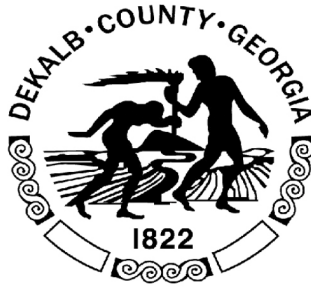


# DeKalb County Government

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



## Agenda

**Tuesday, January 7, 2020**

**6:30 PM**

**Manuel J. Maloof Auditorium**

### **Planning Commission**

**Chairperson Tess Snipes**  
**Co-Chair Jon West**  
**Member April Atkins**  
**Member Jana Johnson**  
**Member Gwendolyn McCoy**  
**Member Vivian Moore**  
**Member LaSonya Osler**  
**Member Edward Patton**  
**Member H. Paul Womack Jr.**

## **Call To Order**

**Legal notice and posting of signs have been completed in accordance with requirements of the DeKalb County Zoning Ordinance.**

**The applications on this agenda have been presented to the Community Council. The Planning Department has prepared the required ordinances as well as the staff analysis, findings of facts, and recommendations for all applications that are before us. 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.**

**If you wish to speak on an agenda item at this meeting, please fill out a speakers card (even if you are the applicant) and present it to the Clerk at the time of your presentation.**

## **Deferred Cases**

- D1**     [2019-4356](#)     COMMISSION DISTRICT(S): 3 & 7  
Application of Phoenix City Holdings, LLC c/o Battle Law P.C. to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to develop sixty-one single family attached townhomes at a proposed density of 5.94 units per acre, at 3792 Harvest Drive.

**Attachments:** [D1 Phoenix City Holdings Z 19 1243522](#)  
[Recommended Conditions Z 19 1243522](#)

(11/7/19 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(11/21/19 Board of Commissioners - Zoning Meeting: [tabled](#))

(11/21/19 Board of Commissioners - Zoning Meeting: [taken off table](#))

(11/21/19 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

- D2**     [2019-4122](#)     COMMISSION DISTRICT(S): ALL DISTRICTS  
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 5.4.7, Fences, walls, landscape buffers and Article 9.1.3.

**Attachments:** [D.2 Fences and walls](#)

(9/10/19 Planning Commission: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))

(9/24/19 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the PECS-Planning, Economic Development & Community Services Committee](#))

(11/5/19 Planning Commission: [approval per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(11/19/19 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

- D3**     [2019-4123](#)     COMMISSION DISTRICT(S): ALL DISTRICTS  
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 2 to correct errors, omissions and clarifications.

**Attachments:** [TA 19 1243417 Errors Omissions Clarifications Pages 2019 Text Amendment Art 2 Jan7 2020](#)

(9/10/19 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(9/24/19 Board of Commissioners - Zoning Meeting: Full cycle deferral to the PECS-Planning, Economic Development & Community Services Committee)

(11/5/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(11/19/19 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

- D4**     [2019-4397](#)     COMMISSION DISTRICT(S): ALL DISTRICTS  
Application of the Director of Planning and Sustainability for a text amendment to amend Table 5.2 to clarify buffer width requirements when adjacent to “R” districts whether adjoining use is single family attached or detached.

**Attachments:** [Sec. 5.4.5. Transitional buffers Jan7 2020](#)

[12.27.19 Ordinance to Amend Ch 27 Art 5 Transitional Buffers](#)

(11/7/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(11/21/19 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

- D5**     [2019-4398](#)     COMMISSION DISTRICT(S): ALL DISTRICTS  
Application of the Director of Planning and Sustainability for a text amendment to Article 5.7.5 H: Driveways and Article 5.7.5 N Garages.

**Attachments:** [D.5 Driveways and Garage Widths](#)

(11/7/19 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/21/19 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

## New Cases

- N1**     [2019-4707](#)     COMMISSION DISTRICT(S): 3 & 7  
Application of Tony Dawson for a Special Land Use Permit (SLUP) for an alcohol outlet (beer/wine) within an existing 1,000 square-foot convenience store in the C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table of the DeKalb County Code, 3285 Glenwood Road.

**Attachments:** [RECOMMENDED CONDITIONS SLUP 20 1243596](#)

[N1 SLUP 20 1243596 Tony Dawson 12 9 19](#)

