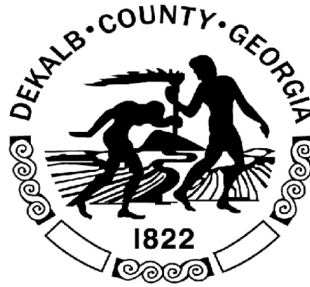


DeKalb County Government

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



Agenda

Thursday, January 28, 2021

5:30 PM

Via Zoom

Board of Commissioners - Zoning Meeting

Commissioner Steve Bradshaw, Presiding Officer, District 4
Commissioner Lorraine Cochran-Johnson, Deputy, District 7

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 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, January 28, 2021 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 15 minutes of time for citizens to speak in favor of an agenda item, and 15 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens 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. 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 PublicHearing@dekalbcountyga.gov

Call To Order

Roll Call

Deferred Cases

D1 [2020-0836](#) COMMISSION DISTRICT(S): 1 & 7
Application of Embry Hills Church of Christ c/o Michelle Battle for a Special Land Use Permit (SLUP) to add a new 700-seat sanctuary and expand the parking lot to accommodate 243 parking spaces, at 3214 Chamblee-Tucker Road.

Attachments: [Recommended Conditions-SLUP-20-1244110](#)

[SLUP-20-1244110-Staff Report](#)

[Embry Hills Church Stormwater Management Report 2020-11-14](#)

[\(9/1/20 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

[\(9/24/20 Board of Commissioners - Zoning Meeting: deferred.\)](#)

(1/7/21 Planning Commission: Approval to the Board of Commissioners - Zoning Meeting)

- D2** [2020-1163](#) COMMISSION DISTRICT(S): 5 & 7
Application of Halim Najib for a Special Land Use Permit (SLUP) to operate a Child Caring Institution for teenage mothers in an MR-1 (Medium Density Residential-1) District, at 5797 Marbut Road.

Attachments: [SLUP 20 1244121 Staff Report Jan. 2021](#)
[SLUP-20-1244121 Recommended Conditions Nov. 2020](#)
[SLUP 20 1244121 Staff Report Nov. 2020](#)

(11/5/20 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(11/19/20 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

(1/7/21 Planning Commission: withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting)

- D3** [2020-1169](#) COMMISSION DISTRICT(S): 4 & 6
Application of Quik Trip Corporation c/o Battle Law P.C. for a Special Land Use Permit (SLUP) to allow an alcohol outlet within a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 4.2.8 Supplemental Regulations of the DeKalb County Code, at Memorial Drive and Collingwood Drive.

Attachments: [SLUP-20-1244236 Recommend Conditions \(Alcohol Outlet\)](#)
[SLUP-20-1244236 Staff Report \(Alcohol Outlet\)](#)

(11/5/20 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

(11/19/20 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

(1/7/21 Planning Commission: No recommendation to the Board of Commissioners - Zoning Meeting)

- D4** [2020-1170](#) COMMISSION DISTRICT(S): 4 & 6
Application of Quik Trip Corporation c/o Battle Law P.C. for a Special Land Use Permit (SLUP) to allow fuel pumps for a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 4.2.28 Supplemental Regulations of the DeKalb County Code, at Memorial Drive and Collingwood Drive.

Attachments: [SLUP-20-1244237 Recommended Conditions](#)
[SLUP-20-1244237 Staff Report Jan 2021](#)

(11/5/20 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(11/19/20 Board of Commissioners - Zoning Meeting: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))

(1/7/21 Planning Commission: [No recommendation to the Board of Commissioners - Zoning Meeting](#))

- D5** [2020-1171](#) COMMISSION DISTRICT(S): 4 & 6
Application of Lennar Corporation c/o Battle Law P.C. to rezone properties from R-85 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to construct urban detached townhomes at a density of 4.38 units per acre, at 4549 Erskine Road and 1247 Oakmont Drive.

Attachments: [Z 20 1244238 Recommended Conditions](#)
[Lennar Corporation Z 20 1244238 staff report](#)

(11/5/20 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(11/19/20 Board of Commissioners - Zoning Meeting: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))

(1/7/21 Planning Commission: [denied to the Board of Commissioners - Zoning Meeting](#))

- D6** [2020-1184](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27 to amend Section 4.2.35. Mini-warehouse, Section 9.1.3. and Section 4.1 Use Table pertaining to Self-Storage and Mini-warehouse, in all districts of DeKalb County.

Attachments: [TA 20 1244277 Staff Report Jan 2021](#)
[Self storage staff report TA 20 1244277](#)

(11/5/20 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/19/20 Board of Commissioners - Zoning Meeting: Full cycle deferral to the PECS-Planning, Economic Development & Community Services Committee)

(1/7/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

New Cases

- N1 [2020-1531](#) COMMISSION DISTRICT(S): 3 & 6
Application of Williams Teusink LLC c/o Kyle Williams to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 1/M (Light Industrial) District to M (Light Industrial) District to allow for a truck parking lot (Transportation Equipment Storage) and an accessory vocational school (outdoor truck driver training related to maneuvering and parking), at 1795 Constitution Road.

