# Legislation Details (With Text)

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| **File #:** | 2020-1325 | **Version:** 1 | **Name:** | | |
| **Type:** | Resolution | | **Status:** | Public Hearing | |
| **File created:** | 10/23/2020 | | **In control:** | Board of Commissioners | |
| **On agenda:** | 12/8/2020 | | **Final action:** | | |
| **Title:** | COMMISSION DISTRICT(S): 2 & 6<br>Application of Stein Investment Co., LLC to consider approving a resolution to adopt the Briarcliff Road-Clairmont Road Small Area Plan and to amend the DeKalb County Comprehensive Plan to include the aforementioned plan, as a part of the Supplemental Plans, Chapter 7. | | | | |
| **Indexes:** | | | | | |
| **Attachments:** | 1. BrairClair_Resolution, 2. DRAFT Briarcliff Road and Clairmont Road SAP | | | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 12/8/2020 | 1 | Board of Commissioners | approved substitute | Pass |
| 11/19/2020 | 1 | Board of Commissioners - Zoning Meeting | deferred to the next meeting | Pass |
| 11/5/2020 | 1 | Planning Commission | Full cycle deferral per staff recommendation | Pass |

**Public Hearing: YES ☒ NO ☐** **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S): 2 & 6**

**Application of Stein Investment Co., LLC to consider approving a resolution to adopt the Briarcliff Road -Clairmont Road Small Area Plan and to amend the DeKalb County Comprehensive Plan to include the aforementioned plan, as a part of the Supplemental Plans, Chapter 7.**

**PETITION NO: N13. TA 21 1244421 2020-1325**

**PROPOSED USE: Text Amendment to Chapter 7 Land Use of the Comprehensive Plan**

**LOCATION:** 2814 Clairmont Road, Atlanta.

PARCEL NO. : N/A

**INFO. CONTACT:** Jahnee Prince, AICP, Deputy Director

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Stein Investment Co., LLC c/o Dennis J. Webb request for adoption of a new small area plan for the Clairmont and Briarcliff Road Neighborhood Center area.

District 2 Commissioner and a small number of community members, requested a Small Area Plan be developed for the Briarcliff Road and Clairmont Road Activity Center (Briarcliff-Clairmont Activity Center), to provide an updated needs assessment, to identify growth management and development strategies for the area, and to adequately evaluate proposed changes within the Activity Center. The study includes three main components: 1) An updated needs assessment, 2) Local stakeholder input, and 3) Recommendations for

subareas and strategies within the Small Area Plan area.

**RECOMMENDATIONS:**
**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Pending.

**PLANNING STAFF:** Full Cycle Deferral.

**STAFF ANALYSIS:** Planning staff does not approve of this SAP due to the following concerns: **1) Applicant Conflict** - Stein Investment Company is an active applicant in the DeKalb County Public Rezoning Hearing, that has currently been denied by planning staff and deferred by DeKalb County Commissioners. Stein Investment Company is responsible for financing and managing the project with Kimley Horn (the consultant). Typically, DeKalb County finances and manages this process. The outcome of this project could potentially cause a negative impact on the precedence of applicant involvement in text amendments to the comprehensive plan. This conflict will need to be further discussed with our law department. **2) Scheduling and Plan Development** - Kimley Horn verbally mentioned the estimated project time is 60 days. A typical SAP in DeKalb County takes on average 6-8 months. The SAP should be vetted by the staff, community and the corresponding commissioners. This should also include a steering committee and public meetings. **3) Land Use and Resolution** - It is not clear if the resolution should include the land use change from NC to a better suited character area. If so, a separate land use amendment would need to be filed by the County. **4) Comprehensive Plan Update** - If all of this occurs and is approved by December 2020, staff can include the SAP and land use change within the 5-year comp plan update. Otherwise, staff will need to wait until DCA has approved the comp plan (Q2 of 2021). It is NOT recommended to go through the process of adding this SAP while DCA is reviewing our plan. *The above concerns need to be resolved before staff can move towards approva*l. Therefore, the recommendation from Staff is for "Full Cycle Deferral".

**PLANNING COMMISSION VOTE: Full Cycle Deferral 8-0-0.** A. Atkins moved, P. Womack, Jr. seconded for a Full Cycle Deferral, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 3-0-0.**