

DeKalb County Government

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



Agenda

Tuesday, November 1, 2022

6:00 PM

via ZOOM

Planning Commission

Chairperson Tess Snipes

Co-Chair Jon West

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.

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



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

Planning Commission Meeting Date – Tuesday, November 1, 2022 6:00 PM

(This meeting will be held via Zoom.)

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/86330344636>

Or Telephone Dial: USA 888-270-9936 (US Toll Free)
Conference code: 691303

Board of Commissioners Meeting Date – Thursday, November 17, 2022 5:30 PM

This meeting will be held via Zoom and simultaneous broadcast available via live stream on DCTV’s webpage, and on DCTVChannel23.TV.

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/94883110323>

Or Telephone Dial: USA 888-270-9936 (US Toll Free)
Conference code: 217687

AGENDA

DEFERRED CASES:

D1-2022-1471 Z-22-1245544
15-010-01-004

Commission District 03 Super District 06

4101 BOULDERCREST RD, ELLENWOOD, GA 30294

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-100) Zoning District to RSM (Small Lot Residential Mix) Zoning District to allow for single-family detached homes and single-family attached townhomes. The property is located on the west side of Bouldercrest Road, approximately 360 feet south of Boulder Springs Point at 4401 Bouldercrest Road in Ellenwood, Georgia. The property has approximately 400 feet of frontage along Bouldercrest Road and contains 22.14 acres.

D2-2022-1976 Z-22-1245935
18-063-09-077

Commission District 04 Super District 06

695 JORDAN LN, DECATUR, GA 30033

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. The property is located on the east side of Jordan Lane, the south side of Reverend DL Edwards Drive and Cemetery Drive, at 695 Jordan Lane in Decatur, Georgia. The property has approximately 155 feet of frontage along Jordan Lane, 105 feet of frontage along Reverend DL Edwards Drive, and 103 feet of frontage along Cemetery Drive and contains 0.67 acre.

D3-2022-1998 CZ-22-1245934
18-063-03-027

Commission District 04 Super District 06

1849 LAWRENCEVILLE HWY, DECATUR, GA 30033

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. The property is located on the southeast quadrant of Lawrenceville Highway and Jordan Lane, approximately 415 feet north of DeKalb Industrial Way, at 1849 Lawrenceville Highway in Decatur, Georgia. The property has approximately 180 feet of frontage along Lawrenceville Highway and 230 feet of frontage along Jordan Lane and contains 1.28 acres.

D4-2022-1906 TA-22-1245743

County-wide

Application of the Director of Planning and Sustainability to adopt 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 within the areas of unincorporated DeKalb County.

NEW CASES:

N1-2022-2326 TA-22-1246121

County-wide

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. The property is located within the areas of unincorporated DeKalb County.

**N2-2022-2252 SLUP-22-1246038
18-063-03-027
1849 LAWRENCEVILLE HWY, DECATUR, GA 30033**

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. The property is located on the southeast quadrant of Lawrenceville Highway and Jordan Lane, approximately 415 feet north of DeKalb Industrial Way at 1849 Lawrenceville Highway in Decatur, Georgia. The property has approximately 180 feet of frontage along Lawrenceville Highway and 230 feet of frontage along Jordan Lane and contains 1.28 acres.

**N3-2022-2253 Z-22-1245936
18-116-04-008
1251 ROBINWOOD RD, DECATUR, GA 30033**

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-75) Zoning District to RSM (Residential Small Lot Mix) Zoning District to allow the construction of cottage-style urban single-family detached homes. The property is located on the northeast side of Robinwood Road, approximately 327 feet east of Lawrenceville Highway at 1251 Robinwood Road in Decatur, Georgia. The property has approximately 186 feet of frontage along Robinwood Road and contains 2.12 acres.

**N4-2022-2254 CZ-22-1246039
15-251-01-028
3458, 3468 & 3478 MOUNTAIN DR, DECATUR, GA 30032**

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 Very High Density) 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. The property is located on the north side of Mountain Drive, approximately 250 feet east of Farrar Court at 3458, 3468, and 3478 Mountain Drive in Decatur. The property has approximately 358 feet of frontage on Mountain Drive and contains 9.32 acres.

**N5-2022-2255 SLUP-22-1246059
16-102-03-014
6168 MARBUT RD, LITHONIA, GA 30058**

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. The property is located on north side of Marbut Road, at 6168 Marbut Road in Lithonia, Georgia. The property has approximately 60 feet of frontage along Marbut Road and contains 0.16 acre.

N6-2022-2256 LP-22-1246085
15-083-01-013
2179 BOULDERCREST RD, ATLANTA, GA 30316

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. The property is located on west side of Bouldercrest Road, at 2179 Bouldercrest Road in Atlanta, Georgia. The property has approximately 275 feet of frontage along Bouldercrest Road and contains 2.71 acres.

N7-2022-2257 Z-22-1246088
15-083-01-013
2179 BOULDERCREST RD, ATLANTA, GA 30316

Commission District 03 Super District 06

Application of Kyle Williams to rezone property from MU-5 (Mixed-Use Very High Density) Zoning District to M (Light Industrial) Zoning District to allow for the construction of a distillery. The property is located on west side of Bouldercrest Road at 2179 Bouldercrest Road in Atlanta, Georgia. The property has approximately 275 feet of frontage along Bouldercrest Road and contains 2.71 acres.

