

**AGENDA ITEM**  
**Substitute**

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06

**Application of NDM EDENS LLC c/o Dennis J. Webb, Jr. to rezone property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) to allow mixed retail, office, and residential development with a grocery store and movie theater, at 2050 Lawrenceville Highway.**

**PETITION NO:** N8. Z-22-1245595 (2022-1476)

**PROPOSED USE:** Mixed retail, office, and residential development.

**LOCATION:** 2050 Lawrenceville Highway, Kiosk 1101, Decatur, Georgia 30033

**PARCEL NO. :** 18-100-02-005, 18-100-02-040, 18-100-02-041, 18-100-02-049, 18-100-02-057, 18-100-04-014

**INFO. CONTACT:** Melora Furman, Sr. Planner

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of NDM EDENS LLC c/o Dennis J. Webb, Jr. to rezone property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) to allow mixed retail, office, and residential development with a grocery store and movie theater. The property is located on approximately 92 feet south of Lawrenceville Highway and North Druid Hills Road 2050, 2144, and 2038 Lawrenceville Highway, 1086 Birch Road, and 2692 Sweet Briar Road, Decatur, Georgia. The property has approximately 145 feet of frontage on the west side of Lawrenceville Highway, 25 feet of frontage on the terminus of Mistletoe Road, and 802 feet of frontage on the south side of Sweet Briar Road, and contains 78.09 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Deferral.

**PLANNING COMMISSION:** Approval with Conditions.

**PLANNING STAFF:** (5-26-22 BOC): Approval with Conditions. (5-5-22 PC): Approval with Conditions.

**STAFF ANALYSIS:** Redevelopment of the Mall to include a more diverse mix of uses is consistent with the intent of the TC (Town Center) character area, which is 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.” It is compatible with the Comprehensive Plan Update policy for Town Center character areas to: “Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.” The mixture of uses and density and intensity of development is consistent with the following policy: “Each Town Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods.” The land uses within the mall are connected by a system of sidewalks and street crossings, and street trees will provide shade to encourage the use of the sidewalks. Thus, the development is consistent with the Town Center policy that states, “Design shall be pedestrian-oriented with walkable connections between different uses.” The ARC has commented, “The project density is appropriate to

its location and provides substantial new households to support exiting and new businesses as well as retail and commercial destinations for surrounding neighborhoods.” Adjacent and nearby commercial properties are expected to continue to support the mall as a regional shopping and entertainment destination and will, in turn, continue to be supported by the mall after redevelopment. The site plan and the requested conditions incorporate protections for the single-family homes that adjoin the west side of the mall property by limiting the height and proximity of residential buildings at the western edge of the site. As detailed in the recommended conditions, the developer has agreed to implement aspects of the development that were identified at the outset of the community engagement process as priorities by neighborhood representatives. In addition, the developer has agreed to contribute towards public improvements identified by the ARC and conditions to their approval, including the construction of a Shared-Use Trail on Mistletoe Road extending from the project site to North Druid Hills Road. The developer has also agreed to contribute funding to improvements for the Community Garden located in the floodplain in the south portion of the subject property. Therefore, the Department of Planning and Sustainability recommends “Approval” with Conditions.

**PLANNING COMMISSION VOTE: Approval with Conditions 6-0-0.** Jana Johnson moved, Lauren Blaszyk seconded for Approval with Conditions, as per the Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Deferral 8-2-0.** The community wants to wait for the final ARC decision resulting from the DRI review, and there are outstanding questions related to issues such as height and available workforce housing.



**CONDITIONS**  
**Z-22-1245595**

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

**May 26, 2022**

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

Master Development Plan, prepared by Kimley-Horn and dated 04/25/2022, 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: commercial, commercial and townhomes or townhomes only in Block C and commercial, townhouses, or multi-family residential in Block F. 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 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 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 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.
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 on 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.
- b. Block A shall have the following limitations:
  1. 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 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 primary entrance to tenants in Buildings A65, A70, and A80 shall be on Mistletoe Extension or Road E. The 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 façade.
  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 for vehicular ingress and egress 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 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 side of Building B70 that faces Road A shall either have windows that comprise at least 50% of the 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.
  - 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 for vehicular ingress and egress shall be high enough to accommodate sanitation and recycling vehicles.
  - 8. The primary entrance to tenants in Building B90 shall be on Road C. The façade facing Road C shall have windows and/or doorways that occupy at least fifty (50) percent of the façade.
- d. Block C shall have the following limitations:
  - 1. 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 façade.
2. The primary entrance to Building C50 (Existing Marshall's) shall remain in the existing store entrance location.
  3. 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 primary entrance to tenants in Buildings C60 and C80 shall face Road C. The façade 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 building C80 and thirty-five (35) percent of the width of the first-floor street-level façade for building C60.
  5. 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.
- 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 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.
  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.

V. **Open Space:**

- a. Developer agrees to (a) contribute \$25,000 to DeKalb County (or 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.
- 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. 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 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 locations for a bus/transit stop on Sweetbriar Road and along Lawrenceville Highway. 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.
- 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. 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.c.2.
- c. A minimum of twenty-five (25) 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 except in Block E and G. 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 so that they are not visible from the ground immediately adjacent to the building. Said equipment shall also be screened with screening materials 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. 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.



DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
CURRENT ZONING:	C-1
PROPOSED ZONING:	MU-4
SITE AREA (AC.):	73.11
TOTAL OPEN SPACE (AC.):	19.04
REQ. OPEN SPACE (10%) (AC.):	7.31
<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:	320,000 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

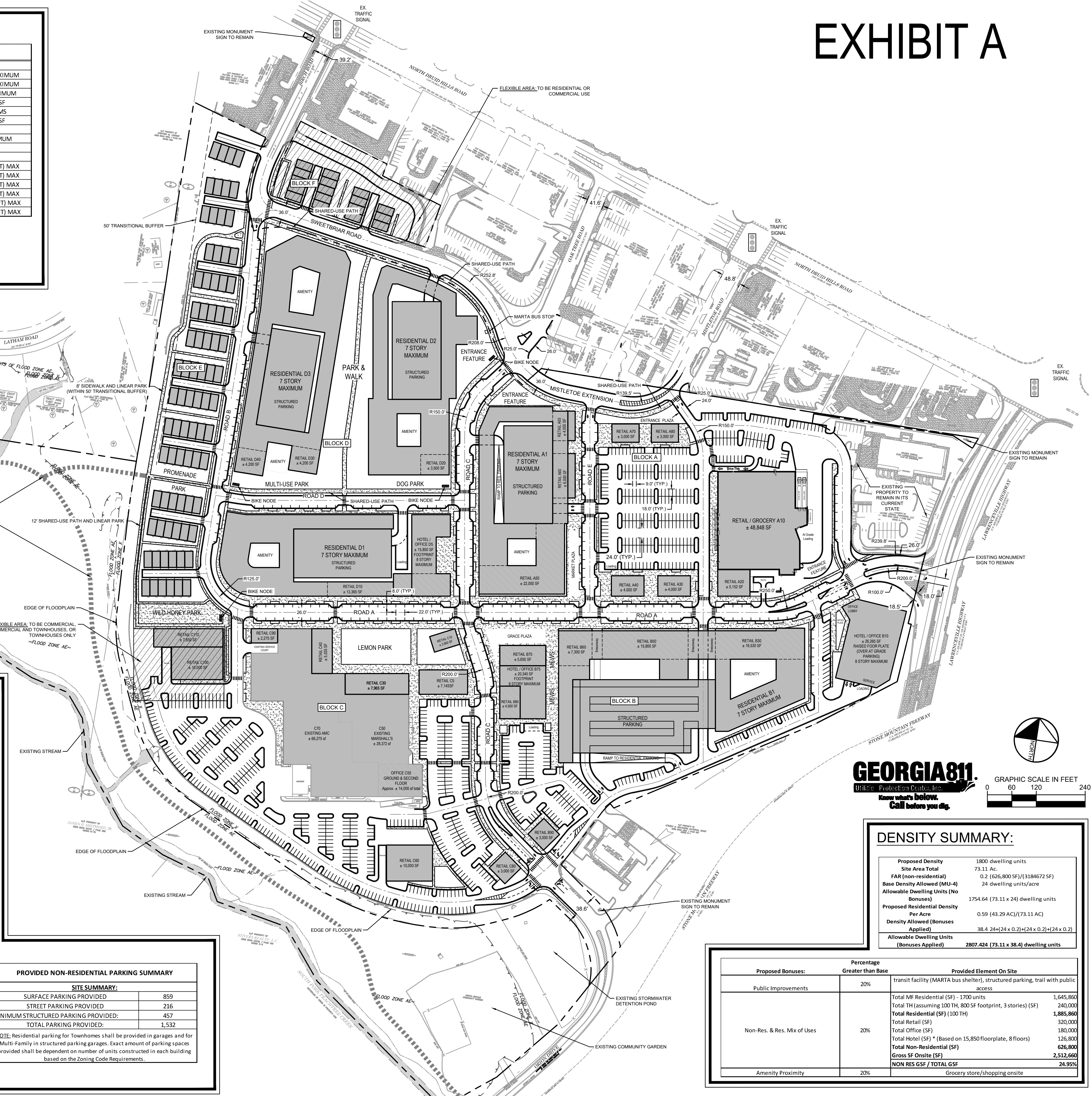
NON-RESIDENTIAL PARKING SUMMARY					
LAND USE	QUANTITY OF LAND USE	MINIMUM PARKING RATIO	MINIMUM SPACES REQUIRED	MAXIMUM PARKING RATIO	MAXIMUM SPACES ALLOWED
RETAIL & GROCERY	217,275	1 SPACE/500 SF	434.6	1 SPACE/200 SF	1086.4
RESTAURANT	36,000 SF	1 SPACE/150 SF	240.0	1 SPACE/75 SF	480.0
THEATER	2,600 SEATS	1 SPACE/4 SEATS	650.0	1 SPACE/2 SEATS	1300.0
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
		TOTAL MINIMUM PARKING REQUIRED:	1834.6	TOTAL MAXIMUM PARKING ALLOWED:	3766.4

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 SPACE/DU	3 SPACES/DU + 0.25 SPACE/DU
MULTI-FAMILY*	1,700 DU (MAX.)	1.5 SPACES/DU	3 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.

SHARED PARKING REDUCTION (MINIMUM REQUIRED)					
LAND USE	WEEKDAYS		OVERNIGHT	WEEKENDS	
	6 AM - 5 PM	5 PM - 1 AM	1 AM - 6 AM	6 AM - 5 PM	5 PM - 1 AM
RETAIL & GROCERY	260.7	391.1	43.5	434.6	304.2
RESTAURANT	120.0	240.0	24.0	240.0	240.0
THEATER	260.0	650.0	65.0	520.0	650.0
OFFICE	360.0	36.0	18.0	36.0	18.0
HOTEL	112.5	135.0	150.0	112.5	135.0
TOTAL	1,113.2	1,452.1	300.5	1,343.1	1,347.2

<b>PROVIDED NON-RESIDENTIAL PARKING SUMMARY</b>	
<b><u>SITE SUMMARY:</u></b>	
SURFACE PARKING PROVIDED	859
STREET PARKING PROVIDED	216
MINIMUM STRUCTURED PARKING PROVIDED:	457
<b>TOTAL PARKING PROVIDED:</b>	<b>1,532</b>
<p><b>NOTE:</b> 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.</p>	



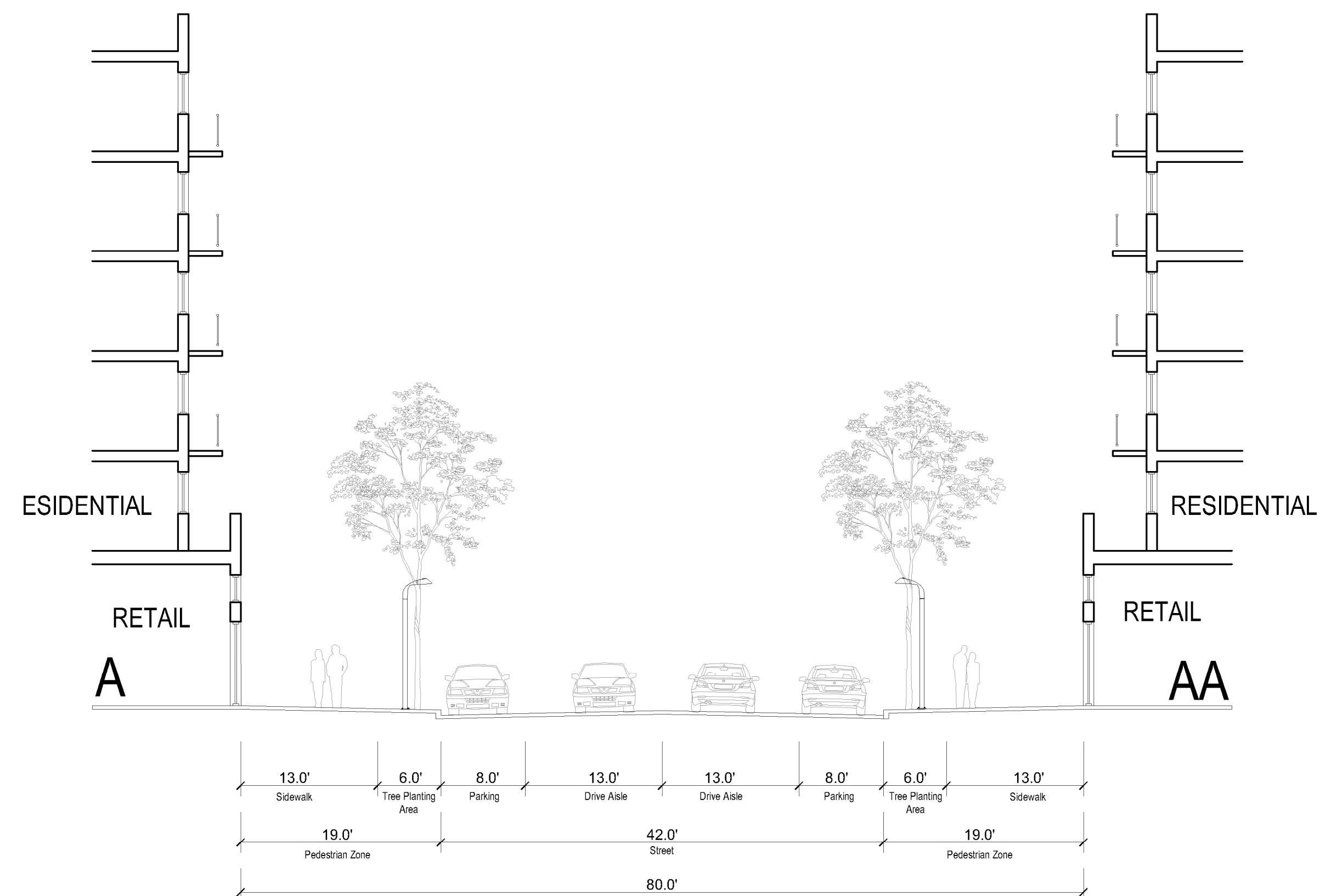
**GEORGIA811**  
Utility Protection Center, Inc.  
**Know what's below.**  
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## DENSITY SUMMARY:

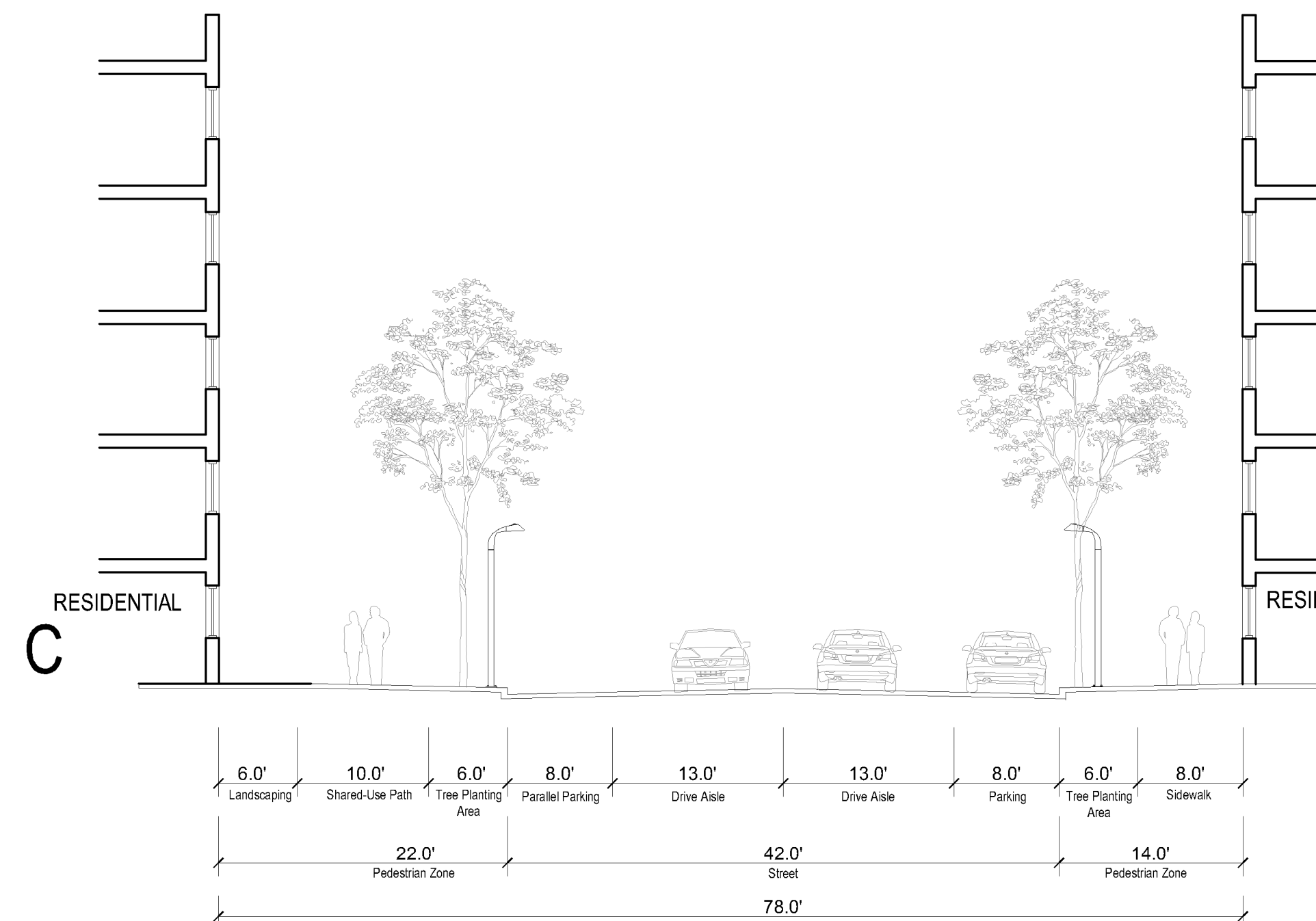
Proposed Density	1800 dwelling units
Site Area Total	73.11 Acre
FAR (Non-residential)	0.2 (626,800 SF)/(3184672 SF)
Base Density Allowed (MU-4)	24 dwelling units/acre
Allowable Dwelling Units (No Bonuses)	1754.64 (73.11 x 24) dwelling units
Proposed Residential Density Per Acre	0.59 (43.29 AC)/(73.11 AC)
Density Allowed (Bonuses Applied)	38.4 24*(24/24)+(24 x 0.2)+(24 x 0.2)
Allowable Dwelling Units (Bonuses Applied)	<b>2807.42 (73.11 x 38.4) dwelling units</b>

Percentage			
Proposed Bonuses:	Greater than Base	Provided Element On Site	
Public Improvements	20%	transit facility (MARTA bus shelter), structured parking, trail with public access	
Non-Res. & Res. Mix of Uses	20%	Total MF Residential (SF) - 1700 units	1,645,860
		Total TH (assuming 100 TH, 800 SF footprint, 3 stories) (SF)	240,000
		<b>Total Residential (SF) (100 TH)</b>	<b>1,885,860</b>
		Total Retail (SF)	320,000
		Total Office (SF)	180,000
		Total Hotel (SF) * (Based on 15,850 floorplate, 8 floors)	126,800
		<b>Total Non-Residential (SF)</b>	<b>626,800</b>
		<b>Gross SF Onsite (SF)</b>	<b>2,512,660</b>
		<b>NON RES GSF / TOTAL GSF</b>	<b>24.95%</b>
Amenity Proximity	20%	Grocery store/shopping onsite	

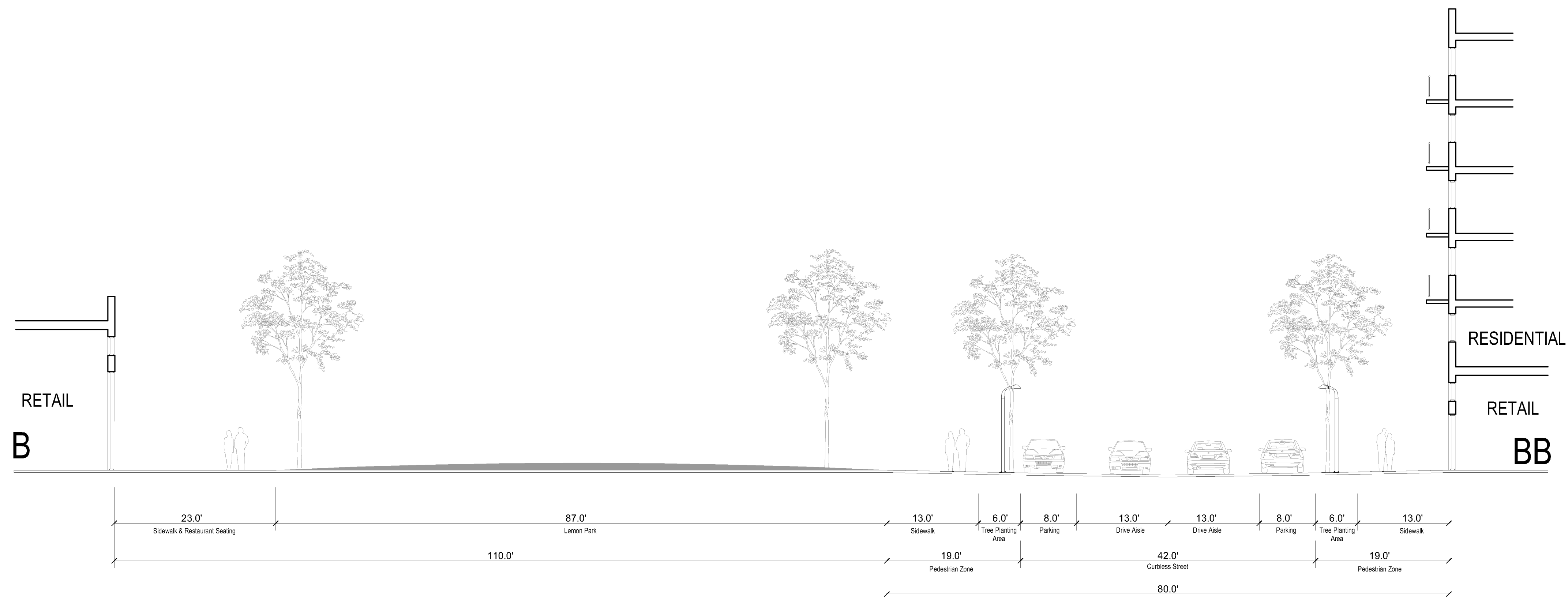




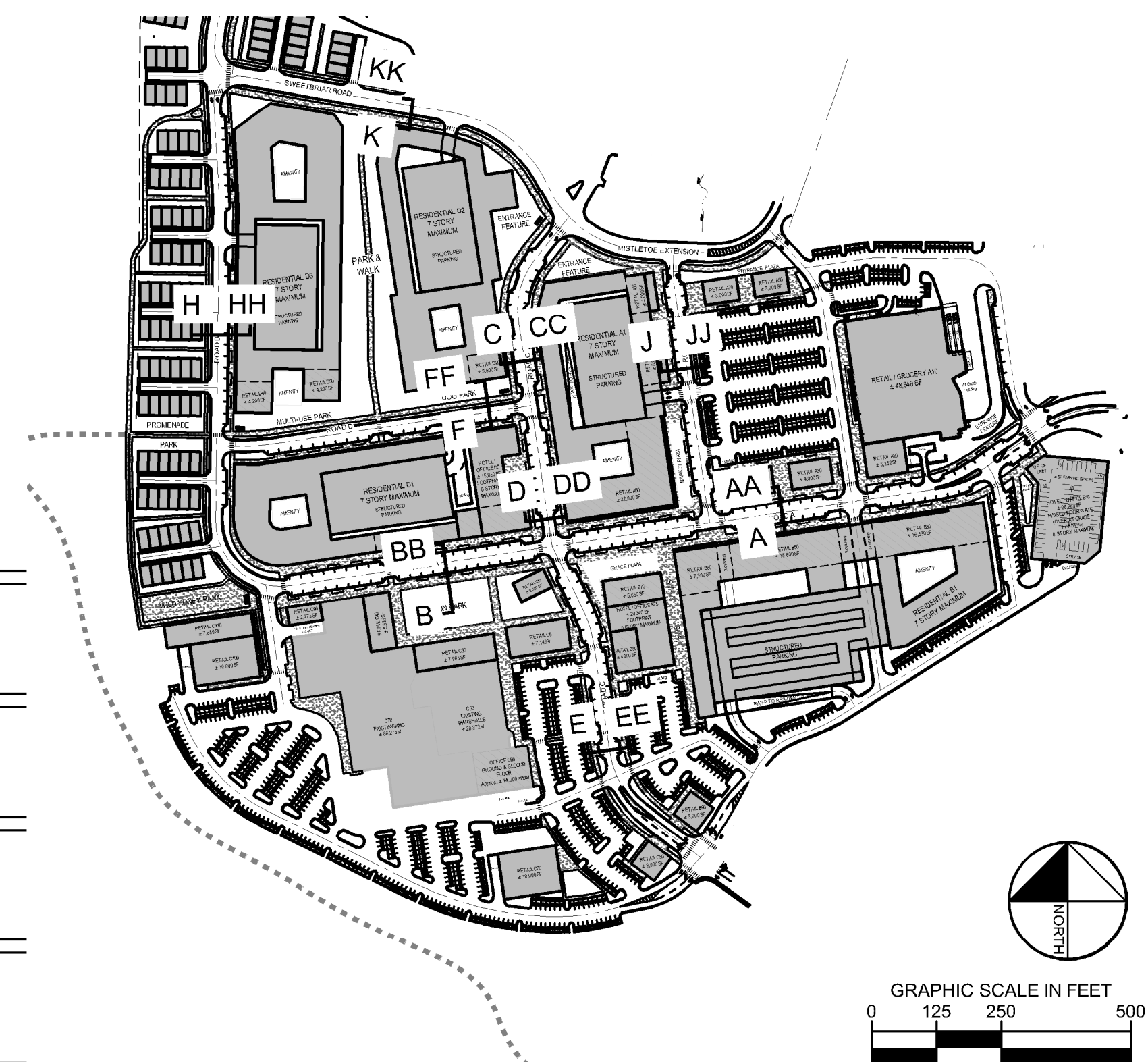
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Scale 1" = 10'



Section C - CC: Road C  
Scale 1" = 10'



Section B - BB: Road A & Lemon Park  
Scale 1" = 10'



