

DeKalb County Board of Commissioners

**Kathie Gannon**

Presiding Officer



**Board of Commissioners**

District 1 - Nancy Jester

District 2 - Jeff Rader

District 3 - Larry Johnson

District 4 - Steve Bradshaw

District 5 - Mereda Davis Johnson

District 6 - Kathie Gannon

District 7 - Gregory Adams

**DEKALB COUNTY GEORGIA  
BOARD OF COMMISSIONERS  
ZONING MEETING  
MARCH 28, 2017  
RECONVENED AT 6:30PM**

**MEMBER PRESENT:**

**Nancy Jester, Jeff Rader, Larry Johnson, Steve Bradshaw,  
Mereda Davis Johnson, Kathie Gannon, Gregory Adams**

**MEMBER ABSENT:**

**STAFF:**

**Barbara Sanders-Norwood, County Clerk, O.V. Brantley, County  
Attorney, Viviane Ernstes, Deputy County Attorney**

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, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please 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. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

**DEFERRED CASES:**

**D.1 LP-16-20900 Commission District: 2 Super District: 6  
18-157-03-056, 18-157-03-057, 18-157-03-058, 18-157-03-060**

**Application of Rockhaven Homes, LLC c/o Kathryn M Zickert for a Land Use Map Amendment from SUB (Suburban) to NC (Neighborhood Center) to allow a 25-unit fee-simple townhome development at a maximum density of 12 units per acre.** The property is located on the northeast corner of Briarcliff Road and Cliff Valley Way. The property has approximately 225 feet of frontage on Briarcliff Road and 475 feet of frontage on Cliff Valley Way and contains 2.1 acres.

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**D.2 Z-16-20901 Commission District: 2 Super District: 6  
18-157-03-056, 18-157-03-057, 18-157-03-058, 18-157-03-060**

**Application of Rockhaven Homes, LLC c/o Kathryn M Zickert to rezone from R-85 (Residential Medium Lot) to MR-1 (Medium Density Residential-1) district to allow 25 fee simple attached townhomes at a density of 12 units per acre in accordance with Chapter 27, Table 4.1 of the DeKalb County Code.** The property is located on the northeast corner of Briarcliff Road and Cliff Valley Way, approximately 350 feet east of Childerlee Lane at 2760 and 2772 Briarcliff Road and 2018 and 2030 Cliff Valley Way in Atlanta, Georgia. The property has approximately 225 feet of frontage along Briarcliff Road and approximately 475 feet of frontage along Cliff Valley Way and contains 2.1 acres.

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**D.3 Z-17-21126 Commission District: 4 Super District: 6  
18-064-02-020, 18-064-02-022, 18-064-02-019, 18-064-02-021, 18-064-02-023**

**Application of Cwam, LLC to rezone property from R-75 (Single-Family Residential) to RSM (Small Lot Residential Mix) District to allow single-family residential at a density of 8 units per acre.** The property is located on the northeast side of Valley Brook Road opposite Judylyn Drive at 665, 669, 675, 681, and 695 Valley Brook Road in Decatur, Georgia. The property has approximately 440 feet of frontage along Valley Brook Road and contains 1.97 acres.

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**D.4 SLUP-17-21011 Commission District: 5 Super District: 7  
16-093-08-018**

**Application of Diane Hammond for a Special Land Use Permit within Duren Farms Subdivision for an- in home child day care facility for up to six (6) children in an R-100 (Residential Medium Lot) District, in accordance with Section 27-4.1 (4.2.19) of the DeKalb County Code.** The property is located on the south side of Duren Farms Drive approximately 200 feet west of Duren Fields Way at 1563 Duren Farms Drive, Lithonia, GA. The property has approximately 79 feet of frontage along the south side of Duren Farms Drive and contains 0.32 acre.

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**D.5 Z-17-21105 Commission District: 5 Super District: 7  
16-100-05-004**

**Application of Alex Brennan to rezone property from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to construct and develop a total of 20,800 gross square feet of usable commercial, retail and/or office space in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.** The property is located on southwest corner of South Stone Mountain Lithonia Road and South Deshon Road at 1967 South Stone Mountain Lithonia Road, Lithonia, Georgia. The property has approximately 682 feet of frontage along the south side of South Stone Mountain Lithonia Road and approximately 408 feet of frontage along the west side of South Deshon Road and contains 7.23 acres.

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**D.6 SLUP-17-21140 Commission District: 3 Super District: 7  
15-028-01-008**

**Application of Community Cure Ministries c/o Michael Reynolds to request a Special Land Use Permit (SLUP) for a place of worship in the existing building within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.** The property is located on the east side of River Road, approximately 173 feet south of Clevefont Road at 3986 River Road, Ellenwood, GA. The property has approximately 495 feet on the east side of River Road and contains 6 acres.

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**NEW CASES:**

**N.1 LP-17-21187 Commission District: 1 Super District: 7  
18-265-03-011, 18-265-03-049, 18-266-02-007**

**Application of Courtland Partners c/o Kathryn M. Zickert to amend the Future Land Use Map from SUB (Suburban) to INS (Institutional) to bring the land use map designation into consistency with the zoning designation.** The property is located on the southeast corner of Mercer University Drive and Flowers Road South, at 3191, 3081, and 3201 Flowers Road South, Atlanta. The property has approximately 249 feet of frontage on Mercer University Road and approximately 3,227 feet of frontage on Flowers Road and contains 59.03 acres.

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**N.2 CZ-17-21185 Commission District: 1 Super District: 7  
18-265-03-011, 18-265-03-049, 18-266-02-007**

**Application of Courtland Partners c/o Kathryn M. Zickert to rezone property from MR-2 (Medium-Density Residential-2) with conditions pursuant to CZ-CZ-86153, to O-1 (Office-Institutional).** The property is located on approximately 1,199 feet east of the corner of Hollinswood Drive and Flowers Road South, at 3191 Flowers Road South, Atlanta. The property has approximately 1,417 feet of frontage on Flowers Road and contains 20.68 acres.

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**N.3 LP-17-21281 Commission District: 2 Super District: 7  
18-145-05-009, 18-145-05-026**

**Application of In Line Communities c/o Kathryn Zickert to amend the Future Land Use Map from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) to allow for the development of 41 fee simple townhomes.** The property is located on the south side of Lawrenceville Highway and the northwest side of Linkwood Lane at 2729 Lawrenceville Highway and 1454 Linkwood Lane in Decatur, Georgia. The property has approximately 380 feet of frontage along Lawrenceville Highway and 92 feet of frontage along Linkwood Lane and contains 3.4 acres.

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**N.4 CZ-17-21269 Commission District: 1 Super District: 7  
18-209-01-028**

**Application of Roger Deweese to request a Major Modification of conditions pursuant to CZ-97065, to reduce the rear yard setback from 10 feet to 3 feet, to allow an existing deck to be converted into a screened porch.** The property is located on the northwest side of Mill Ridge Trail, approximately 218 feet north of Mill Ridge Walk at 2401 Mill Ridge Trail, Atlanta, GA. The property has approximately 36 feet of frontage on the northwest side of Mill Ridge Trail and contains 0.15 acre.

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**N.5 Z-17-21273 Commission District: 2 Super District: 6  
18-149-02-016, 18-149-02-017, 18-149-02-018, 18-149-02-019**

**Application of Minerva Homes to rezone from R-100 (Single-Family Residential) to RSM (Residential Small Lot Mix) for development of twelve single-family detached homes.** The property is located on the south side of LaVista

Road, approximately 80 feet north of Nalley Circle, at 2659, 2667, 2675, & 2685 LaVista Road, Atlanta. The property has approximately 397 feet of frontage on LaVista Road and contains 2.65 acres.

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**N.6      Z-17-21293      Commission District: 3 Super District: 6  
15-179-10-006, 15-179-10-007, 15-179-10-008, 15-179-10-009**

**Application of Laurel David, Atty. for Abebe and Company, LLC to rezone property from C-1 (Local Commercial) and R-75 (Single-Family Residential) to MR-2 (Medium-Density Residential) for a 12-unit, fee-simple, attached townhome development.** The property is located on the south side of Memorial Drive, approximately 252 feet east of Warren Street, at 1911, 1913, 1915, and 1921 Memorial Drive, Atlanta. The property has 200 feet of frontage on Memorial Drive and contains 0.6 acre.

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**N.7      LP-17-21270      Commission District: 3 Super District: 6  
15-083-01-003**

**Application of Antrell Gales to amend the Land Use Map from SUB (Suburban) to IND (Industrial) to allow open area construction of movie sets that will be relocated upon completion.** The property is located on the northwest side of Bouldercrest Road, approximately 2,650 feet north of Constitution Road at 2055 Bouldercrest Road in Atlanta, Georgia. The property has approximately 1,430 feet of frontage along Bouldercrest Road and contains 23.7 acres.

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**N.8      Z-17-21271      Commission District: 3 Super District: 6  
15-083-01-003**

**Application of Antrell Gales to rezone property from MU-5 (Mixed Use - 5) to M (Light Industrial) to allow open area construction of movie sets that will be relocated upon completion.** The property is located on the northwest side of Bouldercrest Road, approximately 2,650 feet north of Constitution Road at 2055 Bouldercrest Road in Atlanta, Georgia. The property has approximately 1,430 feet of frontage along Bouldercrest Road and contains 23.7 acres.

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**N.9      SLUP-17-21265      Commission District: 3 Super District: 7  
15-058-01-013**

**Application of Joy Grier to request a Special Land Use Permit (SLUP) for a child caring institution for up to six (6) residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.** The property is located on the west side of Wellhaun Road, about 1,181 feet north of River Road at 3590 Wellhaun Road, Decatur, Ga. 30034. The property has approximately 98 feet of frontage along the west side of Wellhaun Road and contains 0.49 acre.

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**N.10     Z-17-21277      Commission District: 3 Super District: 6  
15-018-03-007**

**Application of Harold McGlothin to rezone from C-1 (Local Commercial) to M (Light Industrial) district within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet.** The property is located on the north side of Cedar Grove Road, approximately 500 feet east of Moreland Avenue at 1400 Cedar Grove Road in Conley, Georgia. The property has approximately 204 feet of frontage along Cedar Grove Road and contains 0.6 acre.

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**N.11 SLUP-17-21358 Commission District: 3 Super District: 6  
15-018-03-007**

**Application of Harold L. McGlothlin for a Special Land Use Permit (SLUP) within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet.** The property is located on the north side of Cedar Grove Road, approximately 500 feet east of Moreland Avenue at 1400 Cedar Grove Road in Conley, Georgia. The property has approximately 204 feet of frontage along Cedar Grove Road and contains 0.6 acre.

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**N.12 LP-17-21280 Commission District: 4 Super District: 6  
15-248-01-001, 15-248-02-001, 15-248-02-002, 15-248-02-003, 15-248-30-003, 15-248-30-004,  
15-248-30-006, 15-248-30-007, 15-248-30-009, 15-248-30-013, 15-248-30-014**

**Application of Alliance Realty Services c/o Kathryn Zickert to amend the Future Land Use Map from LIND (Light Industrial) to NC (Neighborhood Center) to allow the redevelopment of the site for a proposed mixed-use development.** The property is located on north side of East Ponce De Leon Avenue and the east side of North Arcadia Avenue, along both sides of Grove Place at 153, 161, 165 Grove Place, 2700 Grove Street, and 2716, 2706, 2700, 2688, 2734, and 2748 East Ponce De Leon Avenue in Decatur, Georgia. The property has approximately 990 feet of frontage along North Arcadia Avenue, 726 feet of frontage along Grove Place, 250 feet of frontage along Grove Street, and approximately 472 feet of frontage along East Ponce De Leon Avenue and contains 8.9 acres.

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**N.13 SLUP-17-21258 Commission District: 4 Super District: 7  
18-017-10-006**

**Application of Stephanie Miller for a Special Land Use Permit to allow a child day care facility within an existing residence for up to six children, in accordance with Section 27, Article 4, Table 4.1 of the DeKalb County Code.** The property is located on the north side of Scotland Drive, approximately 504 feet west of Fairforest Drive, at 4860 Scotland Drive, Stone Mountain. The property has approximately 120 feet of frontage along Scotland Drive and contains 0.42 acre.

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**N.14 SLUP-17-21261 Commission District: 4 Super District: 7  
15-226-04-001**

**Application of Kirk and Wanda Tucker to request a Special Land Use Permit (SLUP) to increase the number of residents of an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code.** The property is located on the north side of Allgood Road and the west side of East Durham Circle at 1116 Allgood Road in Stone Mountain, Georgia. The property has approximately 157 feet of frontage along Allgood Road and 390 feet of frontage along East Durham Circle and contains 1.28 acres.

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**N.15 CZ-17-21245 Commission District: 4 Super District: 7  
18-040-02-044**

**Application of Khadra Raage to modify conditions of zoning pursuant to CZ-14-19358 to remove the restriction which limits the property to office use only, to allow a personal care home for three or more residents and other uses permitted in the O-1 (Office Institutional) district.** The property is located on the north side of Rockbridge Road, approximately 200 feet east of Halwick Way at 4798 Rockbridge Road in Stone Mountain, Georgia. The property has approximately 105 feet of frontage along Rockbridge Road and contains 0.55 acre.

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**N.16 LP-17-21266 Commission District: 4 Super District: 6  
15-219-01-007**

**Application of Law Battle to amend the Future Land Use Map from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) to allow for future development of a mixed residential development under the existing R-75 zoning designation -unless an application for rezoning is filed. The property is located on 3756, 3762, 3764, 3770 & 3780 Covington Highway. The property has approximately 470 feet of frontage on the north side of Covington Highway and contains 11 acres.**

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**N.17 Z-17-21272 Commission District: 4 Super District: 7  
18-035-01-001**

**Application of Vanessa Jasper to rezone from R-100 (Single-Family Residential) to OIT (Office Institutional Transitional) to redevelop the site to allow for a new 6,400 square foot place of worship. The property is located on the northwest corner of Rockbridge Road and Mountain Park Trail at 5942 Rockbridge Road in Stone Mountain, Georgia. The property has approximately 282 feet of frontage along Rockbridge Road and 133 feet of frontage along Mountain Park Trail and contains 2.3 acres.**

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**N.18 Z-17-21282 Commission District: 5 Super District: 7  
15-190-05-012**

**Application of Titan Tennis Academy to rezone from C-1 (Local Commercial) to C-2 (General Commercial) to allow the development a tennis training facility with club house in accordance with Chapter 27, Table 4.1 of the DeKalb County Code. The property is located on the east side of Covington Highway, approximately 790 feet north of Glenwood Road at 4742 Covington Highway in Decatur, Georgia. The property has approximately 198 feet of frontage along Covington Highway and contains 5.4 acres.**

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**N.19 SLUP-17-21225 Commission District: 5 Super District: 7  
16-119-01-021**

**Application of Golden Bridges Inc. Personal Care Homes to request a Special Land Use Permit (SLUP) to increase the number of residents in an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code. The property is located on the east side of Evans Mill Road approximately 200 feet north of the intersection of Evans Mill Road and Woodrow Road at 3186 Evans Mill Road, Lithonia, GA. The property has approximately 150 feet of frontage along the east side of Evans Mill Road and contains 0.69 acre.**

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**N.20 Z-17-21276 Commission District: 5 Super District: 7  
16-124-01-003, 16-133-01-002, 16-132-01-019; Portion of Parcel ID: 16-132-02-003**

**Application of Daniel, James Jr & Judy Kelly c/o Bernard Knight, Atty. At Law to rezone property from M (Light Industrial) to M-2 (Heavy Industrial) to allow future industrial uses in accordance with Section 27-4.1 of the DeKalb County Zoning Ordinance. The property is located on the northwest side of Lithonia Industrial Boulevard and the south side of Coffee Road at 2368 and 2376 South Stone Mountain Lithonia Road, 1731 Lithonia Industrial Boulevard, and 1882 Coffee Road in Lithonia, Georgia. The property has approximately 527 feet of frontage along Lithonia Industrial Boulevard and approximately 100 feet of frontage along the south side of Coffee Road and contains 64.93 acres.**

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**N.21 Z-17-21274 Commission District: 5 Super District: 7  
16-039-04-034, 16-039-04-056, 16-039-04-061**

**Application of Lidl Us Operations, LLC c/o Hakim Hilliard to rezone property from MU-5 (Mixed Use Very High Density) and C-1 (Local Commercial) to C-1 (Local Commercial) for development of a 35,962 square foot grocery store within**

**Tier 1 of the Greater Hidden Hills Overlay District in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.** The property is located on the north side of Covington Highway, approximately 742 feet west of the intersection of Covington Highway and Panola Road at 6038 and 6056 Covington Highway, Decatur, GA. The property has approximately 395 feet of frontage along Covington Highway and contains 5.39 acres.

+  
REV. 10/02

DEKALB COUNTY

ITEM NO.

HEARING TYPE  
Preliminary

BOARD OF COMMISSIONERS  
BUSINESS AGENDA / MINUTES  
MEETING DATE: March 28, 2017

ACTION TYPE  
RESOLUTION

SUBJECT: Motion to reconvene meeting

DEPARTMENT: COUNTY CLERK

PUBLIC HEARING: YES  
X NO

ATTACHMENT: No

INFORMATION Barbara H. Sanders, Clerk

CONTACT: 404-371-2162

PAGES:

1

PHONE NUMBER: 5103 3.8 8AM

PURPOSE:

To reconvene the meeting.

NEED/IMPACT:

To allow the Commissioners to act on the items.

RECOMMENDATION(S):

To approve reconvene the meeting.



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : 2017-3-28 Reconvene**

MOTION was made by Jeff Rader, seconded by Larry Johnson and passed 6-0-0-1 to Reconvene at 6:30pm from the morning meeting. Commissioner M. Davis Johnson was out of the room and not voting.

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ADOPTED: MAR 28 2017  
(DATE)



PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)



CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:**

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FOR : Kathie Gannon, Larry Johnson, Gregory Adams, Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Mereda Davis Johnson

March 28, 2017

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**DEKALB COUNTY**

ITEM NO. D.1

**BOARD OF COMMISSIONERS**

HEARING TYPE  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**

ACTION TYPE  
ORDINANCE

**MEETING DATE:** March 28, 2017

**SUBJECT:** LP-16-20900, Rockhaven Homes

**COMMISSION DISTRICTS:** 2 & 6

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES NO

**ATTACHMENT:**  YES NO  
**PAGES:** 8

**INFORMATION**  
**CONTACT:** Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** LP-16-20900

**PROPOSED USE:** The proposed project is a Land Use Amendment which is a request to change the current land use designation from Suburban (SUB) to Neighborhood Center (NC)

**LOCATION:** 2760 & 2772 Briarcliff Road and 2018 & 2030 Cliff Valley Way, Atlanta, Georgia

**PARCEL No.:** 18 157 03 056, 18 157 03 057, 18 157 03 058, & 18 157 03 060

**PURPOSE:** The purpose of developing townhomes with a total of 25 units with a density of 11.9 units per acre. The property is located on the northeast corner of Briarcliff Road and Cliff Valley Way, approximately 350 feet east of Childerlee Lane at 2760 and 2772 Briarcliff Road and 2018 and 2030 Cliff Valley Way in Atlanta, Georgia. The property has approximately 225 feet of frontage along Briarcliff Road and approximately 475 feet of frontage along Cliff Valley Way and contains 2.1 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** Denial

**COMMUNITY COUNCIL:** Deferral

**PLANNING STAFF :** Approval

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : D1 Rockhaven Homes LP 16 20900**

MOTION was made by Jeff Rader, seconded by Kathie Gannon and passed 7-0-0-0 to **withdraw without prejudice** the application of Rockhaven Homes, LLC c/o Kathryn M. Zickert, for a Land Use Map Amendment from Suburban (SUB) to Neighborhood Center (NC) to allow a 25-unit fee simple townhome development at a maximum density of 12 units per acre.

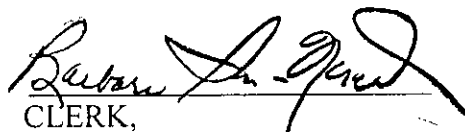
Items D1 and D2 were heard together.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Den Webb, 1230 Peachtree St. Atlanta, Ga. 30309, spoke in favor.

Martha Gross (submitted Comprehensive Plan handout), 1467 Berkeley Ln. NE Atlanta, Ga. 30329, Gary Fleming / Donna Hoyne 1742 Timothy Dr. NE Atlanta, Ga. 30329, John Ziegler (submitted Petition handout), 3308 Westchester Ridge Atlanta, Ga. 30329, James White, 1953 Timothy Dr. NE Atlanta, Ga. 30329, Joseph Hirth, 1746 Breyerton Dr. (no city), Ga. 30329, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

March 28, 2017

**PLANNING STAFF ANALYSIS:**

The proposed project is a Land Use Amendment which is a request to change the current land use designation from Suburban (SUB) to Neighborhood Center (NC) for the purpose of developing Townhomes with a total of 25 units with a comprised density of 11.9 units per acre. The proposed project is in line with the characteristics of the surrounding land use designation Neighborhood Center land use which allows an increase in density of up to 24 units per acre. Infill development or new construction should reflect existing neighborhoods. The surrounding designation would also support the proposed land use change providing a consistence that currently existing.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Full Cycle Deferral : 6-0-0 for consideration in the small area study.

**PLANNING COMMISSION VOTE/RECOMMENDATION:** Denial 6-0-1. J. West moved, J. Johnson seconded for denial. M.K. Woodworth abstained

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. D2

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Rezoning, Z-16-20901, Rockhaven Homes**

**COMMISSION DISTRICTS:** 2 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 33

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404)371-2155

**PETITION NO:** Z-16-20901

**PROPOSED USE:** 25 Fee Simple Attached Townhomes

**LOCATION:** 2760 & 2772 Briarcliff Road and 2018 & 2030 Cliff Valley Way, Atlanta, Georgia 

**PARCEL No.:** 18 157 03 056, 18 157 03 057, 18 157 03 058, & 18 157 03 060

**PURPOSE:** To rezone from R-85 (Residential Medium Lot) to MR-1 (Medium Density Residential-1) district to allow 25 fee simple attached townhomes in accordance with Chapter 27, Table 4.1 of the DeKalb County Code. The property is located on the northeast corner of Briarcliff Road and Cliff Valley Way, approximately 350 feet east of Childerlee Lane at 2760 and 2772 Briarcliff Road and 2018 and 2030 Cliff Valley Way in Atlanta, Georgia. The property has approximately 225 feet of frontage along Briarcliff Road and approximately 475 feet of frontage along Cliff Valley Way and contains 2.1 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** DENIAL

**COMMUNITY COUNCIL:** FULL CYCLE DEFERRAL

**PLANNING STAFF :** APPROVAL WITH CONDITIONS

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Denial".

