



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: March 3, 2022

Board of Commissioners Hearing Date: March 24, 2022

TEXT AMENDMENT ANALYSIS

AGENDA NO.: N12

ZONING CASE NO.: TA-22-1245470

COMMISSION DISTRICTS: 1 and 7

APPLICANT: Department of Planning and Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: SECTION 3.35.9(B)(5).

The text amendment under consideration is an application of the Director of Planning & Sustainability for a text amendment to Section 3.35.9(B)(5) the *Zoning Ordinance* to increase the allowed residential density of properties with frontage on Parklake Drive from 30 units per acre to 60 units per acre.

REASON FOR REQUEST: The Department of Planning and Sustainability is in receipt of an application for a mixed-use development on a property located at 2175 Parklake Drive, in (Office Park) Tier 2 of the Northlake Overlay District. The proposed density of the development is 54.6 units per acre, whereas Tier 2 of the Northlake Overlay District allows up to 30 units per acre. The increase in residential density afforded by the text amendment would allow the proposed mixed-use development to proceed through the standard, by-right review process for a proposal in the overlay district. It would also bring two major multifamily residential developments located on Parklake Drive into compliance with the overlay district regulations for residential density for Tier 2. These developments, located at the southeast and southwest corners of Parklake Drive and Northlake Parkway, have a total of approximately 300 dwelling units. They were constructed before adoption of the overlay district regulations and have approximately 40 units per acre in residential density. Given these existing conditions, a seemingly dormant office development market in this area, and an opportunity to permit redevelopment of a vacant office building that would be consistent and compatible with its surrounding environment, we put forth this proposal for consideration.

RECOMMENDATIONS:

Planning Department: Approval.

Planning Commission: Pending.

Community Council: Denial, on the basis that the text amendment to change density is akin to a rezoning and that the mixed-use development proposal should have been vetted by neighbors and the Community Council in a manner similar to that required for a rezoning application. The Community Council also objects to the increase in density because it would allow development that would overburden the public infrastructure.

**AN ORDINANCE TO AMEND CHAPTER 27 OF THE CODE OF DEKALB COUNTY,
GEORGIA, AND FOR OTHER PURPOSES.**

WHEREAS, the Board of Commissioners is authorized to exercise zoning powers to protect and promote the County's health, safety, and general welfare;

WHEREAS, the zoning ordinance establishes the Northlake Overlay District to enhance the long-term economic viability of a certain portion of DeKalb County by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of DeKalb County;

WHEREAS, One of the purposes of the Northlake Overlay District is to establish and maintain a balanced relationship between industrial, commercial, and residential development to ensure a stable and healthy tax base in DeKalb County;

WHEREAS, the Board of Commissioners desires to allow higher density development for the properties with frontage on Parklake Drive that the maximum of 30 units per acre that is currently allowed;

NOW THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and be it hereby ordained by the Authority of same, that Chapter 27 of the Code of DeKalb County, as revised in 2015, is hereby amended as follows.

PART I. ENACTMENT

Section 3.35.9(B) shall be amended as follows:

5. *Density*. The maximum density for residential uses shall be thirty (30) dwelling units per acre, **with the exception of the properties that front on Parklake Drive, which shall be up to sixty (60) dwelling units per acre**. No development within the Tier 2 development category shall exceed a floor area ratio (FAR) of one and one-half (1.5), unless it additional public space or other amenities singly or in combination as provided below:

a. *Bonus density*. The maximum allowable floor area ratio (FAR) of a building or development in a Tier 2 zone shall be increased to a floor area ratio (FAR) not to exceed a total of three and one-half (3.50) in exchange for one or more of the additional amenities provided in the table below:

Table 3.13: Maximum Bonus Floor Area Ratio in Northlake Overlay District, Tier II

Maximum Bonus Floor Area Ratio in Northlake Overlay District, Tier II	
Additional Amenity	Increased FAR
Increase public space to 25 percent while providing inter-parcel access for pedestrians and vehicles.	0.75
Increase public space to 30 percent while providing inter-parcel access for pedestrians and vehicles.	1.50
Mixed-use building that includes multifamily residential units and commercial retail uses. Each mixed-use building shall include one (1) principal use and at least one (1) secondary use. No primary or secondary use shall constitute less than thirty (30) percent of the gross floor area of the building.	0.25
Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office institutional, commercial and retail uses.	0.5

PART II. EFFECTIVE DATE

This ordinance shall become effective immediately on the date of adoption by the board of commissioners and approval by the chief executive officer.

PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, 2022.

STEVE BRADSHAW
Presiding Officer
Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2022

MICHAEL THURMOND
Chief Executive Officer DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC
Clerk to the Board of
Commissioners and Chief
Executive Officer
DeKalb County, Georgia

TA-22-1245470

Affected Area

