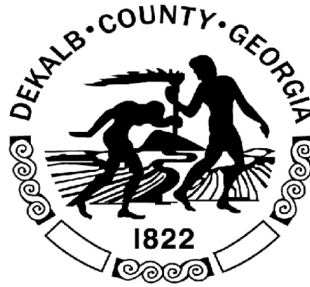


DeKalb County Government

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



Agenda

Thursday, March 28, 2024

6:05 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

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

Commissioner Robert Patrick, District 1
Commissioner Michelle Long Spears, 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

Roll Call

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.

Deferred Cases

- D1** [2023-1142](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of Stix & Stones Homes for a major modification of zoning conditions #1 and #2 pursuant to Z-22-1245596 to increase the number of units and construct a single-family detached cottage development at 1484 & 1520 Columbia Drive.

Attachments: [CZ-23-1246630 Recommended Conditions](#)
[CZ-23-1246630 March BOC 2024 Staff Report 1484 & 1520 Columbia Dr](#)
[CZ-23-1246630 Nov 2023 Staff Report 1484 & 1520 Columbia Drive](#)

(11/2/23 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(11/16/23 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(3/5/24 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

D2 [2023-1146](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani for a Special Land Use Permit (SLUP) to build and operate a restaurant with drive through in a C-2 (General Commercial) zoning district within a Town Center (TC) Activity Center, at 1726 Church Street.

Attachments: [SLUP-23-1246650 March 2024 Staff Report 1726 Church Street](#)
[SLUP-23-1246650 Nov 2023 Staff Report 1726 Church Street](#)

(11/2/23 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(11/16/23 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(3/5/24 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

D3 [2023-1150](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Hybrass Properties, LLC c/o Battle Law P.C., LLC for a major modification of zoning conditions pursuant to CZ-18-22130 to construct townhouse dwellings within the RNC (Residential Neighborhood Conservation) zoning district., at Pleasant Hill Trail and Pleasant Hill Road.

Attachments: [CZ-23-1246656 March 2024 Staff Report Pleasant Hill Trl & Pleasant Hill Road](#)
[CZ-23-1246656 Nov 2023 BOC Staff Report Pleasant Hill Trl & Pleasant Hill Rd](#)

(11/2/23 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(11/16/23 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(3/5/24 Planning Commission: [withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

D4 [2023-1249](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani to rezone from NS (Neighborhood Shopping) zoning district to C-1 (Local Commercial) district within a Town Center (TC) Activity Center to use the existing building to create a drive-through coffee shop, at 3823 North Druid Hills Road.

Attachments: [Z-23-1246698 \(2023-1249\) Recommended Conditions_rev. 3.14.2024](#)
[Z-23-1246698 March BOC Staff Report 3823 N Druid Hills Rd_rev. 3.14.2024](#)
[Z-23-1246698 Nov 2023 BOC Staff Report 3823 N Druid Hills Rd](#)
[\(11/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(3/5/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

D5 [2023-1154](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani for a Special Land Use Permit (SLUP) to operate a drive through coffee shop within C-1 (Local Commercial) zoning district and within a Town Center (TC) Activity Center, at 3823 North Druid Hills Road.

Attachments: [SLUP-23-1246661 March BOC Staff Report 3823 N Druid Hills Rd](#)
[SLUP-23-1246661 Nov 2023 BOC Staff Report 3823 N Druid Hills Rd](#)
[\(11/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(3/5/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- D6** [2023-1155](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Naqib Hussain to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to expand from an auto repair and sales business to a major auto repair business, at 4381 Covington Highway.

Attachments: [Z-23-1246662 Recommended Conditions March 2024](#)
[Z-23-1246662 March 2024 Staff Report 4381 Covington Hwy](#)
[Z-23-1246662 Recommended Conditions Nov. 2023](#)
[Z-23-1246662 Nov 2023 BOC Staff Report 4381 Covington Hwy](#)

(11/2/23 Planning Commission: [deferred for three full cycles to the Board of Commissioners - Zoning Meeting](#))

(11/16/23 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(3/5/24 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

New Cases

- N1** [2024-0105](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

Attachments: [LP-24-1246832 March 2024 Staff Report 3744 Redan Road](#)

(3/5/24 Planning Commission: [approval per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N2** [2024-0106](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Battle Law P.C., LLC. to rezone property from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to develop rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

Attachments: [Z-24-1246799 Battle Law March 2024 Staff Report](#)

(3/5/24 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

- N3 [2024-0107](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04 SUPER DISTRICT 06
Application of Toxaway Automotive Group, LLC c/o Battle Law P.C., LLC for a Special Land Use Permit (SLUP) to operate a minor automotive repair drive-through facility for oil changes in the C-1 (Local Commercial) zoning district, at 2209 Lawrenceville Highway.