**PLANNING STAFF ANALYSIS (Revised 3/15/17):**

The applicant is requesting to rezone the 2.1 acre property to MR-1 (Medium Density Residential) to redevelop the site with 25 fee simple attached townhomes at a density of 12 units per acre. Since the current Suburban (SUB) character area designation on the property limits the density to a maximum of eight units per acre, the applicant is also submitting a companion land use plan amendment request to change to a Neighborhood Center (NC) Character

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : D2 Rockhaven Homes Z 16 20901**

MOTION was made by Jeff Rader, seconded by Kathie Gannon and passed 7-0-0-0 to **withdraw without prejudice** the application of Rockhaven Homes, LLC c/o Kathryn M. Zickert, to rezone from R-85 (Residential Medium Lot) to MR-1 (Medium Density Residential-1) district to allow 25 fee simple attached townhomes at a density of 12 units per acre in accordance with Chapter 27, Table 4.1 of the DeKalb County Code.

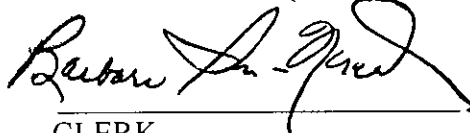
Items D1 and D2 were heard together.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Den Webb, 1230 Peachtree St. Atlanta, Ga. 30309, spoke in favor.

Martha Gross, 1467 Berkeley Ln. NE Atlanta, Ga. 30329, Gary Fleming / Donna Hoyne 1742 Timothy Dr. NE Atlanta, Ga. 30329, John Ziegler, 3308 Westchester Ridge Atlanta, Ga. 30329, James White, 1953 Timothy Dr. NE Atlanta, Ga. 30329, Joseph Hirth, 1746 Breyerton Dr. (no city), Ga. 30329, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

March 15, 2017

Area which allows a maximum of 24 units per acre (See companion case LP-16-20900). The zoning proposal is consistent with the following housing policy of the 2025 Comprehensive Plan: "Enhance the county's existing supply of housing" (HP3) and the following strategy for Traditional Neighborhoods: "Utilize vacant properties in the neighborhood as an opportunity for the infill development of compatible structures (NCCAS9)" (Sec. 7.4.6.A).

The proposed single-family attached townhomes at a density of 12 units per acre are an appropriate transition between the single-family subdivision (Green Hills) to the east within the R-85 (Single-Family Residential) district and the single-family attached condominiums (Enclave at Briarcliff) to the west across Cliff Valley Way within the O-I (Office Institutional) district. The zoning proposal is also an appropriate transition between the multi-family units (The Marquis at Briarcliff Apartments approved at 30 units per acre) and townhomes (Bristol at Briarcliff approved at 12 units per acre) to the south across Briarcliff Road and the office and institutional (Atlanta Montessori International School) uses to the north. The natural topography of the site, which slopes downward from adjoining single-family residential properties, and screening provided by preservation of existing trees and installation of new trees along the perimeter of the site, will screen the development from view (Sec. 7.4.6.B). The applicant submitted 15 new zoning conditions at the March 7<sup>th</sup> Planning Commission meeting. The Department of Planning and Sustainability recommends "Approval" with these fifteen recommended conditions.

**PLANNING COMMISSION VOTE: Denial 6-1-0.** J. West moved, J. Johnson seconded for denial. M.K. Woodworth opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 6-0-0 Full Cycle Deferral.** Council recommended full cycle deferral to allow request to be considered in the small area study (scheduled for 2018).

**RECOMMENDED CONDITIONS**  
**Z 16 20901**

1. The Development shall substantially comply with the site plan prepared by Maxwell-Reddick and Associates, dated June 23, 2016 and submitted with the Application, a copy of which is attached hereto as Exhibit "A" (the "Site Plan").
2. The Development shall provide buffers and open space in substantial compliance with the Site Plan. Developer will fill in areas of scarce vegetation in the buffers with approval from the County Arborist. Further, Developer shall warrant plantings for a period of 1 year from the issuance of a Certificate of Occupancy and replace dead plantings with the same or similar plant material.
3. The Development shall have a maximum of 25 residential townhome units, assuming bonus density criteria are met.
4. All external facades of the proposed townhome buildings shall be constructed of a combination of the following materials: brick, stone, wood, cedar shake and masonry siding (Note: two of the items listed would constitute a combination except a combination of cedar shake and masonry siding). No vinyl siding shall be allowed on any structure. Further, the facades of the two townhome buildings facing Briarcliff Road (south) shall include fenestration and doors.
5. Exterior lights attached to the rear walls of the units next to the eastern property line shall be shielded and directed downward to minimize light spillage on adjacent properties.
6. The entrance sign for the development shall be a maximum of 6 feet in height, shall be designed as a monument sign, and shall be finished with brick or stone or a combination thereof.
7. Subject to any necessary approvals, street trees installed along Cliff Valley Way and Briarcliff Road shall be over-story trees (i.e., Oak).
8. Subject to any necessary approvals, the Developer may provide tree recompense off-site in public park space or any county-owned property preferably within ¼ mile of the Development.
9. Subject to any necessary approvals (both public and private), the Developer shall upgrade the traffic signal at Briarcliff Road and Cliff Valley Way to provide pedestrian signal(s) as well as a crosswalk across Briarcliff Road with ADA ramp(s) and/or landing pad(s) for access to the MARTA bus stop and/or future park space.
10. Subject to any necessary approvals (both public and private), the Developer shall install a pedestrian crosswalk with ADA ramp(s) and/or landing pad(s) across Briarcliff Road west of the subject property and in proximity to the intersection of Briarcliff Road and Childerlee Lane for access to the MARTA bus stop and/or future park space.



March 15, 2017

11. Subject to any necessary approvals (both public and private), the Developer shall provide a southbound turn lane on Cliff Valley Way to accommodate right-turn movements from Cliff Valley Way onto Briarcliff Road.
12. Subject to any necessary approvals (both public and private) and if necessary right-of-way is available, the Developer shall extend the existing left-turn lane on eastbound Briarcliff Road at Cliff Valley Way.
13. Setbacks shall be measured from existing right-of-way, versus any future right-of-way that may be dedicated or required incidental to the Development.
14. Water quality shall meet the minimum requirements of the Georgia Storm Water Management Manual of DeKalb County and Developer shall incorporate, where appropriate, flow wells into the storm water management system. Further, Developer shall provide underground detention.
15. If a Sewer Action Plan requires temporary storage and pumping of sewage for this development, the owner or its successors shall be responsible for the timely removal of the entire storage and pumping system when DeKalb County Watershed Management indicates by written notification that the county sewerage system has sufficient capacity to manage the development along the affected trunk lines, absent an alternative approved by DeKalb County Watershed Management.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. D3

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28 , 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Rezoning, Z-17-21126, CWAM LLC**

**COMMISSION DISTRICTS:** 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
PAGES:

INFORMATION  
CONTACT: *Marian Eisenberg*, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** Z-17-21126

**PROPOSED USE:** 10 Single-Family Homes

**LOCATION:** 665, 669, 675, 681, & 695 Valley Brook Road, Decatur, Georgia

**PARCEL No.:** 18 064 02 019; 18 064 02 20, 18 064 02 021; 18 064 02 022; 18 064 02 023

**PURPOSE:** To rezone property from R-75 (Single-Family Residential) to RSM (Small Lot Residential Mix) District to allow single-family residential at a density up to 8 units per acre. The property is located on the northeast side of Valley Brook Road opposite Judylyn Drive at 665, 669, 675, 681, and 695 Valley Brook Road in Decatur, Georgia. The property has approximately 440 feet of frontage along Valley Brook Road and contains 1.97 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** DENIAL

**COMMUNITY COUNCIL:** DENIAL

**PLANNING STAFF :** FULL CYCLE DEFERRAL

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Denial".

**PLANNING STAFF ANALYSIS:**

Based on the submitted information, the proposed single-family detached homes at a density of 5 dwelling units per acre appears to be consistent with the Comprehensive Plan's Suburban (SUB) character area calling for protection of stable neighborhoods from incompatible development at a maximum density of eight (8) units per acre (SCAP1).

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

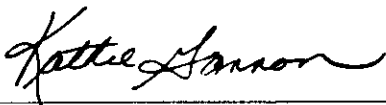
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**ACTION : D3 CWAM LLC Z 17 21126**

MOTION was made by Steve R Bradshaw, seconded by Kathie Gannon and passed 6-0-0-1 to **withdraw without prejudice** the application of Cwam, LLC, to rezone property from R-75 (Single-Family Residential) to RSM (Small Lot Residential Mix) District to allow single-family residential at a density of 8 units per acre. Commissioner Adams was out of the room and not voting.

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ADOPTED: MAR 28 2017  
(DATE)



PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)



CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Adesula Baddu, 285 Boca Ciega Ct. Johns Creek, Ga. 30022 spoke in favor.

Susan Rossi (submitted list of property owners handout), 2971 Fantasy Lane Decatur, Ga. 30033, Stephen M. Binney, 1083 Seville Dr. Clarkston, Ga. 30021, Erik Spalvins, 2781 Orion Dr. Decatur, Ga. 30033, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Gregory Adams

March 15, 2017

(SCAP1). The proposed single-family detached homes also appear to be consistent with the single-family detached land uses in the surrounding area, and the proposed density of five (5) dwelling units per acre appears to be generally consistent with the maximum density of 4.35 dwelling units per acre allowed in the surrounding R-75 zoned area. However, the proposed design and layout of the property do not appear to be compatible. There is no justification on the site plan as to how the proposed density bonus (from 4 dwelling units per acre base density to 5 dwelling units per acre bonus density) is achieved, as no pocket parks or other enhanced open space amenities are identified. The proposed road appears to consume a disproportionately large amount of land in relation to the area of the proposed cottages. No conceptual elevations of the proposed homes showing building materials and height have been provided, and no proposed buffering along the property lines and the street have been provided to enhance compatibility with the neighborhood. Therefore, it is the recommendation of the Planning and Sustainability Department that the application be "Deferred, Full Cycle" to allow time for the applicant to address these issues.

**PLANNING COMMISSION VOTE: Denial 4-3-0.** L. Osler moved, J. West seconded for denial. M.K. Woodworth, M. Butts, and V. Moore opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 8-1-1 Denial.** Community Council recommended Denial because the applicant had not provided enough justification for the density bonus to achieve a density over 4 units per acre.

March 14, 2017

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**DEKALB COUNTY**

ITEM NO. D4

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **SLUP-17-21011 Diane Hammond**

**COMMISSION DISTRICTS:** 5 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 27

**INFORMATION**  
**CONTACT:** Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** SLUP-17-21011

**PROPOSED USE:** In-home Child Day Care Facility

**LOCATION:** 1563 Duren Farms Drive Road, Lithonia, GA

**PARCEL No.:** 16-093-08-018

**PURPOSE:** To request a Special Land Use Permit (SLUP) within Duren Farms Subdivision for an-in home child day care facility for up to six (6) children in an R-100 (Residential Medium Lot) District, in accordance with Section 27-4.1 (4.2.19) of the DeKalb County Code. The property is located on the south side of Duren Farms Drive approximately 200 feet west of Duren Fields Way at 1563 Duren Farms Drive. The property has approximately 79 feet of frontage along the south side of Duren Farms Drive and contains .32 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** OTHER (NO QUORUM PRESENT)

**PLANNING STAFF:** APPROVAL WITH CONDITIONS

**PLANNING COMMISSION MEETING (03/07/17):** On March 7, 2017, the Planning Commission voted to approve the applicant's request.

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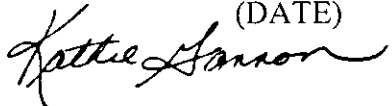
**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : D4 Diane Hammond SLUP 17 21011**

MOTION was made by Mereda Davis Johnson, seconded by Larry Johnson and passed 6-0-0-1 to approve per staff's conditions the application of Diane Hammond, for a Special Land Use Permit (SLUP) within Duren Farms Subdivision for an-in home child day care facility for up to six (6) children in an R-100 (Residential Medium Lot) District, in accordance with Section 27-4.1 (4.2.19) of the DeKalb County Code. Commissioner Adams was out of the room and not voting.

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ADOPTED: MAR 28 2017  
(DATE)  


PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)  


CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Diane Hammond, 1563 Duren Farms Dr. Lithonia, Ga. 30058 spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Gregory Adams

March 14, 2017

**PLANNING STAFF ANALYSIS:**

Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:00 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the exterior of the house in which the day care facility would be operating, so that the existing residential character of the property would remain unchanged. The existing drive can accommodate parking for four (4) vehicles. Adequate indoor and outdoor play areas with fencing will be provided in accordance with County and State Codes. Located within a Suburban Character area designated by the 2005-2025 Comprehensive Land Use Plan Map, the proposed use is consistent with the following plan strategies: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SCAS18); and Focus educational programs to meet the needs of all students (PS8); Encourage the development of social programs that will serve all ages (PS11). The applicable requirements of the R-100 (Residential Medium Lot) District have been met. To promote the successful operation of the facility, the Department of Planning and Sustainability recommends that the facility be operated in a manner that would minimize off-site impacts. The Department of Planning and Sustainability recommends “**APPROVAL CONDITIONAL**” subject to the following attached conditions.

**PLANNING COMMISSION VOTE: Approval With Conditions 7-0-0.** L. M. Butts moved, L. Osler seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 4-0-0. Other.** No quorum present. All council members present voted in favor of the requested petition for an in-home child day care facility.

March 14, 2017

**SLUP-17-21011**  
**RECOMMENDED CONDITIONS**

1. The child care facility shall be limited to a maximum number of six children between the hours of 6:00 A.M. to 6:00 P.M., Monday through Friday, in the existing single-family residence.
2. Refuse containers shall not be visible from the street except during pick-up. No identification sign for the child day care facility shall be posted on the property.
3. No evidence of a child day care facility shall be located in the front of the property.
4. Provide and maintain a minimum 6-foot high fenced designated back yard play area for as long as the child day care facility is operated on the subject property.
5. The applicant shall secure the necessary certification by the State of Georgia Bright From The Start program and the necessary building permit and certificate of occupancy from DeKalb County before obtaining a business license.
6. The Special Land Use Permit shall be issued to Diane Hammond for operation of a child day care facility and shall not be transferrable.



March 15, 2017

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**DEKALB COUNTY**

ITEM NO. D5

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Rezone, **Z-17-21105 Alex Brennan**

**COMMISSION DISTRICTS:** 5 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 27

**INFORMATION** 5105 & 3 RAW  
**CONTACT:** Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** Z-17-21105

**PROPOSED USE:** Commercial, Retail and/or Office Uses

**LOCATION:** 1967 South Stone Mountain Lithonia Road, Lithonia, GA

**PARCEL No.:** 16-100-05-004

**PURPOSE:** To rezone property from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to construct and develop a total of 20,800 square feet of usable commercial, retail and/ or office space in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code. The property is located on the southwest corner of South Stone Mountain Lithonia Road and South Deshon Road at 1967 South Stone Mountain Lithonia Road, Lithonia, Georgia. The property has approximately 682 feet of frontage along the south side of South Stone Mountain Lithonia Road and approximately 408 feet of frontage along the west side of South Deshon Road and contains 7.23 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** OTHER (NO QUORUM PRESENT)

**PLANNING STAFF:** APPROVAL WITH CONDITIONS

**PLANNING COMMISSION MEETING (03/07/17):** On March 7, 2017, the Planning Commission voted to approve the applicant's request.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

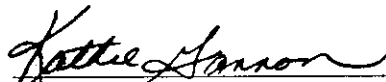
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**ACTION : D5 Alex Brennan Z 17 21105**


MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams and passed 7-0-0-0 to approve per staff's conditions the application of Alex Brennan, to rezone property from R-100 (Residential Medium Lot) District to C-1 (Local Commercial) District to construct and develop a total of 20,800 square feet of usable commercial, retail and/ or office space in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Alex Brennan, 5387 E. Mountain St. Stone Mountain, Ga. 30083, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The applicant is requesting to rezone the property from the R-100 (Residential Medium Lot) District to the C-1 (Local Commercial) District. The proposed use is retail and commercial uses. Located within a Suburban Character Area designated by the 2025 Comprehensive Plan, the proposed use reflects consistency with the following Comprehensive Plan Policies: Encourage development within and near principal transportation corridors and activity centers (LUS3); and Reinforce stability by encouraging the maintenance of or upgrade of existing properties (CRCCAS15). The rezoning request for retail and commercial uses are suitable in view of existing non-residential uses near the site along South Stone Mountain Lithonia Road. Located on a two-lane major arterial with added turn lane, there should be no significant impact on traffic. The proposed C-1 (Local Commercial) District is compatible with existing commercial and office zonings along South Stone Mountain Lithonia Road. Existing mature vegetative screening along perimeter property lines provides a transitional buffer to mitigate the impact on adjacent residential zoned properties. The Department of Planning and Sustainability recommends **“APPROVAL CONDITIONAL”** of the rezoning request to C-1 (Local Commercial) subject to the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 7-0-0.** M. Butts moved, V. Moore seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 4-0-0. Other (No quorum Present).** All council members present voted to approve the requested petition.

March 15, 2017

**Z-17-21105**  
**RECOMMENDED CONDITIONS**

1. Limit site to a one-story, 20,800 square feet of retail, commercial or office uses in substantial compliance with the site plan submitted to the Department of Planning and Sustainability on November 2, 2016. The following uses shall be prohibited: Liquor store, late night establishments, night clubs, title pawns, pawn shop, adult entertainment establishments, auto & tire repair, car wash, service station, fast food, auto sales, temporary outdoor sales. Site plan is conceptual and subject to the approval of the Director for compliance to zoning code and approved conditions.
2. Permitted restaurants shall remain open no later than 10:00p.m.
3. Access shall be limited to no more than one (1) curb cut on South Stone Mountain Lithonia Road and one (1) curb cut on South Deshon Road placed away from the signalized intersection closest to the property line, as possible subject to approval by the Transportation Division of the Department of Public Works. Provide road improvements (such as deceleration lanes) as required by the Transportation Division of the Department of Public Works.
4. Dedicate at no cost to DeKalb County 40 feet from centerline of right-of way along both property frontages. Right of way dedication may impact setbacks.
5. Building walls shall be three (3) sided brick along the front and sides of all buildings.
6. All refuse areas shall be located to the rear of the site and screened from public view with fencing or similar building materials to match the primary structure.
7. Ground signage must be a monument sign with a brick base not to exceed an overall height of ten (10) feet. Sign area shall not exceed thirty-two (32) square feet.
8. Wall-mounted signs shall be channel cut letters directly applied to the building façade. Individual letters shall not exceed 18 inches in height.
9. Provide outside trash receptacles for patrons.
10. Screen roof-top equipment.
11. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. D6

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **SLUP-17-21140 Community Cure Ministries**

**COMMISSION DISTRICTS:** 3 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 24

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** SLUP-17-21140

**PROPOSED USE:** Place of Worship

**LOCATION:** 3986 River Road, Ellenwood, GA

**PARCEL No.:** 15-028-01-008

**PURPOSE:** To request a Special Land Use Permit (SLUP) for a place of worship in the existing building within the R-100 (Residential Medium Lot) District, in accordance with Section 27-4.1 Use Table of the DeKalb County Code. The property is located on the east side of River Road, approximately 173 feet south of Clevefont Road at 3986 River Road, Ellenwood, GA. The property has approximately 495 feet of frontage along the east side of River Road and contains 6 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** FULL CYCLE DEFERRAL

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING STAFF:** FULL CYCLE DEFERRAL

**PLANNING COMMISSION MEETING (03/07/17):** On March 7, 2017, the Planning Commission voted to defer the request full cycle.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : D6 Community Cure Ministries SLUP 17 21140**

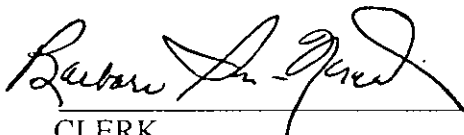
MOTION was made by Larry Johnson, seconded by Gregory Adams and passed 7-0-0-0 to defer for 30 days until April 25, 2017 for Decision Only, the application of Community Cure Ministries c/o Michael Reynolds, to request for a Special Land Use Permit (SLUP) for a place of worship in the existing building within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27- Article 4.1 Use Table of the DeKalb County Code.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Michael Reynolds / Adrian Dozier, 5590 Cedar Pass Fairburn, Ga. 30213, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

March 15, 2017

**PLANNING STAFF ANALYSIS:**

Located on River Road, a minor arterial, the approximately 6-acre site complies with development standards for a Places of Worship in the R-100 (Residential Medium Lot) District. Located within the Suburban Character Area, the proposed use is consistent with the following Plan Policies and Strategies of the 2005-2025 DeKalb County Comprehensive Plan: SCAP11 - Locate development and activities within easy walking distance of transportation facilities; SCAP6 - The non-residential development in suburban areas shall meet the needs of the surrounding residents; SCAS21: Promote activities to highlight historic and cultural assets in the community and provide opportunities for community interaction. The place of worship would be compatible with surrounding residential land uses and would not create adverse impacts on adjoining and surrounding properties.

However, the applicant has not completed the legal requirements for site plan submittal to Planning Staff for a proper review to determine the possible effects of the proposed use to the surrounding community. The applicant has also informed Planning Staff that there may be plans for expansion of services to be provided by the ministry which may require other zoning actions. Planning has encouraged the applicant to meet with Staff to determine the overall scope of the proposed community center/church in order to determine the proper zoning. Therefore, Staff recommends **FULL CYCLE DERERRAL**.

**PLANNING COMMISSION VOTE: Full Cycle Deferral 7-0-0.** V. Moore moved, J. Johnson seconded for a full cycle deferral per staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 11-0-1. Approval.** Applicant answered questions about hours and manner of operation, opening date, ingress & egress.

3/20/2017

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**DEKALB COUNTY**

ITEM NO. N. 1

**BOARD OF COMMISSIONERS**

**HEARING TYPE:**  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**  
**MEETING DATE:** March 28, 2017

**ACTION TYPE:**  
ORDINANCE

**SUBJECT:** Land Use Amendment – LP-17-21187 -- Courtland Partners

**COMMISSION DISTRICTS:** 1 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:**

**INFORMATION CONTACT:** Marian Eisenberg, Zoning Administrator  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** LP-17-21187

**PROPOSED USE:** Bring the land use designation of multifamily residential parcels into consistency with 2025 Comprehensive Plan Land Plan Map.

**LOCATION:** Approximately 1,199 feet east of the corner of Hollinswood Drive and Flowers Road South, at 3191 Flowers Road South, Atlanta.

**PARCEL No.:** 18-266-02-007, 18-265-03-049, 18-265-03-011

**PURPOSE:** To amend the 2025 Comprehensive Land Plan Map to make existing development compatible.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** APPROVAL WITH CONDITIONS.

**PLANNING COMMISSION:** APPROVAL

**PLANNING STAFF:** APPROVAL

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Approval" as recommended by Staff.

**PLANNING STAFF ANALYSIS:** The proposal is consistent with the following policy of the 2025 Comprehensive Plan: "Provide opportunities for the development of institutional uses within the County." (Institutional Character Area Policy No. 4) The property is already developed consistent with the policy and there are no stated plans for redevelopment.

