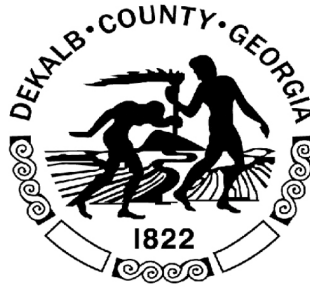


# DeKalb County Government

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



## Agenda

Thursday, March 24, 2022

5:30 PM

via ZOOM

## **Board of Commissioners - Zoning Meeting**

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

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

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, March 24, 2022 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

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

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

For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting.

The Board will provide 15 minutes of time for citizens to speak in favor of an agenda item, and 15 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # and the number 2. There will be no comment cards, so when you are called upon, please state your name and address for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Citizens may also email documents for inclusion into the official record by submitting such materials by 5:30 p.m. on the date of the public hearing to [PublicHearing@dekalbcountyga.gov](mailto:PublicHearing@dekalbcountyga.gov)

## **Call To Order**

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

## Roll Call

### Deferred Cases

**D1**     [2021-2903](#)     COMMISSION DISTRICT(S): Commission District 04; Super District 06  
Application of Avondale Park, LLC c/o Battle Law, PC for a Major  
Modification of the conditional site plan and other conditions of MU-5  
(Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125,  
to change the mixture of multifamily, office, and retail land uses, and to  
revise the single-family detached and townhome exterior designs, at 3458  
Mountain Drive.

**Attachments:** [CZ-21-1245061 Recommended Conditions March 2022 BOC](#)  
[CZ-21-1245061 3458 Mountain Dr. Staff Report March 2022](#)  
[CZ-21-1245061 2021-2903 Mountain Dr. Staff Report Nov. 2021](#)  
[CZ-21-1245061 Staff Report Sept. 2021](#)

[\(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(9/30/21 Board of Commissioners - Zoning Meeting: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

(11/4/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/18/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

**D2**     [2020-1546](#)

COMMISSION DISTRICT(S): All Districts

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

**Attachments:**

[D2. TA-21-1244414 Staff Report March 2022](#)

[D2. TA-21-1244414 Auto Brokers Staff Report Sept. 2021](#)

[TA-21-1244414 Auto Brokers Staff Report July BOC 2021](#)

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

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

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

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

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

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

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

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

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/30/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

**D3**     [2020-1543](#)

COMMISSION DISTRICT(S): All Districts

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

**Attachments:** [D3. TA-21-1244279 Small Box Discount Retailers Staff Report March 2022](#)

[D5. TA-21-1244279 Small Box Discount Retailers Staff Report Nov 2021](#)

[D1 TA-21-1244279 Small Box Discount Retailers Staff Report Sept. 2021](#)

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

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

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

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

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

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

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

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/30/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/4/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/18/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

- D4**     [2021-3516](#)     COMMISSION DISTRICT(S): District 03 Super District 06  
Application of Rockhaven Homes LLC c/o Battle Law, P.C. to rezone from R-100 (Residential Medium Lot-100) to RSM (Small Lot Residential Mix) Zoning District to allow the construction of single-family detached homes, at 2717 Whitfield Road.

**Attachments:** [Z-22-1245310 \(2021-3516\) Recommended Conditions](#)  
[Z-22-1245310 March BOC Staff Report 2717 Whitfield Rd.](#)  
[Z-22-1245310 Staff Report Jan. 2022 2717 Whitfield Rd.](#)

(1/4/22 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(1/27/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

- D5**     [2021-3518](#)     COMMISSION DISTRICT(S): Commission District 03 Super District 07  
Application of Harold Buckley, Jr. for Caliber Car Wash for a Major Modification of Conditions approved, pursuant to CZ-14-19143, to allow a drive-through car wash in a C-1 (Local Commercial) District, at 3644 Memorial Drive.

**Attachments:** [rev CZ-22-1245320 3644 Memorial Dr. BOC Staff Report March 2022](#)  
[CZ-22-1245320 Staff Report Jan. 2022](#)

(1/4/22 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(1/27/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

- D6**     [2021-3519](#)     COMMISSION DISTRICT(S): Commission District 03 Super District 07  
Application of Harold Buckley, Jr. for Caliber Car Wash for a Special Land  
Use Permit (SLUP) to allow a drive-through car wash in a C-1 (Local  
Commercial) District, at 3644 Memorial Drive.

**Attachments:** [rev. SLUP-22-1245321 3644 Memorial Dr. BOC Staff Report March 2022](#)  
[SLUP-22-1245321 Staff Report Jan. 2022](#)

(1/4/22 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(1/27/22 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

(3/1/22 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

#### New Cases

- N1**     [2022-1145](#)     COMMISSION DISTRICT(S): Commission District 04 Super District 06  
Application of A.S. Turner & Sons c/o Garlan B. Furin for a Special Land  
Use Permit (SLUP) to relocate the existing accessory crematory  
(SLUP-10-16577) to another portion of the parcel within an O-I (Office-  
Industrial) District, at 2773 N. Decatur Road.

**Attachments:** [SLUP-22-1245402 2022-1145 Recommended Conditions 2773 N. Decatur Rd. March 2022](#)  
[SLUP-22-1245402 2773 N. Decatur Rd. Staff Report March 2022](#)

(3/1/22 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N2**     [2022-1168](#)     COMMISSION DISTRICT(S): Commission District 03 Super District 07  
Application of Janaee Wallace to rezone property from R-75 (Residential  
Medium Lot-75) to MR-1 (Medium-Density Residential-1) District to allow  
conversion of a single-family house to a duplex and conversion of a  
detached garage to a detached dwelling, at 2551 McAfee Road.