Attachments: [SLUP-24-1246801 \(2024-0107\) Recommended Conditions](#)
[SLUP-24-1246801 March 2024 Staff Report 2209 L'ville Hwy](#)

[\(3/5/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N4 [2024-0108](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04 SUPER DISTRICT 07
Application of John Koryan for a Special Land Use Permit (SLUP) to allow an event center in the C-1 (Local Commercial) zoning district, at 6009 Memorial Drive, Ste. 10.

Attachments: [SLUP 24-1246803 March 2024 Staff Report 6009 Memorial Drive v2](#)

[\(3/5/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N5 [2024-0109](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 06
Application of Brad Noble with Metro Capital Investment, LLC for a Special Land Use Permit (SLUP) for a self-storage facility in the C-2 (General Commercial) zoning district, at 2020 & 2030 Moreland Avenue; and, 1022 & 1032 Hillcrest Drive.

Attachments: [SLUP-24-1246804 Brad Noble-Metro Cap'l Invstmnt March BOC 2024 Staff Report Moreland Ave. & Hillcrest Dr_updated 3.20.2024](#)

[\(3/5/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

PARKS & RECREATION

- D1** [2024-0142](#) Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 3488 Mosley Road, Ellenwood, Georgia 30294.

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))
- D2** [2024-0143](#) Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4071 Old River Road, Ellenwood, Georgia 30294.

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))
- D3** [2024-0144](#) Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4083 Old River Road, Ellenwood, Georgia 30294.

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))
- D4** [2024-0145](#) Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06
Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 319 3rd Avenue, Scottdale, Georgia 30002.

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))

- D5** [2024-0146](#) Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06
Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 304 Creighton Avenue, Scottdale, Georgia 30079.

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred to the Board of Commissioners - Zoning Meeting](#))

- N1** [2024-0387](#) Commission District(s): District 4 and District 6
Request for a Resolution authorizing the acquisition of certain property located at 304 Creighton Avenue, Scottdale GA: 18 010 03 012 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the Cedar Park Project.

Attachments: [Exhibit A-Boundary 304 Creighton Ave](#)
[Exhibit B-Legal Description 304 Creighton Ave](#)
[Exhibit C-Location Map](#)
[Resolution for Signature](#)

- N2** [2024-0388](#) Commission District(s): District 4 and District 6
Request for a Resolution authorizing the acquisition of certain property located at 319 3rd Avenue, Avondale Estates GA: 18 010 03 001 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the Cedar Park Project.

Attachments: [Exhibit A-Boundary Survey 319 3rd Ave](#)
[Exhibit B-LEGAL DESCRIPTION 319 3rd Ave \(1\)](#)
[Exhibit C-Location Map](#)
[Resolution for Signature](#)

- N3** [2024-0389](#) Commission District(s): District 3 and District 7
Request for a Resolution authorizing the acquisition of certain property located at 3488 Mosley Road, Ellenwood, GA: 15 027 02 007 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

Attachments: [3488 MOSLEY EXHIBIT A-BOUNDARY SURVEY](#)
[3488 Mosley EXHIBIT B-Legal Description](#)
[Exhibit C-Location Map](#)
[Resolution for Signature](#)

- N4 **2024-0390** Commission District(s): District 3 and District 7
Request for a Resolution authorizing the acquisition of certain property located at 4071 Old River Road, Ellenwood, GA: 15 028 05 010 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

Attachments: 4071 EXHIBIT A-Old River Road Boundary Survey
EXHIBIT B-Legal descript 4071 Old River Rd
Exhibit C-Location Map
Resolution for Signature

- N5 [2024-0391](#) Commission District(s): District 3 and District 7
Request for a Resolution authorizing the acquisition of certain property located at 4075 Old River Road, Ellenwood, GA: 15 028 05 003 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

Attachments: [Exhibit A-Boundary Survey 4075 Old River Rd](#)
[EXHIBIT B- LEGAL DESCRIPTION 4075](#)
[Exhibit C- Location Map](#)
[Resolution for Signature](#)