Attachments: [Z-21-1244232 Williams Teusink staff report](#)

(1/5/21 Planning Commission: withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N2 [2020-1532](#) COMMISSION DISTRICT(S): 1 & 7
Application of Corporation of Mercer University c/o Battle Law PC to request a Special Land Use Permit to allow up to five stories in building height for any future development on the Mercer University Campus in the O-I (Office Institutional) District, 2930 Flowers Road.

Attachments: [SLUP-21-1244383- Staff Report \(Mercer University\)](#)

(1/5/21 Planning Commission: Approval to the Board of Commissioners - Zoning Meeting)

- N3 [2020-1534](#) COMMISSION DISTRICT(S): 5 & 7
Application of LandLife LLC c/o Battle Law, P.C. for a request to modify the conditions of zoning pertaining to CZ-07-12945 in the MU-1 (Mixed Use- 1) and MU-4 (Mixed Use - 4) zoning district to eliminate the zoning condition requiring senior apartments, 1688 Rock Chapel Road.

Attachments: [CZ 21 1244384 Staff Report](#)
[Z-21-1244384 Recommended Conditions](#)

(1/5/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N4 [2020-1535](#) COMMISSION DISTRICT(S): 3 & 7
Application of Memorial Properties for a Special Land Use Permit (SLUP) to allow for the construction of a 15.6-foot high, 634 square foot mausoleum structure in an existing cemetery in the R-75 (Residential Medium Lot) District, at 4085 Glenwood Road.

Attachments: [SLUP-21-124483 Staff Report](#)
[SLUP-21-1244387 Recommended Conditions](#)

[\(1/5/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N5 [2020-1536](#) COMMISSION DISTRICT(S): 3 & 7
Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store with fuel pumps in the C-1 (Local Commercial) District, at 4845 Flat Shoals Parkway.

Attachments: [N5 SLUP 21 1244388 Recommended Conditions](#)
[N5 SLUP-21-1244388 Urban Retail LLC staff report](#)

[\(1/5/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N6 [2020-1537](#) COMMISSION DISTRICT(S): 3 & 7
Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store and an accessory alcohol outlet in the C-1 (Local Commercial) District, 4845 Flat Shoals Parkway.

Attachments: [N6 SLUP 21 1244389 Recommended Conditions](#)
[Urban Retail LLC SLUP 21 1244389 staff report](#)

[\(1/5/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N7 [2020-1538](#) COMMISSION DISTRICT(S): 3 & 7
Application of Brian C. Morris to rezone property from O-I (Office Institutional) to RSM (Small Lot Residential Mix) to allow the construction of a single-family home, at 1548 Line Street.

Attachments: [Z 21 1244391 Staff Report Jan 2021](#)

[\(1/5/21 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N8** [2020-1539](#) COMMISSION DISTRICT(S): 2 & 6
Application of The Church in Atlanta Inc c/o Dennis Webb, Jr. to request a Special Land Use Permit (SLUP) to rebuild and expand a Place of Worship in the R-100 (Single-family Residential) District, at 2345 Shallowford Road.

Attachments: [SLUP-21-1244393 Recommend Conditions](#)
[SLUP-21-1244393 Staff Report](#)

(1/5/21 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N9** [2020-1541](#) COMMISSION DISTRICT(S): 5 & 7
Application of JVCL, LLC to request a rezoning from R-85 (Single-Family Residential) to C-1 (Light Commercial) District to allow a range of commercial uses, at 5021 Covington Highway.

Attachments: [Z-21-1244398 2020-1541 Recommended Conditions](#)
[Z 21 1244398 Staff Report Jan 2021](#)

(1/5/21 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N10** [2020-1542](#) COMMISSION DISTRICT(S): 2 & 6
Application of Julie Sellers to request a Special Land Use Permit (SLUP) to allow drive-through restaurant within an existing vacant building in the C-1 (Local Commercial) District in accordance with Section 27-4.2.23 (Supplemental Regulations) of the zoning ordinance, at 3033 N. Druid Hills Road.

Attachments: [Staff Report SLUP-21-1244417](#)
[SLUP-21-1244417 Recommended Conditions](#)

(1/5/21 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N11** [2020-1543](#) COMMISSION DISTRICT(S): All Districts
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 Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

Attachments: [TA-20-1244279 Jan 2021 Staff Report](#)

(1/7/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

N12 [2020-1546](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

Attachments: [TA 21 1244414 Jan 2021 Staff Report](#)

(1/7/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)