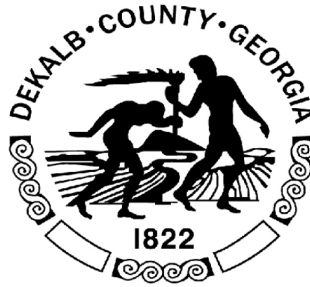


DeKalb County Government

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



Agenda

Thursday, November 18, 2021

5:30 PM

via Zoom

Board of Commissioners - Zoning Meeting

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

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

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, November 18, 2021 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

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

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

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

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

Call To Order

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

Roll Call

Deferred Cases

D1 [2021-2638](#) COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to rezone property from NS (Neighborhood Shopping) District to C-1 (Local Commercial) District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

Attachments: [Z-21-1244885 2021-2638 Recommended Conditions Nov. 2021](#)
[Z-21-1244885 2021-2638 3795 N. Druid Hills Rd Staff Report Nov. 2021](#)
[Z-21-1244885 Recommended Conditions July BOC](#)
[Z-21-1244885 Staff report July BOC 2021](#)

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

[\(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(11/4/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

D2 [2021-2639](#) COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to request a Special Land Use Permit (SLUP) to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

Attachments: [SLUP-21-1244886 2021-2639 Recommended Conditions Nov. 2021](#)
[SLUP-21-1244886 2021-2639 3795 N. Druid Hills Rd. Staff Report Nov. 2021](#)
[CFA North Druid Hills Relo Traffic Memo](#)
[Crash Data Exhibit](#)
[Future Roadway Improvement Concept Option](#)
[N Druid Hills and Birch Rd Intersection Analysis](#)
[SLUP-21-1244886 Recommended Conditions July BOC](#)
[SLUP-21-1244886 Staff report July BOC 2021](#)

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

[\(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles\)](#)

[\(11/4/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

D3 [2021-2641](#) COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Mosaic Communities c/o Battle Law to rezone properties from R-85 (Residential Medium Lot-85) District to RSM (Small Lot Residential Mix) District to allow single-family cottages, urban single-family attached and detached units, and duplexes, at 3943 Norman Road.

Attachments: [Z-21-1244893 2021-2641 Norman Rd. Staff Report BOC Nov. 2021](#)
[Z-21-1244893 July 2021 Staff report](#)

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

[\(7/29/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(11/4/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

- D4** [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 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](#))

- D5** [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: [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)

New Cases

N1 [2021-3155](#) COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Elese Sims for a Special Land Use Permit (SLUP) for a child day care up to six (6) in an R-100 (Residential Medium Lot-100) District, at 3815 Boring Road.

Attachments: [SLUP-21-1245190 2021-3155 Recommended Conditions rev. 11.5.2021](#)

[SLUP-21-1245190 2021-3155 Boring Rd. Staff Report Nov. 2021](#)

(11/4/21 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

N2 [2021-3156](#) COMMISSION DISTRICT(S): Commission District 04; Super District 07
Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 Residential Medium Lot- 100) to R-60 (Residential Small Lot-60) to allow for the construction of a single-family detached residential subdivision, at 5277 Rockbridge Road.

Attachments: [Z-21-1245221 2021-3156 Rockbridge Rd. Staff Report BOC Nov. 2021](#)

[Z-21-1245221 2021-3156 5277 Rockbridge Rd. Staff Report PC Nov. 2021](#)

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

N3 [2021-3157](#) COMMISSION DISTRICT(S): Commission District: 03; Super District 06
Application of VG First Baptist Senior, LP for a Special Land Use Permit (SLUP) for a senior housing development of multi-family and detached dwelling units in an R-75 (Residential Medium Lot-75) District, at 2318 2nd Avenue.

Attachments: [SLUP-21-1245227 2021-3157 Second Ave. Staff Report BOC Nov. 2021](#)

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

N4 [2021-3158](#) COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of James Cantrell for a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes, at 3446 Midway Road.

Attachments: [CZ-21-1245234 2021-3158 Midway Road Staff Report BOC Nov. 2021](#)

(11/4/21 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

N5 [2021-3159](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability to amend Section 7.4.6 of the DeKalb County Zoning Ordinance to modify criteria to be considered in evaluating and deciding an application for a Special Land Use Permit (SLUP). This text amendment is County-wide.

Attachments: [TA 21 1244986 Staff Report 11 4 2021_bw](#)
[N5 TA 21 1244986 SLUP Criteria Text Amendment 3.0](#)

(11/4/21 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

N6 [2021-3160](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability to amend Section 27-7.5.3 (A) (1) of the DeKalb County Zoning Ordinance to refine variance criteria for the Zoning Board of Appeals. This text amendment is County-wide.

Attachments: [Dir. P&S ZBOA Criterial Text Amendment TA-21-1245114](#)
[2021-3160 Staff Report BOC Nov. 2021](#)

(11/4/21 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

- N7 [2021-3161](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment to adopt the 2022 Zoning Calendar and Resolution. This text amendment is County-wide.

Attachments: [2022 DRAFT Public Zoning Calendar 4.0](#)

[TA-21-1245238 2022-2023 Zoning Calendar Resolution Nov. 2021](#)

[TA-21-1245238 2022-2023 Zoning Calendar-Resolution attachments
Nov. 2021](#)

[\(11/4/21 Planning Commission: approval per staff recommendation to the
Board of Commissioners - Zoning Meeting\)](#)