N8-2022-2258 SLUP-22-1246086
15-200-02-040
3507 MEMORIAL DR, DECATUR, GA 30032

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. The property is located on the south side of Memorial Drive and the west side of Columbia Drive at 3507 Memorial Drive, Decatur, Georgia. The property has approximately 500 feet of frontage along Memorial Drive, 500 feet of frontage along Columbia Drive and contains 12 acres.

N9-2022-2259 CZ-22-1246089
15-179-06-062
211 S HOWARD ST, ATLANTA, GA 30317

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. The property is located on the southwest corner of Memorial Drive and South Howard Street at 211 South Howard Street in Atlanta, Georgia. The property has approximately 185 feet of frontage along Memorial Drive and 100 feet of frontage along South Howard Street and contains 0.43 acre.

N10-2022-2260 CZ-22-1246090
18-083-01-010
1347 BERMUDA RD, STONE MOUNTAIN, GA 30087

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. The property is located on the southwest side of Bermuda Road, approximately 670 feet north of Malvern Boulevard, at 1347 Bermuda Road in Stone Mountain, Georgia. The property has approximately 500 feet of frontage along Bermuda Road and contains 6.66 acres.

N11-2022-2261 Z-22-1246091
16-193-03-011
8067 ROCKBRIDGE RD, LITHONIA, GA 30058

Commission District 04 Super District 07

Application of Mahek Virani to rezone property from R-100 (Residential Medium Lot-100) Zoning District to C-1 (Local Commercial) Zoning District to allow the construction of a convenience store. The property is located on the southwest corner of Rockbridge Road and The Trace, at 8067 Rockbridge Road in Lithonia, Georgia. The property has approximately 200 feet of frontage along Rockbridge Road, 86 feet of frontage along The Trace and contains 0.4 acre.

N12-2022-2262 Z-22-1246092
15-147-07-001

Commission District 03 Super District 06

1065 FAYETTEVILLE RD, ATLANTA, GA 30316

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. The property is located on the east side of Interstate 20, the north side of Graham Circle, and the west side of Fayetteville Road, at 1065 Fayetteville Road in Atlanta, Georgia. The property has approximately 1,068 feet of frontage along Interstate 20, 536 feet of frontage along Graham Circle, 612 feet of frontage along Fayetteville Road and contains 17.2 acres.

N13-2022-2263 Z-22-1246093

Commission District 01 Super District 07

18-267-01-004, 18-267-01-007, 18-267-01-008
3375 NORTHEAST EXPY, CHAMBLEE, GA 30341

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. The property is located on the east side of Interstate 85/Northeast Expressway and the south side of Woodcock Boulevard, at 3355, 3375, and 3395 Northeast Expressway in Chamblee, Georgia. The property has approximately 1,042 feet of frontage along Interstate 85/Northeast Expressway, 290 feet of frontage along Woodcock Boulevard and contains 7.02 acres.

N14-2022-2264 Z-22-1246095

Commission District 02 Super District 06

18-049-01-012, 18-049-01-013
1602 SCOTT BLVD, DECATUR, GA 30033

Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot-75) Zoning District to MR-2 (Medium Density Residential-2) Zoning District to allow the construction of single-family attached townhomes. The property is located on the northwest corner of Scott Boulevard and Blackmon Drive, at 1602 Scott Boulevard and 2488 Blackmon Drive in Decatur, Georgia. The property has approximately 315 feet of frontage along Scott Boulevard, 78 feet of frontage along Blackmon Drive and contains 0.92 acre.

N15-2022-2265 Z-22-1246096

Commission District 04 Super District 06

15-248-09-015
2739 CRAIGIE AVE, DECATUR, GA 30030

Application of Thomas J Mazzolini to rezone property from R-75 (Residential Medium Lot-75) Zoning District to R-60 (Residential Small Lot) Zoning District to allow a lot split to accommodate two single-family, detached homes. The property is located on the south side of Craigie Avenue, approximately 400 feet east of Katie Kerr Drive, at 2739 Craigie Avenue in Decatur, Georgia. The property has approximately 170 feet of frontage along Craigie Avenue and contains 0.4 acre.

N16-2022-2268 SLUP-22-1246099

Commission District 05 Super District 07

15-224-09-062
1193 SHERRINGTON DR, STONE MOUNTAIN, GA 30083

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-100) Zoning District. The property is located on west side of Sherrington Drive opposite Bergen Court, at 1193 Sherrington Drive in Stone Mountain, Georgia. The property has approximately 100 feet of frontage along Sherrington Drive and contains 0.43 acre.

N17-2022-2269 TA-22-1246100

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.

N18-2022-2270 TA-22-1246101

County-wide

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. This text amendment is County-wide.

N19-2022-2271 TA-22-1246102

County-wide

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. This text amendment is County-wide.

N20-2022-2272 TA-22-1246103

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. This text amendment is for properties within the Hidden Hills Overlay District.

N21-2022-2273 TA-22-1246112

County-wide

Application of the Director of Planning & Sustainability for adoption of the 2023-2024 Zoning Calendar and Resolution.