



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: January 8, 2019, 6:30 P.M. Board of Commissioners Hearing Date: January 22, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-18-22311 **Agenda #:** D. 2

Location/Address: 2144, 2054, 2050, and 2038 Lawrenceville Highway, 1086 Birch Road, and 2692 Sweet Briar Road, Decatur **Commission District:** 2 **Super District:** 6

Parcel ID(s): 18-100-02-005, -040, -041, -049 & -057 and 18-100-04-014

Request: A Special Land Use Permit for Costco fuel pumps as part of redevelopment of North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development, in accordance with Chapter 27, Article 4, Table 4.1 - Use Table of the DeKalb County Code. The property is located on the west side of Lawrenceville Highway, approximately 92 feet south of the southwest corner of Lawrenceville Highway and North Druid Hills Road, at 2144, 2054, 2050, and 2038 Lawrenceville Highway, 1086 Birch Road, and 2692 Sweet Briar Road, Decatur.

Property Owner(s): LCI-SVAP NDM JV, LP

Applicant/Agent: LCI-SVAP NDM JV, LP c/o Kathryn M. Zickert

Acreage: 78.09 acres

Existing Land Use: The North DeKalb Mall

Surrounding Properties: To the north, northeast, east, and southeast: commercial and office uses; to the south and southwest: undeveloped floodplain; to the west and northwest: single-family residential.

Adjacent Zoning: **North:** NS and C-1 **South:** R-75 and C-2 **East:** C-1 and Lawrenceville Hwy **West:** R-75 **Northeast:** C-1 **Northwest:** R-75 and RSM **Southeast:** Lawrenceville Hwy and R-75 **Southwest:** R-75

Comprehensive Plan: TC (Town Center) and COS (Conservation Open Space) Consistent

Proposed Density: 6.5 units/acre	Existing Density: No residential
Proposed Units/Square Ft.: 500 units/6,496 s.f./acre	Existing Units/Square Feet: 7,051 s.f./acre
Proposed Lot Coverage: approx. 67% (no discernable increase over existing lot coverage)	Existing Lot Coverage: (estimate) 67%

The applicant has requested "Withdrawal". The BOC previously deferred the application from 7/24/18 and 11/13/18.

Companion Application: The applicant has filed a companion application (Z-18-22310) to rezone the property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) for redevelopment of the mall.

The subject property is a 78-acre site that is developed with the North DeKalb Mall, a regional shopping center. The Mall was constructed 1965 with 54 stores including a [Rich's](#) department store and a [Woolworth](#) dime store. In 1986, North DeKalb Mall was expanded and renovated with two new anchor stores and renamed Market Square at North DeKalb. A movie theater was added in the mid- 1990s. In 2016, the anchor store Macy's closed, and several smaller retailers have subsequently left the mall.

The site of the mall is approximately 20 feet lower in grade than Lawrenceville Highway. It was designed and constructed in the manner typical for the time, with a large surface parking in front of all mall buildings. The mall is located behind the commercial uses that front on North Druid Hills Road and cannot be seen from this major commercial street, and has no pedestrian or bicycle connections to the neighborhoods to the north of North Druid Hills Road.

MARTA bus routes 75 and 123 currently make stops within the mall property.

The floodplain of the South Fork Peachtree Creek is located along the southwest and south borders of the property. The Mall is located at the southwestern corner of North Druid Hills Road, a four-lane major arterial, and Lawrenceville Highway, a five-lane major arterial and State highway (Route 29). Land uses at this intersection form an intensive commercial node. Shamrock Plaza, a shopping center anchored by a Publix grocery store, is located on the northwest corner of the intersection, and North DeKalb Square, anchored by Goodwill Industries Store and Career Center, is located at the northeast corner. A Home Depot store is located approximately 1,000 feet to the north of the intersection, on Lawrenceville Highway. Other nearby properties are developed with retail, fast food restaurants, banks, and gas stations. The southeast corner of the intersection is used for on- and off-ramps for U.S. 78.

The application states, "The decline in traditional enclosed shopping concept is reflected in other malls throughout the Atlanta area, including Gwinnett Place and Northlake Mall. These malls, similarly situated to North DeKalb Mall, are also the subject of potential redevelopment plans." The application goes on to state, "the North DeKalb Mall property offers a golden opportunity to transform the deteriorating mall into a modern, mixed-use development that offers the retail sought after by the community as well as the residential component needed for the area's continued growth."

The proposal to redevelop the Mall would involve the demolition of the existing buildings and construction of the following:

Tract 1

- A 152,221 square foot Costco Wholesale Warehouse retail store in a stand-alone building;

Tract 2

- A 115,000 square foot block of retail spaces that would include current Mall tenants Burlington Coat Factory and Marshalls;
- A cluster of buildings at the southeast portion of the site that appear to be grouped around a pedestrian plaza, consisting of
 - 73,750 square feet of retail space in six buildings of various sizes;
 - A 14,500 square foot food hall; and
 - A 48,000 square foot theater.
-

Tract 3

- 12.45 acres at the southwest portion of the site consisting of
 - approximately 405 units of multifamily residential with 516 surface parking spaces; and

- Fifty 3-story townhomes.

Tract 6

- A 150-room hotel located in an “outparcel” next to Lawrenceville Highway.

Tract 4, which is floodplain to the south of the development site, would remain undisturbed. Tract 5, labeled “Outparcel”, is located at the southeast corner of the site.

The development would contain 1,176 surface parking spaces for the commercial and hotel uses, including the Costco store, and approximately 726 spaces in a parking deck next to the theater, which would be accessible from the commercial buildings around the pedestrian plaza.

LAND USE AND ZONING ANALYSIS

Section 27-873 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:** The size of the site is adequate for the proposed mixed use development and fuel pumps. The land area is adequate to provide all required yards, open space, and off-street parking.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:** The zoning proposal expands upon the character of the existing mall, which has established itself as an important part of the commercial node at North Druid Hills Road and Lawrenceville Highway. Adjacent and nearby commercial properties at this node support the mall as a regional shopping and entertainment destination and are, in turn, supported by the mall.
- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:** There has been no indication that the proposed accessory fuel pumps will overburden surrounding street, utilities, or schools.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:** A report by the Traffic Engineering Division states that Staff has not identified any problems that would interfere with traffic flow.
- E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:** The property is located in a commercial node and land uses along access routes to the site are commercial. There is no reason to think that the proposed redevelopment project would adversely affect these nearby land uses.
- F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:** Pedestrian connections throughout the development need to be improved in order for the overall development to be considered pedestrian-oriented. The site plan does not depict enough detail to determine whether the development will include traffic calming features.

- G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:** The mall will continue to be separated from single-family residential neighborhoods to the southwest and south by the floodplain of the South Fork Peachtree Creek. A 50-foot buffer is proposed along the west property line to reduce impacts on the residential neighborhood to the west.
- H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:** It is not likely that activity at the Costco store would be any more noticeable to residents of adjoining land uses to the west than that which results from prior and current retail uses. However, in order to prevent detrimental off-site effects, zoning conditions should specify an evergreen screen in the 50-foot buffer and light fixtures that direct light away from the west property line.
- I. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:** The proposed mixed use development is not expected to create adverse impacts upon any adjoining land use by the manner in which it is operated.
- J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:** The Costco parking lot does not comply with the requirements for parking lot landscaping. Tree islands will need to be reconfigured, or the applicant must obtain a variance.
- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:** Redevelopment of the Mall to include a more diverse mix of uses is consistent with the policy of the 2035 Comprehensive Plan for Regional Center character areas to: "Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services." (No. 5) The mixture of uses and density and intensity of development is consistent with Policy No. 21: "Each Regional Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods."
- However, a functional compact mixed use development would have pedestrian connections between land uses and to nearby neighborhoods. Pedestrian connections throughout the development need to be improved so that the overall development to be considered pedestrian-oriented. In addition, the pedestrian character of the entire development would be improved by moving Costco store up to the interior north-south street to create a street presence, and by moving the fuel pumps to the northwest corner of the Costco parking lot, where they can be easily accessed via Sweet Briar Road. The Costco store should have a front façade facing the interior north-south street that allows pedestrian entry, even if a second customer entry is provided from the parking lot.
- L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:** A 50-foot buffer would be maintained along the west property line to reduce impacts on the residential neighborhood to the west.
- M. Whether or not there is adequate provision of refuse and service areas:** No details were provided about refuse and service areas. However, these components of the development are expected to be satisfactory, due to the long experience of the owners and operators of the existing mall.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration:** If the design of the Costco site were improved so that the Costco store would interrelate with the overall proposed mixed use development, there would not be any reason to limit the duration of the special land use permit.
- O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:** No information was provided about whether there would be a canopy above the fuel pumps and, if so, the height and design of the canopy.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit: Due to lack of information, it is not possible to determine compliance with all of the supplemental regulations. During the deferral period, Staff hopes to obtain the necessary information.