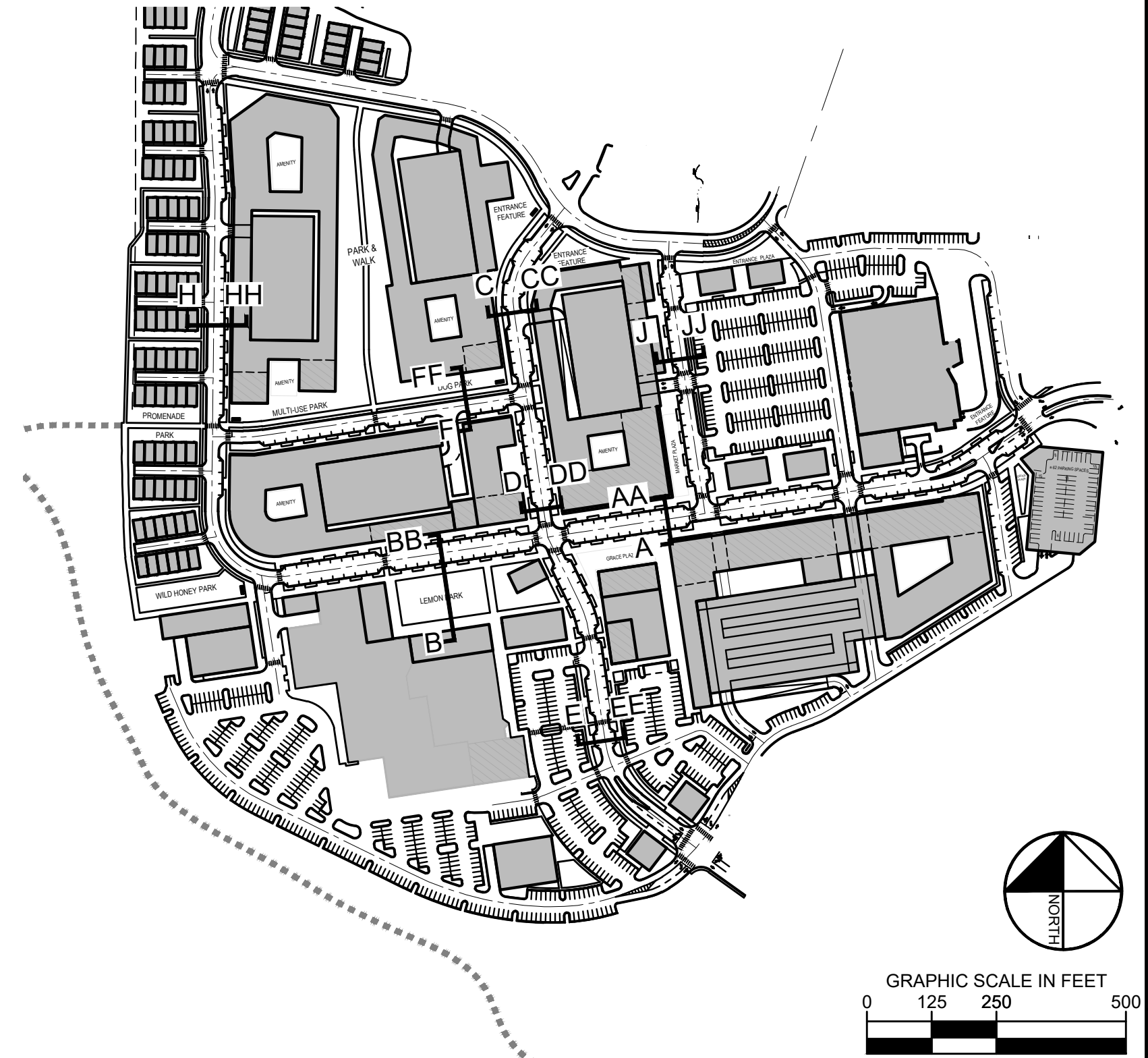
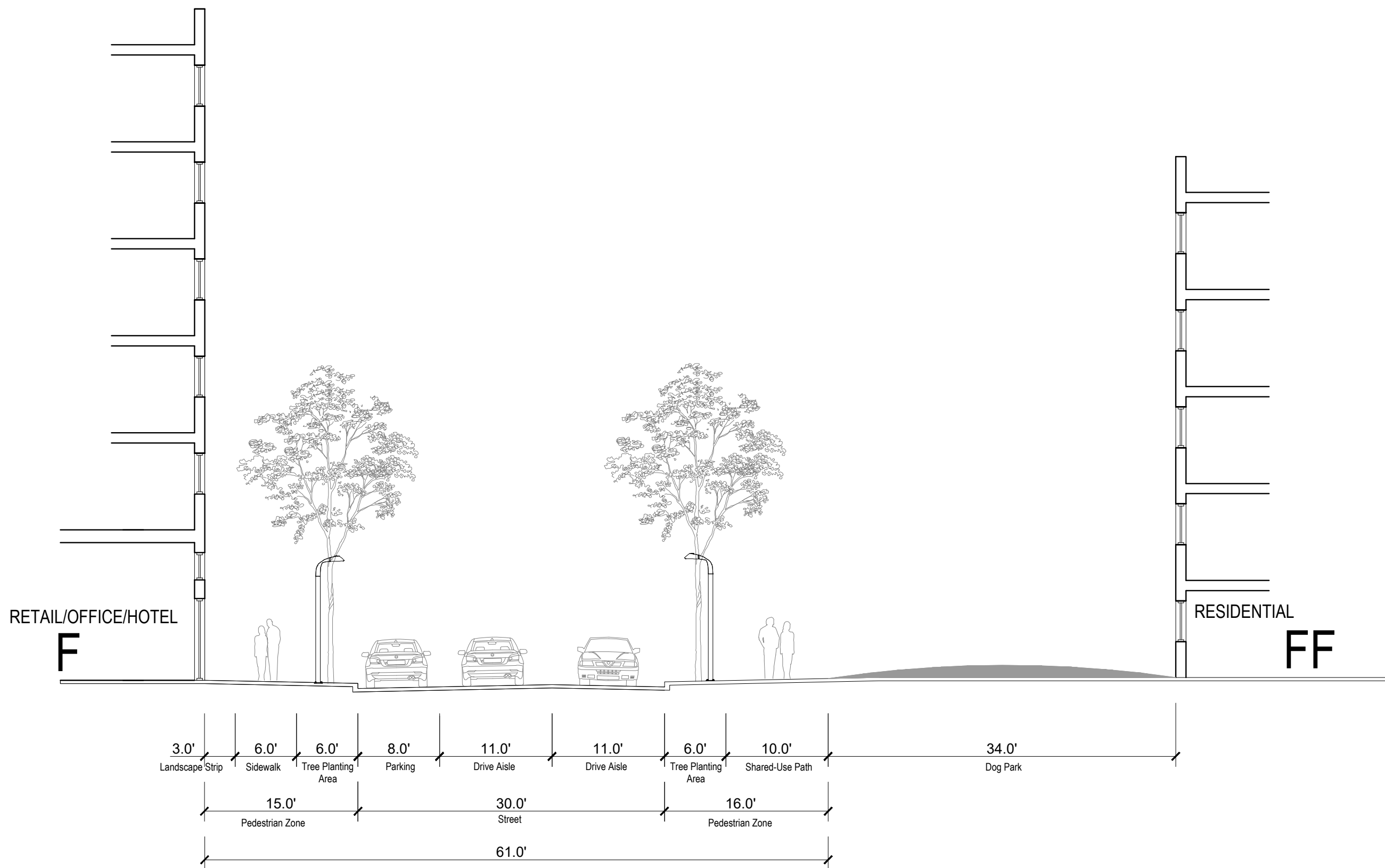
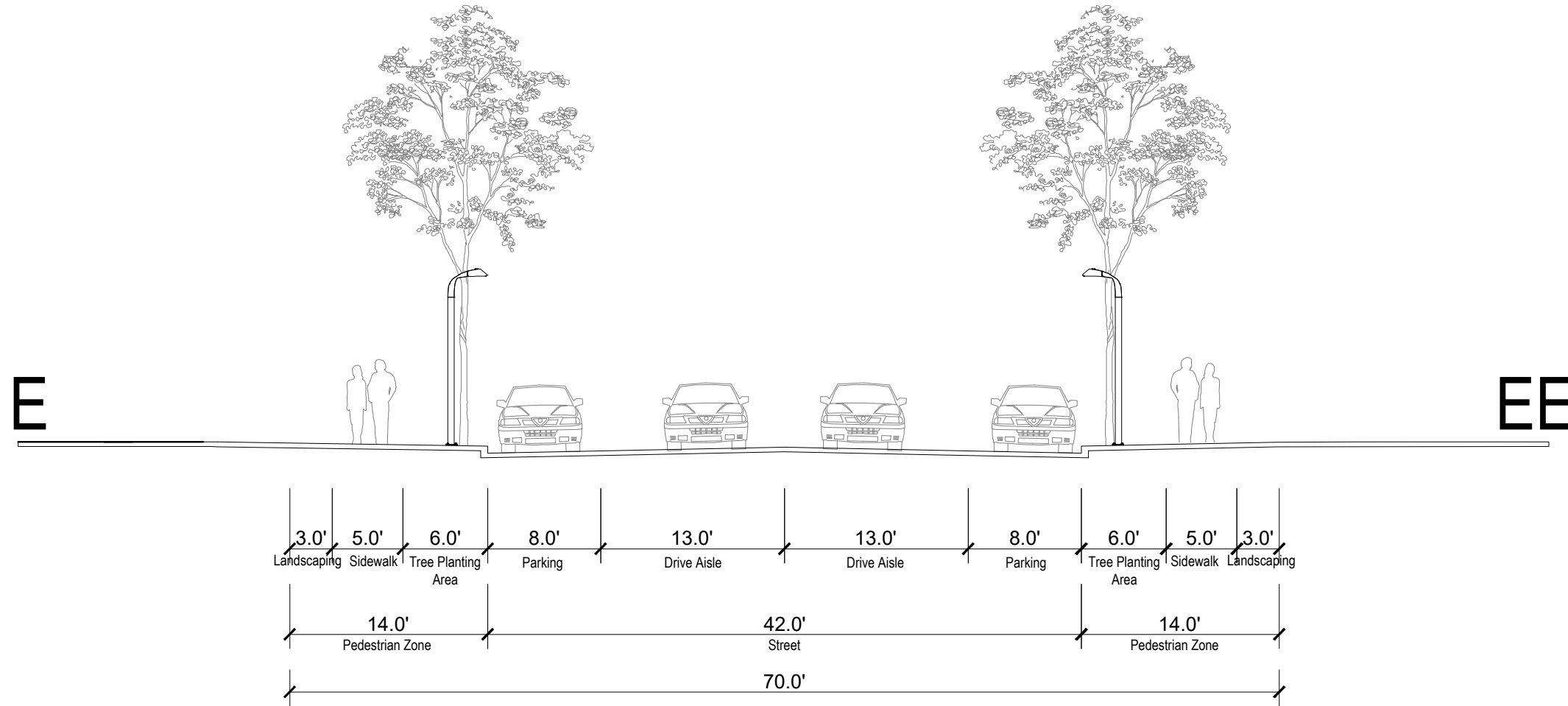
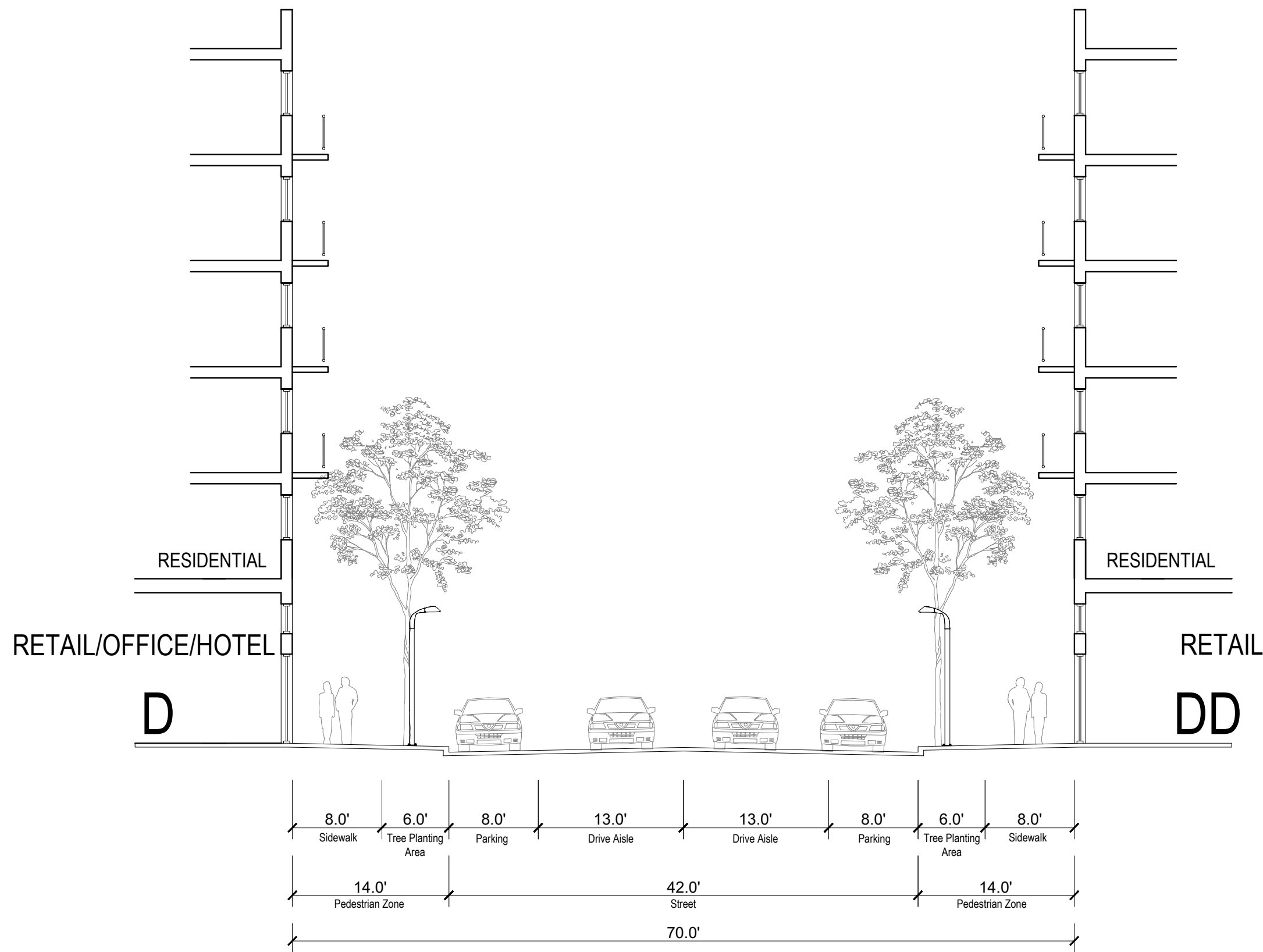
- GENERAL NOTES:

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 IS 8.0' AND IN ALL OTHER LOCATIONS IS A MINIMUM OF 6.0'.
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 NOT SPACING SHALL 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.





Drawing name: K:\ALP\_PRJ\018381014\_North Dekalb Mall\CAD\Plansheets\C2-50 - STREET SECTIONS\_recover.dwg C2-51 STREET SECTIONS Feb 21, 2022 7:01pm by Emily Flood



**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.
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6. STREET LIGHTS WILL BE PROVIDED ALONG BOTH SIDE OF THE STREETS AT AN AVERAGE OF 80' ON CENTER.



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

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



GSWCC NO. (LEVEL II) 00000XXXXX  
DRAWN BY CLH  
DESIGNED BY CLH  
REVIEWED BY TML  
DATE 02/21/2022  
PROJECT NO. 018381014

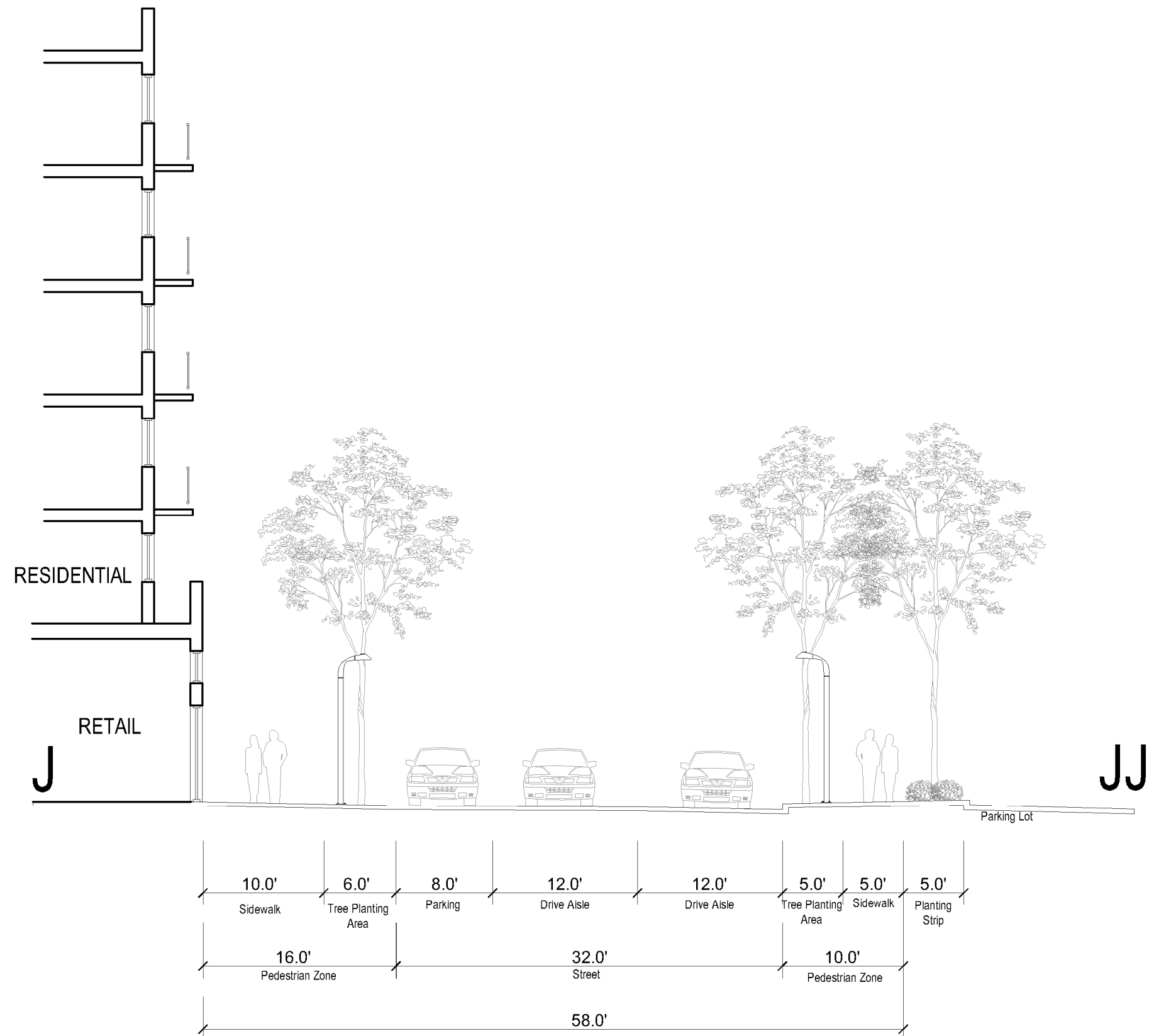
**STREET SECTIONS**

SHEET NUMBER  
**C2-51**

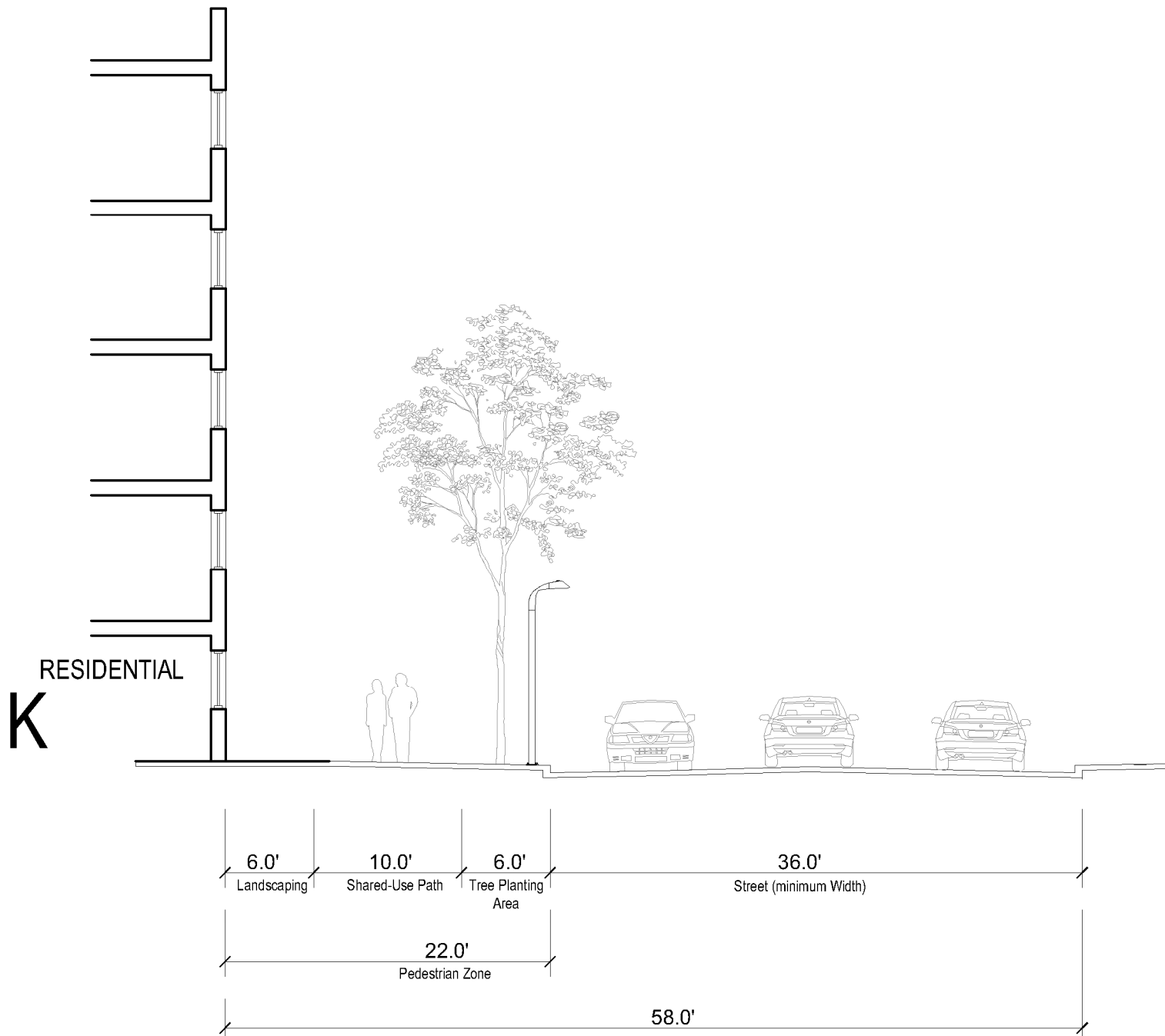
**Kimley»Horn**  
© 2021 KIMLEY-HORN AND ASSOCIATES, INC.  
11720 AMBER PARK DRIVE, SUITE 600  
ALBUQUERQUE, NM 87123  
PHONE (770) 619-4288  
WWW.KIMLEY-HORN.COM



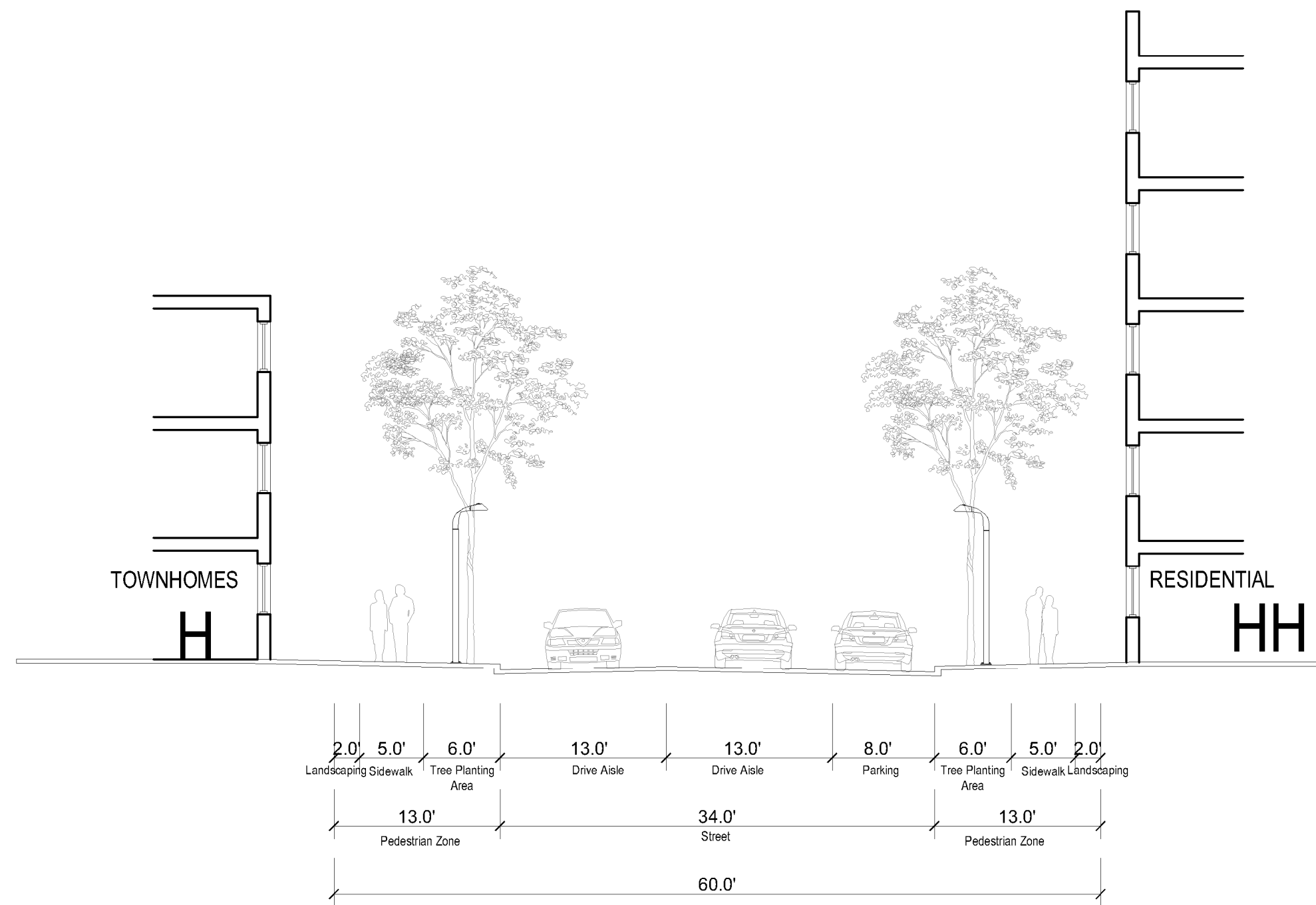
Drawing name: K:\A.P. PROJ013381014\_North Dekalb Mall\CAD\Plan\Sheets\C2-50- STREET SECTIONS.dwg C2-50- STREET SECTIONS May 23, 2022 3:21pm by Emily Flood



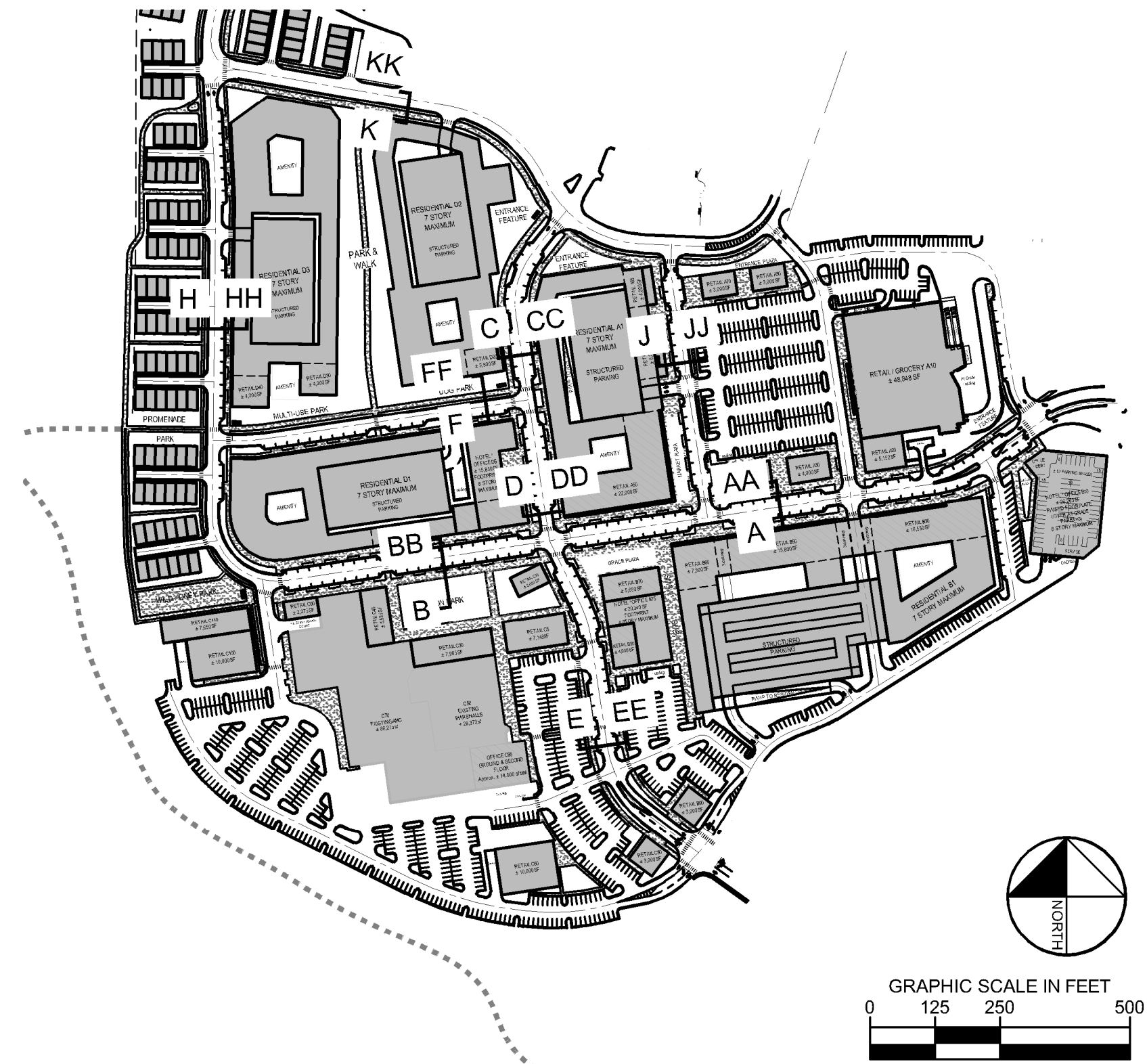
Section J - JJ: Road E  
Scale 1" = 10'



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



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



GENERAL NOTES:

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NDM (EDENS), LLC  
3050 PEACHTREE ROAD, NW, SUITE 980  
ATLANTA, GA 30305

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

GSWCC NO. 00000XXXXX  
DRAWN BY CLH  
DESIGNED BY CLH  
REVIEWED BY TML  
DATE 04/25/2022  
PROJECT NO. 018381014

STREET  
SECTIONS

SHEET NUMBER  
C2-52

Kimley»Horn  
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11720 AMBER PARK DRIVE, SUITE 600  
ATLANTA, GA 30338  
PHONE (770) 619-4281  
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Utility Protection Center, Inc.  
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EXHIBIT B

# **NORTH DEKALB**

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**MASTER SIGN PROGRAM**

**MAY 26, 2022**

# 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.
- Proposals must be submitted in a legible PDF format for comments and approval.

