



Legislation Details (With Text)

**File #:** 2022-1476    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Preliminary Item

**File created:** 4/1/2022    **In control:** Board of Commissioners - Zoning Meeting

**On agenda:** 5/26/2022    **Final action:** 5/26/2022

**Title:** 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.

**Indexes:**

**Attachments:** 1. Substitute 2022 05.26 Item 2022-1476, 2. Z-22-1245595 Recommended Conditions May 2022, 3. Z-22-1245595 Staff Report May 2022 2050 L'ville Hwy, 4. ARC Final Report -- DRI 3582 -, 5. Park Conceptual Plans

Date	Ver.	Action By	Action	Result
5/26/2022	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
5/5/2022	1	Planning Commission		

**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): Deferral. (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.