R. Whether or not the proposed building as a result of its proposed height , would create a negative shadow impact on any adjoining lot or building: The fuel pumps and any canopy above them are expected to meet zoning requirements for height.

S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan: Costco fuel pumps have been shown to be highly desirable at other locations in DeKalb County, and the proposed fuel pumps would be located within a commercial property without encroaching on surrounding land uses. Thus, it appears that they would be consistent with the needs of the neighborhood and of the community as a whole. They would not conflict with the overall objectives of the comprehensive plan, although the design of the site needs to be improved to enable the Costco store and its fuel pumps to be consistent with specific policies of the Comprehensive Plan.

Compliance with District Standards:

MU-4 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. TRANSITIONAL BUFFER	50 feet next to R district	50 feet	Yes
TRANS'L HEIGHT PLANE	Applicable to proposed Costco Building	Information not provided	Info. not provided
PARKING	Parking for non-residential uses was provided as an aggregate number. Required/allowed: Min. 1,021 spaces Max. 2,341 spaces	Total non-residential spaces: 1,964	Yes
PEDESTRIAN PATHS FROM SIDEWALKS TO BLDG. ENTRANCES (Sec. 5.4.3(B)(5))	Min. 3 ft. wide	Not shown for Costco building	Not shown for Costco building
LANDSCAPE STRIPS ALONG PEDESTRIAN PATHS (Sec. 5.4.4(B))	Min. 3 ft., planted	Shown along sidewalks except along part of internal drive immediately north of fuel pumps	Must be provided or a variance will be necessary.
TREE ISLANDS IN PARKING LOT	One island for every 10 parking spaces	Costco pkg. Lot: 1 island for every 6 – 15 spaces	Costco pkg. lot will need reconfiguration or variance will be necessary.

SUPPLEMENTAL REGULATIONS FOR FUEL PUMPS ACCESSORY TO LARGE RETAIL			
DESIGN STANDARDS OF ARTICLE 5		Elevations not provided.	Elevations not provided.
CANOPY SETBACK	15 feet from street R.O.W.	Canopy not indicated.	Canopy not indicated.
CANOPY HEIGHT	The greater of 20 feet or the height of the Costco store	Elevations or measurements not provided.	Elevations or measurements not provided.
SUPPLEMENTAL REGULATIONS FOR FUEL PUMPS ACCESSORY TO LARGE RETAIL			
CANOPY COLOR SCHEME AND MATERIALS	Shall be complementary to façade of Costco store	Information not provided	Information not provided
LIGHTING	No spillage beyond canopy; fixtures shall be recessed; cut off 30 minutes after facility closes	No information provided	No information provided
STORAGE CAPACITY	Storage space for one car in front of each fuel pump	Site plan is indecipherable.	Site plan is indecipherable.
DISTANCE BETWEEN GAS PUMP AND THE NEAREST PROPERTY LINE	Minimum 30 feet	51.5 feet	Yes
DAILY LITTER CLEAN-UP	Property must be free from litter, trash, and debris	Information not provided	This is an on-going code enforcement issue.
PARKING FOR PRINCIPAL USE	Must be separate and distinct from that for the fuel pumps.	Parking for the Costco store is located in front of, and to the side of the bulding.	Yes
USE OF LIGHT-EMITTING DIODES, NEON LIGHTS, ILLUMINATED PANELS	Prohibited.	No information provided.	This is an on-going code enforcement issue.

STAFF RECOMMENDATION:


The applicant has requested “Withdrawal”. The Department of Planning and Sustainability agrees with the request and recommends “Withdrawal”.

Attachments:

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Department and Division Comments 2. Board of Health Comments 3. Board of Education Comments 4. Application | <ol style="list-style-type: none"> 5. Site Plan 6. Zoning Map 7. Land Use Plan Map 8. Aerial Photograph 9. Site Photographs |
|--|--|

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

-  • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
-  • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
-  • **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
-  • **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-18-22310 Parcel I.D. #: 18-100-02-005-041-040-049,057
Address: 2144, 2054, 2050, 2038 And 18-100-04-014
LAWRENCEVILLE Highway
DECATUR, GA.

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Plan and field reviewed, no problem that would interfere with traffic flow

Signature: Jerry White



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER malexander@dekalbcountyga.gov OR JOHN REID jreid@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-18-22310

Parcel I.D. #: 18-100-02-005, -040, -041, -049, -057 and 18-100-04-014

Address: 2144, 2054, 2050 and 2038 Lawrenceville Highway, 1086 Birch Road and 2692 Sweet Briar Road
Decatur, Georgia

WATER:

Size of existing water main: 6" CI, 6" AC, 8" DI, 30" CS Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: South Fork Peachtree Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: RM Clayton WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 122 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

FKL

Signature: _____

**DeKalb County School District
Zoning Review Comments**

Analysis Date: 6/11/2018

Submitted to: Dekalb County **Case #:** Z-18-22310
Name of Development: Decatur Landing **Parcel #:**
Location: Current North DeKalb Mall
Description: Mixed-use redevelopment of the mall including 500 housing units

Impact of Development: If approved, this development is expected to generate 49 students: 21 students at Laurel Ridge ES, 7 students at Druid Hills MS, 8 students at Druid Hills HS, 8 students in another DCSD school, and 5 in private school. The additional students at Laurel Ridge would result in more overcrowding and may require additional portable classrooms.

	Laurel Ridge	Druid Hills	Druid Hills HS	Other DCSD Schools	Private Schools	Total
Current Condition of Schools	ES	MS				
Capacity	435	1,182	1,405			
Portables	6	0	0			
Enrollment (Fcst. Oct. 2018)	495	947	1,302			
Seats Available	-60	235	103			
Utilization (%)	113.8%	80.1%	92.7%			
New students from development	21	7	8	8	5	49
New Enrollment	516	954	1,310			
New Seats Available	-81	228	95			
New Utilization	118.6%	80.7%	93.2%			

Summary of Student Calculations

	APT (450)	TH (50)	TOTAL
Laurel Ridge ES	18	3	21
Druid Hills MS	6	1	7
Other DCSD Schools	7	1	8
Other DSCD Schools	8	0	8
Private Schools	2	3	5
Total	41	8	49

MLF



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

RECEIVED
MAY 03 2018

ZICZ No. 22310
Filing Fee: _____

Date Received: _____ Application No.: _____
Applicant: LCI-SVAP NDM JV, LP. E-Mail: kmzickert@sgrlaw.com
c/o Kathryn M. Zickert

Applicant Mailing Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

Applicant Phone: 404-815-3704 Fax: 404-685-7004

Owner(s): See attachment A. E-Mail: _____
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: _____

Owner(s) Phone: _____ Fax: _____

Address/Location of Subject Property: See Attachment A

District(s): 18 Land Lot(s): 100, 101 Block: 02, 04 Parcel(s): See Att. A

Acreage: 78.09 Commission District(s): 2 / 6

Present Zoning Category: C-1 Proposed Zoning Category: MU-4

Present Land Use Category: TC & COS

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes No See attached

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing;

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

Shawna E. Avila
NOTARY

[Signature]
SIGNATURE OF APPLICANT / DATE

EXPIRATION DATE: SEAL

Check One: Owner _____ Agent



330 West Peachtree de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030
Voice: 404-670-0151 | Planning Fax: (404) 371-4556 [Development Fax] (404) 371-3007
Web Address: <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov

ATTACHMENT A
To
LCI-SVAP NDM JV, LP
Rezone and SLUP Applications

18-100-020-040; 2144 Lawrenceville Hwy.
18-100-02-041; 2054 Lawrenceville Hwy.
LCI SVAP NDM MCY LLC
c/o Christopher Kapper
Sterling Organization
340 Royal Poinciana Way, Ste. 316
Palm Beach, Florida 33480

18-100-02-005; 2050 Lawrenceville Hwy.
18-100-02-049; 1086 Birch Road
18-100-02-014; 2692 Sweet Briar Road
18-100-02-057; 2038 Lawrenceville Hwy.
LCI SVAP NDM JV LP
c/o Christopher Kapper
Sterling Organization
340 Royal Poinciana Way, Ste. 316
Palm Beach, Florida 33480

Sign in Sheet

ALL VISITORS must sign in using the visitor sign in sheet before entering the North DeKalb Mall office.

Thanks Management!

Date: 3/7/2018 Time In: _____ Name: _____ Reason for visit: Mall Redevelopment

		Dawn Lanier	
3/7		GAIL RICHMAN	North Druid Valley - mall development
3/7		Theresa Same - Medlock	mall development
3-7		MARY SHELLEMAN - GOOD GROWTH DEKALB	" " "
3-7		Marulke Pitman - Laurel Ridge	Shmuck
3/7		Erik Koalick	
3/7		Justin Houston	
3/7		Emily Flood	

3/7/18		Michael Dowling / Clairmont Heights	Civic Assn.
3-7-18		Jim Smith	EHCA
3-7-18		Den Walsh	
3-7-18		Chris Beck / Clyde Shepherd	Nature Preserve
3/7/18		Elizabeth Roberts	Willow Brook Cov. Assoc.

