

DeKalb County Government

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



Agenda

Tuesday, May 2, 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, May 2, 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 no later than 3 business days prior to the hearing date 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, May 25, 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** [2022-1471](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of PMZ Developers LLC c/o Battle Law, P.C. to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 5-Corridor1/R-100 (Residential Medium Lot) zoning district to RNC (Residential Neighborhood Conservation) zoning district to allow for single-family detached homes and single-family attached townhomes, at 4101 Bouldercrest Road.

Attachments: [Z-22-1245544 May 2023 Staff Report 4101 Bouldercrest Rd](#)
[Z-22-1245544 Jan 2023 BOC Staff Report 4101 Bouldercrest Rd](#)
[Z-22-1245422 Staff Report Nov BOC 2022 4101 Bouldercrest Rd](#)
[Z-22-1245544 Staff Report July 2022 4101 Bouldercrest Rd](#)
[Z-22-1245544 Staff Report May 2022 4101 Bouldercrest Rd](#)

(5/3/22 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(5/26/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(7/12/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/28/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(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 a full cycle to the Board of Commissioners - Zoning Meeting)

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

(1/26/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- D2** [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 May 2023 Staff Report 7006 Covington Hwy](#)
[Deferral request for 7006 Covington Highway - March 2023 Agenda](#)
[CZ-23-1246251 March 2023 BOC Staff Report 7006 Covington Hwy](#)
- (3/7/23 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))
- (3/30/23 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))
- D3** [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 May 2023 Staff Report 4434.4450.4466 Memorial Dr](#)
[SLUP 23-1246256 March 2023 BOC Staff Report 4434.4450.4466 Memorial Dr](#)
- (3/7/23 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))
- (3/30/23 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))
- D4** [2022-2543](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals). This text amendment is County-wide.
- Attachments:** [TA-23-1246181 May 2023 Staff Report State Zoning Procedures](#)
[TA-22-1246181 Zoning Procedure Statutes Jan BOC 2023](#)
[Georgia-2021-HB1405-ZPL](#)

(1/5/23 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(1/26/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- D5** [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 May 2023 Staff Report Cottage Housing Development TA-22-1246101](#)
[TA-22-1246101 March 2023 BOC - Cottage Home Text Amendment 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)

(3/7/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/30/23 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

New Cases

- N1** [2023-0334](#) COMMISSION DISTRICT(S): Commission Districts 04 Super District 07
Application of Amir Bey for a Special Land Use Permit (SLUP) for a Special Events facility in a C-1 (Local Commercial) Zoning District, at 4449 Rockbridge Road.

Attachments: [SLUP-23-1246282 Recommended Conditions](#)
[SLUP-23-1246282 May 2023 Staff Report 4449 Rockbridge Rd](#)

- N2** [2023-0335](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Austin Brannen (Euphoric Ventures, LLC and Project Cross, LLC) to remove the properties from the Stonecrest Overlay District to allow for light industrial uses, at 8361 & 8637 Covington Highway.
- Attachments:** [Z-23-1246378 May 2023 Staff Report 8361 & 8637 Covington Hwy](#)
- N3** [2023-0336](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Dunlavy Law Group, LLC for a Special Land Use Permit (SLUP) to allow a Cultural Facility (religious, cultural, and social offerings) in the MR-2 (Medium Density Residential-2) zoning district and the Druid Hills Historic District, at 1500 North Decatur Road.
- Attachments:** [SLUP-23-1246382 Recommended Conditions](#)
[SLUP-23-1246382 May 2023 Staff Report 1500 N. Decatur Rd](#)
- N4** [2023-0337](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of VS Realty 1 c/o Smith Gambrell and Russell for a major modification pursuant to CZ-79009 to existing conditions of zoning for the properties located in the O-I (Office-Institutional) zoning district, at 1799 and 1805 Clairmont Road.
- Attachments:** [CZ-23-1246383 Recommended Conditions](#)
[CZ-23-1246383 May 2023 Staff Report 1799 & 1805 Clairmont Rd](#)
- N5** [2023-0338](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Emily M. Johnson to rezone properties from the Bouldercrest Overlay District Tier 5, with underlying zoning of C-1 (Local Commercial) and R-100 (Residential Medium Lot-100) zoning districts to the Bouldercrest Overlay District Tier 3, with underlying zoning of C-1 (Local Commercial) zoning district for the expansion of the existing Safe Haven office building, at 2001 River Road and 2938 Bouldercrest Road.
- Attachments:** [Z-23-1246384 May 2023 Staff Report 2001 River Rd & 2938 Bouldercrest Rd](#)
- N6** [2023-0339](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of David Kirk for a Special Land Use Permit (SLUP) to allow the construction and operation of a restaurant with a drive-through on a portion of the property located in the C-1 (Local Commercial) zoning district, at 3507 Memorial Drive.
- Attachments:** [SLUP-23-1246386 May 2023 Staff Report 3507 Memorial Dr](#)

- N7** [2023-0340](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of KBD Development c/o Battle Law, P.C. to rezone from Bouldercrest Overlay Tier 3 & Soapstone Historic District with underlying zoning of R-100 & C-1 to Bouldercrest Overlay District Tier 3 & Soapstone Historic District with underlying zoning of RSM district to allow for construction of single-family attached townhomes, at 2098 & 2021 Cedar Grove Road and 3345 Bouldercrest Road.

Attachments: [Z-23-1246390 May 2023 Staff Report 2098.2124 Cedar Grove Rd & 3345 Bouldercrest Rd](#)

- N8** [2023-0341](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of KBD Development c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) to allow the construction of single-family attached townhomes in the Bouldercrest Overlay Tier 3 & Soapstone Historic District with underlying zoning of RSM District, at 2098 & 2124 Cedar Grove Road and 3345 Bouldercrest Road.

Attachments: [SLUP-23-1246391 May 2023 Staff Report Cedar Grove Rd & Bouldercrest Rd](#)

- N9** [2023-0342](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Ivo Bakovic to rezone from R-75 (Residential Medium Lot-75) zoning district to R-60 (Residential Small Lot-60) zoning district to build single-family, detached houses, at 1439 Conway Road.

Attachments: [Z-23-1246379 May 2023 Staff Report 1439 Conway Rd](#)

- N10** [2023-0390](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning & Sustainability for a text amendment to consider authorizing a resolution to approve the 5-year LCI Plan Update for the Tucker-Northlake Master Plan LCI, as required by the Atlanta Regional Commission (ARC).

Attachments: [2020 Tucker Northlake LCI Update- DeKalb County Projects](#)