an oil change facility and a bank. EDENS intends to keep the buildings for the near future and preserve the option to redevelop at a later date for other commercial uses. A similar redevelopment could occur under the current C-1 zoning and, consequently, the Additional Parcels do have an economic value as presently zoned. However, it is the Applicant's intent to incorporate the parcels into the Lulah Hills Master Development Plan to create a cohesive and harmonious development which cannot be done absent a rezoning to MU-4.

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<sup>7</sup>The proposed hotel use is limited to Flexible Area B.

D.

THE PROPOSED REZONING WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY

In advance of filing this Application, the Applicant has engaged and will continue to engage in discussions with the community in the vicinity to make sure its proposal is acceptable to these neighbors. As stated in earlier paragraphs, the Proposed Development will result in a use that will be compatible and complementary to the existing surrounding uses.

The primary goal of land use planning is to eliminate or minimize the potential adverse effect of the dissimilar uses of adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both "off-site" and "on-site" transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this method of land use planning includes measures such as maintenance of buffers; walls, fences; lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. All of these devices have been utilized in this Application, as reflected in the Master Development Plan, including the use of a 50-foot transitional buffer, a transitional height plane adjacent to the single-family residential, and the preservation of open space. The Applicant does not intend to reduce any of the buffers or impact the transitional height planes beyond what was previously approved.



E.

THERE ARE OTHER EXISTING OR CHANGING CONDITIONS  
AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY

As noted in the previous paragraphs, EDENS seeks to rezone and incorporate the Additional Parcels into Lulah Hills design to create a more comprehensive and cohesive development. In addition, EDENS is requesting the modifications to the 2022 Rezoning conditions as the result of its continued effort to fine-tune its design. The favorable grant of the Applicant's request will result in a more practical and refined design.

F.

THE ZONING PROPOSAL WILL NOT ADVERSELY AFFECT HISTORIC  
BUILDINGS, SITES, DISTRICTS OR ARCHAEOLOGICAL RESOURCES

No such sites, buildings, or resources are on or near the Parcel.

G.

THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH  
WILL OR COULD CAUSE EXCESSIVE OR BURDENSOME USE OF  
EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR  
SCHOOLS

The requested rezoning and zoning modification, if approved, will not affect existing transportation facilities. The amended Lulah Hills Master Development Plan meets the requisite parking for this development. Further, the Additional Parcels and the requested modifications will not impact traffic. The 2022 Rezoning was subject to a Development of Regional Impact (DRI) review. Pursuant to that DRI, the Applicant's engineer, Kimley-Horn and Associates, Inc., prepared a traffic study to analyze the trips generated by this development and their impact on the surrounding roadway network. The traffic study was reviewed by the Atlanta Regional Commission and the Georgia Regional Transportation Authority during the DRI process and issued recommendations based upon its findings. The Applicant's request will not result in an

increased density that will warrant another DRI review. Moreover, the future development of the Additional Parcels will be limited in intensity to what is similarly allowed under the current C-1 zoning.

The proposed rezoning of the Additional Parcels and the zoning modification will not result in additional residential units. As a result, the Applicant's request will have no impact on local schools.

As for utilities, the Subject Property has access to water and sewer.

#### **IV. NOTICE OF CONSTITUTIONAL CHALLENGE TO UNDERLYING ZONING AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

The Applicant respectfully submits that the existing zoning on the Subject Property and any intervening designation except for that requested, are unconstitutional and that a refusal to approve the proposed rezoning or any attempt to rezone the Subject Property to an intervening classification, would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Zoning Modification or any attempt to rezone the Subject Property to an intervening classification, would discriminate unfairly between the owner of the Subject Property and other property owners similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Zoning Modification or any attempt to rezone the Subject Property to an intervening classification, would amount to a taking of property, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of

the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Zoning Modification or any attempt to rezone the Subject Property to an intervening classification, would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia.

The DeKalb County Zoning Ordinance lacks adequate standards for the Board of Commissioners to exercise their powers to review the Rezoning and Zoning Modification Applications. Specifically, the “criteria” are not sufficient to contain the discretion of Board of Commissioners and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance, the Zoning Ordinance is unlawful and violates, among other things, the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia.

Any limitation on the time for presentation of the issues before the Board of Commissioners, which has the power to zone and rezone property, is a violation of the guarantees of free speech under the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph V of the Constitution of the State of Georgia. Further, said limitations are in violation of the right to petition and assemble, in violation of the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph IX of the Constitution of Georgia, as well as the due process clauses of the United States and Georgia Constitutions.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.

## V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning and Zoning Modification Applications at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of these Applications.

This 1<sup>st</sup> day of July, 2024.

Respectfully Submitted,



---

Dennis J. Webb, Jr.  
Kathryn M. Zickert  
J. Alexander Brock  
Smith, Gambrell & Russell, L.L.P.

1105 West Peachtree Street, NE  
Suite 1000  
Atlanta, GA 30309  
404-815-3500

# MASTER DEVELOPMENT PLAN

### DEVELOPMENT SUMMARY:

DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
CURRENT ZONING:	C-1
PROPOSED ZONING:	MU-4
SITE AREA (AC.): 74.63	
TOTAL OPEN SPACE (AC.):	19.04
REQ. OPEN SPACE (10%) (AC.):	7.46
<b>BUILDING SETBACKS:</b>	
FRONT (FT):	0
SIDE (FT):	0
BACK (FT):	10
<b>TRANSITIONAL BUFFERS:</b>	
ABUTTING RESIDENTIAL (FT)	50
<b>ADDITIONAL INFORMATION:</b>	
BASE DENSITY ALLOWED	24 DWELLING UNITS/ ACRE
<b>BONUSES:</b>	
PUBLIC IMPROVEMENTS	20%
MIXED-USE	20%
AMENITY PROXIMITY	20%

DEVELOPMENT SUMMARY	
<b>PROPOSED LAND USES &amp; DENSITIES:</b>	
RESIDENTIAL (TOTAL COMBINED):	1,800 DU MAXIMUM
MULTI-FAMILY:	1,700 DU MAXIMUM
TOWNHOMES:	200 DU MAXIMUM
RETAIL/RESTAURANT/ENTERTAINMENT:	380,000 SF
HOTEL:	150 ROOMS
OFFICE:	180,000 SF
NON-RESIDENTIAL USE PERCENTAGE: 20% MINIMUM	
<b>PROPOSED BUILDING HEIGHTS:</b>	
RETAIL:	2-STORY (50FT) MAX
MULTI-FAMILY:	6-STORY (75FT) MAX
MULTI-FAMILY + RETAIL:	7-STORY (85FT) MAX
TOWNHOMES:	3-STORY (45FT) MAX
OFFICE:	8-STORY (100FT) MAX
HOTEL:	8-STORY (100FT) MAX

### PARKING SUMMARY:

NON-RESIDENTIAL PARKING SUMMARY					
LAND USE	QUANTITY OF LAND USE	MINIMUM PARKING RATIO	MINIMUM SPACES REQUIRED	MAXIMUM PARKING RATIO	MAXIMUM SPACES ALLOWED
RETAIL & GROCERY	262,210	1 SPACE/500 SF	525.0	1 SPACE/200 SF	1312.0
RESTAURANT	71,120 SF	1 SPACE/150 SF	475.0	1 SPACE/75 SF	949.0
THEATER	900* SEATS	1 SPACE/4 SEATS	225.0	1 SPACE/2 SEATS	450.0
OFFICE	180,000 SF	1 SPACE/500 SF	360.0	1 SPACE/250 SF	720.0
HOTEL	150 ROOMS	1 SPACE/ROOM	150.0	1.2 SPACES/ROOM	180.0
<b>TOTAL MINIMUM PARKING REQUIRED:</b>			<b>1735.0</b>	<b>TOTAL MAXIMUM PARKING ALLOWED:</b>	<b>3611.0</b>

\*Number of seats will initially be reduced to 1,000 following demolition and ultimately to 900 following interior renovation by AMC.

RESIDENTIAL PARKING SUMMARY			
LAND USE	QUANTITY OF LAND USE	MINIMUM PARKING RATIO	MAXIMUM PARKING RATIO
TOWNHOMES (SINGLE FAMILY ATTACHED)*	100 DU (MAX.)	1.5 SPACES/DU + 0.25 SPACES/DU	3 SPACES/DU + 0.25 SPACES/DU
MULTI-FAMILY*	1,700 DU (MAX.)	1.0** SPACES/DU	1.5** SPACES/DU

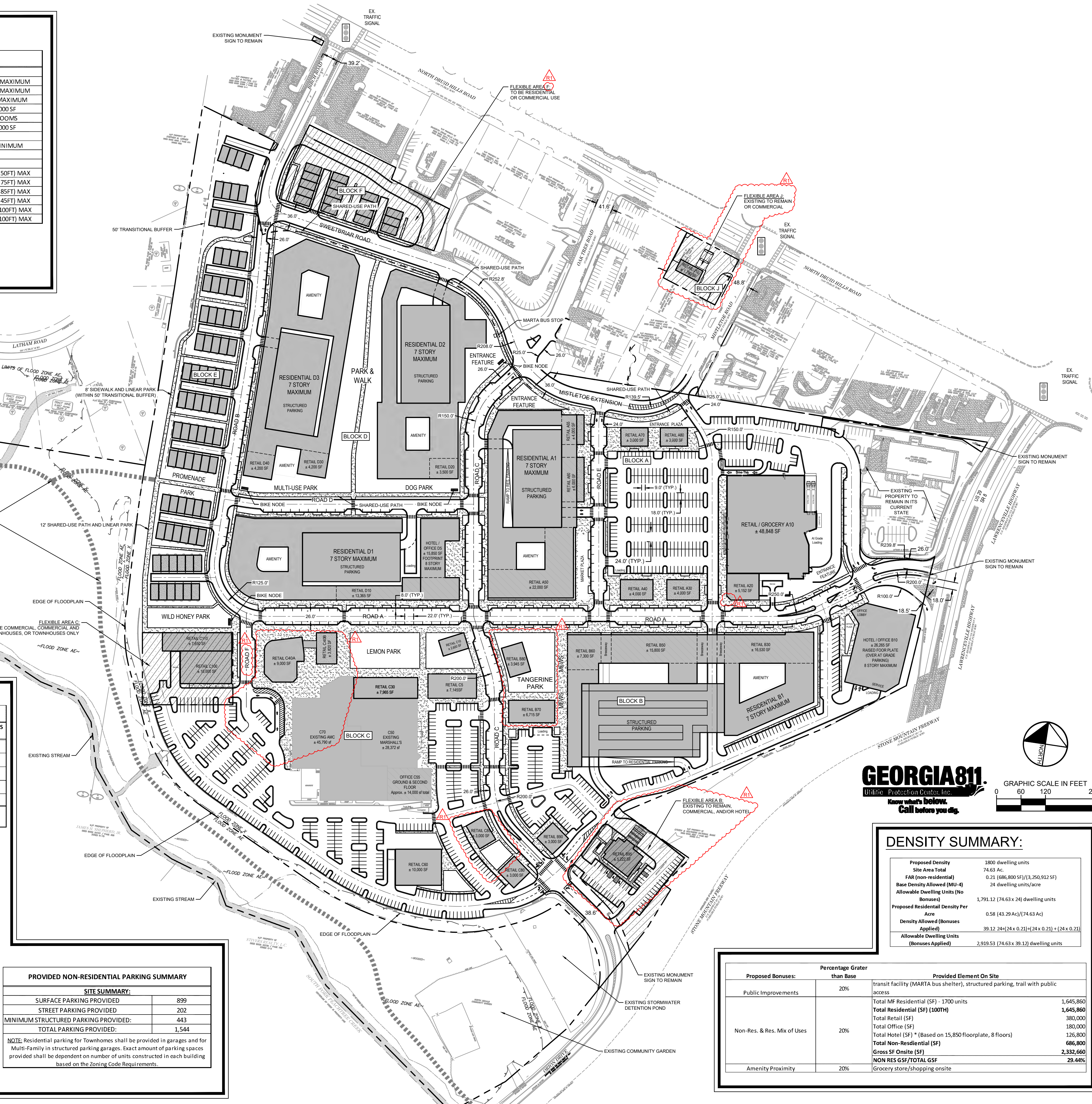
\* Residential parking for Townhomes shall be provided in garages and for Multi-Family in structured parking garages. Exact amount of parking spaces provided shall be dependent on number of units constructed in each building based on the Zoning Code Requirements.

\*\* The required multifamily parking ratio was reduced per Variance A-22-1246850

LAND USE	SHARED PARKING REDUCTION (MINIMUM REQUIRED)				
	WEEKDAYS 6 AM - 5 PM	WEEKDAYS 5 PM - 1 AM	OVERNIGHT 1 AM - 6 AM	WEEKENDS 6 AM - 5 PM	WEEKENDS 5 PM - 1 AM
RETAIL & GROCERY	315.0	472.5	52.5	525.0	367.5
RESTAURANT	237.5	475.0	47.5	475.0	475.0
THEATER	90.0	225.0	22.5	180.0	225.0
OFFICE	360.0	36.0	18.0	36.0	18.0
HOTEL	112.5	135.0	150.0	112.5	135.0
<b>TOTAL</b>	<b>1,115.0</b>	<b>1,343.5</b>	<b>290.5</b>	<b>1,328.5</b>	<b>1,220.5</b>

PROVIDED NON-RESIDENTIAL PARKING SUMMARY	
SITE SUMMARY:	
SURFACE PARKING PROVIDED	899
STREET PARKING PROVIDED	202
MINIMUM STRUCTURED PARKING PROVIDED:	443
TOTAL PARKING PROVIDED:	1,544

NOTE: Residential parking for Townhomes shall be provided in garages and for Multi-Family in structured parking garages. Exact amount of parking spaces provided shall be dependent on number of units constructed in each building based on the Zoning Code Requirements.



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GRAPHIC SCALE IN FEET  
 0 60 120 240

DENSITY SUMMARY:	
Proposed Density	1800 dwelling units
Site Area Total	74.63 Ac.
FAR (non-residential)	0.21 (586,800 SF)/(3,250,912 SF)
Base Density Allowed (MU-4)	24 dwelling units/acre
Allowable Dwelling Units (No Bonuses)	1,791.12 (74.63 x 24) dwelling units
Proposed Residential Density Per Acre	0.58 (43.29 Ac)/(74.63 Ac)
Density Allowed (Bonuses Applied)	39.12 (24 x 0.21) + (0.21 x 24) = (24 x 0.21)
Allowable Dwelling Units (Bonuses Applied)	2,919.53 (74.63 x 39.12) dwelling units

Percentage Grater		Provided Element On Site	
Proposed Bonuses:	20%	transit facility (MARTA bus shelter), structured parking, trail with public access	
Public Improvements	20%	Total MF Residential (SF) - 1700 units	1,645,860
		Total Residential (SF) (100TH)	1,645,860
		Total Retail (SF)	380,000
		Total Office (SF)	180,000
Non-Res. & Res. Mix of Uses	20%	Total Office (SF) * (Based on 15,850 floorplate, 8 floors)	126,800
		Total Non-Residential (SF)	686,800
		Gross SF Onsite (SF)	2,332,660
Amenity Proximity	20%	NON RES GSF/TOTAL GSF	29.44%
		Grocery store/shopping onsite	

Drawing name: K:\ATL\_Civil\1838\1014\_North Dekalb Mall\CAD\Plansheets\C1-50 - REZONING SITE PLAN.dwg C1-50 REZONING SITE PLAN - CLOUDED Jul 15, 2024 6:08pm by sam.galliard

**Kimley»Horn**  
 © 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
 11720 AMBER PARK DRIVE, SUITE 900  
 ATLANTA, GA 30309  
 PHONE (770) 674-4281  
 WWW.KIMLEY-HORN.COM

**NDM (EDENS), LLC**  
 3050 PEACHTREE ROAD, NW SUITE 580  
 ATLANTA, GA 30305

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

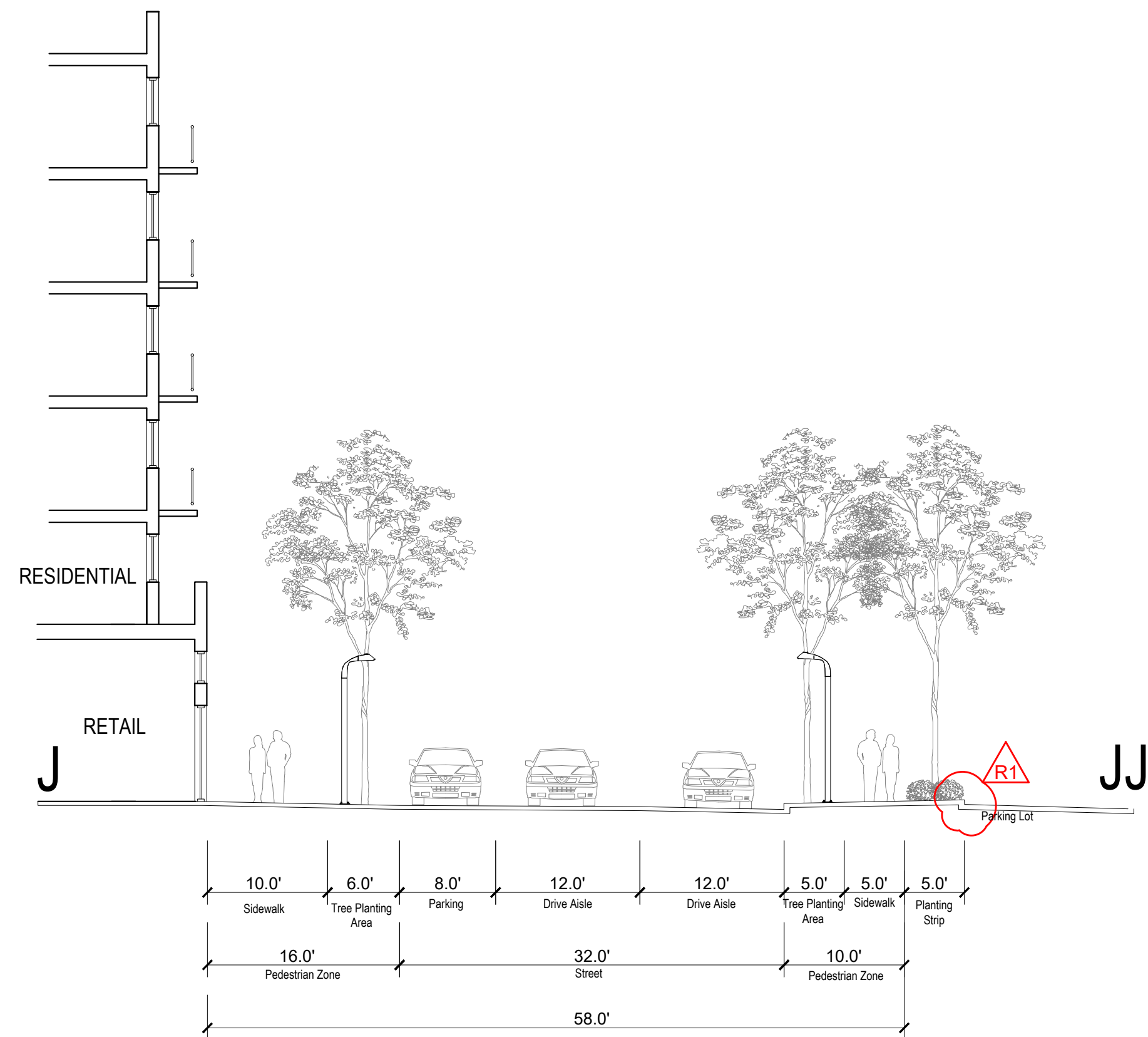
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 2050 LAWRENCEVILLE HWY, DECATUR, GA 30033

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 SHEET NUMBER: C1-50

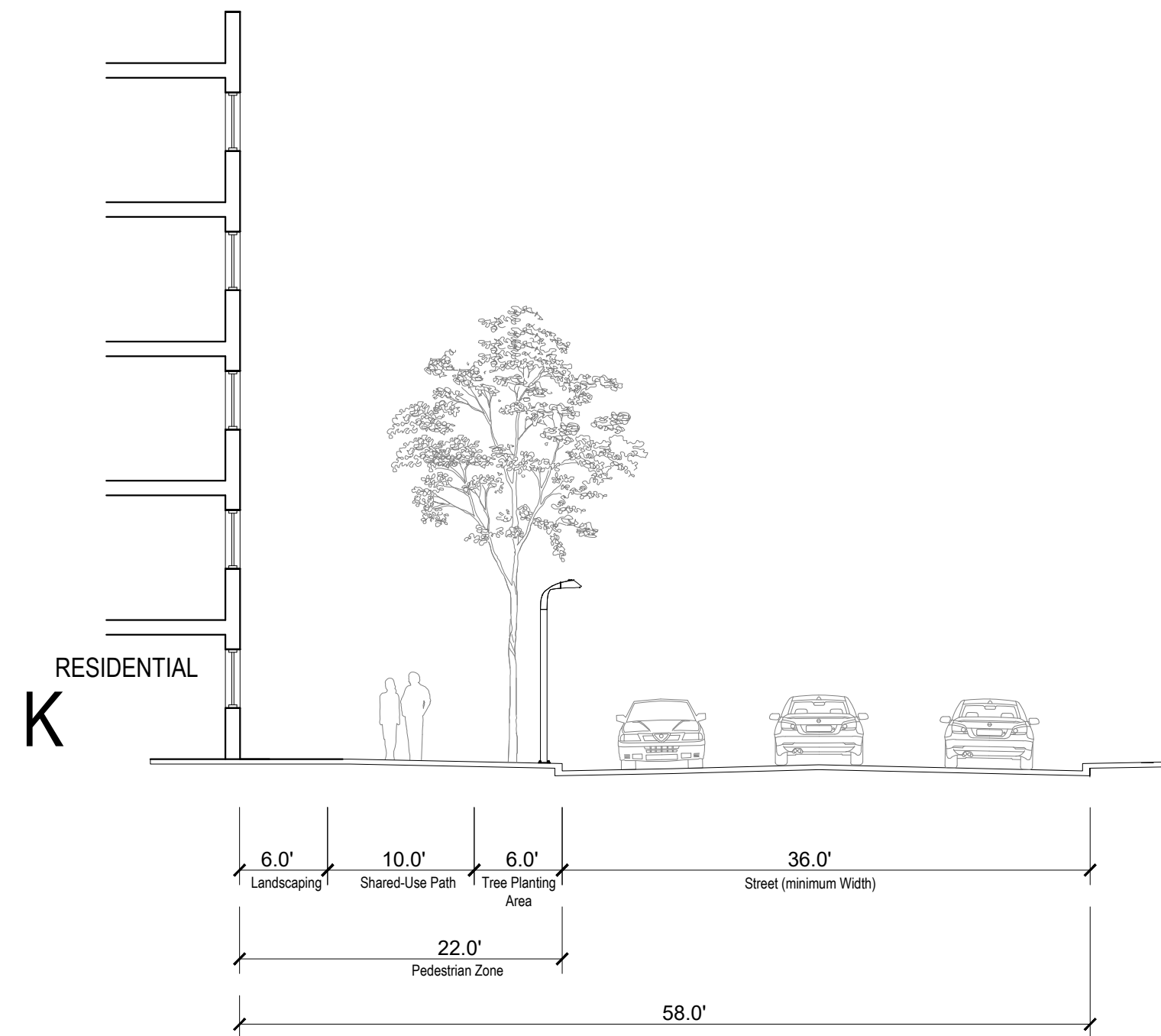
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 DESIGNED BY CLH  
 REVIEWED BY TML  
 DATE 04/25/2022  
 PROJECT NO. 018381014  
 TITLE **MASTER DEVELOPMENT PLAN**

