

DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030



Agenda

Tuesday, March 7, 2023

6:00 PM

via Zoom

Planning Commission

Chairperson Tess Snipes

Co-Chair Jon West

Member Deanna Murphy (Dist. 1)

Member April Atkins (Dist. 2)

Member Vivian Moore (Dist. 3)

Member LaSonya Osler (Dist. 4)

Member Jan Costello (Dist. 5)

Member Jana Johnson (Dist. 6)

Member Edward Patton (Dist. 7)

Call To Order

The DeKalb County Planning Commission will hold its online zoning meeting on Tuesday, March 7, 2023 at 6:00 p.m. This meeting will be conducted via teleconference (Zoom).

The public is invited to Join from PC, Mac, Linux, iOS or Android:

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/86330344636>

Or Telephone Dial: USA 8882709936 (US Toll Free) Conference code: 691303

For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting.

The Board will provide 10 minutes of time for citizens to speak in favor of an agenda item, and 10 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # and the number 2. There will be no comment cards, so when you are called upon, please state your name and address for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time.

Citizens may also email documents for inclusion into the official record by submitting such materials by 5:30 p.m. on the date of the public hearing to plansustain@dekalbcountyga.gov

Roll Call

Legal noticing and posting of signs have been completed in accordance with requirements of the DeKalb County Zoning Ordinance. The items on this agenda were presented at Community Council review meetings last month. The Planning Department has prepared the required ordinances as well as the staff analysis, findings of facts, and recommendations for all applications that are on tonight's agenda. Each case on the agenda will proceed accordingly:

Announcement of the case by Staff. 10 minutes of testimony will be allocated for the applicant and those in support of the application. 10 minutes of testimony will be allocated for the opponents. Public testimony will then be closed and Planning Commission members will commence discussing the merits of the application with respect to the evaluation criteria, staff analysis and public testimony presented at this hearing. At this point, Planning Commissioners may ask questions of the Staff, applicant or public for clarification of an issue.

The Planning Commission will then make a motion to adopt the findings of facts for the record as presented in the staff analysis, or as modified by the Planning Commission followed by a recommendation to the Board of Commissioners: Approval, Approval with conditions, Denial, Deferral, or Withdrawal without prejudice.

Cases on tonight's agenda will be heard at a public hearing before the Board of Commissioners on Thursday, March 30, 2023 @ 5:30 p.m., in-person (this is not a Zoom meeting) at the Manuel Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030, and via the County website.

Deferred Cases

- D1** [2022-2254](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Avondale Park, LLC c/o Felipe Castellanos for a Major Modification to modify zoning conditions pursuant to CZ-21-1245061 in the MU-5 (Mixed Use 5) zoning district for a mixed residential, office, and commercial development to change the use of the office and retail buildings designated as "A", "B", and "C" on the approved concept plan, to now combine those buildings into one mixed-use building with up to 49,000 square feet of commercial and up to 202 apartment units, at 3458, 3468 and 3478 Mountain Drive.

Attachments: [CZ-22-1246039 March 2023 Staff Report 3458.3468.3478 Mountain Drive](#)
[CZ-22-1246039 Nov 2022 Staff Report Mountain Dr](#)

[\(11/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

- D2** [2022-2259](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Chad Mercer for a Major Modification to zoning conditions pursuant to CZ-18-21945 to increase the number of residential units from 6 to 8 units per acre in the MR-2 (Medium Density Residential-2) zoning district, at 211 South Howard Street.

Attachments: [CZ-22-1246089 Staff Report March 2023 211 S. Howard St.](#)
[CZ-22-1246089 Nov 2022 Staff Report 211 S Howard St](#)

[\(11/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(11/17/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

- D3** [2022-2262](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Toll Brothers c/o Kathryn Zickert, Smith, Gambrell, & Russell LLC to rezone property from O-I (Office Institutional) zoning district to RSM (Small Lot Residential Mix) zoning district to allow the construction of single-family attached townhomes, at 1065 Fayetteville Road.
- Attachments:** [Z-22-1246092 March 2023 Staff Report 1065 Fayetteville Rd Opposition - 1065 Fayetteville Rd Z-22-1246092](#)
[Z-22-1246092 Nov 2022 Staff Report 1065 Fayetteville Rd](#)
- (11/1/22 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))
- (11/17/22 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))
- D4** [2022-2537](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Anandi JRK, LLC c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) request to allow accessory fuel pumps for a proposed convenience store within Tier 1 of the Interstate 20 Overlay District and the C-1 (Local Commercial) zoning district, at 2571 E. Wesley Chapel Way.
- Attachments:** [SLUP-23-1246180 Staff Report March 2023 2571 E. Wesley Chapel Way](#)
[SLUP-23-1246180 Jan BOC 2023 Staff Report 2571 E. Wesley Chapel Way](#)
- (1/5/23 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))
- (1/26/23 Board of Commissioners - Zoning Meeting: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))
- D5** [2022-2269](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06 Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27-3.22-Emory Village Overlay District-to update permitted and prohibited uses; revise minimum parking requirements; and to address building design and other overlay district enhancements.
- Attachments:** [TA 22-1246100 March 2023 Emory Village OVD Staff Report](#)
[TA-22-1246100 Jan BOC 2023 Staff Report Emory Vlg OVD](#)
[TA-22-1246100 Nov 2022 Emory Vlg Staff Report](#)
- (11/1/22 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(1/5/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(1/26/23 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