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dan Webb	1230 Peachtree	djwebb@55rlaw.com
Brittney Cotter	858 Gaymont Circle	britncotter@gmail.com
Theresa Same	2572 McCurdy Way	t-same@bellsouth.net
Debbie Jones	3528 N. Druid Hills Rd.	debbiejones.atlga@yahoo.com
Dawn Lanier	1088 N Valley Dr Decatur	lanierdawn@yahoo.com
Pam Daily	610 Park Lane Decatur	ppdaily@yahoo.com
Lauren Maloney	2070 Woodridge Drive, Decatur	lmaloney712@gmail.com
LYNN GAVIN	893 Gaymont Cir	LGAVIN1110@gmail.com
Dani Senne	3001 Mt Olive Dr., Decatur, GA	senne-dani@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Diane Williams	Dec 30033 2552 Harrington Dr	dianewilliams1122@yahoo.com
Charles Forrest	2343 N. DECATUR RD DECATUR GA	forrest.charles.g@gmail.com
Susi Linderman	978 School Dr. Decatur GA 30033	susilinderman@gmail.com
Debra Robinson	2681 Shetland Dr Decatur GA 30033	debrar@admbuys.com
Wendy Drew	Valley Circle, Decatur 30033	wheeleratlanta@gmail.com
Gayla Green	Decatur 30033 2738 Harrington Drive	gayla.green@gmail.com
Cherrie Wutke	Decatur 30033 3009 Vista Brook Dr,	wumiss40@yahoo.com
MESSINA Li	2387 TESMOND DR DECATUR, GA 30033	MLi2211@YAHOO.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Gus Brathwaite	8106 Jefferson Square Ct	abrathwa@hotmail.com
Cobi Shafe	948 Scott Circle	cshafe33@gmail.com
Lori Laliberte	1503 Tuxworth Cir. Decatur	lorilcareyer@gmail.com
Pete Grivas	2406 Laurel Ridge Dr. 30037	peteg910@gmail.com
VICTORIA WEBB	3002	VIC@EVILIOUSDREAMS.COM
ERIK POOLE	2906 BOLANZA DR. DECATUR GA 30033	erik.poole@ihq.com
DENNIS YARMAN	1893 BRIAN WAY 30033	cobragolfer1@bellsouth.net
Jenny Vitti	777 Jordan Lane #3 Decatur 30033	jenny.vitti@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dr. CAROLYN TYLEDA	1868 Berkeley Mews NE Atlanta, GA 30329-3361	catylenda@bellsouth.net H 404-321-2122
SAMI FREIJI	2844 DELCOURT DRIVE DECATUR, GA 30033	saminet@bellsouth.net H 404-728-8840
Renee Kirlin	960 School Dr Decatur 30033	reneekirlin@gmail.com
Janet Fluter	1006 Latham Rd Decatur 30033	janetfluter@gmail.com
William Martin	2461 Woodridge Dr. Decatur 30033	wmartinjra@gmail.com
William Haston	2995 Westbury Drive Decatur, GA 30033	haston.william@gmail.com
Thomas J. Mizell, M.D.	3518 N. Druid Hills Rd. Decatur, GA 30033	docnaboy8000@aol.com
JONATHAN GLOVER	1076 Homewood Court Decatur, GA 30033	Jonathan.Jsel.Glover@gmail.com

Kelley Stanton

1230 Blueberry Trail
Decatur GA 30033

Kelley S @ Benefit Solutions Etc. com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Md Khan	2386 Lawrenceville Hwy. Unit - A Decatur 30033	mnak99@gmail.com
Elaine Murray	2390 Lawrenceville Hwy B Decatur, Ga	404-985-8805
Linda Grivas	2606 LAUREL RIDGE DR DECATUR, GA	TENHEVER @ GMAIL.COM 404-634-7689
Chequetta Allen	2411 Lawrenceville Hwy #8 Decatur, GA 30033	chequettaa@gmail.com 404-621-5737
STEVE LANGDON	566 N. SUPERIOR AVE DECATUR, GA 30033	slangdon @ barnsleyconsulting.com 404-273-2271
Belinda Dubose	3198 Misty Creek Dr. Decatur, GA 30033	bdubose@dekalbcountyga.gov
ROOSEVELT GILBERT	2650 LAWRENCEVILLE HWY DECATUR GA 30033	RGILB99763@AOL.COM
Nancy Ciliax	780 Densley Dr 30033	nciliax@emory.edu

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Kellie Brownlow	1314 Afterberry Pl.	Kellie.brownlow@bhotmail.com Rick rbrownlo@hotmail.com
Ken Lancette	1807 Bedfordshire Dr. 30033 kelancette@gmail.com	↑ total support work in water + planning (both worked @ AEC) + call or email - happy to help in neighborhood.
MISTY HAXTON	3133 Hollywood Drive	misty.haxton@yahoo.com 404-808-7122
Butch + Penny Knump	2617 Woodridge Dr.	bpknump@gmail.com
Amy Langley	3088 Dove Way	gdajlhyg@gmail.com
Jen Ed May	680 Wendan Dr.	Jenn30033@yahoo.com
ER. BARB COCK	DECATUR	bbherb@mindspring.com

Sign in Sheet

ALL VISITORS must sign in using the visitor sign in sheet before entering the North DeKalb Mall office.

Thanks Management!

Date: 3/7/2018 Time In: _____ Name: _____ Reason for visit: Mall Redevelopment

		Dawn Lanier	
3/7		GAIL RICHMAN	North Dec Valley mall development
3/7		Theresa Same - Medlock	mall development
3-7		MARY SHELLEMAN - GOOD GROWTH DEKALB	" " "
3-7		Marulke Pitman - Laurel Ridge	Shmuck
3/7		Erik Koalick	
3/7		Justin Houston	
3/7		Emily Flood	

3/7/18		Michael Dowling / Clairmont Heights	Civic Assn.
3-7-18		Jim Smith	EHCA
3-7-18		Den Walsh	
3-7-18		Chris Beck / Clyde Shepherd Nature	Preserve
3/7/18		Elizabeth Roberts	Walley Brook Cov. Assoc

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dan Webb	1230 Peachtree	djwebb@55rlaw.com
Brittney Cotter	858 Gaymont Circle	britncotter@gmail.com
Theresa Same	2572 McCurdy Way	t-same@bellsouth.net
Debbie Jones	3528 N. Druid Hills Rd.	debbiejones.atlga@yahoo.com
Dawn Lanier	1088 N Valley Dr Decatur	lanierdawn@yahoo.com
Pam Daily	610 Park Lane Decatur	ppdaily@yahoo.com
Lauren Maloney	2070 Woodridge Drive, Decatur	lmaloney712@gmail.com
LYNN GAVIN	893 Gaymont Cir	LGAVIN1110@gmail.com
Dani Senne	3001 Mt Olive Dr., Decatur, GA	senne-dani@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Diane Williams	Dec 30033 2552 Harrington Dr	dianewilliams1122@yahoo.com
Charles Forrest	2343 N. DECATUR RD DECATUR GA	forrest.charles.g@gmail.com
Susi Linderman	978 School Dr. Decatur GA 30033	susilinderman@gmail.com
Debra Robinson	2681 Shetland Dr Decatur GA 30033	debrar@admbuys.com
Wendy Drew	Valley Circle, Decatur 30033	wheeleratlanta@gmail.com
Gayla Green	Decatur 30033 2738 Harrington Drive	gayla.green@gmail.com
Cherrie Wutke	Decatur 30033 3009 Vista Brook Dr,	wumiss40@yahoo.com
MESSINA Li	2387 TESMOND DR DECATUR, GA 30033	MLi2211@YAHOO.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Gus Brathwaite	8106 Jefferson Square Ct	abrathwa@hotmail.com
Cobi Shafe	948 Scott Circle	cshafe33@gmail.com
Lori Laliberte	1503 Tuxworth Cir. Decatur	lorilcareyer@gmail.com
Pete Grivas	2406 Laurel Ridge Dr. 30037	peteg910@gmail.com
VICTORIA WEBB	3002	vic@EVILDREAMS.COM
ERIK POOLE	2906 BOLANZA DR. DECATUR GA 30033	erik.poole@ihq.com
DENNIS YARMAN	1893 BRIAN WAY 30033	cobragolfer1@bellsouth.net
Jenny Vitti	777 Jordan Lane #3 Decatur 30033	jenny.vitti@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Dr. CAROLYN TYLEDA	1868 Berkeley Mews NE Atlanta, GA 30329-3361	catylenda@bellsouth.net H 404-321-2122
SAMI FREIJI	2844 DELCOURT DRIVE DECATUR, GA 30033	saminet@bellsouth.net H 404-728-8840
Renee Kirlin	960 School Dr Decatur 30033	reneekirlin@gmail.com
Janet Fluter	1006 Latham Rd Decatur 30033	janetfluter@gmail.com
William Martin	2461 Woodridge Dr. Decatur 30033	wmartinjra@gmail.com
William Haston	2995 Westbury Drive Decatur, GA 30033	haston.william@gmail.com
Thomas J. Mizell, M.D.	3518 N. Druid Hills Rd. Decatur, GA 30033	docnaboy8000@aol.com
JONATHAN GLOVER	1076 Homewood Court Decatur, GA 30033	Jonathan.Jsel.Glover@gmail.com