**Attachments:** [Z-22-1245405 2551 McAfee Rd. Staff Report March 2022](#)

(3/1/22 Planning Commission: [withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N3 [2022-1170](#) COMMISSION DISTRICT(S): Commission 02 Super District 06  
Application of Brad and Marliss Cornett/Color Wheel Studio for a Special  
Land Use Permit (SLUP) for a specialized school (an Art Summer Camp) in  
an M (Light Industrial) District, at 203 Rio Circle.

**Attachments:** [203 Rio Circle Withdrawal](#)

[SLUP-22-1245406 203 Rio Circle Staff Report March 2022](#)

[\(3/1/22 Planning Commission: withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N4 [2022-1171](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06  
Application of Sean Bitarafan to rezone property from C-1 (Local  
Commercial) District to MR-2 (Medium Density Residential-1) District to  
construct townhomes and single-family detached units, at 4226 Glenwood  
Road.

**Attachments:** [Z-22-1245421 BOC Recommended Conditions March 2022](#)

[Z-22-1245421 Staff Report 4226 Glenwood Rd. March 2022](#)

[\(3/3/22 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N5 [2022-1172](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07  
Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100  
(Residential Medium Lot-100) District to RSM (Small Lot Residential Mix)  
District to construct detached townhomes, at 5488 Rockbridge Road.

**Attachments:** [Z-21-1245422 5488 Rbridge Rd Staff Report March BOC 2022](#)

[\(3/3/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

- N6 [2022-1173](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07  
Application of Municipal Communication LLC c/o Jonathan Yates for a  
Special Land Use Permit (SLUP) to install a 150 foot tall stealth wireless  
telecommunication facility (cell tower) in an R-100 (Residential  
Medium-Lot) District, at 3810 Waldrop Road.

**Attachments:** [SLUP-22-1245423 Recommended Conditions](#)

[SLUP-22-1245423 3810 Waldrop Rd. Staff Report March 2022](#)

[\(3/3/22 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)



- N7     [2022-1174](#)     COMMISSION DISTRICT(S): Commission District 03 Super District 06  
Application of Kova Real Estate LLC to rezone property from R-75  
(Residential Medium Lot-75) to R-60 (Residential Medium Lot-60) to  
construct single family detached homes, at 366 South Howard Street.
- Attachments:** [Z-22-1245428 366 S Howard Street Staff Report March 2022](#)  
[\(3/3/22 Planning Commission: denial per staff recommendation to the Board  
of Commissioners - Zoning Meeting\)](#)
- N8     [2022-1175](#)     COMMISSION DISTRICT(S): Commission District 05 Super District 07  
Application of Adian Prince to rezone property from R-100 (Residential  
Medium Lot-100) to C-1 (Local Commercial) for restaurant use, at 1726  
Panola Road.
- Attachments:** [Z-22-1245427 2022-1175 BOC Recommended Conditions 3-11-22](#)  
[Z-22-1245427 1726 Panola Rd. March BOC Staff Report](#)  
[CC-5 Recommended These Conditions - Z-21-1245055 2021-2901](#)  
[Recommended Conditions 1762 Panola Rd](#)  
[\(3/3/22 Planning Commission: approved with conditions per staff  
recommendation to the Board of Commissioners - Zoning Meeting\)](#)
- N9     [2022-1176](#)     COMMISSION DISTRICT(S): Commission District 02 Super District 06  
Application of Amy Swick, Inhance Construction Co., LLC for a Land Use  
Plan amendment for properties at 1493 and 1501 LaVista Road from SUB  
(Suburban) to NC (Neighborhood Center).
- Attachments:** [LP-22-1245408 1493 LaVista Rd. Staff Report March 2022](#)  
[\(3/3/22 Planning Commission: deferred for a full cycle to the Board of  
Commissioners - Zoning Meeting\)](#)
- N10    [2022-1178](#)     COMMISSION DISTRICT(S): Commission District 04 Super District 07  
Application of Xandria Branch to request a Special Land Use Permit  
(SLUP) to allow a 4,500 square foot lounge (Glowbar ATL) within the  
Stonebridge Village shopping center to operate beyond 12:30 a.m. as a  
Late-Night Establishment within the C-1 (Local Commercial) District, at  
8002 Rockbridge Road.
- Attachments:** [SLUP-22-1245448 Recommended Conditions](#)  
[SLUP-22-1245448 8002 Rbridge Rd Staff Report March 2022](#)  
[\(3/3/22 Planning Commission: denied to the Board of Commissioners -  
Zoning Meeting\)](#)

- N11**    [2022-1179](#)    COMMISSION DISTRICT(S): Commission District 03 Super District 06  
Application of Clark Property and Porch & Square for a Land Use Plan  
amendment for properties at 1058 and 1078 Moreland Avenue from TN  
(Traditional Neighborhood) to CRC (Commercial Redevelopment Corridor),  
at 1078 Moreland Avenue.

**Attachments:** [LP-22-1245473 1078 Moreland Ave. Staff Report March 2022](#)

(3/3/22 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

- N12**    [2022-1182](#)    COMMISSION DISTRICT(S): Commission Districts 01; Super District 07  
Application of the Director of Planning & Sustainability for a Text  
Amendment for an amendment to the regulations of the Tier 2 Northlake  
Overlay District to increase the allowed residential density from 30 units per  
acre to 60 units per acre.

**Attachments:** [TA-22-1245470 Dir. P&S Nlake OD - Tier 2 Density Increase Staff Report March 2022](#)  
[Northlake Overlay Community Comments](#)

(3/3/22 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))