# 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 5 feet in height, 5 feet in width and 25 SF.
- Directional Signage may include names of streets, parks, and/or tenants.

## ARTISTIC SIGNS

- 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





# 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.
- 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.
- Tenant Facade 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.

## 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
- 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.

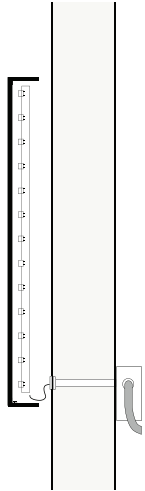


# tenant façade sign types



OPTION 1: Halo-Lit Reverse Channel Letter Forms

SECTION



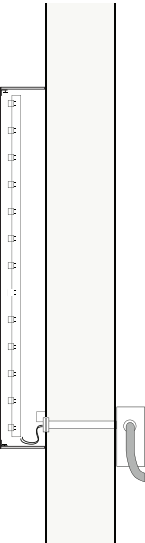
ELEVATION

TENANT STORE



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

SECTION



ELEVATION

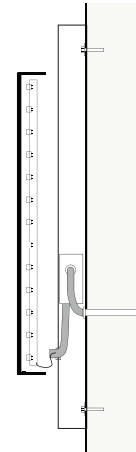
TENANT STORE



### 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

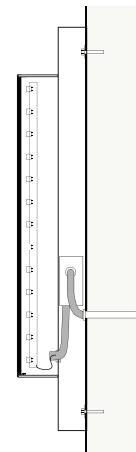
TENANT STORE



### 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

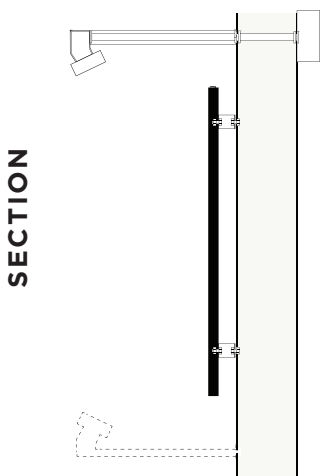
TENANT STORE

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

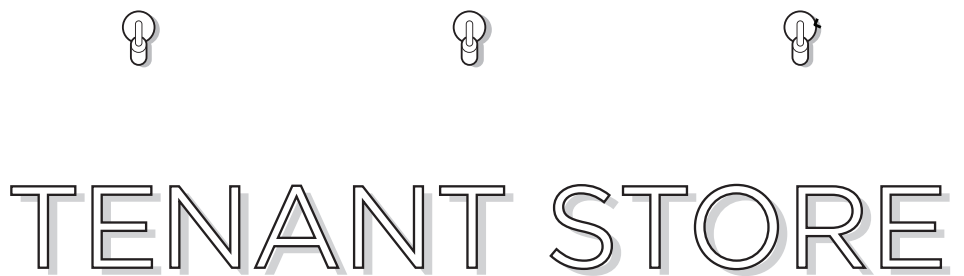




OPTION 4A: Individual Dimensional Letter Forms with Gooseneck External Illumination



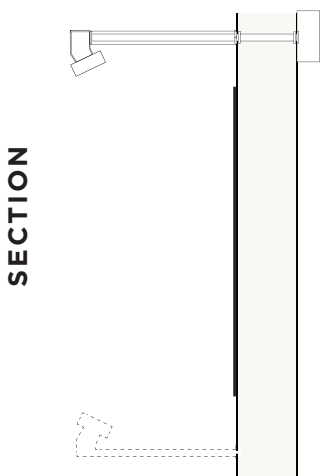
ELEVATION



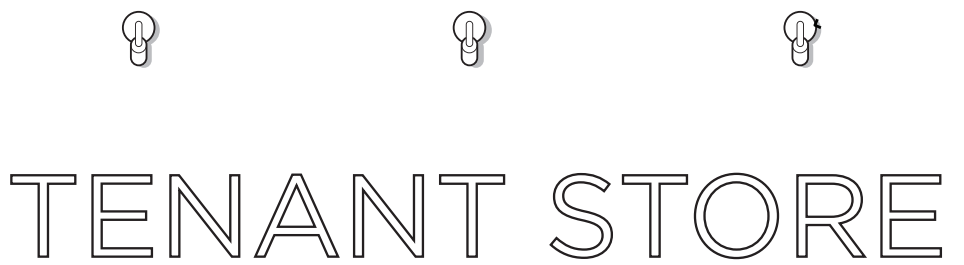
**EDENS STANDARD SPEC FOR GOOSENECK LIGHT FIXTURE:**  
COOPER LIGHTING CAMBRIA 922  
PAR20 BULLET SIGN LIGHTER  
Recommended 1-LED2741 light source (this is wide angle) with OSL lens option  
• Lights mounted with O.C. spacing, approx. 24" (28" max.)



OPTION 4B: Painted Lettering with Gooseneck External Illumination



ELEVATION



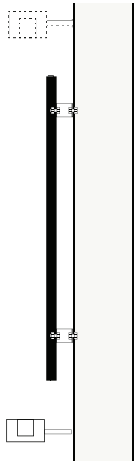
\* DIRECT PAINTED SIGNAGE MAX HEIGHT IS 1.25 X THE STANDARD APPROVED SIGN HEIGHT





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

SECTION



ELEVATION

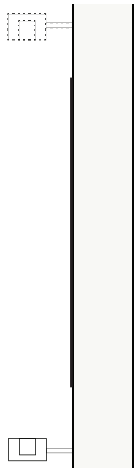
TENANT STORE

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



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

SECTION



ELEVATION

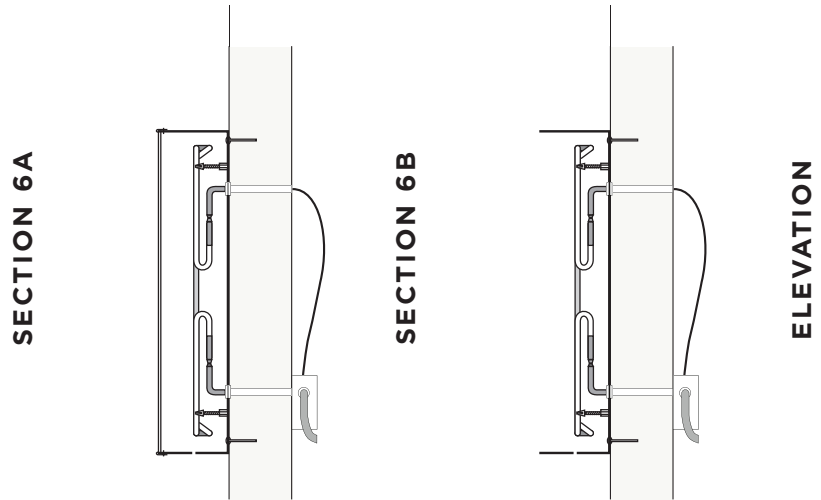
TENANT STORE

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





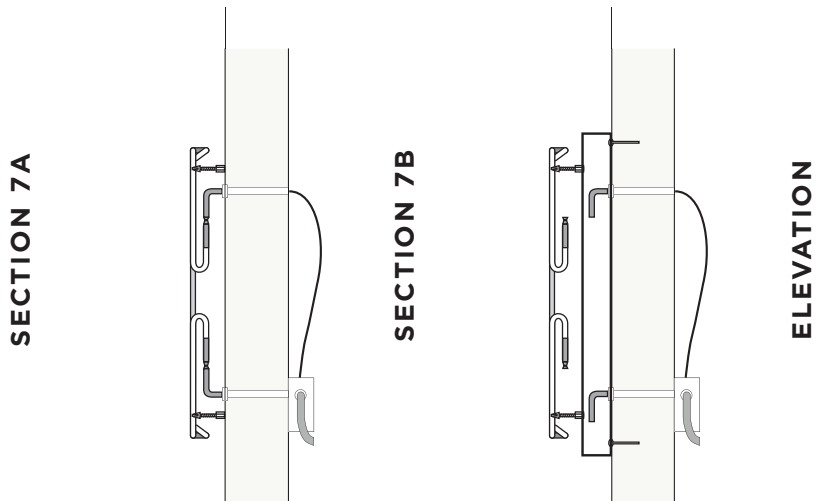
OPTION 6A: Traditional Neon in a Channel with a Clear Acrylic Face Plate  
OPTION 6B: Traditional Neon in a Channel



TENANT STORE



OPTION 7A: Exposed Neon Mounted Directly to Façade  
OPTION 7B: Exposed Neon Mounted on Solid Letter Forms



TENANT STORE



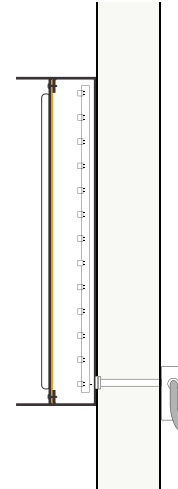




### OPTION 8: Neon Look Push-Through Acrylic Lettering

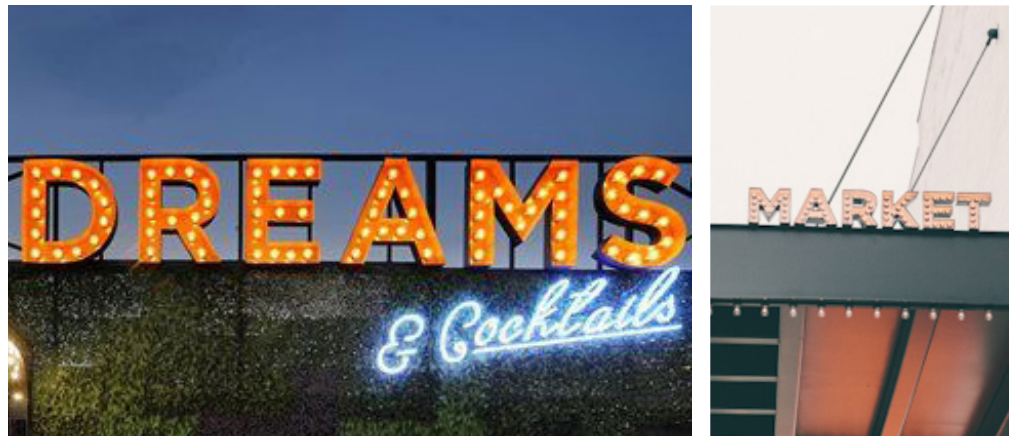
- 1/2" clear acrylic push-through double line, 1/2" wide letter strokes with routed, polished, bullnose-face for faux neon look

SECTION



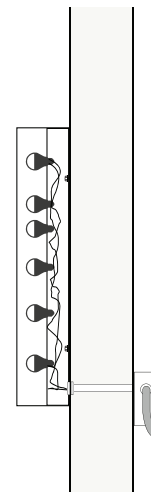
ELEVATION

TENANT STORE



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

SECTION



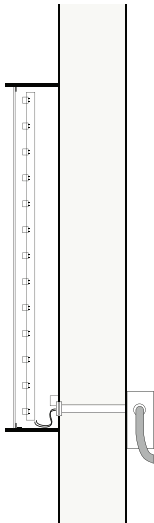
ELEVATION

TENANT STORE



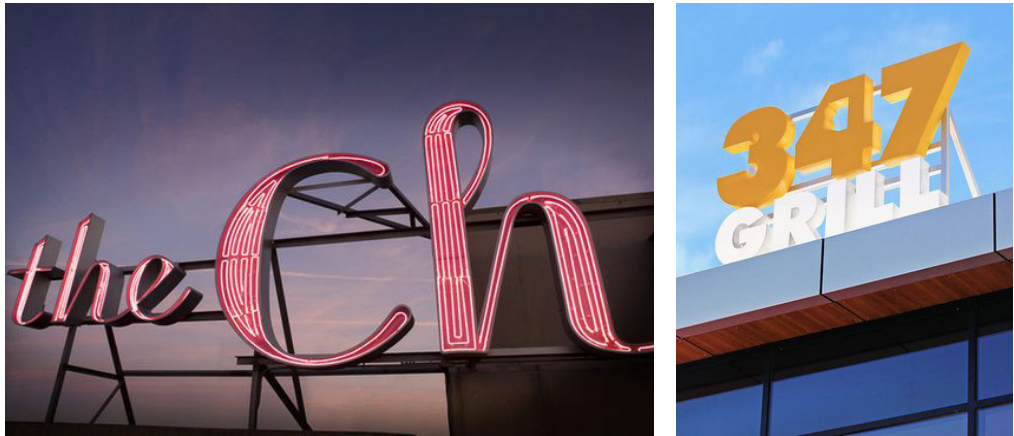
**OPTION 10: JR/ANCHOR ONLY (GREATER THAN 5,000 SF)**  
LED Internally Face-Lit Channel Letter Forms

SECTION



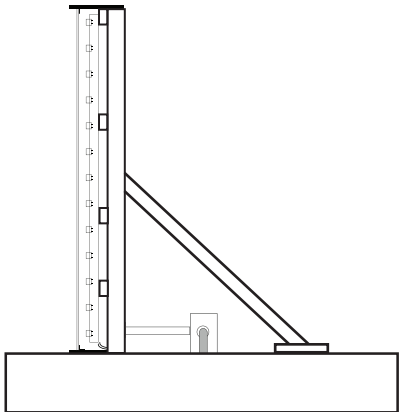
ELEVATION

TENANT STORE



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

SECTION



ELEVATION

TENANT STORE

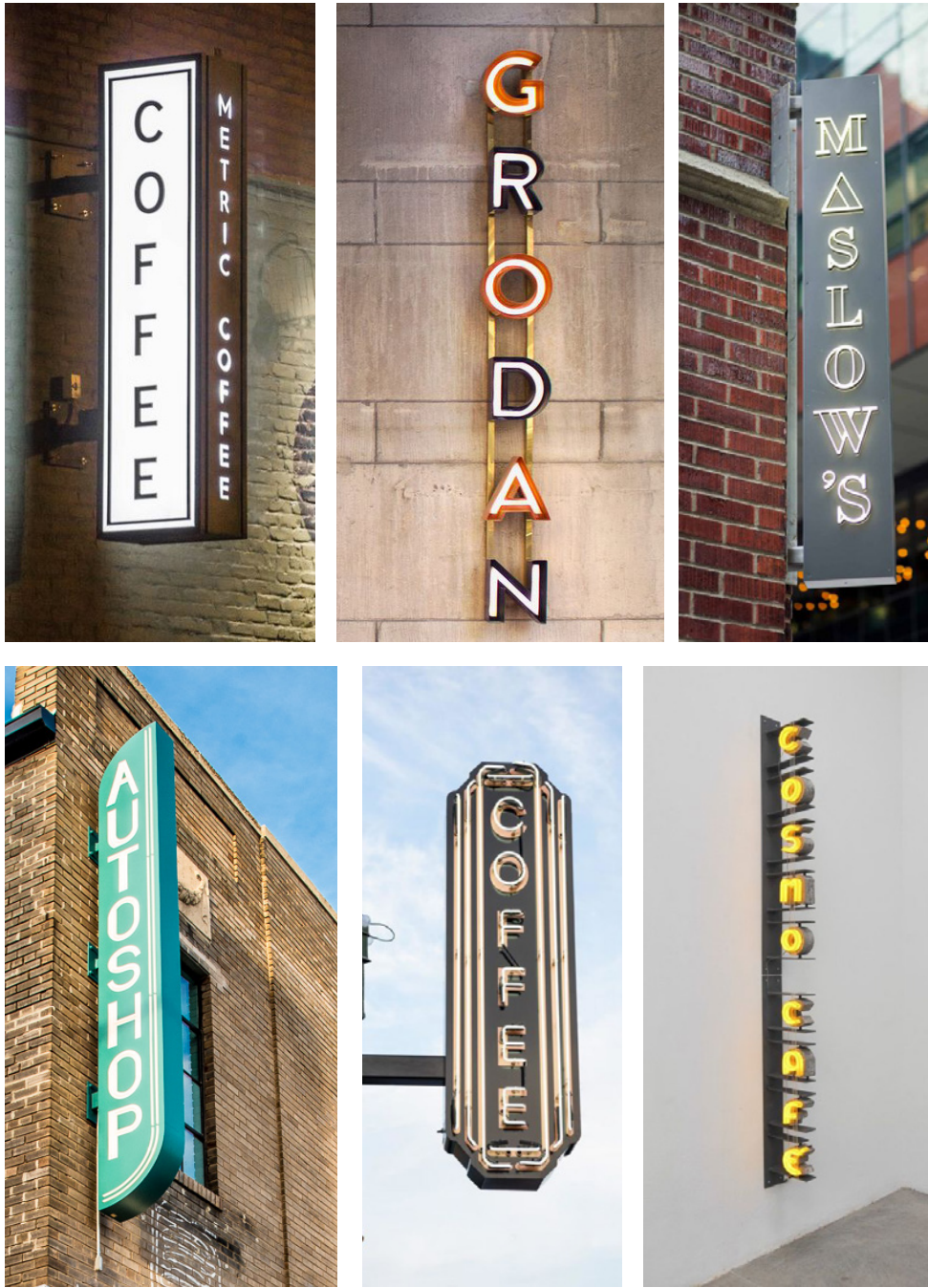
**GENERAL NOTES**

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.

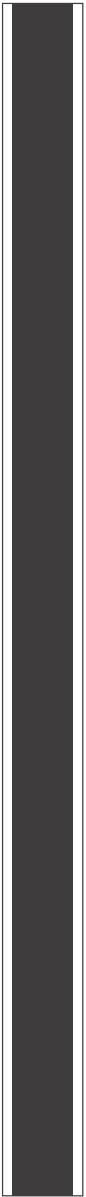
(FOR EX: A PHOTO CALL OR MANUAL ON-OFF SWITCH)



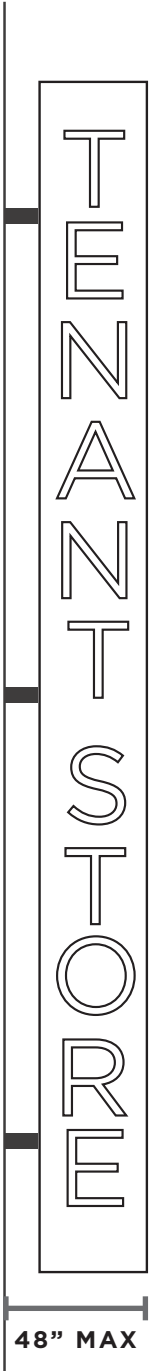


OPTION 12: VERTICAL SIGNS

SECTION



ELEVATION



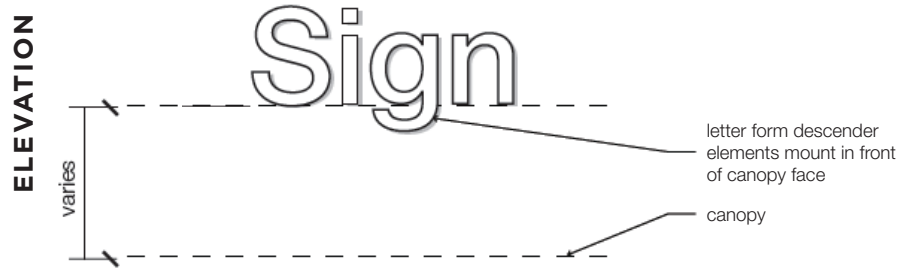
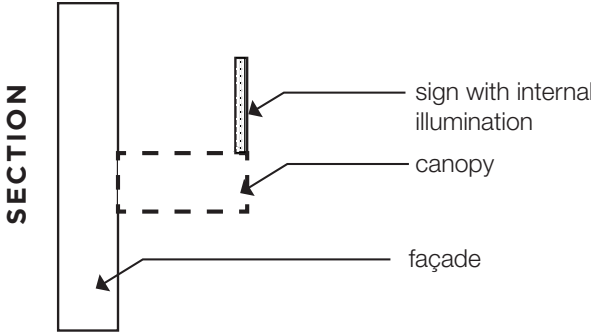


### OPTION 13: Canopy Signs

Depending on the architecture of the shopping center, applicable Tenants may, with Landlord approval, use a canopy mounted sign. Approved Tenants shall be allowed one (1) canopy 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 sign cannot be used as primary retail identification if a Tenant also has a façade sign.

Three kinds of canopy signs are allowed:

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



### OPTION 14: Awning Signs

- Use approved lighting from options 4 & 5

#### PLACEMENT

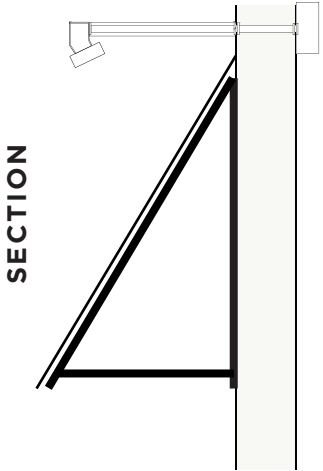
- Use of awnings must be approved by Landlord unless specified in lease
- Awning placement & design shall be prior approved by Landlord
- Placement of awning must coordinate with façade signage & architectural elements of façade

#### 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

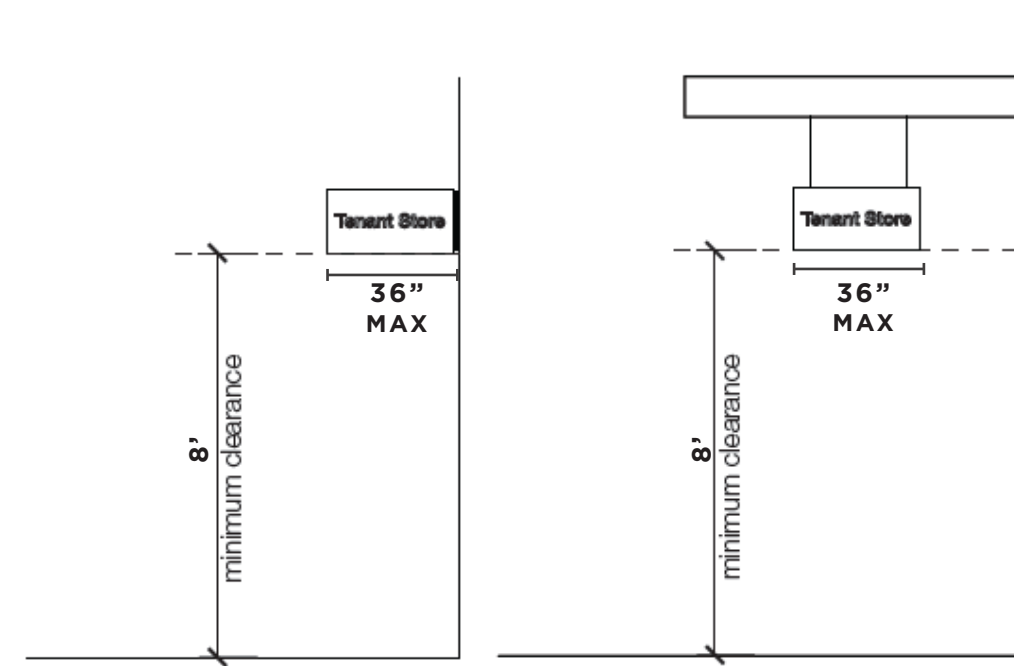
- Only solid colors allowed (no stripes, printed graphics, logos, etc.), unless approved by Landlord. Fabric color must be reviewed by Landlord.





# 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

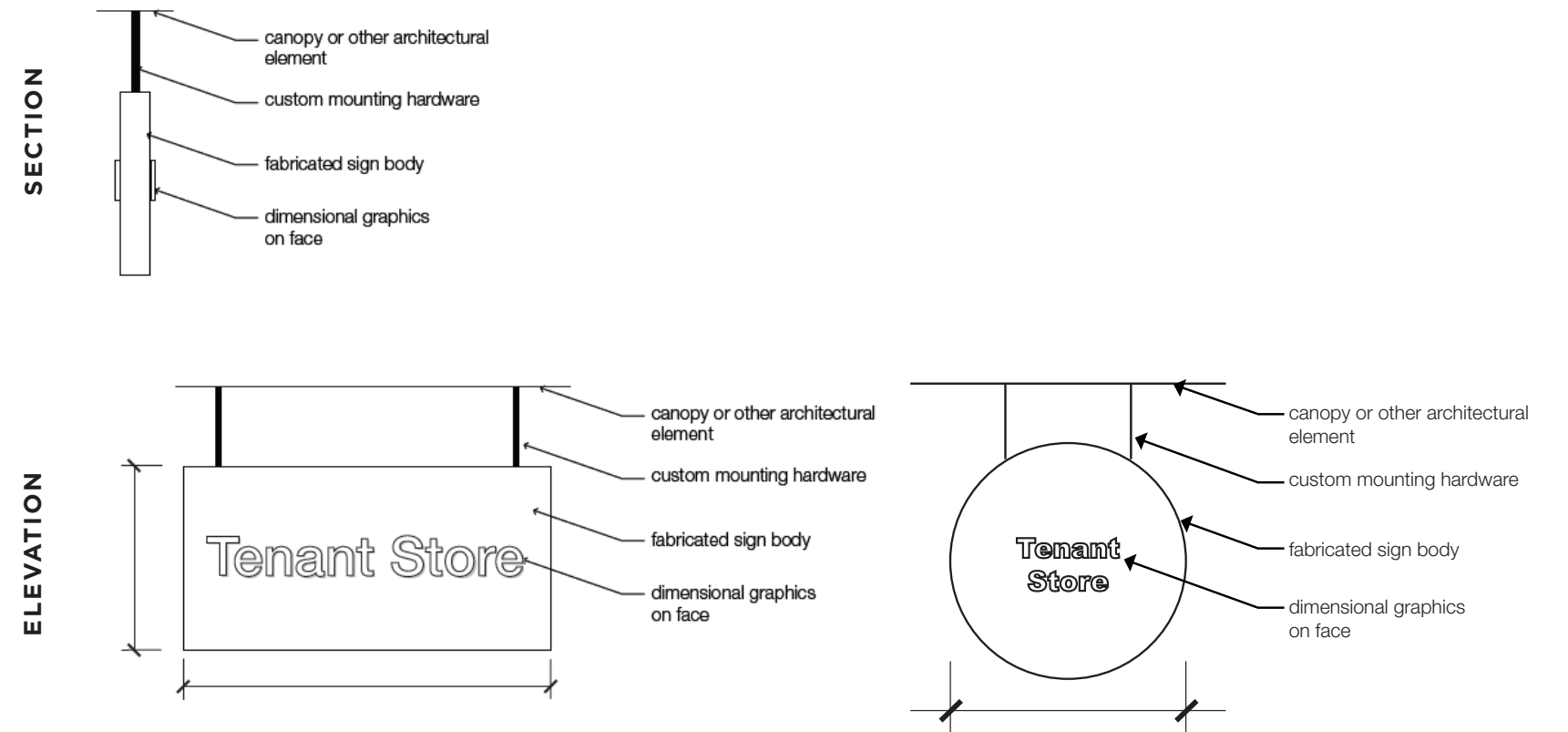
Suspended

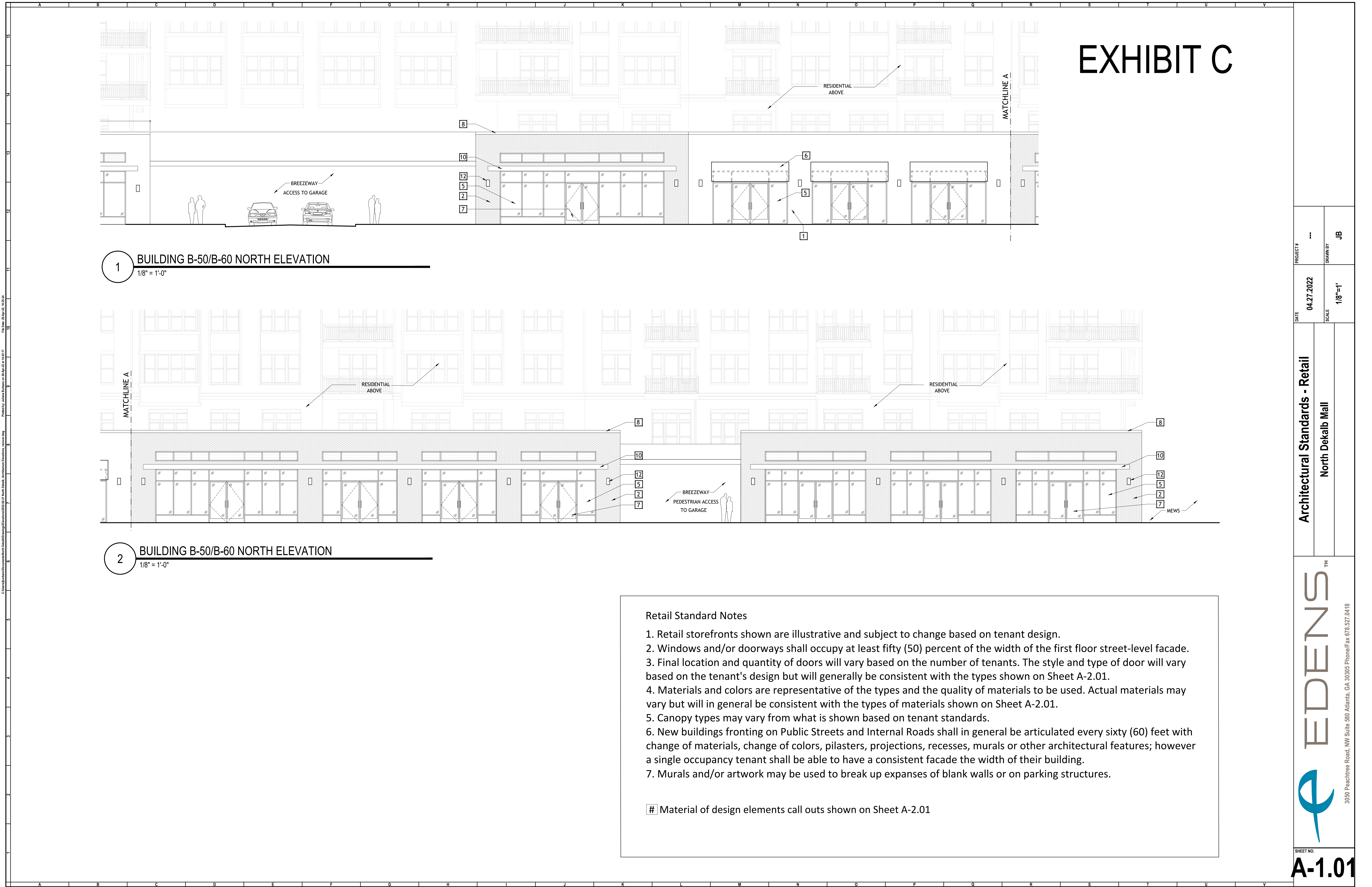
## PROJECTING SIGN

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

## SUSPENDED SIGN

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





# EXHIBIT C

1 BUILDING B-50/B-60 NORTH ELEVATION  
1/8" = 1'-0"

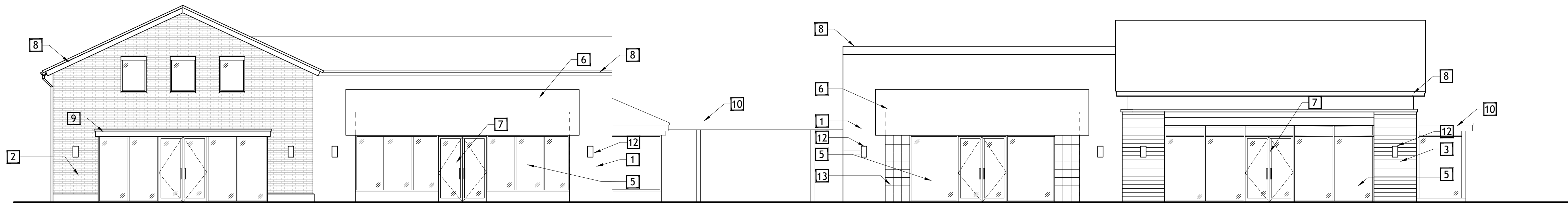
2 BUILDING B-50/B-60 NORTH ELEVATION  
1/8" = 1'-0"

## Retail Standard Notes

1. Retail storefronts shown are illustrative and subject to change based on tenant design.
2. Windows and/or doorways shall occupy at least fifty (50) percent of the width of the first floor street-level facade.
3. Final location and quantity of doors will vary based on the number of tenants. The style and type of door will vary based on the tenant's design but will generally be consistent with the types shown on Sheet A-2.01.
4. Materials and colors are representative of the types and the quality of materials to be used. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
5. Canopy types may vary from what is shown based on tenant standards.
6. New buildings fronting on Public Streets and Internal Roads shall in general be articulated every sixty (60) feet with change of materials, change of colors, pilasters, projections, recesses, murals or other architectural features; however a single occupancy tenant shall be able to have a consistent facade the width of their building.
7. Murals and/or artwork may be used to break up expanses of blank walls or on parking structures.