Kelley Stanton

1230 Blueberry Trail
Decatur GA 30033

Kelley S @ Benefit Solutions Etc. com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Md Khan	2386 Lawrenceville Hwy. Unit - A Decatur 30033	mnak99@gmail.com
Elaine Murray	2390 Lawrenceville Hwy B Decatur, Ga	404-985-8805
Linda Grivas	2606 LAUREL RIDGE DR DECATUR, GA	TENEVER @ GMAIL.COM 404-634-7689
Chequetta Allen	2411 Lawrenceville Hwy #8 Decatur, GA 30033	chequetta@gmail.com 404-621-5737
STEVE LANGDON	566 N. SUPERIOR AVE DECATUR, GA 30033	slangdon @ barnsleyconsulting.com 404-273-2271
Belinda Dubose	3198 Misty Creek Dr. Decatur, GA 30033	bdubose@dekalbcountyga.gov
ROOSEVELT GILBERT	2650 LAWRENCEVILLE HWY DECATUR GA 30033	RGILB99763@AOL.COM
Nancy Ciliax	780 Densley Dr 30033	nciliax@emory.edu

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Kellie Brownlow	1314 Afterberry Pl.	Kellie.brownlow@bhotmail.com Rick rbrownlo@hotmail.com
Ken Lancette	1807 Bedfordshire Dr. 30033 kelancette@gmail.com	↑ to total support work in water + planning (both worked @ AEC) + call or email - happy to help in neighborhood.
MISTY HAXTON	3133 Hollywood Drive	misty.haxton@yahoo.com 404-808-7122
Butch + Penny Knump	2617 Woodridge Dr.	bpknump@gmail.com
Amy Langley	3088 Dove Way	gdajlhyg@gmail.com
Jen Ed May	680 Wendan Dr.	Jenn30033@yahoo.com
ER. BARB COCK	DECATUR	bbherb@mindspring.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Bansam, Beitel	970 Homewood Ct	bendnd1577c@gmail.com
Lindsay Wolf	2310 Vistamont DR	Lindsay.K.Wolf@gmail.com
Misty Hicks	2461 Tanglewood Rd Decatur GA 30033	Misty.hicks06@gmail.com
Sharon Duncan	2249 Vistamont Dr Decatur 30033	sdcarroway@yahoo.com
Leigh Hopkins	2576 Woodridge Dr. Decatur 30033	hopkins.leighann@gmail.com
DHANESH BHINDI	1070 OAK TREE ROAD DECATUR 30033	714-342-5585 dbhindi@bhindi.com
DHRUV ROLE	1070 OAK TREE ROAD DECATUR 30033	404-944-5387 dhruv@bhindi.com
LEN STUDLEY	926 HOMEWOOD CT DEC. 30033	LFSTUDLEY@GMAIL.COM
MALIK CHRANYA	2900 L'VILLE HWY DEC, GA. 30033	MALIK4000@GMAIL.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Cassidy Almond	1162 Larch Lane Decatur GA 30033	almond1162@gmail.com (404) 436-3452
Ellen Wan	2955 Fantasy Ln Decatur GA 30033	ellen.y.wan@gmail.com
JOHN & BARBARA SCOTT	2935 FANTASY LANE DECATUR, GA 30033	SCOTTY.N.BARB@COMCAST.NET
Donna Troka	2905 Country Square Lane Decatur, GA 30033	dtroka@emory.edu
Kelly Jordan	420 Oakdale Rd Ath GA 30307	kellyjordan@earthlink.net
Shawn D Ford	3701 N Druid Hills Rd 30033	Shawn.d.ford@gmail.com
Meredith Elkin	1581 Moncrief Circle Decatur 30033	Mer.elkin@yahoo.com
Stefan		Stefan.nexus@gmail.com

Morgan Olsen

1020 Latham Rd
Decatur, GA 30033

morganosbourne@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Beryl V. Bergquist	PO Box 787 Decatur GA 30031	visas4usa@yahoo.com
Benjill Cubas		benicubas@gmail.com
Eli Zandman	1475 Alderbrook Rd. 30395	5 not 5 EZfly55@aol.com
Seth Taylor	1135 Gravinwood Pl 30033	taylseth@gmail.com
Tom Holmes	6810 Stringer Lane 30742	tc_holmes@bellsouth.net
Catherine Larson	855 North Superior Ave 30033	CMGL yoga cmgl @gmail.com
NANCY TOPPING	2862 Hollywood	tiptop1009@hotmail.com
RHEA A. JOHNSON	2546 WILSON WOODS DR DECATUR, GA 30033	RJOHNSON158 @ COMP.AST.NET

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Terry Mock	2852 Laurelridge Dr. 30033	tmock55@yahoo.com
George Eckard	1120 Williver Dr Decatur GA 30033	George_eckard@hotmail.com
Charlie Worthen	4799 Northside Drive Atlanta, GA 30327	cworthen@halpernent.com (Shamrod Plaza)
Jessica Hood	2475 Woodridge Dr Decatur, GA 30033	JessicaLynnHood@gmail.com
Susan Hawk	2827 Concord Dr. Decatur, GA 30033	sujhawk@gmail.com
Daniel Hollifield	3023 Eltham Place, Decatur, GA 30033 dvhollifield@aol.com	dvhollifield@aol.com
Gene Poole	1317 Kingston Trail Decatur, GA 30033	gene.poole@aol.com
JACK BARNES * DECONSTRUCTION GUY *	908 VALLEY BROOK RD Decatur 30033	lorba@bellsouth.net

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
RHEA A. JOHNSON	2546 WILSON WOODS DECATUR GA 30033	—
GAIL RILTMAN	1064 N VALLEY DR 30033 North Divil Valley	GAIL2160@gmail.com
Mackay & Nancy Asbury	2924 Country Squire Ln Decatur 30033	emasbury53@gmail.com
Todd Anderson	1154 March Lane Decatur, 30033	jtordanderson@hotmail.com
Tanya & Toby Tobias	916 Valley Brook Rd Decatur, GA 30033	tt313@att.net
Larry & Linda Connelly	1447 ALTAMONT DR. Decatur, GA 30033	lconnelly68@yahoo.com 4connis@bellsouth.net
Betty & Jim Williams	2699 Shetland Dr. Decatur 30033	bettyandjim@mindspring.com
Margaret Williams	2915 Panyborn Rd. Decatur, 30033	margiemw_16@yahoo.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
HELENA PACHON	1184 DRUID WALK	HELENA.PACHON@HOTMAIL.COM
RITA TRAXLER	2507 ASBURY CT	rmttrax@gmail.com
KAREN WELLS	769 MEDLOCK RD	karenwells510@gmail.com
PAUL KNOWLTON	2900 COUNTRY SQUARE WNE	paul.e.knowlton@gmail.com
Kim Reimann	2924 Harcourt Drive	kim_reimann@yahoo.com
BILL WITHERSPOON	2897 COUNTRY SQUIRE LANE	billspoon1@gmail.com
Chris Beck Chris Beck of High Street	2240 Vistament Dr	chrisbeck20508@gmail.com
Pat DeStefano	1127 Druid Lake	patnhermie@aol.com

RON NEWHAM
ROZ DEWART

2889 MOUNT OLIVE DRIVE
2504 Pineview Dr.

RON.NEWHAM@GMAIL.COM
rdewart@mindspring.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Monica Morgan	2739 Harrington Dr.	Monica.morgan180@gmail.com
James Lewis	3086 Hollywood Dr. Decatur 30033	james@jameslewislegal.com
C'dette Walsh	3086 Hollywood Dr. Decatur 30033	walsh.ccf@gmail.com
Theresia Snelling	²⁸⁵⁹ Jordan Oaks Lane Decatur, GA 30033	TMSnelling@AOL.com
Brad Bohacs	1118 N. Druid Hills Circle	Brad.Bohacs@yahoo.com
Erik Spalvik	2781 Orion Dr. 30033	Erikattanta@gmail.com
Jessica Hales	Decatur GA 30033 2573 McCurdy Way	jessicagranthales@gmail.com
MARK T WILLIAMS	2915 PANBORN RD DECATUR 30033	MARK@VIOLINFUN.COM

