



DeKalb County Department of Planning & Sustainability

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

STAFF ANALYSIS

Case No.: Z-18-22310 **Agenda #:** D. 1

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

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

Request: To rezone property from C-1 (Local Commercial) to MU-4 (Mixed-use-4) for redevelopment of the North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development called "Decatur Landing". The property is located on the west side of Lawrenceville Highway, approximately 92 feet south of the southwest corner of Lawrenceville Highway and North Druid Hills Road, at 2144, 2054, 2050, and 2038 Lawrenceville Highway, 1086 Birch Road, and 2692 Sweet Briar Road, Decatur.

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

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

Acreage: 78.09 acres

Existing Land Use: The North DeKalb Mall

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

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

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

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

The applicant has requested "Withdrawal". The Board of Commissioners previously deferred the application from the 7/24/18 and 11/13/18 meetings.

Companion Application

The applicant has filed a companion application (SLUP -18-22311) to request approval of fuel pumps for a Costco store that would be part of the mixed-use development.

Zoning History

The property was zoned to C-1 (Local Commercial) in 1973 pursuant to CZ-73054. In 1985, a 25.176-acre parcel to the south of the proposed development was rezoned from R-75 (Single-Family Residential) to C-1 pursuant to CZ-85160 to allow for renovations to the Mall. In 2008, a parcel at the northwest corner of the Mall property was rezoned from NS (Neighborhood Shopping) to C-1 to allow for construction of a Costco gas station, which has not been constructed to date.

PROJECT ANALYSIS

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

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

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

The floodplain of the South Fork Peachtree Creek is located along the southwest and south borders of the property.

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

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

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

Tract 1

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

Tract 2

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

Tract 3

- 12.45 acres at the southwest portion of the site consisting of
 - approximately 405 units of multifamily residential with 516 surface parking spaces and 7 covered spaces; and
 - Fifty 3-story townhomes.

Tract 6

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

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

The 7/18/18 site plan shows an easement from the mixed use development to the community garden located to the south of the property.

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

Development of Regional Impact

As a mixed-use project with over 700,000 square feet of space, the redevelopment proposal meets the threshold for a development of regional impact as defined by the Atlanta Regional Commission (ARC). The ARC Regional Review Finding dated August 27, 2018, states that the DRI “appears to manifest certain aspects of regional policy” with respect to intensities of development, residential densities, building heights, and mix of land uses close to existing or planned transit. However, the ARC Review repeatedly states that the site plan is deficient in terms of pedestrian connections. For example, the Review points out that while Tract 1 (retail/office/theater uses) and Tract 3 (residential uses) adjoin each other on the south side of the site, “. . . it does not appear that there is a crosswalk or other pedestrian facility directly between the food hall/pedestrian plaza in Tract 1 and the residential area/pedestrian plaza in Tract 3.” (It appears that the ARC staff reviewed the May 2 site plan, since no mention is made of pedestrian crossings added to the 7/18/18 site plan. Even so, it is not clear to DeKalb Planning staff that the pedestrian crossings on the 7/18/18 site plan would be conducive to the “comfortable pedestrian experience” called for in the ARC Report.) Other comments in the Review address natural resources and transportation issues. The comments by the Natural Resources Group emphasize controlling stormwater runoff and suggest the use of green spaces and tree planting beds as stormwater controls, use of pervious concrete or other pervious materials in the parking and storage areas, and design for rainwater capture to provide for landscape irrigation during dry periods.

Traffic Considerations

A traffic impact study was prepared by Kimley-Horn and Associates, Inc. and dated July 2018. The study examined levels of service at 14 intersections and concluded that the proposed redevelopment project would increase levels of traffic, to various degrees, at all of these intersections. The study projected a deterioration of the level of service

(LOS) at two intersections. North Druid Hills at Oak Tree Road is projected to decrease during PM peak house from LOS C to LOS E (the level of service at this intersection during AM peak hours is already at LOS F, or a failing level, and would simply remain at this level with more projected traffic). The main entrance to the property on Lawrenceville Highway is projected to fall, during the AM peak hours, from LOS C to LOS F (the level of service at this intersection during PM peak hours is already at LOS F).