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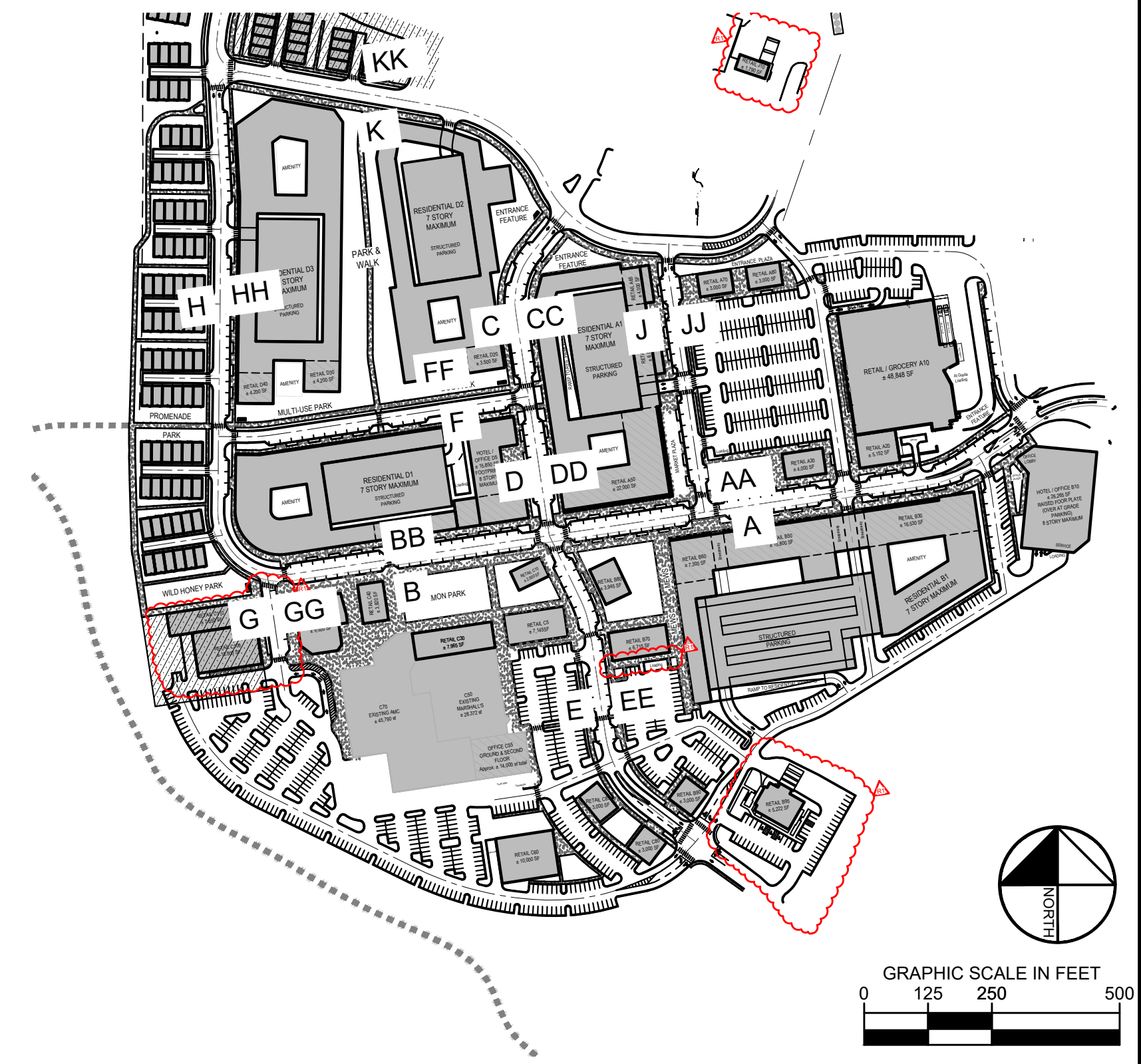
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Section J - JJ: Road E  
Scale 1" = 10'

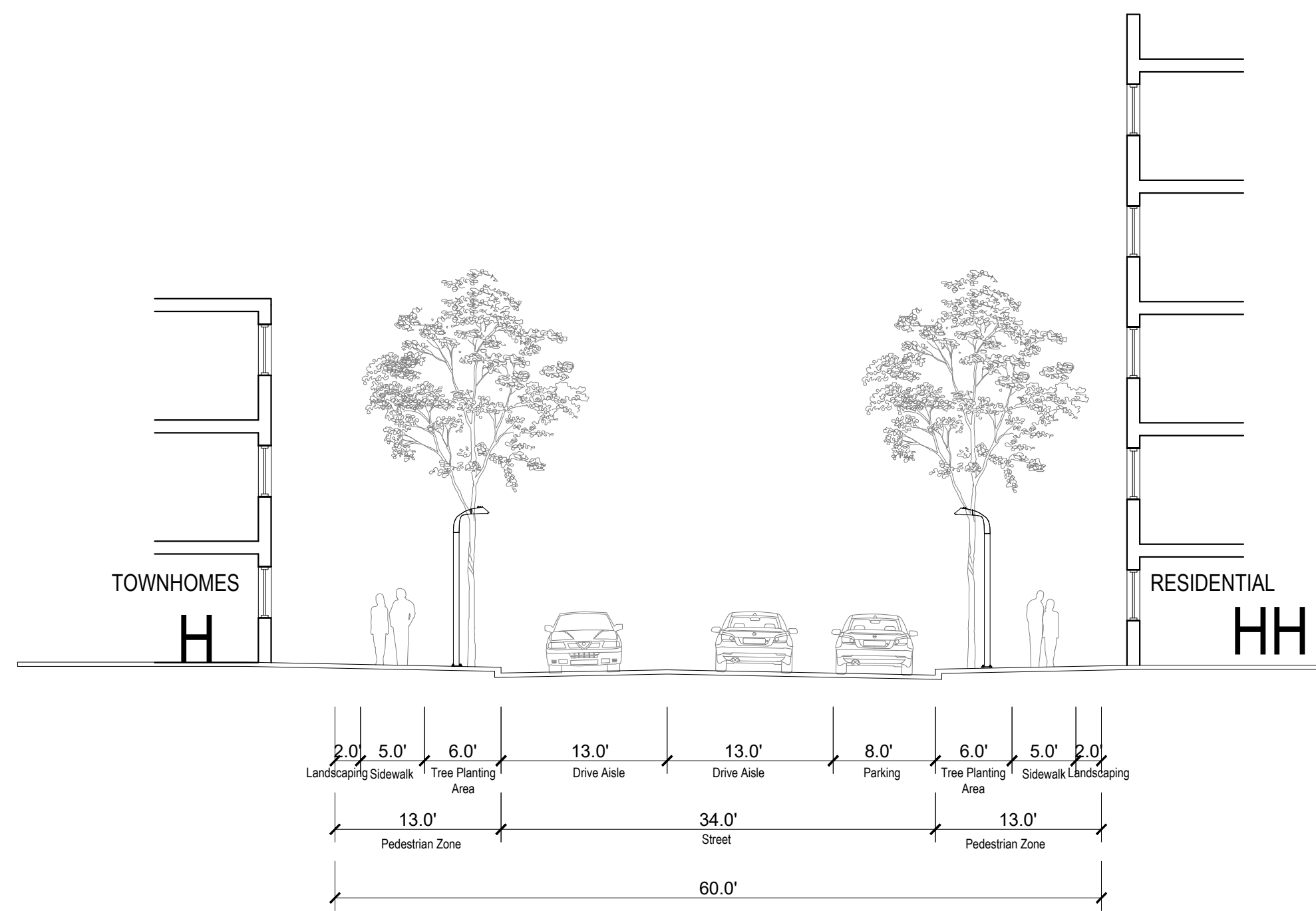


Section K - KK: Sweetbriar Road  
Scale 1" = 10'

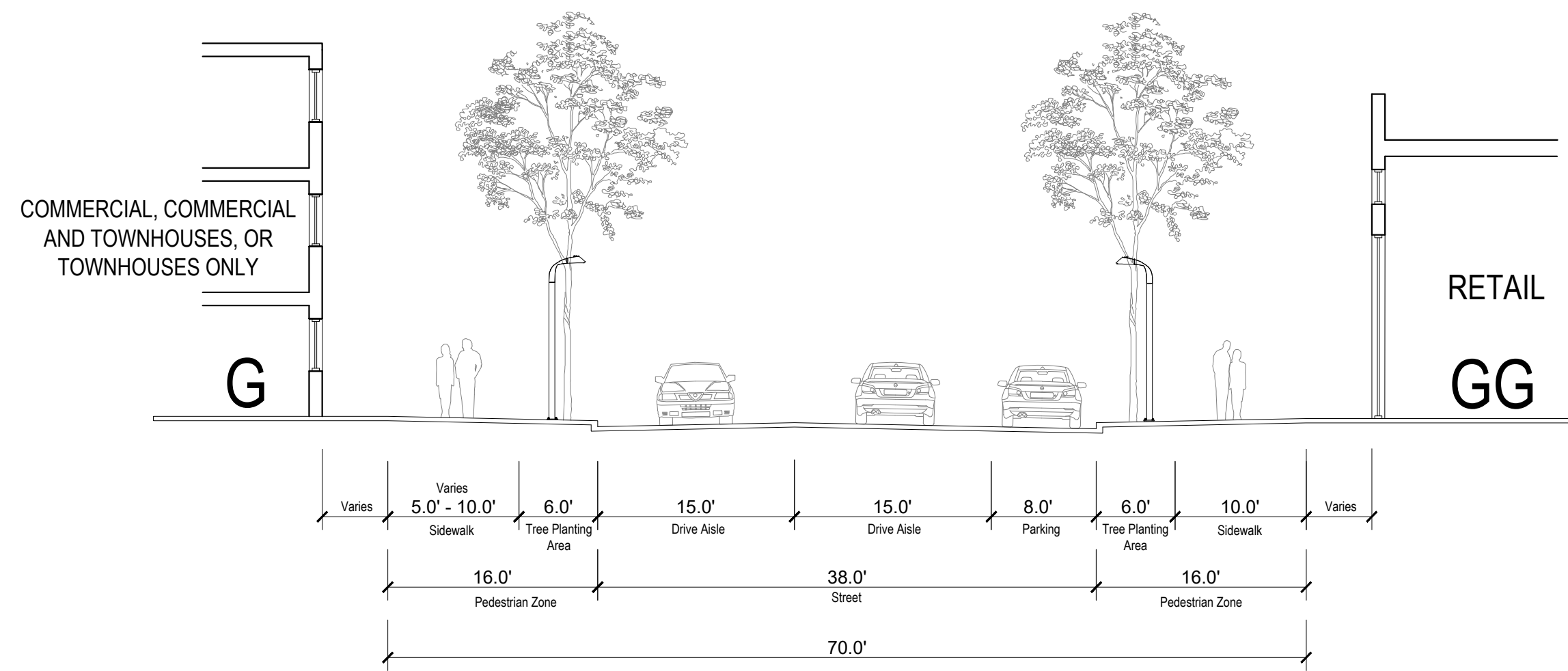


**GENERAL NOTES:**

1. SECTIONS SHOWN ARE TYPICAL AND TREE PLANTING AREA AND SIDEWALK WIDTHS MAY VARY IN ORDER TO CREATE A VARIED WALKWAY EXPERIENCE AS LONG AS THE BELOW CRITERIA ARE MET.
2. BUILDINGS SHOWN ARE ILLUSTRATIVE. SEE SITE PLAN FOR BUILDING USES AND NUMBER OF STORIES.
3. STREET FURNITURE, OUTSIDE DINING, KIOSKS, FOOD TRUCKS, AND SIMILAR ITEMS MAY BE PLACED IN THE PEDESTRIAN ZONE AS LONG AS THE MINIMUM SIDEWALK WIDTH ALONG ROAD A IS 8.0' AND IN ALL OTHER LOCATIONS IS A MINIMUM OF 5.0'.
4. BUILDING CANOPIES, AWNINGS, ARCADES, AND BAY WINDOWS MAY PROJECT INTO PEDESTRIAN ZONE SUBJECT TO THE MINIMUM SIDEWALK WIDTHS NOTED ABOVE.
5. STREET TREES WILL BE PROVIDED ON AN AVERAGE OF 40' ON CENTER OVER EACH BLOCK FRONTAGE BUT EXACT SPACING WILL VARY IN ORDER TO CREATE A MORE VARIED DESIGN.
6. STREET LIGHTS WILL BE PROVIDED ALONG BOTH SIDE OF THE STREETS AT AN AVERAGE OF 80' ON CENTER.



Section H - HH: Road B  
Scale 1" = 10'



Section G - GG: Road F  
Scale 1" = 10'

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

GSWCC NO. (LEVEL II)	0000095769
DRAWN BY	CLH
DESIGNED BY	CLH
REVIEWED BY	TML
DATE	04/25/2022
PROJECT NO.	018381014

**DEVELOPMENT SUMMARY:**

DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
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PROPOSED ZONING:	MU-4
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REQ. OPEN SPACE (10%) (AC.): 7.46	
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SIDE (FT):	0
BACK (FT):	10
<b>TRANSITIONAL BUFFERS:</b>	
ABUTTING RESIDENTIAL (FT)	50
<b>ADDITIONAL INFORMATION:</b>	
BASE DENSITY ALLOWED	24 DWELLING UNITS/ ACRE
<b>BONUSES:</b>	
PUBLIC IMPROVEMENTS	20%
MIXED-USE	20%
AMENITY PROXIMITY	20%

DEVELOPMENT SUMMARY	
<b>PROPOSED LAND USES &amp; DENSITIES:</b>	
RESIDENTIAL (TOTAL COMBINED):	1,800 DU MAXIMUM
MULTI-FAMILY:	1,700 DU MAXIMUM
TOWNHOMES:	200 DU MAXIMUM
RETAIL/RESTAURANT/ENTERTAINMENT:	380,000 SF
HOTEL:	150 ROOMS
OFFICE:	180,000 SF
NON-RESIDENTIAL USE PERCENTAGE: 20% MINIMUM	
<b>PROPOSED BUILDING HEIGHTS:</b>	
RETAIL:	2-STORY (50FT) MAX
MULTI-FAMILY:	6-STORY (75FT) MAX
MULTI-FAMILY + RETAIL:	7-STORY (85FT) MAX
TOWNHOMES:	3-STORY (45FT) MAX
OFFICE:	8-STORY (100FT) MAX
HOTEL:	8-STORY (100FT) MAX

**PARKING SUMMARY:**

NON-RESIDENTIAL PARKING SUMMARY					
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<b>TOTAL MINIMUM PARKING REQUIRED:</b>			<b>1735.0</b>	<b>TOTAL MAXIMUM PARKING ALLOWED:</b>	<b>3611.0</b>

\*Number of seats will initially be reduced to 1,000 following demolition and ultimately to 900 following interior renovation by AMC.

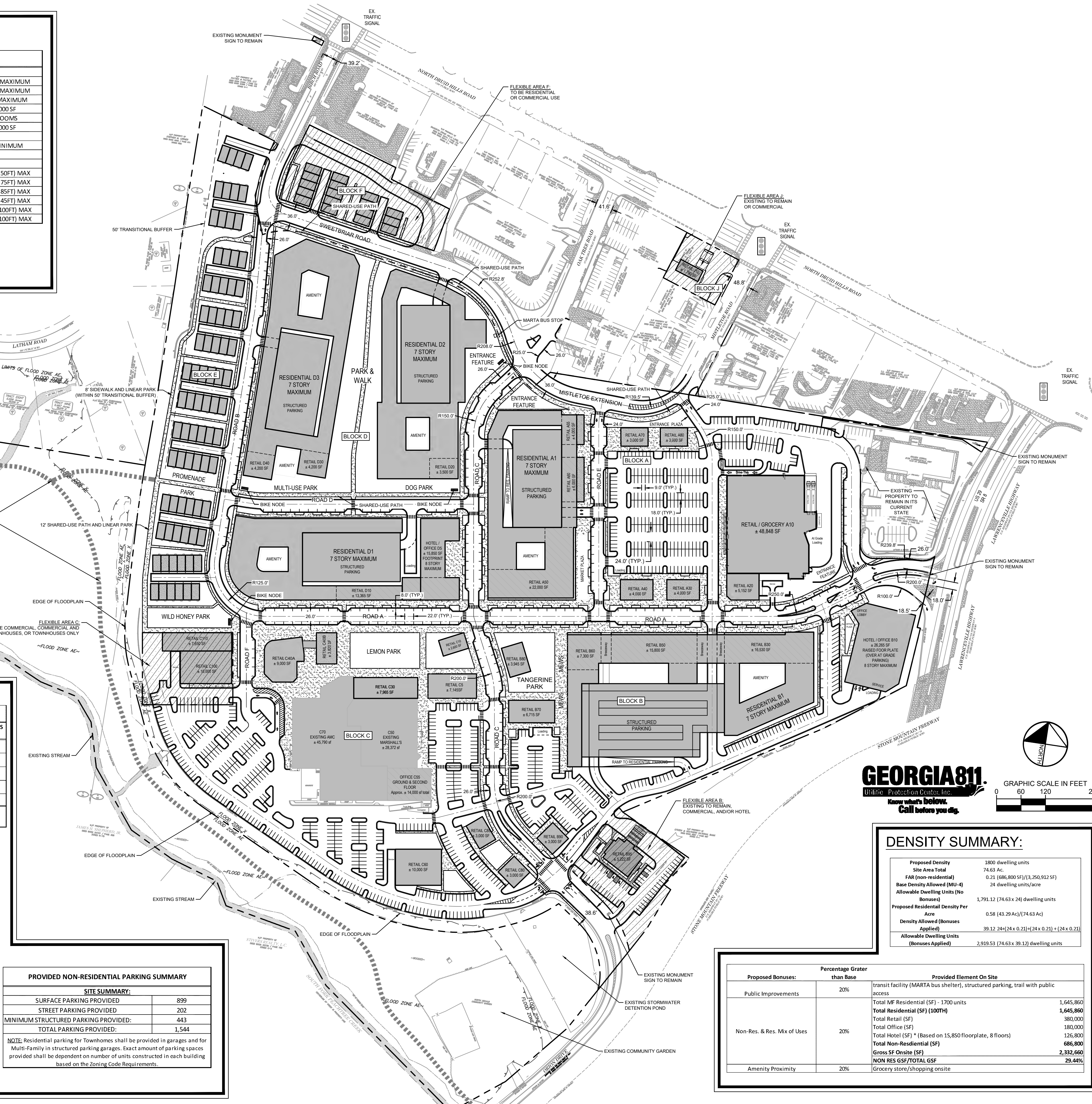
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MULTI-FAMILY*	1,700 DU (MAX.)	1.0** SPACES/DU	1.5** SPACES/DU

\* Residential parking for Townhomes shall be provided in garages and for Multi-Family in structured parking garages. Exact amount of parking spaces provided shall be dependent on number of units constructed in each building based on the Zoning Code Requirements.  
 \*\* The required multi-family parking ratio was reduced per Variance A-22-124650.

LAND USE	SHARED PARKING REDUCTION (MINIMUM REQUIRED)				
	WEEKDAYS 6 AM - 5 PM	WEEKDAYS 5 PM - 1 AM	OVERNIGHT 1 AM - 6 AM	WEEKENDS 6 AM - 5 PM	WEEKENDS 5 PM - 1 AM
RETAIL & GROCERY	315.0	472.5	52.5	525.0	367.5
RESTAURANT	237.5	475.0	47.5	475.0	475.0
THEATER	90.0	225.0	22.5	180.0	225.0
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HOTEL	112.5	135.0	150.0	112.5	135.0
<b>TOTAL</b>	<b>1,115.0</b>	<b>1,343.5</b>	<b>290.5</b>	<b>1,328.5</b>	<b>1,220.5</b>

PROVIDED NON-RESIDENTIAL PARKING SUMMARY	
<b>SITE SUMMARY:</b>	
SURFACE PARKING PROVIDED	899
STREET PARKING PROVIDED	202
MINIMUM STRUCTURED PARKING PROVIDED:	443
<b>TOTAL PARKING PROVIDED:</b>	<b>1,544</b>

NOTE: Residential parking for Townhomes shall be provided in garages and for Multi-Family in structured parking garages. Exact amount of parking spaces provided shall be dependent on number of units constructed in each building based on the Zoning Code Requirements.



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GRAPHIC SCALE IN FEET  
 0 60 120 240

DENSITY SUMMARY:	
Proposed Density	1800 dwelling units
Site Area Total	74.63 AC.
FAR (non-residential)	0.21 (586,800 SF)/(3,250,912 SF)
Base Density Allowed (MU-4)	24 dwelling units/acre
Allowable Dwelling Units (No Bonuses)	1,791.12 (74.63 x 24) dwelling units
Proposed Residential Density Per Acre	0.58 (43.29 Ac)/(74.63 Ac)
Density Allowed (Bonuses Applied)	39.12 (24 x 0.21) + (24 x 0.21) + (24 x 0.21)
Allowable Dwelling Units (Bonuses Applied)	2,919.53 (74.63 x 39.12) dwelling units

Proposed Bonuses:	Percentage Greater than Base	Provided Element On Site	
		Public Improvements	Non-Res. & Res. Mix of Uses
Public Improvements	20%	transit facility (MARTA bus shelter), structured parking, trail with public access	1,645,860
Non-Res. & Res. Mix of Uses	20%	Total # of Residential (SF) - 1700 units	1,645,860
		Total Residential (SF) (100TH)	380,000
		Total Retail (SF)	180,000
		Total Office (SF)	126,800
		Total Hotel (SF) * (Based on 15,850 floorplate, 8 floors)	686,800
		<b>Total Non-Residential (SF)</b>	<b>2,332,660</b>
		<b>Gross SF Onsite (SF)</b>	<b>2,332,660</b>
		<b>NON RES GSF/TOTAL GSF</b>	<b>29.44%</b>
Amenity Proximity	20%	Grocery store/shopping onsite	

Drawing name: K:\ATL\_Civil\1838\01-14\_North Dekalb Mall\CAD\Plansheets\C1-50\_REZONING SITE PLAN\_recover000.dwg C1-50 REZONING SITE PLAN Jun 28, 2024 2:25pm by: Wier, rosser

**Kimley Horn**  
 © 2024 KIMLEY-HORN AND ASSOCIATES, INC.  
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 ATLANTA, GA 30309  
 PHONE (770) 674-4281  
 WWW.KIMLEY-HORN.COM

**NDM (EDENS), LLC**  
 3050 PEACHTREE ROAD, NW SUITE 580  
 ATLANTA, GA 30305

**NORTH DEKALB MALL REDEVELOPMENT**  
 2050 LAWRENCEVILLE HWY, DECATUR, GA 30033

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

PROJECT: NORTH DEKALB MALL REDEVELOPMENT  
 SHEET NUMBER: **C1-50**

GSWCC NO. (LEVEL II) 00000XXXXX  
 DRAWN BY CLH  
 DESIGNED BY CLH  
 REVIEWED BY TML  
 DATE 04/25/2022  
 PROJECT NO. 018381014  
 TITLE **MASTER DEVELOPMENT PLAN**

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



# MASTER SIGN PROGRAM

# **NORTH DEKALB**

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## **MASTER SIGN PROGRAM**

**Approved 5/26/2022**  
**Revised 7/1/2024**

# north dekalb sign criteria

## INTRODUCTION

The purpose of this Master Sign Program is to set criteria for the overall Property Signage as well as for all Tenants to follow concerning the design aesthetic of their identification signage. Tenants will be obligated to comply with the following criteria. The Landlord may have additional signage criteria stipulated in the lease. The more restrictive of the two criterias (this Sign Program or the Landlord's criteria) will govern.