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Lisa George	WABE 740 Bismark Rd Atl 30324	lgeorge@wabe.org 1078-686-3260
Onon Webb	2447 N. Decatur Rd 30033	nicoleandorion@gmail.com
NASIR M Amrani	N. DECALB MAY A-12 2050 Lawrenceville Ga 2050 Lawrenceville Ga	NASIR86@gmail.com
Bruce Nutter	4153 Duesenberg Drive Tucker, GA 30084	tngruce@yahoo.com
Sarah Page	2981 Westbury Dr Decatur 30033	sarahjonespage@gmail.com
Kenna Simmons	Hollywood Dr. Decatur 30033	kenna.simmons@ gmail.com
Zach Johnson	2823 Mount Olive Decatur GA 30033	ZJohnson.T@yahoo.com
Sarah Sykes	2556 Laurel Ridge Drive Decatur GA 30033	Sarah.duckett@gmail.com

LCI-SVAP NDM JV, LP

April 26, 2017 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Betty Blondeau	615 Pinetree Dr. Decatur 30030	bettyblondeau925@gmail.com 404-373-6574
Janeah Saadeh (DRUID LAKE HOA)	1124 Druid Lk Decatur, 30033	janeah7@gmail.com 404-372-9200
CASEY CHURANYA	2735 N DECATUR ROAD 2194 DEC, GA. 30033	LUCKYSTARSLLC@GMAIL.COM
Maria ZORKA	2685 Harrington Dr Decatur 30033	theironwall@gmail.com
Kimberly Cleveland	3096 Valley Circle Decatur 30033	kcleveland@gsu.edu
Jessica Whyte	725 Crandall Cr Decatur GA 30033	jessica.whyte@rocketmail.com 404-964-6733
Gene Talton	485 Pens Dale Rd Decatur, Ga 30030	gtalton@bellsouth.net
Natalie Roray	2396 Lawrenceville Hwy Unit E Decatur, GA 30033	natalie.roray@emoryhealthcare.org 404-486-1194



PAT HEINZERLING

931 GREENBRIAR PLACE
DECATUR 30033

PHEINZERLIN@HOTMAIL.
COM
404.299.3185

JOAN LONGFIELD

686 SUZANNE
DECATUR 30033

longfieldj@comcast.net
404-633-9345

JOANNE BREAGH

1165 N. DRUID WOODS ST
DECATUR GA 30033

jbreaugh@comcast.net

GERALD MOULDER

1035 LATHAM RD
DECATUR, GA 30033

gEmoulder@mindspring.com

PHILLIP MCGINNIS

413 WESTCHESTER DRIVE
DECATUR, 30030

phillip.mcginnis@gmail.com

DORIS + BOB LATIMER

3465 ALCAHORN WAY
TUCKER, GA 30084

RLTraveler@aol.com

RICHARD WOLCOTT

2672 Spicer Ln
Decatur, GA 30033

rwdecga@gmail.com
404 640 0162

MAXHBROWN @ BELLSOUTH.NET

LAUREL RIDGE

CATHY GLOVER @ BELLSOUTH.NET 2762 Laurel Ridge
Dec 30033

Laurel Ridge

LYNN ZORN

2936 HARCOURT DRIVE
DECATUR GA 30033

LZORN@BRSAtlanta.com
404 245 0063

KIM CREIGTON

cmcl210@BELLSOUTH.NET

TUXWORTH

Jane maughon

1012 Latham Rd jmaughon@aol.com

NANCY HUTTON

1991 BRIAN WAY VICVA400@bellsouth.net
DECATUR

Sally Goss

122 Tuxworth Decatur, GA

Malik Chranya
malik4000@gmail.com
678-463-5564
P.O. Box 33542
Decatur, GA 30033

Vanessa Graves Schuler vanessa.e3@att.net
1244 Poinset Pl. 30033

Lesley Cogburn LFCogburn@yahoo.com
2643 Harrington Dr. 30033

Stephen Faulkner 2535 Harrington Dr., Decatur, GA 30033 sdfaulkner@comcast.net
DARLEEN JARMAN 2523 PINEVIEW DR, DECATUR 30030 jarmand@usa.net
Beverly Moore 4624 Craghill Cir Stone Mtn, 30083 moore_f@att.net
Charles Ritchea 1028 Latham Rd. 30033 novaterata@gmail.com
ERIC GRONBERG erics.junk@comcast.net

DAVID YOKE

DEKALB County School District
Planning Dept

david_s.yoke@
dekalbschools.ga.org

~~medlock~~
medlockassoc@gmail.com

Julie Seckman

2369 Eastway Rd
Decatur, GA 30033

jmseckman@Comcast.net

JLHENCK@AOL.COM

EC Duncan@gmail.com

Janice Henck (retired DeKalb Planning)
1444 S. Indian Creek Dr., Stone Mt., Ga (mail walken)

Kathy Smith

1232 Poinset Place, Decatur GA 30033

kathysmith1755@gmail.com

- deb wilson 789 SCOTT cindle-dee 30033 greenwilson@bellsouth.net

Denise Marie Hanusek 2001 Brian Way - Decatur 30033 dhanuse@emory.edu

Laura Seabrook louseabro@hotmail.com

Charles Seabrook seabrk@comcast.net

Sandi STILL sandi2850@yahoo.com

MARTHA Hunter mihunter@bellsouth.net

Paul + Barbara Friederich pbcommon@gmail.com

Dee Merriam dmplacex@gmail.com

Susan Rossi rossi_susan@hotmail.com

Stephane Hobbs

1357 FARADAY PL
DECATUR, GA 30033

Schob511@comcast.net

RADCLIFFER @ YAHOO.COM

Marge: Alex Carter

1384 C.S. DR
DEC

cart9030@bellsouth.net

Jeanne P. Merritt

1073 N. Druid Hill Cir
30033

JPMERR21@gmail.com

Leslie Bishop 1170 Acacia Ct. Decatur 30033 ATLKIDRN@AOL.COM

Lea Hadden 583 Willivee Dr. 30033

ELHADD23@gmail.com

Barbara Melton, Mellock Park barbara.melton@emory.edu

Jean Logan - Tutworth Springs - jeanlogan@gmail.com

Cheryl Carroll

N. Druid Valley

ccarroll33@comcast.net

I. INTRODUCTION

This Application seeks to rezone ± 78.09 acres of land located approximately 415 feet south of the intersection of Lawrenceville Highway and North Druid Hills Road (“Subject Property”) from C-1 (Local Commercial) to MU-4 (Mixed Use High Density). The Subject Property is comprised of four parcels that form the existing North DeKalb Shopping Mall. The Applicant plans to redevelop the Subject Property as a high-end, walkable, mixed-use development.

The existing North DeKalb Mall opened in 1965 and served as the principal shopping mall for the central DeKalb region for several decades. In more recent times, however, the mall has experienced the loss of a number of its anchor tenants, as well as many smaller merchants, as more and more customers have abandoned the traditional enclosed mall shopping experience for that of open air malls and mixed-use developments. The decline in traditional enclosed shopping concept is reflected in other malls throughout the Atlanta area, including Gwinnett Place and Northlake Mall. These malls, similarly situated to North DeKalb Mall, are also the subject of potential redevelopment plans. As a result, North DeKalb Mall is poised to be the model for the revitalization of distressed and underutilized shopping mall property throughout the region.

The Subject Property is ideally located for the type of mixed-use facility sought after by contemporary consumers and residents. The existing mall’s early success is due in part to its location at near two major roadways and its quick access to Highway 78, a U.S. freeway. In addition, the Subject Property is located within quick walking or driving distance from numerous residential neighborhoods that would utilize the modern commercial retail brought through redevelopment. Indeed, it is not the location, but the outdated enclosed mall concept and the incompatible tenants that have deterred the existing customers from shopping at the mall. This is

a fact that DeKalb County has recognized in several of its planning studies. See *DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, November 2016 (“In this report, the commercial area around the mall was listed as an area needing Retail Re-Tenancing. That is, the retailers present no longer fit the service area demographics adequately.”), citing *DeKalb County Transportation Plan 2014*.

In addition, the site is located in close proximity to a number of major employers, such as Emory University, the Centers for Disease Control, the Atlanta Veterans Administration Medical Center, the DeKalb Medical Center and many smaller employers along Lawrenceville Highway and in nearby downtown Decatur. The centralized location to employers lends itself to upscale, higher-density housing options that attract the young professionals employed in the area. The housing preference from many younger professionals is one that offers walkability to commercial retail, restaurant, and recreational uses, integral to the mixed-use concept. The North DeKalb Mall property offers a golden opportunity to transform the deteriorating mall into a modern, mixed-use development that offers the retail sought after by the community as well as the residential component needed for the area’s continued growth. Taking this into consideration, the Applicant/Owner of the North DeKalb Mall property now seeks to transform the Subject Property for this exact purpose.