**PLANNING COMMISSION VOTE:** Approval w/Conditions 7-0-0. M.K. Woodworth moved, M. Butts seconded for approval as recommended and conditioned by Staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval, 5-0-0. Members voted unanimously to approve with two conditions: (1) Maximum density of 13 residential units per acre; and (2) Based on the existing site plan.



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : N1 Courtland Partners LP 17 21187**

MOTION was made by Nancy Jester, seconded by Gregory Adams and passed 7-0-0-0 to defer for 30 days, until April 25, 2017 for Decision Only, the application of Courtland Partners c/o Kathryn M. Zickert, to amend the future Land Use map from SUB (Suburban) to INS (Institutional) to bring the land use map designation into consistency with the zoning designation.

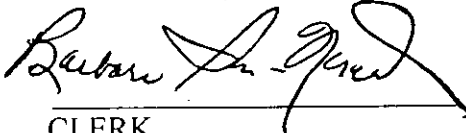
Items N1 and N2 were heard together.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

MAR 28 2017  
CERTIFIED: \_\_\_\_\_  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

---

**MINUTES:** Kathryn Zickert / Courtland Partners (submitted handout of map of designated area), 1230 Peachtree St. NE, Ste 3100, Atlanta, Ga. 30309, spoke in favor.

Betsy Eggers (submitted North Fork Peachtree Creek Trail information handout), 1408 Tugaloo Dr. Brookhaven, Ga. 30319, Denise Johnson, 1277 Peachtree View NE Brookhaven, Ga. 30319, Debbie Miller, 2978 McCully Dr. Atlanta, Ga. 30345, spoke in opposition.

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FOR : Kathy Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

3/21/2017

ITEM NO. N. 2

DEKALB COUNTY

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: March 28, 2017

HEARING TYPE:  
PUBLIC HEARING

ACTION TYPE:  
ORDINANCE

SUBJECT: Rezone - Z-17-21185 -- Courtland Partners

COMMISSION DISTRICTS: 1 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator

PAGES:

PHONE NUMBER: (404) 371-2155

PETITION NO.: Z-17-21185

VOS & S. HALL

PROPOSED USE: Bring the zoning of a multifamily residential parcel into consistency with that of other parcels in the same development.

LOCATION: Approximately 1,199 feet east of the corner of Hollinswood Drive and Flowers Road South, at 3191 Flowers Road South, Atlanta.

PARCEL No.: 18-266-02-007

PURPOSE: To rezone property from MR-2 (Medium-Density Residential-2) with conditions pursuant to CZ-86153, to O-I (Office-Institutional), in order to bring the zoning of a multifamily residential parcel into consistency with that of other parcels in the same development. The property has approximately 1,417 feet of frontage on Flowers Road and contains 20.68 acres.

**RECOMMENDATIONS:**

COMMUNITY COUNCIL: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION: APPROVAL WITH CONDITIONS.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING: On March 7, the Planning Commission recommended "Approval With Conditions" as recommended by Staff.

PLANNING STAFF ANALYSIS: The proposal is consistent with the following policy of the 2035 Comprehensive Plan: "Provide opportunities for the development of institutional uses within the County." (Institutional Character Area Policy No. 4) The O-I zoning classification would allow a range of institutional uses, including possible future expansion of Mercer University. Because the zoning proposal would not change the existing use of the property, it is not expected to adversely affect the adjoining or nearby properties. In addition, the development is separated from the nearest single-family residential properties by a 100-foot wide floodplain. The O-I district allows a range of educational and civic uses that would be suitable for the property and compatible with the use and development of the surrounding area. Therefore, the Department of Planning and Sustainability recommends "Approval-Conditional" with conditions.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : N2 Courtland Partners CZ 17 21185**

MOTION was made by Nancy Jester, seconded by Gregory Adams and passed 7-0-0-0 to defer for 30 days until April 25, 2017 for Decision Only, the application of Courtland Partners c/o Kathryn M. Zickert to rezone property from MR-2 (Medium-Density Residential-2) with conditions pursuant to CZ-86153, to O-I (Office-Institutional).

Items N1 and N2 were heard together.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Kathryn Zickert / Courtland Partners (submitted handout of map of designated area), 1230 Peachtree St. NE, Ste 3100, Atlanta, Ga. 30309, spoke in favor.

Betsy Eggers (submitted North Fork Peachtree Creek Trail information handout), 1408 Tugaloo Dr. Brookhaven, Ga. 30319, Denise Johnson, 1277 Peachtree View NE Brookhaven, Ga. 30319, Debbie Miller, 2978 McCully Dr. Atlanta, Ga. 30345, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

3/21/2017

**PLANNING COMMISSION VOTE: Approval w/Conditions 7-0-0.** M.K. Woodworth moved, V. Moore seconded for approval as recommended and conditioned by Staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval, 5-0-0.** Members voted unanimously to approve with two conditions: (1) Maximum density of 13 residential units per acre; and (2) Based on the existing site plan.

3/21/2017

**RECOMMENDED CONDITIONS**  
**CZ-17-21185**

1. The property shall be used for multifamily residential at the existing density of 13 units per acre.
2. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.
3. Any retaining wall located next to an adjoining property, when said retaining wall exceeds 12 feet in height, must be approved by variance to the Zoning Board of Appeals.

3/20/2017

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**DEKALB COUNTY**

ITEM NO. N. 3

**BOARD OF COMMISSIONERS**

**HEARING TYPE:**  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**

**ACTION TYPE:**  
ORDINANCE

**MEETING DATE:** March 28, 2017

**SUBJECT:** Land Use Amendment – LP-17-21281 – InLine Communities

**COMMISSION DISTRICTS:** 2 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:**

**INFORMATION CONTACT:** Marian Eisenberg, Zoning Administrator  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** LP-17-21281

VCS & RAM

**PROPOSED USE:** Land Plan Map Amendment from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) for the development of 41 attached townhomes.

**LOCATION:** Approximately 175 feet west of the corner of Linkwood Land and Lawrenceville Highway.

**PARCEL No.:** 18-145-05-009, 18-145-05-026

**PURPOSE:** To amend the 2025 Comprehensive Land Plan Map to make proposed 41-unit attached townhome development compatible.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** DENIAL

**PLANNING COMMISSION:** DEFERRAL

**PLANNING STAFF:** FULL-CYCLE DEFFERAL

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Deferral".

**PLANNING STAFF ANALYSIS:** The proposal is consistent with the following policy of the 2025 Comprehensive Plan:

- LUP1: Identify and encourage the development of priority areas for infill redevelopment
- CRCCAP5: Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscape improvements and people.

**PLANNING COMMISSION VOTE:** Deferral 6-1-0. J. West moved, J. Johnson seconded for Full-Cycle Deferral. T. Snipes opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Denial, 5-1-0. Members of the Community Council were opposed to the application as long as the parcel at 1454 Linkwood Lane was included as part of the development because it included access to Linkwood Lane.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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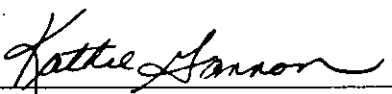
**ACTION : N3 InLine Communities LP 17 21281**

MOTION was made by Jeff Rader, seconded by Gregory Adams and passed 7-0-0-0 to defer for a full cycle until May 23, 2017, N.3 LP-17-21281, **Parcel 18-145-05-009**, the application of In Line Communities c/o Kathryn Zickert.

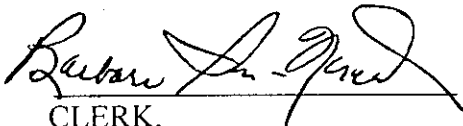
MOTION was made by Jeff Rader, seconded by Gregory Adams and passed 7-0-0-0 to **deny** N.3 LP-17-21281, **Parcel 18-145-05-026**, the application of In Line Communities c/o Kathryn Zickert,

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Kathy Zickert / In Line Communities, 1230 Peachtree St. NE Ste 3100, Atlanta, Ga. 30309, spoke in favor.

Kimberley Parker (submitted opposition to proposed development handout), 3188 Lindmoor Dr. Decatur, Ga. 30033, Frank Smith, 1650 Delia Dr. Decatur, Ga. 30033, Pastor Gwendolyn Maulsby (submitted Miracles in the Sky handout), 4103 Pine Valley Rd. Apt. F2 Tucker, Ga. 30084, spoke in opposition.

**SEE VOTING RECORD ON PAGE 3**

**VOTING RECORD FOR BOTH MOTIONS**

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FOR :           Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
                  Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST :     None

ABSTAIN :     None

ABSENT :      None



3/21/2017

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DEKALB COUNTY

ITEM NO. N. 4

HEARING TYPE:  
PUBLIC HEARING

BOARD OF COMMISSIONERS  
ZONING AGENDA / MINUTES  
MEETING DATE: March 28, 2017

ACTION TYPE:  
ORDINANCE

SUBJECT: Major Modification – CZ-17-21269 -- Roger DeWeese

COMMISSION DISTRICTS: 1 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator  
PHONE NUMBER: (404) 371-2155

PAGES:

PETITION NO: CZ-17-21269

PLANNING & ZONING

PROPOSED USE: Modify condition to allow deck enclosure.

LOCATION: The northwest side of Mill Ridge Trail, approximately 218 feet north of Mill Ridge Walk at 2401 Mill Ridge Trail, Atlanta, GA. The property has approximately 36 feet of frontage on the northwest side of Mill Ridge Trail and contains .15 acres.

PARCEL No.: 18-209-01-028

PURPOSE: To request a Major Modification of conditions pursuant to CZ-97065, to reduce the rear yard setback from 10 feet to 3 feet, to allow an existing deck to be converted into a screened porch.

**RECOMMENDATIONS:**

COMMUNITY COUNCIL: APPROVAL.

PLANNING COMMISSION: APPROVAL WITH CONDITIONS.

PLANNING STAFF: APPROVAL WITH A CONDITION.

PLANNING COMMISSION MEETING: On March 7, the Planning Commission recommended "Approval With Conditions" as recommended by Staff.

PLANNING STAFF ANALYSIS: Enclosure of the existing deck would be suitable. The enclosure would not be noticeable to adjoining neighbors because the deck is screened by mature trees. Reduction of the yard setback would not adversely affect adjacent or nearby property, since the setback is located next to a detention area. The detention area can buffer views of the enclosed porch from the street. No negative consequences from encroachment of the deck into the rear yard setback are expected. Therefore, the Department of Planning and Sustainability recommends "Approval-Conditional".

PLANNING COMMISSION VOTE: Approval w/Conditions 7-0-0. K. Woodworth moved, V. Moore seconded for approval as recommended and conditioned by Staff.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval, 5-0-0. Five members of the Community Council were present and voted unanimously to approve the request without any conditions.

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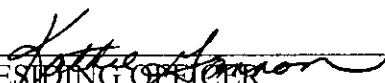
**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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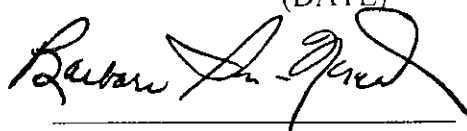
**ACTION : N4 Roger DeWeese CZ 17 21269**

MOTION was made by Nancy Jester, seconded by Gregory Adams and passed 7-0-0-0 to approve per staff's conditions the application of Roger Deweese, to request a Major Modification of conditions pursuant to CZ-97065, to reduce the rear yard setback from 10 feet to 3 feet, to allow an existing deck to be converted into a screened porch.

ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Roger Deweese, 2401 Mill Ridge Trail Atlanta, Ga. (no zip code), spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Nancy Jester, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : None

3/21/2017

**RECOMMENDED CONDITIONS**  
**CZ-17-21269**

1. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

3/21/2017

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**DEKALB COUNTY**

ITEM NO. N. 5

**BOARD OF COMMISSIONERS**

**HEARING TYPE:**  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**  
**MEETING DATE:** March 28, 2017

**ACTION TYPE:**  
ORDINANCE

**SUBJECT:** Rezone – Z-17-21273 -- Minerva Homes

**COMMISSION DISTRICTS:** 2 & 6

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:**

**INFORMATION CONTACT:** Marian Eisenberg, Zoning Administrator  
**PHONE NUMBER:** (404) 371-2155  
*STOS B S MAIL*

**PETITION NO:** Z-17-21273

**PROPOSED USE:** Twelve single-family detached homes.

**LOCATION:** The south side of Lavista Road, approximately 80 feet north of Nalley Circle, at 2659, 2667, 2675, & 2685 Lavista Road, Atlanta. The property has approximately 397 feet of frontage on Lavista Road and contains 2.65 acres.

**PARCEL Nos.:** 18-149-02-016, -017, -018, and -019

**PURPOSE:** To rezone from R-100 (Single-Family Residential) to RSM (Residential Small Lot Mix) for development of twelve urban single-family detached homes.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** APPROVAL WITH CONDITIONS.

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS.

**PLANNING STAFF:** APPROVAL WITH CONDITIONS.

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Approval With Conditions" as recommended by Staff.

**PLANNING STAFF ANALYSIS:** The proposed development is suitable and appropriate at the subject location based on its consistency with the zoning pattern and density of adjacent and nearby properties. The proposal is consistent with the Suburban Character Area policy to protect stable neighborhoods from incompatible development. The proposed sidewalks and streetscaping along Lavista Road are consistent with the Suburban Character Area policy to encourage good pedestrian connections to multiple destinations. If developed in accordance with the recommended zoning conditions, the proposed development is not expected to adversely affect the existing use or usability of adjacent or nearby property. Therefore, the Department of Planning and Sustainability recommends, "Approval - Conditional".

**PLANNING COMMISSION VOTE:** Approval w/Conditions 7-0-0. J. West moved, M. Butts seconded for approval as recommended and conditioned by Staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval with Conditions, 6-0-0. The recommendation is based on 7 conditions submitted by the applicant at the meeting.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N5 Minerva Homes Z 17 21273**


MOTION was made by Kathie Gannon, seconded by Jeff Rader and passed 6-0-0-1 to approve with conditions submitted by Commissioner's Gannon and Radar including a site plan, the application of Minerva Homes, to rezone from R-100 (Single-Family Residential) to RSM (Residential Small Lot Mix) for development of twelve single-family detached homes. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Brian Davison (submitted recommended conditions handout), 2292 Henderson Mill Road Atlanta, Ga. 30345, Ted Daniel, 1412 Knollwood Terrace Decatur, Ga. 30033, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

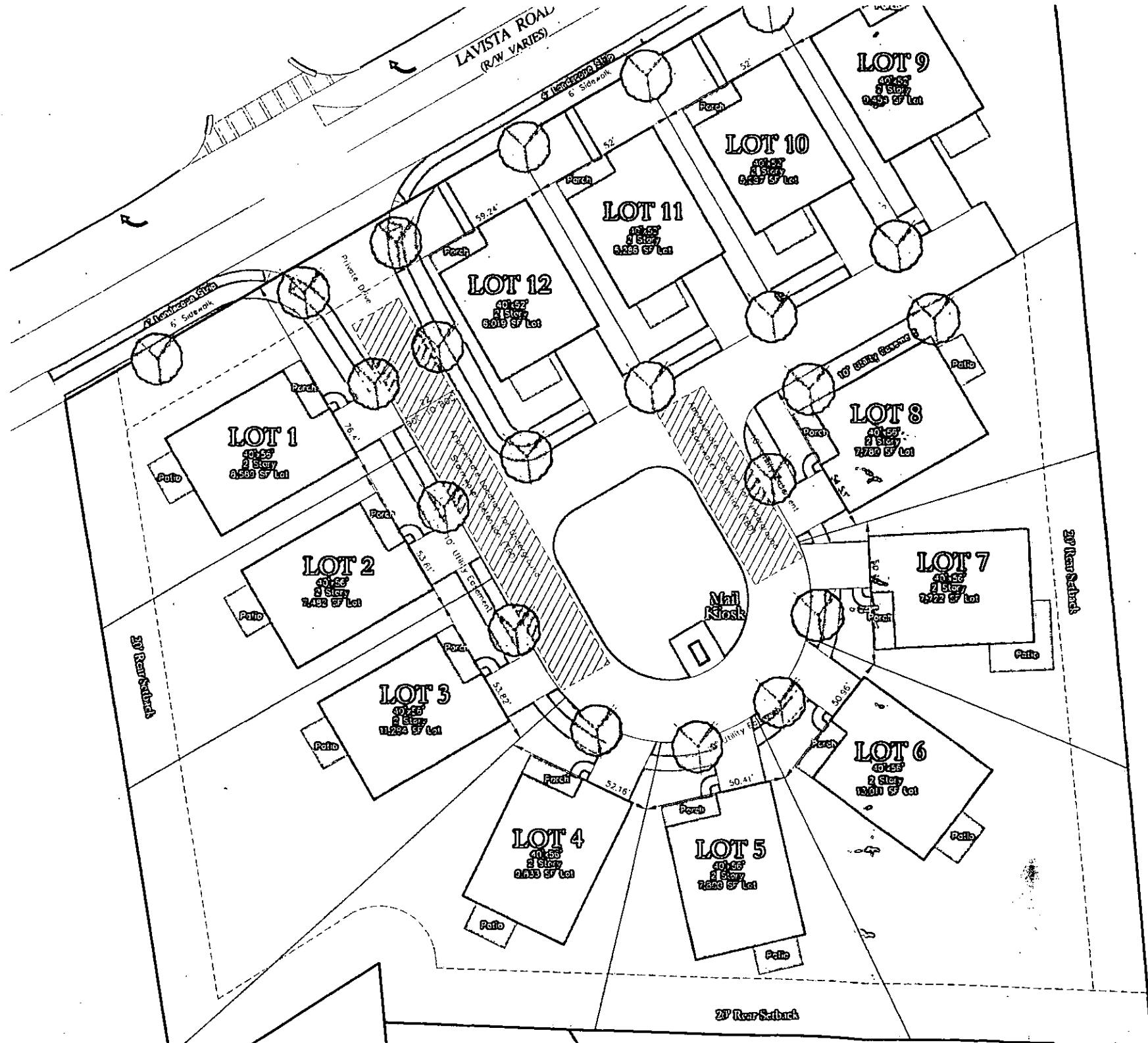
Sfd 8/17

*JA Rader*  
*Katie Shannon*

**Recommended Conditions for 2659-2685 Lavista Road (Z-17-21273)**

1. The subject property shall be developed for no more than 12 urban single-family detached homes, in substantial compliance with the layout shown on the site plan titled "2659-2685 LaVista Road", prepared by Langham Land Design, dated March 27, 2017, which shall be subject to the sketch plat requirements of Chapter 14 of the DeKalb County Code, and the Tree Protection and Replacement Plan prepared by Baker Land Design, and dated March 27, 2017. If variances are not obtained to reduce the required width of the landscape strip along LaVista Road from 10 feet to 4 feet as shown on the site plan, a 10-foot wide landscape strip shall be provided.
2. All dwelling units shall consist of materials in compliance with section 5.7.4 of the code, including features such as gables, dormers, bay windows, sunrooms, fireplace chases and/or cantilevered features, which may consist of trim materials such as siding or shake. Sunrooms may be an option for buyers and may be constructed of siding with trim materials.
3. Evergreen trees and understory plants shall be added to the east, west, and south yards as needed to screen the adjoining properties from views of the proposed development, subject to approval by the County Arborist. In addition, a 6' wood privacy fence will be added along the southern property line .
4. The front yards of lots 9 through 12, which face LaVista Road, shall be planted with ornamental plantings but not plants that would obscure views of the homes from the street, subject to approval by the County Arborist. The side yard of Lot 1, which fronts on LaVista Road, shall be screened from view from the street with evergreen trees and understory plants, subject to approval by the County Arborist. The Lot 1 house will have an exterior door facing the Lavista frontage.
5. Textured or stamped paving shall be installed across the curb cut on LaVista Road for pedestrian access.
6. Vehicles shall not block the ADA pedestrian paths across the driveways.
7. Applicant will extend the sidewalk along the LaVista Road frontage of the development site from the west boundary of the subject property to the east edge of Nalley Circle, subject to receiving County staff and GDOT approval and consent by the affected property owners. The applicant shall have no obligation to install offsite streetscaping.
8. Textured paving shall be installed across each driveway, to link the sidewalk segments located between the driveways.
9. The homes shall have a maximum height of 32 feet to 35 feet, and the two lowest height plans shall be located on lots 5 and 6.
10. Any basement units shall substantially follow the natural grade of the land; the developer shall not construct artificial berms for the purpose of creating elevated basements.
11. All the houses shall have vehicular access from a private drive on the interior of the site, as shown on the site plan cited in Condition No. 1. As shown on said site plan, no garages shall face the perimeter of the site.
12. The developer shall install an underground stormwater management system with 110% detention capacity.
13. The owners of lots 1 through 9 shall not add second story decks that face the perimeter of the site.
14. Any exterior flood lights or streetlights shall be directed downward to shield adjacent residential properties from direct light.
15. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.
16. Any retaining wall located next to an adjoining property, when said retaining wall exceeds 12 feet in height, must be approved by variance to the Zoning Board of Appeals.

