

DeKalb County Government

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



Agenda

Tuesday, November 1, 2022

6:00 PM

Zoom Meeting

Planning Commission

Chairperson Tess Snipes

Co-Chair Jon West

Member VACANT (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)

The DeKalb County Planning Commission will hold its online zoning meeting on Tuesday, November 1, 2022 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

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. 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, November 17, 2022 @ 5:30 p.m., via Zoom and the County website.

Roll Call

Deferred Cases

- D1** [2022-1471](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of PMZ Developers LLC c/o Battle Law PC to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 5-Corridor1/R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) district to allow for single-family detached homes and single-family attached townhomes, at 4101 Bouldercrest Road.

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

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

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

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

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

- D2** [2022-1976](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Shalom Restorations, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow single-family detached homes, at 695 Jordan Lane.

Attachments: [Z-22-1245935 Nov 2022 Staff Report 695 Jordan Ln](#)
[Z-22-1245935 BOC Sept 2022 Staff Report 695 Jordan Ln](#)
[N8 - Z-22-1245935 opposition email](#)

[\(9/1/22 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

[\(10/4/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

- D3** [2022-1998](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

Attachments: [CZ-22-1245934 Nov 2022 Staff Report 1849 Lville Hwy](#)
[CZ-22-1245934 Sept 2022 Staff Report 1849 Lawrenceville Hwy](#)

(9/6/22 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(10/4/22 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

- D4** [2022-1906](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning and Sustainability to adopt a major update to the DeKalb County 2050 Comprehensive Plan, as required by the Rules of the Georgia Department of Community Affairs, Chapter 110-12-1 Minimum Standards and Procedures for Local Comprehensive Planning, and established by the Georgia Planning Act of 1989. The property is located on within the areas of unincorporated DeKalb County. This text amendment is County-wide.

Attachments: [2022_0928_Draft_Draft_DeKalb 2050 Comprehensive Land Use Plan - Redlined](#)
[2022_1005_DRAFT_DeKalb Unified Plan_Executive Summary](#)
[Resolution for 2050UP_Sep2022](#)

(9/1/22 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(10/4/22 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))

New Cases

- N1** [2022-2326](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning & Sustainability to consider approving a resolution to authorize the adoption of the 2050 Comprehensive Transportation Plan Update also known as the CTP.

Attachments: [2022_1005_DRAFT_DeKalb Comprehensive Transportation Plan](#)
[2022_1005_DRAFT_DeKalb Unified Plan_Executive Summary](#)
[2050 Unified Plan Transportation Comprehensive Plan Resolution](#)

- N2 [2022-2252](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of ModWash LLC c/o Battle Law P.C. to request a Special Land Use Permit (SLUP) to allow a drive-through car wash facility in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.
- Attachments:** [SLUP-22-1246038 Nov 2022 Staff Report 1849 Lville Hwy](#)
- N3 [2022-2253](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of D.A. Edwards & Company c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell to rezone property from R-75 (Residential Medium Lot) zoning district to RSM (Residential Small Lot Mix) zoning district to allow the construction of cottage-style urban single-family detached homes, at 1251 Robinwood Road.
- Attachments:** [Z-22-1246936 Nov 2022 Staff Report 1251 Robinwood Rd](#)
- N4 [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 Nov 2022 Staff Report Mountain Dr](#)
- N5 [2022-2255](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Wendy Rios Ochoa for a Special Land Use Permit (SLUP) to operate an in-home childcare facility for up to six children in an existing single-family home in the RSM (Small Lot Residential Mix) zoning district, at 6168 Marbut Road.
- Attachments:** [SLUP-22-1246059 Recommended Conditions](#)
[SLUP-22-1246059 6168 Marbut Rd PC Report](#)
- N6 [2022-2256](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Kyle Williams to amend the Future Land Use Plan from Neighborhood Center (NC) character area to Light Industrial (LIND) character area to allow for the construction of a distillery, at 2179 Bouldercrest Road.
- Attachments:** [LP-22-1246085 Staff Report Nov 2022 2179 Bouldercrest Rd](#)