Specifically, the Applicant proposes the development of a 152,221 square foot Costco Wholesale Warehouse retail store; 148,900 square feet of shopping and retail space; a 14,500 square foot food hall; 45,850 square feet of restaurant and food service; the relocation of the existing AMC Theater to a new 48,000 square foot building; 50,400 square feet of office space; a 150-room hotel; approximately 450 units of multifamily residential; and 50 townhomes (the “Proposed Development”). The Applicant’s plans incorporate some of the existing tenants,

including Marshall's, Burlington Coat Factory and others, into the retail component of the Proposed Development. The Proposed Development will enhance shopping experience through the introduction of new retailers, food options, and open space for pedestrian gathering.

Furthermore, the Applicant intends to promote walkability into and within the development through a network of sidewalks, plazas and other pedestrian oriented amenities allowing easy access. The interior drives will provide a streetscape with sidewalks as well as a landscaped area with street trees, adding to the pedestrian experience. Additionally, many of the retail shops and restaurants, including the Food Hall, will have a direct connection to the sidewalk and opportunities for outdoor dining, activating the sidewalks and promoting the pedestrian flow through the development. To add to its pedestrian connectivity, the Proposed Development is also located adjacent to the South Fork of Peachtree Creek which will allow a future connection to the PATH system of walkways as it is extended eastwards.

The site will be supported by revised access drives interior to the site, along with a parking deck and new surface parking. Parking for the commercial and hotel development will be provided through a combination of surface parking lots and the multi-level parking structure. The residential development will be served by its own internal parking spaces and garages for its residents and guests. The Proposed Development will incorporate a proposed network of internal drives that connect to the existing access points on North Druid Hills Road via Sweet Briar Road, Birch Road and Mistletoe Road, as well as maintaining access to the signalized intersection at Lawrenceville Highway and Orion Drive.

Concurrent with this Application, the Applicant filed an application for a Special Land Use Permit to allow fuel pumps associated with the Costco Wholesale Warehouse. This document is submitted 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 §27-832, and a Written Statement as required by §27-649.3(2).

II. HISTORY

The Subject Property is zoned C-1 and designated as “Town Center” on the County’s Future Land Use Map. The North DeKalb Mall property was zoned subject to ordinances Z-73054, CZ-85160, CZ-08-14806 and CZ-08-14809. The site was rezoned to C-1 under Ordinance Z-73054¹. The 25.176 acre parcel to the south of the Proposed Development was rezoned from R-75 to C-1 under Ordinance CZ-85160 to allow for renovations to North DeKalb Mall. Ordinances CZ-08-14806 and CZ-08-14809 rezoned a portion of the Subject Property located in its northwest corner, along Sweet Briar Road, from Neighborhood Shopping (NS) to Local Commercial (C-1) to be consistent with the remainder of the North DeKalb Mall property and to allow for the construction of a then anticipated Costco gas station. However, that plan was not approved.

III. IMPACT ANALYSIS

A.

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

The Subject Property is designated as “Town Center” (TC) and Conservation and Open Space (COS) by the County’s Comprehensive Land Use Plan.² The TC and the COS character

¹ DeKalb County’s records for Ordinance Z-73054 do not indicate the exact area to be rezoned and a site plan is not attached to the rezoning. Consequently, the Applicant is unable to identify the extent of Z-73054.

² The COS character area is entirely confined to the 25.176 acre parcel to the south of the Proposed Development and no portion of the Proposed Development lies within the COS character area. Since the floodplain property will not be utilized in the development no additional analysis is required. However, the Applicant’s proposed reservation of an easement area for a future PATH trail is fully consistent with the COS character area.

areas both allow the MU-4 zoning. The TC character area promotes the concentration of residential and commercial structures, which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage. The areas consist of a focal point 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.

This proposal fosters a number of general policies and strategies for Town Centers in the County's Comprehensive Plan, 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.
- 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.
- High Density Residential - Residential development shall reinforce the center by locating higher density housing options adjacent to the center.

- 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.

B.

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

The Subject Property is immediately adjacent to a number of commercial uses and in the nearby vicinity of several residential neighborhoods. However, it actually adjoins only seventeen residential lots on Homewood Court and Latham Road and only two of which touch that portion of the existing mall which is to be redeveloped. Moreover, the vast majority of the adjoining residential lots, fifteen lots, abut the Applicant's property within the floodplain, which will remain undeveloped. To the north of the Subject Property are various commercial properties along North Druid Hills Road, zoned C-1 and NS; to the east is the right-of-way of Lawrenceville Hwy and US-78; to the south the property is bounded by the South Fork of Peachtree Creek and beyond that are properties owned by the Shepherd Nature Center and one zoned General Commercial (C-2), Stivers Decatur Subaru. To the west are other properties zoned R-75 as referenced above.

The proposed uses will be in harmony with the current character of the property, as well as with the character of the adjacent properties. Redevelopment of North DeKalb Mall will add much needed new retail to support the existing residential in the area and the multi-family component will offer an infusion of upscale housing to support the surrounding businesses.

In addition, DeKalb County has identified North DeKalb Mall as an area for potential redevelopment in several of its studies. The Lawrenceville Highway Corridor Study identifies North DeKalb Mall as an issue area and notes that it is “currently a missed opportunity”. See *DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, November 2016, pg. 14. Furthermore, the *DeKalb County Transportation Plan 2014* explicitly states the North DeKalb Mall is one of its identified redevelopment opportunities:

“Promote and coordinate the bundling of redevelopment sites and deals for potential developers and investors. This bundling could expedite investment in key redevelopment areas, including the Northlake area, the Buford Highway corridor, the North DeKalb Mall area, the Memorial Drive corridor, and other areas that have aging assets with potential redevelopment market opportunities.”

The proposed development is therefore consistent with and suitable in light of the current and future development patterns; in fact, the Applicant hopes that the intended final appearance of this development will serve as a model for future development in the area. Appropriate attention to scale, buffering, setbacks, landscaping, and tree preservation has been given by the Applicant to ensure that this Project will blend harmoniously with its surroundings.

C.

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

As stated in earlier paragraphs, North DeKalb Mall has failed to remain economically viable as consumer preferences have moved away from smaller, traditional enclosed malls in favor of walkable mixed-use developments. The C-1 zoning will allow redevelopment of the

property into a number of smaller commercial developments, but prohibits the type of large-scale mixed-use redevelopment that the Applicant envisions. The small-scale development allowed under the C-1 zoning will not spur the growth and revitalization of the area and the Lawrenceville Highway Corridor that DeKalb County has envisioned in its *2035 Comprehensive Plan, DeKalb County Lawrenceville Highway Corridor Existing Conditions and Recommendations*, and *DeKalb County Transportation Plan 2014*. In fact, DeKalb County states as one of its economic development policies that “[t]o ensure economic relevance, DeKalb County must encourage redevelopment.” See *DeKalb County 2035 Comprehensive Plan*, pg 48. There is no better catalyst to the economic growth of the region than to rezone a dysfunctional and underutilized property in a prime location to allow a large-scale redevelopment.

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 or berms; 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.

E.

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

The Applicant's proposal will result in a practical, useful, and marketable development, revitalizing a deteriorating shopping mall, creating an asset for the immediate area and the county as a whole. The development will blend in with the commercial and residential sites in the surrounding area. Moreover, this type of mixed-use development should be encouraged so as to create walkability, minimize sprawl and encourage less use of automobiles.

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

This Project, if approved, certainly will not affect existing transportation facilities. Requisite parking is provided incidental to this development. As indicated above, the Subject Property has direct access to North Druid Hills Road and Lawrenceville Highway, both classified as major arterial roadways and has a quick access to US 78, classified as a freeway. *See DeKalb*

County 2014 Transportation Plan, Figure 5-2, Functional Classification Map: DeKalb County.

The traffic to be generated by the proposed Project should not significantly affect traffic capacities along these roadways and surrounding streets, even at peak hours, and can be accommodated.

This Application is a Development of Regional Impact (DRI) and Kimley-Horn and Associates, Inc. has been engaged to perform the voluminous traffic study required by the Atlanta Regional Commission and the Georgia Regional Transportation Authority. However preliminarily, the Applicant used the Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) to calculate vehicle trips for (a) a Shopping Center (ITE 820)³; (b) Discount Club, i.e. Costco (ITE 857); (c) Hotel (ITE 310); (d) Mid-Rise Apartments (ITE 386); and (e) Low-Rise Townhomes (ITE 231). According to ITE, the Proposed Development will result in a net increase of 431 trips during a weekday a.m. peak hour and a net reduction of 493 trips during a weekday p.m. peak hour. The proposed trips generated will actually be even less when one accounts for internal capture trips, such as on-site residents walking or driving from their homes to the adjacent retail, restaurants, and office without entering the public roadway.