Comm. 240  
 Item No. 115 Date: 3/26/17  
 Clerk's Office  
*JA Rader*



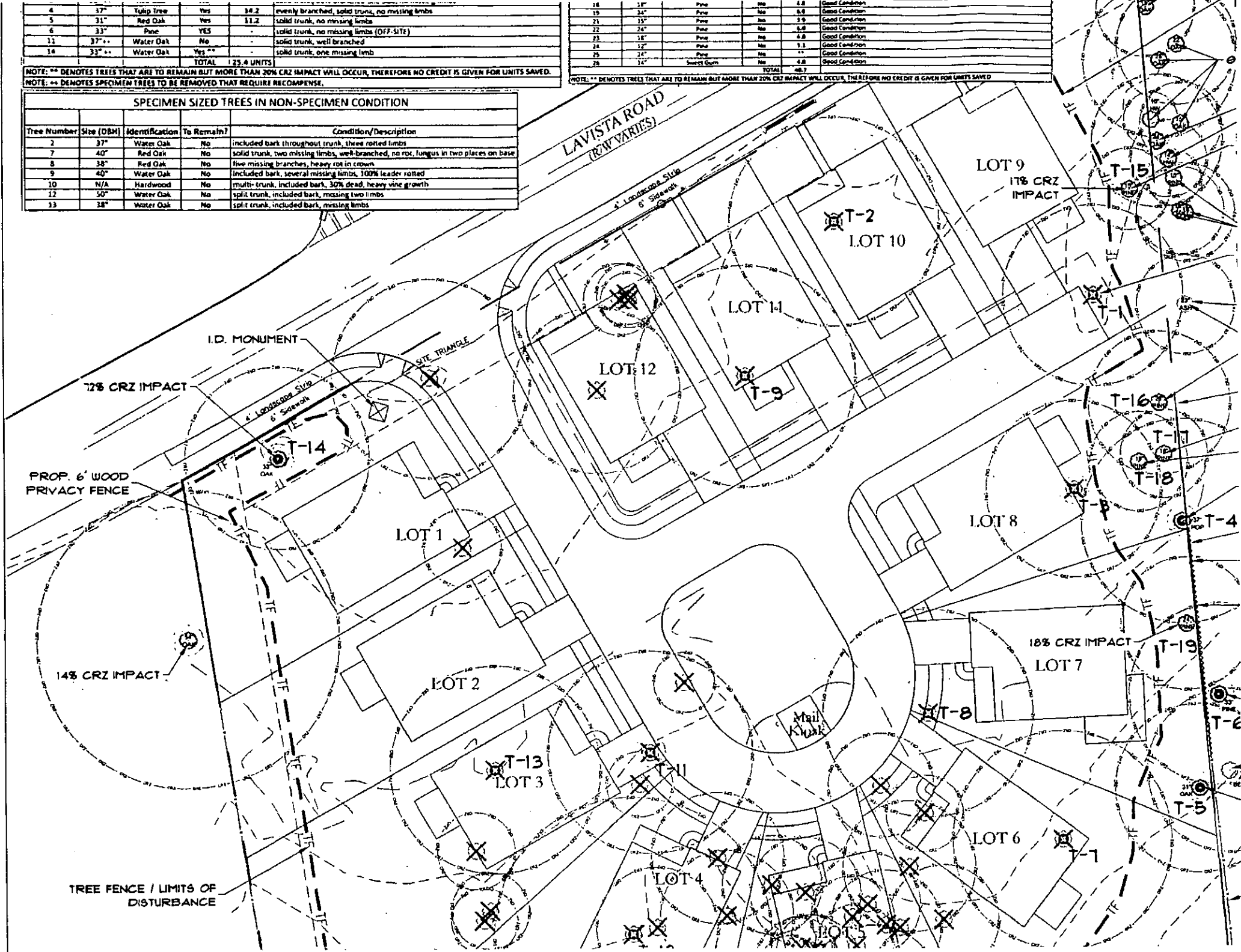
4	37"	Tulip tree	Yes	14.2	evenly branched, solid trunk, no missing limbs
5	31"	Red Oak	Yes	11.2	solid trunk, no missing limbs
6	33"	Pine	YES	-	solid trunk, no missing limbs (OFF-SITE)
11	37"	Water Oak	No	-	solid trunk, well branched
14	33"	Water Oak	Yes**	-	solid trunk, one missing limb
TOTAL				125.4 UNITS	

NOTE: \*\* DENOTES TREES THAT ARE TO REMAIN BUT MORE THAN 20% CRZ IMPACT WILL OCCUR, THEREFORE NO CREDIT IS GIVEN FOR UNITS SAVED.  
 NOTE: \*\* DENOTES SPECIMEN TREES TO BE REMOVED THAT REQUIRE RECOMPENSE.

16	18"	Pine	No	4.8	Good Condition
19	24"	Pine	No	6.0	Good Condition
21	15"	Pine	No	3.0	Good Condition
22	24"	Pine	No	6.0	Good Condition
23	18"	Pine	No	4.8	Good Condition
24	12"	Pine	No	3.1	Good Condition
25	24"	Pine	No	7.2	Good Condition
26	14"	Sweet Gum	No	4.8	Good Condition
TOTAL				48.7	

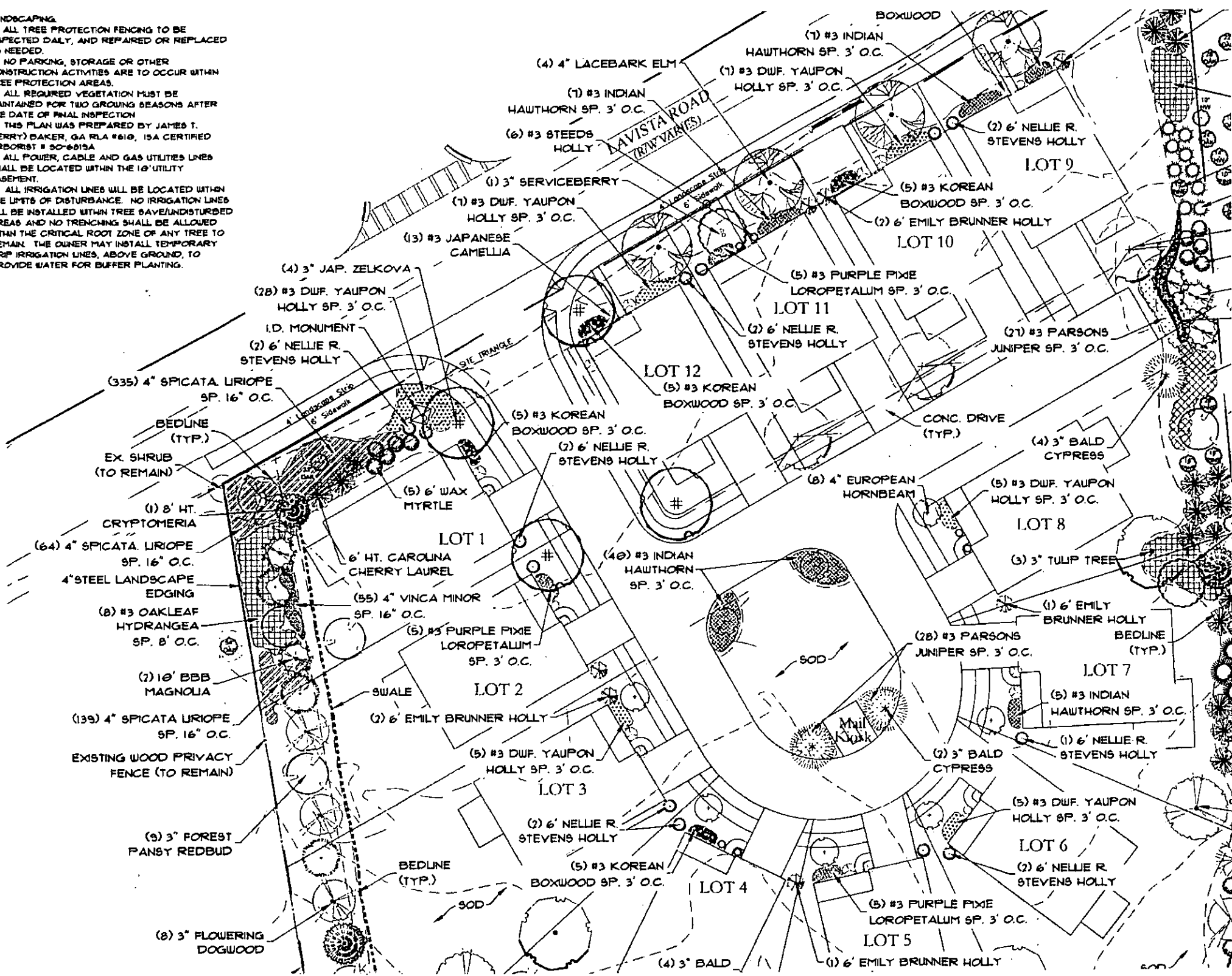
NOTE: \*\* DENOTES TREES THAT ARE TO REMAIN BUT MORE THAN 20% CRZ IMPACT WILL OCCUR, THEREFORE NO CREDIT IS GIVEN FOR UNITS SAVED.

SPECIMEN SIZED TREES IN NON-SPECIMEN CONDITION				
Tree Number	Size (DBH)	Identification	To Remain?	Condition/Description
2	37"	Water Oak	No	included bark throughout trunk, three rotted limbs
7	40"	Red Oak	No	solid trunk, two missing limbs, well-branched, no rot, fungus in two plates on base
8	38"	Red Oak	No	five missing branches, heavy rot in crown
9	40"	Water Oak	No	Included bark, several missing limbs, 100% leader rotted
10	N/A	Hardwood	No	multi-trunk, included bark, 30% dead, heavy vine growth
12	50"	Water Oak	No	split trunk, included bark, missing two limbs
13	38"	Water Oak	No	split trunk, included bark, missing limbs





- LANDSCAPING**
3. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY, AND REPAIRED OR REPLACED AS NEEDED.
  4. NO PARKING, STORAGE OR OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.
  5. ALL REQUIRED VEGETATION MUST BE MAINTAINED FOR TWO GROWING SEASONS AFTER THE DATE OF FINAL INSPECTION.
  6. THIS PLAN WAS PREPARED BY JAMES T. (TERRY) BAKER, GA FLA #610, ISA CERTIFIED ARBORIST # 50-6015A
  7. ALL POWER, CABLE AND GAS UTILITIES LINES SHALL BE LOCATED WITHIN THE 10' UTILITY EASEMENT.
  8. ALL IRRIGATION LINES WILL BE LOCATED WITHIN THE LIMITS OF DISTURBANCE. NO IRRIGATION LINES WILL BE INSTALLED WITHIN TREE SAFE/UNDISTURBED AREAS AND NO TRENCHING SHALL BE ALLOWED WITHIN THE CRITICAL ROOT ZONE OF ANY TREE TO REMAIN. THE OWNER MAY INSTALL TEMPORARY DRIP IRRIGATION LINES, ABOVE GROUND, TO PROVIDE WATER FOR BUFFER PLANTING.



- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (6) #3 STEEDS HOLLY
- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.
- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' EMILY BRUNNER HOLLY
- (1) #3 JAPANESE CAMELLIA
- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY
- (2) 6' NELLIE R. STEVENS HOLLY
- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY
- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY
- (4) 3" BALD CYPRESS
- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.
- (3) 3" TULIP TREE
- (1) 6' EMILY BRUNNER HOLLY BEDLINE (TYP.)
- (5) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) 6' NELLIE R. STEVENS HOLLY
- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY
- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.
- (1) 6' EMILY BRUNNER HOLLY
- (4) 3" BALD CYPRESS
- (1) 6' EMILY BRUNNER HOLLY

- (335) 4" SPICATA LIRIOPE SP. 16" O.C.
- EX SHRUB (TO REMAIN)
- (1) 8' HT. CRYPTOMERIA
- (64) 4" SPICATA LIRIOPE SP. 16" O.C.
- 4" STEEL LANDSCAPE EDGING
- (8) #3 OAKLEAF HYDRANGEA SP. 8' O.C.
- (2) 10' BBB MAGNOLIA
- (139) 4" SPICATA LIRIOPE SP. 16" O.C.
- EXISTING WOOD PRIVACY FENCE (TO REMAIN)
- (9) 3" FOREST PANSY REDBUD
- (8) 3" FLOWERING DOGWOOD

- (4) 3" JAP. ZELKOVA
- (28) #3 DWF. YAUPON HOLLY SP. 3' O.C.
- I.D. MONUMENT
- (2) 6' NELLIE R. STEVENS HOLLY

- (1) 3" SERVICEBERRY
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (5) 6' WAX MYRTLE

- 6' HT. CAROLINA CHERRY LAUREL
- (55) 4" VINCA MINOR SP. 16" O.C.

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.

- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.

- (4) 4" LACEBARK ELM
- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (1) 3" SERVICEBERRY
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (13) #3 JAPANESE CAMELLIA

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (40) #3 INDIAN HAWTHORN SP. 3' O.C.

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.

- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.

- (4) 3" BALD CYPRESS

- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (40) #3 INDIAN HAWTHORN SP. 3' O.C.

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.

- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.

- (4) 3" BALD CYPRESS

- (1) #3 INDIAN HAWTHORN SP. 3' O.C.
- (1) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

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- (2) 6' NELLIE R. STEVENS HOLLY

- (5) #3 KOREAN BOXWOOD SP. 3' O.C.
- (2) 6' NELLIE R. STEVENS HOLLY

- (40) #3 INDIAN HAWTHORN SP. 3' O.C.

- (5) #3 PURPLE PIXIE LOROPETALUM SP. 3' O.C.

- (2) 6' EMILY BRUNNER HOLLY

- (5) #3 DWF. YAUPON HOLLY SP. 3' O.C.

- (2) 6' NELLIE R. STEVENS HOLLY

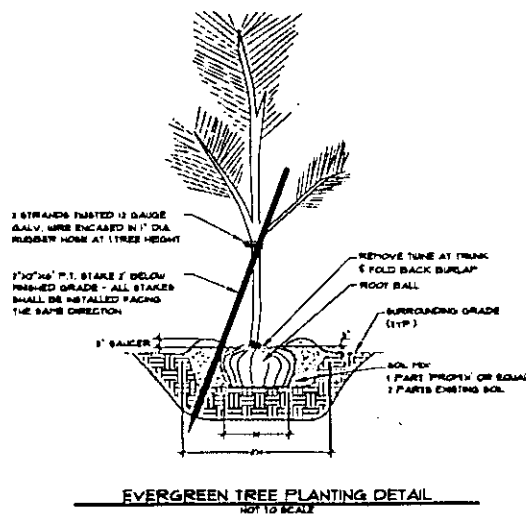
- (5) #3 KOREAN BOXWOOD SP. 3' O.C.

- (4) 3" BALD CYPRESS

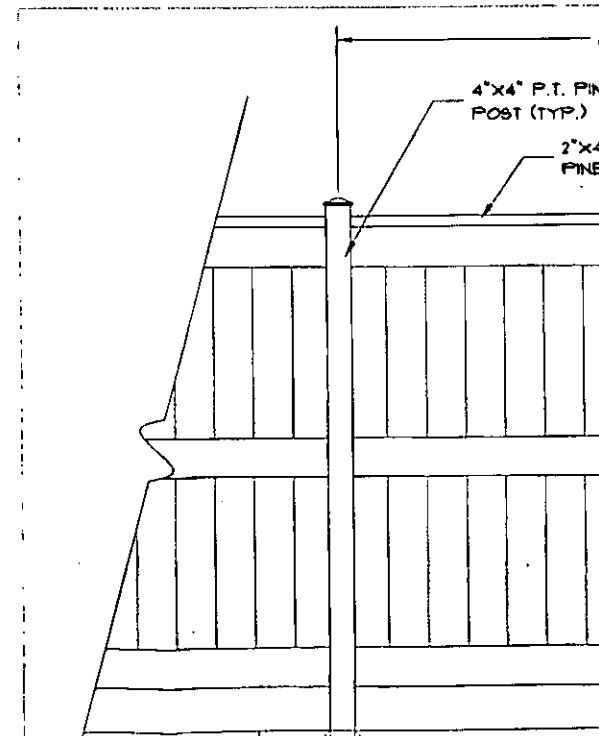
- (1) 6' EMILY BRUNNER HOLLY



1. ALL TREE PROTECTION AREAS ARE TO BE PROTECTED FROM SEDIMENTATION.
2. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO THE START OF LAND DISTURBANCE, AND MAINTAINED UNTIL FINAL LANDSCAPING.
3. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY, AND REPAIRED OR REPLACED AS NEEDED.
4. NO PARKING, STORAGE OR OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.
5. ALL REQUIRED VEGETATION MUST BE MAINTAINED FOR TWO GROWING SEASONS AFTER THE DATE OF FINAL INSPECTION.
6. THIS PLAN WAS PREPARED BY JAMES T. (TERRY) BAKER, GA RLA #610, ISA CERTIFIED ARBORIST # 50-6819A
7. ALL POWER, CABLE AND GAS UTILITIES LINES SHALL BE LOCATED WITHIN THE 10' UTILITY EASEMENT.
8. ALL IRRIGATION LINES WILL BE LOCATED WITHIN THE LIMITS OF DISTURBANCE. NO IRRIGATION LINES WILL BE INSTALLED WITHIN TREE SAVE/UNDISTURBED AREAS AND NO TRENCHING SHALL BE ALLOWED WITHIN THE CRITICAL ROOT ZONE OF ANY TREE TO REMAIN. THE OWNER MAY INSTALL TEMPORARY DRIP IRRIGATION LINES, ABOVE GROUND, TO PROVIDE WATER FOR BUFFER PLANTING.

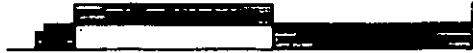


COMMON NAME	
TREES	
BALD CYPRESS	TAXD
BRACKENS BROWN BEAUTY MAGNOLIA	MAGI
CRYPTOMERIA	CRYP
CRYPTOMERIA	CRYP
EUROPEAN HORNBEAM	CARP
FLOWERING DOGWOOD	FORN
FOREST PANSY RED BUD	CERC
GREEN GIANT ARBORVITAE	THUI
JAPANESE FLOWERING CRABAPPLE	SMAL
JAPANESE ZELKOVA	ZELK
LACEBARK ELM	ULMI
RED CEDAR	JUNIF
SAUCEY MAGNOLIA	MAGI
SERVICEBERRY (MULTI TRUNK)	AMEI
TRIDENT MAPLE	ACER
TULIP TREE	LIRIO
WILLOW OAK	QUER
SHRUBS	
AMERICAN BOXWOOD	BUXL
CARDUNA CHERRY LAUREL	PRUA
DWARF YALPOM HOLLY	ILLEX
EMILY BRUNNER HOLLY	ILLEX
FORMOSA AZALEA	RHOC
GREEN ALUCUBA	AUCU
INDIAN Hawthorn	RHAP
JAPANESE ANISE	ILLIC
JAPANESE CLEYERA	CLEY
KALEIDOSCOPE ABELLA	ABELI
KOREAN BOXWOOD	BUXL
NELLY R. STEVENS HOLLY	ILLEX
OAKLEAF HYDRANGEA	HYDR
PARSONS JUNIPER	JUNIF
PURPLE PINK LOROPETALUM	LORO
SOUTHERN WAX MYRTLE	MYRI
SWEETSHRUB	CAYI
STEEDS HOLLY	ILLEX
TEA OLIVE	OSMA
GROUNDCOVERS/VINES	
SPICATA LIRIOPE	LIRIO
VINCA MINOR	VINC
BERMUDA SOO	