All Tenants are required to secure both a permit from DeKalb County and from the Landlord. Tenants should obtain written Landlord approval before submitting for Dekalb County permit and before installation.

Tenant sign vendors must be properly credentialed to work at North Dekalb Mall. All licenses and insurances shall be submitted to the Landlord for approval prior to any work commencing.

## EDENS TENANT CRITERIA

- All Tenant signage must be approved by EDENS.
- After reviewing the Signage Criteria, Tenant shall submit their sign concept proposal or final sign proposal to Landlord's Tenant Construction Manager for approval.
- Sign packages must include a building elevation with the proposed sign drawn to scale, a cut sheet detailing the proposed sign construction, as well as a call out of colors, all dimensions, and method of lighting.
- Incomplete proposals will be rejected.
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# i. property sign criteria

## GROUND SIGNS

- Existing Ground Signs #1-4 indicated on the Sign Plan shall be permitted to remain and be rebuilt/refaced as long as the height or size is not increased. If existing ground signs need to be removed based on road widening (or other County imposed reasons), then the signs shall be permitted to be re-built to the same size and height as existing.
- New Ground Signs shall be limited to 25 feet in height, 15 feet in width and 200 SF.

## ENTRANCE SIGNS

- Entrance Signs may be constructed in locations indicated on the Sign Plan and sign area shall be limited to 8' in height, 32' in width and 150 SF.
- Entrance Signage text shall be limited to the name of the Center and shall not include tenant signage.
- Entrance Signs may be freestanding or mounted on a building, wall, or similar element.

## DIRECTIONAL SIGNS

- Directional Signs shall be permitted outside public right-of-way within the development and shall be limited to 25 SF.
- Directional Signage may include names of streets, parks, and/or tenants.

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- Artistic Signs may be located throughout the project, except Block E, as long as outside of internal streets.
- The intent of artistic signs is to create unique visual moments to make the property more inspiring for residents and visitors.
- Artistic Signs may include the name of the project and other text or images but may not include the name of tenants unless treated as tenant signage.
- Artistic Signs may be ground mounted, mounted or painted on buildings or parking structures, or mounted on the roof tops of buildings or parking structures.

# sign plan



## LEGEND

- OFFICE / HOTEL / RETAIL
- RETAIL / RESTAURANT / GROCERY / ENTERTAINMENT
- GROUND FLOOR RETAIL
- RESIDENTIAL
- TOWNHOUSE
- PARKS AND OPEN SPACE

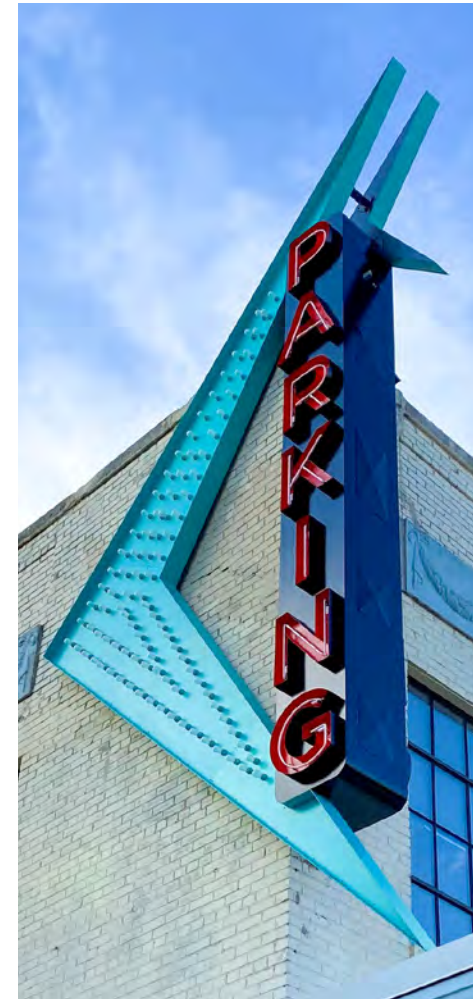
# property sign types

## ENTRANCE SIGNAGE



# property sign types

## ARTISTIC SIGNAGE



# ii. tenant sign criteria

## FAÇADE/PRIMARY IDENTIFICATION SIGNAGE CRITERIA

- In general, all building-mounted Tenant signs shall be individually-mounted halo-lit channel letter forms. Tenants over 5,000 SF or occupying an entire building can have face-lit individual letters. Face illumination must only consist of day/night type (dulite/dual-lite) face materials so that the face reads as a solid element during the day and illuminates at night. Deviation from these standards must be approved in writing by the Landlord.

- Panel or cabinet style signs are prohibited on all buildings, except small panel / cabinet signs may be used as part of an ATM or similar machine.

- In areas where the building's structural elements do not allow for the use of individual letters, Tenants will be permitted to mount the individual letters to a backplate which may be no more than 3" deep. In general, the backplate must be painted to match the façade except if the Tenant has a nationally registered signage design that includes a background color, in which case the backplate may be painted that color (subject to Landlord written approval); however, in that case the size of the sign will be based on the size of the backplate.

- Signage is prohibited from encroaching on any architectural feature of the building.

- Façade signs must have a minimum clearance of 10" from upper and lower edges of the sign band, and 12" clearance from the demising wall center line. Façade signs and other sign elements may not be installed outside of Tenant frontage without prior Landlord approval.

- For tenants up to 10,000 SF Tenant Façade Signs shall be limited to 30 SF or 4 SF per lineal feet of tenant wall, whichever is greater, up to a maximum of 150 SF per wall.

- For all tenants between 10,000 SF and 20,000 SF the maximum sign size shall be 200 SF per wall, and for tenants over 20,000 SF, the maximum sign size shall be 250 SF per wall.
- The existing AMC may retain their existing signage or as part of a remodel may install a 60 SF sign at each entrance to their lobby, install a 100 SF iconic sign facing Lemon Park, and retain their existing sign or install a new 100 SF sign on the East side of the existing building (South of Marshalls).

### NUMBER OF WALL SIGNS

- Each side of a tenant space which faces a street, parking lot, and/or public open space shall be allowed to have a sign the size of which shall be governed by the length of that wall.

### FONT

- Nationally registered font styles and/or logos are permitted in their natural font.

### COLORS

- Tenants with nationally-registered colors may use their colors on building-mounted signage.

### ELECTRICAL REQUIREMENTS

- Industry standards apply, and each electrical component must be U. L. listed and properly labeled. All power supplies must be concealed behind the wall and must be accessible for inspections and service.
- Disconnect switches need to be installed as required by code and the switch must be painted to match the wall.

## PROHIBITED ELEMENTS

- Sign raceways
- Cabinet signs (except for use at ATM machines)
- Flashing lights
- Animated components
- Window graphics that exceed 25% of window area and block visibility into Tenant space
- Generic Tenant identity (ex: "Nails")
- RED, GREEN, or YELLOW as a primary or majority color of Tenant signage (without prior Landlord approval). This includes material finish as well as illumination.

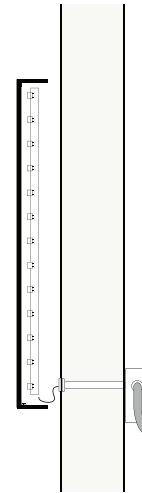


# tenant façade sign types



OPTION 1: Halo-Lit Reverse Channel Letter Forms

SECTION



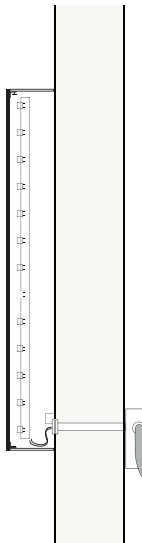
ELEVATION

TENANT STORE



OPTION 2: Internally-Illuminated White Acrylic Lettering with Opaque Veneer

SECTION



ELEVATION

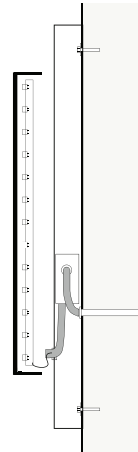
TENANT STORE



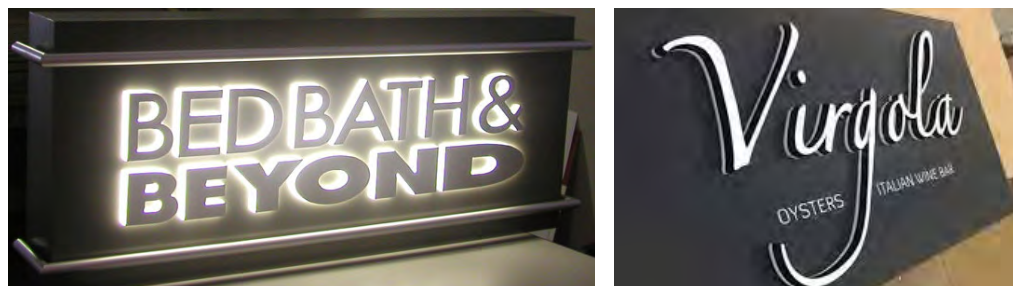
**OPTION 3A: Halo-Lit Reverse Channel Letter Forms with Back Plate**

- Back plate must receive prior Landlord approval
- Matching back plate color to façade color is encouraged

SECTION



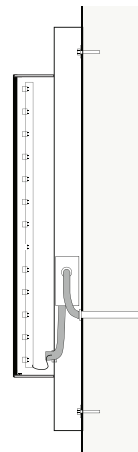
ELEVATION



**OPTION 3B: Internally-Illuminated Push-Through White Acrylic Lettering with Opaque Veneer and Back Plate**

- Back plate must receive prior Landlord approval
- Matching back plate color to façade color is encouraged

SECTION



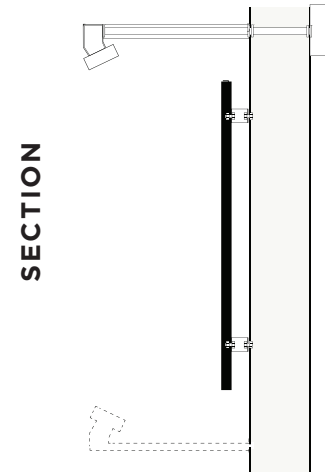
ELEVATION



\* THIS OPTION IS ONLY AVAILABLE IF FAÇADE CONCEALED RACEWAY IS NOT POSSIBLE. REQUIRES LANDLORD APPROVAL FOR CLASSIFICATION. EXPOSED RACEWAY IS NOT PERMITTED.

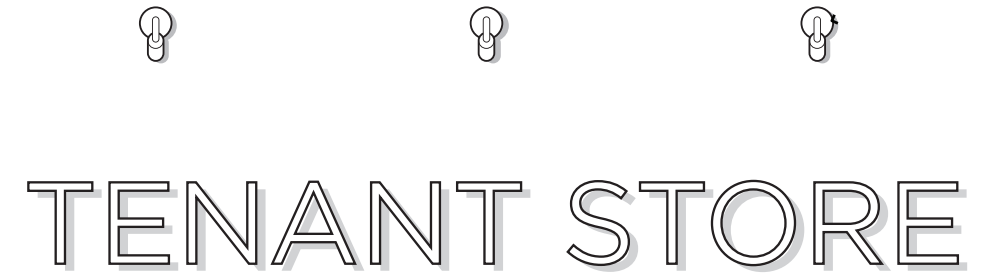


### OPTION 4A: Individual Dimensional Letter Forms with Gooseneck External Illumination



SECTION

ELEVATION



**EDENS STANDARD SPEC FOR GOOSENECK LIGHT FIXTURE:**

COOPER LIGHTING CAMBRIA 922

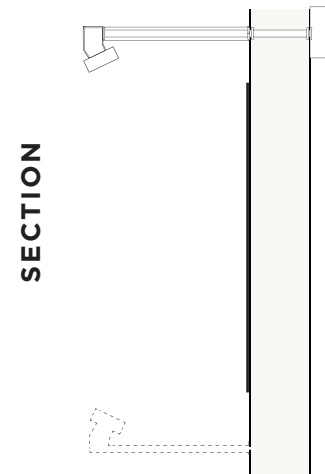
PAR20 BULLET SIGN LIGHTER

Recommended 1-LED2741 light source (this is wide angle) with OSL lens option

- Lights mounted with O.C. spacing, approx. 24" (28" max.)

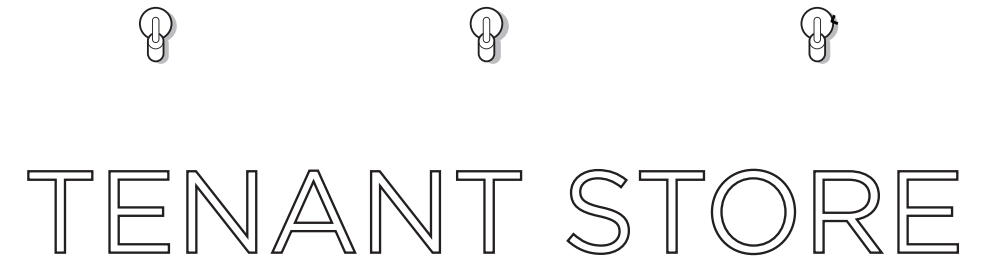


### OPTION 4B: Painted Lettering with Gooseneck External Illumination



SECTION

ELEVATION

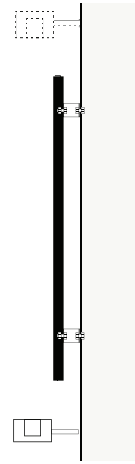


\* DIRECT PAINTED SIGNAGE MAX HEIGHT IS 1.25 X THE STANDARD APPROVED SIGN HEIGHT



**OPTION 5A: Individual Dimensional Letter Forms with LED Strip Light External Illumination**

SECTION



ELEVATION

TENANT STORE

**EDENS STANDARD SPEC FOR LED STRIP LIGHT:**  
12SYSTEMS V-LINE V321



**OPTION 5B: Painted Lettering with LED Strip Light External Illumination**

SECTION



ELEVATION

TENANT STORE

\* DIRECT PAINTED SIGNAGE MAX HEIGHT IS 1.25 X THE STANDARD APPROVED SIGN HEIGHT

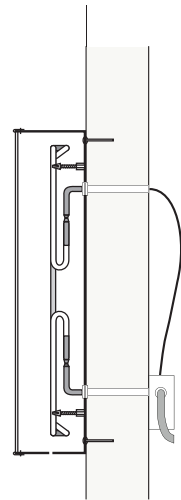


**OPTION 6A: Traditional Neon in a Channel with a Clear Acrylic Face Plate**

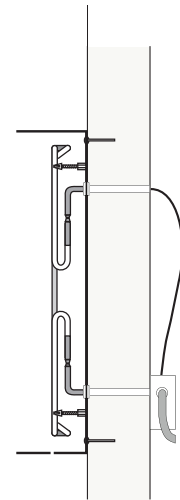


**OPTION 6B: Traditional Neon in a Channel**

SECTION 6A



SECTION 6B



ELEVATION

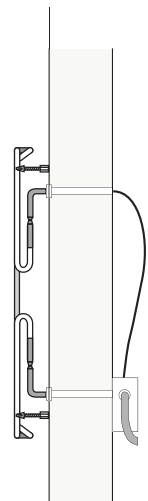
TENANT STORE



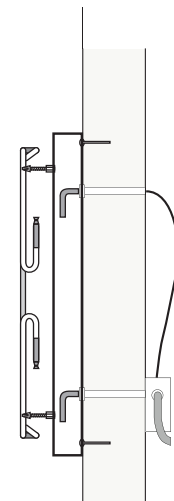
**OPTION 7A: Exposed Neon Mounted Directly to Façade**

**OPTION 7B: Exposed Neon Mounted on Solid Letter Forms**

SECTION 7A

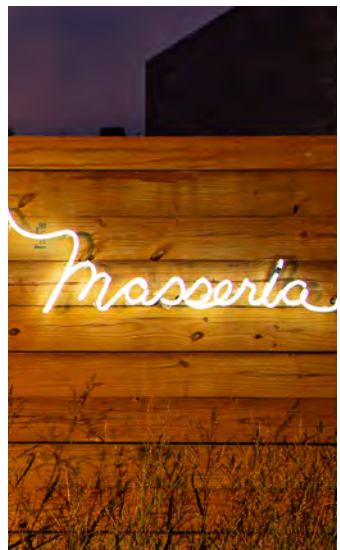


SECTION 7B



ELEVATION

TENANT STORE

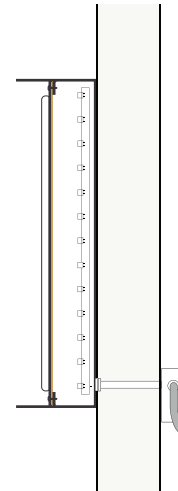




### OPTION 8: Neon Look Push-Through Acrylic Lettering

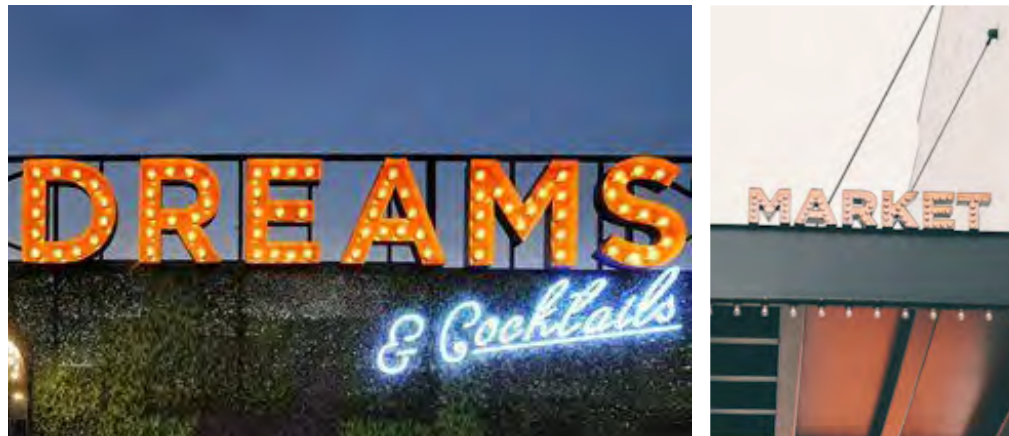
- 1/2" clear acrylic push-through double line, 1/2" wide letter strokes with routed, polished, bullnose-face for faux neon look

SECTION



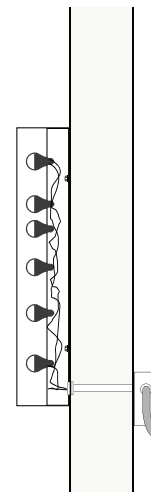
ELEVATION

TENANT STORE



### OPTION 9: Individual Channel Letters with Marquee Illumination

SECTION



ELEVATION

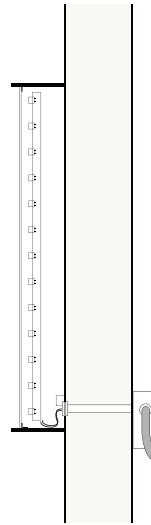
TENANT STORE



**OPTION 10: JR/ANCHOR ONLY (GREATER THAN 5,000 SF)**  
LED Internally Face-Lit Channel Letter Forms

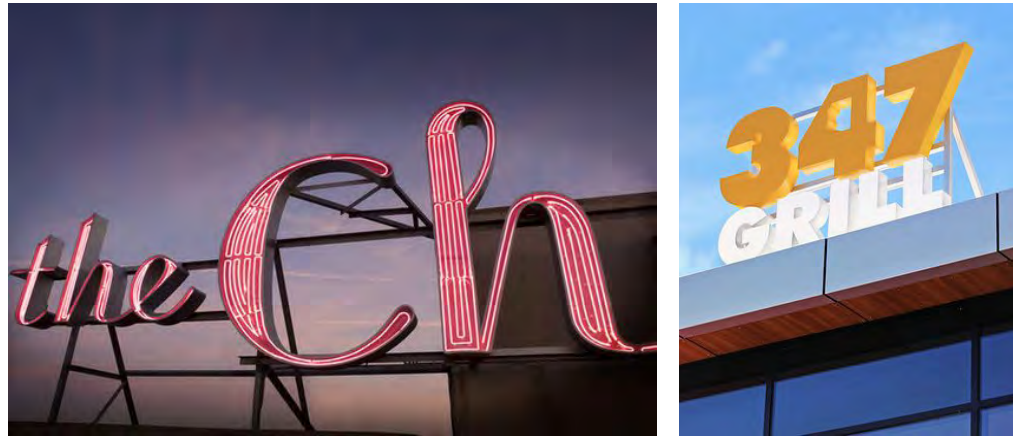


SECTION



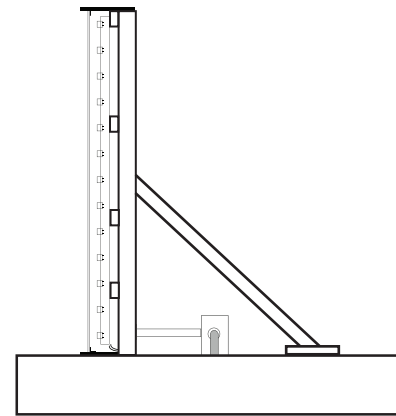
ELEVATION

TENANT STORE



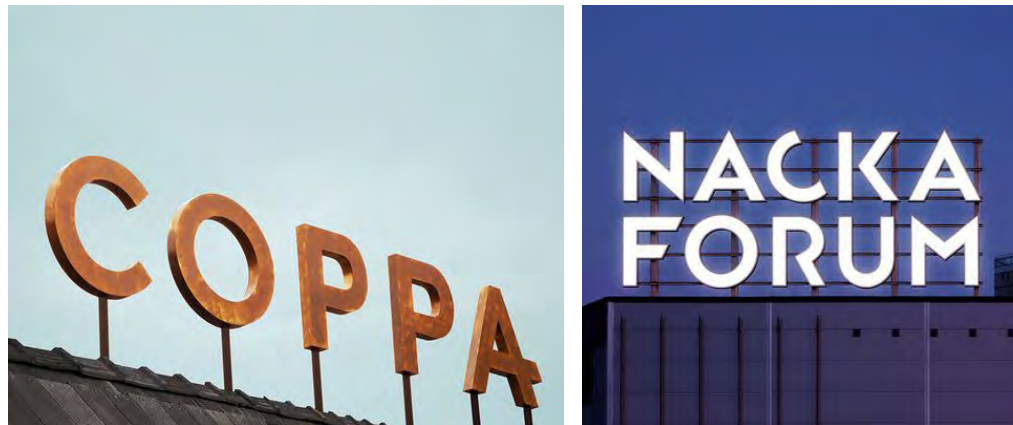
**OPTION 11: Roof-Mounted Signs: JR/ANCHOR ONLY (GREATER THAN 5,000 SF)**

SECTION



ELEVATION

TENANT STORE



**GENERAL NOTES**

DIAGRAMS ARE SHOWN FOR REFERENCE ONLY. ACTUAL TENANT SIGN WILL REFLECT INDIVIDUAL IDENTITY THROUGH SHAPE, FONT, ETC.