- D6** [2022-2270](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 5.7.9 to consolidate regulations specific to cottage housing development; to amend Article 2 (Residential Zoning Districts: Dimensional Requirements) for the facilitation of cottage housing development in various zoning districts; to amend Section 5.7.5 (Detached Houses) related to cottage housing development, and to revise other applicable sections of the Zoning Ordinance to accommodate cottage housing development.

Attachments: [TA-22-1246101 Cottage Development Text Amendment Staff Report March 2023](#)

[TA-22-1246101 Nov 2022 Staff Report Cottage Housing](#)

[TA-22-1246101](#)

[CC-2 Comments for TA-22-1246101 Cottage Housing Development](#)

(11/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

New Cases

- N1** [2023-0064](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Land Engineering and Surveying Inc to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to accommodate an existing landscape company, upgrade and expand the building, and add additional parking, at 1422 Rock Chapel Road.

Attachments: [LP-23-1246239 Staff Report March 2023 1422 Rock Chapel Rd](#)

- N2 [2023-0065](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying, Inc. to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to accommodate an existing landscaping company, upgrade and expand the building, and add additional parking, at 1422 Rock Chapel Road.

Attachments: [Z-1246238 Staff Report March 2023 1422 Rock Chapel Rd](#)

- N3 [2023-0066](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to allow for the construction of a proposed landscaping company, at 1450 Rock Chapel Road.

Attachments: [LP-23-1246240 Staff Report March 2023 1422 Rock Chapel Rd](#)

- N4 [2023-0067](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to allow for the construction of a proposed landscaping company, at 1450 Rock Chapel Road.

Attachments: [Z-1246241 Staff Report March 2023 1450 Rock Chapel Rd](#)

- N5 [2023-0068](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Craig Wasilewsky to amend the future land use plan from Suburban (SUB) character area to Neighborhood Center (NC) character area, at 710 Fayetteville Road.

Attachments: [LP-23-1246249 Staff Report March 2023 710 Fayetteville Rd](#)

- N6 [2023-0069](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Craig Wasilewsky to rezone property from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to construct multi-family apartments, at 710 Fayetteville Road.

Attachments: [Z-23-1246248 Recommended Conditions](#)
[Z-23-1246248 March 2023 Staff Report 710 Fayetteville Rd](#)

- N7 [2023-0070](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Celina Lane c/o Battle Law, P.C. to request a Major Modification to zoning conditions pursuant to CZ-1243618 to modify condition #1 to allow the site plan to be changed to reflect the operation of a dog daycare business and modify use conditions to include dog daycare, boarding (primary), grooming, indoor/outdoor play area within the existing Parkview Plaza building (Suite B) in the MU-4 (Mixed Use-4) zoning district, at 1807 Memorial Drive.

Attachments: [CZ-23-1246278 Recommended Conditions](#)
[CZ-1246278 Staff Report March 2023 1807 Memorial Dr](#)

- N8 [2023-0071](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Celina Lane c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to allow for a dog daycare business within the existing Parkview Plaza building (Suite B) in the MU-4 (Mixed Use-4) zoning district, at 1807 Memorial Drive.

Attachments: [SLUP-23-1246250 Recommended Conditions](#)
[SLUP-1246250 Staff Report March 2023 1807 Memorial Dr](#)

- N9 [2023-0072](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Bimor, LLC c/o Battle Law, P.C. to request a Major Modification to zoning conditions pursuant to CZ-00043 to allow the construction of eight (8) single-family attached townhomes in the RSM (Residential Small Lot) zoning district, at 7006 Covington Highway.

Attachments: [CZ-23-1246251 March 2023 Staff Report 7006 Covington Hwy](#)

- N10 [2023-0115](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of QuikTrip Corp c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to allow the installation of fuel pumps associated with a new convenience store in the C-2 (General Commercial) zoning district, at 4434, 4450 and 4466 Memorial Drive.

Attachments: [SLUP 23-1246256 March 2023 Staff Report 4434.4450.4460 Memorial Dr](#)

- N11 [2023-0185](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning & Sustainability to amend the DeKalb County Zoning Ordinance to address Workforce Housing. This text amendment is County wide..

Attachments: [TA-23-1246284 Workforce Housing Draft Ord 1.24.23 March 2023 Staff Report](#)