NORTH

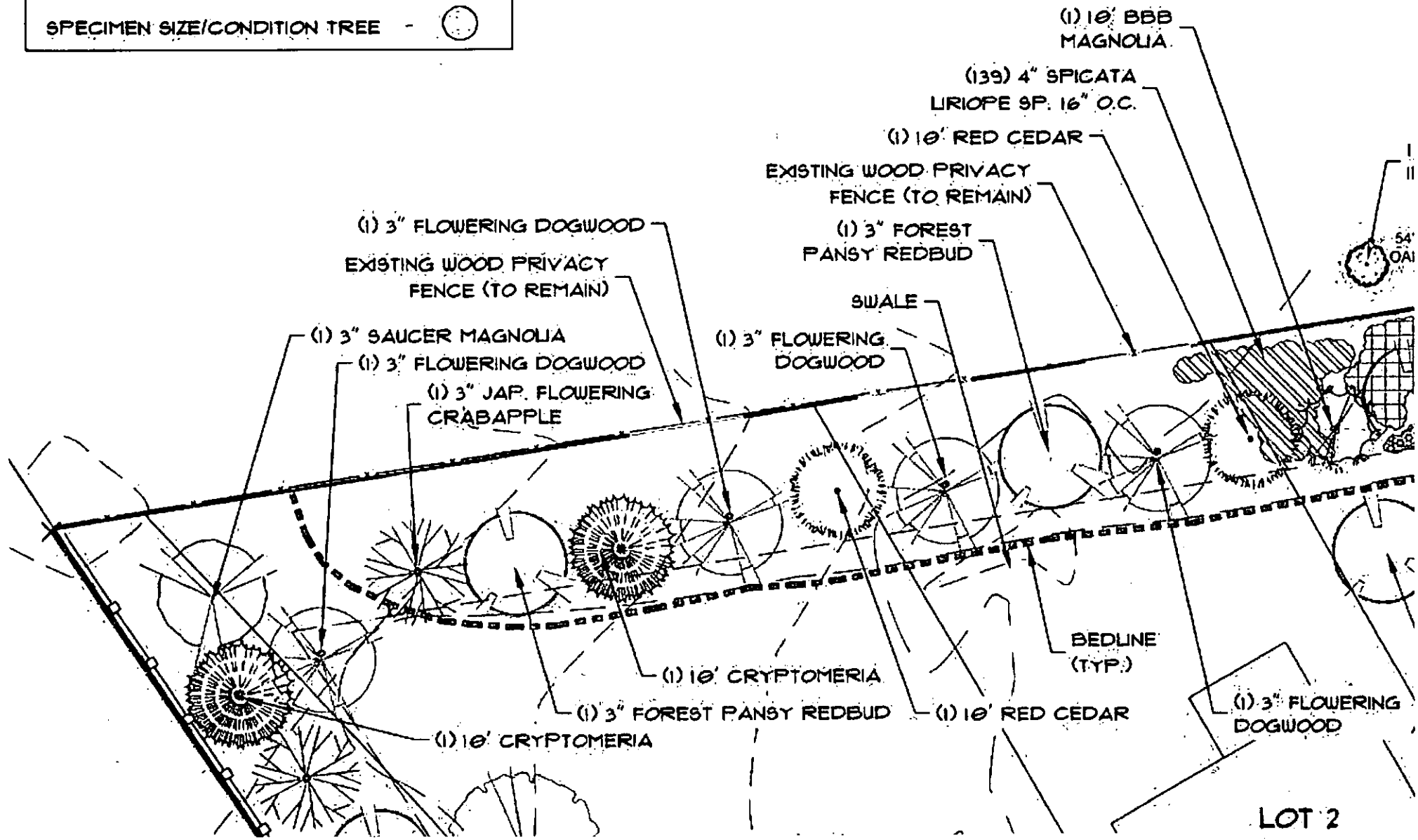


# PLAN FOR LAVISTA RO

**LEGEND:**

EXISTING TREE TO REMAIN -

SPECIMEN SIZE/CONDITION TREE -

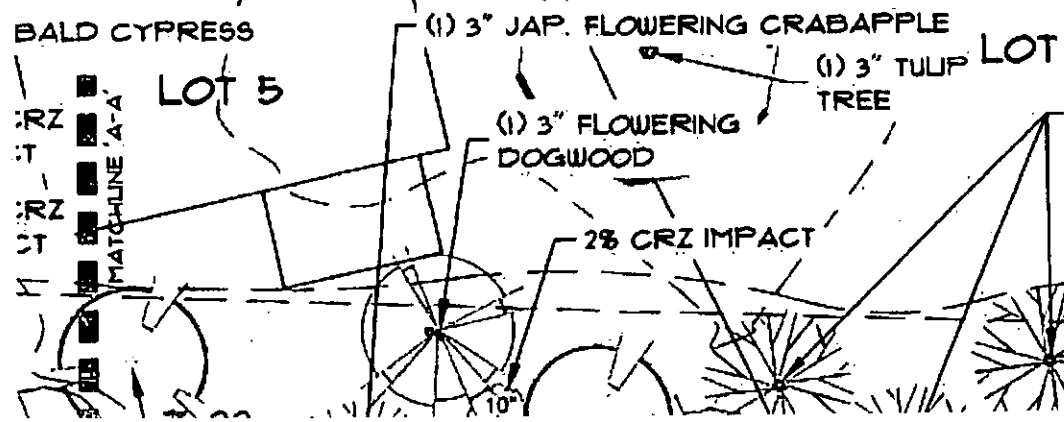
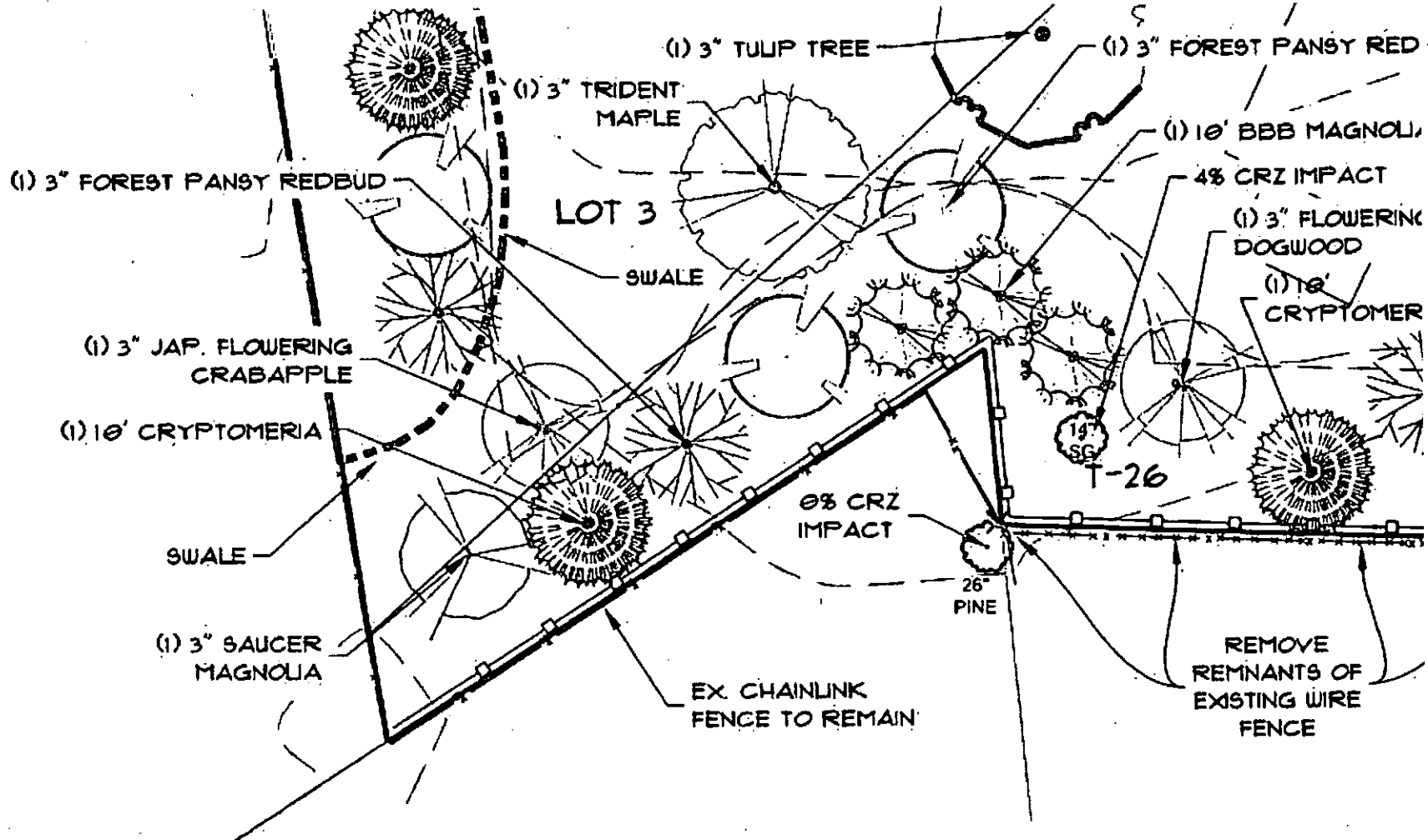




NORTH



# PLAN I LAVISTA R





NORTH



# P.LAN FO LAVISTA RC

LOT 7

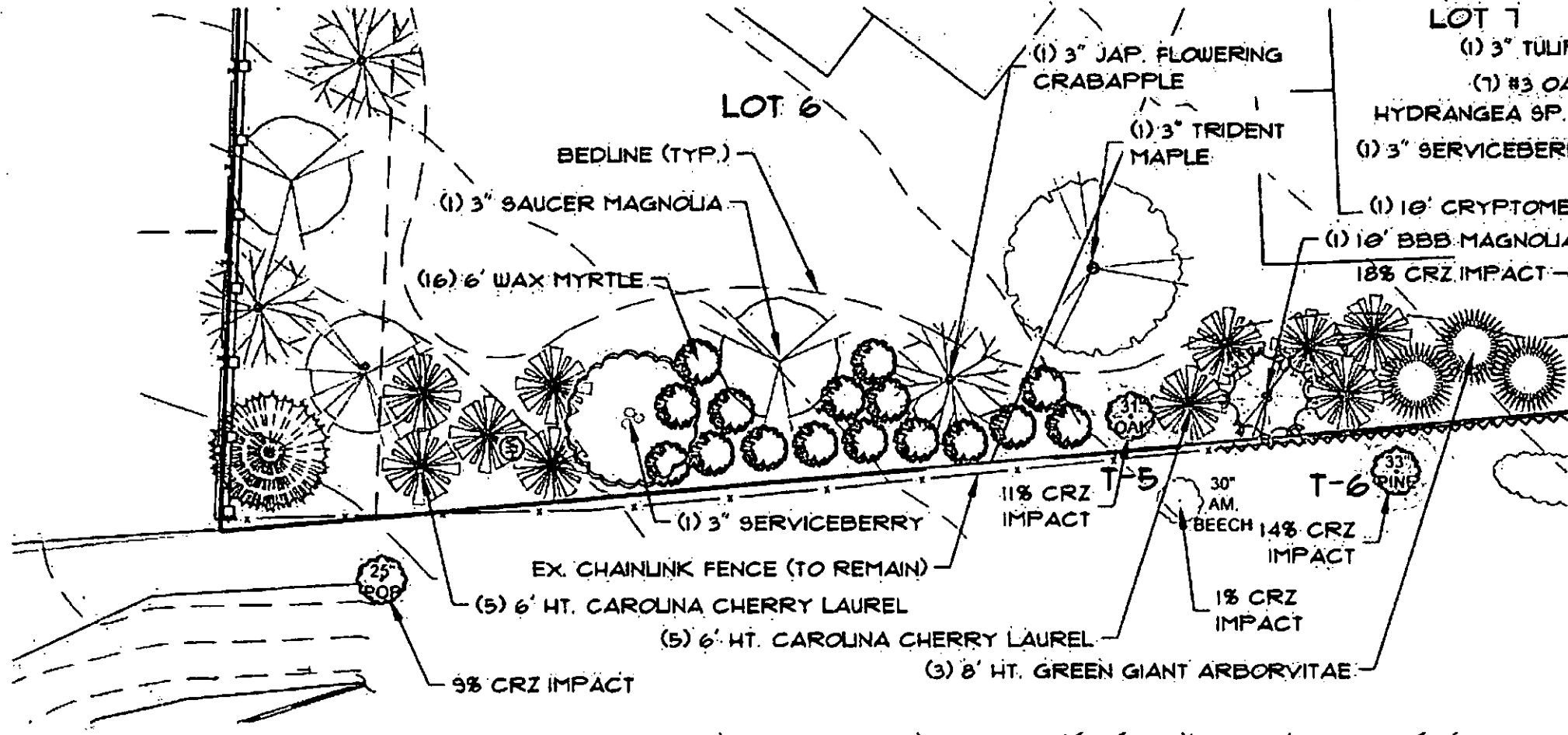
- (1) 3" TULIP
- (7) #3 OAK
- HYDRANGEA SP.
- (1) 3" SERVICEBERRY

LOT 6

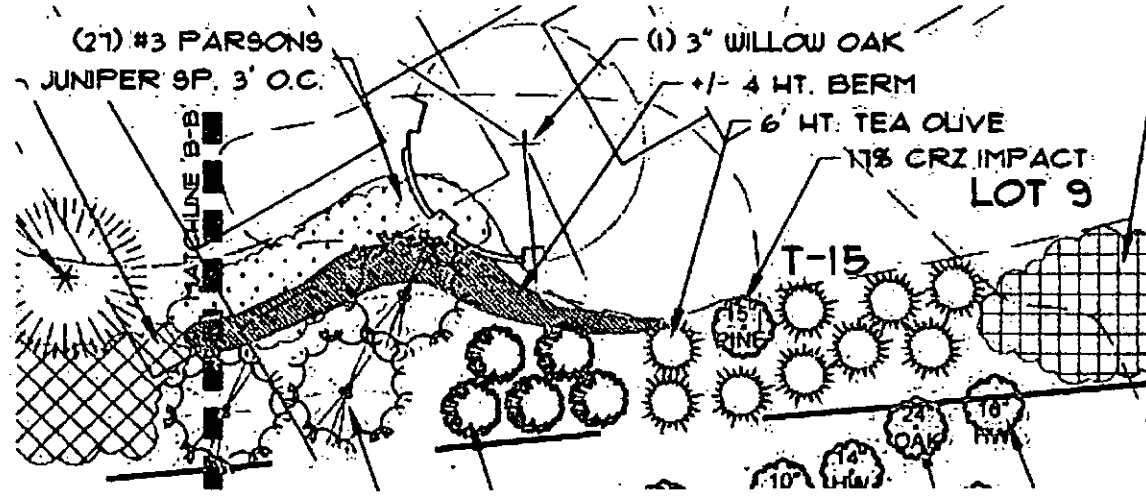
- BEDLINE (TYP.)
- (1) 3" SAUCER MAGNOLIA
- (16) 6' WAX MYRTLE

- (1) 3" JAP. FLOWERING CRABAPPLE
- (1) 3" TRIDENT MAPLE

- (1) 10' CRYPTOME
- (1) 10' BBB MAGNOLIA
- 18% CRZ IMPACT



- (1) 3" SERVICEBERRY
- EX. CHAINLINK FENCE (TO REMAIN)
- (5) 6' HT. CAROLINA CHERRY LAUREL
- (5) 6' HT. CAROLINA CHERRY LAUREL
- 9% CRZ IMPACT
- 11% CRZ IMPACT
- 30" AM. BEECH 14% CRZ IMPACT
- 1% CRZ IMPACT
- (3) 8' HT. GREEN GIANT ARBORVITAE



- (21) #3 PARSONS JUNIPER SP. 3' O.C.
- (1) 3" WILLOW OAK
- +/- 4 HT. BERM
- 6' HT. TEA OLIVE
- 11% CRZ IMPACT

LOT 9



# PLAN LAVISTA ROAD

(28) #3 DWF. YAUPON  
HOLLY SP. 3' O.C.

12% CRZ IMPACT

I.D. MONUMENT

(1) 4" LACEBARK ELM -

(335) 4" SPICATA. LIRIOPE SP. 16" O.C.

(2) 6' NELLIE R.  
STEVENS HOLLY

(7) #3 DWF. YAUPON  
HOLLY SP. 3' O.C.

6' HT. CAROLINA  
CHERRY LAUREL

BEDLINE (TYP.)

(2) #3 JAPANESE  
CAMELLIA

T.M.  
GAP

12% CRZ  
IMPACT

(5) 6' WAX MYRTLE

(1) 3" JAP. ZELKOYA

(1) 3" JAF

(1) 8' HT. CRYPTOMERIA

(5) #3 KOR  
BOXWOOD

(5) #3 KOREAN  
BOXWOOD SP. 3' O.C.

(2) #3 JAPANESE  
CAMELLIA

LOT 12

(7) #3 DWF. YAUPON  
HOLLY SP. 3' O.C.

(1) 4" LACEBAI

(1) 4" LACEBARK ELM

(2) #3 AI  
BOXWO

(5) #3 I  
LOROF

(1) 6'  
BRU

3/28/2017

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**HEARING TYPE:**  
PUBLIC HEARING

**DEKALB COUNTY**  
**BOARD OF COMMISSIONERS**  
**ZONING AGENDA / MINUTES**  
**MEETING DATE:** March 28, 2017  
**Substitute**

ITEM NO. N. 6

**ACTION TYPE:**  
ORDINANCE

**SUBJECT:** Rezone - Z-17-21293 -- Abebe & Company

**COMMISSION DISTRICTS:** 3 & 6

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
**PAGES:**

**INFORMATION CONTACT:** Marian Eisenberg, Zoning Administrator  
**PHONE NUMBER:** (404) 371-2155

MUS O S RAM

**PETITION NO:** CZ-17-21293

**PROPOSED USE:** 12-unit, fee-simple, single-family attached (townhome) development.

**LOCATION:** The south side of Memorial Drive, approximately 252 feet east of Warren Street, at 1911, 1913, 1915, and 1921 Memorial Drive, Atlanta. The property has approximately 200 feet of frontage on Memorial Drive and contains .6 acres.

**PARCEL Nos.:** 15-179-10-006, -007, -008, & -009

**PURPOSE:** To rezone property from C-1 (Local Commercial) and R-75 (Single-Family Residential) to MR-2 (Medium-Density Residential) for a 12-unit, fee-simple, attached townhome development.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** APPROVAL WITH CONDITIONS.

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS.

**PLANNING STAFF:** APPROVAL WITH CONDITIONS.

**PLANNING COMMISSION MEETING:** On March 7, the Planning Commission recommended "Approval With Conditions" as recommended by Staff.

**PLANNING STAFF ANALYSIS:** Redevelopment of the property for townhomes is suitable at the subject location, because it establishes a transition from the single-family detached type of residential land use to the east and south and the commercial land uses to the west. Based on the presence of many new or renovated homes in the immediate area, there appears to be market demand for new housing in the surrounding neighborhood. In addition, the size and scale of the newer homes across Memorial Drive support redevelopment of the subject property at the scale and density that is being proposed. The site plan indicates that the homes next to the Memorial Drive frontage of the proposed development will face Memorial Drive and will have walkways leading from front doors to the sidewalk, consistent with the 2035 Comprehensive Plan strategy for Neighborhood Center character areas to "Create pedestrian-scale communities that focus on the relationship between the street, buildings, streetscaping, and people." (NC Policy No. 4) If buffered and screened as described in the staff-recommended conditions, views of the proposed development from adjoining single-family properties to the south would be satisfactorily screened. Therefore, the Department of Planning and Sustainability recommends "Approval-Conditional".

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N6 Abebe and Company Z 17 21293**


MOTION was made by Larry Johnson, seconded by Kathie Gannon and passed 6-0-0-1 to defer until April 11, 2017 for Decision Only, with a substitute submitted from the floor from the Planning Department, the application of Laurel David, Atty. for Abebe and Company, LLC to rezone property from C-1 (Local Commercial) and R-75 (Single-Family Residential) to MR-2 (Medium- Density Residential) for a 12-unit, fee-simple, attached townhome development. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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ADOPTED: **MAR 28 2017**  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: **MAR 28 2017**  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Wm. Woodson Galloway, 3500 Lenox Rd. Ste 760 Atlanta, Ga. 30326, spoke in favor.

Tasha Alexander, 1920 Memorial Dr. SE Atlanta, Ga. 30317, Christian Enterkin, 1912 Memorial Dr. Atlanta, Ga. 30317, Ashley Armstrong, 1926 Memorial Dr. Atlanta, Ga. 30317, Stephen Binney, 1083 Seville Dr. Clarkston, Ga. 30021, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

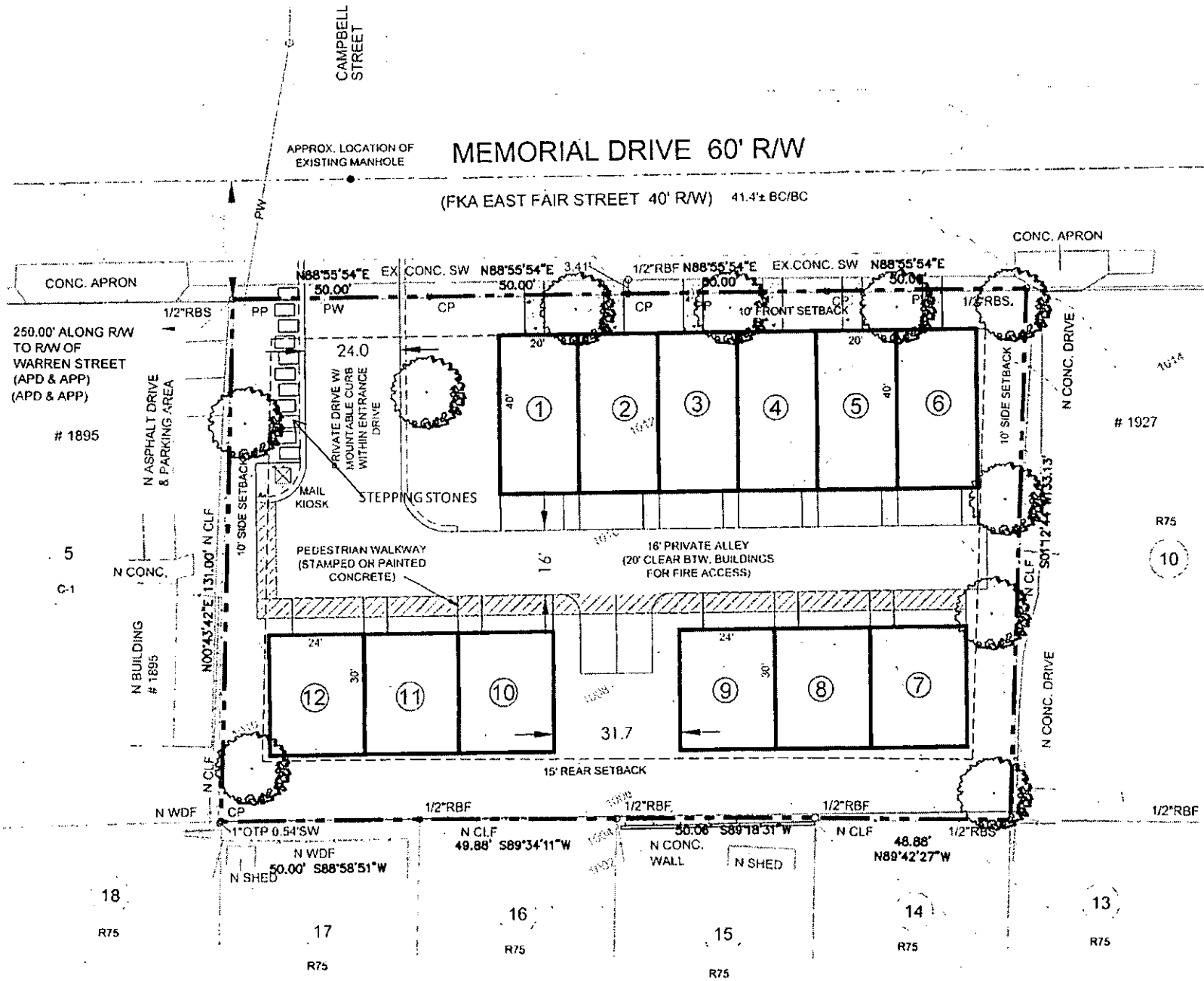
ABSTAIN : None

ABSENT : Nancy Jester

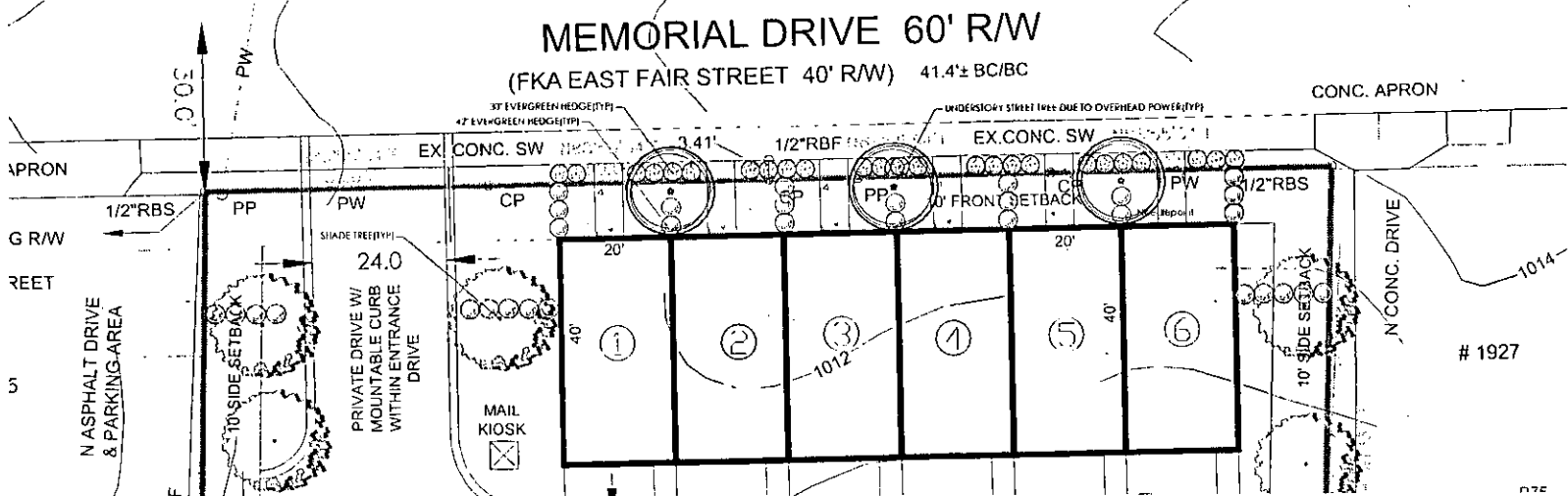
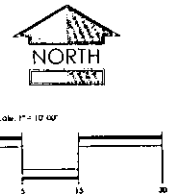


**RECOMMENDED CONDITIONS**  
**CZ-17-21293**

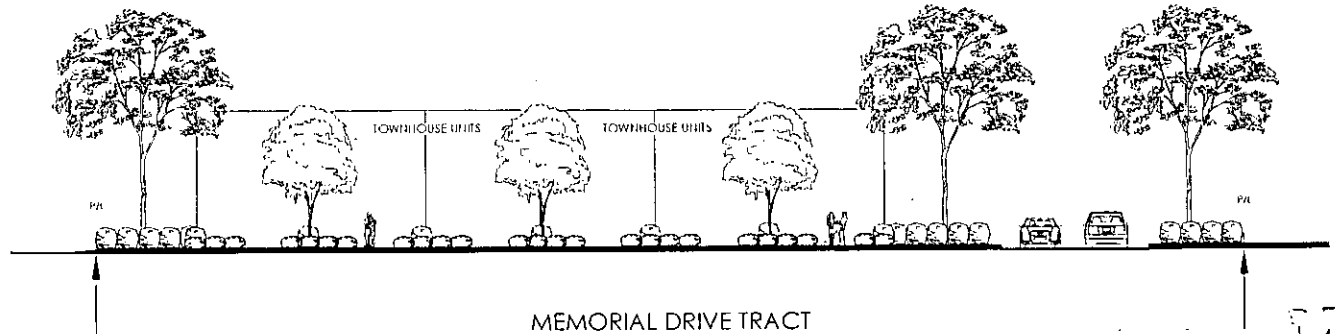
1. The subject property shall be developed for no more than 12 fee simple townhomes, in substantial compliance with the layout shown on the site plan titled "Memorial Drive Tract", prepared by Advanced Engineering and Planning, dated March 23, 2017, subject to subdivision sketch plat review.
2. The streetscape treatment on the Memorial Drive frontage of the subject property shall be substantially similar to that shown on the plan and elevation titled, "Streetscape Concept", by Environmental Planning Group, dated March 20, 2017 and stamped as received by the Department of Planning & Sustainability on March 21, 2017.
3. A pedestrian path shall be provided along the south side of the alley, as shown on the site plan described in Condition No. 1. The pedestrian path may be delineated by textured paving on the edge of the alley right-of-way and may consist of stepping stones across green spaces within the site.
4. The rear yard shall be landscaped with densely planted evergreen and deciduous trees, subject to the approval by the County Arborist, to screen the proposed development from view by residents of adjoining properties. All plantings shall be installed as soon as practical after site work is completed.
5. Textured or stamped paving shall be installed across the curb cut at Memorial Drive to connect sidewalk segments on each side of the curb cut.
6. Obstruction of the private drive by vehicles that are parked in driveways but overhang into the alley shall be prohibited. Parking on the alley shall be prohibited.
7. Functional front doors shall be constructed in the north facades of the units located next to Memorial Drive.
8. No second-story decks or balconies shall be allowed on the south sides of the Units 7-12 (located in the rear half of the site).
9. All exterior lighting shall be screened or shielded to minimize glare and keep light inside the development.
10. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.
11. Any retaining wall located next to an adjoining property, when said retaining wall exceeds 12 feet in height, must be approved by variance to the Zoning Board of Appeals.