ALL ELECTRICAL MUST BE HIDDEN UNLESS REQUIRED BY CODE.

(FOR EX: A PHOTO CALL OR MANUAL ON-OFF SWITCH)

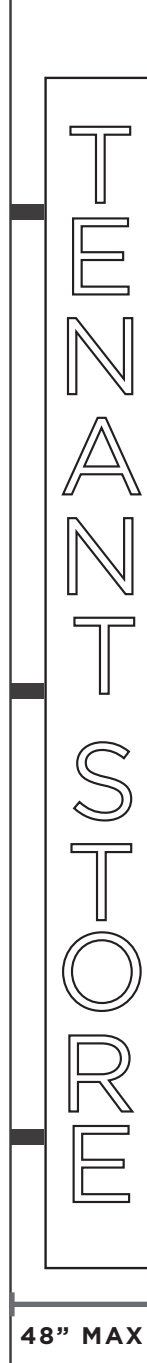


### OPTION 12: VERTICAL SIGNS

SECTION



ELEVATION





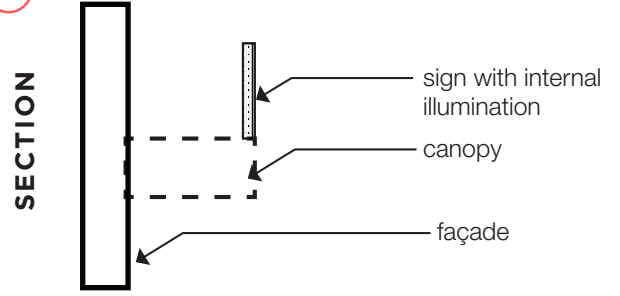


### OPTION 13: Canopy / Sloped Roof Signs

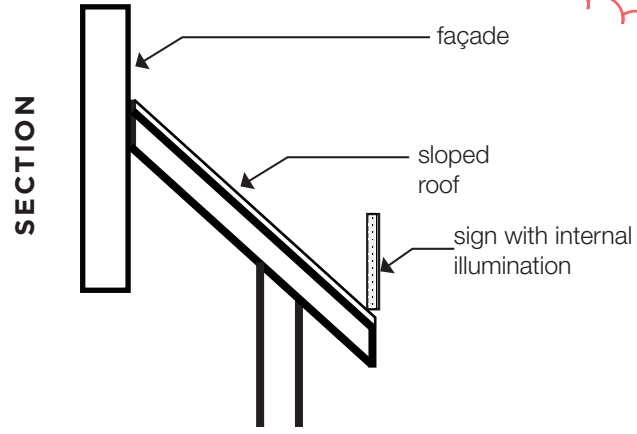
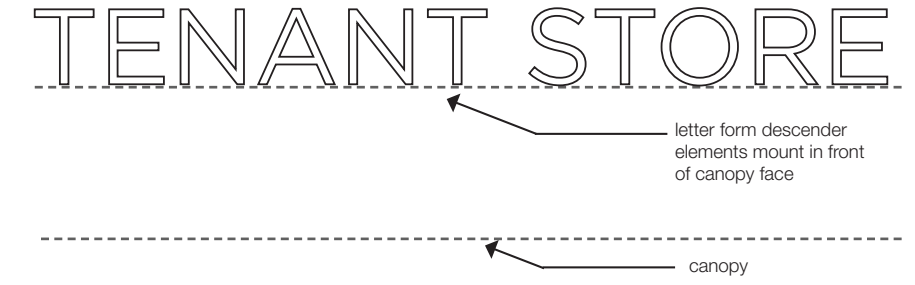
Depending on the architecture of the shopping center, applicable Tenants may, with Landlord approval, use a canopy/sloped roof mounted sign. Approved Tenants shall be allowed one (1) canopy/sloped roof sign; however, a Tenant whose storefront turns a corner may have one (1) sign on each façade thereof, providing the arrangement meets the approval of the Landlord and is within the restrictions of the local sign code. A canopy/sloped roof sign cannot be used as primary retail identification if a Tenant also has a façade sign.

Three kinds of canopy/sloped roof signs are allowed:

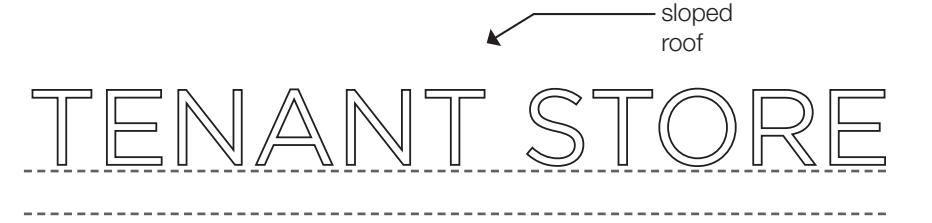
- Internally-Lit Sign
- Back-Lit Sign with LED Strip Light
- Up-Lit Sign with LED Strip Light



ELEVATION



ELEVATION



### OPTION 14: Awning Signs

- Use approved lighting from options 4 & 5

#### PLACEMENT

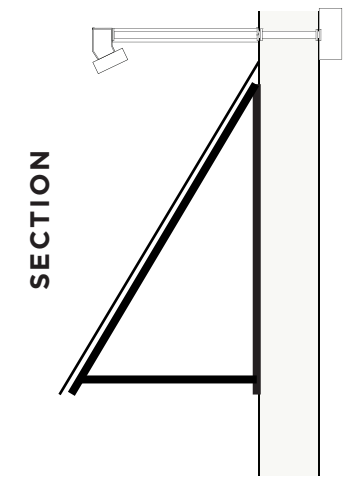
- Use of awnings must be approved by Landlord unless specified in lease
- Awning placement & design shall be prior approved by Landlord
- Placement of awning must coordinate with façade signage & architectural elements of façade

#### PROFILE

- Awning shop drawings must be reviewed & approved by Landlord prior to installation
- Awning frame should be structurally sound
- Awning should have open sides.
- Valences are prohibited unless approved by Landlord.

#### COLOR

- Only solid colors allowed (no stripes, printed graphics, logos, etc.), unless approved by Landlord. Fabric color must be reviewed by Landlord.

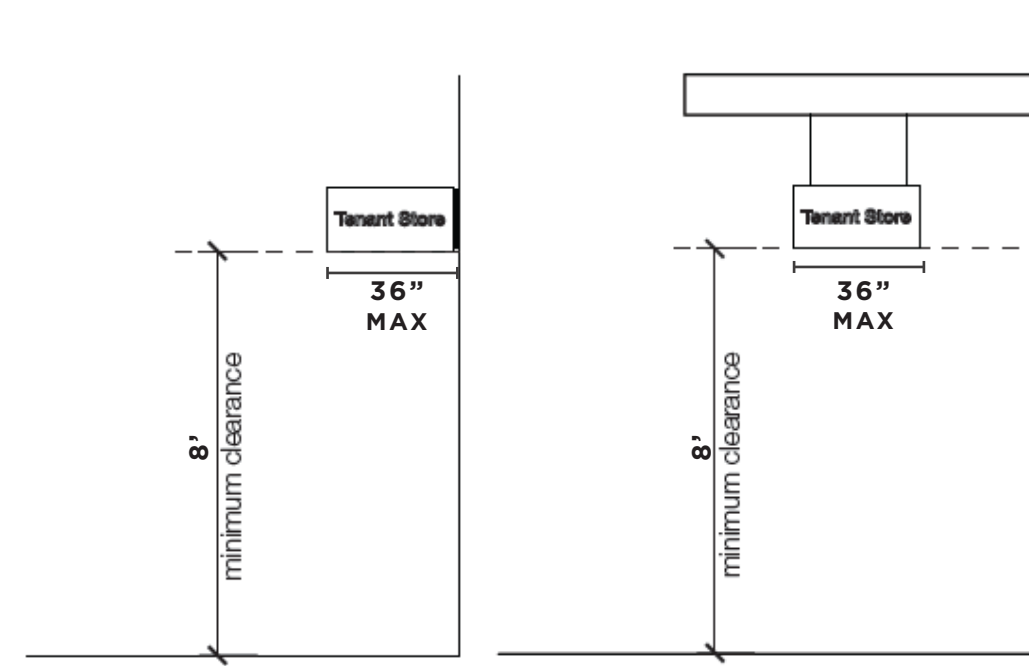


ELEVATION



# blade signs

- Tenant's may have blade signs in addition to the permitted tenant facade signs. Blade signs shall be limited to 6 SF per side.
- All blade signs must allow a 8' clearance between the sidewalk and the sign.
- Blade sign graphics must be submitted to the Landlord for approval before installation.
- Blade signs may project from the building up to three (3) feet, when attached to the face of the building; provided that no projecting sign shall be maintained less than eight 8' above the ground level when erected over pedestrian walkways or driveways and no less than fourteen 14' above vehicle access.



Projecting

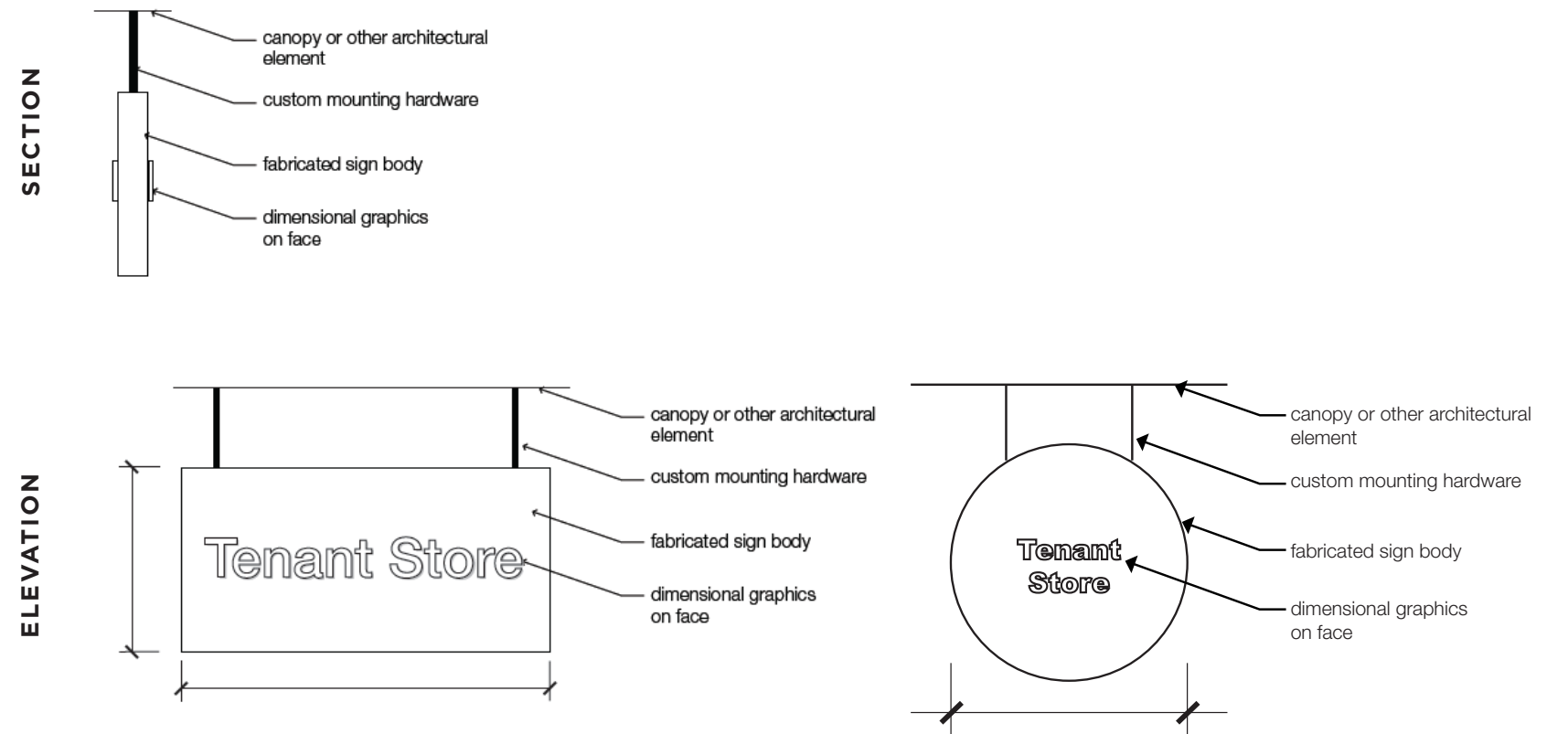
Suspended

## PROJECTING SIGN

A sign attached to and extending outward from the face of a building

## SUSPENDED SIGN

A sign hanging down from a marquee, awning, canopy.



# north dekalb sign criteria

## INTRODUCTION

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# **NORTH DEKALB**

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## **MASTER SIGN PROGRAM**

**Approved 5/26/2022**

**Revised 7/1/2024**

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# sign plan



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- RETAIL / RESTAURANT / GROCERY / ENTERTAINMENT
- GROUND FLOOR RETAIL
- RESIDENTIAL
- TOWNHOUSE
- PARKS AND OPEN SPACE

# property sign types

## ENTRANCE SIGNAGE



# property sign types

## ARTISTIC SIGNAGE





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- Disconnect switches need to be installed as required by code and the switch must be painted to match the wall.

## PROHIBITED ELEMENTS

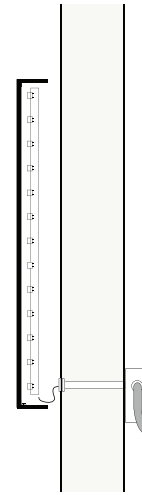
- Sign raceways
- Cabinet signs (except for use at ATM machines)
- Flashing lights
- Animated components
- Window graphics that exceed 25% of window area and block visibility into Tenant space
- Generic Tenant identity (ex: "Nails")
- **RED, GREEN, or YELLOW** as a primary or majority color of Tenant signage (without prior Landlord approval). This includes material finish as well as illumination.

# tenant façade sign types



OPTION 1: Halo-Lit Reverse Channel Letter Forms

SECTION



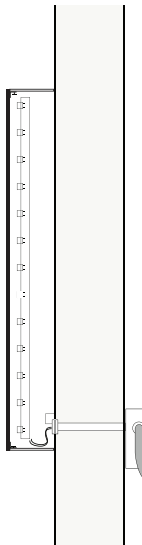
ELEVATION

TENANT STORE



OPTION 2: Internally-Illuminated White Acrylic Lettering with Opaque Veneer

SECTION



ELEVATION

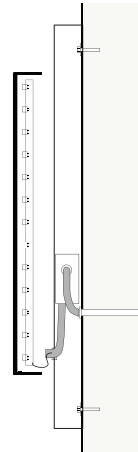
TENANT STORE



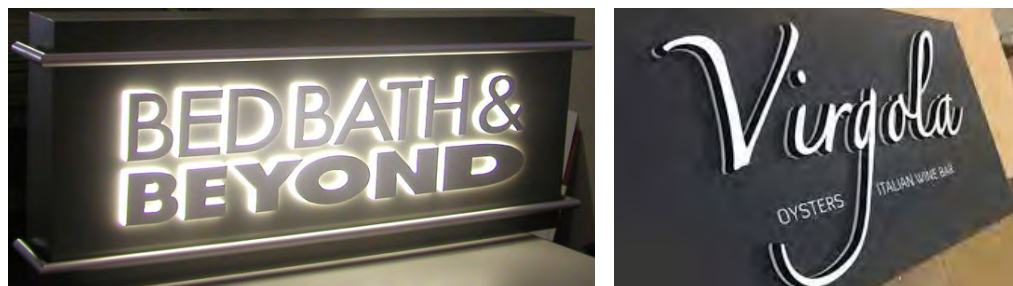
**OPTION 3A: Halo-Lit Reverse Channel Letter Forms with Back Plate**

- Back plate must receive prior Landlord approval
- Matching back plate color to façade color is encouraged

SECTION



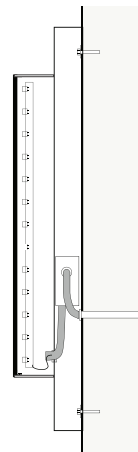
ELEVATION



**OPTION 3B: Internally-Illuminated Push-Through White Acrylic Lettering with Opaque Veneer and Back Plate**

- Back plate must receive prior Landlord approval
- Matching back plate color to façade color is encouraged

SECTION



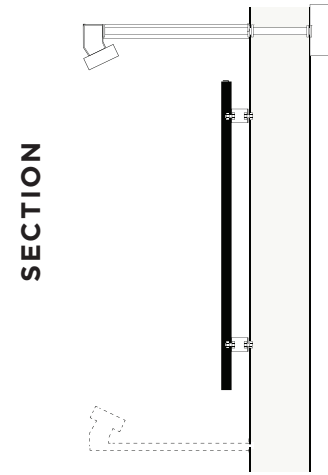
ELEVATION



\* THIS OPTION IS ONLY AVAILABLE IF FAÇADE CONCEALED RACEWAY IS NOT POSSIBLE. REQUIRES LANDLORD APPROVAL FOR CLASSIFICATION. EXPOSED RACEWAY IS NOT PERMITTED.

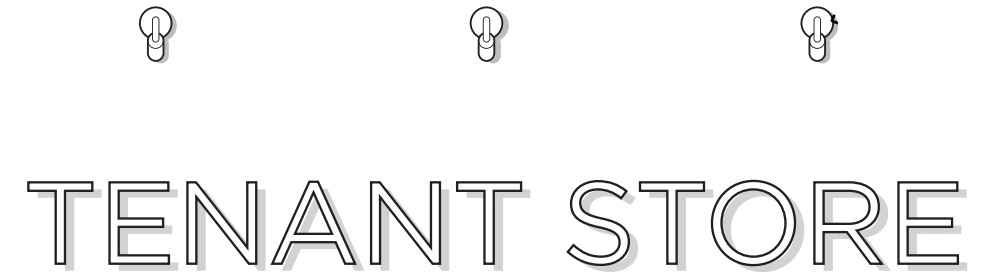


### OPTION 4A: Individual Dimensional Letter Forms with Gooseneck External Illumination



SECTION

ELEVATION



**EDENS STANDARD SPEC FOR GOOSENECK LIGHT FIXTURE:**

COOPER LIGHTING CAMBRIA 922

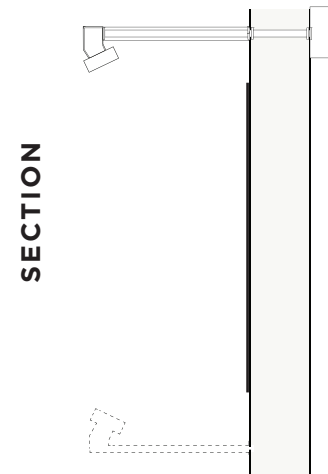
PAR20 BULLET SIGN LIGHTER

Recommended 1-LED2741 light source (this is wide angle) with OSL lens option

- Lights mounted with O.C. spacing, approx. 24" (28" max.)