- N2**     [2019-4708](#)     COMMISSION DISTRICT(S): 4 & 7  
Application of CRN Development, LLC to rezone property from C-1 (Local Commercial) and R-100 (Residential Medium Lot - 100) to MR-1 (Medium Density Residential - 1) for development of a four-story, 120-unit senior-only multifamily apartment building, on multiple parcels at N. Stone Mtn Lithonia Rd & Rockbridge Rd.
- Attachments:** [Recommended Conditions PC](#)  
[Staff Report Z 20 1243605](#)
- N3**     [2019-4709](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Angela Burke for a Special Land Use Permit (SLUP) to allow a home occupation (Life Health Coaching and Therapy) with customer contact within the Greater Hidden Hills Overlay District in an R-85 (Residential Medium Lot) District, at 4796 Manly Court.
- Attachments:** [Recommended Conditions SLUP 20 1243612](#)  
[N3 SLUP 20 1243612 Staff Report](#)
- N4**     [2019-4710](#)     COMMISSION DISTRICT(S): 4 & 6  
Application of Boston Investment Group for a Special Land Use Permit (SLUP) to allow an 8,500 square foot funeral home and 1,500 square foot crematorium in the C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table of the DeKalb County Code, at 5644 Memorial Drive.
- Attachments:** [N4 Boston Invstmnt Grp SLUP 20 1243616](#)
- N5**     [2019-4711](#)     COMMISSION DISTRICT(S): 3 & 7  
Application of APC Contractors, Inc. c/o Miles Hanford & Tallant, LLC to rezone property from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix) for a 36-unit single-family attached townhome development at a density of 7.3 units per acre, at 2061 & 2067 Windyhill Road.
- Attachments:** [Z 20 1243617 Staff Report PC](#)
- N6**     [2019-4712](#)     COMMISSION DISTRICT(S): 3 & 6  
Application of Wolverton & Associates, Inc. for a Major Modification of zoning conditions pursuant to CZ-10-16426, to allow construction of a 29,100 square foot grocery store, at 1807 Memorial Drive.
- Attachments:** [N6 Wolverton CZ 20 1243618](#)  
[Recommended Conditions PC](#)

- N7**     [2019-4713](#)     COMMISSION DISTRICT(S): 3 & 7  
Application of Mack III Development, LLC c/o Battle Law, P.C. for a major modification to remove conditions of CZ-91039, CZ-90052, and CZ-89033 to allow for a mixed-use development in accordance with the I-20 Overlay District, at 1816 Candler Road.

**Attachments:** [N7 Mack III Development CZ 20 1243619](#)  
[Recommended Conditions CZ 20 1243619](#)

- N8**     [2019-4715](#)     COMMISSION DISTRICT(S): 2 & 6  
Application of Chevra Ahavas Yisrael of Atlanta, Inc. to request a Special Land Use Permit (SLUP) to allow a Place of Worship (Synagogue) within the R-85 (Residential Medium Lot) District, , in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.31 Supplemental Regulations of the DeKalb County Code, at 1171 Houston Mill Road.

**Attachments:** [N8 Chevra Ahavas Yisrael Synagogue SLUP 20 1243621](#)

- N9**     [2019-4716](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Arpon, LLC c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District for the development of a self-storage facility in conjunction with adjacent C-1 (Local Commercial) zoned property, at 5636 Redan Road.

**Attachments:** [N9 Z 20 1243622 Staff Report](#)  
[Recommended Conditions Z 20 1243622](#)

- N10**    [2019-4717](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Arpon, LLC c/o Battle Law, P.C. to request a Major Modification to approved conditions pursuant to CZ- 18-22137 to amend conditions #1 and #8 to allow a self-storage facility on the site, within a C-1 (Local Commercial) District, at 5636 Redan Road

**Attachments:** [Recommended Conditions CZ 20 1243623](#)  
[N10 CZ 20 1243623 Staff Report](#)

- N11**    [2019-4714](#)    COMMISSION DISTRICT(S): 5 & 7  
Application of DR Horton c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot) District, C-1 (Local Commercial) District and RSM (Small Lot Residential Mix) District to RSM (Small Lot Residential Mix) District to develop 324 fee-simple townhomes at a density of 7.81 units per acre within the Greater Hidden Hills Overlay District, at 5702 & 5758 Covington Hwy, 5810 Covington Hwy, and 2650 Young Road.

**Attachments:** [Recommended Conditions Z 20 1243620](#)  
[N11 Z 20 1243620 Staff Report](#)

- N12**    [2019-4721](#)    COMMISSION DISTRICT(S): 5 & 7  
Application of the Director of Planning and Sustainability on behalf of Michele Battle, Battle Law, P.C. for a map amendment to the DeKalb County Zoning Maps to amend Article 3.37.5 District boundaries and maps of the Greater Hidden Hills Overlay District to change a portion of the district from Tier 1 to residential area.

**Attachments:** [Recommended Conditions Z 20 1243713](#)  
[N12 Z 20 1243713 Staff Report](#)

- N13**    [2019-4734](#)    COMMISSION DISTRICT(S): 3, 4, 5 and Super Districts 6 & 7  
Application of the Director of Planning and Sustainability to amend Section 27-3.41.6.A (Permitted Uses and Structures) of the Kensington-Memorial Drive Overlay District to allow automotive rental and leasing as a permitted use subject to certain standards. This applies to all properties within the Kensington Memorial Drive Overlay District.

**Attachments:** [N13 Kensington Memorial OVD Automotive Rental and Leasing](#)

## New Business

- [2019-4779](#)    Commission District(s): All  
Small Box Discount Store Moratorium

**Attachments:** [2019 12.17 Item 2019-4779](#)  
[2019 12.10 Walk-on Item 2019-4779](#)

(12/10/19 Board of Commissioners: [deferred to the next meeting to the Board of Commissioners](#))

(12/17/19 Board of Commissioners: [approved substitute submitted from the floor](#))