Site Plan – March 23, 2017 (detail)



STREETSCAPE PLAN



MEMORIAL DRIVE TRACT

STREETSCAPE ELEVATION

ZEVULON CAPITAL  
550 PHARR ROAD, SUITE 220  
ATLANTA, GA 30305



DATE: MARCH 20, 2017  
JOB: 2016024  
PROJECT MANAGER: LHM  
DRAWN BY: JAC  
SCALE: AS SHOWN

REVISIONS:

Sheet title:  
**STREETSCAPE CONCEPT**

PROJECT:  
**MEMORIAL DRIVE TRACT**  
DEKALB COUNTY, GEORGIA

RECEIVED  
MAR 21 2017  
BY: P.S. (MLF)

Sheet:  
**L-1**



DeKalb County  
GEORGIA

Michael Thurmond  
Chief Executive Officer

**DeKalb County Department of Planning & Sustainability**

330 Ponce De Leon Avenue, Suite 500  
Decatur, GA 30030  
(404) 371-2155 / plandev@dekalbcountyga.gov

**Planning Commission Hearing Date: March 7, 2017, 6:30 P.M.**  
**Board of Commissioners Hearing Date: March 28, 2017, 6:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** Z-17-21293 **Agenda #:** N. 6

**Location/Address:** 1911, 1913, 1915, and 1921 Memorial Drive, Atlanta **Commission District:** 3 **Super District:** 6

**Parcel ID(s):** 15-179-10-006, -007, -008, -009

**Request:** To rezone property from C-1 (Local Commercial) and R-75 (Single-Family Residential) to MR-2 (Medium-Density Residential) for a 12-unit attached townhome development.

**Property Owner(s):** Abebe and Company, LLC & Madison Price

**Applicant/Agent:** Laurel David, Atty., for Abebe and Company, LLC

**Acreage:** .60 acres

**Existing Land Use:** Vacant – undeveloped

**Surrounding Properties:** To the northwest, north, and northeast (City of Atlanta): single-family residential; to the east, southeast, south, and southwest: single-family residential; to the west: retail (Peter’s Foodmart) and auto repair (unnamed).

**Adjacent Zoning:** North: City of Atlanta South: R-75 East: R-75 West: C-1 Northeast: City of Atlanta Northwest: City of Atlanta Southeast: R-75 Southwest: R-75

**Comprehensive Plan:** NC (Neighborhood Center)  Consistent  Inconsistent

<b>Proposed Density:</b> 20 units per acre	<b>Existing Density:</b> none (vacant)
<b>Proposed Units:</b> 12	<b>Existing Units:</b> none (vacant)
<b>Proposed Lot Coverage:</b> 70%	<b>Existing Lot Coverage:</b> none (vacant)

**Zoning History:** It appears that the property has been zoned C-1 and R-75 since adoption of the original zoning ordinance and map in 1956.

**SITE and PROJECT ANALYSIS**

The subject property is a .60-acre parcel comprised of four vacant lots which appear to have been platted as single-family lots with frontages of 50 feet each. The property has a total of 200 feet of combined frontage on Memorial Drive, a two-way, four-lane major arterial. The topography of the property is level and mature trees are growing throughout the site, as well as a considerable amount of underbrush. Based on DeKalb County records, 1911

March 28, 2017

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**DEKALB COUNTY**

ITEM NO. N.7

**BOARD OF COMMISSIONERS**

HEARING TYPE  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**

ACTION TYPE  
ORDINANCE

**MEETING DATE:** March 28, 2017

**SUBJECT:** LP-17-21270 Antrell Gales

**COMMISSION DISTRICTS:** 3 & 6

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES NO

**ATTACHMENT:**  YES NO  
**PAGES:** 7

**INFORMATION**  
**CONTACT:** Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** 404-371-2155

**PETITION NO:** LP-17-21270

**PROPOSED USE:** The proposed Land Use Amendment to change the current land use designation from Suburban (SUB) to Light Industrial (LIND)

**LOCATION:** On the northeast side of Bouldercrest Road, approximately 1,800 feet north of Constitution Road at 2098 Bouldercrest Road in Atlanta, Georgia

**PARCEL No.:** 15-083-01-003

**PURPOSE:** To allow a land use amendment to change from SUB (Suburban ) to (LIND) Light Industrial to allow construction of movie sets that will be relocated upon completion .The subject property is currently designated (SUB) for maximum of 8 units per acre. The requested (LIND) designation is reserved for light industrial manufacturing, warehouse distribution and low intensity office distribution. The designation prohibits activities that generate excessive noise, vibration, air pollution or other nuisance characteristics. The requested (LIND) allows construction of movie sets whereas the (SUB) prohibits such development.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** Full Cycle Deferral

**COMMUNITY COUNCIL:** Deferral

**PLANNING STAFF:** Denial

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : N7 Antrell Gales LP 17 21270**

MOTION was made by Larry Johnson, seconded by Kathie Gannon and passed 6-0-0-1 to **deny** the application of Antrell Gales, to amend the Land Use Map from SUB (Suburban) to IND (Industrial) to allow open area construction of movie sets that will be relocated upon completion. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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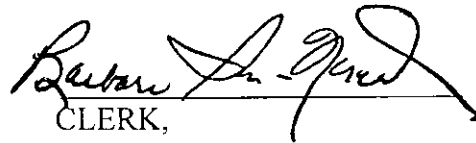
**MAR 28 2017**

ADOPTED: \_\_\_\_\_  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

**MAR 28 2017**

CERTIFIED: \_\_\_\_\_  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Antrell Gales, 1751 Bolton Road Atlanta, Ga. 30318, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

March 28, 2017

**PLANNING STAFF ANALYSIS**

The proposed amendment to designate the area as Light Industrial is inconsistent with surrounding and recent developments. New projects should be pedestrian-oriented and form a cohesive streetscape with neighboring community to strengthen sense of place and increase marketability . Staff recommends denial of the land use amendment from SUB to LIND.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 12-0-0 Full-Cycle Deferral**

**PLANNING COMMISSION VOTE/RECOMMENDATION: Full Cycle Deferral 7-0-0.** J. West moved, V. Moore seconded for a full cycle deferral.



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 500**

**Decatur, GA 30030**

**(404) 371-2155 / plandev@dekalbcountyga.gov**



Michael Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: March 07, 2017, 6:30 P.M.**  
**Board of Commissioners Hearing Date: March 28, 2017, 6:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** LP-17-21270 **Agenda #:** N. 7

**Location/Address:** On the northeast side of Bouldercrest Road, approximately 1,800 feet north of Constitution Road at 2098 Bouldercrest Road in Atlanta, Georgia **Commission District:** 3  
**Super District:** 6

**Parcel IDs:** 15-083-01-003

**Request:** Application of Antrell Gales for a land use map amendment from SUB (Suburban) to LIND (Light Industrial) to allow open area construction of movie set.

**Property Owners:** Ryan Millsap

**Applicant/Agent:** Antrell Gales

**Acreage:** 23.7 acres

**Existing Land Use:** Suburban

**Surrounding Properties:** To the northwest, north, and northeast: Multi-Family, Single Family Residential. To the east, southeast, and south, southwest: Single-Family Residential. To the west: undeveloped land

**Adjacent Land Use :** **North:** (SUB)(COS) **South:** (SUB)(LIND) and (NC) **East:** ( SUB) (COS) **West:** (NC) and (COS)

**Comprehensive Plan: Suburban**      **Consistent**      **Inconsistent**

<b>Proposed Density:</b> New Construction	<b>Existing Density:</b> Not applicable
<b>Proposed Units/Square Ft.:</b> No Units	<b>Existing Dwelling Units/Square Feet:</b> : None



March 15, 2017

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HEARING TYPE  
PUBLIC HEARING

DEKALB COUNTY  
BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: March 28 , 2017

ITEM NO. N8

ACTION TYPE  
ORDINANCE

SUBJECT: Rezoning, Z-17-21271, Antrel Gales

COMMISSION DISTRICTS: 3 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 34

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin/AM  
PHONE NUMBER: (404) 371-2155

PETITION NO: Z-17-21271

PROPOSED USE: Movie Production/Recording, Filming, Outside storage/accessory construction of movie sets.

LOCATION: 2055 Bouldercrest Road, Atlanta, Georgia

PARCEL No.: 15 083 01 003

PURPOSE: To rezone property from MU-5 (Mixed Use - 5) to M (Light Industrial) to allow open area construction of movie sets that will be relocated upon completion. The property is located on the northwest side of Bouldercrest Road, approximately 2,650 feet north of Constitution Road at 2055 Bouldercrest Road in Atlanta, Georgia. The property has approximately 1,430 feet of frontage along Bouldercrest Road and contains 23.7 acres.

RECOMMENDATIONS:

PLANNING COMMISSION: FULL CYCLE DEFERRAL

COMMUNITY COUNCIL: DEFFERAL

PLANNING STAFF : FULL CYCLE DEFERRAL

PLANNING STAFF ANALYSIS:

The applicant needs to provide a more detailed description of the proposed outdoor land uses (i.e. the scope of the proposed outdoor construction of movie sets) so Staff can determine if the proposed request is consistent with the standards of the proposed Light Industrial (M) zoning , or if the proposed use could be accommodated within the existing MU-5 zoning by modifying the approved site plan to incorporate the proposed use into a mixed-use plan as determined by the applicant. Regardless of the zoning district proposed, the site plan should depict compliance

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

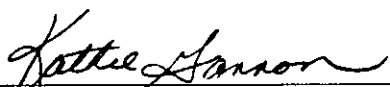
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**ACTION : N8 Antrell Gales Z 17 21271**

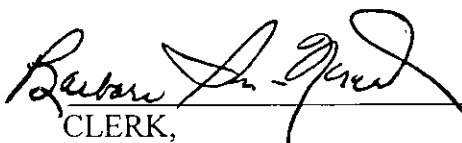
MOTION was made by Larry Johnson, seconded by Kathie Gannon and passed 6-0-0-1 to defer for a full cycle until May 23, 2017, the application of Antrell Gales, to rezone property from MU-5 (Mixed Use - 5) to M (Light Industrial) to allow open area construction of movie sets that will be relocated upon completion. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Antrell Gales, 1751 Bolton Road Atlanta, Ga. 30318, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

March 15, 2017

with transitional buffer requirements, sidewalk and required landscaping along the Bouldercrest Road frontage, and submittal of conceptual building elevations to enhance compatibility with the surrounding area.

**PLANNING COMMISSION VOTE: Full Cycle Deferral 7-0-0.** J. West moved, V. Moore seconded for a full cycle deferral per staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 12-0-0 Deferral.** Community Council recommends deferral because affected members of the community object to the proposal and the Council would like the applicant to meet with them to work on solutions.

March 15, 2017

[Empty box]

**DEKALB COUNTY**

ITEM NO. N9

**BOARD OF COMMISSIONERS**

HEARING TYPE  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**

ACTION TYPE  
ORDINANCE

**MEETING DATE:** March 28, 2017

**SUBJECT:** Special Land Use Permit, **SLUP-17-21265 Joy Grier**

**COMMISSION DISTRICTS:** 3 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 22

**INFORMATION**  
**CONTACT:** Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** SLUP-17-21265

7705 8 5 9AM

**PROPOSED USE:** Child Caring Institution (Up to six (6) children)

**LOCATION:** 3590 Wellhaun Road, Decatur, GA

**PARCEL No.:** 15-058-01-013

**PURPOSE:** To request a Special Land Use Permit (SLUP) for a child caring institution for up to six (6) residents within an R-100 (Residential Medium Lot) District, in accordance with Chapter 27- Article 4.1 Use Table of the DeKalb County Code. The property is located on the west side of Wellhaun Road, about 1,181 feet north of River Road at 3590 Wellhaun Road, Decatur, GA. The property has approximately 98 feet of frontage along the west side of Wellhaun Road and contains .5 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING STAFF:** APPROVAL WITH CONDITIONS

**PLANNING COMMISSION MEETING (03/07/17):** On March 7, 2017, the Planning Commission voted to approve the applicant's request.


**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

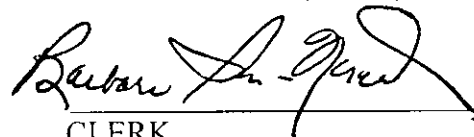
**ACTION : N9 Joy Grier SLUP 17 21265**

MOTION was made by Larry Johnson, seconded by Gregory Adams and passed 6-0-0-1 to approve per staff's conditions the application of Joy Grier, to request a Special Land Use Permit (SLUP) for a child caring institute for up to six (6) residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

ADOPTED: MAR 28 2017  
(DATE)

CERTIFIED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

**MINUTES:** Joy Grier, 3590 Wellhaun Rd. Decatur, Ga. 30034, spoke in favor.

No one spoke in opposition.

- FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader
- AGAINST : None
- ABSTAIN : None
- ABSENT : Nancy Jester

March 15, 2017

**SLUP-17-21265**  
**RECOMMENDED CONDITIONS**

1. The Special Land Use Permit for a child caring institution for no more than six (6) female children between the ages of 12 and 17 shall be granted to Joy Grier and non-transferable to another person or entity.
2. The Special Land Use Permit shall be granted for a period of three years. A new approved Special Land Use Permit shall be necessary if the site is to continue operating as a Child Caring Institution three years after the date of Board of Commissioners' approval. It shall be the responsibility of the applicant (Joy Grier) to contact Planning Staff and apply for a new Special Land Use Permit.
3. Visiting hours shall be from 9:00 AM to 8:00 PM, seven days a week.
4. The facility shall maintain a residential appearance. No signs related to use of the property for a child caring institution shall be posted on the property.

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The proposed use is consistent with the following strategies of the 2025 Comprehensive Plan: "Identify opportunities to enhance and expand supportive services for all age cohorts." (PS7) and "Encourage the development of social programs that will serve all ages." (PS11) The outward appearance of the residential structure will not change. The six (6) female residents between the ages of 12 to 17 will engage in living activities as other children (school & supervised weekend outings). Given that, the child caring institution should have no adverse impacts on adjoining properties. The proposed child caring institution would not generate any more of a demand on public services than other residences in the neighborhood. To ensure compliance and compatibility with other properties in the neighborhood, Staff recommends that the Special Land Use Permit be granted for a three-year period. Therefore, the Department of Planning and Sustainability recommends "**Approval Conditional**" with the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 7-0-0.** V. Moore moved, L. Osler seconded for approval as recommended and conditioned by Staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-1-1. Approval.** Discussion included safety of the girls, staffing levels, visiting hours, manner of operation.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N10

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28 , 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Rezoning, Z-17-21277, Harold McGlothin**

**COMMISSION DISTRICTS:** 3 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 22

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** Z-17-21277

**PROPOSED USE:** Alcohol Outlet (Package Store)

**LOCATION:** 1400 Cedar Grove Road, Conley, Georgia

**PARCEL No.:** 15 018 03 007

FIGS 8 S HAM

**PURPOSE:** To rezone from C-1 (Local Commercial) to M (Light Industrial) district within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet. The property is located on the north side of Cedar Grove Road, approximately 500 feet east of Moreland Avenue at 1400 Cedar Grove Road in Conley, Georgia. The property has approximately 204 feet of frontage along Cedar Grove Road and contains .6 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** FULL CYCLE DEFERRAL

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING STAFF :** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:**

The applicant is proposing to rezone the property to M (Light Industrial) and apply for a Special Land Use Permit (SLUP) (See companion case SLUP 17 21358) for an Alcohol Outlet as required by Tier 2 of the Bouldercrest Overlay District. Based on the submitted information and with Staff recommended zoning conditions, it appears that the zoning proposal is consistent with the following policies of the Comprehensive Plan's Light Industrial (LIND) policy (in effect at the time of this application on 1/06/17): 1. Incorporate landscaping to soften views of parking lots and buildings (Light Industrial Character Area Policy #10). The zoning proposal appears to be suitable



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : N10 Harold McGlothin Z 17 21277**

MOTION was made by Larry Johnson, seconded by Kathie Gannon and passed 6-0-0-1 to approve with commissioner's conditions, submitted by Commissioners L. Johnson and Gannon, the application of Harold MGlothin, to rezone from C-1 (Local Commercial) to M (Light Industrial) district within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

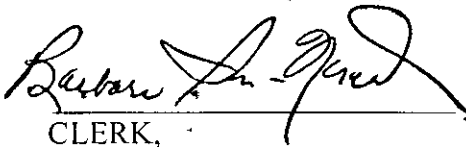
Items N10 and N11 were heard together.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Harold L. McGlothin (submitted Conley Area Business Association handout), 5620 Windwood Road College Park, Ga. 30349, J. Wayne Smith, 2476 Moreland Ave. Conley, Ga. 30288, spoke in favor.

Stephen M. Binney, 1083 Seville Dr. Clarkston, Ga. 30021, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

March 15, 2017

in view of the established Light Industrial (M) zoning and commercial development pattern in the surrounding area, the substantial increased open space, and a new stone building and street trees along Cedar Grove Road to enhance the appearance of the area. Therefore, it is the recommendation of the Planning & Sustainability Department that the application be "Approved" with Staff's recommended conditions.

**PLANNING COMMISSION VOTE: Full Cycle Deferral 7-0-0.** M. Butts moved, J. West seconded for a full cycle deferral.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 11-1-0 Approval.**

Comm. 3-16  
Item No. NY 111 Date: 3/29/17  
Clerk's Office  
Comm. Johnson & Gorman

3/28/17  
*Kathie Gorman*  
*[Signature]*

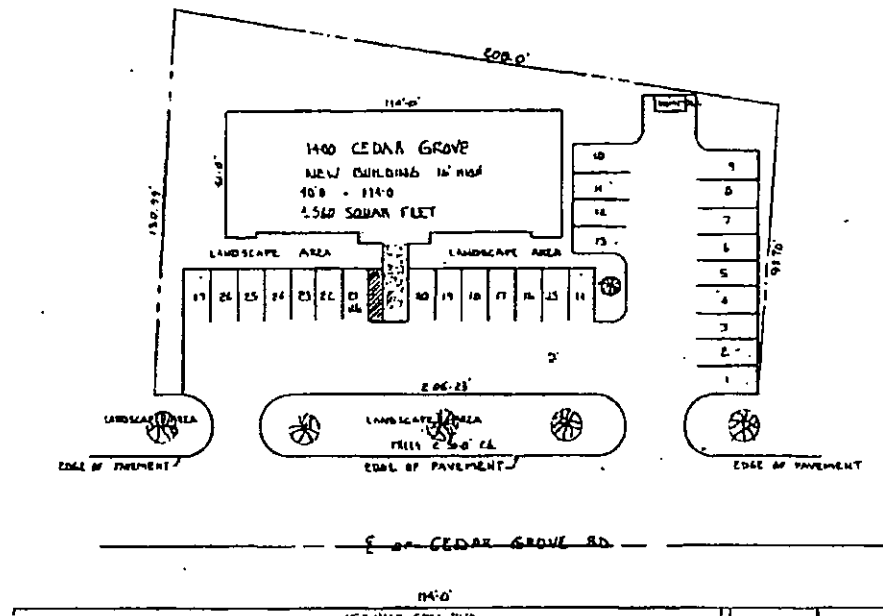
Zoning Conditions

Z-17-21277

1. Limit to Alcohol Outlet (package good store) to a maximum of 4,400 SF and no future additions.
2. General compliance to the conceptual elevation dated 2/27/2017 and subject to the Bouldercrest Cedar Grove Moreland Overlay requirements for site design, building design and building materials.
3. The following parking spaces as shown on the conceptual site plan shall be removed: 1, 2 and 10-13. The removal of these spaces will increase the open space to 30% and is intended to increase the amount of landscaped areas. These landscaped areas shall be planted with trees and drought resistant shrubs and groundcover.
4. The owner shall install exterior security cameras.
5. Any security coverings (bars, chains, roll-top doors) for windows and doors shall not be visible from the exterior and shall meet the standards of the Overlay.
6. Provide a 10' wide sidewalk along Cedar Grove Road in compliance with the overlay standards.
7. Plant street trees 40' off center along Cedar Grove subject to the arborist approval. Trees that die or become severely diseased or damaged shall be replaced in the next planting season.