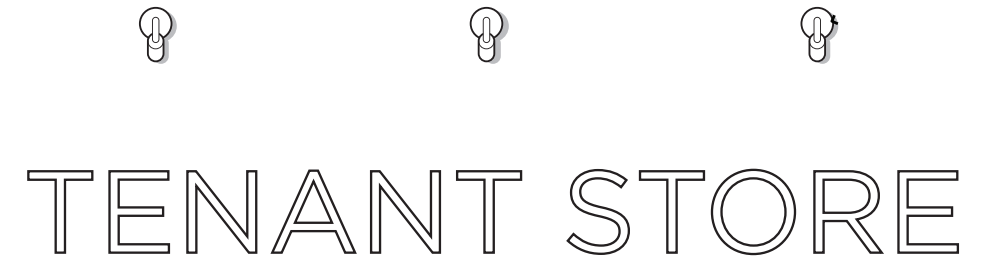


### OPTION 4B: Painted Lettering with Gooseneck External Illumination



SECTION

ELEVATION

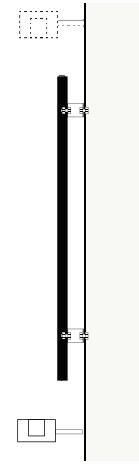


\* DIRECT PAINTED SIGNAGE MAX HEIGHT IS 1.25 X THE STANDARD APPROVED SIGN HEIGHT

### OPTION 5A: Individual Dimensional Letter Forms with LED Strip Light External Illumination



SECTION



ELEVATION

TENANT STORE

**EDENS STANDARD SPEC FOR LED STRIP LIGHT:**  
12SYSTEMS V-LINE V321

### OPTION 5B: Painted Lettering with LED Strip Light External Illumination



SECTION



ELEVATION

TENANT STORE

\* DIRECT PAINTED SIGNAGE MAX HEIGHT IS 1.25 X THE STANDARD APPROVED SIGN HEIGHT

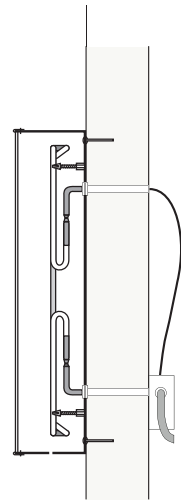


**OPTION 6A: Traditional Neon in a Channel with a Clear Acrylic Face Plate**

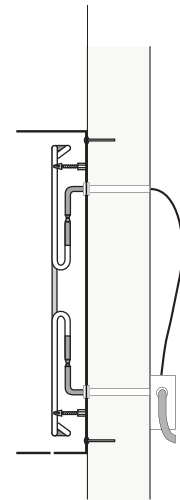


**OPTION 6B: Traditional Neon in a Channel**

SECTION 6A



SECTION 6B



ELEVATION

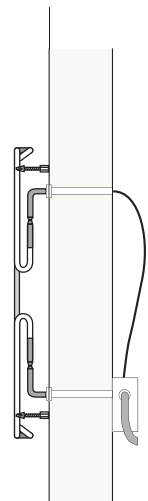
TENANT STORE



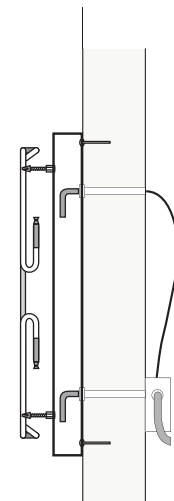
**OPTION 7A: Exposed Neon Mounted Directly to Façade**

**OPTION 7B: Exposed Neon Mounted on Solid Letter Forms**

SECTION 7A

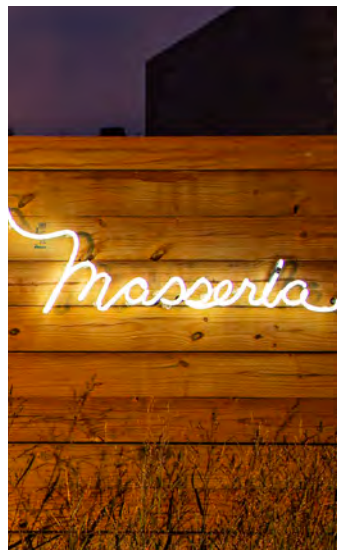


SECTION 7B



ELEVATION

TENANT STORE

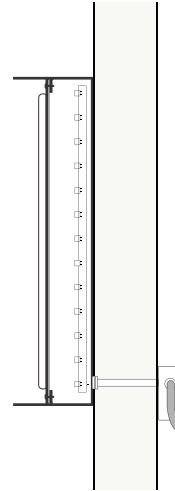




### OPTION 8: Neon Look Push-Through Acrylic Lettering

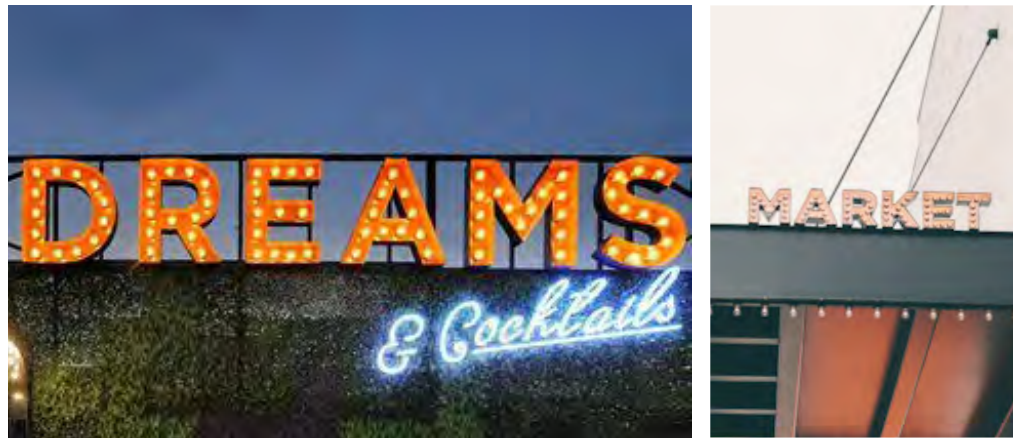
- 1/2" clear acrylic push-through double line, 1/2" wide letter strokes with routed, polished, bullnose-face for faux neon look

SECTION



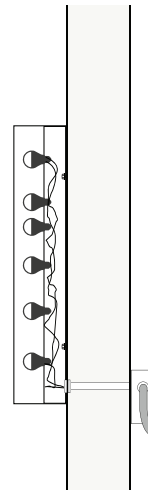
ELEVATION

TENANT STORE



### OPTION 9: Individual Channel Letters with Marquee Illumination

SECTION



ELEVATION

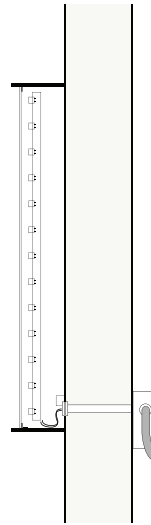
TENANT STORE



**OPTION 10: JR/ANCHOR ONLY (GREATER THAN 5,000 SF)**  
LED Internally Face-Lit Channel Letter Forms

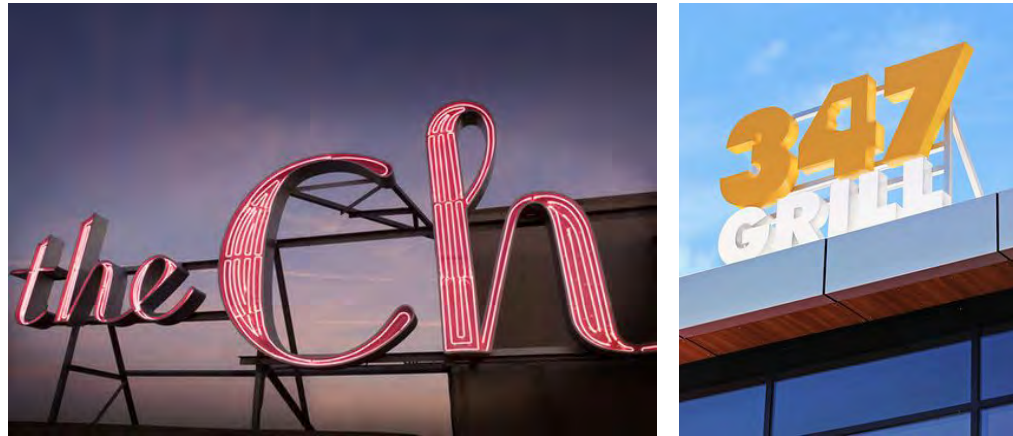


SECTION



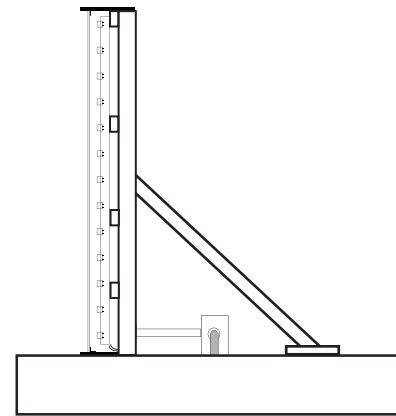
ELEVATION

TENANT STORE



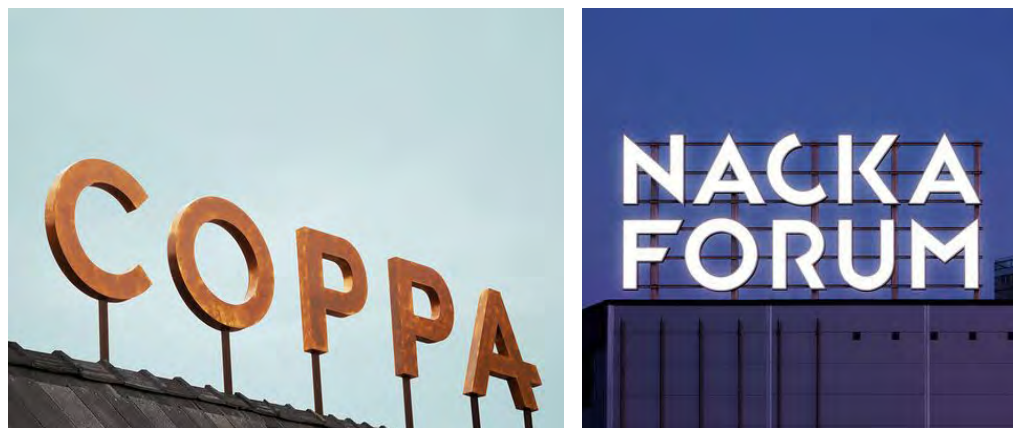
**OPTION 11: Roof-Mounted Signs: JR/ANCHOR ONLY (GREATER THAN 5,000 SF)**

SECTION



ELEVATION

TENANT STORE



**GENERAL NOTES**

DIAGRAMS ARE SHOWN FOR REFERENCE ONLY. ACTUAL TENANT SIGN WILL REFLECT INDIVIDUAL IDENTITY THROUGH SHAPE, FONT, ETC.

ALL ELECTRICAL MUST BE HIDDEN UNLESS REQUIRED BY CODE.

(FOR EX: A PHOTO CALL OR MANUAL ON-OFF SWITCH)





**OPTION 12: VERTICAL SIGNS**

SECTION



ELEVATION



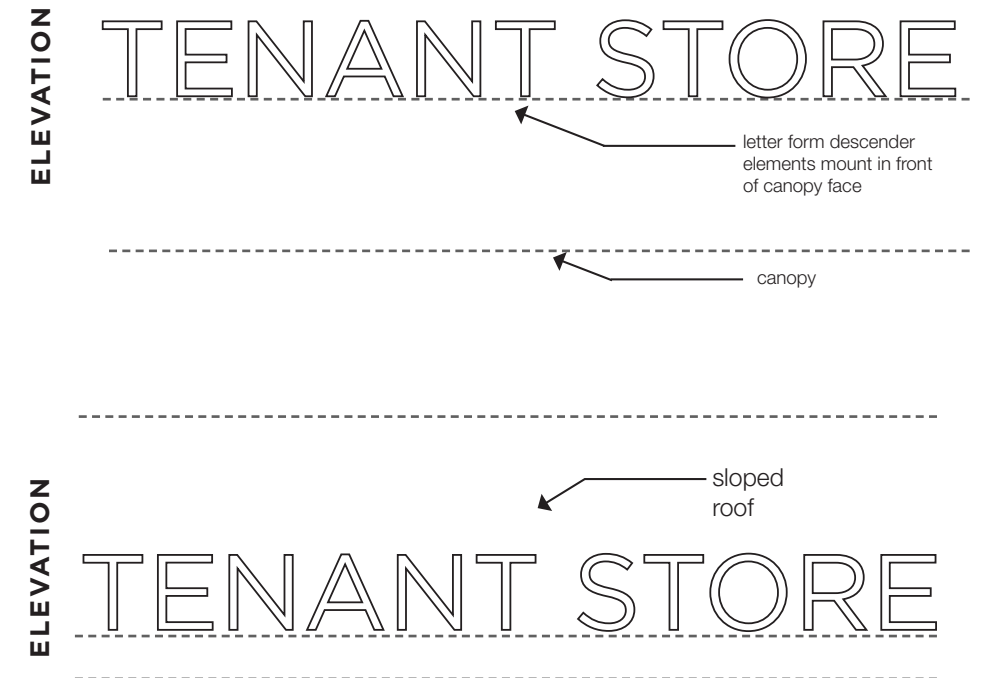
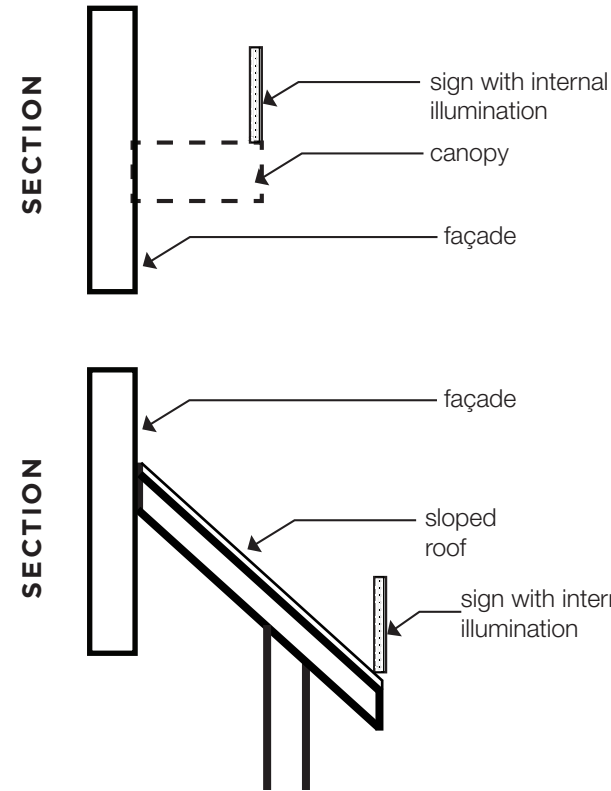


### OPTION 13: Canopy / Sloped Roof Signs

Depending on the architecture of the shopping center, applicable Tenants may, with Landlord approval, use a canopy/sloped roof mounted sign. Approved Tenants shall be allowed one (1) canopy/sloped roof sign; however, a Tenant whose storefront turns a corner may have one (1) sign on each façade thereof, providing the arrangement meets the approval of the Landlord and is within the restrictions of the local sign code. A canopy/sloped roof sign cannot be used as primary retail identification if a Tenant also has a façade sign.

Three kinds of canopy/sloped roof signs are allowed:

- Internally-Lit Sign
- Back-Lit Sign with LED Strip Light
- Up-Lit Sign with LED Strip Light



### OPTION 14: Awning Signs

- Use approved lighting from options 4 & 5

#### PLACEMENT

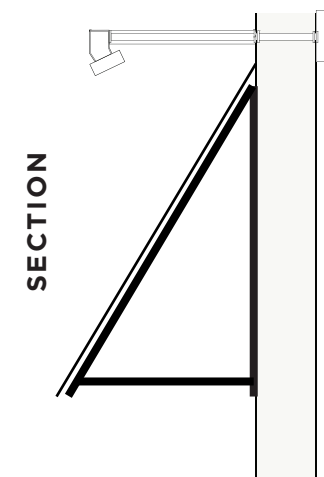
- Use of awnings must be approved by Landlord unless specified in lease
- Awning placement & design shall be prior approved by Landlord
- Placement of awning must coordinate with façade signage & architectural elements of façade

#### PROFILE

- Awning shop drawings must be reviewed & approved by Landlord prior to installation
- Awning frame should be structurally sound
- Awning should have open sides.
- Valences are prohibited unless approved by Landlord.

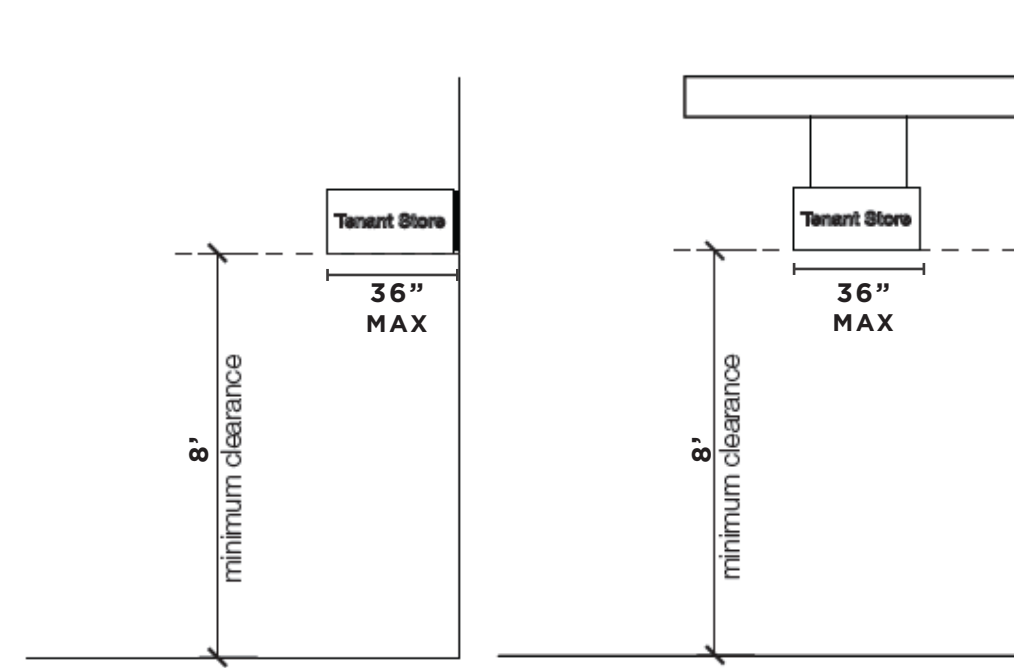
#### COLOR

- Only solid colors allowed (no stripes, printed graphics, logos, etc.), unless approved by Landlord. Fabric color must be reviewed by Landlord.



# blade signs

- Tenant's may have blade signs in addition to the permitted tenant facade signs. Blade signs shall be limited to 6 SF per side.
- All blade signs must allow a 8' clearance between the sidewalk and the sign.
- Blade sign graphics must be submitted to the Landlord for approval before installation.
- Blade signs may project from the building up to three (3) feet, when attached to the face of the building; provided that no projecting sign shall be maintained less than eight 8' above the ground level when erected over pedestrian walkways or driveways and no less than fourteen 14' above vehicle access.



Projecting

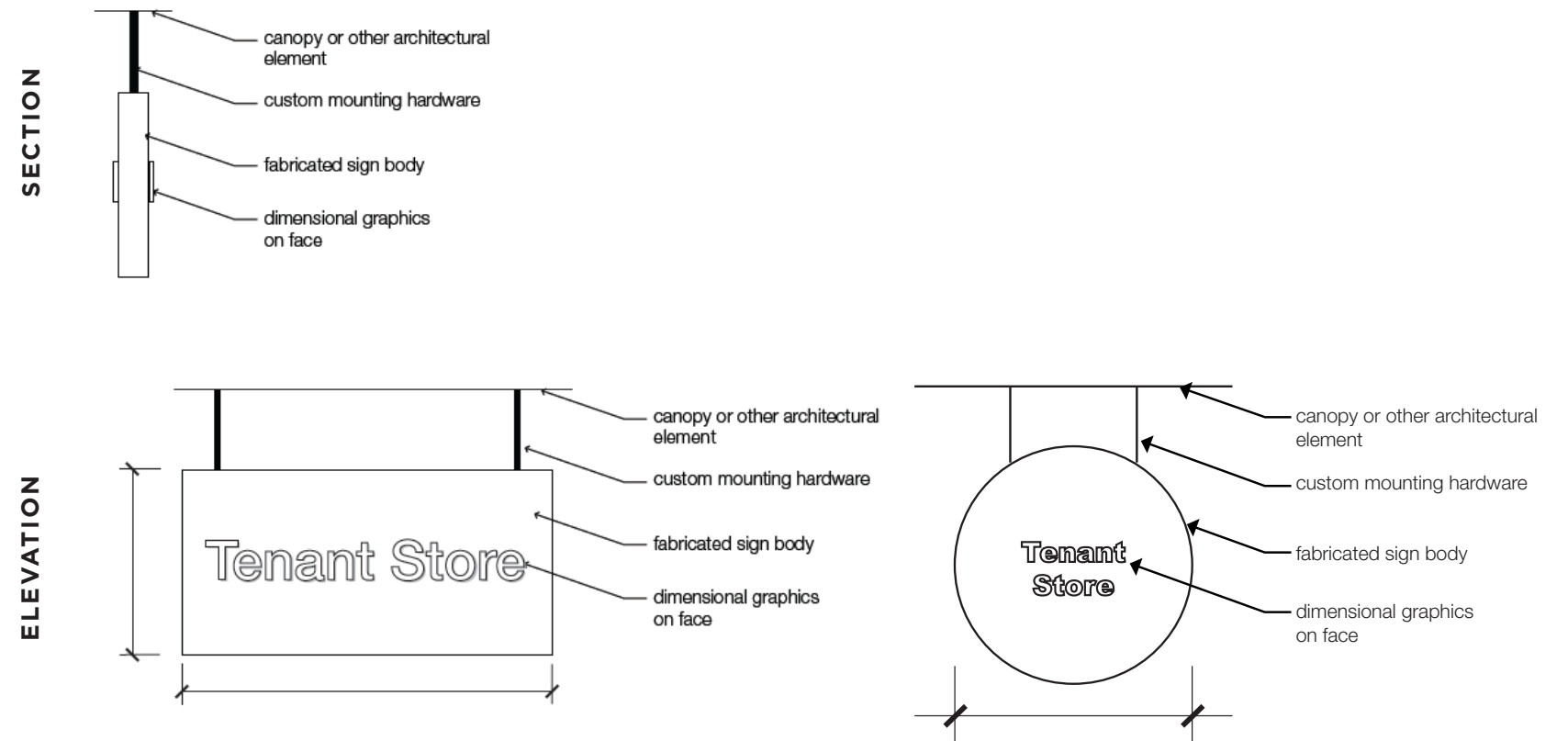
## PROJECTING SIGN

A sign attached to and extending outward from the face of a building

Suspended

## SUSPENDED SIGN

A sign hanging down from a marquee, awning, canopy.



