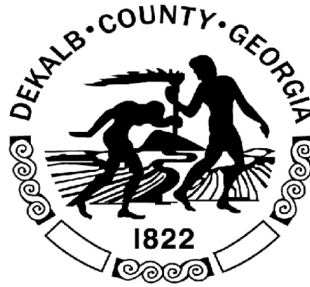


DeKalb County Government

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



Agenda

Thursday, July 29, 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, July 29, 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

Citizens 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. Citizens 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 citizens 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 citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens 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

Deferred Cases

- D1** [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: [D1 TA-21-1244279 Small Box Discount Retailers Staff Report July 2021](#)

[TA-21-1244279 Staff Report March 2021 BOC](#)

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

[\(1/28/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

[\(3/2/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

(3/25/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

D2 [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 Auto Brokers Staff Report July BOC 2021](#)

[TA-21-1244414 2020-1546 Auto Brokers Text amendment 3.0](#)

[TA-21-1244414 2020-1546 Auto Brokers May 2021 BOC](#)

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

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

(1/28/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(5/6/21 Planning Commission: denied to the Board of Commissioners - Zoning Meeting)

(5/27/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the PECS-Planning, Economic Development & Community Services Committee)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

D3 [2021-2109](#)

COMMISSION DISTRICT(S): 4 & 6

Application of Kyle Williams & Williams Teusink, LLC to amend the Land Use Plan from Suburban (SUB) to Regional Center (RC) to allow the construction of single-family attached townhomes and single-family cottages. at 3581 Rockbridge Road.

Attachments: [LP-21-1243933 July 2021 Staff report](#)

[LP-21-1243933 Staff Report May 2021](#)

[LP-21-1243933 March 2021](#)

(3/2/21 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(3/25/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(5/6/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(5/27/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

D4 [2021-2110](#)

COMMISSION DISTRICT(S): 4 & 6

Application of Kyle Williams & Williams Teusink, LLC to rezone properties from R-75 (Residential-Medium Lot-75) District to MR-2 (Medium-Density Residential-2) District to allow for the construction of single-family attached townhomes and single-family cottages, at 3581 Rockbridge Road.

Attachments: [Z-21-1243934 Staff report July BOC 2021](#)
[Z-21-1243934 Staff Report May 2021](#)
[Z-21-1243934 Staff Report March 2021 BOC](#)

(3/2/21 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(3/25/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(5/6/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(5/27/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

New Cases

N1 [2021-2638](#)

COMMISSION DISTRICT(S): 2 & 6

Application of David Kirk to rezone property from NS (Neighborhood Shopping) District to C-1 (Local Commercial) District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

Attachments: [Z-21-1244885 Recommended Conditions](#)
[Z-21-1244885 Staff report July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- N2 [2021-2639](#) COMMISSION DISTRICT(S): 2 & 6
Application of David Kirk to request a Special Land Use Permit (SLUP) to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

Attachments: [SLUP-21-1244886 Recommended Conditions](#)
[SLUP-21-1244886 Staff report July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- N3 [2021-2640](#) COMMISSION DISTRICT(S): 3 & 7
Application of Neville Allison to rezone property from R-100 (Residential Medium Lot-100) District to R-60 (Residential Small Lot-60) District to develop a 76-unit single-family residential subdivision, at 5035 Flakes Mill Road.

Attachments: [Neville Allison Z-21-1244892 Staff Report revised for July BOC 2021](#)
[Z-21-1244892 Staff report July PC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- N4 [2021-2641](#) COMMISSION DISTRICT(S): 4 & 6
Application of Mosaic Communities c/o Battle Law to rezone properties from R-85 (Residential Medium Lot) District to RSM (Small Lot Residential Mix) District to allow single-family cottages, duplexes, and triplexes, at 3943 Norman Road.

Attachments: [Z-21-1244893 July 2021 Staff report](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- N5 [2021-2642](#) COMMISSION DISTRICT(S): 3 & 6
Application of Benjie Williams to request a Special Land Use Permit (SLUP) to allow a transitional housing facility for up to 12 residents within Tier 2 of the I-20 Overlay District and the MR-2 (Medium Density Residential-2) District, at 2445 Candler Road.

Attachments: [Recommended Conditions SLUP-21-1244895](#)
[SLUP-21-1244895 Staff report July 2021](#)

(7/8/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N6 [2021-2643](#) COMMISSION DISTRICT(S): 3 & 6
Application of Loren Howard for a Special Land Use Permit (SLUP) for an in-house child day care facility in an R-75 (Medium Lot Residential -75) District, at 3008 Rollingwood Lane.

Attachments: [SLUP-21-1244899 Recommended Conditions](#)
[SLUP-21-1244899 Staff report July 2021](#)

(7/8/21 Planning Commission: defer to the Board of Commissioners with no recommendation to the Board of Commissioners - Zoning Meeting)

- N7 [2021-2644](#) COMMISSION DISTRICT(S): 4, 5 & 7
Application of the Director of Planning & Sustainability for an amendment to the text of Section 27-3.37.9 and 27-3.37.10 of the Zoning Ordinance, regarding Tier 2 of the Hidden Hills Overlay District, to prohibit late-night establishments and for other purposes.

Attachments: [N7. Late-Night Establishments TA-21-1244945 2021-2644 July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- N8 [2021-2645](#) COMMISSION DISTRICT(S): 3, 5, 6 & 7
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 27- 3.33 (I-20 Corridor Compatible Use Overlay District), Section 27-3.33.5. Principal uses and structures, and Section 27-3.33.6. Prohibited uses of the DeKalb County Zoning Ordinance, relating to temporary produce stands. This text amendment affects Commission Districts 3 and 5 and Super Districts 6 and 7.

Attachments: [TA-21-1244999 Temporary Produce Stands 2021-2645 I-20 Staff Report-Text Amendment July BOC 2021](#)

(7/8/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)