- N7** [2022-2257](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Kyle Williams to rezone property from MU-5 (Mixed Use)
zoning district to M (Light Industrial) zoning district to allow for the
construction of a distillery, at 2179 Bouldercrest Road.
- Attachments:** [Z-22-1246088 Recommended Conditions](#)
[Z-22-1246088 Nov 2022 Staff Report 2179 Bouldercrest Rd](#)
- N8** [2022-2258](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Alex Brock for a Special Land Use Permit (SLUP) request to
allow a drive-through restaurant in the C-1 (Local Commercial) zoning
district, at 3507 Memorial Drive.
- Attachments:** [SLUP-22-1246086 Nov 2022 Staff Report 3507 Memorial Dr](#)
- N9** [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 Nov 2022 Staff Report 211 S Howard St](#)
- N10** [2022-2260](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Future Capital Investment for a Major Modification to zoning
conditions pursuant to CZ-20-1243972 to reduce the number of
single-family detached lots from 19 to 6 lots in the RSM (Small Lot
Residential Mix) zoning district, at 1347 Bermuda Road.
- Attachments:** [CZ-22-1246090 Recommended Conditions](#)
[CZ-22-1246090 Nov 2022 Staff Report 1347 Bermuda Rd](#)
- N11** [2022-2261](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Mahek Virani to rezone property from R-100 (Residential
Medium Lot) zoning district to C-1 (Local Commercial) zoning district to
allow the construction of a convenience store, at 8067 Rockbridge Road.
- Attachments:** [Z-22-1246091 Nov 2022 Staff Report 8067 Rockbridge Rd](#)
- N12** [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 Nov 2022 Staff Report 1065 Fayetteville Rd](#)

- N13** [2022-2263](#) COMMISSION DISTRICT(S): Commission District 01 Super District 07
Application of Paul Cables, Alpha Residential and Parker Poe to rezone properties from O-I (Office Institutional) zoning district to HR-3 (High Density Residential-3) zoning district to allow apartments, at 3375 Northeast Expressway.

Attachments: [Z-22-1246093 Nov 2022 Staff Report 3375 NE Expressway](#)

- N14** [2022-2264](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to allow the construction of single-family attached townhomes, at 1602 Scott Boulevard.

Attachments: [Z-22-1246095 Nov 2022 Staff Report 1602 Scott Blvd](#)

- N15** [2022-2265](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of Thomas J Mazzolini to rezone property from R-75 (Residential Medium Lot) zoning district to R-60 (Residential Small Lot) zoning district to allow a lot split to accommodate two single-family, detached homes, at 2739 Craigie Avenue.

Attachments: [Z-22-1246096 Nov 2022 Staff Report 2739 Craigie Ave](#)

- N16** [2022-2268](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Monique Hardnett for a Special Land Use Permit (SLUP) to allow a Child Caring Institution (CCI) for up to six children within the existing single-family detached home in the R-100 (Residential Medium Lot) zoning district, at 1193 Sherrington Drive.

Attachments: [SLUP-22-1246099 Nov 2022 Staff Report 1193 Sherrington Dr](#)

- N17** [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 Emory Vlg Staff Report Nov 2022](#)

- N18** [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 Nov 2022 Staff Report Cottage Housing TA-22-1246101](#)
- N19** [2022-2271](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment to Chapter 27-5.1.10 (Maximum Lot Coverage) of the Zoning Ordinance to remove the non-vehicular use restriction on pervious materials.
- Attachments:** [TA-22-1246102 Nov 2022 Staff Report Max Lot Coverage](#)
- N20** [2022-2272](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Section 27-3.37 (Greater Hidden Hills Overlay District) to include senior housing as a by-right use, subject to supplemental regulations.
- Attachments:** [TA-22-1246103 Sr. Housing in Hidden Hills OVD Nov 2022 Staff Report](#)
- N21** [2022-2273](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for adoption of the 2023-2024 Zoning Calendar and Resolution.
- Attachments:** [DRAFT 2023-2024 Zoning Calendar 10.27.2022](#)
[2023 Zoning Calendar Resolution TA-22-1246112](#)