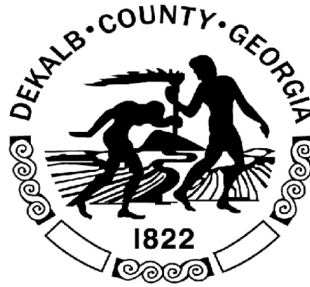


DeKalb County Government

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



Agenda

Thursday, November 17, 2022

5:30 PM

Board of Commissioners - Zoning Meeting

Comm. Robert Patrick, Presiding Officer, District 1
Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5

Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Edward "Ted" Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, November 17, 2022 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

The public is invited to watch the broadcast on DCTV's UStream link DCTV's webpage, and on DCTVChannel23.TV. <https://video.ibm.com/channel/dctv-channel-23>

To participate and Join from PC, Mac, Linux, iOS or Android: or <https://dekalbcountyga.zoom.us/j/94883110323> Or Telephone: Dial: USA 602 333 0032 USA 8882709936 (US Toll Free) Conference code: 217687

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 interested parties to speak in favor of an agenda item, and 10 minutes for interested parties to speak in opposition. Interested parties who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while interested parties 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.

Call To Order

Interested parties may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Interested parties may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case.

In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five-minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk.

Applicants or interested parties speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the interested parties have finished speaking, staff shall make a recommendation for action to the Commission. At this point, interested parties are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

Roll Call

D5-2020-1543 TA-21-1244279

County-Wide

Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retail Stores, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retail Stores, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retail Stores. This text amendment is County-wide.

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**

Commission District 04 Super District 06

1849 LAWRENCEVILLE HWY, DECATUR, GA 30033

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**

Commission District 04 Super District 06

1251 ROBINWOOD RD, DECATUR, GA 30033

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**

Commission District 04 Super District 06

3458, 3468 & 3478 MOUNTAIN DR, DECATUR, GA 30032

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**

Commission District 05 Super District 07

6168 MARBUT RD, LITHONIA, GA 30058

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.