CONCEPT  
SUBDIVISION PLAN

**DEVELOPMENT SUMMARY:**

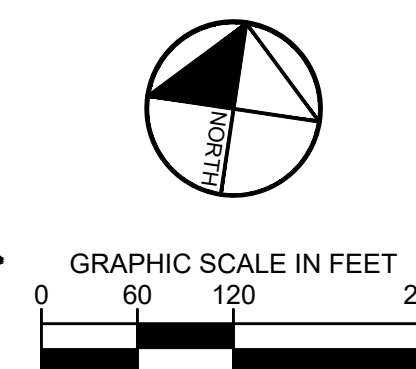
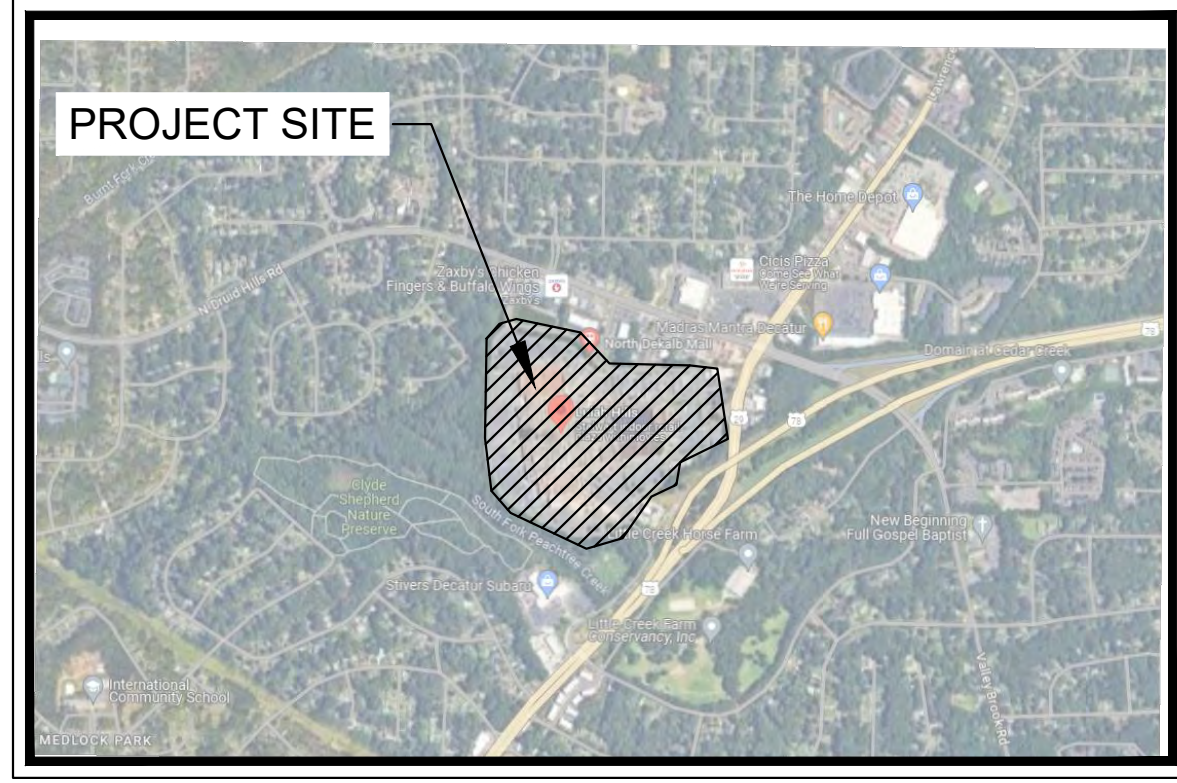
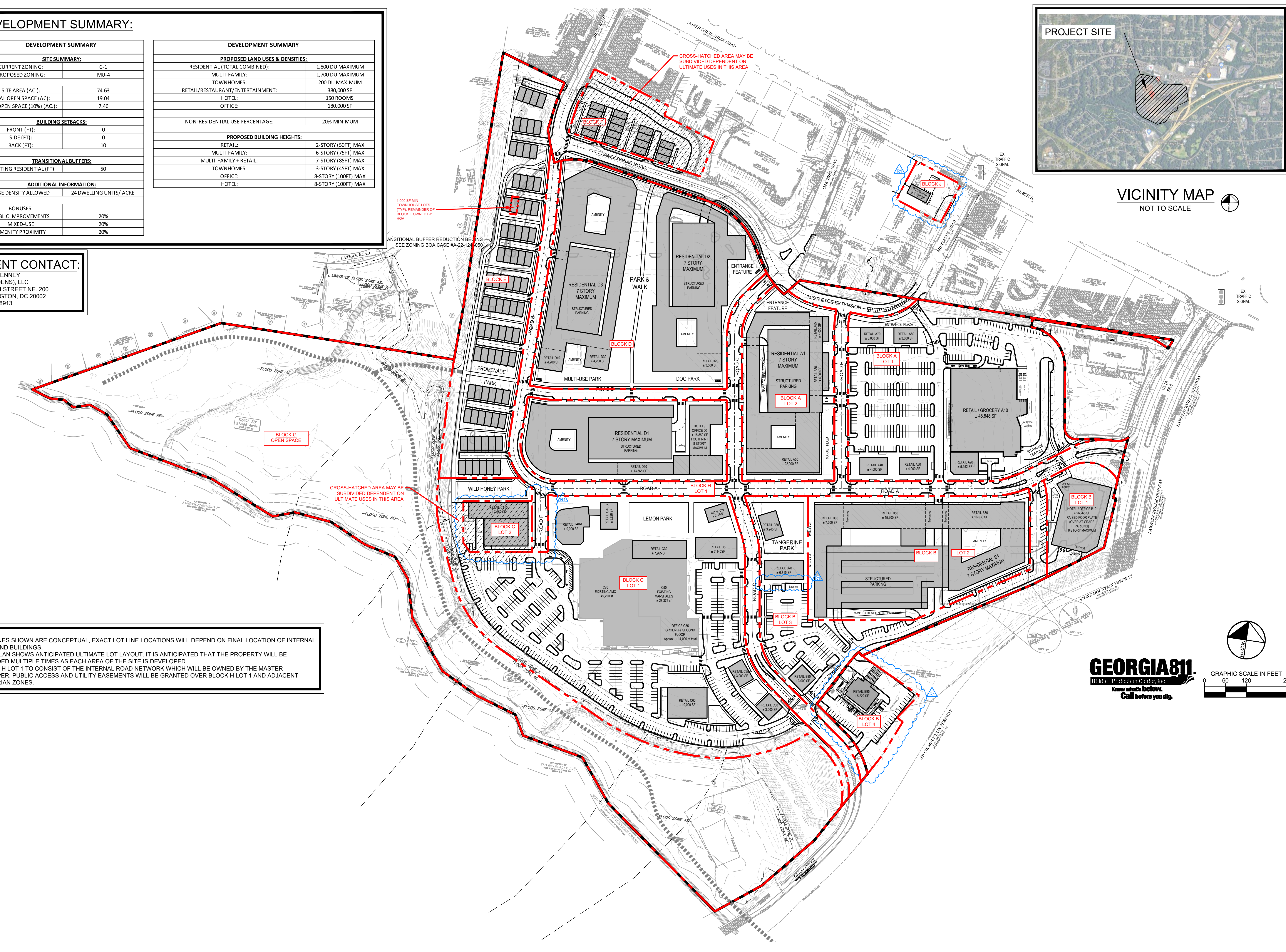
DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
CURRENT ZONING:	C-1
PROPOSED ZONING:	MU-4
SITE AREA (AC.):	74.63
TOTAL OPEN SPACE (AC.):	19.04
REQ. OPEN SPACE (10%) (AC.):	7.46
<b>BUILDING SETBACKS:</b>	
FRONT (FT):	0
SIDE (FT):	0
BACK (FT):	10
<b>TRANSITIONAL BUFFERS:</b>	
ABUTTING RESIDENTIAL (FT)	50
<b>ADDITIONAL INFORMATION:</b>	
BASE DENSITY ALLOWED	24 DWELLING UNITS/ ACRE
<b>BONUSES:</b>	
PUBLIC IMPROVEMENTS	20%
MIXED-USE	20%
AMENITY PROXIMITY	20%

DEVELOPMENT SUMMARY	
<b>PROPOSED LAND USES &amp; DENSITIES:</b>	
RESIDENTIAL (TOTAL COMBINED):	1,800 DU MAXIMUM
MULTI-FAMILY:	1,700 DU MAXIMUM
TOWNHOMES:	200 DU MAXIMUM
RETAIL/RESTAURANT/ENTERTAINMENT:	380,000 SF
HOTEL:	150 ROOMS
OFFICE:	180,000 SF
<b>NON-RESIDENTIAL USE PERCENTAGE:</b>	
	20% MINIMUM
<b>PROPOSED BUILDING HEIGHTS:</b>	
RETAIL:	2-STORY (50FT) MAX
MULTI-FAMILY:	6-STORY (75FT) MAX
MULTI-FAMILY + RETAIL:	7-STORY (85FT) MAX
TOWNHOMES:	3-STORY (45FT) MAX
OFFICE:	8-STORY (100FT) MAX
HOTEL:	8-STORY (100FT) MAX

**CLIENT CONTACT:**

JIM MCKENNEY  
 NDM (EDENS), LLC  
 1272 5TH STREET NE, 200  
 WASHINGTON, DC 20002  
 803-269-8913

**NOTES:**  
 1. LOT LINES SHOWN ARE CONCEPTUAL. EXACT LOT LINE LOCATIONS WILL DEPEND ON FINAL LOCATION OF INTERNAL ROADS AND BUILDINGS.  
 2. THIS PLAN SHOWS ANTICIPATED ULTIMATE LOT LAYOUT. IT IS ANTICIPATED THAT THE PROPERTY WILL BE SUBDIVIDED MULTIPLE TIMES AS EACH AREA OF THE SITE IS DEVELOPED.  
 3. BLOCK H LOT 1 TO CONSIST OF THE INTERNAL ROAD NETWORK WHICH WILL BE OWNED BY THE MASTER DEVELOPER. PUBLIC ACCESS AND UTILITY EASEMENTS WILL BE GRANTED OVER BLOCK H LOT 1 AND ADJACENT PEDESTRIAN ZONES.



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**Kimley»Horn**  
 PREPARED BY  
 © 2021 KIMLEY-HORN AND ASSOCIATES, INC.  
 11720 AMBER PARK DRIVE, SUITE 900  
 ATLANTA, GA 30309  
 PHONE (770) 674-4281  
 WWW.KIMLEY-HORN.COM

**NDM (EDENS), LLC**  
 PREPARED FOR  
 3050 PEACHTREE ROAD, NW, SUITE 580  
 ATLANTA, GA 30305

No.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

**NORTH DEKALB MALL REDEVELOPMENT**  
 PROJECT  
 2050 LAWRENCEVILLE HWY, DECATUR, GA 30033

GSWCC NO. (LEVEL II)	0000021723
DRAWN BY	CLH
DESIGNED BY	CLH
REVIEWED BY	TML
DATE	04/25/2022
PROJECT NO.	018381014
TITLE	<b>SUBDIVISION PLAN</b>
SHEET NUMBER	<b>C1-25</b>

Drawing name: K:\ATL\_Civil\018381014\_North Dekalb Mall\CAD\Plansheets\C1-25 - SUBDIVISION PLAN.dwg C1-25 SUBDIVISION PLAN - CLOUDED Jun 27, 2024 8:01 pm by: tyler.rosser

**DEVELOPMENT SUMMARY:**

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MIXED-USE	20%
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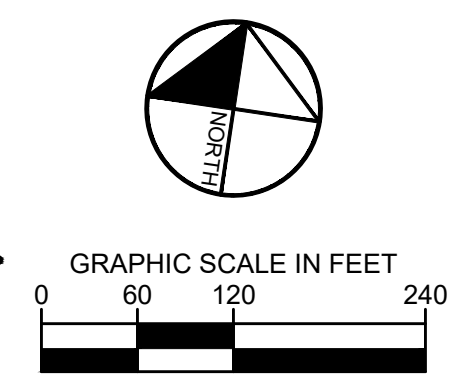
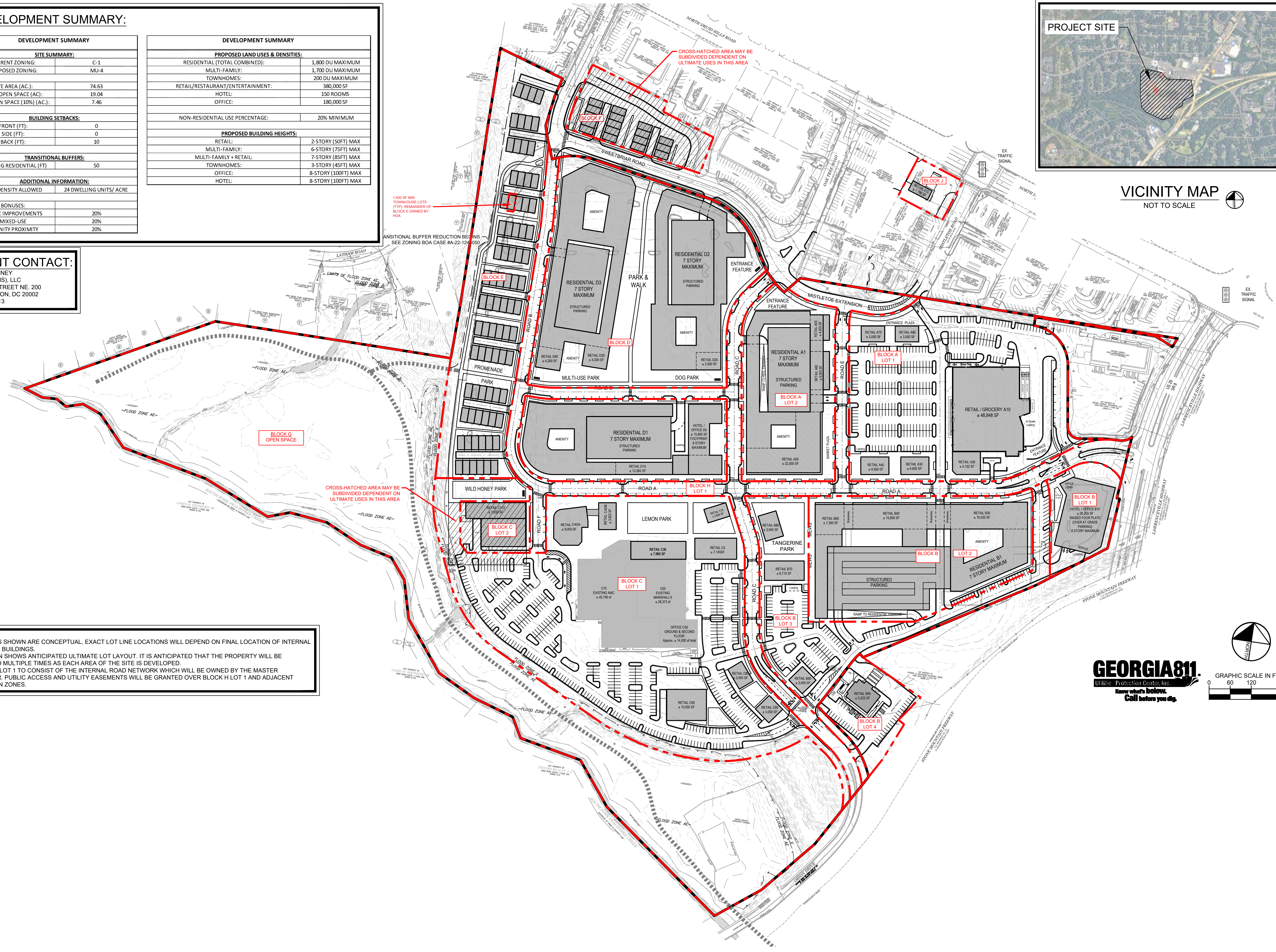
**CLIENT CONTACT:**

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**VICINITY MAP**  
 NOT TO SCALE



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Drawing name: K:\ATL\_Civil\018381014\_North Dekalb Mall\CAD\Plansheets\C1-25 - SUBDIVISION PLAN.dwg C1-25 SUBDIVISION PLAN Jun 27, 2024 8:00pm By: Tyler Rosser

**MODIFIED  
ZONING CONDITIONS**

**CONDITONS**  
**CZ-24-1247114**  
**(Formally Z-22-1245595**  
**as approved by the Board of Commissioners on May 26<sup>th</sup>, 2002)**

**Rezone from C-1 (Local Commercial) to MU-4 (Mixed Use – 4)**

~~May 26, 2022~~ August 22, 2024

**I. Zoning District, Master Development Plan and Exhibits:**

Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022 and revised 08/22/2024, is attached hereto as Exhibit “A” (the “Master Plan”). Subject to the other conditions contained herein, the Master Plan is hereby approved as the long-term planning document that will provide a guide for future growth and development. It is expressly recognized that the Master Plan is intended to be dynamic and to allow for future flexibility in both the design of the project and its development and reasonable modifications are both anticipated and authorized, as provided for in Article 27-7.3.10 of the Zoning Ordinance. However, the street layout and percentage mix of land uses, maximum square footages of land use types, and minimum square footage of open space in the development shall be substantially the same as those shown on the Master Plan. Similarly, the cross-hatched areas on the Master Plan are intended as flexible areas limited to the following uses: existing to remain, commercial, and/or a hotel in Block B; commercial, commercial and townhomes or townhomes only in Block C; ~~and~~ commercial, townhouses, or multi-family residential in Block F; and existing to remain or commercial in Block J. A Master Sign Program, prepared pursuant to Section 2.19.4.B.4.b. and attached as Exhibit “B” (the “Sign Package”), dated 05/26/2022 and revised 07/01/2024 is incorporated herein as a condition of this rezoning. The Architectural Standards, prepared pursuant to Section 2.19.4.B.4.a., are attached as Exhibit “C”, dated 04/27/2022 and incorporated herein as a condition of this rezoning. Open Space shall be provided per the Open Space Plans which are attached as Exhibit “D”, dated 05/20/2022 and incorporated herein as a condition of this rezoning. In addition, the Subject Property will be subdivided in the future and a subdivision map is attached hereto as Exhibit “E” (the “Subdivision Plan”), dated 04/25/2022 and revised 08/22/2024 and incorporated herein as a condition of this rezoning. A Sustainability Program, attached as Exhibit



“F”, dated 05/20/2022 and made a condition herein, shall be implemented as part of the overall project.

II. **Phasing:**

- a. Developer shall build no more than 750 multi-family units until 140,000 square feet of non-office commercial space (to include existing non-office commercial space proposed for renovation) has been constructed or renovated.

III. **Uses, Building Heights and Parking:**

a. Non-Office Commercial:

1. Non-Office Commercial uses, to include Retail, Restaurant, and/or Recreation and Entertainment uses as identified in Article 27-4.1.3, shall be developed for up to ~~320,000~~380,000 square feet of combined space and any square footage not used under this commercial threshold may be transferred to other non-residential uses, subject to these conditions, provided that non-office commercial uses together with the office and hotel uses shall comprise a minimum of 20% of total building square footage (excluding townhouse building square footage).
2. Non-Office Commercial building heights shall be limited to a maximum of two stories or 50 feet, whichever is less, unless incorporated into a mixed-use building.

b. Office and Hotel:

1. Office uses shall be developed for up to 180,000 square feet, except that unused commercial square footage may be transferred to office uses, which shall increase this threshold proportionately (but not the DRI threshold for office uses).
2. Up to 150 hotel rooms are allowed. Additional hotel rooms may be added up to a maximum of 180 hotel rooms, but only if the amount of allowable commercial space is reduced by 500 square feet for each additional room (but not the DRI threshold for hotel rooms).
3. Office and hotel building heights shall be limited to a maximum of eight stories (100 feet).

3.

4. Developer shall be allowed to locate office and/or hotel uses ~~on~~ throughout all Blocks except Blocks E and G. the areas shown on the Site Plan interchangeably. Further, Developer shall be allowed to locate office uses above any retail building, so long as the square footage thresholds and maximum building heights herein are not exceeded. If office is incorporated into the Flexible Area cross hatched in Block C, it shall be limited to three stories or 50'.

c. Residential:

1. Residential uses shall consist of a combination of multi-family units and townhome units (for-sale and/or for-rent) and shall not exceed 1,800 total units. Further, multi-family units shall not exceed 1,700 units. The Developer agrees to and shall submit a variance request to reduce the minimum required number of parking spaces for multi-family units to 1 parking space per unit. Subject to approval of such variance, a maximum of 1.5 parking spaces shall be permitted per unit. Developer shall endeavor to provide the minimum number of parking spaces necessary and in no case more than one parking space per bedroom. This condition does not prohibit the rental of residential parking spaces separately from the residential housing.
2. Developer may add micro-units to townhouses, multi-family buildings, or stand-alone micro-unit buildings. Micro-units, as may subsequently be defined in the zoning ordinance, shall not count toward the overall unit count or the calculation of total building area in III.a.1. above.
3. Multi-family building heights shall not exceed six-stories (75 feet) unless ground floor commercial is incorporated, in which case the maximum building height shall be seven-stories (85 feet). The height of Residential Building D3 shall not exceed six-stories (75 feet) within 100 feet of the townhouses located in Block E.
4. Townhome building heights shall be a maximum of three stories (45 feet). Rooftop structures, e.g. trellises, canopies, building pop-ups, on townhomes that do not exceed 50% of the total area of the roof deck surface shall not be considered as a building story but shall be subject to the 45-foot height limitations herein.

d. Prohibited Uses:

1. The following use shall be prohibited in all portions of the development: Any use related to adult entertainment or adult service facility, pawn shop, title loan, check cashing, convenience store, gas station, funeral home/crematorium, or drive-through restaurant.

IV. **Building Locations and Orientation:**

- a. Subject to the other conditions contained herein, the final location, size, and use of buildings and parking shown on the plan may vary as provided for in Article 27-7.3.10 of the Zoning Ordinance, but the overall density cannot exceed the proposed development program summary, except as may be allowed by these conditions.

~~a.~~

- b. Block A shall have the following limitations:

1. ~~The A~~ primary entrance to at least one tenants in Building A20 shall be on Road A and its facade shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
2. The primary entrance to tenants in Buildings A50 and A60 shall be on Road A, Road E and/or Road C and these facades shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level façade.
3. ~~The A~~ primary or secondary entrance to at least one tenants in Buildings A65 ~~and~~, A70, ~~and A80~~ shall be on Mistletoe Extension or Road E. The primary entrance to tenants in Building A80 shall be on Mistletoe Extension or the parking lot. The primary entrance facades-façades facing Mistletoe Extension and Road E shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade. The sides of Buildings A70 and A80 that face Mistletoe Extension shall either have windows and/or doors that comprise at least fifty (50) percent of the width of the first-floor street-level façade; be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.

3.

4. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building A1 to Road E. The breezeway shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and ungated at all times.
  5. The openings in Residential Building A1 ~~intended~~ for ~~vehicular ingress and egress~~ loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.
  6. In the areas of Residential Building A1 which do not have ground floor retail, the ground floor residential units shall provide doorways to Road C. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
  7. The rear of Building A10 and the service areas for A10 and A20 shall be screened from Road A with a combination of decorative walls and/or landscaping, subject to approval by the Director of Planning and Sustainability or designee.
- c. Block B shall have the following limitations:
1. The primary entrance to tenants in Building B30 shall be on Road A and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. The primary entrance to tenants in Buildings ~~B70 and B80~~ shall be on Road A, ~~or Road C,~~ or Tangerine Park and ~~these primary entrance facades~~ shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level façade.
  3. The primary entrance to tenants inside of Building B70 ~~that faces~~ shall be on Tangerine Park or Road C ~~Road A shall either and this primary entrance façade shall~~ have windows that comprise at least fifty (50) percent of the width of the first-floor street-level façade; ~~be decorated with a mural or painting; be a green wall; or have a comparable design treatment, subject to approval by the Director of Planning and Sustainability or designee.~~
  4. The primary lobby to Building B10 shall be on Road A or the Office Plaza adjacent to Road A and these facades shall have

windows and/or doorways that occupy at least fifty (50) percent of the façade.

5. ~~The primary lobby to Building B75 shall be on Road C or the Mews and the facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first floor street-level façade. The Flexible Area B hatched location indicated on the Site Plan can be Commercial Uses and/or a Hotel Use. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.~~
  6. A minimum of one (1) fifteen (15) foot wide breezeway shall be provided from the lower level of the parking structure in Residential Building B1 to Road A. In addition, breezeways shall be provided on each side of the vehicular entrance to the parking structure from Road A. The breezeways shall be well-lit at all times, shall be surveilled with security monitors, and shall be open, accessible, and ungated at all times.
  7. The openings in the liner building around the structured parking in Block B intended for vehicular ingress and egress loading and/or waste management access shall be high enough to accommodate sanitation and recycling vehicles.
  8. The primary or secondary entrance to tenants in Building B90 shall be on Road C. ~~This primary entrance~~ façades facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor façade.
- d. Block C shall have the following limitations:
1. The primary entrance to tenants in Buildings C5, C10, and C30, ~~and C40~~ shall be on Road A, Road C<sub>2</sub> or Lemon Park and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. The primary entrance to Building C50 (Existing Marshall's) shall remain in the existing store entrance location.
  3. The primary entrance façades for Buildings C40A and C40B shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor façade. The primary entrance to tenants in Buildings C90 and C110 shall be on Road A and Wild Honey Park, respectively, and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first floor street level façade.