The school children living in the residential portion of the development will attend Laurel Ridge Elementary School; Druid Hills Middle School; and Druid Hills High School.⁴ All three schools are listed as under capacity according to DeKalb County Schools' FTE Enrolment Report, dated October 3, 2017. As a result, the proposed development is not anticipated to have

³ The Institute of Transportation Engineers Manual Trip Generation Manual (Ninth Edition) defines shopping centers as neighborhood or retail centers that may contain non-merchandising facilities, such as office buildings, movie theaters, and restaurants, among others. As a result, the trips generated by the commercial portion of the development were considered as part of the shopping center. The Costco Wholesale Warehouse and hotel were taken as separate and distinct uses and their trips were calculated independent of the remaining commercial use.

⁴ Historically, mixed-use developments like that proposed do not attract families. They are designed for young professionals and "empty-nesters." The Applicant expects that to be the case on the Subject Property. Hence, any impact on schools should be minimal, at best.

a significant 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 current zoning classification of and rules relative to the Subject Property owner's right to use the Property established in the DeKalb County Zoning Ordinance, to the extent they prohibit this use, constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by 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. Further, the failure to allow this use would constitute a taking of private property without just compensation and without due process 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, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the Board of Commissioners' failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

A refusal to allow the rezoning in question 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 Georgia Constitution.

A refusal to allow the rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application 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 this Application.

This 3rd day of May, 2018.

Respectfully Submitted,



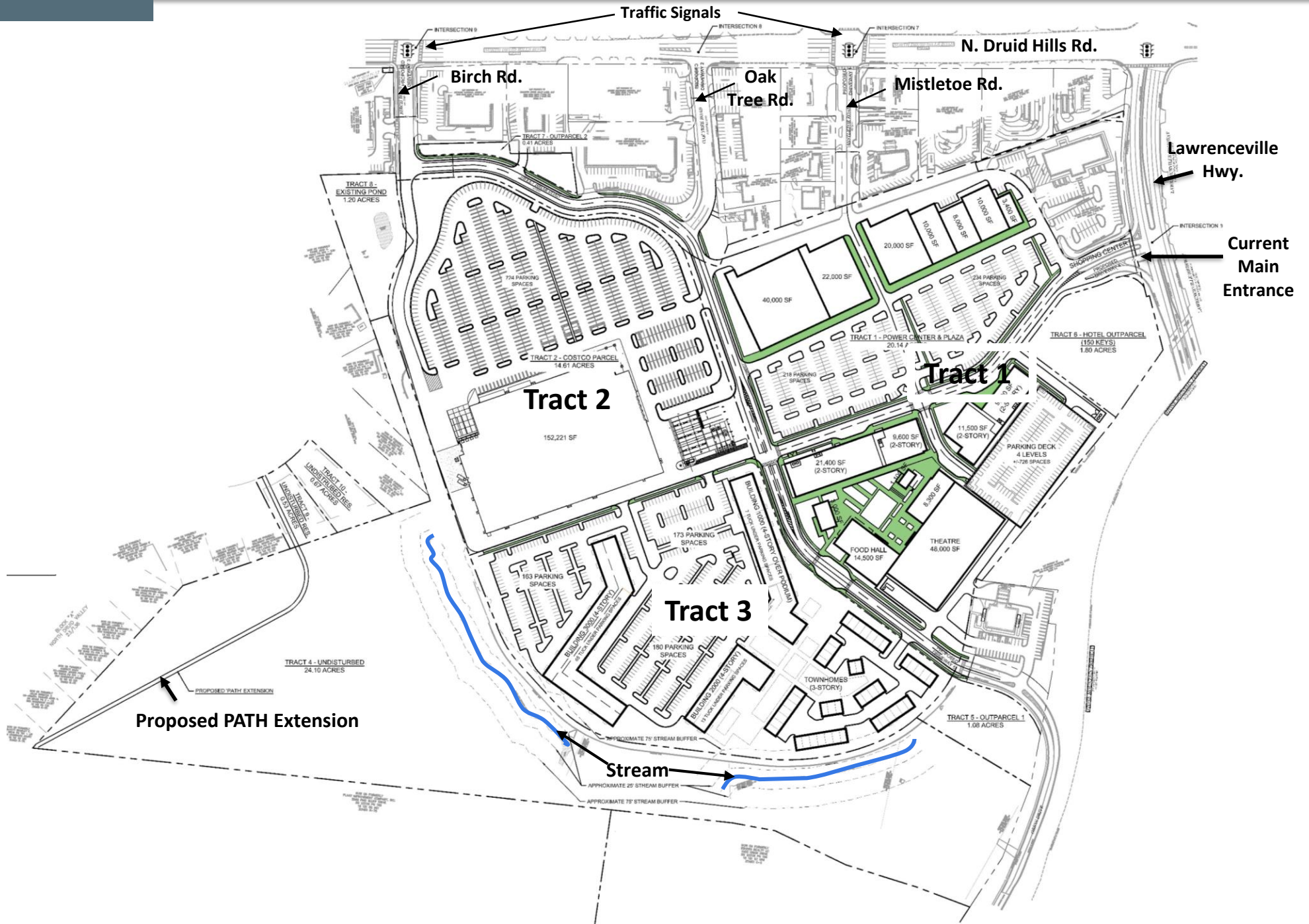
Kathryn M. Zickert
Dennis J. Webb, Jr.
J. Alexander Brock
Smith, Gambrell & Russell, L.L.P.

Promenade II, Suite 3100
1230 Peachtree Street, NE
Atlanta, GA 30309
404-815-3704