# Material of design elements call outs shown on Sheet A-2.01

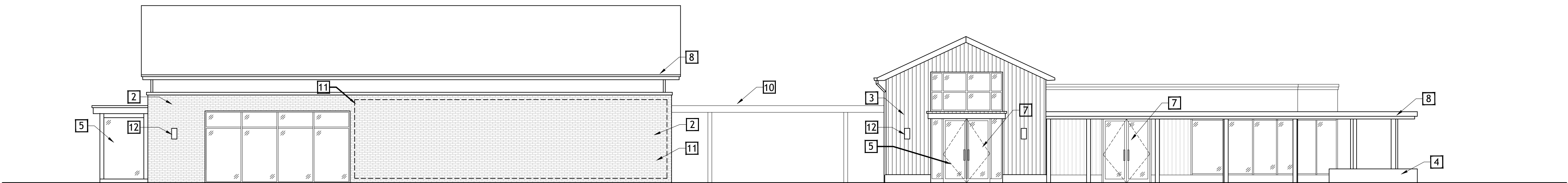
PROJECT #	---	DRAWN BY	JB
DATE	04.27.2022	SCALE	1/8"=1'
Architectural Standards - Retail		North Dekalb Mall	



1 BUILDING A-40/ A-30 SOUTH ELEVATION  
1/8" = 1'-0"

BUILDING A-40

BUILDING A-30



2 BUILDING A-70/ A-80 NORTH ELEVATION  
1/8" = 1'-0"

BUILDING A-80

BUILDING A-70

Retail Standard Notes

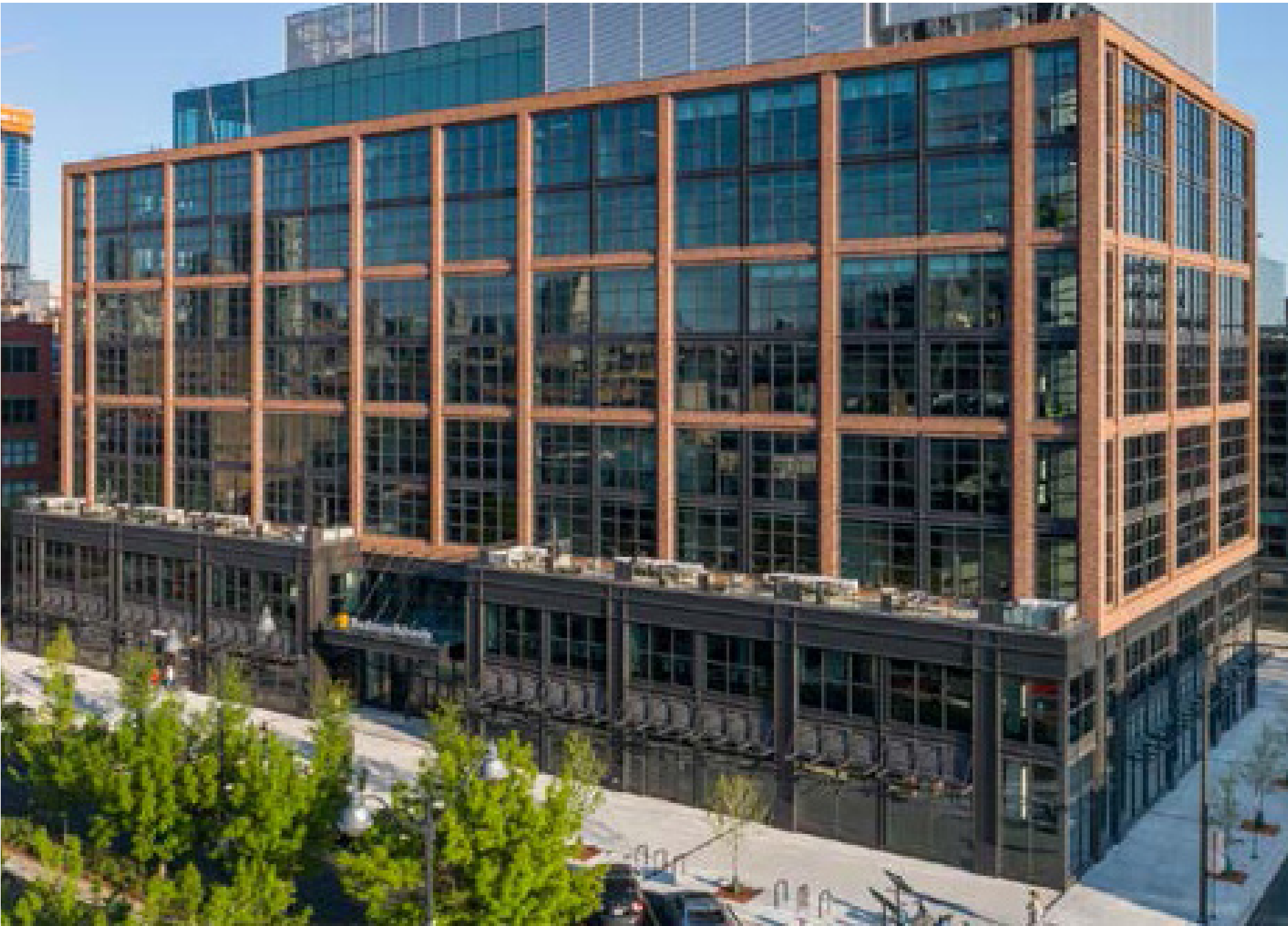
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# Material of design elements call outs shown on Sheet A-2.01

PROJECT #	---	DRAWN BY	JB
DATE	04.27.2022	SCALE	1/8"=1'
Architectural Standards - Retail		North Dekalb Mall	



PRECEDENT IMAGES



Office / Hotel Standard Notes

1. The precedent images on this sheet are representative of the potential style and quality of the building facades to be used on hotel/ office buildings. Exact design and details may vary.
2. Materials and colors shown on the precedent images are not necessarily representative of materials and colors to be used in final building design. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
3. Office buildings over five (5) stories must be designed with changes in materials, colors, recesses or projections across the façade or a distinctive element for visual interest.
4. To the maximum extent practical, roof vents, pipes, antennas, satellite dishes, and other roof top penetrations and equipment shall be screened from view so as to have minimal visual exposure as seen from an adjacent street. This provision shall not apply to solar panels.
5. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #	---	DRAWN BY	JB
DATE	04.27.2022	SCALE	
Architectural Standards - Office / Hotel			
North Dekalb Mall			



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3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418



PRECEDENT IMAGES



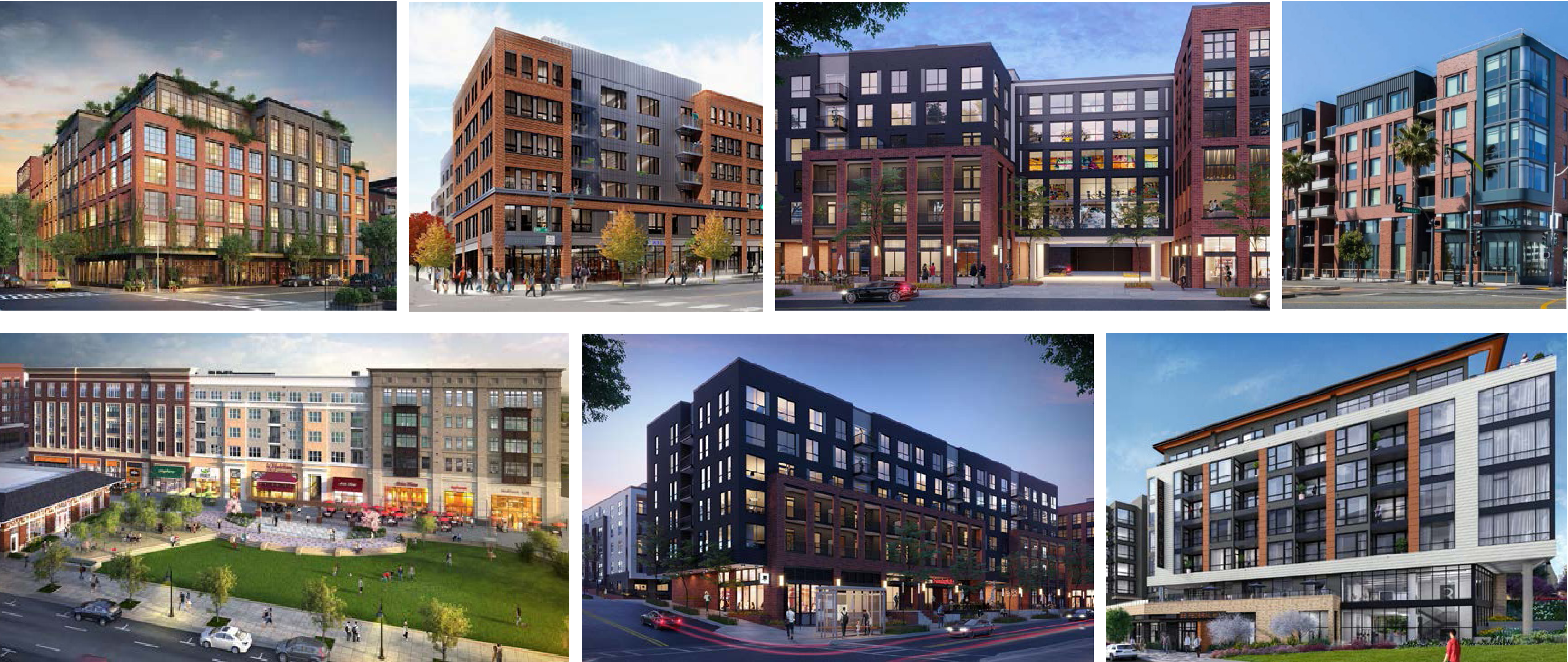
Multi-Family Standard Notes

1. The precedent images on this sheet are representative of the potential style and quality of the building facades to be used on multi-family buildings. Exact design and details may vary.
2. Materials and colors shown on the precedent images are not necessarily representative of materials and colors to be used in final building design. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
3. Building facades shall not exceed eighty (80) feet in length without projections, recesses, or other architectural features or material or color changes to help break up the massing of the building.
4. Buildings over four (4) stories shall clearly articulate the building base from the top of the building through materials, architectural details and/or changes in the plane of the wall (projections and recessions).
5. To the maximum extent practical, roof vents, pipes, antennas, satellite dishes, and other roof top penetrations and equipment (except chimneys) shall be located on the rear or interior facades or screened from view so as to have minimal visual exposure as seen from an adjacent street. This provision shall not apply to solar panels.
6. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #		---	
DATE		04.27.2022	
DRAWN BY		JB	
SCALE			
Architectural Standards - Multifamily			
North Dekalb Mall			
<div>EDENS<sup>TM</sup></div> <div>3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418</div>			
SHEET NO.			
A-1.04			



PRECEDENT IMAGES



Multi-Family Standard Notes

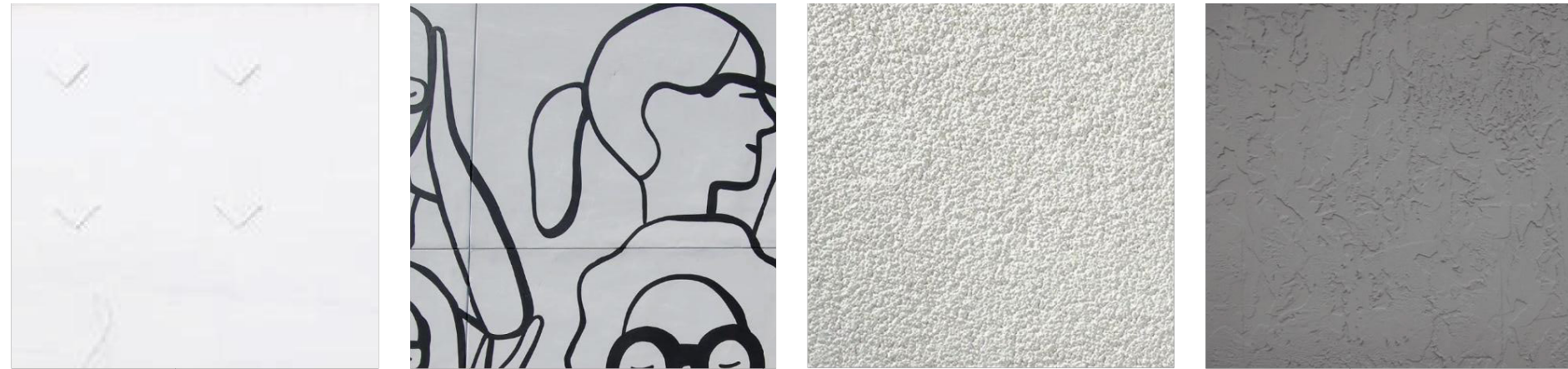
- 1. The precedent images on this sheet are representative of the potential style and quality of the building facades to be used on multi-family buildings. Exact design and details may vary.
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- 6. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #		---
DATE	04.27.2022	DRAWN BY
SCALE		JB
Architectural Standards - Multifamily		
North Dekalb Mall		
EDENS <sup>TM</sup>		
3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418		
SHEET NO.		
A-1.05		



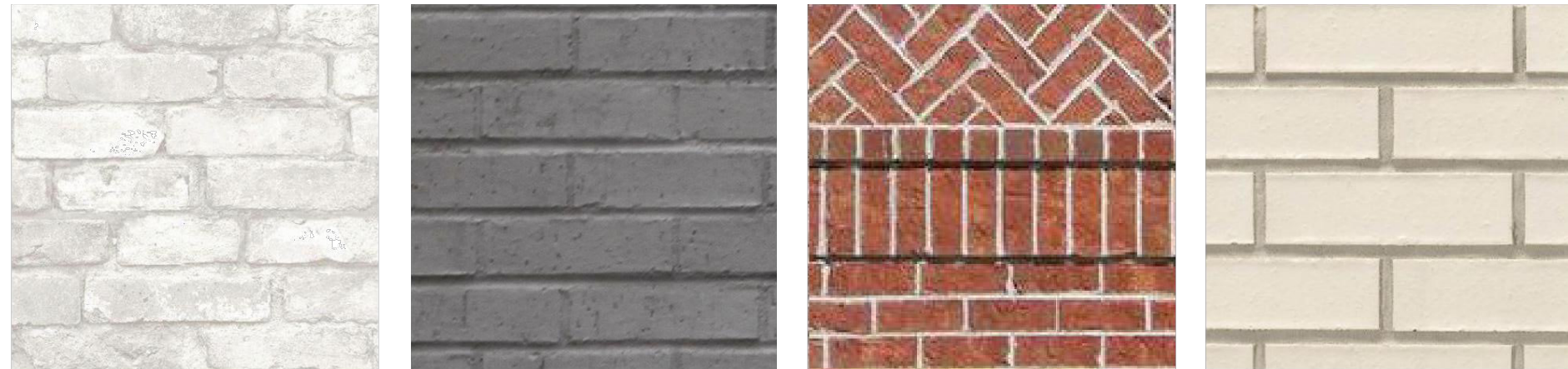
1

EIFS & STUCCO



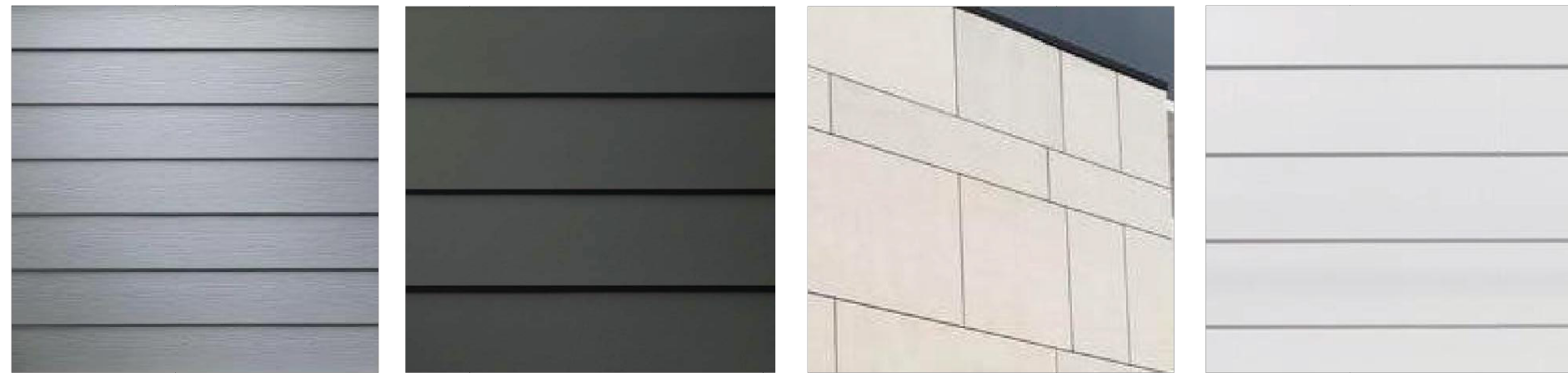
2

Modular Brick  
Brick Veneer  
Painted & Integral  
Color



3

Plank Siding  
Hardie Board, Fiber  
Cement ; Shiplap  
Siding



4

Cast in Place  
Concrete &  
Ground Face Block



5

Storefront: Wood,  
Aluminum & Steel



6

Fabric Awnings



7

Doors; Wood,  
Aluminum & Steel



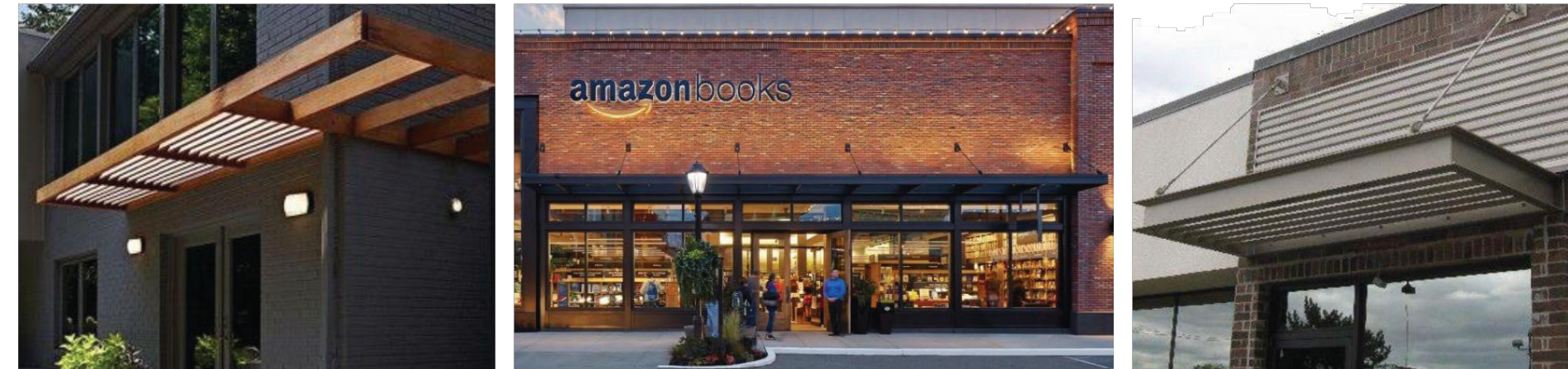
8

Pre Finished Metal ;  
Metal Panels & Coping



9

Prefab Canopy  
System



10

Metal Canopy  
or Trellis



11

Mural / Art Work



12

Decorative Light  
Fixtures



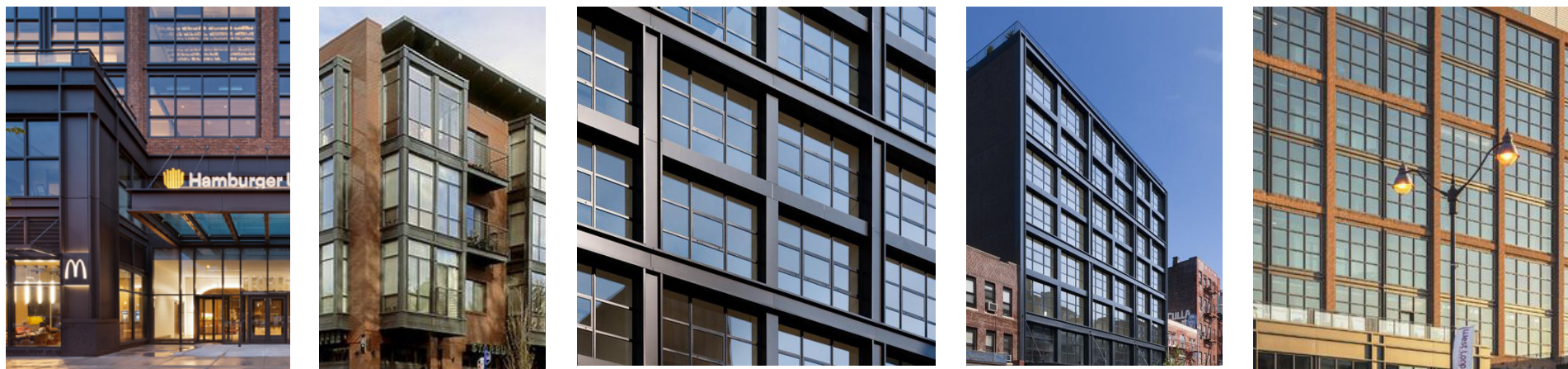
13

Tile



14

Exposed / Painted  
Steel



Material Standard Notes

1. See Standard Notes on Sheets A-1.01, A-1.02, A-1.03, A-1.04 and A-1.05
2. Materials shown are representative of the quality of materials to be used and do not represent all materials which may be incorporated. In addition to materials shown on this sheet, all materials listed in DeKalb County Zoning Code Section 27-5.7.4. shall be permitted except that vinyl siding shall be prohibited in addition to other prohibited materials.

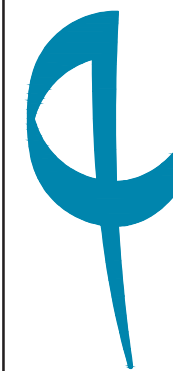
Storefronts, Canopies and Materials.

North Dekalb Mall

PROJECT #  
DATE  
04.27.2022

DRAWN BY  
JB

EDENS™



SHEET NO.

A-2.01

3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418



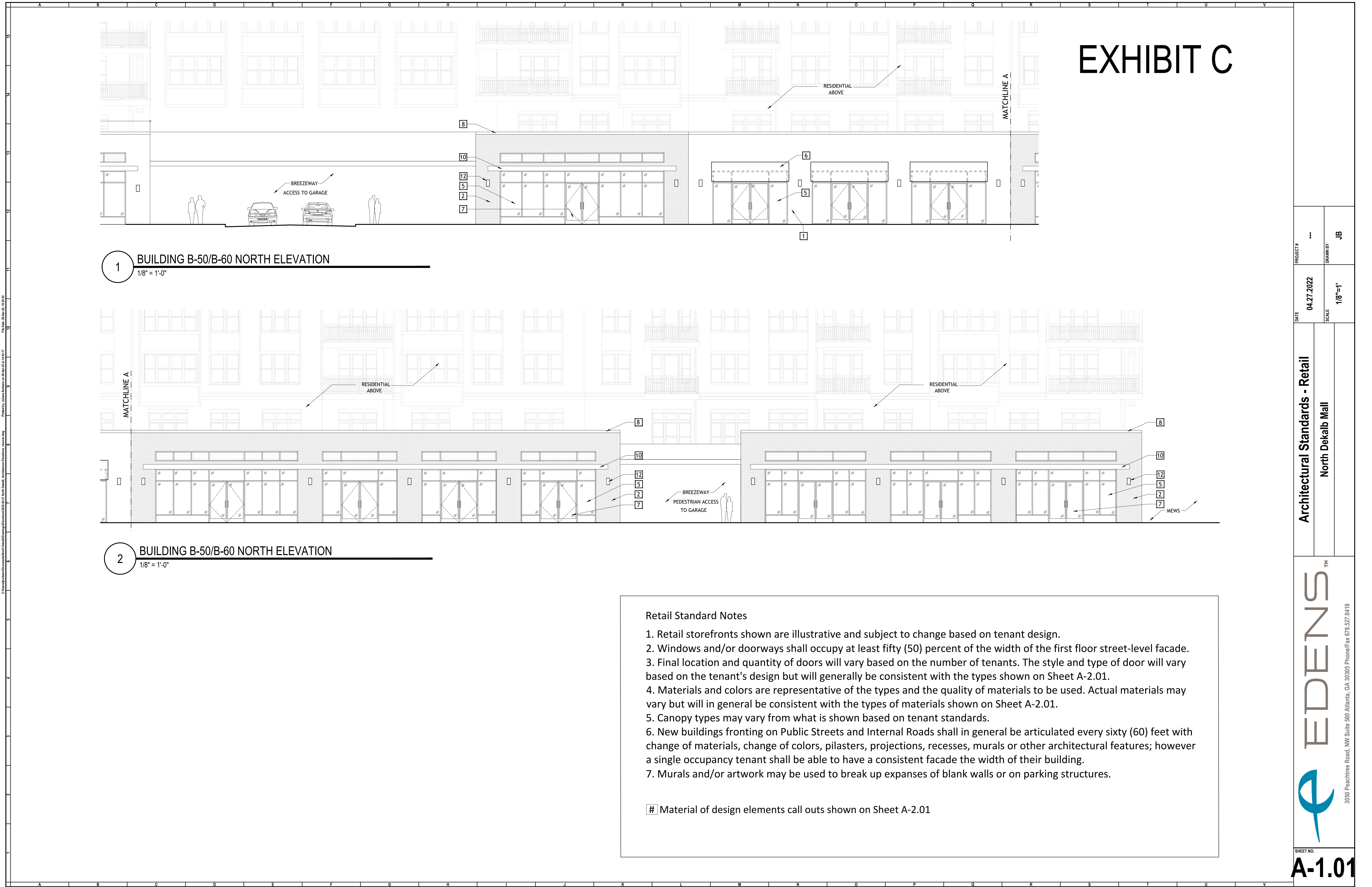


EXHIBIT C

1 BUILDING B-50/B-60 NORTH ELEVATION  
1/8" = 1'-0"

2 BUILDING B-50/B-60 NORTH ELEVATION  
1/8" = 1'-0"

Retail Standard Notes

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4. Materials and colors are representative of the types and the quality of materials to be used. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
5. Canopy types may vary from what is shown based on tenant standards.
6. New buildings fronting on Public Streets and Internal Roads shall in general be articulated every sixty (60) feet with change of materials, change of colors, pilasters, projections, recesses, murals or other architectural features; however a single occupancy tenant shall be able to have a consistent facade the width of their building.
7. Murals and/or artwork may be used to break up expanses of blank walls or on parking structures.