As part of the DRI review, the Georgia Regional Transportation Authority provided a Notice of Decision (NOD) dated September 5, 2018. The conditions for approval of the project emphasized provision of sidewalks throughout the development and “direct pedestrian connections between all uses”. It also specified a condition for a bus shelter along Sweetbriar Road. A MARTA bus stop is currently located on Sweetbriar Road. The NOD also specified certain transportation improvements, based on the Kimley-Horn traffic study: elimination of northbound left turns at North Druid Hills Road and Oak Tree Road, and the elimination of eastbound left turns at the main entrance driveway to the property on Lawrenceville Highway.

Staff of the DeKalb County Transportation Division has approached the applicant about converting Sweet Briar Road to a private road and about providing a multiuse path or sidewalk and bike lane along Mistletoe Road to connect the residential neighborhoods to the north with the project site. In addition, the County Transportation Division has asked the developer to extend the left turn lane northbound on Lawrenceville Highway at North Druid Hills Road by modifying the median and to fill in sidewalk gaps along North Druid Hills Road. The Transportation Division has also commented, “Mistletoe will be one of two full-access entrances to the site. It has a direct connection to North Druid Hills and the neighborhood. Yet the site plan has the entrance feeding the traffic into what appears to be the loading docks and back doors of the box stores . . . there has got to be a way to design this better.”

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

Redevelopment of the Mall to include a more diverse mix of uses is consistent with the following policy of the 2035 Comprehensive Plan for Regional Center character areas: “Create compact mixed-use districts and reduce automobile dependency and travel to obtain basic services.” (No. 5) The mixture of uses and density and intensity of development is consistent with Policy No. 21: “Each Regional Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods.”

However, a functional compact mixed-use development would have pedestrian connections between land uses and to nearby neighborhoods. The current site plan lacks a system of sidewalks and street crossings with street trees that provide shade to encourage the use of the sidewalks. Pedestrian connections throughout the development need to be improved so that the overall development to be considered pedestrian-oriented. The site plan does not depict enough detail to determine whether the development will include traffic calming features.

In addition, the retail stores located on the north side of the central east-west interior street should be moved up to the street to create a pedestrian-friendly street presence, and the surface parking currently shown in front of the stores should be moved behind the buildings. Loading docks should be located between tenant spaces so that they don’t interfere with customer parking.

Staff has requested that the applicant reserve a location for a rapid bus transit shelter. MARTA regular bus service should continue to be provided with stops within the interior of the proposed mixed-use development.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:

The zoning proposal would diversify the existing mall with office, hotel and residential land uses. The mall has established itself as an important part of the commercial node at North Druid Hills Road and Lawrenceville Highway and would continue to do so after redevelopment. Adjacent and nearby commercial properties at this node support the mall as a regional shopping and entertainment destination and are, in turn, supported by the mall.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

The property has limited economic use as currently zoned, as evidenced by increased vacancies during the past several years. The proposed zoning category of MU-4 is much more desirable as it would allow the mixture of non-residential and residential uses that have the potential to reduce automobile trips.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

The mall will continue to be separated from single-family residential neighborhoods to the southwest and south by the floodplain of the South Fork Peachtree Creek. A 50-foot buffer is proposed along the west property line to reduce impacts on the residential neighborhood to the west. Adjacent commercial properties to the north and east would be positively affected by a multiplier effect resulting from additional customers and new employees and residents at the proposed mixed-use development.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The DeKalb County Lawrenceville Highway Corridor study (November 2016) identified the commercial area around the North DeKalb Mall as “needing re-tenanting”. In other words, it asserted that “. . . the retailers present no longer fit the service area demographics adequately.” It did not identify the mall itself as obsolete, although its vacancies indicate that obsolescent may be an issue. It is possible that redevelopment of the mall would spur a revitalization of the area around the mall.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources:

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

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The traffic study submitted for the DRI review indicated some deterioration of levels of service at two intersections. The study, as well as the GRTA NOD, recommended traffic improvements to mitigate these impacts. Staff of the DeKalb County School District has commented, “The additional students at Laurel Ridge [Elementary School] would result in more overcrowding and may require additional portable classrooms.” There is no indication from reviewing agencies and departments that the zoning proposal would overburden utilities.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources:

The mall currently is almost completely paved, so there is little natural area on the property. Redevelopment of the site presents opportunities to increase the amount of landscaping in the parking lots, possibly with bioswales to purify water that runs off of the paved areas of the site into the adjoining floodplain and creek.

