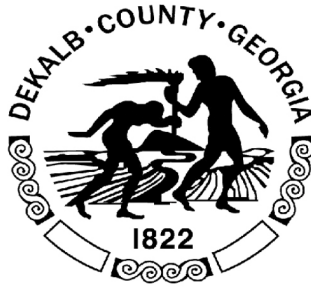


DeKalb County Government

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



Agenda

Thursday, November 4, 2021

5:30 PM

via Zoom

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 Lauren Blaszyk.

The DeKalb County Planning Commission will hold its online zoning meeting on Thursday, November 4, 2021 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom).

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

<https://dekalbcountyga.zoom.us/j/94261560575> Or Telephone: Dial: USA 8882709936 (US Toll Free)
Conference code: 934462

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 15 minutes of time for citizens to speak in favor of an agenda item, and 15 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

Call To Order

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. 15 minutes of testimony will be allocated for the applicant and those in support of the application. 15 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 November 18, 2021 @ 5:30 p.m., via Zoom.

Roll Call

Deferred Cases

- D1** [2021-2638](#) COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to rezone property from NS (Neighborhood Shopping) District to C-1 (Local Commercial) District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

Attachments: [Z-21-1244885 2021-2638 Recommended Conditions Nov. 2021](#)
[Z-21-1244885 2021-2638 3795 N. Druid Hills Rd Staff Report Nov. 2021](#)
[Z-21-1244885 Recommended Conditions July BOC](#)
[Z-21-1244885 Staff report July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- D2** [2021-2639](#) COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to request a Special Land Use Permit (SLUP) to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

Attachments: [SLUP-21-1244886 2021-2639 Recommended Conditions Nov. 2021](#)
[SLUP-21-1244886 2021-2639 3795 N. Druid Hills Rd. Staff Report Nov. 2021](#)
[CFA North Druid Hills Relo Traffic Memo](#)
[Crash Data Exhibit](#)
[Future Roadway Improvement Concept Option](#)
[N Druid Hills and Birch Rd Intersection Analysis](#)
[SLUP-21-1244886 Recommended Conditions July BOC](#)
[SLUP-21-1244886 Staff report July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles)

- D3** [2021-2641](#) COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Mosaic Communities c/o Battle Law to rezone properties
from R-85 (Residential Medium Lot-85) District to RSM (Small Lot
Residential Mix) District to allow single-family cottages, urban single-family
attached and detached units, and duplexes, at 3943 Norman Road.

Attachments: [Z-21-1244893 2021-2641 3943 Norman Rd. Nov. 2021 Staff Report](#)
[Z-21-1244893 July 2021 Staff report](#)

[\(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

- D4** [2021-2903](#) COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Avondale Park, LLC c/o Battle Law, PC for a Major
Modification of the conditional site plan and other conditions of MU-5
(Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125,
to change the mixture of multifamily, office, and retail land uses, and to
revise the single-family detached and townhome exterior designs, at 3458
Mountain Drive.

Attachments: [CZ-21-1245061 2021-2903 Mountain Dr. Staff Report Nov. 2021](#)
[CZ-21-1245061 Staff Report Sept. 2021](#)

[\(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(9/30/21 Board of Commissioners - Zoning Meeting: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- D5** [2020-1543](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

Attachments: [D5. TA-21-1244279 Small Box Discount Retailers Staff Report Nov 2021](#)
[D1 TA-21-1244279 Small Box Discount Retailers Staff Report Sept. 2021](#)
[D1 TA-21-1244279 Small Box Discount Retailers Staff Report July 2021](#)
[TA-21-1244279 Staff Report March 2021 BOC](#)

(1/7/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(1/28/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/2/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/25/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/30/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

New Cases

- N1** [2021-3155](#) COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Elease Sims for a Special Land Use Permit (SLUP) for a
child day care up to six (6) in an R-100 (Residential Medium Lot-100)
District, at 3815 Boring Road.
- Attachments:** [SLUP-21-1245190 2021-3155 Recommended Conditions](#)
[SLUP-21-1245190 2021-3155 Boring Rd. Staff Report Nov. 2021](#)
- N2** [2021-3156](#) COMMISSION DISTRICT(S): Commission District 04; Super District 07
Application of Builders Professional Group, LLC c/o Battle Law, PC to
rezone property from R-100 Residential Medium Lot- 100) to R-60
(Residential Small Lot-60) to allow for the construction of a single-family
detached residential subdivision, at 5277 Rockbridge Road.
- Attachments:** [Z-21-1245221 2021-3156 5277 Rockbridge Rd. Staff Report Nov. 2021](#)
- N3** [2021-3157](#) COMMISSION DISTRICT(S): Commission District: 03; Super District 06
Application of VG First Baptist Senior, LP for a Special Land Use Permit
(SLUP) for a senior housing development of multi-family and detached
dwelling units in an R-75 (Residential Medium Lot-75) District, at 2318 2nd
Avenue.
- Attachments:** [SLUP-21-1245227 2021-3157 Second Ave. Staff Report Nov. 2021](#)
- N4** [2021-3158](#) COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of James Cantrell for a Major Modification of the conditional
site plan and other conditions of RSM (Residential Small Lot Mix) zoning
approved pursuant to CZ-18-22025, for six single-family homes, at 3446
Midway Road.
- Attachments:** [CZ-21-1245234 2021-3158 Midway Road Staff Report Nov. 2021](#)
- N5** [2021-3159](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability to amend Section
7.4.6 of the DeKalb County Zoning Ordinance to modify criteria to be
considered in evaluating and deciding an application for a Special Land Use
Permit (SLUP). This text amendment is County-wide.
- Attachments:** [Dir. P&S SLUP Criteria TA-21-1244986 2021-3159 Nov. 2021](#)

- N6** [2021-3160](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability to amend Section 27-7.5.3 (A) (1) of the DeKalb County Zoning Ordinance to refine variance criteria for the Zoning Board of Appeals. This text amendment is County-wide.

Attachments: [Dir. P&S ZBOA Criterial Text Amendment TA-21-1245114](#)
[2021-3160 Staff Report Nov. 2021](#)

- N7** [2021-3161](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment to adopt the 2022 Zoning Calendar and Resolution. This text amendment is County-wide.

Attachments: [2022 DRAFT Public Zoning Calendar 2.0](#)
[TA-21-1245238 2022-2023 Zoning Calendar Resolution Nov. 2021](#)
[TA-21-1245238 2022-2023 Zoning Calendar-Resolution attachments Nov. 2021](#)