# Material of design elements call outs shown on Sheet A-2.01

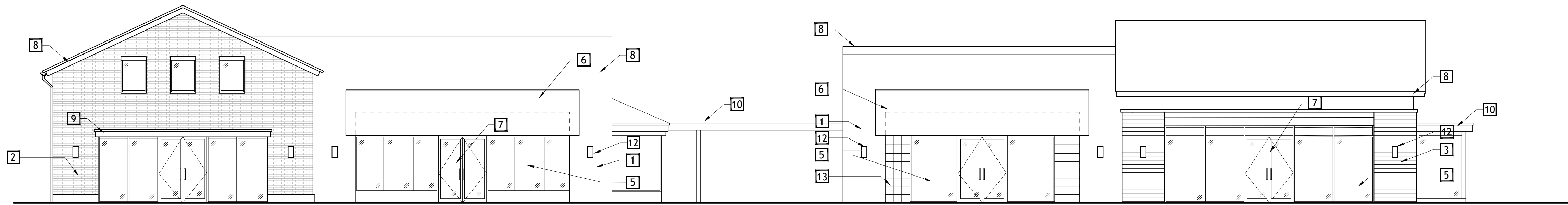
PROJECT #	---
	DRAWN BY JB
DATE	04.27.2022
	SCALE 1/8"=1'

Architectural Standards - Retail

North Dekalb Mall

EDENS™

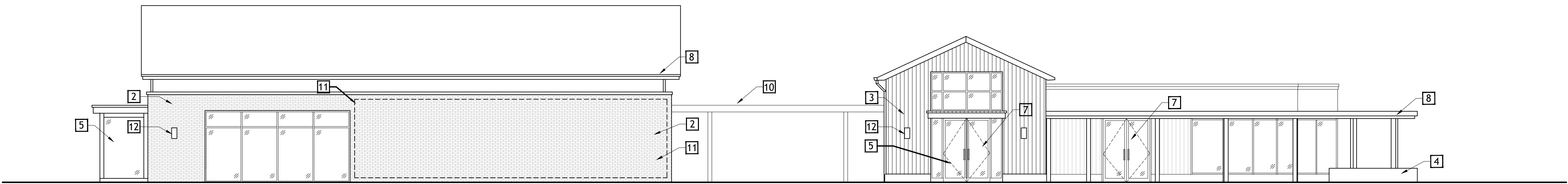
3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418



1 BUILDING A-40/ A-30 SOUTH ELEVATION  
1/8" = 1'-0"

BUILDING A-40

BUILDING A-30



2 BUILDING A-70/ A-80 NORTH ELEVATION  
1/8" = 1'-0"

BUILDING A-80

BUILDING A-70

Retail Standard Notes

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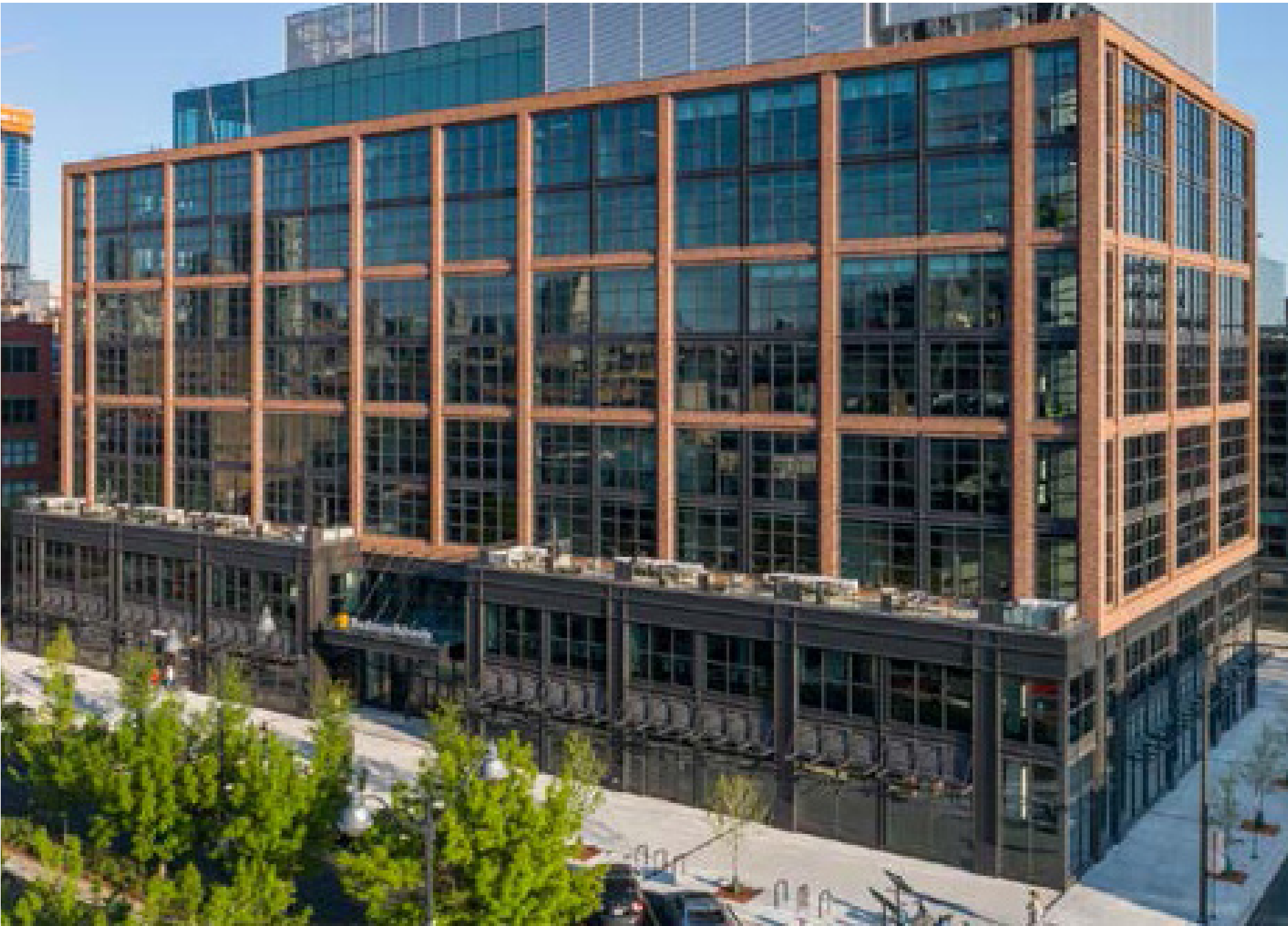
# Material of design elements call outs shown on Sheet A-2.01

PROJECT #	---
DATE	04.27.2022
DRAWN BY	JB
SCALE	1/8"=1'

Architectural Standards - Retail	
North Dekalb Mall	



PRECEDENT IMAGES



Office / Hotel Standard Notes

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3. Office buildings over five (5) stories must be designed with changes in materials, colors, recesses or projections across the façade or a distinctive element for visual interest.
4. To the maximum extent practical, roof vents, pipes, antennas, satellite dishes, and other roof top penetrations and equipment shall be screened from view so as to have minimal visual exposure as seen from an adjacent street. This provision shall not apply to solar panels.
5. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #	---	DRAWN BY	JB
DATE	04.27.2022	SCALE	
Architectural Standards - Office / Hotel			
North Dekalb Mall			



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PRECEDENT IMAGES



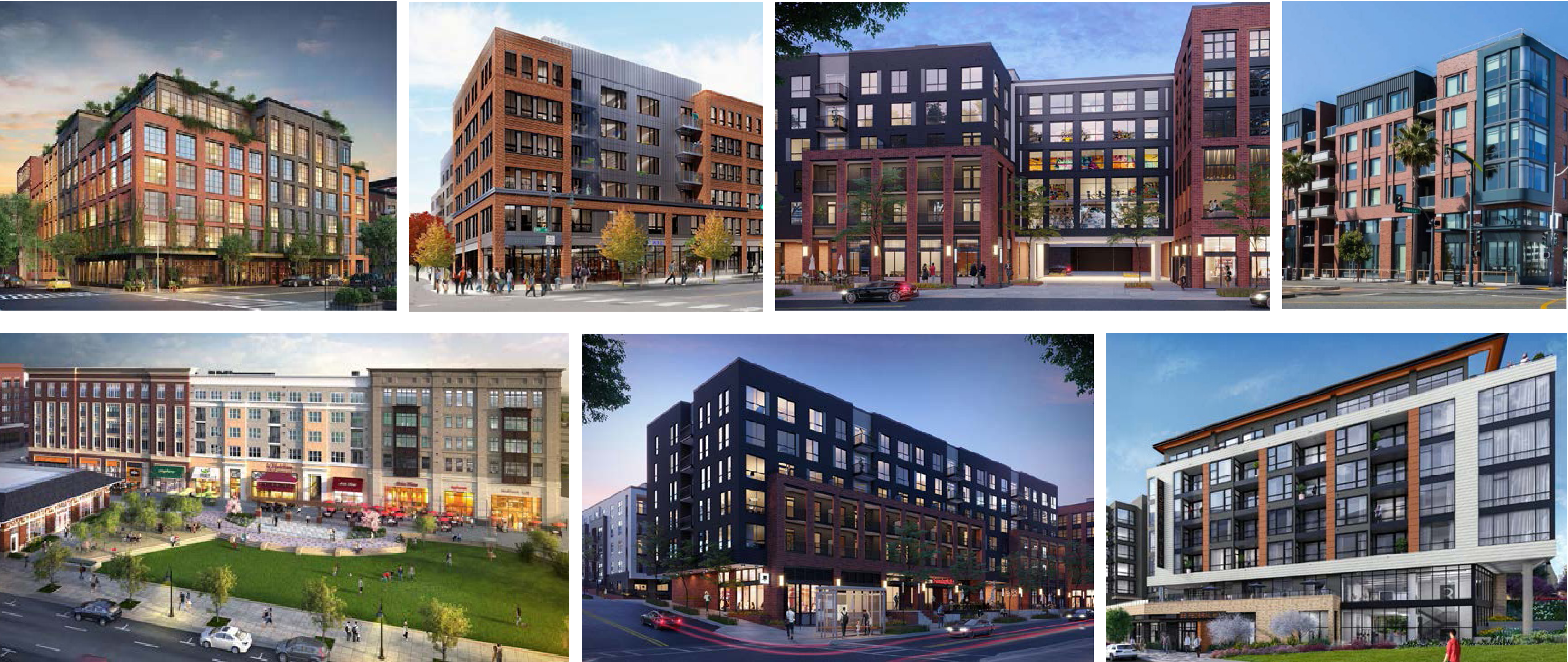
Multi-Family Standard Notes

- 1. The precedent images on this sheet are representative of the potential style and quality of the building facades to be used on multi-family buildings. Exact design and details may vary.
- 2. Materials and colors shown on the precedent images are not necessarily representative of materials and colors to be used in final building design. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
- 3. Building facades shall not exceed eighty (80) feet in length without projections, recesses, or other architectural features or material or color changes to help break up the massing of the building.
- 4. Buildings over four (4) stories shall clearly articulate the building base from the top of the building through materials, architectural details and/or changes in the plane of the wall (projections and recessions).
- 5. To the maximum extent practical, roof vents, pipes, antennas, satellite dishes, and other roof top penetrations and equipment (except chimneys) shall be located on the rear or interior facades or screened from view so as to have minimal visual exposure as seen from an adjacent street. This provision shall not apply to solar panels.
- 6. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #		---
DATE	04.27.2022	DRAWN BY
SCALE		JB
Architectural Standards - Multifamily		
North Dekalb Mall		
<div>EDENS<sup>TM</sup></div> <div>3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418</div>		
SHEET NO.		
A-1.04		



PRECEDENT IMAGES



Multi-Family Standard Notes

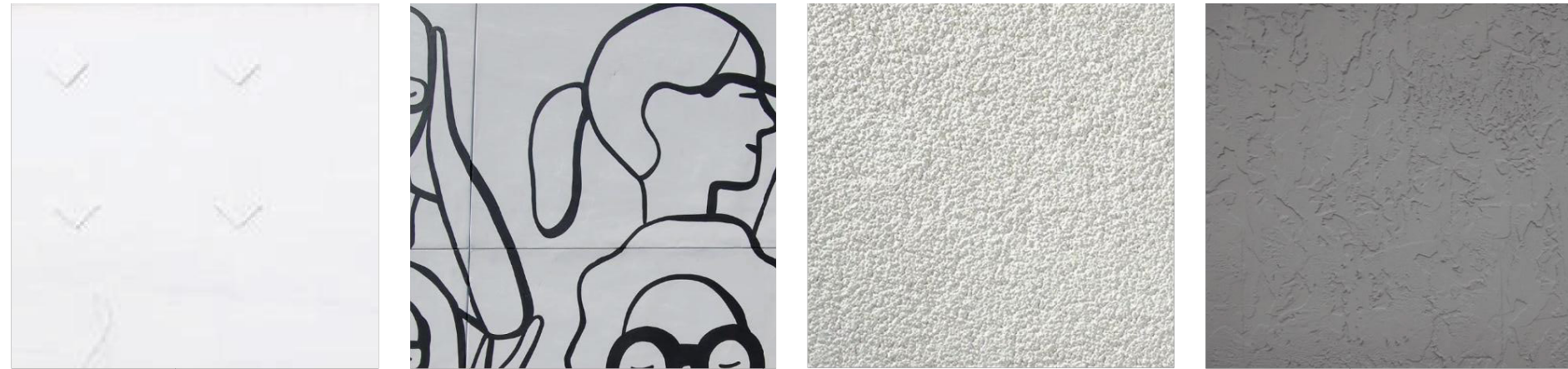
- 1. The precedent images on this sheet are representative of the potential style and quality of the building facades to be used on multi-family buildings. Exact design and details may vary.
- 2. Materials and colors shown on the precedent images are not necessarily representative of materials and colors to be used in final building design. Actual materials may vary but will in general be consistent with the types of materials shown on Sheet A-2.01.
- 3. Building facades shall not exceed eighty (80) feet in length without projections, recesses, or other architectural features or material or color changes to help break up the massing of the building.
- 4. Buildings over four (4) stories shall clearly articulate the building base from the top of the building through materials, architectural details and/or changes in the plane of the wall (projections and recessions).
- 5. To the maximum extent practical, roof vents, pipes, antennas, satellite dishes, and other roof top penetrations and equipment (except chimneys) shall be located on the rear or interior facades or screened from view so as to have minimal visual exposure as seen from an adjacent street. This provision shall not apply to solar panels.
- 6. Building design shall also comply with all Zoning Conditions associated with the rezoning of the property.

PROJECT #		---
DATE	04.27.2022	DRAWN BY
SCALE		JB
Architectural Standards - Multifamily		
North Dekalb Mall		
<div>EDENS<sup>TM</sup></div> <div>3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418</div>		
SHEET NO.		
A-1.05		



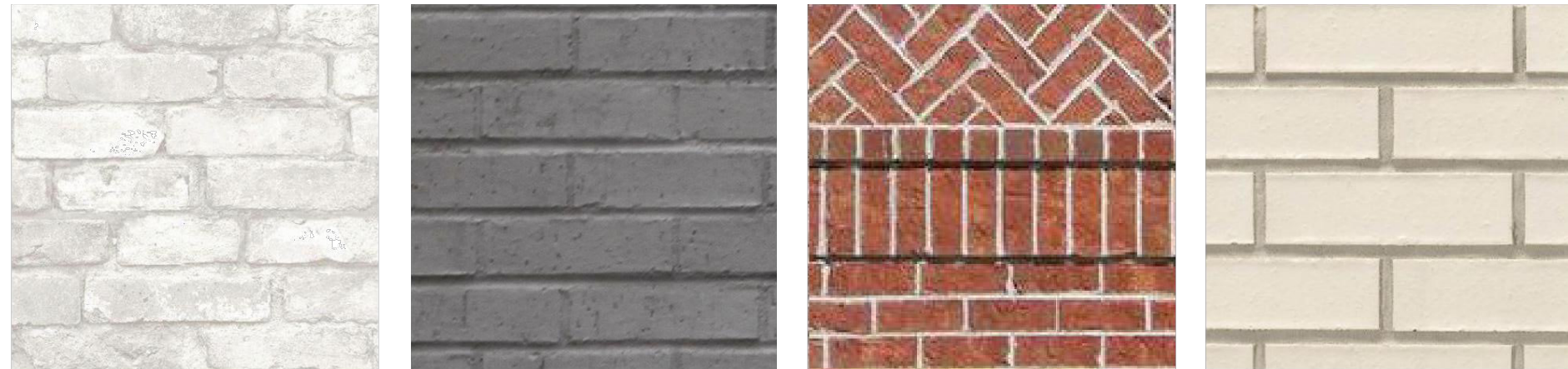
1

EIFS & STUCCO



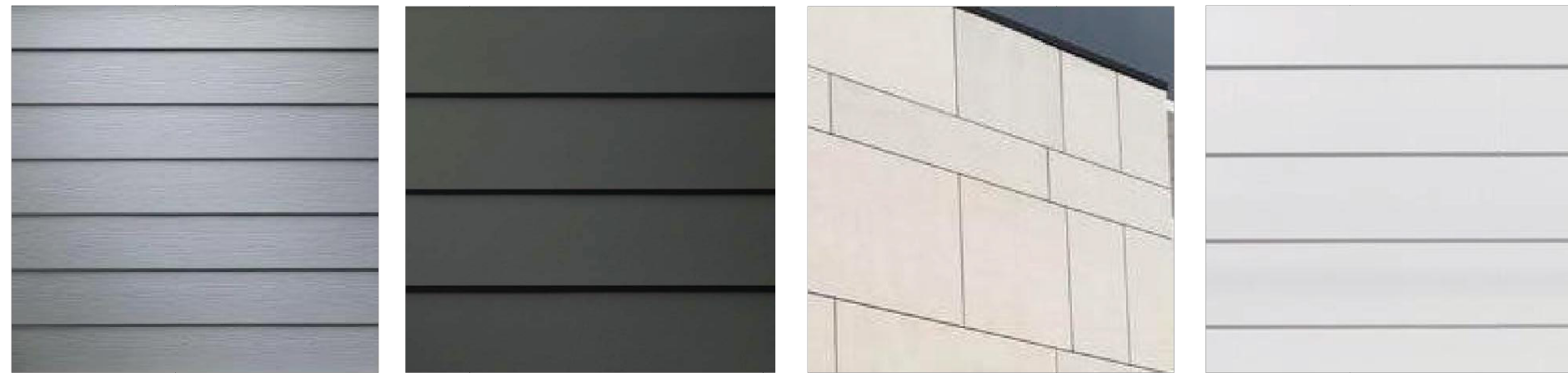
2

Modular Brick  
Brick Veneer  
Painted & Integral  
Color



3

Plank Siding  
Hardie Board, Fiber  
Cement ; Shiplap  
Siding



4

Cast in Place  
Concrete &  
Ground Face Block



5

Storefront: Wood,  
Aluminum & Steel



6

Fabric Awnings



7

Doors; Wood,  
Aluminum & Steel



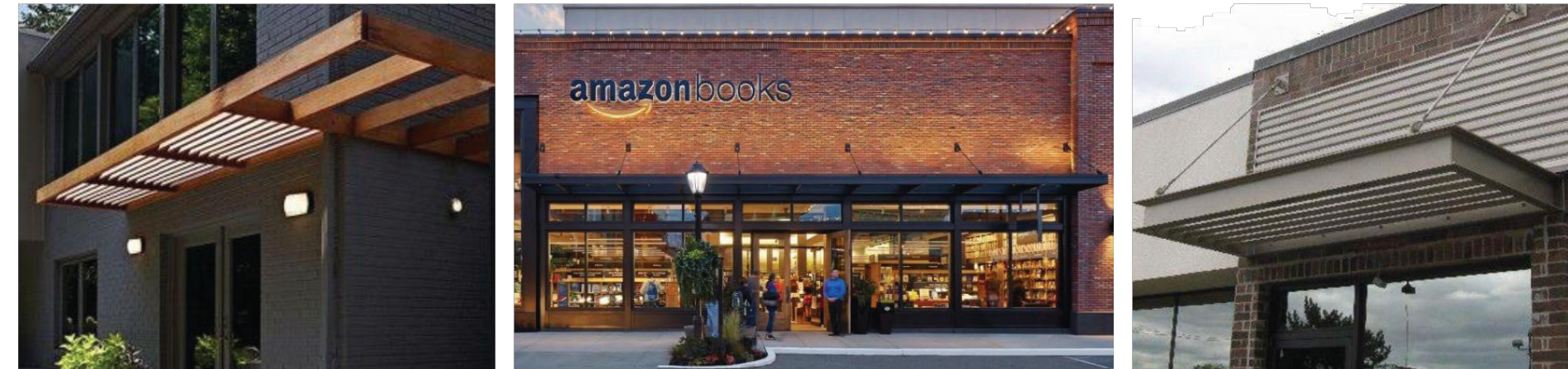
8

Pre Finished Metal ;  
Metal Panels & Coping



9

Prefab Canopy  
System



10

Metal Canopy  
or Trellis



11

Mural / Art Work



12

Decorative Light  
Fixtures



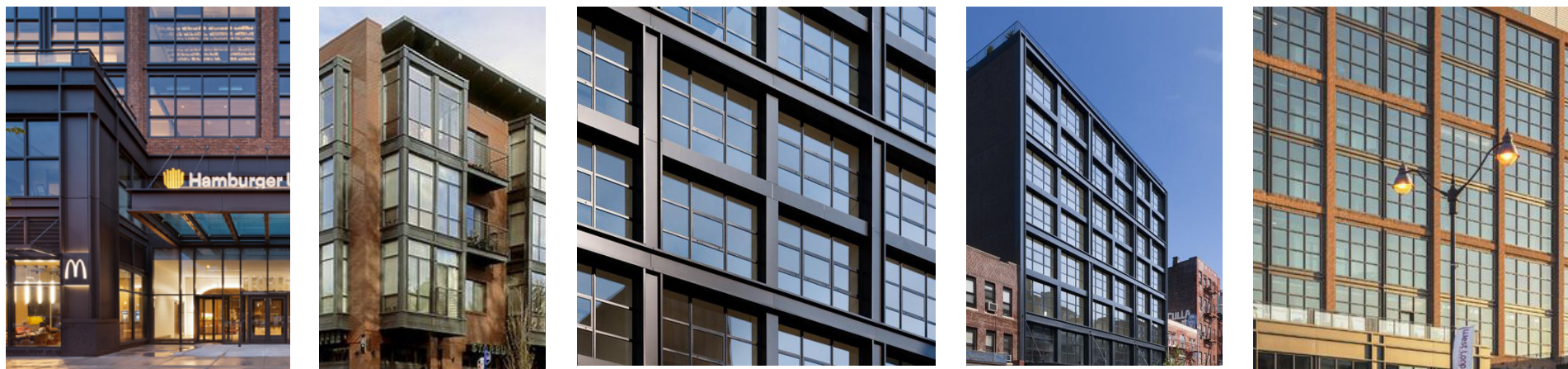
13

Tile



14

Exposed / Painted  
Steel



Material Standard Notes

1. See Standard Notes on Sheets A-1.01, A-1.02, A-1.03, A-1.04 and A-1.05
2. Materials shown are representative of the quality of materials to be used and do not represent all materials which may be incorporated. In addition to materials shown on this sheet, all materials listed in DeKalb County Zoning Code Section 27-5.7.4. shall be permitted except that vinyl siding shall be prohibited in addition to other prohibited materials.

Storefronts, Canopies and Materials.

North Dekalb Mall

EDENS™

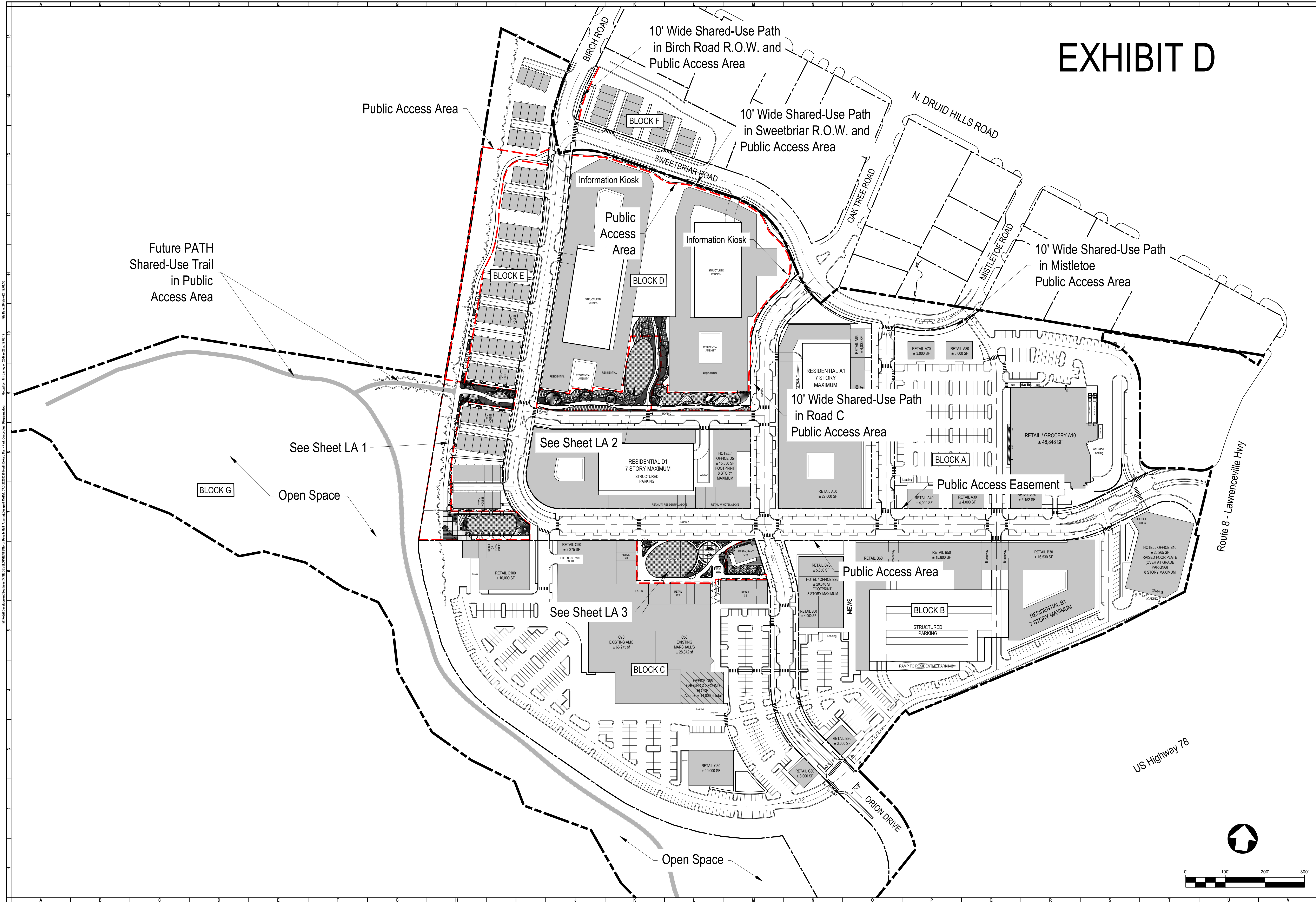


SHEET NO.