N10/N11 Z-17-21277 & SLUP-17-21358

SITE PLAN





March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N11

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28 , 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Special Land Use Permit, SLUP-17-21358, Harold McGlothlin**

**COMMISSION DISTRICTS:** 3 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 22

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** SLUP 17 21358

**PROPOSED USE:** Alcohol Outlet (Package Store)

**LOCATION:** 1400 Cedar Grove Road, Conley, Georgia

**PARCEL No.:** 15 018 03 007

**PURPOSE:** for a Special Land Use Permit (SLUP) within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet. The property is located on the north side of Cedar Grove Road, approximately 500 feet east of Moreland Avenue at 1400 Cedar Grove Road in Conley, Georgia. The property has approximately 204 feet of frontage along Cedar Grove Road and contains .6 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** FULL CYCLE DEFERRAL

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING STAFF :** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:**

The subject request is for a Special Land Use Permit (SLUP) to demolish the existing Alcohol Outlet and allow construction of a new Alcohol Outlet under the requirements of Tier 2 of the Bouldercrest Overlay District. The zoning proposal appears to be suitable in view of the established Light Industrial (M) zoning and commercial development pattern in the surrounding area and the substantial proposed increase of open space. The new stone building and street trees along Cedar Grove Road should enhance the appearance of the area. Based on the submitted information and with Staff recommended zoning conditions, it appears that the zoning proposal is

TINY & SAM  
*[Handwritten signature]*

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : N11 Harold McGlothin SLUP 17 21358**

MOTION was made by Larry Johnson, seconded by Kathie Gannon and passed 6-0-0-1 to approve with commissioner's conditions, submitted by Commissioners L. Johnson and Gannon, the application of Harold L. McGlothin for Special Land Use Permit (SLUP) within Tier 2 of the Bouldercrest Overlay District to redevelop the site to allow for the construction of a new 4,400 square foot alcohol outlet. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

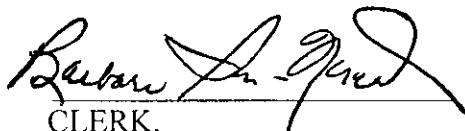
Items N10 and N11 were heard together

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Harold L. McGlothin (submitted Conley Area Business Association handout), 5620 Windwood Road College Park, Ga. 30349, J. Wayne Smith, 2476 Moreland Ave. Conley, Ga. 30288, spoke in favor.

Stephen M. Binney, 1083 Seville Dr. Clarkston, Ga. 30021, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

March 15, 2017

consistent with the following policies of the Comprehensive Plan's Light Industrial (LIND) policy (in effect at the time of this application on 1/06/17): 1. Incorporate landscaping to soften views of parking lots and buildings (Light Industrial Character Area Policy #10). Therefore, it is the recommendation of the Planning & Sustainability Department that the application be "Approved Conditionally" with the following conditions:

**PLANNING COMMISSION VOTE: Full Cycle Deferral 7-0-0.** M. Butts moved, J. Johnson seconded for a full cycle deferral.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 11-1-0 Approval.**



Comm. 3-16  
Item No. NYM II Date: 3/28/17  
Clerk's Office  
Comm. Johnson & Gunnar

3/28/17  
*Kathie Gunnar*  
*[Signature]*

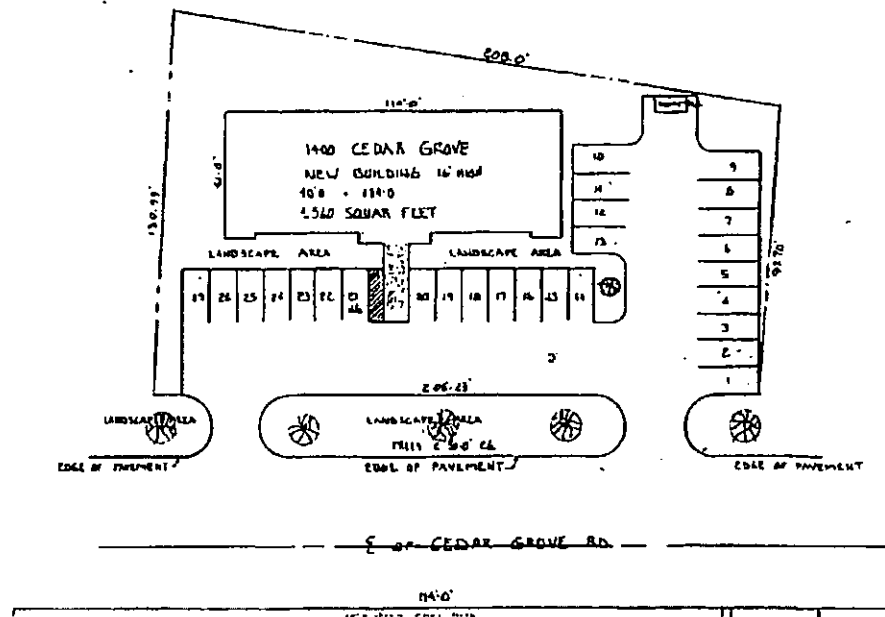
Zoning Conditions

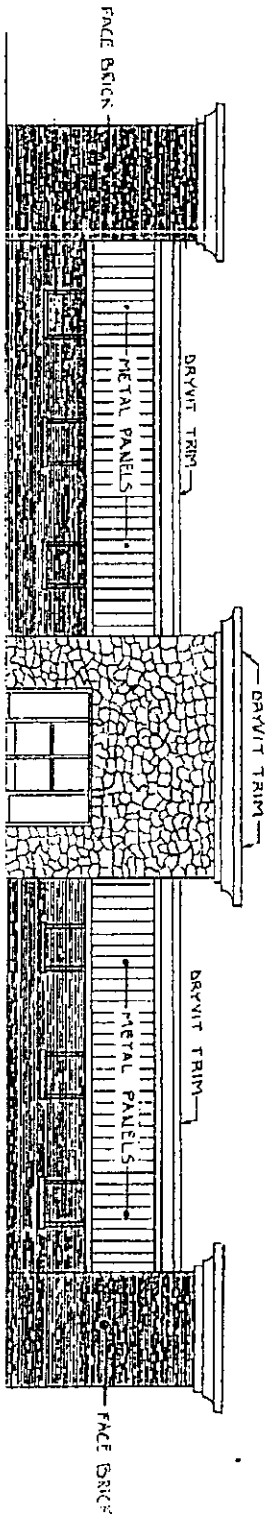
Z-17-21277

1. Limit to Alcohol Outlet (package good store) to a maximum of 4,400 SF and no future additions.
2. General compliance to the conceptual elevation dated 2/27/2017 and subject to the Bouldercrest Cedar Grove Moreland Overlay requirements for site design, building design and building materials.
3. The following parking spaces as shown on the conceptual site plan shall be removed: 1, 2 and 10-13. The removal of these spaces will increase the open space to 30% and is intended to increase the amount of landscaped areas. These landscaped areas shall be planted with trees and drought resistant shrubs and groundcover.
4. The owner shall install exterior security cameras.
5. Any security coverings (bars, chains, roll-top doors) for windows and doors shall not be visible from the exterior and shall meet the standards of the Overlay.
6. Provide a 10' wide sidewalk along Cedar Grove Road in compliance with the overlay standards.
7. Plant street trees 40' off center along Cedar Grove subject to the arborist approval. Trees that die or become severely diseased or damaged shall be replaced in the next planting season.

N10/N11 Z-17-21277 & SLUP-17-21358

SITE PLAN





PACKAGE STORE  
 40 GROVE ROAD  
 GEORGIA  
 IN OWNER

REVISIONS	BY

March 28, 2017

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**DEKALB COUNTY**

ITEM NO. N.12

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Alliance Realty Services,LLC **LP-17-21280**

**COMMISSION DISTRICTS:** 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES NO

ATTACHMENT:  YES NO  
PAGES:

INFORMATION  
CONTACT: Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: 404-371-2155

**PETITION NO:** LP-17-21280

**PROPOSED USE:** The proposed project is a Land Use Amendment which is a request to change the current land use designation from Light Industrial (LIND) to Neighborhood Center (NC)

**LOCATION:** The North side of East Ponce de Leon Ave and the East side of North Arcadia Avenue along both sides of Grove place at 153, 161, 165 Grove Place, 2700 Grove Street and 2716, 2706, 2700, 2688, 2734 and 2748 East Ponce de Leon in Decatur, GA.

**PARCEL No.:** 15 248 01 001, 15 248 02 001, 15 248 02 002, 15 248 02 003, 15 248 30 003, 15 248 30 004, 15 248 30 006, 15 248 30 007, 15 248 30 007, 15 248 30 009, 15 248 30 013 and 15 248 30 014.

**PURPOSE:** The subject property is currently designated LIND (Light Industrial ) that consist of low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics. This designation exist along East Ponce De Leon and the east side of North Arcadia with commercial and multi-family development. The requested Neighborhood Center (NC) designation is the third most intense of the 2025 Comprehensive Plan's "Activity Center" designations which allows up to 24 units per arce and residential development . This designation permits Townhomes, Apartments, commercial, office, and mixed-use developments. Under the LIND designation, proposed residential development is not allow .

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N12 Alliance Realty Srvcs LP 17 21280**

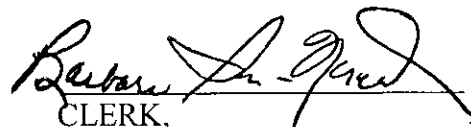
MOTION was made by Steve R Bradshaw, seconded by Kathie Gannon and passed 6-0-0-1 to **withdraw without prejudice** the application of Alliance Realty Services c/o Kathryn Zickert, to amend the Future Land Use Map from LIND (Light Industrial) to NC (Neighborhood Center) to allow the redevelopment of the site for a proposed mixed-use development. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Den Webb, 1230 Peachtree St. Atlanta, Ga. 30309, Deanne Thomas, 437 Sycamore Drive Decatur, Ga. 30030, spoke in favor.

Christine Hunsaker, 2800/2804 East Ponce de Leon Ave Decatur, Ga. 30030, Frank Redding, 2527 Mellville Ave Decatur, Ga. 30032, Brett Newborn, 2474 Henderson Road Tucker, Ga. 30084, spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester

March 28, 2017

**RECOMMENDATIONS:**

**PLANNING COMMISSION: Withdrawal w/o Prejudice**

**COMMUNITY COUNCIL: Full Cycle Deferral**

**PLANNING STAFF : Denial**

**PLANNING STAFF ANALYSIS**

The proposed amendment to designate the area as Neighborhood Center is inconsistent with surrounding and recent developments. The staff concluded not change the land use designation from Light Industrial (LIND) to Neighborhood Center (NC) to preserve the County's Light Industrial character area. Staff recommendation is denial for the proposed land use amendment .

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-0-0 Full-Cycle Deferral**

**PLANNING COMMISSION VOTE/RECOMMENDATION: Withdrawal w/o Prejudice 6-0-0. J. West moved, V. Moore seconded for withdrawal without prejudice per the applicant's request.**

3/21/2017

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DEKALB COUNTY

ITEM NO. N. 13

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: March 28, 2017

HEARING TYPE:  
PUBLIC HEARING

ACTION TYPE:  
ORDINANCE

SUBJECT: Special Land Use Permit –SLUP-17-21258 -- Stephanie Miller

COMMISSION DISTRICTS: 4 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator

PAGES:

PHONE NUMBER: (404) 371-2155

PETITION NO: SLUP-17-21258

7:05 8 3 AM

PROPOSED USE: Child day care facility.

LOCATION: The north side of Scotland Drive, approximately 504 feet west of Fairforest Drive, at 4860 Scotland Drive, Stone Mountain. The property has approximately 120 feet of frontage along Scotland Drive and contains .42 acres.

PARCEL Nos.: 16-104-02-001 & 002; 16-104-02-004 thru 118; 16-121-01-012 & 16-121-01-001

PURPOSE: A Special Land Use Permit to allow a child day care facility within an existing residence for up to six children, in accordance with Section 27, Article 4, Table 4.1 of the DeKalb County Code.

**RECOMMENDATIONS:**

COMMUNITY COUNCIL: APPROVAL.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING: At the meeting of March 8, the Planning Commission voted to "Approve with Conditions" as recommended by Staff.

PLANNING STAFF ANALYSIS: Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:30 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the exterior of the house in which the day care facility would be operating, so that the existing residential character of the property would continue. The proposed child day care facility is consistent with the following policy of the 2025 DeKalb County Comprehensive Plan: "Identify opportunities to enhance and expand supportive services for all age cohorts." (PS7) The presence of small child care facilities in established residential neighborhoods supports the efforts of parents and guardians to maintain schedules that allow them to work while raising families. Therefore, the Planning and Sustainability Department recommends "Approval-Conditional".

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N13 Stephanie Miller SLUP 17 21258**

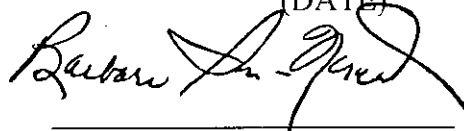
MOTION was made by Steve R Bradshaw, seconded by Gregory Adams and passed 6-0-0-1 to approve per staff's conditions the application of Stephanie Miller, for a Special Land Use Permit to allow a child day care facility within an existing residence for up to six children, in accordance with Section 27, Article 4, Table 4.1 of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Stephanie Miller, 4860 Scotland Dr. Stone Mountain, Ga. 30088, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Larry Johnson, Mereda Davis Johnson, Gregory Adams,  
Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Nancy Jester



3/21/2017

**PLANNING COMMISSION VOTE: Approval, 6-0-0.** J. Johnson moved, M.K. Woodworth seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval, 7-2-1.**

**RECOMMENDED CONDITIONS**  
**SLUP-17-21258**

1. The Special Land Use Permit shall be issued to Stephanie Miller for a child day care facility of up to six children and shall be non-transferrable.
2. The child day care facility shall operate between the hours of 6:30 A.M – 6:00 P.M., Monday through Friday.
3. The existing four-foot high fence that encloses the back yard play area shall be maintained in place for as long as the child day care facility is operated on the subject property.
4. The applicant shall secure the necessary business license from DeKalb County before opening the child day care facility.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N14

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **SLUP-17-21261, Kirk & Wanda Tucker**

**COMMISSION DISTRICTS:** 4 & 7

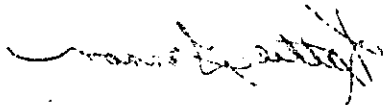
**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 24

**INFORMATION**  
**CONTACT:** 1:03 3 5 PM Marian Eisenberg, Zoning  
**PHONE NUMBER:** Admin.  
(404) 371-2155

**PETITION NO:** SLUP-17-21261



**PROPOSED USE:** Personal Care Home (Up to six (6) residents)

**LOCATION:** 1116 Allgood Road, Stone Mountain, GA

**PARCEL No.:** 15-226-04-001

**PURPOSE:** To request a Special Land Use Permit (SLUP) to increase the number of residents of an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code. The property is located on the north side of Allgood Road in Stone Mountain, Georgia. The property has approximately 157 feet of frontage along Allgood Road and 390 feet of frontage along East Durham Circle and contains 1.28 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING STAFF:** DENIAL

**PLANNING COMMISSION MEETING (03/08/17):** On March 8, 2017, the Planning Commission voted to approve the applicant's request.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N14 Kirk and Wanda Tucker SLUP 17 21261**

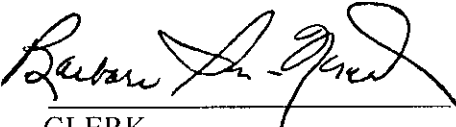
MOTION was made by Steve R Bradshaw, seconded by Gregory Adams and passed 5-0-0-2 to approve per staff's conditions the application of Kirk and Wanda Tucker, to request a Special Land Use Permit (SLUP) to increase the number of residents of an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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**MAR 28 2017**  
ADOPTED: \_\_\_\_\_  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

**MAR 28 2017**  
CERTIFIED: \_\_\_\_\_  
(DATE)

  
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CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Kirk / Wanda Tucker, 1116 Allgood Rd. Stone Mountain, Ga. 30088, Sonia Collette Frix, 1116 Allgood Rd. Stone Mountain, GA. 30083, Gloria Grannum, 1116 Allgood Rd. Stone Mountain, Ga. 30088, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The proposed SLUP (Special Land Use Permit) request seeks to expand the existing personal care home from 3 to 6 residents. While it appears that the application meets the criteria of the zoning ordinance for a personal care home for up to six (6) persons, Planning notes a similar use near the subject site. Using the benchmark of 1,000 feet for similar special uses in residential areas, a licensed community living arrangement (CLA) for three (3) persons is located within 500 feet of the site at 1158 Allgood Road. Changing the use on the site would allow two different types of community living arrangements within close proximity of one another. Given that they are on the same local street, it may appear that the Allgood Road would be transitioning to institutional uses in lieu of the single-family nature and character of the area. To keep consistency of land uses within residential areas, the Department of Planning and Sustainability recommends “**DENIAL**” of the applicant’s request. However, should the Board of Commissioners choose to approve the petition, Planning Staff recommends the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 6-0-0.** J. Edmondson moved, J. Johnson seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-0-0. Approval.**

March 15, 2017

**SLUP-17-21261**  
**RECOMMENDED CONDITIONS**

1. Limit use to a personal care home for up to 6 persons within the existing residential structure.
2. Access shall be limited to the existing curb cuts on Allgood Road and East Durham Circle.
3. All refuse containers shall be screened from public view except during pick-up.
4. No identification sign for the personal care home shall be posted on the property.
5. The applicant shall secure the necessary certification by the State of Georgia and the necessary building permit and certificate of occupancy from DeKalb County before obtaining a business license.
6. The Special Land Use Permit shall be issued to Kirk and Wanda Tucker for operation of a personal care home and shall not be transferrable.
7. The approval of this SLUP (Special Land Use Permit) application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

March 15, 2017

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**DEKALB COUNTY  
BOARD OF COMMISSIONERS**

ITEM NO. N15

HEARING TYPE  
PUBLIC HEARING

**ZONING AGENDA / MINUTES**

ACTION TYPE  
ORDINANCE

MEETING DATE: March 28, 2017

SUBJECT: **Rezoning, CZ-17-21245, Khadra Raage**

COMMISSION DISTRICTS: 4 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
PAGES:

INFORMATION CONTACT: **TIOS & SHAM**  
Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

PETITION NO: CZ-17-21245

PROPOSED USE: **Personal Care Home and Uses Allowed in O-I District**

LOCATION: 4798 Rockbridge Road, Stone Mountain, Georgia

PARCEL No.: 18 040 02 004

**PURPOSE:** To modify conditions of zoning pursuant to CZ-14-19358 to remove the restriction which limits the property to office use only, to allow a personal care home for three or more residents and other uses permitted in the O-I (Office Institutional) district. The property is located on the north side of Rockbridge Road, approximately 200 feet east of Halwick Way at 4798 Rockbridge Road in Stone Mountain, Georgia. The property has approximately 105 feet of frontage along Rockbridge Road and contains .59 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** FULL CYCLE DEFERRAL

**COMMUNITY COUNCIL:** APPROVAL WITH CONDITIONS

**PLANNING STAFF :** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:**

Office and Institutional uses are consistent with the O-I zoning and development pattern to the east and west and the institutional (Rockbridge Elementary School) use to the north (Sec. 27-873 B). Since the property is located at the intersection of two major thoroughfare roads (North Hairston Road and Rockbridge Road), it also appears that the request is consistent with the policies and strategies of the Comprehensive Plan's Suburban (SUB) character area calling for small scale nonresidential development to be limited to qualifying intersections (collector roadways and above) (Suburban Character Area Policy #3). While the proposed request does not show the provision of

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N15 Khadra Raage CZ 17 21245**

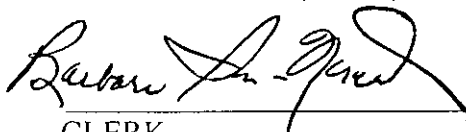
MOTION was made by Steve R Bradshaw, seconded by Gregory Adams and passed 5-0-0-2 to approve per staff's conditions the application for Khadra Raage, to modify conditions of zoning pursuant to CZ-14-19358 to remove the restriction which limits the property to office use only, to allow a personal care home for three or more residents and other uses permitted in the O-I (Office Institutional) district. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Osman Geidi, 4798 Rock Bend Stone Mountain, Ga. 30083, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw,  
Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester



March 15, 2017

required parking spaces in the rear yard as required by the Zoning Ordinance, a recommended condition by Staff will require that the applicant provide the required parking in the rear yard prior to the issuance of any building permits as it appears there is ample room to accommodate required parking. However, approval cannot be based on the submitted site-specific plan. Based on the submitted information, it appears that the proposed modification to O-I (Office Institutional) zoning conditions, with recommended conditions by Staff, will permit a use that is compatible with adjacent and nearby properties. Therefore, it is the recommendation of the Planning and Sustainability Department that the application is "Approved Conditionally", subject to Staff's recommended conditions.

**PLANNING COMMISSION VOTE: Full Cycle Deferral 6-0-0.** J. West moved, M.K. Woodward seconded for a full cycle deferral.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-0-0 Approval With Conditions.**

Community Council recommended approval with the condition that the property be limited to a personal care home for a maximum of six individuals or business and professional office uses.

March 15, 2017

**RECOMMENDED CONDITIONS**  
**CZ 17 21245**

1. Use of the property shall be limited to O-I uses within the existing structure.
2. All refuse areas shall be completely screened from view of public right-of-way, parking and pedestrian areas.
3. A continuous hedge, berm, or short wall with landscaping thereon, not to exceed three (3) feet in height shall be required between surface parking and the Rockbridge Road right-of-way.
4. Required parking shall be constructed in the rear of the property and shall comply with the parking requirements of the O-I district prior to the issuance of any building permits.
5. Ground signs shall be limited to a mounted monument style sign with a base and framework made of brick or stone, and shall not exceed a height of six feet or a sign area of thirty-two square feet.

3/20/2017

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**DEKALB COUNTY**

ITEM NO. N. 16

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

HEARING TYPE:  
PUBLIC HEARING

ACTION TYPE:  
ORDINANCE

**SUBJECT:** Land Use Amendment – LP-17-21266 – LDG Development, LLC

**COMMISSION DISTRICTS:** 4 & 6

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:**  YES  NO

**ATTACHMENT:**  YES  NO  
  
**PAGES:**

**INFORMATION CONTACT:** Marian Eisenberg, Zoning Administrator  
**PHONE NUMBER:** (404) 371-2155

VLOS B S RAM

**PETITION NO:** LP-17-21266

**PROPOSED USE:** Land Plan Map Amendment from SUB (Suburban) to CRC (Commercial Redevelopment Corridor)

**LOCATION:** Subject parcels are located at the northwest corner of Covington Highway and Porter Road.

**PARCEL No.:** 15-219-01-007, 008, 009, 010, 011

**PURPOSE:** To amend the 2025 Comprehensive Land Plan Map from SUB (Suburban) to CRC (Commercial Redevelopment Corridor).

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** DENIAL

**PLANNING COMMISSION:** DENIAL

**PLANNING STAFF:** FULL-CYCLE DEFFERAL

**PLANNING COMMISSION MEETING:** On March 8, the Planning Commission recommended "Denial".

**PLANNING STAFF ANALYSIS:** The proposal is consistent with the following policy of the 2025 Comprehensive Plan:

- LUP1: Identify and encourage the development of priority areas for infill redevelopment
- CRCCAP5: Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscape improvements and people.