4. ~~The A~~ primary or secondary entrance to tenants in Buildings C60, C80 and C85 shall face Road C. ~~These primary entrance~~ façades facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade for buildings C80 and C85 and thirty-five (35) percent of the width of the first-floor street-level façade for building C60.
5. The Flexible Area C hatched location indicated on the Site Plan can be Commercial Uses only like shown on the Site Plan, Townhouses only ~~with fronts facing on Wild Honey Park,~~ or Townhouses facing on Wild Honey Park with a Commercial Building located to the south behind the townhouses.

~~5.~~

- e. Block D shall have the following limitations:
  1. The primary entrance to tenants in Buildings D5 and D10 shall be on Road A or Road C and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade.
  2. In the areas of Residential Building D1 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent roads. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.
  3. Ground floor retail can be constructed anywhere in Building D5 and in Residential Building D1 along Road A.
  4. Ground floor retail in Buildings D2 and D3 shall not be required. If ground floor retail is constructed in Buildings D2 and/or D3 it shall be limited to 5,000 SF in each location and shall be located along the parks adjacent to Road D. The primary entrance to tenants in these retail spaces shall be on the adjacent roads or parks and these facades shall have windows and/or doorways that occupy at least fifty (50) percent of the width of the first-floor street-level façade. At least thirty (30) percent of the width of the facades of stories above the ground floor, and of the ground floor if the ground floor is residential, shall be comprised of window and door openings.
  5. The openings in Residential Building D1 intended for vehicular ingress and egress ~~loading and/or waste management access~~ shall

be high enough to accommodate sanitation and recycling vehicles if sanitation/recycling is located in the parking structure, otherwise sanitation and recycling areas shall be screened.

6. Townhouses may be incorporated into Block D and the building locations may vary from those shown including the addition of internal streets as long the Shared-Use Path connecting Road B and Road C remains and a multi-use park and dog park at similar sizes to those shown on Sheet LA 2 are constructed adjacent to the path.

7. In the areas of Residential Building D2 and D3 which do not have ground floor retail, the ground floor residential units shall provide doorways to the adjacent streets. Such doorways can be secondary entrances but shall imitate front doors.

The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units in all locations where adjacent sidewalk grades allow.

~~7.~~

- f. Block E shall have the following limitations:

1. Only Residential Dwellings as allowed in Table 4.1 Use Table of the DeKalb County Zoning code shall be permitted in Block E.
2. Where adjacent to single-family residential, building heights shall be limited by the transitional height plane as required by the DeKalb County code.

3. Residential units adjacent to Road B and the shared-use path shall provide doorways to Road B or the shared-use path. Such doorways can be secondary entrances but shall imitate front doors. The doorways and windows of said ground floor residential units shall comprise at least 30% of the width of the front facades of the ground floor residential units.

~~3.~~

- g. Block F shall have the following limitations:

1. Uses shall consist of commercial buildings or residential buildings consisting either of townhouses or a multi-family building limited to 6 stories in height.

2. Due to the elevation change across the site, street facing doorways may not be possible in all locations but a connection to the street from all entry doors shall be required.

~~2.~~

- h. Block G – Open Space shall have the following limitations:

1. The area shall be limited to open space to include paved or unpaved trails, community gardens, an existing detention pond by Orion Drive, and other passive or active recreational uses as deemed appropriate by the Director of Planning and Sustainability, or designee based upon the intent of the Conservation/Open Space designation in the Comprehensive Plan.

i. Block J shall have the following limitations:

1. The Flexible Area J hatched location indicated on the Site Plan can be Commercial Uses only. The existing building and parking lot may remain, but all uses must comply with these conditions and/or the applicable zoning codes.

V. **Open Space:**

- a. Developer agrees to (a) contribute \$~~235,000~~ to DeKalb County (or other appropriate entity) towards improvements to the Community Garden, and (b) construct a gravel driveway ramp to provide access to said Community Garden ~~and (c) install piping between the existing storm drainage system and/or a detention pond to a 5,000-gallon cistern for use of the Community Garden.~~ Developer shall make the funds in (a) above available within thirty (30) days of demand but in no case prior to the issuance of the first Certificate of Occupancy and shall complete items (b) ~~and (c)~~ as part of the first Land Development Permit issued for the project subject to all other necessary governmental approvals.
- b. A 12' wide Shared-Use Path/Promenade and linear park shall be constructed between Wild Honey Park and Promenade Park in the general location shown on the Master Development Plan and Sheet LA 1 in Exhibit D. An 8' wide sidewalk and linear park shall be constructed north of Promenade Park, a portion of which is located in the already cleared portion of the 50' transitional buffer, in the general location as shown on the Master Development Plan and Sheet OS 1. These paths/sidewalks shall be located within a public access area and shall not be gated, although reasonable restrictions may be placed on the hours such paths are open to the general public.
- c. Lemon Park shall be built in the first phase of the project and shall consist of a combination of turf, grass, landscaping, hardscaping, seating and/or play areas; the design shall be similar to that shown on Sheet LA 3 in Exhibit D. Outside dining and events shall be allowed if such dining



- and/or events remain inside the Park and do not obstruct pedestrian access to buildings via sidewalks and hardscaping around the buildings.
- d. A dog park and multi-use park shall be constructed in Block D adjacent to the Shared-Use Path, an internal road, or adjacent to a pedestrian path connecting to the Shared-Use Path or internal road. The multi-use park shall consist at a minimum of some turf or grass play areas as well as passive or active recreational areas. A dog waste disposal station shall be provided in the dog park and in strategic locations adjacent to the dog park. The design shall be similar to that shown on Sheet LA 2 in Exhibit D.
  - e. Promenade Park shall consist of the Shared-Use Path and seating and landscape areas, creating an entry/transition from the future Block G PATH trail into the site. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.
  - f. Wild Honey Park shall consist of a mixture of hard surfaces, landscaped areas, and casual seating that can be activated by a variety of events. The design shall be similar to that shown on Sheet LA 1 in Exhibit D.
  - g. The Entrance Plaza on Mistletoe Extension shall be a pedestrian orientated park integrated into the area between ~~the shared-use path~~ Mistletoe Extension and the retail uses to create an inviting activated entrance from Mistletoe Road into the project site. Outside dining may be provided in portions of the entrance plaza as long as pedestrian access is maintained through the park area. An entrance sign may be added in compliance with the Master Sign Program.
  - h. Public access shall be provided across all Open Spaces as shown on Sheets OS 1, LA 1, LA 2, and LA3 contained in Exhibit D. These areas are private but shall be made available to the general public, although reasonable restrictions may be placed as to the use of such spaces and the hours such spaces are open to the general public.
  - i. Before County issuance of a land disturbance permit, the Developer shall submit a plan to the Director of Planning and Sustainability outlining the continued maintenance of the Block G Open Space area. Such plan may be self-administered by the Developer and/or administered by a third party under contract or agreement with Developer or a combination thereof. Further, Developer may sell or transfer some or all of the area to a third party, such as a conservation organization or governmental entity, who accepts the ongoing maintenance responsibilities. While the primary intent of the area is as a forested conservation area, the continued maintenance will include general cleanup of trash, removal of invasive species, and maintenance of trails or other active/passive open spaces

areas established in Block G. Developer may reserve the right to terminate any agreements with third parties and take back maintenance of the Block G Open Space area.

VI. **PATH Trail Connection:**

a. The Developer(s) and/or Owners shall allow construction of a future PATH trail in Block G as shown on the Master Plan and Sheet OS 1. The final location of such trail within Block G shall be determined by DeKalb County in conjunction with the Developer as long as the trail connects to trail built by the Developer in Promenade Park.

~~a.~~ The Developer(s) and/or Owners shall grant, at no cost, to DeKalb County or appropriate entity a 25' wide permanent easement and construction easements as required for construction and continued operation and maintenance of such trail within Block G; the PATH trail within Block G shall be maintained by DeKalb County.

VII. **Infrastructure:**

a. Contingent upon any necessary approvals, Developer agrees to contribute \$550,000 to DeKalb County (or other appropriate entity) to be exclusively applied towards the following improvements, which are public improvements: (a) the improvements to the intersection of Birch Road and North Druid Hills Road as outlined in the GRTA Notice of Decision dated April 14, 2022 and (b) the construction of a Shared-Use Trail on Mistletoe Road extending from the project site to North Druid Hills Road (hereafter collectively the "Improvements"). Developer shall have no obligation to provide funding for the Improvements except as specified in this condition. Developer shall make said funds available within thirty (30) days of demand but in no case prior to the date Developer makes application for a Land Disturbance Permit. Further, Dekalb County shall cause the improvements identified in (a) and (b) above to be completed within 36 months of approval of this rezoning. The Developer shall self-perform the following improvement, which is a public improvement: the improvement to the intersection of Orion Drive and Lawrenceville Highway as outlined in the GRTA Notice of Decision dated April 14, 2022 (the "Orion Drive Improvement"). In the event that a Tax Allocation District (TAD) capable of funding the

- Improvements and/or the Orion Drive Improvement is created, Developer's obligation to fund said improvements and this condition shall immediately and automatically become null and void and, to the extent that Developer has already provided some or all of the funding for the Improvements and/or the Orion Drive Improvement, Developer shall be entitled to seek reimbursement for same from the TAD proceeds.
- b. The Developer will work with MARTA to develop the best design and location/s for a bus/transit stop ~~on Sweetbriar Road and along Lawrenceville Highway within or adjacent to the development.~~ The design shall include consideration of the need for pull-over lanes and shelters. Such obligation shall be completed prior to issuance of the initial Land Disturbance Permit. ~~Further, a sidewalk shall be constructed connecting the bus stop on Lawrenceville Highway to the development.~~
- ~~b.~~
- c. Unless noted otherwise, all "internal roads" shown on the plan are to be privately owned and maintained with a public access easement granted for vehicular and pedestrian traffic; internal roads will not be Private Streets as defined in the DeKalb County code. All lots will have frontage on internal roads or in the case of townhouses onto alleys which connect to internal roads.
- d. Road A, Road B, Road C, Road E, and Mistletoe Extension shall be built at locations that are substantially the same as the locations in the general location shown on the Master Plan and shall be built as part of the first phase of the Project.
- e. Road D may be built as part of a future phase and the exact location may vary as long as the shared-use path connection is maintained from the Future PATH trail to Road C. Additional "internal roads" may be constructed in Block D depending on the final building layout on this block.
- f. Streetscape dimensions for all internal road sections shall be as shown on Sheets C2-50 to C2-52, prepared by Kimley Horn, dated 02/21/22 and revised 07/01/24. Further, block and lot requirements shall be as shown on the Master Plan and the Subdivision Plan. If the DeKalb County Fire Marshall agrees to reduce the road widths below 26' (2-13' lanes) adjacent to buildings taller than 30' high, then the width by which the drive aisles are decreased shall be added to the pedestrian zones on that street section. If the Fire Marshall approves such reduction, revised road sections will be submitted as part of the Land Disturbance Permit.
- g. Designated areas of internal roads may be periodically closed to vehicles to provide for street fairs, farmers markets, events, etc. as long as

- vehicular and pedestrian traffic routes are maintained to provide access to all parts of the site.
- h. The shared-use path shown on the Master Plan connecting the Future PATH trail with Mistletoe Road shall be built in the first phase of the project. A temporary paved path may be provided from Road B to Road C until the permanent path is built when Road D is constructed.
  - i. Bike Nodes consisting of a combination of bike racks, information kiosks, and/or bike maintenance stands shall be constructed at key points along the shared-use path in the general location shown on the Site Plan.

## VIII. **Architecture:**

- a. Building architecture shall be substantially compliant with the Architectural Standards in Exhibit “C”. Building elevations will be submitted as part of the Land Disturbance Permit process and shall be reviewed by the Director of Planning and Sustainability or designee for substantial compliance with the Architectural Standards.
- b. West facades of Residential Buildings D1 and D3 shall be articulated with design features that shall echo or be compatible with the scale of the front facades of the townhomes on the opposite side of Road B.
- c. Ground floor retail uses, as well as stand-alone retail buildings, shall have functional door and window openings in the facades that face the sidewalks along the interior roads. Doors in the sidewalk-facing facades shall be unlocked and usable by customers during business hours. Windows in the sidewalk-facing facades shall be transparent and shall allow views into the interiors of the retail spaces.
- d. Parking structures in Blocks A and D shall be screened with the use of liner buildings or other buildings to not be visible from public streets or internal roads.
- e. The parking structure in Block B shall be screened from Road A and Road C with liner buildings. If the parking structure facing Stone Mountain Highway is not screened with a liner building or other building, then a mural and/or signage as allowed per the Master Sign Program shall be placed on the unscreened side. In lieu of a mural or signage, an alternative façade treatment or screening shall be allowed upon approval of the Director of Planning and Sustainability or designee.

IX. **Townhome Construction:**

- a. The electrical panel in the townhouses shall be sized to accommodate a 40-amp double pole breaker on the opposite end of the panel labeled “reserved for solar”.
- b. A minimum of twenty-five (25) percent of townhouses shall be pre-wired and shall be pre-plumbed to accommodate a future micro-unit, such unit to be located on the lowest level of the townhouse exclusive of the garage. ~~Micro-units shall be as defined in condition III.e.2.~~
- c. A minimum of twenty-five (205) percent of the townhouses shall be designed such that purchasers shall have the option to purchase an elevator.
- d. A minimum of one 240 V AC plug (or current industry standard) shall be installed in each townhouse garage to accommodate electric vehicle charging.

X. **Signage:**

- a. Signage for the development shall be consistent with the standards in Exhibit “B.” Prior to the issuance of a Land Disturbance Permit, the Developer shall submit to the Director of Planning and Sustainability design standards for minor signs, i.e. ground signs, directional signs, parking signs, and general wayfinding signs.
- b. Flashing, animated, sound emitting, rotating and inflatable signs are prohibited. Electronic or digital signs shall comply with the DeKalb County Sign Ordinance.

XI. **Common Area Maintenance:**

- a. The common areas within the Development shall be kept and maintained in first class order and repair as compared to any other first class mixed-use development similar to the caliber, type and character of the Development and located in the Atlanta, Georgia metropolitan area.

XII. **Subdivision:**

- a. The Subject Property may be subdivided in general accordance with Exhibit E and parts of the Subject Property may be owned separately

and/or conveyed as separate tracts and to separate owners with different ownership structures.

- b. 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, if any, 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.
- c. 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 lots or uses and shall not require any changes to the Site Plan for the development nor any variances.
  - ~~e.~~ 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 the Site Plan.

### **XIII. Housing Affordability and Retail Incubator**

- ~~a.~~ Developer agrees to provide 10% workforce and affordable housing as part of the projects within the multi-family components, up to the maximum multi-family unit numbers in III.c.1. Developer agrees to provide 3 Affordable Housing Units (AHU) per multi-family building (15 total), defined as housing that is affordable to households earning no more than 60 percent of Area Median Income (AMI). The balance of the 10% shall be made up of Workforce Housing Units (WHU), defined as housing that is affordable to households earning between 60 percent and 120 percent of AMI. WHU and AHUs shall have the same access to amenities and services within the multi-family buildings as the market rate units. Subject to applicable laws, each multi-family building owner/operator shall establish a program to give a preference for rental of the AHU and WHU to individuals who work within the Project site.
- a.
- ~~b.~~ The Department of Community Development shall be responsible for tracking the availability and rental of AHU and WHUs.
- b.
- ~~e.~~ Developer shall submit an annual report on the rental history of AHU and WHUs to the Department of Community Development starting one year from the issuance of the first certificate of occupancy of a multi-family unit in the development. A copy of the report shall simultaneously be

transmitted to the Director of the Department of Planning and Sustainability.

c.

d. Developer recognizes the importance of local retail in the community as an economic opportunity and further agrees to create a space (the “Incubator Space”) that fosters an entrepreneurial community within the project with support from programs such as but not limited to Emory StartMe Program. A goal of this condition is to graduate these entrepreneurs into permanent retail spaces and deals either in the project or elsewhere in competing retail centers throughout DeKalb County. The Incubator Space is to be leased for local retail with flexible terms relative to market with minimal investment required by the retailers to open for business. Developer shall pursue any number of deal structures to achieve this goal including but not limited to leasing spaces to individual retailers or leasing a space to one operator who then creates opportunities to host the local retailers in one cohesive retail experience.

~~d.~~ The Incubator Space shall in no event be less than 2,000 sf in total and shall be made available for a minimum of two years, starting from the date of issuance of a Certificate of Occupancy for the Incubator Space. Prior to commencing operations at the incubator, Developer shall provide a plan for the operation of the incubator to the Director of Planning and Sustainability. Developer shall then submit two reports to the Director of Planning and Sustainability summarizing the performance of the Incubator Space, the first to be submitted 12 months after the issuance of a Certificate of Occupancy for the Incubator Space and the second to be submitted 24 months after the issuance of the Certificate of Occupancy. At the end of 2 years, Developer will evaluate and determine the viability and sustainability of continuing the Incubator Space. Should Developer choose to discontinue the Incubator Space at any point after two years, it shall provide 90 days’ written notice to the Director of Planning and Sustainability. During these 90 days, the Developer shall negotiate in good faith with the County to identify and deploy resources necessary to attempt to continue the incubator program.

#### XIV. **Miscellaneous:**

- a. Food trucks, shipping container stores, and similar structures shall be allowed in all locations except Blocks E and G as long as adequate pedestrian access is maintained. Food trucks and shipping container stores shall comply with all applicable State and County regulations.

- b. Outdoor dining associated with a restaurant or other commercial establishment shall be allowed throughout all Blocks except Blocks E and G, provided that such outdoor dining does not block access, by pedestrians or persons in wheelchairs, to building entrances and exits and provided that outdoor dining allows the use of sidewalks by pedestrians and persons in wheelchairs.
- c. All Blocks, except Block E, shall be designated a Special Events Facility and otherwise be exempt from the requirements of section 27-7.6 and/or 27-4.3.
- d. Information and advertising kiosks shall be allowed throughout all Blocks except Blocks E and G. This provision shall not preclude the installation of Directional Signage as allowed in the Master Sign Program in Blocks E and G as long as such signage does not include tenant signage.
- e. Walk-up ATMs shall be allowed either integrated into buildings or free-standing. A Drive-up ATM shall be allowed subject to a Special Land Use Permit.
- f. Murals shall be allowed ~~except in Block E and G~~ throughout the development. Murals which meet the definition of a sign shall comply with the requirements of the Master Sign Program.
- g. A drive-through pharmacy shall be allowed as indicated at Building A10 subject to a Special Land Use Permit.
- h. On all buildings in the development, roof mounted mechanical equipment and appurtenances shall be located and/or screened so that they are not visible from the ground immediately adjacent to the building. Said ~~equipment shall also be screened with~~ screening materials shall be that are compatible with the surrounding building materials and architectural design.
- i. The development shall provide a minimum of one (1) bicycle/moped parking spaces per twenty (20) parking spaces in surface parking lots and non-residential parking structures and a minimum of one (1) secured bicycle parking spaces per twelve (12) parking spaces in multi-family parking structures, except that this provision shall not apply to townhouse garages.
- j. A minimum of 3 percent of all surface parking lots and non-residential portions of parking structures shall be striped and signed for alternative fuel vehicle parking. EV charging station parking spaces may be used toward this total.
- k. A minimum of two percent parking spaces in surface parking lots and parking structures shall have electric vehicle charging stations. In



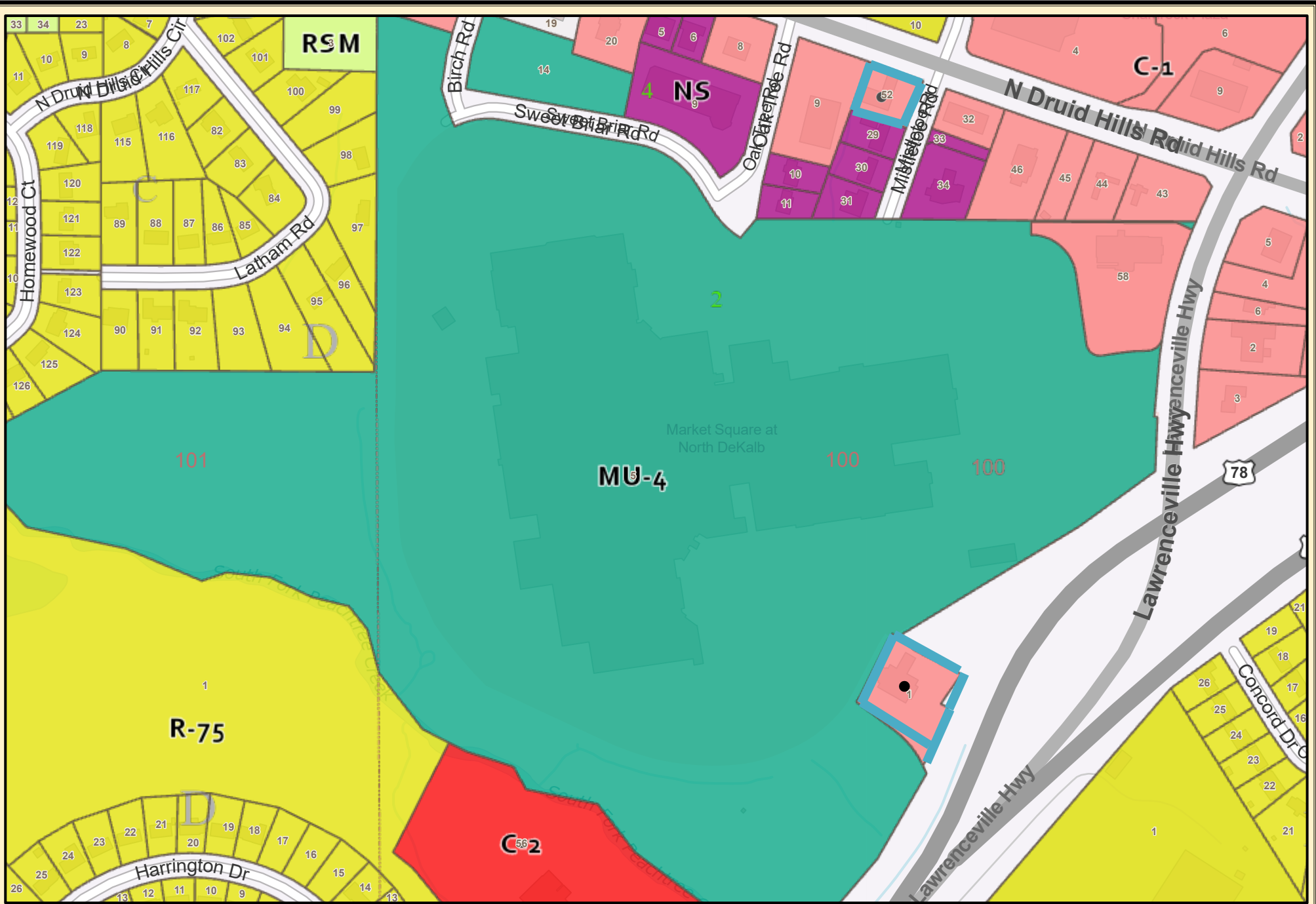
designing the overall electrical distribution for the development, the Developer will work with Georgia Power to ensure the overall system can accommodate enough power, either initially or through future upgrades, for eventual conversion of ten percent of all parking spaces to have EV charging stations and shall provide room sufficient enough to allow upgrading the transformers or adding transformers for such future electrical demands associated with the additional EV charging stations.

l. All multi-family parking structures shall be designed to accommodate the infrastructure for future conversion to allow for electric vehicle charging stations for a minimum twenty (20) percent of the parking spaces.