A-2.01

3050 Peachtree Road, NW Suite 580 Atlanta, GA 30305 Phone/Fax 678.527.0418





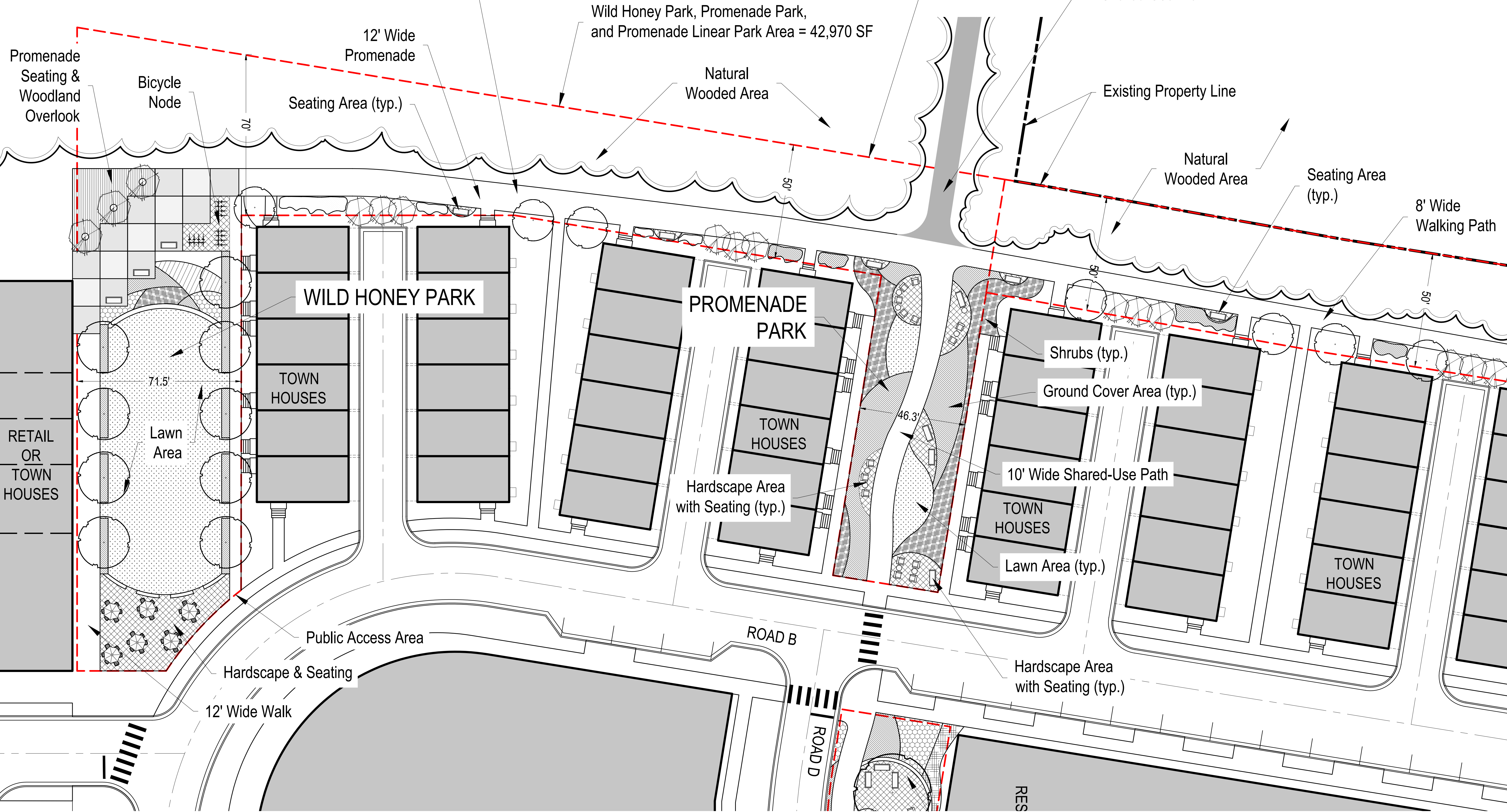
# EXHIBIT D

PROJECT #		---	
DATE	5/20/2022	SCALE	As Noted
Conceptual Open Space Plan		North Dekalb Mall	
EDENS <sup>TM</sup>		1221 Main Street • Suite 1000 • Columbia, SC • 29201 Phone: 803.779.4420 • Fax: 877.217.355	
SHEET NO.		OS 1	



# Linear Park

## Promenade Park & Wild Honey Park



- Plan Notes:**
- Design shown is conceptual and represents the type of open space to be created. Actual layout and design details will be finalized as part of Land Disturbance Permit.
  - The overall Public Access Area of Wild Honey Park, Promenade Park, and Promenade Linear Park shall not be reduced by more than 15% of the area indicated.
  - Existing trees to the West of the 12' wide promenade shall be limbed up to allow views into the flood plain area.
  - The exact location of Wild Honey Park and Promenade Park may shift North or South but the width shall not be decreased by more than 5' from what is shown on the plan.

PROJECT #	---	DRAWN BY	JAL
DATE	5/20/2022	SCALE	As Noted

**Conceptual Park Diagram**  
North Dekalb Mall

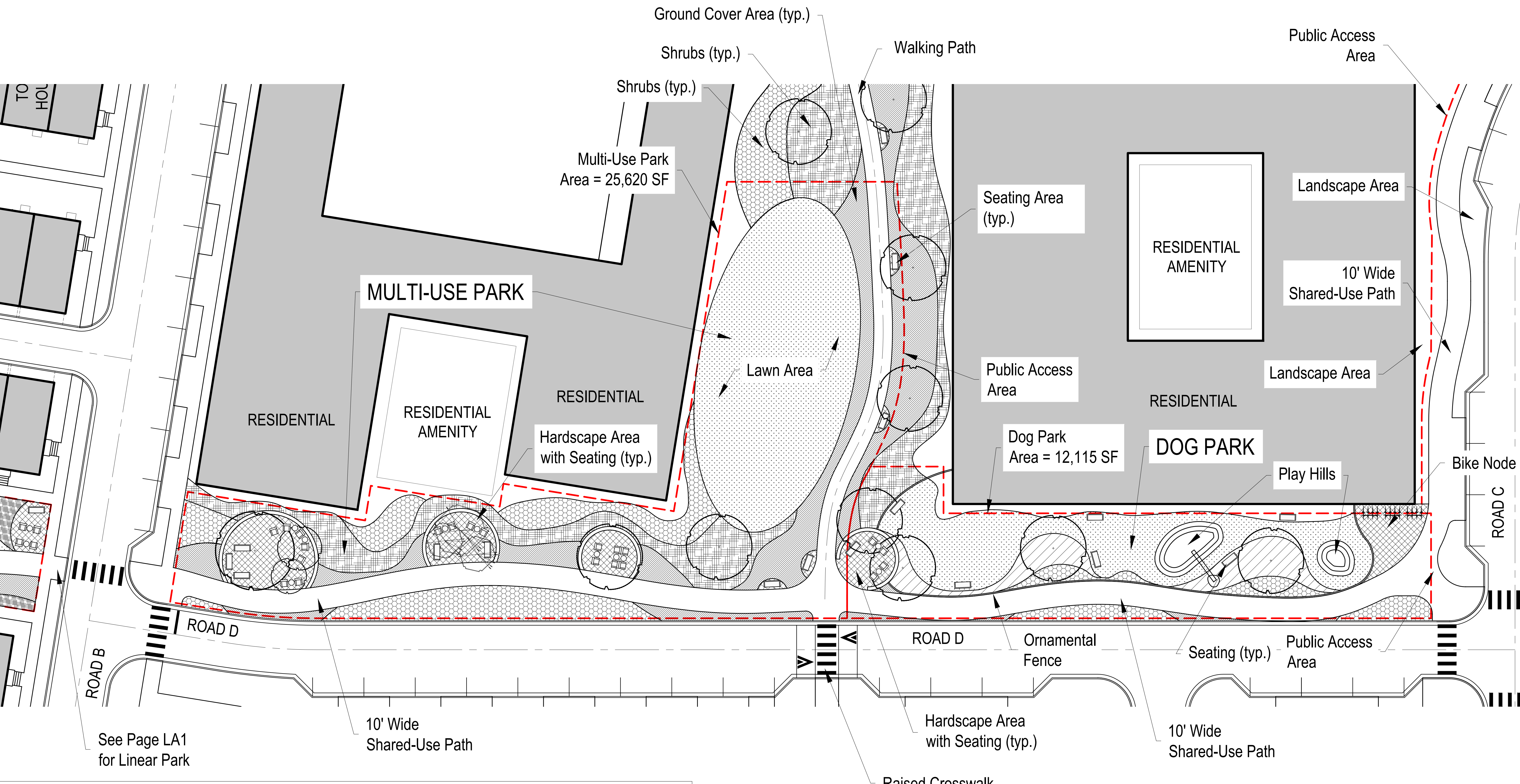
**EDENS™**  
1221 Main Street • Suite 1000 • Columbia, SC • 29201 Phone: 803.779.4420 • Fax: 877.217.3355

SHEET NO. **LA 1**



# Park Spine

## Multi-Use Park & Dog Park



**Plan Notes:**

1. Design shown is conceptual and represents the type of open space to be created. Actual layout and design details will be finalized as part of Land Disturbance Permit.

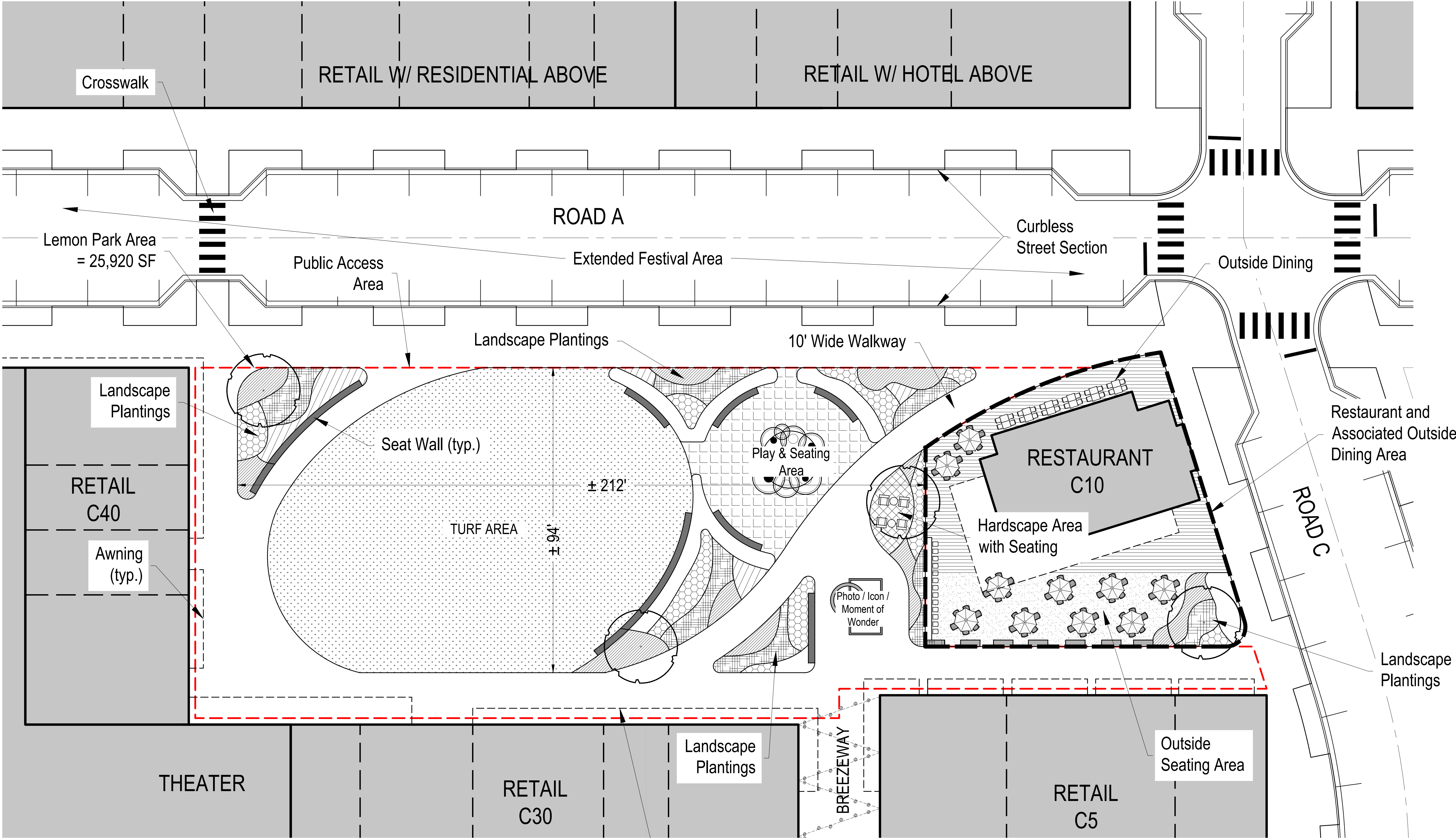
2. The overall Public Access Area for the Multi-Use Park and the Dog Park may not be reduced by more than 15% of the area indicated.

3. The exact location and configuration of the Multi-Use Park and the Dog Park within Block D may be changed as allowed by the Zoning Conditions.

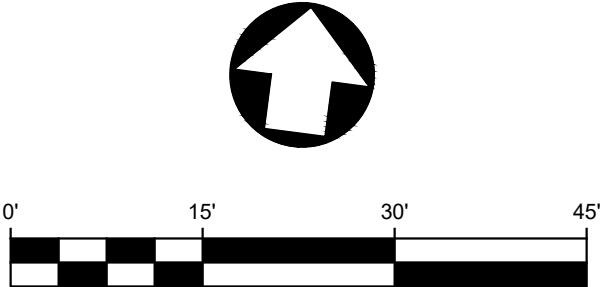
PROJECT #		---	
DATE		5/20/2022	
SCALE		As Noted	
DRAWN BY		JAL	
Conceptual Park Diagram			
North Dekalb Mall			
EDENS™			
1221 Main Street • Suite 1000 • Columbia, SC • 29201 Phone: 803.779.4420 • Fax: 877.217.355			
SHEET NO. LA 2			



# Lemon Park & Festival Area



- Plan Notes:**
1. Design shown is conceptual and represents the type of open space to be created. Actual layout and design details will be finalized as part of Land Disturbance Permit.
  2. Exact location and size of Restaurant C10 and associated outdoor dining shall vary but it shall be located within the area indicated as "Restaurant and Associated Outside Dining Area".
  3. A minimum of 12' wide sidewalk / amenity zone shall be provided along Retail C5, C30, and C40.
  4. The overall Public Access Area for Lemon Park may not be reduced by more than 15% of the area indicated.



PROJECT #	---
	DATE
5/20/2022	SCALE
As Noted	JAL
Conceptual Park Diagram	
North Dekalb Mall	
EDENS™	
1221 Main Street • Suite 1000 • Columbia, SC • 29201 Phone: 803.779.4420 • Fax: 877.217.355	
SHEET NO.	
LA 3	



DEVELOPMENT SUMMARY	
<b>SITE SUMMARY:</b>	
CURRENT ZONING:	C-1
PROPOSED ZONING:	MU-4
SITE AREA (AC.):	73.11
TOTAL OPEN SPACE (AC):	19.04
REQ. OPEN SPACE (10%) (AC):	7.31
<b><u>BUILDING SETBACKS:</u></b>	
FRONT (FT):	0
SIDE (FT):	0
BACK (FT):	10
<b><u>TRANSITIONAL BUFFERS:</u></b>	
ABUTTING RESIDENTIAL (FT)	50
<b><u>ADDITIONAL INFORMATION:</u></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:	320,000 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

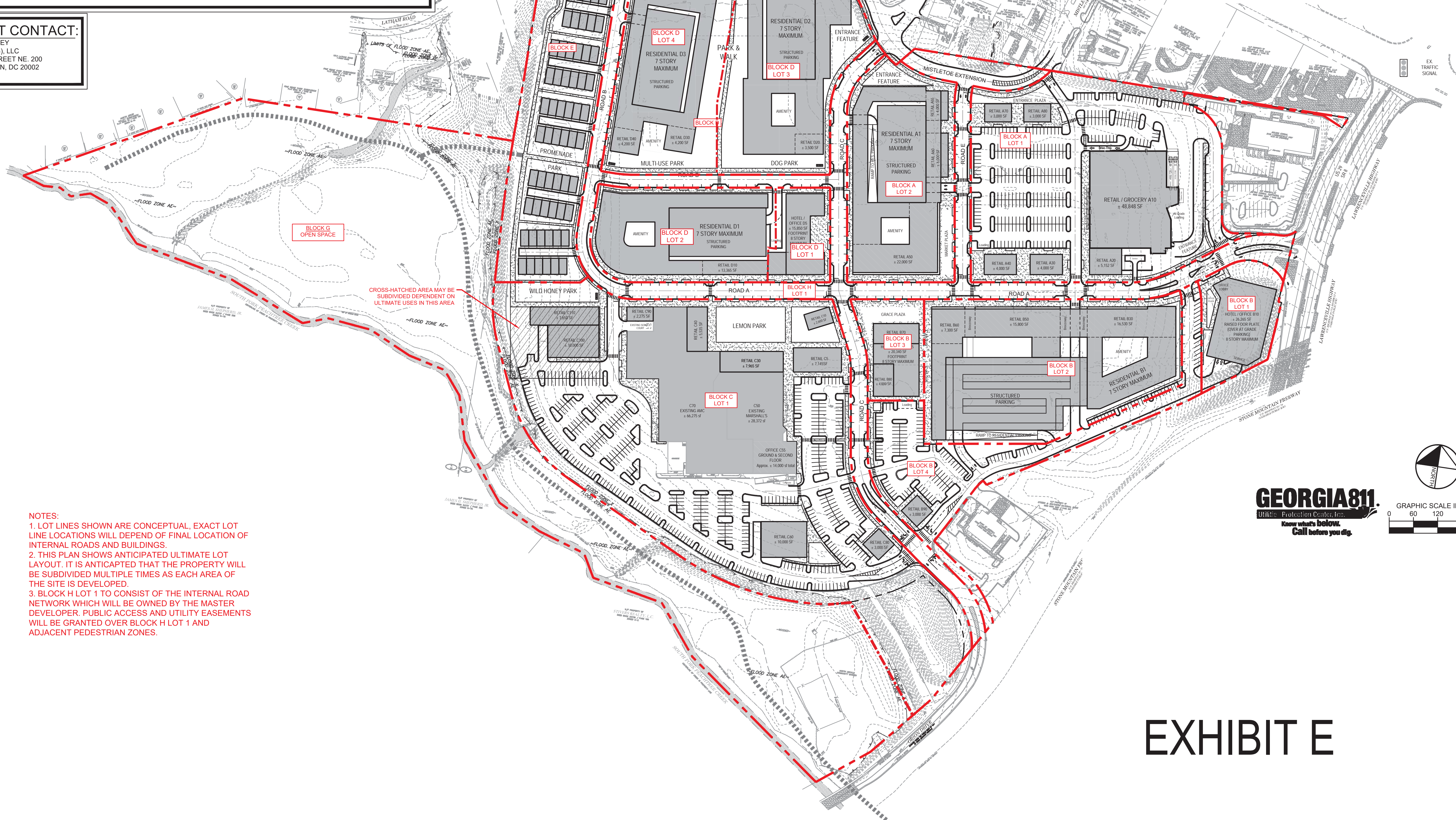
JIM MCKENNEY  
NDM (EDENS), LLC  
1272 5TH STREET NE. 200  
WASHINGTON, DC 20002  
803-269-8913



### VICINITY MAP

---

NOT TO SCALE



**NOTES:**

1. LOT LINES SHOWN ARE CONCEPTUAL, EXACT LOT LINE LOCATIONS WILL DEPEND OF 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.

# EXHIBIT E

[illegible]



## **Exhibit F**

### **North DeKalb Sustainability Program**

Sustainability is ingrained in EDENS Culture and design process. EDENS process includes evaluating at every stage of the design how we can best incorporate sustainability into the design, construction, and operation of the project. The design process along with our initiative to have our retailers incorporate sustainable practices in the design, construction and operation of their spaces create an overall Sustainable Place.

#### **EDENS CORE VALUES**

One of EDENS' core values, stewardship is more than materials, processes, and policies; it is how we thoughtfully develop, utilize and take care of our resources and assets for future generations. We have led the industry with our sustainable practices across our entire portfolio and within our organization for more than a decade, and we have consistently held ourselves responsible. The results are significant, as shown in our most recent Sustainability Report, but we believe there is much more to do.

As stewards of our communities and leaders of our industry, we are helping to ensure the future. Our efforts today promise more benefits than what we currently see. Together, we harness a collective desire for prosperity well beyond our time.

Information on EDENS sustainability initiatives can be found on our website at [edens.com/gogreen/](https://edens.com/gogreen/) where we not only provide a yearly Sustainability Report showing our progress, but also provide resources for our retail partners to encourage them to embrace more sustainable practices, and resources for our employees to be more sustainable both at work and home. EDENS incorporates the same sustainability practices in the design and operation of our company office spaces.

As noted on our website, EDENS has been 100% carbon neutral in all common areas since 2015.

#### **SUSTAINABLE MIXED-USE REDEVELOPMENT**

Even without considering the numerous sustainable practices that will be incorporated into the design of the project, the proposed redevelopment is sustainable at its core. As envisioned by



the DeKalb County Comprehensive Plan the existing car-centric mall will be transformed into a mixed-use community that is focused on pedestrians and bicycles and not automobiles.

Redevelopment of existing sites is inherently sustainable not only because natural areas are not impacted but also because the existing property has minimal sustainable practices and has large environmental impacts which will be replaced with a site incorporating sustainable practices thereby decreasing existing impacts from the site.

Minimal new offsite infrastructure is needed because of the redevelopment as the infrastructure already exists thereby decreases the impacts of extending infrastructure to the property.

A mixed-use project that includes retail, restaurants, grocery, entertainment, office, and medium density retail creates a live-work-play community where people do not have to get into their car on a daily basis. The project as envisioned will result in a reduction of Vehicle Miles Traveled (VMT) and overall reduction of 35% automobile trips onto the adjacent roadways as compared to the traditional suburban development where different uses are separated into different areas requiring people to drive to services, restaurants, entertainment, and work.

By providing medium-density residential the project can provide structured parking for the multi-family residential thereby minimizing the land area used for parking. By allowing taller multi-family and office buildings, the same amount of space can be constructed on less land area thereby reducing the impacts to the environment.

## **SUSTAINABLE DESIGN PRACTICES TO BE INCORPORATED INTO THE PROJECT**

As explained below in an overview of our sustainable design process, each project presents different opportunities with regard to the best way to incorporate sustainable practices in the site design and what will have the greatest impacts based on actual site conditions and local and state regulations and incentives for sustainable practices.

While a complete list of the sustainable practices that will be incorporated into the design is not possible at this time, the below list includes items that will be incorporated into the project:

- Reduction of impervious surface on the mixed-use redevelopment plan vs existing conditions.
- LED lighting (with advanced controls system) will be used for all site lighting as well as for all building lights to the greatest extent possible. All site lighting will be dark sky friendly.



- Two Percent of all surface and structured parking spaces will have Electric Vehicle Charging Stations (EVCS) and parking structures will be designed to allow for future EVCS as more chargers are needed.
- A Shared-Use Path will be incorporated into the project that will be designed for connection of a future PATH trail along the South Fork Peachtree Creek. In addition, numerous bike racks and bike maintenance stands as well as informational boards will be provided for the general public to encourage not only people biking to the project site but through the site to other locations.
- A walkable street network will be provided throughout the site and connecting to adjacent communities which will not only reduce VMT but also provide an opportunity for daily physical activity with connection to regional Shared-Use Path that will allow for commuting.
- Incorporation of at least one enhanced MARTA bus stop on the site. Owner will also work with MARTA to determine if additional stops and routes make sense either now or in the future as the site develops.
- The townhouses will be designed to provide the option for purchasers to install solar panels on the roofs. Electric panels in townhouses will be designed to accommodate a future 40-amp breaker for future solar system installation.
- A seventeen-acre wooded area and community garden will be preserved as open space
- Heat island reduction through adding tree canopy in parking fields and along new internal roads as well as in open space, reduced surface parking, and selection of roofing materials that are high albedo (reflective).
- Implementation of storm-water quality and quantity throughout the redeveloped areas with a focus on low-impact development such as rain gardens/bio-retention facilities and the use of underground detention systems with filter cartridges when if storm water quality cannot be achieved with rain gardens/bio-retention facilities.
- Negotiating sustainable practices into the retailer work letters including highly discouraging the use of natural gas (a non-renewable energy source) in favor of the use of electricity (a potentially renewable energy source) for HVAC and water heating.
- Implementation of a waste management plan including an aggressive recycling plan for retailers, multi-family buildings and for the general public visiting the project (all



locations where trash receptacle are provided throughout the site will have an accompanying recycling receptacle). The waste management plan will determine the viability of providing a site wide compost collection system for restaurant food waste or at a minimum the restaurants will be encouraged to participate in a compost program such as CompostNow.

- Use of smart thermostats in all residential units.
- Providing 240V AC plugs, or current industry standard, in all townhouse garages.
- 1 bicycle parking space shall be provided for every 12 automobile parking spaces in multi-family parking structures.
- During the design of each building structure, the design team shall evaluate the potential for installing solar panels. The design team will explore incentive programs and/or third-party providers such as [cherrystreetenergy.com](http://cherrystreetenergy.com)
- Use of electric (battery powered) leaf blowers and electric security golf-style carts.
- Renewable energy credits will be purchased annually to offset the retail common area energy consumption that cannot be offset with onsite practices.
- EDENS will track / model energy usage across the retail development/tenants (where permitted by leases) over time with the intent of helping retailers reduce or eliminate their carbon footprint.

## **SUSTAINABLE DESIGN PROCESS AND RESOURCES**

EDENS sustainable design starts at day one with the selection of Consultant's who have sustainable design experience and incorporation in their contract of the requirement for the Consultant to create a Sustainability Plan. EDENS contracts includes the use of AIA Document E204-2017 – Sustainable Projects Exhibit, see Exhibit S1, which requires the Consultant to evaluate the potential use of Sustainable Practices during the Schematic, Design Development, and Construction Document stages of the design.

EDENS in conjunction with the Consultants will complete the EDENS Sustainability Checklist, see Exhibit S2, prior to the Schematic Design phase to establish environmental goals for the project. Once Schematic Plans have been prepared, EDENS and the Consultant once again reviews the



plan against the Checklist to determine if sustainable practices have been incorporated and if there are opportunities to implement additional sustainable elements into the project.

When designing the site improvements, EDENS follows a similar approach evaluating with the Civil Engineer, Landscape Architect, and Lighting Consultant what sustainable elements make the most sense to incorporate into the project and EDENS creates a preliminary Smart Development Plan; an example a Smart Development Plan is included in Exhibit S3, which is used to convey the design intent as it relates to sustainable elements. As the design progresses, EDENS along with the Consultant team periodically review the design plans to determine if other sustainable elements can be incorporated into the design or of sustainable elements can be provided to provide a better environmental design and the Smart Development Plan is updated accordingly.

EDENS sustainable initiatives do not end with the design, EDENS incorporates requirements and/or goals for the Contractor to meet during construction such as recycling of demolition debris and potential reuse of materials on site as well as maintenance of erosion control measures and dust control. EDENS assigns an in-house Construction Manager (CM) to all projects and the CM is responsible for enforcing the contract requirements with the Contractor and ensuring the sustainable elements are incorporated into the project per the construction drawings and contract requirements. The CM also serves as the main contact with regard the County and addressing any neighboring property owner concerns during the construction process.

Once construction is complete, the CM creates a turnover package and holds a Turnover Meeting with EDENS in-house Property Management group in order to convey information with regard to the continued maintenance of sustainable elements that have been incorporated into the project.

## **RETAILER/TENANT SUSTAINABLE PRACTICES**

In addition to the sustainable elements and practices that EDENS incorporates into the overall projects, EDENS also focuses on encouraging our retail partners to embrace more sustainable practices. These efforts vary by tenant as some tenants already have sustainable initiatives of their own while other tenants don't have the knowledge or resources to implement sustainability into their operations without help from EDENS.

As part of our lease negotiations, EDENS uses a standard Sustainable Practices Lease Exhibit, see Exhibit S4, as a starting point for negotiations with tenants as to what elements they are required or encouraged to incorporate in the design and operation of their spaces. EDENS also provides resources to our tenants including our Retailer Sustainable Practices Guide, see Exhibit S5 which is also available on [edens.com/gogreen/](http://edens.com/gogreen/), as well as EDENS in-house staff that review and comment on Retailer/Tenant up-fit plans to determine compliance with sustainable lease



requirements. In addition, EDENS assigns a Tenant Construction Manager (TCM) to every tenant build out and the TCM is responsible for ensuring the spaces are built out per the construction drawings.

## **STORMWATER**

EDENS is committed to making stormwater quality and quantity management a central part of the redevelopment and Sustainability Program. EDENS approach to stormwater quality design is consistent with the DeKalb County stormwater water regulations as well as the State of Georgia Stormwater Management Manual (GSMM), known as the “Blue Book”.

EDENS approach to stormwater quality is to use best management practices (BMPs) to the maximum extent practical based on-site conditions and other site plan constraints. In conjunction with direction from the civil engineer of record, a geotechnical engineer will perform infiltration tests in various sections of the site to determine what areas potentially can be used for infiltration. If due to low infiltration rates, infiltration trenches are not feasible on the site and/or in conjunction with infiltration trenches other BMPs will be investigated including the use of bioretention facilities (rain gardens) and/or micro-bioretention boxes. In addition, the existing detention pond will be modified to create water quality volume at the bottom of the pond vs. the current extended dry detention facility which primarily provide water quantity control. The intent of the overall storm water approach is to capture and treat smaller areas of runoff before discharging into the stormwater discharge lines vs. creating one large stormwater quality/quantity facility on the site as it has been found that this approach results in better stormwater quality treatment.

Addition storm water quantity control will be provided in underground stormwater vaults or pipe systems with an outlet control and stormwater filters as required to provide additional storm water quality treatment.

An overall stormwater management plan will be created for the project showing what areas are treated by different facilities. This plan will also be used as an educational tool when discussing the project with various parties of interest. An example of an Overall Stormwater Management Plan is included in Exhibit S6.



# **EXHIBIT S1**

## **Architect Sustainable Projects Exhibit (AIA E204 – 2017)**



# DRAFT AIA® Document E204™ – 2017

## Sustainable Projects Exhibit

This Exhibit dated the « » day of « » in the year « » is incorporated into the agreement (the “Agreement”) between the Parties for the following Project:

(Name and location or address of the Project)

« »  
« »

### TABLE OF ARTICLES

1	GENERAL PROVISIONS
2	ARCHITECT
3	CONTRACTOR
4	OWNER
5	CLAIMS AND DISPUTES
6	MISCELLANEOUS PROVISIONS
7	SPECIAL TERMS AND CONDITIONS

### ARTICLE 1 GENERAL PROVISIONS

§ 1.1 This Exhibit provides for the establishment of the services of the Architect, the Work of the Contractor, and requirements and services of the Owner, where the Project includes achievement of a Sustainable Objective.

#### § 1.2 Definitions

##### § 1.2.1 Sustainable Objective

The Sustainable Objective is the Owner’s goal of incorporating Sustainable Measures into the design, construction, maintenance and operations of the Project to achieve a Sustainability Certification or other benefit to the environment, to enhance the health and well-being of building occupants, or to improve energy efficiency. The Sustainable Objective is identified in the Sustainability Plan.

##### § 1.2.2 Sustainable Measure

A Sustainable Measure is a specific design or construction element, or post occupancy use, operation, maintenance or monitoring requirement that must be completed in order to achieve the Sustainable Objective. The Owner, Architect and Contractor shall each have responsibility for the Sustainable Measure(s) allocated to them in the Sustainability Plan.