**PLANNING COMMISSION VOTE:** Denial 4-2-0. M.K. Woodworth moved, J. Johnson seconded for Denial. V. Moore & J. Edmondson opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Denial, 10-0-0. Community Council recommended Denial based on the following:

1. CRC opens the door to commercial possibilities
2. Mixed residential development is not allowed within the R-75 zoning district.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N16 LDG Development LP 17 21266**

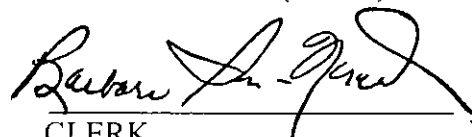
MOTION was made by Steve R Bradshaw, seconded by Kathie Gannon and passed 5-0-0-2 to **withdraw without prejudice** the application of Law Battle, to amend the Future Land Use Map from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) to allow for future development of a mixed residential development under the existing R-75 zoning designation - unless an application for rezoning is filed. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Michelle Battle, One West Court Sq. Ste 750 Decatur, GA. 30030, Tyrone Barnette, 4000 Covington Hwy Decatur, Ga. 30032, Chris Byrd, 1469 S. 4th (no city) KY. 40208, spoke in favor.

Derik Rinehart, 3588 Dove Valley Way Decatur, Ga. 30032, Thaddeus Moore, 985 Porter Rd. Decatur, Ga. 30032, Amy Jurden, 1200 Richard Rd. Decatur, Ga. 300032, Nwandi Lawson, 3595 Farnham Ct. Decatur, Ga. 30032, spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N17

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Rezoning, Z-17-21272, Vanessa Jasper**

**COMMISSION DISTRICTS:** 4 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: x YES NO

ATTACHMENT: x YES NO  
PAGES: 23

INFORMATION  
CONTACT: *Marian Eisenberg* Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** Z-17-21272

**PROPOSED USE:** Place of Worship

**LOCATION:** 5942 Rockbridge Road, Stone Mountain, Georgia

**PARCEL No.:** 18 035 01 001

**PURPOSE:** To rezone from R-100 (Single-Family Residential) to OIT (Office Institutional Transitional) to redevelop the site to allow for a new 6,400 square foot place of worship. The property is located on the northwest corner of Rockbridge Road and Mountain Park Trail at 5942 Rockbridge Road in Stone Mountain, Georgia. The property has approximately 282 feet of frontage along Rockbridge Road and 133 feet of frontage along Mountain Park Trail and contains 2.3 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** DENIAL

**COMMUNITY COUNCIL:** DENIAL

**PLANNING STAFF :** DENIAL

**PLANNING STAFF ANALYSIS:**

Based on the submitted information, it appears that the proposed O-I-T zoning located at an intersection with a Local Residential Street (Mountain Park Trail) is not consistent with the following policies of the Comprehensive Plan's Suburban (SUB) character area: 1. Limit small scale non-residential development to qualifying intersections designated as Collector Roads and above. The zoning proposal does not comply with the purpose of the O-I-T district to locate institutional uses in existing buildings no longer viable for residential uses since the existing buildings are proposed for demolition. The zoning proposal for a place of worship does not appear to be

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N17 Vanessa Jasper Z 17 21272**


MOTION was made by Steve R Bradshaw, seconded by Gregory Adams and passed 5-0-0-2 to **deny** the application of Vanessa Jasper, to rezone from R-100 (Single-Family Residential) to OIT (Office Institutional Transitional) to redevelop the site to allow for a new 6,400 square foot place of worship. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** No one spoke in favor.

Rick Herzog (submitted Mountain Park Neighborhood handout), 201 17th St. NW Atlanta, Ga. 30363, Leona Mitchell, 5960 Rockbridge Rd. Stone Mountain, Ga. 30087, K. Young Walker, 437 Mountain Park Trail, Stone Mountain, Ga. 30087, spoke in opposition.

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- FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader
- AGAINST : None
- ABSTAIN : None
- ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

compatible with the predominant single-family residential zoning and development pattern in the surrounding area. Compatibility is further diminished since the request does not provide for any undisturbed transitional buffers along property lines abutting single-family residential zoned properties. O-I-T zoning would be more appropriate at intersections where both streets were designated as Collector Roads or higher, and where proposed institutional uses were located within existing buildings. Therefore, it is the recommendation of the Planning & Sustainability Department that the application be, respectfully, "Denied".

**PLANNING COMMISSION VOTE: Denial 6-0-0.** V. Moore moved, J. West seconded for denial per staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-0-0 Denial.** Community Council recommended Denial based on the following: 1. The request to demolish the existing structures and construct a new church was not consistent with the intent of the O-I-T district to use existing structures no longer viable for residential uses; and 2. The O-I-T district was not consistent with the established single-family zoning pattern in the surrounding area.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N18

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **Z-17-21282 Titan Tennis Academy**

**COMMISSION DISTRICTS:** 5 & 7

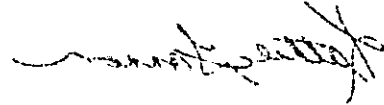
**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 20

**INFORMATION:**  
**CONTACT:** *Marian Eisenberg* Marian Eisenberg, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** Z-17-21282



**PROPOSED USE:** Tennis Training Facility with Clubhouse

**LOCATION:** 4742 Covington Highway, Decatur, GA

**PARCEL No.:** 15-190-05-012

**PURPOSE:** To rezone from C-1 (Local Commercial) to C-2 (General Commercial) to allow the development of a tennis training facility with club house in accordance with Chapter 27, Table 4.1 of the DeKalb County Code. The property is located on the east side of Covington Highway, approximately 790 feet north of Glenwood Road at 4742 Covington Highway in Decatur, Georgia. The property has approximately 198 feet of frontage along Covington Highway and contains 5.4 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** OTHER (NO QUORUM)

**PLANNING STAFF:** APPROVAL CONDITIONAL

**PLANNING COMMISSION MEETING (03/08/17):** On March 8, 2017, the Planning Commission voted to approve the applicant's request.



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N18 Titan Tennis Academy Z 17 21282**

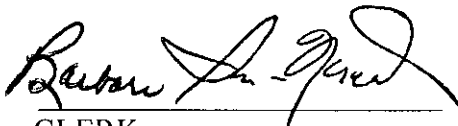
MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams and passed 5-0-0-2 to approve per staff's conditions the application of Titan Tennis Academy, to rezone from C-1 (Local Commercial) to C-2 (General Commercial) to allow the development of a tennis training facility with club house in accordance with Chapter 27, Table 4.1 of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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**MAR 28 2017**  
ADOPTED: \_\_\_\_\_  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

**MAR 28 2017**  
CERTIFIED: \_\_\_\_\_  
(DATE)

  
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CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Connor Offut, 5521 Pennybrook Trail, Stone Mountain, Ga. 30087, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw,  
Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The applicant is requesting to rezone the property from the C-1 (Local Commercial) District to the C-2 (General Commercial) District to develop a tennis training facility with club house on the subject site. The proposed rezoning to C-2 (Commercial) is consistent with the following comprehensive plan policies: Provide well, designed and versatile recreational opportunities (FSP5); Increase the amount of park and recreational facilities throughout the county (FSP6); and Develop innovative policies and programs to improve county health (PHP2). Compliance to required transitional buffers will lessen any anticipated impacts of noise and lights on adjacent residential properties. The C-2 District is consistent with the pattern of commercial zoning near and south of the subject site. The proposed use is consistent with other institutional and commercial uses in the area. Planning and Sustainability recommends **"APPROVAL CONDITIONAL"** of the rezoning request subject to the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 6-0-0.** V. Moore moved, M.K. Woodworth seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 4-0-0. No quorum.** Of the 4 CC members present, 4 voted in favor of the petition.

March 15, 2017

**Z-17-21282**  
**RECOMMENDED CONDITIONS**

1. Allow a tennis training facility with a club house not to exceed 16,000 total square feet and 11 tennis courts in compliance with the revised conceptual site plan submitted to the Planning and Sustainability Department on February 9, 2017.
2. Access shall be limited to one curb cut from Covington Highway subject to Georgia Department of Transportation (GDOT).
3. Outdoor lighting shall be oriented away from residential zoned properties and shall not be lighted beyond 9:00 p.m.
4. All refuse containers shall be screened from public view with fencing or similar building materials to match the existing structure.
5. Provide landscaping along the entrance and frontage along Covington Highway subject to approval by the Planning & Sustainability Department.
6. Allow one (1) monument sign with brick base not to exceed eight (8) feet in height and thirty-two (32) square feet of sign area per street frontage. Business identification wall signage is prohibited.
7. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N19

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **SLUP-17-21225 Golden Bridges Inc. Personal Care Homes**

**COMMISSION DISTRICTS:** 5 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 20

**INFORMATION**  
**CONTACT:** Marian Eisenberg, Zoning Admin  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** SLUP-17-21225

**PROPOSED USE:** Personal Care Home (Up to six (6) residents)

**LOCATION:** 3186 Evans Mill Road, Lithonia, GA

**PARCEL No.:** 16-119-01-021

**PURPOSE:** To request a Special Land Use Permit (SLUP) to increase the number of residents in an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code. The property is located on the east side of Evans Mill Road approximately 200 feet north of the intersection of Evans Mill Road and Woodrow Road at 3186 Evans Mill Road, Lithonia, GA. The property has approximately 150 feet of frontage along the east side of Evans Mill Road and contains .69 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** OTHER (NO QUORUM)

**PLANNING STAFF:** APPROVAL WITH CONDITIONS

**PLANNING COMMISSION MEETING (03/08/17):** On March 8, 2017, the Planning Commission voted to approve the applicant's request.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N19 Golden Bridges Inc SLUP 17 21225**


MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams and passed 5-0-0-2 to approve per staff's conditions the application of Golden Bridges Inc. Personal Care Homes, to request a Special Land Use Permit (SLUP) to increase the number of residents in an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41.A & B of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Shelton Shatteen, 3186 Evans Mill Rd. Lithonia, Ga. 30038, Kirk Tucker, 1116 Allgood Rd. Stone Mountain, Ga. 30083, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The proposed SLUP (Special Land Use Permit) request seeks to expand the existing personal care home from 3 to 6 residents. The application meets the criteria of the zoning ordinance for a personal care home for up to six (6) persons. Located on a minor arterial (Evans Mill Road), there should be little or no impact on traffic. There will be no physical changes to the exterior of the existing single-family residence. Therefore the residence will be compatible in character with existing and surrounding single-family residences in the area. The proposed use is consistent with the following Comprehensive Plan strategy: Provide a variety of housing opportunities and choices to better accommodate the needs of residents (HS13). Given that it appears that there are no other personal care homes for six (6) residents in the immediate surrounding area, the Department of Planning and Sustainability recommends **“APPROVAL CONDITIONAL”** of the applicant’s request. Should the Board of Commissioners choose to approve the petition, Planning Staff recommends the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 6-0-0.** J. West moved, J. Edmondson seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 3-0-1. Other.** Of the 4 members present, 3 voted in support of the request. One (1) member abstained.

March 15, 2017

**SLUP-17-21225**  
**RECOMMENDED CONDITIONS**

1. Limit use to a personal care home for up to six (6) persons within the existing residential structure.
2. Access shall be limited to the existing curb cut on Evans Mill Road.
3. All refuse containers shall be screened from public view except during pick-up.
4. No identification sign for the personal care home shall be posted on the property.
5. The applicant shall secure the necessary certification by the State of Georgia and the necessary business license, building permit and certificate of occupancy for six (6) persons from DeKalb County.
6. The Special Land Use Permit shall be issued to Golden Bridges Incorporated (Owner-Shelton D. Shatteen) for operation of a personal care home and shall not be transferrable.
7. The approval of this Special Land Use application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N20

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT: Rezoning, Z-17-21276, Bernie Knight**

**COMMISSION DISTRICTS:** 5 & 7

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
PAGES:

INFORMATION  
CONTACT: *6:05 PM* Marian Eisenberg, Zoning Admin.  
PHONE NUMBER: (404) 371-2155

**PETITION NO:** Z-17-21276

**PROPOSED USE:** Future Industrial Uses

*Marian Eisenberg*

**LOCATION:** 188 Coffee Road, 2368 & 2376 South Stone Mountain Lithonia Road, & 1731 Lithonia Industrial Boulevard in Lithonia, Georgia

**PARCEL No.:** 16 124 01 003, 16 133 01 002, 16 132 01 019, and Portion of 16 132 02 003

**PURPOSE:** To rezone property from M (Light Industrial) to M-2 (Heavy Industrial) to allow future industrial uses in accordance with Section 27-4.1 of the DeKalb County Zoning Ordinance. The property is located on the northwest side of Lithonia Industrial Boulevard and the south side of Coffee Road at 2368 and 2376 South Stone Mountain Lithonia Road, 1731 Lithonia Industrial Boulevard, and 1882 Coffee Road in Lithonia, Georgia. The property has approximately 527 feet of frontage along Lithonia Industrial Boulevard and approximately 100 feet of frontage along the south side of Coffee Road and contains 64.93 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** NO RECOMMENDATION DUE TO NO QUORUM

**PLANNING STAFF :** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:**

Based on the submitted information and Staff's proposed zoning conditions, the zoning proposal is consistent with the following Comprehensive Plan's Industrial (IND) character area policies: 1. Protect existing and zoned undeveloped industrial land from unnecessary intrusion of conflicting land uses; and 2. Prohibit the encroachment of industrial uses into established residential areas (Industrial Character Area Policies #3 and #5). The zoning



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N20 Bernard Knight Z 17 21276**


MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams and passed 5-0-0-2 to **withdraw without prejudice** the application of Daniel, James Jr. & Judy Kelly c/o Bernard Knight, Atty. at Law to rezone property from M (Light Industrial) to M-2 (Heavy Industrial) to allow future industrial uses in accordance with Section 27-4.1 of the DeKalb County Zoning Ordinance. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
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PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
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CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Bernard Knight (submitted Supplemental Documents handout), Attorney at Law, P.O. Box 29156 Atlanta, Ga. 30359, Jason Larry, Mayor City of Stonecrest, 3303 Crystal Cove Stonecrest, Ga. 30038, Jimmy Clanton, Jr., 3624 Dogwood Pass Stonecrest, Ga. 30038, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

proposal appears to be suitable since it is consistent with the predominant M-2 zoning pattern to the south, east, and west. With Staff's recommended zoning conditions requiring a 300 foot wide undisturbed buffer along the northern property line abutting the Rogers Crossing subdivision and prohibiting heavy truck traffic access from Coffee Road, it appears that the zoning proposal would not adversely impact the single-family residential uses to the north. Therefore, it is the recommendation of the Planning & Sustainability Department that the request be "Approved" with Staff's recommended conditions.

**PLANNING COMMISSION VOTE: Approval With Conditions 6-0-0.** M.K. Woodworth moved, J. West seconded for approval as recommended and conditioned by staff.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: No Quorum.** Two (2) members present voted in favor of the petition. Two (2) members abstained.

March 15, 2017

**RECOMMENDED CONDITIONS**  
**Z 17 21276**

1. A three hundred foot (300') undisturbed transitional buffer shall exist on Parcel 16 132 01 019 (2376 South Stone Mountain Lithonia Road, as measured from the adjacent boundary with Rogers Crossing, Phase 2 Subdivision; and
2. Access to Coffee Road from Parcel 16 132 02 003 (1882 Coffee Road), except for the existing Georgia Power Easement, shall be limited to automobile and pick-up trucks (including dually trucks) with or without equipment storage or trailers; and
3. Provide and maintain a fifty foot (50') wide buffer along the Coffee Road frontage of Parcel 16 132 02 003 (1882 Coffee Road), except for the existing Georgia Power Easement and to allow a maximum of one curb cut on Coffee Road (in addition to the existing Georgia Power Easement).

March 15, 2017

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**DEKALB COUNTY**

ITEM NO. N21

HEARING TYPE  
PUBLIC HEARING

**BOARD OF COMMISSIONERS**

**ZONING AGENDA / MINUTES**

**MEETING DATE:** March 28, 2017

ACTION TYPE  
ORDINANCE

**SUBJECT:** Special Land Use Permit, **Z-17-21274 LIDL Us Operations LLC**

**COMMISSION DISTRICTS:** 5 & 7

**DEPARTMENT:** Planning & Sustainability

**PUBLIC HEARING:** x YES NO

**ATTACHMENT:** x YES NO  
**PAGES:** 32

**INFORMATION**  
**CONTACT:** *Marian Eisenberg*, Zoning Admin.  
**PHONE NUMBER:** (404) 371-2155

**PETITION NO:** Z-17-21274

*Marian Eisenberg*

**PROPOSED USE:** 35,962 Square Foot Grocery Store

**LOCATION:** 6038 & 6056 Covington Highway, Decatur, GA

**PARCEL No.:** 16-039-04-034, 16-039-04-056, 16-039-04-061

**PURPOSE:** To rezone from MU-5 (Mixed Use Very High Density) and C-1 (Local Commercial) to C-1 (Local Commercial) for development of a 35,962 square foot grocery store within Tier 1 of the Greater Hidden Hills Overlay District in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code. The property is located on the north side of Covington Highway, approximately 742 feet west of the intersection of Covington Highway and Panola Road at 6038 and 6056 Covington Highway, Decatur, GA. The property has approximately 395 feet of frontage along Covington Highway and contains 5.39 acres.

**RECOMMENDATIONS:**

**PLANNING COMMISSION:** APPROVAL WITH CONDITIONS

**COMMUNITY COUNCIL:** OTHER (NO QUORUM)

**PLANNING STAFF:** APPROVAL CONDITIONAL

**PLANNING COMMISSION MEETING (03/08/17):** On March 8, 2017, the Planning Commission voted to approve the applicant's request.

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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**


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**ACTION : N21 LIDL US Operations Z 17 21274**

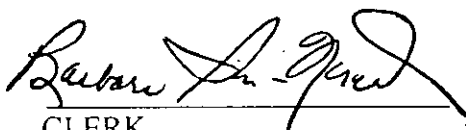
MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams and passed 5-0-0-2 to approve per staff's conditions the application of Lidl Us Operations, LLC c/o Hakim Hilliard, to rezone from MU-5 (Mixed Use Very High Density) and C-1 (Local Commercial) to C-1 (Local Commercial) for development of a 35,962 square foot grocery store within Tier 1 of the Greater Hidden Hills Overlay District in accordance with Chapter 27-Article 4.1 Use Table of the DeKalb County Code. Commissioner Jester left the meeting at approximately 8:00pm and not voting. Commissioner L. Johnson left the meeting at approximately 8:55pm and not voting.

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ADOPTED: MAR 28 2017  
(DATE)

  
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PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

CERTIFIED: MAR 28 2017  
(DATE)

  
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CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:** Hakim Hilliard (submitted map handout), 260 Peachtree Street Ste. 401, Atlanta, Ga. 30303, Stephen M. Binney, 1083 Seville Dr. Clarkston, Ga. 30021, spoke in favor.

No one spoke in opposition.

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw, Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester

March 15, 2017

**PLANNING STAFF ANALYSIS:**

The proposed request for C-1 (Local Commercial) District on the subject site for retail use is consistent with existing commercial zonings and uses along Covington Highway and Panola Road and in the immediate surrounding area. Located within a Neighborhood Center Character Area, the proposed use is consistent with the following plan policies and strategies of the 2005-2025 Comprehensive Plan: Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services (NCCAP6); Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures (NCCAS4); Create neighborhood activity centers at appropriate locations, as focal points, while providing a suitable location for appropriate retail establishments (NCCAS6); and Promote new and redevelopment at or near activity centers as a means of reducing vehicle miles traveled (NCCAS20). The subject site located on a major thoroughfare should not have an adverse impact on traffic or transportation facilities in the area. Therefore, it is the recommendation of Planning and Sustainability Department that the rezoning request for C-1 (Local Commercial) District on the subject site be **"APPROVED CONDITIONAL"** subject to the following attached conditions:

**PLANNING COMMISSION VOTE: Approval With Conditions 5-1-0.** M.K. Woodworth moved, J. Edmondson seconded for approval as recommended and conditioned by staff. J. West opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: 3-0-1. No quorum.** Of the 4 CC members present, 3 voted in favor of the petition. One member abstained.

March 15, 2017

**Z-17-21274**  
**RECOMMENDED CONDITIONS**

1. Limit site to a total of 36,000 square feet of retail use for a grocery store in substantial compliance with the site plan submitted to the Department of Planning and Sustainability on January 5, 2017. Site plan is conceptual and subject to the approval of the Director.
2. Orientation of building entrance shall be along Covington Highway or the corner as shown on the submitted site plan.
3. Location of curb cuts, deceleration lanes and road improvements along Covington Highway are subject to GDOT (Georgia Department of Transportation). Provide Interparcel access as shown on the submitted site plan.
4. Submit detailed landscaping plan for the project site in compliance with the Greater Hidden Hill Overlay District standards to be reviewed and approved by the Planning & Sustainability Department.
5. Provide pedestrian connectivity from store entrance to parking lot and sidewalks.
6. Screen parking along Covington Highway with a continuous hedge not to exceed three (3) feet in height as required per Chapter 27-Article 5.4.4.D of the DeKalb County Code.
7. Screen detention areas with landscaping and decorative black iron fencing for enclosure in conjunction with standards of the Greater Hidden Hills Overlay District and Chapter 27-Article 5.4.6 of the DeKalb County Code.
8. All refuse areas shall be located to the rear of the site and screened from public view with enclosure or similar building materials to match the primary structure.
9. Provide outside trash receptacles for patrons.
10. Screen roof-top equipment.
11. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

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REV. 10/02

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS  
BUSINESS AGENDA / MINUTES  
MEETING DATE: March 28, 2017

HEARING TYPE  
Preliminary

ACTION TYPE  
RESOLUTION

SUBJECT: Motion to adjourn the meeting.

DEPARTMENT: COUNTY CLERK

PUBLIC HEARING: YES  
NO

ATTACHMENT: No  
PAGES: 1

INFORMATION CONTACT: Barbara H. Sanders-Norwood, Clerk  
PHONE NUMBER: 404-371-2162

PURPOSE:

To adjourn the meeting.

NEED/IMPACT:

To allow the Commissioners to act on the items.

RECOMMENDATION(S):

To approve adjourning the meeting.



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**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

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**ACTION : 2017-3-28 Adjourn**

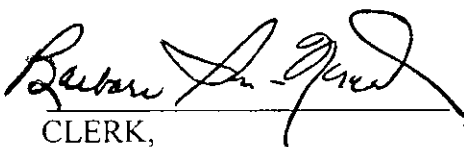
MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson and passed 5-0-0-2 to adjourn the meeting.

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ADOPTED: MAR 28 2017  
(DATE)

CERTIFIED: MAR 28 2017  
(DATE)

  
\_\_\_\_\_  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF  
COMMISSIONERS

  
\_\_\_\_\_  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

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**MINUTES:**

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FOR : Kathie Gannon, Mereda Davis Johnson, Gregory Adams, Steve R Bradshaw,  
Jeff Rader

AGAINST : None

ABSTAIN : None

ABSENT : Larry Johnson, Nancy Jester