D. 1 Z-18-22310

D. 2 SLUP-18-22311

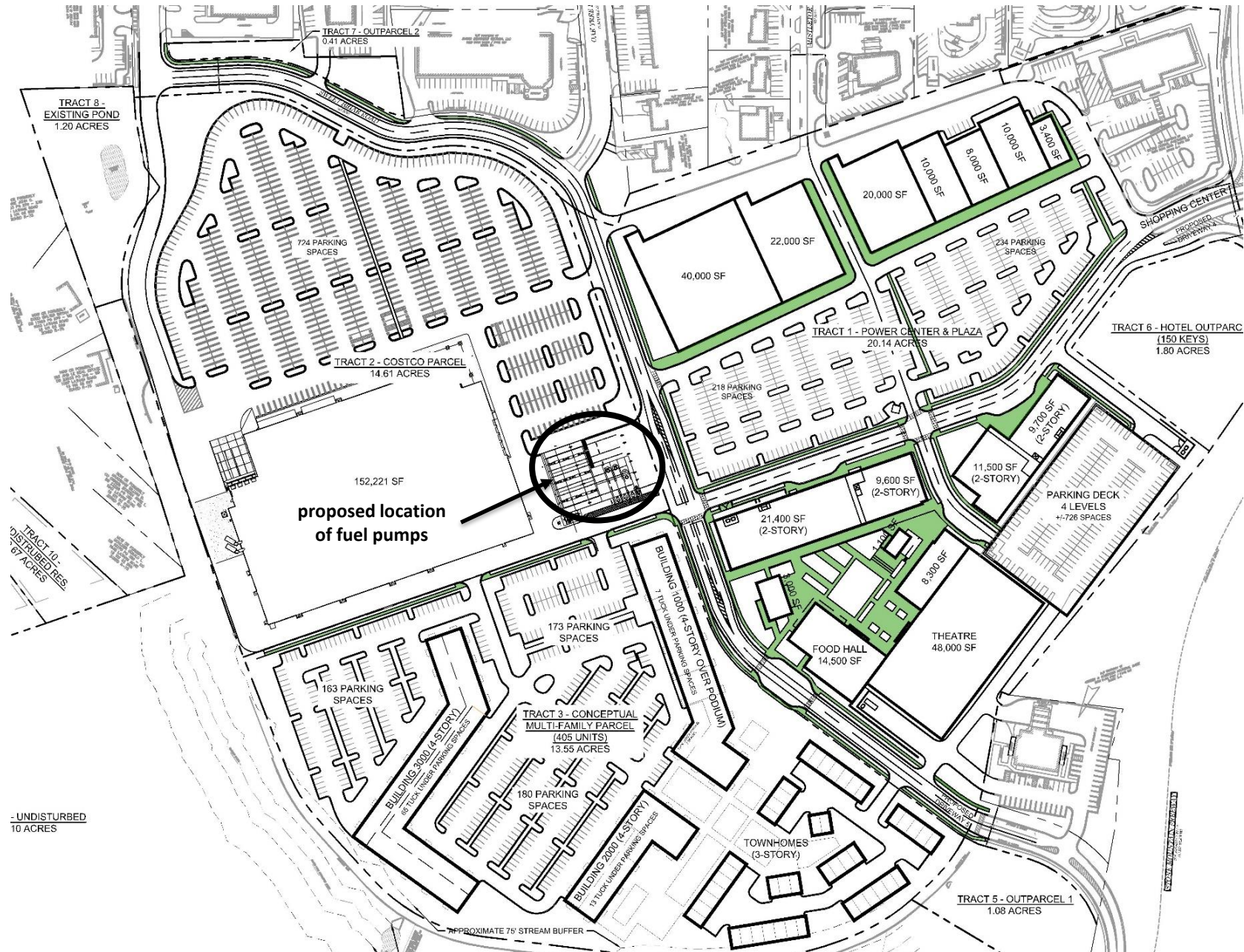
Site Plan



D. 1 Z-18-22310

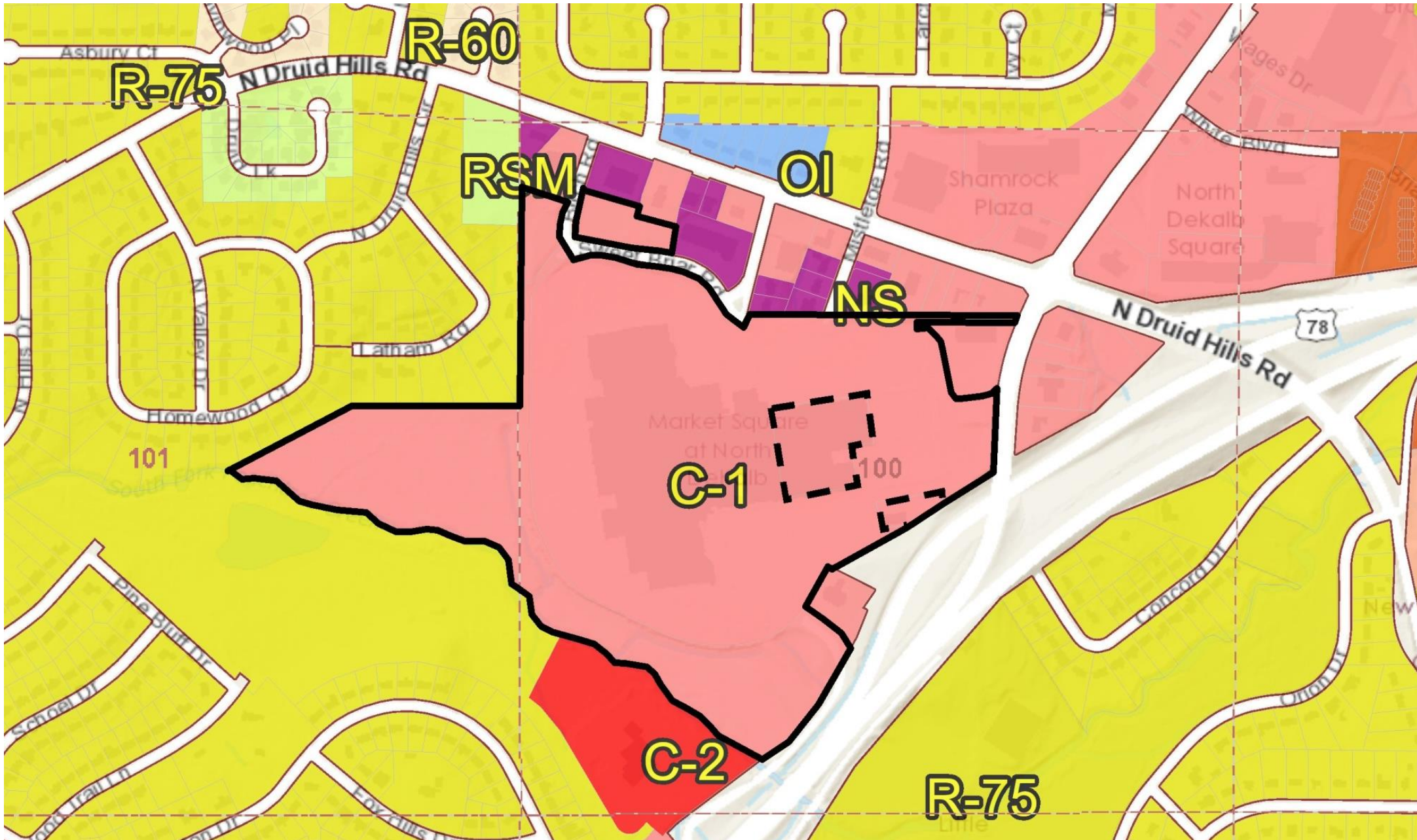
D. 2 SLUP-18-22311

Site Plan - detail



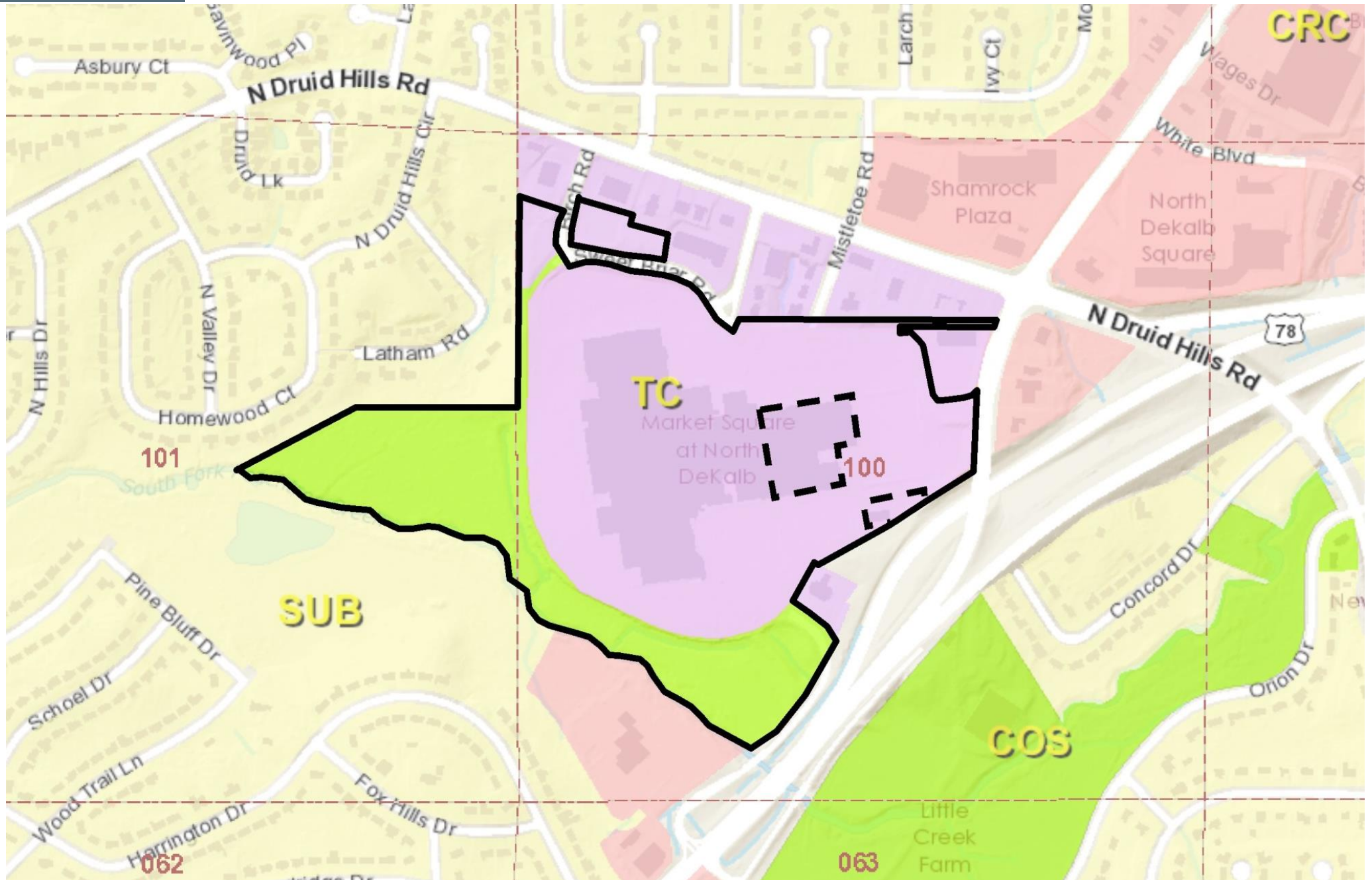
D. 1 Z-18-22310
D. 2 SLUP-18-22311

Zoning Map



D. 1 Z-18-22310
D. 2 SLUP-18-22311

Land Use Map



D. 1 Z-18-22310
D. 2 SLUP-18-22311

Aerial Photo



D. 1 Z-18-22310
D. 2 SLUP-18-22311

Site Photos



**View from Lawrenceville
Highway entrance, looking
northwest.**



**View from Lawrenceville
Highway entrance, looking
southwest.**