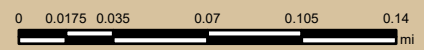
~~l.~~ All parking structures shall be designed so as to not preclude the addition of additional EV charging stations including designing the transformers to accommodate the loads from additional charging stations or providing room for additional transformers for such future electrical demands associated with the EV charging stations. Further, parking structures will be designed to either incorporate conduits or allow for future installation of conduits for the future EV charging stations without the need for structural modifications of the parking structure.

- m. Smart thermostats shall be installed in all residential units (multi-family and townhouses).
- n. The site shall be provided with underground utilities for electricity, phone, cable, and internet services.
- o. Developer shall employ pest and rodent abatement measures during demolition.
- p. Developer shall employ dust abatement measures during demolition.
- q. Setbacks shall be measured by existing right-of-way, versus any future right-of-way that County may demand incidental to development.
- r. No cell towers/structures/monopoles shall be permitted anywhere on project property, but non-tower-mounted flat antennas may be located on roof tops or parking structures.
- s. The Sustainability Program included in Exhibit F shall be implemented as part of the overall project. The Sustainability Program can be updated in the future as needed based on future advances in sustainable design and practices; such updated Program shall be provided to the Director of Planning and Sustainability.

- t. Before County issuance of a land disturbance permit, the Developer shall submit a framework plan for waste management. The framework plan shall outline the method of recycling that will be used in the development. Recycling bins shall be provided in all multi-tenant buildings in locations convenient for use by residents. Storage areas for construction materials and/or equipment shall be screened from view from residential properties and structures with opaque construction fencing.
- u. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.
- ~~u.~~
- v. Rooftop amenities or uses on top of buildings or parking structures (i.e. cocktail bars, outside dining, special events facilities, recreation and entertainment facilities) shall be permitted and shall not be counted toward any square footage or height threshold defined herein or required parking. This condition shall not apply to townhouse rooftops which shall be governed by condition III.c.4.



**DeKalb County Parcel Map**

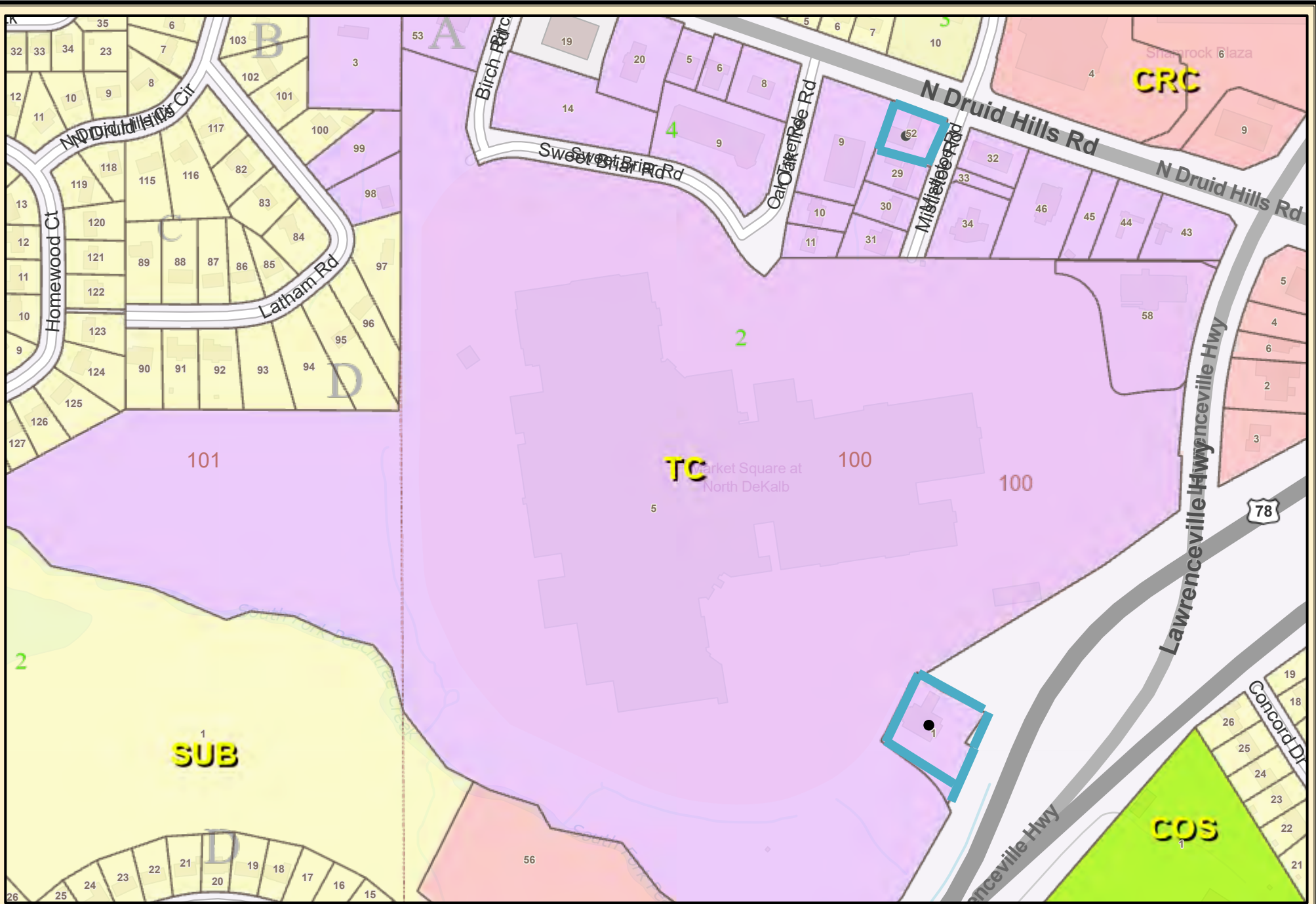


Date Printed: 8/27/2024

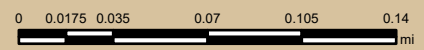


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**DeKalb County Parcel Map**

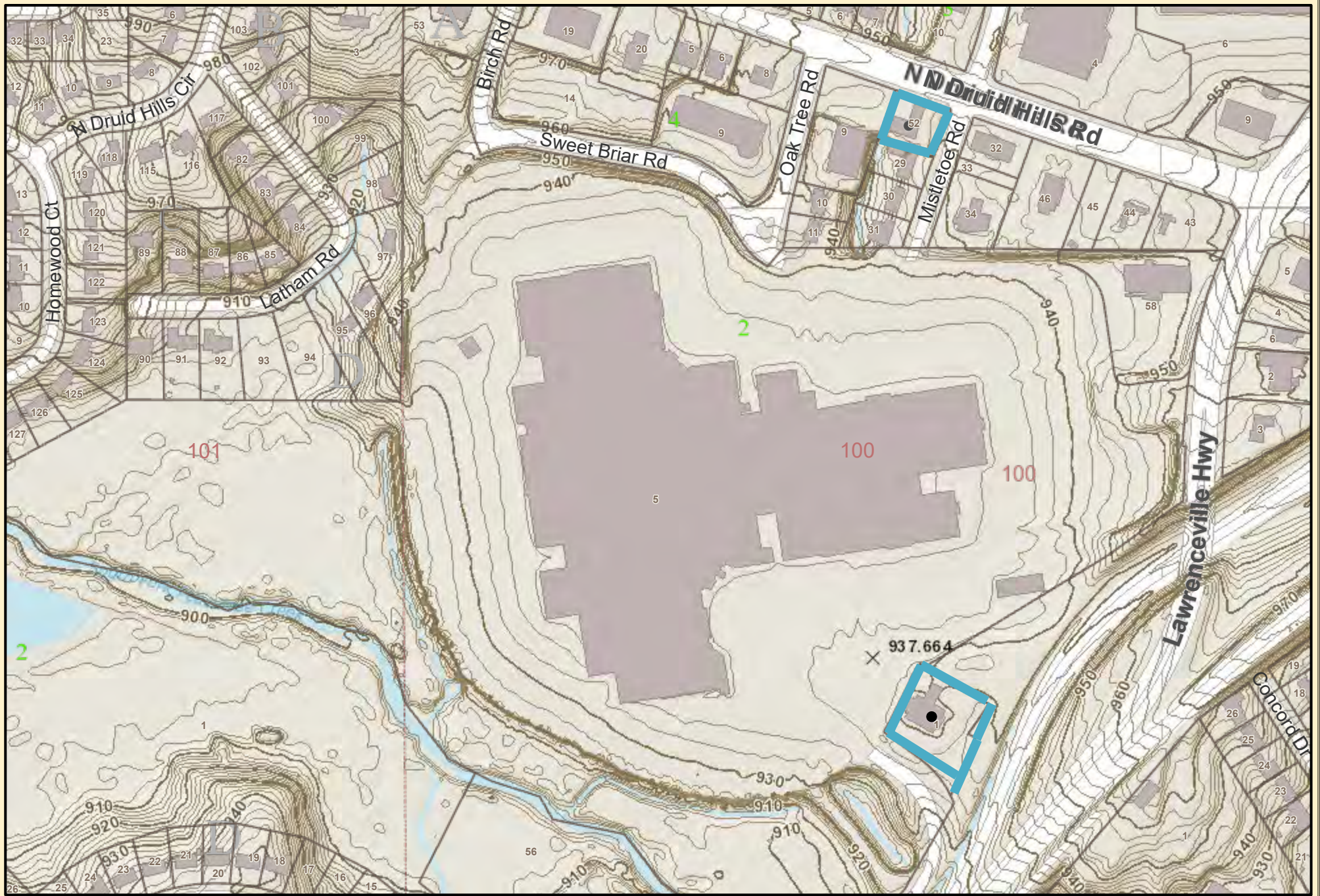


Date Printed: 8/27/2024

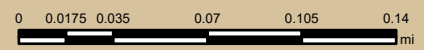


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**DeKalb County Parcel Map**



Date Printed: 8/27/2024

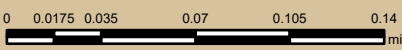


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**DeKalb County Parcel Map**



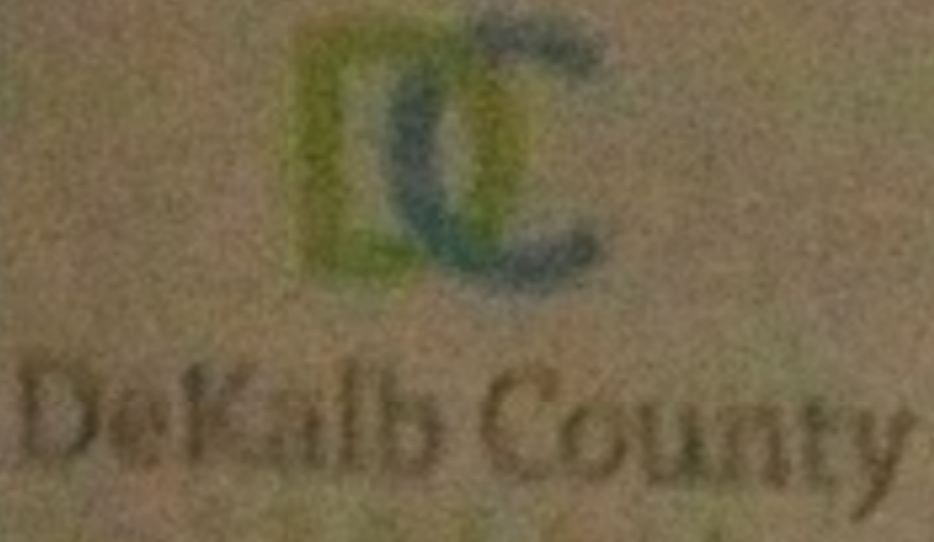
Date Printed: 8/27/2024



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NORTH DEKALB MALL

# SKETCH PLAT



A change is being proposed for this site.

Case Number: **N1. P-Plat #1247321**  
Existing Zoning: MU-4



Site Location:  
**2050 Lawrenceville Highway**

**Purpose:** Request to subdivide approximately 71.67 acres to construct a mixed-use development.

CONTACT US  
404.371.2155  
[www.dekalbcountyga.gov/planning-and-sustainability/planning](http://www.dekalbcountyga.gov/planning-and-sustainability/planning)

**Planning Commission Sketch Plat Meeting**  
Date: 01/22/2025 Time: 6:00pm  
Zoom ID: <https://dekalbcountyga.zoom.us/j/86330344636>  
Phone: (888)-270-9936  
Code: 691303



Dec 27, 2024 5:59:27 PM  
3786 North Druid Hills Road  
Decatur  
DeKalb County  
Georgia

NORTH DEKALB MALL

Full Taste Vegan

Marshalls

Washington

we are open!

amc THEATRES Marshalls

Lalah Hills

LEASING / Netelle Abt // 770.569.5509

SKETCH PLAT

A change is being proposed for this site.

Case Number: N1, P-Plat #1247321  
Existing Zoning: MU-4

Site Location:  
2050 Lawrenceville Highway

Purpose: Relocate to Suburban development PLD Project to construct a mixed-use development.

Planning Commission Sketch Plat Meeting  
Date: 12/27/2024  
Time: 6:00 PM  
Location: DeKalb County Planning Commission Meeting Room  
3761 North Druid Hills Road, Decatur, GA 30032

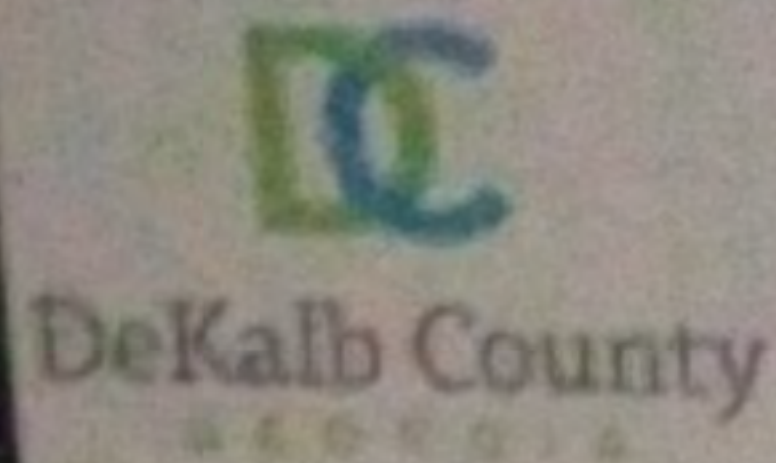


Dec 27, 2024 6:00:08 PM  
3761 North Druid Hills Road  
Decatur  
DeKalb County  
Georgia



# SKETCH PLAT

A change is being proposed for this site.



Case Number: **N1. P-Plat #1247321**

Existing Zoning: MU-4

**SP**

SKETCH  
PLAT

Site Location:

**2050 Lawrenceville Highway**

**Purpose:** Request to subdivide approximately 71.67 acres to construct a mixed-use development.

CONTACT US  
404.371.2155

[www.dekalbcountyga.gov/planning-and-sustainability/planning](http://www.dekalbcountyga.gov/planning-and-sustainability/planning)

**Planning Commission Sketch Plat Meeting**

Date: 01/22/2025 Time: 6:00pm

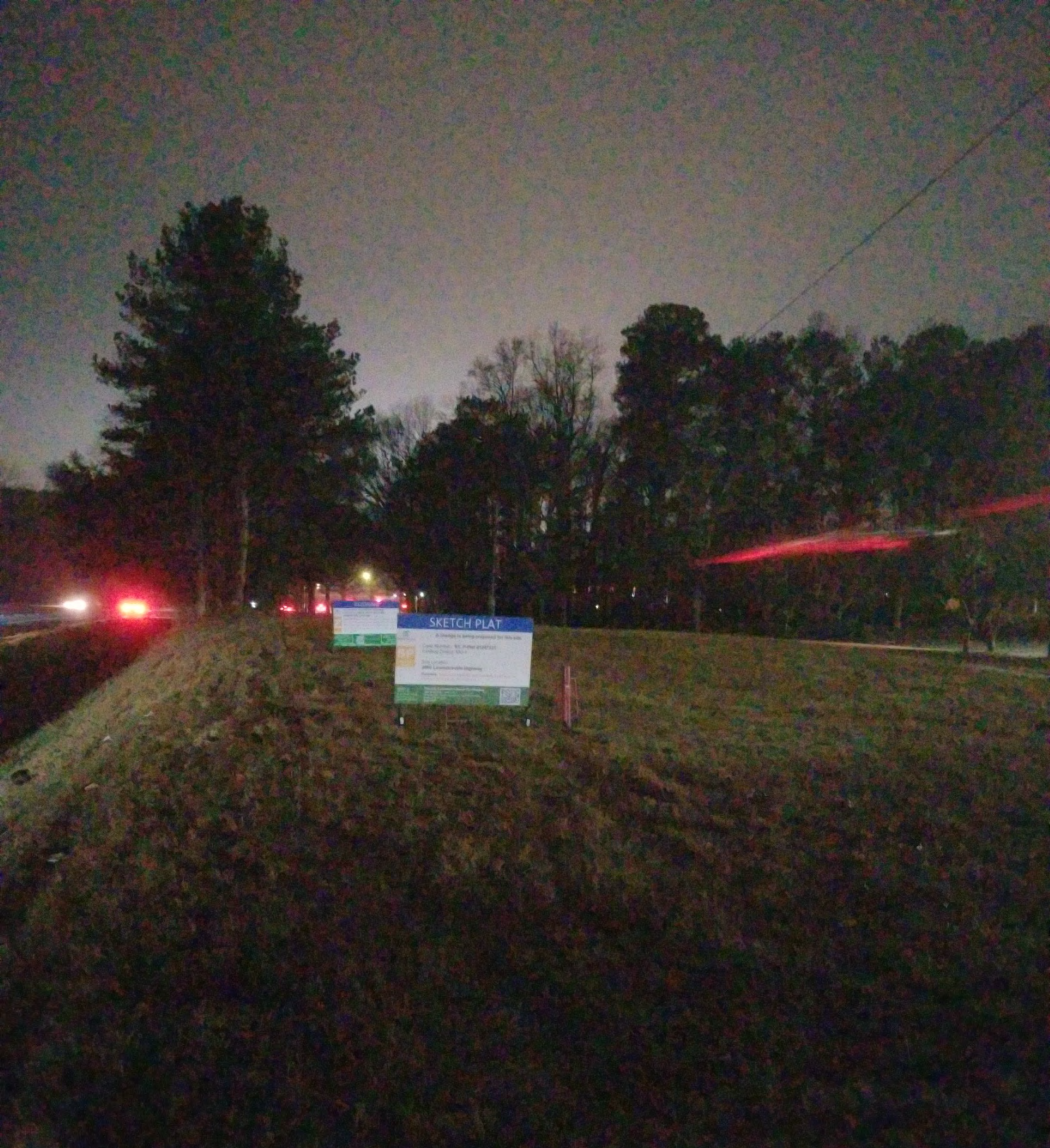
Zoom ID: <https://dekalbcountyga.zoom.us/j/86330344636>

Phone: (888)-270-9936

Code: 691303



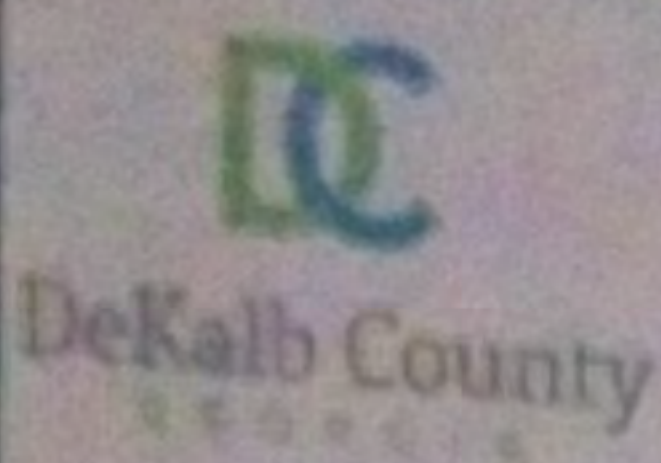
Dec 27, 2024 6:27:26 PM  
1076 Birch Road  
Decatur  
DeKalb County  
Georgia



Dec 27, 2024 6:27:43 PM  
1076 Birch Road  
Decatur  
DeKalb County  
Georgia

LEASING // **Natalie Abt** // 770.500.1234

# SKETCH PLAT



A change is being proposed for this site.



Case Number: **N1. P-Plat #1247321**  
Existing Zoning: MU-4

Site Location:  
**2050 Lawrenceville Highway**

Purpose: Request to subdivide approximately 71.67 acres to construct a mixed-use development.

CONTACT US  
404.371.7105  
[www.dekalbcountyga.gov/planning-and-sustainability/planning](http://www.dekalbcountyga.gov/planning-and-sustainability/planning)

**Planning Commission Sketch Plat Meeting**  
Date: 01/22/2025 Time: 6:00pm  
Zoom ID: <https://dekalbcountyga.zoom.us/j/86330344636>  
Phone: (888)-270-9936  
Code: 691303



Dec 27, 2024 6:42:17 PM  
2050 Lawrenceville Highway  
Decatur  
DeKalb County  
Georgia



A real estate sign for the Lulah Hills development. The sign is divided into several sections:

- Top Left:** A yellow circle with the text "Lulah Hills" in a script font.
- Top Right:** A brown rectangular section with the text "we are open!" in white, and the "AMC" logo followed by "Marshalls" in a smaller font.
- Bottom:** A white section with a blue and white striped border containing the text "LEASING // Natalie Abt // 770.569.8509".
- Below the main sign:** Two smaller informational signs. The left one is titled "SKETCH PLAT" and the right one is titled "COMMUNITY COUNCIL".

Dec 27, 2024 6:42:34 PM  
2050 Lawrenceville Highway  
Decatur  
DeKalb County  
Georgia