Compliance with District Standards:

MU-4 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)	Base: 24 d.u.s/acre; w/bonuses: 40 d.u.s/ac.	6.5 units/acre	Yes
MIN. STREET FRONTAGE	50	145 feet on Lawrenceville Highway	Yes
OVERALL SITE SETBACK	Front, Side: None; Rear: Min. 10 ft.	Information not provided	Info. not provided
MIN. OPEN SPACE	10% of total parcel acreage	45% (including floodplain)	Yes
MIN. TRANSITIONAL BUFFER	50 feet next to R district	50 feet	Yes
MIX OF USES (SQUARE FOOTAGE OF BUILDING(S))	Min. 20% non-residential	(Assuming 225,000 s.f. residential) 69%	Yes
MINIMUM UNIT SIZE	1 brm. – 500 s.f.; 2 brm. – 650 s.f.; 3-brm. – 800 s.f.	Information not provided	Info. not provided
MAX. BLDG. HEIGHT (w/out bonuses)	8 stories or 100 ft., whichever is less	Information not provided	Info. not provided
TRANS'L HEIGHT PLANE	Applicable to proposed Costco Building	Information not provided	Info. not provided
PEDESTRIAN PATHS FROM SIDEWALKS TO BLDG. ENTRANCES (Sec. 5.4.3(B)(5))	Min. 3 ft. wide	Not shown for all buildings.	Not shown for all buildings
LANDSCAPE STRIPS ALONG PEDESTRIAN PATHS (Sec. 5.4.4(B))	Min. 3 ft., planted	Not shown on site plan dated May 2, 2018. Shown on interior of sidewalks along most streets on site plan dated 7/18/18 but not back of curb as required.	Variances will be necessary if landscape strips do not meet requirements
TREE ISLANDS IN PARKING LOT	One island for every 10 parking spaces	Parking lot in front of big box stores: approx. 1.5 islands for every 7 spaces Costco pkg. Lot: 1 island for every 6 – 15 spaces	Costco pkg. lot will need to be reconfigured or a variance will be necessary

MU-4 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
PERIMETER LANDSCAPE STRIP (Sec. 5.4.4(C))	Min. 5 ft. wide; landscaping as per Sec. 5.4.4(C)(2)	Information not provided	Information not provided
PARKING Retail – Min. 1/500 sf.; Max. 1/200 s.f. = min. 711 spaces; max. 1,777 spaces Theater – Min. 1/300 s.f.; Max. 1/125 s.f. = min. 160 spaces; max. 384 spaces Hotel – Min. 1/unit + 1/150 s.f. banquet or assembly area; Max. 1.2/unit + 1/100 s.f. banquet or assembly area = (assuming no assembly space) min. 150 spaces; max. 180 spaces Multifamily residential – Min. 1.5/d.u.; Max. 3/d.u. Attached s-f townhomes – Min. 1.75/d.u.; Max. 3.25/d.u. Bicycle parking: 1 space/20 vehicular parking spaces	Total non-residential required/allowed: Min. 1,021 spaces Max. 2,341 spaces Min. 675 space Max. 1,350 spaces Not shown; parking to be provided in garages/driveways 98 spaces	Total non-residential spaces: 1,964 523 spaces At least two spaces/unit Information not provided	Yes Minimum not met; a variance necessary Yes Info. not provided

STAFF RECOMMENDATION:

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

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Zoning Map
7. Land Use Plan Map
8. Aerial Photograph
9. Site Photographs

NEXT STEPS

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

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

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