##### § 1.2.3 Sustainability Plan

The Sustainability Plan is a Contract Document that identifies and describes: the Sustainable Objective; the targeted Sustainable Measures; implementation strategies selected to achieve the Sustainable Measures; the Owner’s, Architect’s and Contractor’s roles and responsibilities associated with achieving the Sustainable Measures; the

#### ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

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specific details about design reviews, testing or metrics to verify achievement of each Sustainable Measure; and the Sustainability Documentation required for the Project.

#### § 1.2.4 Sustainability Certification

The Sustainability Certification is the initial third-party certification of sustainable design, construction, or environmental or energy performance, such as LEED®, Green Globes™, Energy Star or another rating or certification system, that may be designated as the Sustainable Objective or part of the Sustainable Objective for the Project. The term Sustainability Certification shall not apply to any recertification or certification occurring subsequent to the initial certification.

#### § 1.2.5 Sustainability Documentation

The Sustainability Documentation includes all documentation related to the Sustainable Objective or to a specific Sustainable Measure that the Owner, Architect or Contractor is required to prepare in accordance with the Contract Documents. Responsibility for preparation of specific portions of the Sustainability Documentation will be allocated among the Owner, Architect and Contractor in the Sustainability Plan and may include documentation required by the Certifying Authority.

#### § 1.2.6 Certifying Authority

The Certifying Authority is the entity that establishes criteria for achievement of a Sustainability Certification and is authorized to grant or deny a Sustainability Certification.

§ 1.3 Set forth below any incentive programs related to the Sustainable Objective the Owner intends to pursue, any deadlines for receiving the incentives, and any requirements related to the incentive programs that are applicable to the Architect or the performance of the Architect's services:

*(Identify incentive programs the Owner intends to pursue and deadlines for submitting or applying for the incentive program.)*

« »

§ 1.4 The Parties agree to incorporate this Exhibit into the agreements with the project participants performing services or Work in any way associated with the Sustainable Objective.

### ARTICLE 2 ARCHITECT

#### § 2.1 Scope of Architect's Sustainability Services

The Architect shall provide the Sustainability Services described in this Article 2. The Architect's performance of the services set forth in this document is based upon the Initial Information included in the Owner-Architect Agreement.

#### § 2.2 Sustainability Certification Agreements

If the anticipated Sustainable Objective set forth in the Initial Information includes a Sustainability Certification, the Architect shall provide the Owner with copies of all agreements required by the Certifying Authority to register the Project and pursue the Sustainability Certification. The Owner and Architect will review and confirm that the terms of those agreements are acceptable to the Owner before moving forward with the Sustainability Services under this Article 2. The Owner agrees to execute all documents required by the Certifying Authority to be executed by the Owner, including any documentation required to establish the authority of the Architect as an agent of the Owner, for the limited purpose of pursuing the Sustainability Certification.

#### § 2.3 Sustainability Workshop

As soon as practicable, but not later than the conclusion of the Schematic Design Phase Services, the Architect shall conduct a Sustainability Workshop with the Owner, the Owner's consultants, and the Architect's consultants, during which the participants will: review and discuss potential Sustainability Certifications; establish the Sustainable Objective; discuss potential Sustainable Measures; examine strategies for implementation of the Sustainable Measures; and discuss the potential impact of the Sustainable Measures on the Project schedule, the Owner's program, and the Owner's budget for the Cost of the Work.



## § 2.4 Sustainability Plan Services

§ 2.4.1 Following the Sustainability Workshop, the Architect shall prepare a Sustainability Plan based on the Sustainable Objective and targeted Sustainable Measures.

§ 2.4.2 As part of the Architect's submission of the Schematic Design Documents in accordance with the Owner-Architect Agreement, the Architect shall submit the Sustainability Plan prepared in accordance with Section 2.4.1, to the Owner, and request the Owner's approval.

§ 2.4.3 As part of the Architect's submission of the Design Development Documents and Construction Documents in accordance with the Owner-Architect Agreement, the Architect shall advise the Owner of any adjustments to the Sustainability Plan, and request the Owner's approval.

§ 2.4.4 The Architect shall perform those Sustainable Measures identified as the responsibility of the Architect in the approved Sustainability Plan and any approved changes to the Sustainability Plan.

§ 2.4.5 Subject to Section 2.9.2, the Architect shall make adjustments to the Sustainability Plan as the design and construction of the Project progresses.

## § 2.5 Design Phases

§ 2.5.1 The Architect shall prepare Schematic Design Documents, Design Development Documents and Construction Documents that incorporate the Sustainable Measures identified in the Sustainability Plan, as appropriate.

§ 2.5.2 As part of the Sustainable Measures, the Project may require the use of materials and equipment that have had limited testing or verification of performance. The Architect may be unable to determine whether the materials or equipment will perform as represented by the manufacturer or supplier. The Architect shall discuss with the Owner the proposed use of such materials or equipment and potential effects on the Sustainable Objective that may occur if the materials or equipment fail to perform in accordance with the manufacturer's or supplier's representations. The Owner will render a written decision regarding the use of such materials or equipment in a timely manner. In the event the Owner elects to proceed with the use of such materials or equipment, the Architect shall be permitted to rely on the manufacturer's or supplier's representations and shall not be responsible for any damages arising from failure of the material or equipment to perform in accordance with the manufacturer's or supplier's representations.

## § 2.6 Construction Phase

§ 2.6.1 The Architect shall advise and consult with the Owner regarding the progress of the Project toward achievement of the Sustainable Measures. Based on site visits performed in accordance with the Owner-Architect Agreement and other information received from the Contractor, the Architect shall promptly notify the Owner of known deviations from the Contract Documents and defects or deficiencies in the Work that will affect the achievement of Sustainable Measures. The Architect shall meet with the Owner and Contractor to discuss remedies or, where appropriate, alternatives to achieve the Sustainable Measures.

§ 2.6.2 If the Architect determines that a proposed change in the Work would materially impact a Sustainable Measure or the Sustainable Objective, the Architect shall notify the Owner and, upon the Owner's written authorization, further investigate such change.

§ 2.6.3 At Substantial Completion, the Architect shall forward to the Owner all Sustainability Documentation prepared by the Contractor in accordance with the Contract Documents, except for Sustainability Documentation which by its nature must be completed after Substantial Completion.

§ 2.6.4 The Owner's payment of the Architect's final invoice does not relieve the Architect's obligation to fulfill its responsibilities related to achieving the Sustainable Objective.

## § 2.7 Project Registration and Submissions of Sustainability Documentation to the Certifying Authority

§ 2.7.1 If the Sustainable Objective includes a Sustainability Certification, the Architect, as agent for the Owner, shall perform the services set forth in this Section 2.7.



§ 2.7.2 The Architect shall register the Project with the Certifying Authority. Registration fees and any other fees charged by the Certifying Authority, and paid by the Architect, shall be a reimbursable expense and shall be credited against any initial payment received pursuant to the Owner-Architect Agreement.

§ 2.7.3 The Architect shall collect the Sustainability Documentation from the Owner and Contractor; organize and manage the Sustainability Documentation; and, subject to Section 2.9.2, submit the Sustainability Documentation to the Certifying Authority as required for the Sustainability Certification process.

§ 2.7.4 Subject to Section 2.9.2, the Architect shall prepare and submit the application for certification of the Project to the Certifying Authority, including any required supporting documentation, in accordance with the Sustainability Plan.

§ 2.7.5 Subject to Section 2.9.2, and provided the Architect receives timely notice from the Owner or Certifying Authority, the Architect shall prepare and file necessary documentation with the Certifying Authority to appeal a ruling or other interpretation denying a requirement, prerequisite, credit or point necessary to achieve the Sustainability Certification.

§ 2.7.6 Subject to Section 2.9.2, the Architect shall prepare responses to comments or questions received from the Certifying Authority, and submit additional required documentation.

§ 2.7.7 Any certification, declaration or affirmation the Architect makes to the Certifying Authority shall not constitute a warranty or guarantee to the Owner or to the Owner's contractors or consultants.

## § 2.8 Copyrights and Licenses

§ 2.8.1 Solely for the purpose of obtaining or maintaining the Sustainability Certification, the Architect grants to the Owner a nonexclusive license to submit the Architect's Instruments of Service, directly or through third parties, to the Certifying Authority to comply with the requirements imposed by the Certifying Authority, and further grants the Owner a nonexclusive license to allow the Certifying Authority to publish the Instruments of Service in accordance with the policies and agreements required by the Certifying Authority. The licenses granted in this Section are valid only if the Owner substantially performs its obligations under the Owner-Architect Agreement, including prompt payment of all sums when due.

§ 2.8.2 Submission or distribution of Instruments of Service to meet requirements of a Certifying Authority in connection with the Project is not to be construed as publication in derogation of the reserved rights of the Architect and the Architect's consultants under the Owner-Architect Agreement.

## § 2.9 Additional Services

§ 2.9.1 Upon recognizing the need to perform the following Additional Services, in addition to those listed in the Owner-Architect Agreement, the Architect shall notify the Owner with reasonable promptness and explain the facts and circumstances giving rise to the need. The Architect shall not proceed to provide the following services until the Architect receives the Owner's written authorization:

- .1 Changing or editing previously prepared Instruments of Service, including the Sustainability Plan, necessitated by the Certifying Authority's changes in the requirements necessary to achieve the Sustainability Certification; or
- .2 Assistance to the Owner or Contractor with preparation of Sustainability Documentation, for which the Owner or Contractor is responsible pursuant to the Sustainability Plan.

§ 2.9.2 The Architect shall provide services exceeding the limits set forth below as Additional Services. When the limits below are reached, the Architect shall notify the Owner:

- .1 « » ( « » ) adjustments to the Sustainability Plan
- .2 « » ( « » ) meetings during the Design and Construction Phases required to define, develop and incorporate the Sustainable Measures into the Contract Documents
- .3 « » ( « » ) submittals to the Certifying Authority
- .4 « » ( « » ) responses to the Certifying Authority's comments and questions
- .5 « » ( « » ) appeals to the Certifying Authority pursuant to Section 2.7.5



- .6 « » ( « » ) meetings with the Owner and Contractor, pursuant to Section 2.6.1, to discuss remedies or, where appropriate, alternatives to achieve the Sustainable Measures due to deviations from the Contract Documents or defects or deficiencies in the Contractor's Work.

### ARTICLE 3 CONTRACTOR

§ 3.1 The Contractor shall perform those Sustainable Measures identified as the responsibility of the Contractor in the Sustainability Plan.

§ 3.2 The Contractor shall meet with the Owner and Architect to discuss alternatives in the event the Owner or Architect recognizes a condition that will affect achievement of a Sustainable Measure or achievement of the Sustainable Objective. If any condition is discovered by, or made known to, the Contractor that will adversely affect the Contractor's achievement of a Sustainable Measure for which the Contractor is responsible pursuant to the Sustainability Plan, the Contractor will promptly provide notice to the Architect and meet with the Owner and Architect to discuss alternatives to remedy the condition.

§ 3.3 The Contractor shall include, with any request for substitution, a written representation identifying any potential effect the substitution may have on the Project's achievement of a Sustainable Measure or the Sustainable Objective. The Owner and Architect shall be entitled to rely on any such representation. In preparing this representation, the Contractor may request additional information from the Architect describing how the product, material or equipment, for which a substitution is proposed, was intended to satisfy the requirements of a Sustainable Measure or contribute toward achievement of the Sustainable Objective.

§ 3.4 The Contractor shall be responsible for preparing and completing the Sustainability Documentation required from the Contractor by the Contract Documents, including any Sustainability Documentation required to be submitted after Substantial Completion. The Contractor shall submit the Sustainability Documentation to the Architect in accordance with any schedules or deadlines set forth in, or as otherwise required by, the Contract Documents. In the absence of schedules or deadlines for submission of Sustainability Documentation in the Contract Documents, the Contractor will submit the Sustainability Documentation with reasonable promptness, but in no event more than 60 days after Substantial Completion, so that the Architect may submit the Sustainability Documentation to the Certifying Authority.

§ 3.5 If professional design services or certifications by a design professional related to systems, materials or equipment are specifically required of the Contractor by the Contract Documents and the Contractor's design professional proposes the use of materials or equipment that have had limited testing or verification of performance, the Contractor shall discuss with the Architect and Owner the proposed use of such materials or equipment and potential effects on the Sustainable Objective that may occur if the materials or equipment fail to perform in accordance with the manufacturer's or supplier's representations. The Owner will render a written decision regarding the use of such materials or equipment in a timely manner. In the event the Owner elects to proceed with the use of such materials or equipment, the Contractor and Architect shall be permitted to rely on the manufacturer's or supplier's representations and shall not be responsible for any damages arising from the failure of the material or equipment to perform in accordance with the manufacturer's or supplier's representations.

§ 3.6 The Contractor shall make available to each proposed Subcontractor, prior to the execution of the subcontract agreement, copies of the Sustainability Plan and, upon written request of the Subcontractor, identify to the Subcontractor terms and conditions of the proposed subcontract agreement that may be at variance with the Sustainability Plan.

#### § 3.7 Construction Waste Management

The Contractor, in accordance with the Contract Documents, shall prepare and submit to the Architect and Owner a construction waste management and disposal plan setting forth the procedures and processes for salvaging, recycling or disposing of construction waste generated from the Project. The Contractor shall recycle, reuse, remove or dispose of materials as required by the Contract Documents.



### § 3.8 Substantial Completion

Verification that the Project has achieved the Sustainable Objective, or the actual achievement of the Sustainable Objective, shall not be a condition precedent to issuance of a Certificate of Substantial Completion. Except for that portion of the Sustainability Documentation that by its nature must be provided after Substantial Completion, the Contractor shall submit all other Sustainability Documentation required from the Contractor by the Contract Documents no later than the date of Substantial Completion.

### § 3.9 Final Completion

§ 3.9.1 All Sustainability Documentation required from the Contractor by the Contract Documents shall be submitted to the Architect before final payment or any remaining retained percentage shall become due.

§ 3.9.2 Verification that the Project has achieved the Sustainable Objective, or the actual achievement of the Sustainable Objective, shall not be a condition precedent to issuance of the final Certificate for Payment. Final payment does not relieve the Contractor's obligation to fulfill its responsibilities related to achieving the Sustainable Objective.

## ARTICLE 4 OWNER

§ 4.1 Based on the Owner's approval of the Sustainability Plan and any approved changes to the Sustainability Plan, the Owner shall perform those Sustainable Measures identified as the responsibility of the Owner in the Sustainability Plan, or as otherwise required by the Contract Documents. The Owner shall require that each of its contractors and consultants performs the contractor's or consultant's services in accordance with the Sustainability Plan.

§ 4.2 The Owner shall provide to the Contractor and Architect any information requested by the Contractor or Architect that is relevant and necessary for achievement of the Sustainable Objective, including: design drawings; construction documents; record drawings; shop drawings and other submittals; operation and maintenance manuals; master plans; building operation costs; building operation budgets; pertinent records relative to historical building data, building equipment and furnishings; and repair records.

§ 4.3 The Owner shall comply with the requirements of the Certifying Authority as they relate to the ownership, operation and maintenance of the Project both during construction and after completion of the Project.

§ 4.4 The Owner shall be responsible for preparing, filing, and prosecuting appeals to the Certifying Authority, or taking any other actions determined by the Owner to be necessary or desirable, arising from the revocation or reduction of an awarded Sustainability Certification.

§ 4.5 The Owner shall provide the services of a commissioning agent who shall be responsible for commissioning of the Project, or the Owner may engage the Architect to provide commissioning services as an Additional Service.

## ARTICLE 5 CLAIMS AND DISPUTES

The Owner, Contractor and Architect waive claims against each other for consequential damages resulting from failure of the Project to achieve the Sustainable Objective or one or more of the Sustainable Measures.

## ARTICLE 6 MISCELLANEOUS PROVISIONS

§ 6.1 The Owner, Contractor and Architect acknowledge that achieving the Sustainable Objective is dependent on many factors beyond the Contractor's and Architect's control, such as the Owner's use and operation of the Project; the work or services provided by the Owner's other contractors or consultants; or interpretation of credit requirements by a Certifying Authority. Accordingly, neither the Architect nor the Contractor warrant or guarantee that the Project will achieve the Sustainable Objective.

§ 6.2. This Sustainable Projects Exhibit shall not be construed to create a contractual relationship of any kind (1) between the Contractor and the Architect or the Architect's consultants, (2) between the Owner and a Subcontractor or a Sub-subcontractor or (3) between the Owner and the Architect's consultants.

## ARTICLE 7 SPECIAL TERMS AND CONDITIONS

Special terms and conditions that modify this Sustainable Project Exhibit, if any, are as follows:







## **EXHIBIT S2**

# **EDENS Sustainability Checklist**



# SUSTAINABILITY CHECKLIST FOR DEVELOPMENTS & REDEVELOPMENTS

Think before you print! Print double sided if you print at all.

**PROJECT NAME:** Enter Project Name Here  
**PROJECT LOCATION:** Enter Location Here  
**PREPARED BY:** Enter Name Here  
**DATE:** Enter Date Here

YES	Maybe	NO	LANDLORD	TENANT	General Project Information	NOTES
					<b>1 Is the subject property developed?</b>	
					<b>a</b> If so, is the existing building to be used?	
					<b>b</b> Is the building over 2 years in age?	YEARS
					<b>2 Is the project intended to be redeveloped/developed?</b>	Redeveloped
					<b>a</b> How many building square feet will be demolished?	x SF
					<b>b</b> How many building square feet will be constructed?	x SF
					<b>1</b> Total SF Office / Multi-Family	x SF
					<b>2</b> Total SF Retail	x SF
					<b>c</b> How many square feet will be renovated?	x SF
					<b>3 Is the project intended to be LEED Certified?</b>	
					<b>a</b> If so, what level?	
					<b>b</b> Are multiple buildings seeking certification?	
					<b>c</b> How much capital is available for sustainable/LEED upgrades?	\$ - \$USD
					<b>d</b> What is the energy savings return on cost goal?	x Years
					<b>e</b> Are cost savings being captured by landlord by increased rent?	
					<b>f</b> Are green tenant letters anticipated to be supplied	
					<b>8 Do we know the current/proposed occupancy of the buildings / individual tenants?</b>	



YES	MAYBE	NO	LANDLORD	TENANT	<b><u>Sustainable Site (SS) Checklist</u></b>	<b>LEED Reference Section</b>
					1 Is or has an E&SC Plan been implemented w/ a record of compliance ?	CS,EB SSPre1
					2 >100' to Wetland/Farmland? >5' above floodplain/TES/ >50' - Waterbody/Parkland?	CS SS1
					3 Is there Green O&M site guidelines available for the site/ projected for the site?	EB SS1.1,1.2
					4 Development Density & Community Connectivity 10 du/ acre and 10 community basic services	CS, EB SS2
					5 Is the site a listed Brownfield or had a history of remediation or "Dirty" Phase 2?	CS SS3
					6 Is there a light rail w/in .5 miles of the site or two (2) different bus routes w/in 1/4 mile?	CS SS4.1, EB SS3.1
					7 Is there an existing or room for Bike Storage/Changing Rooms based on current occupancy?	CS SS4.2, EB SS3.2
					8 Is there fuel efficient vehicles parking for 3% of occupants or 5% of parking spaces?	CS SS4.3, EB SS3.3
					9 Is parking at or below code? Is preferred parking for carpooling available to 5% of occupants?	CS SS4.4, EB SS3.4
					10 a If existing is there a potential to restore the site area (excluding building)? How Much?	CS SS5.1, EB SS4.1
					b If proposed, is there a potential to exceed zoning by 25% open space (greenspace)?	CS SS5.2
					11 a Is stormwater being controlled and treated on the site?	CS SS6.1,6.2
					b Is there a potential to improve or mitigate stormwater?	EB SS5.1,5.2
					c Does the current local standard exceed LEED?	
					d Is there a potential to reduce offsite runoff by 25%?	
					e Are there R-W harvesters, bio-swales, structural treatment on-site?	
					12 a Is there/or could there be an opportunity for 50% shade or SRI min 29 for pavement?	CS SS7.1, EB SS6.1
					b Is more than 50% of parking area under cover of SRI of 29 or greater?	
					13 Does the / will the SRI of the building rooftop exceed 78 (or emissivity of .9)? OR 50% vegetated?	CS SS7.2, EB SS6.2
					14 Is there a photometrics plan available showing cut off fixtures and that light does not escape off site?	
					15 Are there Sustainable Tenant Design Guidelines Implemented for the center?	CS SS9
					Included as lease exhibits	



YES	MAYBE	NO	LANDLORD	TENANT	<b><u>Water Efficiency (WE) Checklist</u></b>	<b>LEED Reference Section</b>
					1 Water Efficient Landscaping reduce use of Potable water by 50%	CS WE1,2 and EB WE1
					2 Water Efficient Landscaping reduce use of Potable water by 100%	
					3 Water Use Reduction 20%	Tenant
					4 Water Use Reduction 30%	Tenant
					5 Are there greywater collection systems proposed or in place (Goal 20%/30% reduction)?	CS WE2,3 and EB WE2,3
					6 Are there grease traps, and oil separators as required for internal plumbing fixture/uses?	EB Pre2
YES	MAYBE	NO	LANDLORD	TENANT	<b><u>Energy and Atmosphere (EA) Checklist</u></b>	<b>LEED Reference Section</b>
					1 Is there energy commissioning planned or completed for the building?	CS EApr1, EB EApr1
					a Are there advanced reports for the building and a plan for energy monitoring?	CS EA3, 5.1
					b Have the construction documents been reviewed at least twice prior to construction?	
					c Have the building operation and maintenance personnel been trained?	EB EA3.1, 3.2
					d Has an audit been completed within 10 months of occupancy?	EB EA3.3
					2 Was the building constructed to the minimum requirements of applicable ASHRAE 90.1?	CS EApr2, EB Pre2
					3 Is the site free of CFC refrigerants?	CS EApr3
					4 Are the advanced energy modeling programs used/ proposed to be used to demonstrate savings?	CS EA1
					5 Is there or will there be renewable energy proposed on-site?	CS EA2
					6 Is there tenant submetering or do the tenants have their own meters for monitoring?	CS EA5.2, EB EA5
					7 Is green power being purchased (www.gren-e.org) for 35% of the 2-year electric costs?	CS EA6, EB EA2.1-2.4
					8 Has an energy star rating been established for the existing building?	EB EA1
					9 For an existing building will a 10% reduction in emissions be realized?	EB EA5
					10 Will documentation be provided for 5 years for sustainable building cost impacts?	EB EA6



YES	MAYBE	NO	LANDLORD	TENANT	<b><u>Materials &amp; Resources Checklist (MR)</u></b>	<b>LEED Reference Section</b>
					1 Is a readily available location available to tenants for recycling?	CS MRpre1, EB MRpre1.2
					2 If existing can a waste management audit be conducted of the building to establish a baseline?	EB MRpre1.1
					3 Will all new lights be LED to the greatest extent possible?	EB MRpre2, EB MR 6
					4 Are the existing structural walls, floors and roof planned to be reused > 75%, 50% or 25%	CS MR1.1-1.3
					a. Reuse 25% of Building	
					b. Reuse 50% of Building	
					c. Reuse 75% of Building	
					5 Will construction waste being diverted from landfills in excess of 50%	CS MR2.2-2.2, EB MR1.1-1.2
					6 Will construction waste being diverted from landfills in excess of 75%	
					7 Will materials in excess of 1% (total cost) be reused in the project ?	CS MR3
					8 Will recycled content value >10% for the overall project?	CS MR4.1
					9 Will recycled content value >20% for the overall project?	CS MR4.2
					10 Regional Materials: 10% Extracted, Processed & Manufactured Regionally	CS MR5.1
					11 Regional Materials: 20% Extracted, Processed & Manufactured Regionally	CS MR5.2
					12 Certified Wood	CS MR5.3
					13 Will material use IEQ compliant products? In tenant handbook	EB MR3.1-3.2
					14 Are sustainable cleaning products and materials used in excess of 30% of total annual cost?	EB MR4.1-4.2
					15 Is there a recycling program in place that can demonstrate a >30% reduction in waste?	EB MR5.1-5.3



YES	MAYBE	NO	LANDLORD	TENANT	<b><i>Indoor Environmental Quality Checklist (IEQ)</i></b>	<b>LEED Reference Section</b>
					1 Does/ will the building meet the minimum ventilation requirements of applicable ASHRAE 62.1?	CS/EB IEQPre1
					2 Is smoking prohibited or is designated smoking area at least 25 feet away from entries?	CS/EB IEQPre2
					3 Is the space free of asbestos or successfully abated?	CS IEQPre3
					4 Is the space free of PCBs?	CS IEQPre4
					5 Are Carbon Dioxide sensors available in spaces that are occupied in densities > 25persons/1000sf?	CS IEQ1, MR IEQ1
					6 Is outdoor ventilation >30% above the required outdoor ventilation?	CS IEQ2, MR IEQ2
					7 Has a construction IAQ Management Plan been implemented & Followed?	CS IEQ3, MR IEQ3
					8 Are indoor solvents able to comply with SCAQMD Rule #1168?	CS IEQ4.1
					9 Are paints and coatings able to comply with Green Seal Standards?	CS IEQ4.2
					10 Are Carpets and Rugs able to comply with the Green Label Plus Program?	CS IEQ4.3
					11 Are Woods and composites urea-formaldehyde free?	CS IEQ4.4
					12 Are MERV 13 Filters provided in all occupied spaces?	CS IEQ5, EB IEQ5
					13 Is temperature/thermal comfort system controls available to a minimum of 50% building occupants?	CS IEQ6, EB IEQ6.2
					14 Can the building be demonstrated to meet the thermal requirements of applicable ASHRAE 5?	CS IEQ7, EB IEQ 7.1
					15 Can daylighting and views be demonstrated to >75% of the internal spaces?	CS,EB IEQ8.1-8.2
					16 Are lighting controls available to > 50% of the building occupants?	EB IEQ6.1
					17 Is a permanent monitoring system in place for thermal comfort?	EB IEQ7.2
					18 Has a post-construction IAQ management plan been implemented?	EB IEQ9
					19 Has an entryway cleaning plan been implemented?	EB IEQ10.1
					20 Have janitorial closets been demonstrated that they are separate partition areas?	EB IEQ10.2
					21 Are Green Cleaning Products and pest control products being used?	EB IEQ10.3, 10.4, 10.5, 10.6



YES	MAYBE	NO	LANDLORD	TENANT	<b><i><u>Innovation in Design Checklist (ID)</u></i></b>	LEED Reference Section
X			√	√	1 Is there a written summary of all sustainable improvements?	EB,CS ID1.1
X			√	√	2 Is there a LEED accredited professional working on the project?	EB,CS ID2



# **EXHIBIT S3**

## **Example Smart Development Plan**



# MOSAIC DISTRICT

## SMART DEVELOPMENT



### Smart Development - LEED-ND

 **LEED Certified Buildings**

Mosaic District is a Silver Certified LEED for Neighborhood Development Plan.






There are five Edens & Avant employees who are **LEED Accredited Professionals** working directly on the project.

### Smart Site Planning





-  Previously Developed Site
-  Off-Site Community Improvement
-  Off-Site Roadway Improvement
-  Walkable Streets

**Other:** Remediated Contamination; Compact Development; and Street Connectivity

### Smart Transportation



-  Covered Shuttle Stops
-  Shared Vehicle Locations
-  Bike Racks
-  Proximity to Existing Public Transportation
-  Electric Car Charging Stations

### Smart Community Connections

-  Proximity to Public School
-  Proximity to over 10 Shops/Services
-  Access Point to 7.35 acres of Active Space
-  Diversity of Uses




**Other:** Proximity to Jobs/Existing Employment; Community Involvement

### Smart Greenspace

-  Accessible Public Plazas
-  20,000 sf Green Roof

**Other:** Native Plants, Water-Efficient Landscaping

### Smart Materials & Construction

-  Reused or Repurposed Materials
-  High-Reflectivity Surfaces
-  Energy-Efficient Systems

**Other:** Energy Efficient Systems (water, electric, mechanical); Low-Emitting Materials (adhesives, paints, flooring); Recycled Content Use (roads, sidewalks, curbs); Use of Regional Materials



# **EXHIBIT S4**

## **Retailer Sustainable Practices Lease Exhibit**



## **EXHIBIT B**

### **SUSTAINABILITY PRACTICES:**

As a material inducement for Landlord to enter into this Lease, Tenant agrees that Tenant will follow Landlord's Sustainability Guidelines and that Tenant's Architect will provide certification in letter form that the Tenant Space will be designed per the Work Exhibit. Certification shall be provided within thirty (30) days from Delivery Date (and from time to time thereafter upon ten (10) business days' request from Landlord).

Sustainability is an important principle for the Building. As such, Landlord strongly encourages Tenant to follow the applicable LEED rating system for the design and construction of the tenant fit-out (see [usgbc.org/LEED](http://usgbc.org/LEED) for specific information). Meeting these requirements will aid in the development of an overall efficient design that is compatible with the base building's sustainability standards. In furtherance of the foregoing, Landlord may require retail tenants and occupants of the Building to adhere to certain requirements, which will include, but not be limited to the following:

- **Plumbing fixtures**
  - All spaces must not exceed the following flow rates:
    - Pantry (Break Room) Faucet – 1.00 gpm
    - Water closet – 1.28gpf
    - Urinal – 0.125gpf
    - Lavatory Faucet (hands free) – 0.50 gpm
- **Energy Efficiency & Renewable Energy**
  - HVAC systems and water heaters shall be powered entirely by electricity (a potentially renewable energy) rather than natural gas (a non-renewable fossil fuel).
- **Construction Waste Diversion**
  - Work with Landlord to create and implement a Construction Waste Diversion plan that identifies ways to recycle or reuse as much construction waste as possible.

