



Legislation Details (With Text)

File #: 2022-1910 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 7/8/2022 **In control:** Board of Commissioners
On agenda: 11/8/2022 **Final action:**
Title: COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) Zoning District.

Indexes:

Attachments: 1. Substitute 2022 11.08 Item 2022-1910, 2. SLUP-22-1245924 Recommended Conditions 2345 Shallowford Rd, 3. SLUP-22-1245924 Sept 2022 Staff Report 2345 Shallowford Rd

Date	Ver.	Action By	Action	Result
11/8/2022	1	Board of Commissioners	approved with conditions	Pass
10/4/2022	1	Board of Commissioners - Zoning Meeting		
9/1/2022	1	Planning Commission	approved with conditions per staff recommendation	Pass

Substitute

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

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) Zoning District.

PETITION NO: SLUP-22-1245924 (2022-1910)

PROPOSED USE: New Church-Place of Worship.

LOCATION: 2345 Shallowford Road, Atlanta, Georgia 30345

PARCEL NO. : 18-233-07-002

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of The Church in Atlanta Inc. c/o Dennis J. Web Jr., Smith Gambrell & Russell, LLC for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) zoning district. The property is located on the northeast quadrant of Shallowford Road and Briarcliff Road, opposite Melinda Drive, at 2345 Shallowford Road in Atlanta, Georgia. The property has approximately 647 feet of frontage along Shallowford Road and 411 feet of frontage along Briarcliff Road and contains 8.08 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval with a condition.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with Conditions (Revised 11/04/2022).

STAFF ANALYSIS: Since the September Board of Commissioners meeting, the applicant has revised the plan to comply with the maximum lot coverage requirements of the Zoning Ordinance (max 35% of the site is impervious) and Planning Department has proposed revised zoning conditions to reflect the change to the plan. Since the Zoning Ordinance requires 246 parking spaces and the revised plan provides 192 spaces, a variance will be required by the Board of Zoning Appeals. The Board of Commissioners previously approved a SLUP in 2021 (SLUP-21-1244393) to allow the repair of fire damages to the existing building and allow a 13,285 square foot expansion of the structure. The 2021 SLUP anticipated the addition of a second floor to the existing building and a slight expansion of the first floor, which would result in a total floor area of +34,794 square feet. However, when subsequently evaluating the cost to repair the facility, the Church realized that the extensive nature of the damages made a repair economically infeasible. The Church now intends to remove the existing 21,509 square foot building and redevelop it with a slightly larger, +35,000 square foot structure and make other site improvements. The church proposes to modestly expand the congregational area from 1,000 seats to 1,200 seats and increase onsite parking from 137 existing spaces to a total of 246 proposed parking spaces. The proposed request to replace the existing church with a slightly larger new church is consistent with the policies of the Institutional Character Area of the *DeKalb County 2035 Comprehensive Plan* to provide opportunities for institutional development in the county (*Future Development strategy*, page 127). Based on the submitted information, the size of the site is adequate and complies with all required yards, open space, building height, and supplemental regulations. The proposed church appears to be consistent with the institutional land uses to the north (Shallowford Presbyterian Church), east (Mary Scott Park) and south (Briarcliff Methodist Church) and does not directly abut any residential uses. A minor arterial road (Shallowford Road) and a 10-foot landscape strip will separate the project from the single-family residential neighborhood to the west. Since the proposed buildings will be limited to one-story and there is compliance with all required building setbacks, the proposed size, scale, and massing is appropriate in relation to the one-and two story buildings in the surrounding area. Ingress and egress are sufficient given there are no proposed changes to the existing two access drives off of Briarcliff and Shallowford Road, the new church is only slightly larger than the current building, and access is off of two minor arterial roads. Lastly, project feasibility will be dependent upon stormwater management placement and compliance. Therefore, the Planning & Sustainability Department recommends approval with the following recommended condition.

1. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals or other entity.
2. The proposed redevelopment shall be provided in general conformance with the site plan, dated October 24, 2022, and the landscape plan, dated October 25, 2022. This condition does not eliminate the applicant's obligations, if any, to otherwise meet the requirements of Section 27-5.4 for parking lot landscaping elsewhere on the site.
3. Construction traffic for the project shall use the Shallowford Road entrance only.

PLANNING COMMISSION VOTE: Approval with conditions 7-1-0. Lauren Blaszyk moved, April Atkins seconded for approval with three (3) conditions, per staff recommendation. Passed 7-1-0. Jan Costello

opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: **Approval with conditions 8-0-0.** Approval with the condition that construction traffic shall use the Shallowford Road Entrance.