**MATERIALS:** The following list of materials applies to Tenant with respect to its scope of work as set forth above in this **Exhibit B**.

### **REQUIRED:**

- Gypsum Wall Board (GWB) - Mold resistant GWB is required in all areas exposed to moisture and recommended for all other areas. All Gypsum Wall Board to be manufactured domestically
- Insulation - Formaldehyde-free, high recycled content fiberglass batt insulation is required. Products by Johns Manville currently meet this requirement
- Paints and Coatings - Low Volatile Organic Compounds (VOC) paints and coatings are required for all interior surfaces. Greenguard and Green Seal certified products are acceptable.
- Adhesives and Sealants - Low VOC adhesives and sealants are required for all interior surfaces. Greenguard and Green Seal certified products are acceptable.
- Ceilings - Ceiling tiles with at least 50% recycled content are required.
- Solid Surfaces - Urea-formaldehyde free composite wood products (particle/plywood, MDF) are required when used in the interior of the Premises.
- Use high-efficiency LED fixtures.
- When installing new HVAC equipment, ensure that it meets or exceeds ENERGY STAR or local energy code.
- Provide Landlord with final HVAC testing and balancing report at completion of construction.

### **RECOMMENDED:**

- General - It is recommended that Tenant use materials that contain a recycled content above 50% and are produced within a 500 mile radius of the center.
- Material Storage – Tenant should properly store materials to prevent exposure to moisture and reduce potential for mold growth.
- Wood - Forest Stewardship Council (FSC) certified wood is recommended.



- Carpet - All Carpet and Rug Institute Green Label/Green Label Plus certified carpet, pads and adhesives are acceptable.
- Hard-surface flooring - Vinyl flooring and base are prohibited. Tenant is recommended to use non-toxic products from renewable resources including concrete, linoleum, cork, ceramic/porcelain tile, wood, bamboo or rubber. All Greenguard certified products are acceptable.
- Entryway Systems - It is recommended that entryway systems be installed at all entrances to prevent dirt and particulates from entering the building. Where a permanent walk-off mat is not practical, a roll-out mat is acceptable as long as it is cleaned weekly and made of a sustainable material. The mat should be at least 6 feet long.
- Solid Surfaces - Greenguard certified solid surfaces are recommended.
- Furnishings - Greenguard certified furnishings are recommended.
- Install dimmers and sensors to turn off lights in unoccupied rooms, particularly in areas such as bathrooms, copy rooms and storage rooms.
- Install ENERGY STAR rated appliances
- Check with utility providers to determine availability of on-site energy analysis and financial incentives to reduce energy consumption and costs.

**ALL CONSTRUCTION SHALL COMPLY WITH ANY LOCAL CODES APPLICABLE TO GENERAL RETAIL USE AND SUCH CODE REQUIREMENTS SHALL SUPERSEDE ALL OF THE ABOVE ITEMS. TENANT, AT TENANT'S SOLE COST, SHALL BE RESPONSIBLE FOR ANY ADDITIONAL IMPROVEMENTS REQUIRED IN CONNECTION WITH TENANT'S SPECIFIC USE OF THE PREMISES THAT ARE IMPOSED BY LOCAL CODE.**



# **EXHIBIT S5**

## **Retailer Sustainable Practices Guide**



# ENDLESS OPPORTUNITIES

SUSTAINABLE PRACTICES GUIDE









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*Tiny changes.  
Mighty  
Revolution.  
Earth Day  
Everyday.*  
[EDENS.COM/GOGREEN](http://EDENS.COM/GOGREEN)





*Sustainable Practices Create*

# ENDLESS OPPORTUNITIES

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It's impossible not to have an impact in the world. Consumption is essential to life, and its by-products are inevitable. What is possible is making conscious decisions to reduce our carbon footprint. While we are currently carbon neutral in common areas we control, our goal at EDENS is to work with our retail partners to achieve carbon neutrality throughout all the space we own by 2026. The opportunities are endless; together, we are committed to establishing building blocks today for a thriving, sustainable community of tomorrow.



# SUSTAINABILITY CHECKLIST

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## WHAT YOU CAN DO TODAY

- ☐ **RENEWABLE ENERGY:** Purchase renewable energy credits or source green power from utility company to offset carbon emissions.
- ☐ **LIGHTING:** Turn off lights in unoccupied rooms. Replace non-led lamps with LED lamps.
- ☐ **HVAC:** Change filters regularly. Keep vents closed in unoccupied areas to prevent heating and cooling of storage areas and closets.
- ☐ **WATER:** Install inexpensive, water-efficient aerators in faucets.  
Use EPA watersense labeled products.
- ☐ **WASTE:** Establish a recycling program for all applicable waste and provide recycling containers.
- ☐ **INTERIORS:** Use NO volatile organic compounds (VOC) paints, coatings adhesives and sealants on all interior surfaces. (GREENGUARD and Green Seal-certified products are preferred.)
- ☐ **OPERATIONS:** Contact utility providers to determine availability of free on-site energy analysis and financial incentives to reduce energy consumption and costs.
- ☐ **MANAGEMENT:** Use ENERGY STAR Portfolio Manager to measure and monitor building energy, water, and waste usage / generation and costs and conservation efforts being implemented.
- ☐ Use only energy star® labeled products & appliances.





Mosaic artificial turf requires no watering, no mowing and no feeding.



The goal of the EDENS Sustainable Practices Guide is to educate and encourage our tenants and vendors to embrace more sustainable practices in the design and operation of their business. In addition to reducing consumption of natural resources and minimizing waste production, these measures have the opportunity to create economic benefits for your business and customers by reducing operating costs and enhancing building performance. Formally recognizing that climate change is a reality, this guide will help reduce the carbon footprint of your business.

On the following pages you will find requirements (**reQs**) and recommendations (**reCs**) specific to store design, construction and operations. These practices are intended to help you realize cost-effective solutions to energy efficiency, indoor air quality and natural resource conservation, while helping to create retail facilities that are more economical, durable and efficient, and healthier environments in which to work and shop.

The EDENS Sustainable Practices Guide is not intended to eliminate or change provisions of any lease document and may not be applicable to all retailers. These **reQs** and **reCs** are not all-inclusive and may be expanded, altered or revised periodically.

Not unlike the constant change we see in the retail industry, opportunities to create a more sustainable environment emerge daily. Therefore, we are dedicated to periodically reviewing our practices and updating them accordingly.

## reQs

### REQUIREMENT

SOMETHING THAT IS REQUIRED;  
A NECESSITY.

---

For EDENS, a sustainability practice requirement is expected to be standard practice and takes zero to minimal investment.

## reCs

### REC.O.M.MEN.DA.TION

SOMETHING RECOMMENDED, ESPECIALLY  
A FAVORABLE STATEMENT CONCERNING  
CHARACTER OR QUALIFICATIONS.

---

For EDENS, a sustainability practice recommendation may have a longer ROI and is suggested to retailers who want to take sustainability practices to the next level.





# *lighting*

## **FACTS & FIGURES**

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- Lighting alone creates 17% of carbon emissions.
- ENERGY STAR® certified bulbs LEDs use up to 90% less energy than standard incandescent bulbs and last 15 times longer.
- Lighting accounts for 20-50% of electricity consumption of most businesses.
- An incandescent lamp uses more energy emitting heat than light with 95% of the input lost in waste heat.
- ENERGY STAR® EXIT signs use 3 to 8 times less energy than incandescent and fluorescent signs.
- The most efficient light is the light not used—dimmers, motion sensors and photocells control when and how much light is really necessary.
- Daylighting not only saves money but also improves employee productivity and store sales.
- Occupancy sensors and dimmers in back rooms, restrooms and storerooms can reduce lighting costs up to 40%.





## CARBON IMPACT

A 2017 study showed LED lighting reduced carbon emissions by 570 million tons, **the equivalent of greenhouse gas emissions from 4.7 billion miles driven by an average car.**

# reQs

## REQUIREMENTS

- **Replace incandescent lamps with LED lamps.**
- Turn off lights in unoccupied rooms.
- For fixtures install the latest upgrades in LED technology.
- Install dimmers and sensors to turn off lights in unoccupied rooms, particularly in areas such as bathrooms, copy rooms and storage rooms.
- Turn off lights at the end of the day.
- When possible, rely on small, task lighting rather than overhead lights.
- Recycle used bulbs including fluorescents as they contain mercury.

# reCs

## RECOMMENDATIONS

- Replace all non-LED lights with LED.
- Paint dark walls and ceilings with lighter colors to maximize the effect of existing lighting.
- Install skylights or other windows to increase natural daylight.
- Connect toilet room exhaust fans to the light switch to ensure shut off.





# *HVAC*

## **FACTS & FIGURES**

---

- Heating, ventilation and air-conditioning (HVAC) systems account for 40% of the electricity used in commercial buildings.
- Even if your air conditioner is only 10 years old, you may save 20% on your cooling energy costs by replacing it with a newer, more efficient model.
- Every one degree of cooling increases energy use by 4-5%. e.g. Cooling to 73 degrees instead of 76 degrees uses 12-15% more energy.
- Installing an ENERGY STAR® programmable thermostat to automatically control temperature settings will save 10-70% on heat and cooling costs.





## CARBON IMPACT

2° down in the winter and 2° up in the summer can reduce your carbon footprint by 2,000lbs per year. **The equivalent of CO<sub>2</sub> emissions from 136 propane cylinders used in home BBQ's.**

# reQs

## REQUIREMENTS

- **Keep vents closed in unoccupied areas to prevent heating and cooling of storage areas and closets.**
- Use high-efficiency filters and replace every 90 days. Post schedule on equipment.
- Set thermostat below 70 degrees in winter and above 75 degrees in summer.
- Clean condenser coils once a year.
- Maintain HVAC equipment by performing scheduled maintenance and preventive maintenance checks. Check insulation on ducts and pipes for damage.
- New HVAC systems shall be powered entirely by electricity (a potentially renewable energy) rather than natural gas (a non-renewable fossil fuel).
- Program appropriate night setback temperatures for HVAC.

# reCs

## RECOMMENDATIONS

- Add an AC variable drive.
- Install programmable thermostats to ensure air temperatures are regulated.
- Install thermostat that can schedule fan operation and heating and cooling settings independently.
- Protect thermostat settings by installing tamper-proof covers.
- Install ceiling fans to reduce the need for air conditioning.
- Consider replacing HVAC systems older than 10 years.
- Engage a commissioning agent to verify the mechanical, electrical, and plumbing systems are performing as designed and meeting energy goals.





# *water*

## **FACTS & FIGURES**

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- A faucet leaking just a tenth of a gallon of water a minute wastes 50,000 gallons or more of water per year.
- Repairing a leaky water pipe can save thousands of gallons of water annually.
- A 125-seat restaurant serving 225 meals per day uses about 200,000 gallons of water per year.
- Installing waterless urinals can save 40,000 gallons of water annually.
- By 2025, 4 billion people – half the world's population— will live in severe water stress conditions.
- Installing an inexpensive, water-efficient aerator in faucets can save as much as a gallon of water per minute.



## CARBON IMPACT

The CO<sub>2</sub> embedded in the nation's water represents 5% of all U.S. carbon emissions and **equates to the emissions of over 62 coal fired power plants.**

## reQs

### REQUIREMENTS

- **New water heaters shall be powered entirely by electricity (a potentially renewable energy) rather than natural gas (a non-renewable fossil fuel).**
- Install inexpensive, water-efficient aerators in faucets.
- Insulate hot water pipes and tank.
- Use cold tap water if possible.
- Lower the water heating thermostat by a few degrees or to the lowest effective temperature.
- Check for leaky toilets by placing a small amount of food coloring in the tank.  
If you see the coloring in the toilet bowl 20-30 minutes later, you have a leak.
- Maintain hot water fixtures and plug leaks as they occur.
- Flush out storage-type water heater tanks annually to prevent sediment build-up.
- Turn off hot water heater when not in use (i.e. on weekends in some facilities) or when hot water use is not needed for two days or more.
- Train store employees to use water conservatively, especially hot water.
- Install/use foam soap dispensers.
- New plumbing fixtures shall be high efficiency with the following flow rates: pantry / breakroom faucet 1.00gpm, water closet 1.28 gpf, urinal .125 pgf (or waterless), lavatory faucet .5gpm.

## reCs

### RECOMMENDATIONS

- Search "[www.lookforwatersense.epa.gov/rebates](http://www.lookforwatersense.epa.gov/rebates)" to find incentives and rebates for plumbing fixtures.
- Use EPA WaterSense-labeled plumbing fixtures.
- Install faucets and flush valves with sensors.
- Install tankless electric water heaters.
- Filter tap water which reduces use of bottled water.
- Use native plants in planters.





# *waste*

## **FACTS & FIGURES**

---

- Americans throw away enough aluminum in three months to rebuild all of our commercial airplanes.
- The energy saved by recycling one aluminum can runs a television for three hours.
- Between 1970 and 1991, paper consumption in the U.S. doubled. Decomposing paper sitting in landfills releases methane gas which is 30 times more potent than carbon dioxide.
- Landfills are the third largest source of methane gas emissions in the U.S.
- Every year Americans throw away enough office and writing paper to build a wall 12 feet high from LA to New York City.
- Recycling one ton of paper saves one acre of trees.
- The energy saved from recycling one glass bottle can light a 100-watt bulb for four hours.
- The post-consumer plastics recycling industry provides jobs for more than 52,000 American workers.



## CARBON IMPACT

Landfill methane (50% of landfill gas emissions) produced over 103 million metric tons of CO<sub>2</sub> equivalents. **This is the same as the CO<sub>2</sub> captured by 134 million acres of U.S. forests in a single year.**

# reQs

## REQUIREMENTS

- **Establish a recycling program for all applicable waste and provide recycling containers.**
- Recycle used fluorescent lamps – a law in most states (they contain mercury).
- Reuse/recycle cardboard boxes, plastic containers and glass bottles.
- Compost food waste if opportunity exists.
- Print on both sides of paper.
- Buy products that are manufactured using recycled materials.
- Recycle old and/or used computer monitors, hard drives, cell phones and other electronics through equipment manufacturers or stores; many have take-back programs that offer cash rebates or discounts on new equipment.

# reCs

## RECOMMENDATIONS

- Encourage customers to bring/use reusable bags.
- Do not provide plastic shopping bags.
- Eliminate plastic straws.
- Use core-less toilet paper.





# *interiors*

## **FACTS & FIGURES**

---

- In the U.S. buildings consume 72% of our electricity and 14% of our potable water.
- 39% of carbon dioxide emissions are produced by buildings in operation.
- In the U.S., people spend, on average, 90% or more of their time indoors. Green buildings typically have better indoor air quality and lighting.
- The benefits to building green include decreased operating costs, increased building value, higher return on investment and enhanced productivity and morale.



## CARBON IMPACT

Every cubic meter of wood stores roughly 0.9 tons of CO<sub>2</sub>, and building with wood extends the time that this CO<sub>2</sub> is kept out of the atmosphere.

**This is the equivalent of CO<sub>2</sub> emissions from 91.9 gallons of gas consumed.**

## reQs

### REQUIREMENTS

- Use low or no volatile organic compounds (VOC) paints, coatings adhesives and sealants on all interior surfaces. (GREENGUARD and Green Seal-certified products are preferred.)
- Use only Gypsum Wall Board (GWB) manufactured in the U.S. and mold resistant GWB in areas exposed to moisture.
- Use formaldehyde-free, high recycled content fiberglass batt insulation or equivalent.
- If existing ceiling tiles are not salvaged and reused, use new ceiling tiles that have at least 50% recycled content.
- Use urea/formaldehyde-free composite products for solid surfaces.

## reCs

### RECOMMENDATIONS

- Use materials, furniture and fixtures that contain a recycled content above 50% and are produced locally.
- Use Forest Stewardship Council (FSC) certified wood whenever possible.
- Use Carpet & Rug Institute Green Label/Green Label Plus-certified carpet, pads & adhesives.
- Use non-toxic products from renewable sources in hard-surface flooring (these include concrete, linoleum, cork, ceramic/porcelain tile, wood, bamboo or rubber).
- Use GREENGUARD-certified solid surfaces and furnishings.
- Install entryway systems that prevent dirt and particulates from entering the space. Use a permanent walk-off mat or a roll-out mat (cleaned weekly and made of a sustainable material).
- Use LEED Accredited Professional (AP) whenever feasible.





# *restaurants*

## **FACTS & FIGURES**

---

- By leaving the broiler turned off for one extra hour a day, a restaurant can save \$450 annually.
- If a restaurant cuts its energy costs by 20%, profits could increase 30% or more.
- If every U.S. restaurant cut its energy consumption by 20%, the industry could reduce its energy costs by \$1.6 billion per year.
- An ENERGY STAR®-qualified refrigerator and freezer can save over 45% of the energy used by conventional models.
- Low-flow spray valves can save a restaurant up to \$1,000 per year, and some states require pre-rinse spray valves for new purchases.
- Restaurant cooking oil can be converted to biodiesel fuel for powering automobiles which is why many restaurants are already using their own leftover oil and grease as fuel to run their delivery trucks or store vehicles.
- Over 25% of all prepared food goes uneaten every day. This waste can be reduced by donating edible food leftovers to shelters, soup kitchens and food pantries which saves space in landfills while generating goodwill and potential tax benefits.



## CARBON IMPACT

Installing just one high efficiency pre rinse spray valve could save approximately 50,000 gallons of water and 10,000 kWh a year.

**Equivalent to CO<sub>2</sub> emissions from charging 901,704 smartphones.**

# reQs

## REQUIREMENTS

- **Install ENERGY STAR® appliances, electronics and other EPA-tested equipment.**
- Turn off hot water heater when not in use (i.e. on weekends in some facilities) or when hot water use is not needed for two days or more.
- Turn off cooking hoods when not in use.
- Implement a set start-up and shut-down schedule for the broiler, fryer and range which reduces both pre-heating and idle times.
- Do not run faucets while washing dishes, filling water glasses, etc.
- Lower the water heating thermostat a few degrees or to the lowest effective temperature.
- Maintain hot water equipment and fixtures and plug leaks as they occur.
- Insulate hot water pipes and tank.
- Flush out storage-type water heater tanks annually to prevent sediment build-up.
- Every time a dishwasher, washing machine or oven is used, make sure it is full.
- Recycle kitchen grease.

# reCs

## RECOMMENDATIONS

- Install low-flow spray valves.
- Recycle cooking oils for biodiesel fuel reuse.
- Buy local foods and produce.
- Donate leftover food to your local food bank.







# RESOURCES

## ONLINE INFORMATION FOR SUSTAINABLE PRACTICES

Website	Link	Why it's a good resource	General	Electric/Energy: Lighting & HVAC	Water	Waste	Retail Operations	Restaurant Operations	Building Interiors
CalRecycle Waste Reduction Tip	<a href="http://calrecycle.ca.gov">calrecycle.ca.gov</a>	California has the strongest legislation for waste reduction and this ca.gov site is the most comprehensive resource for recycling tips.				●			
CarbonFund.org	<a href="http://carbonfund.org">carbonfund.org</a>	A carbon offset provider and non-profit organization providing information on how to reduce and offset climate impact through clean energy solutions		●	●				
Conserve by National Restaurant Association	<a href="http://conserve.restaurant.org">conserve.restaurant.org</a>	Conserve Solutions for Sustainability, an Environmental Initiative of the National Restaurant Association						●	
Database of State Incentives for Renewables & Efficiency	<a href="http://dsireusa.org">dsireusa.org</a>	Comprehensive source of information on state, local, utility and federal incentives and policies that promote renewable energy and energy efficiency		●	●				
Electronic Product Environmental Assessment Tool	<a href="http://epeat.net">epeat.net</a>	EPEAT is a system that helps purchasers of computer equipment evaluate, compare and select electronic products based on their environmental attributes.				●	●		
Energy Star	<a href="http://energystar.gov">energystar.gov</a>	Energy Star provides tips and resources for improving energy efficiency in buildings of all types.		●	●				
Environmental Leader	<a href="http://environmentalleader.com">environmentalleader.com</a>	Energy & Environmental News for Business	●						
Food Service Technology Center	<a href="http://fishnick.com">fishnick.com</a>	The FSTC is the industry leader in commercial kitchen energy efficiency and appliance performance testing.		●	●	●		●	
Greening Retail	<a href="http://greeningretail.ca">greeningretail.ca</a>	The goal of the Greening Retail program is to help retailers reduce their environmental impact and at the same time, save money and improve the bottom line.	●				●		
Green Seal	<a href="http://greenseal.org">greenseal.org</a>	Green Seal develops life-cycle-based, multi-attribute standards and certifies products and services that can prove they meet our strict criteria for human health, reduced environmental impact and excellent performance.				●	●	●	
U.S. Environmental Protection Agency (Dedicated Retail Portal)	<a href="http://epa.gov/retailindustry">epa.gov/retailindustry</a>	Dedicated Retail Industry Portal by U.S. Environmental Protection Agency	●				●		
U.S. Green Building Council (USGBC)	<a href="http://usgbc.org">usgbc.org</a>	The USGBC is the non-profit organization behind LEED (Leadership for Energy and Environmental Design), a Green Building Rating System for design, construction and operation of high performance green buildings.							●
WaterSense	<a href="http://epa.gov/watersense">epa.gov/watersense</a>	WaterSense is an EPA-sponsored partnership program that seeks to protect the future of our nation's water supply by promoting water efficiency and enhancing the market for			●				





est. 1966

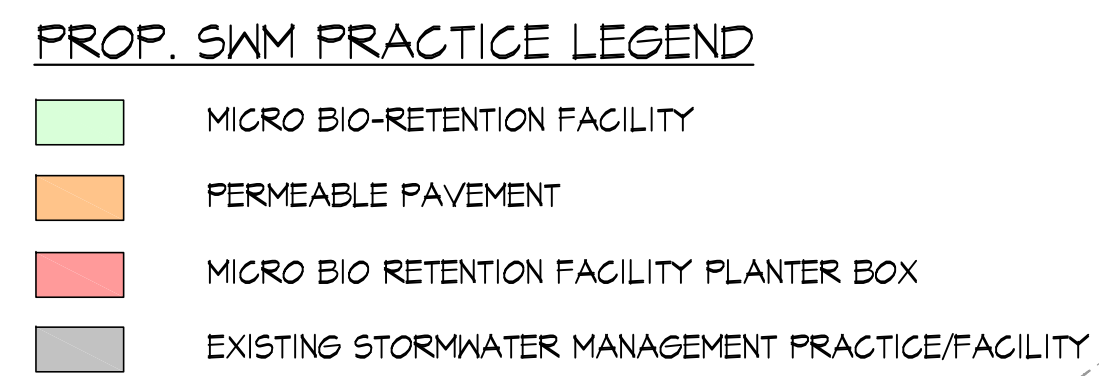
Atlanta | Boston | Charlotte | Dallas | Denver | Houston | Miami | New York | Washington, DC

[EDENS.COM/GOGREEN](https://EDENS.COM/GOGREEN)

## **EXHIBIT S6**

# **Example Overall Stormwater Management Plan**



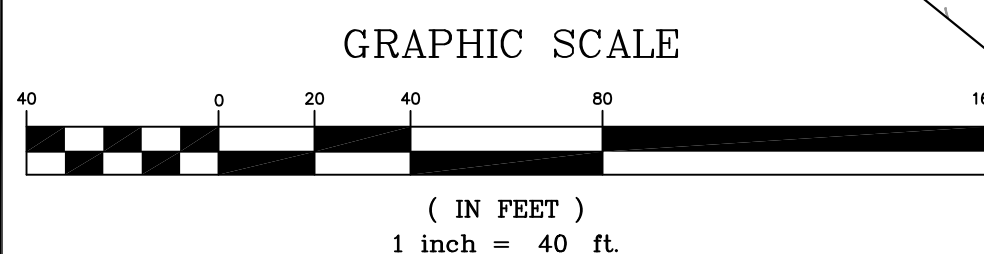
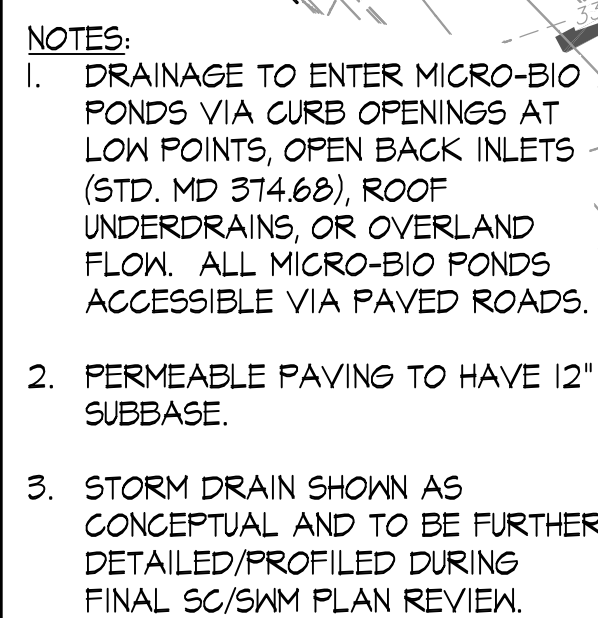
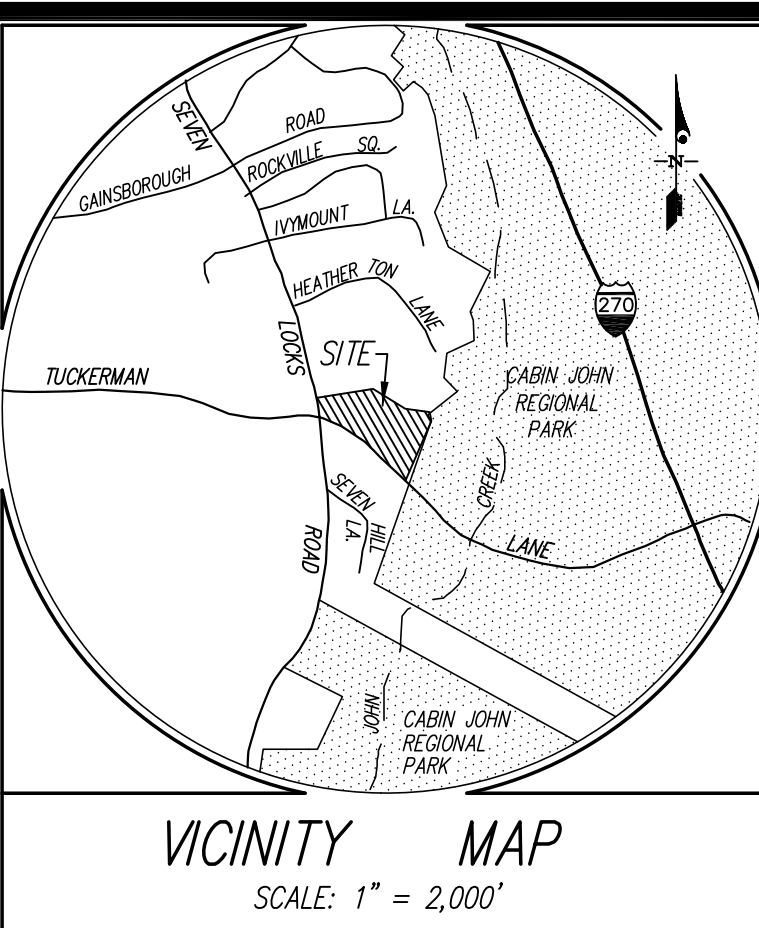


3. SITE ACREAGE:

## SOILS

SYMBOL	SOIL NAME	PRIME FARMLAND	EROSION HAZARD	HYDROLOGIC
2B	Glenelg silt loam, 3-8% slopes	YES	NO	1
1C	Galla silt loam, 8 to 15 percent slopes	NO	NO	1
2C	Glenelg silt loam, 8 to 15 percent slopes	NO	NO	1
16D	Brinklow-Blocktown channery silt loams, 15-25% slopes	NO	YES	1
400	Urban land	NO	NO	1

ACCORDING TO APPENDIX C OF THE MONTGOMERY COUNTY ENVIRONMENTAL GUIDELINES (1997) SOURCE: USDA - NRCS, 1995 SOIL SURVEY OF MONTGOMERY COUNTY, MARYLAND



DESIGNED BY:				
MAJ				
DRAWN BY:				
LMW				
CHECKED BY:				
	DATE	REVISION	BY	APP'R.

PROFESSIONAL CERTIFICATION  
I HEREBY CERTIFY THAT THESE PLANS WERE  
PREPARED OR APPROVED BY ME, AND THAT I  
AM A DULY LICENSED PROFESSIONAL ENGINEER  
UNDER THE LAWS OF THE STATE OF MARYLAND,  
LICENSE NO. 29914  
EXPIRATION DATE: JANUARY 20, 2020



11/21/2018

PREPARED FOR:  
CABIN JOHN (EDENS) LLC  
1272 5th Street NE  
Suite 200  
Washington, DC 20002  
ATTN: JIM MCKENNEY

SCALE 1"=40'	ZONING CRT-0.75 C-0.5, R-0.25, H-35T & R-90
DATE MAY, 2018	TAX MAP - GRID GQ-121/341

OVERALL SITE PLAN STORMWATER MANAGEMENT CONCEPT PLAN

**CABIN JOHN VILLAGE**  
Proposed Lots 1-48 & Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H' & 'J';  
and Tax Parcel 328

Being all of Tax Parcel 328 (L. 53660 F. 431) and a ReSubdivision of Parcels 'C' & 'D', "Seven Locks Plaza"  
Plat Nos. 11341 & 25334 and Parcel 'O', "Inverness Knolls" Plat No. 12383

ROCKVILLE ELECTION DISTRICT No. 04 MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE No.

SHEET  
1 OF 2