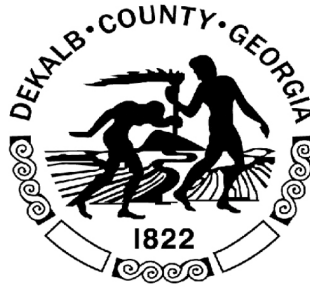


DeKalb County Government

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



Agenda

Thursday, March 30, 2023

5:30 PM

Manuel J. Maloof Auditorium

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 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

Call To Order

The DeKalb County Board of Commissioners will hold its zoning meeting on Thursday, March 30, 2023 at 5:30 p.m. at the Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030.

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>

The Board will provide 10 minutes of time for interested parties to speak in favor of an agenda item, and 10 minutes for interested parties to speak in opposition. 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.

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** [2022-2254](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Avondale Park, LLC c/o Felipe Castellanos for a Major Modification to modify zoning conditions pursuant to CZ-21-1245061 in the MU-5 (Mixed Use 5) zoning district for a mixed residential, office, and commercial development to change the use of the office and retail buildings designated as "A", "B", and "C" on the approved concept plan, to now combine those buildings into one mixed-use building with up to 49,000 square feet of commercial and up to 202 apartment units, at 3458, 3468 and 3478 Mountain Drive.

Attachments: [CZ-22-1246039 March 2023 BOC Staff Report 3458.3468.3478 Mountain Dr](#)
[CZ-22-1246039 Nov 2022 Staff Report Mountain Dr](#)

(11/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

- D2** [2022-2259](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Chad Mercer for a Major Modification to zoning conditions pursuant to CZ-18-21945 to increase the number of residential units from 6 to 8 units per acre in the MR-2 (Medium Density Residential-2) zoning district, at 211 South Howard Street.

Attachments: [CZ-22-1246089 March BOC 2023 Staff Report 211 S. Howard St](#)
[CZ-22-1246089 Nov 2022 Staff Report 211 S Howard St](#)

(11/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

D3 [2022-2262](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Toll Brothers c/o Kathryn Zickert, Smith, Gambrell, & Russell LLC to rezone property from O-I (Office Institutional) zoning district to RSM (Small Lot Residential Mix) zoning district to allow the construction of single-family attached townhomes, at 1065 Fayetteville Road.

Attachments: [Z-22-1246092 March BOC 2023 Staff Report 1065 Fayetteville Rd Opposition - 1065 Fayetteville Rd Z-22-1246092](#)
[Z-22-1246092 Nov 2022 Staff Report 1065 Fayetteville Rd](#)

(11/1/22 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: deferred 30 days to the Board of Commissioners - Zoning Meeting)

D4 [2022-2537](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Anandi JRK, LLC c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) request to allow accessory fuel pumps for a proposed convenience store within Tier 1 of the Interstate 20 Overlay District and the C-1 (Local Commercial) zoning district, at 2571 E. Wesley Chapel Way.

Attachments: [SLUP-23-1246180 Staff Report March 2023 2571 E. Wesley Chapel Way](#)
[SLUP-23-1246180 Jan BOC 2023 Staff Report 2571 E. Wesley Chapel Way](#)

(1/5/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(1/26/23 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

D5 [2022-2269](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27-3.22-Emory Village Overlay District-to update permitted and prohibited uses; revise minimum parking requirements; and to address building design and other overlay district enhancements.

Attachments: [TA 22-1246100 Emory Village OVD Staff Report BOC March 2023](#)
[TA-22-1246100 Jan BOC 2023 Staff Report Emory Vlg OVD](#)
[TA-22-1246100 Nov 2022 Emory Vlg Staff Report](#)

(11/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(1/5/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(1/26/23 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

D6 [2022-2270](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 5.7.9 to consolidate regulations specific to cottage housing development; to amend Article 2 (Residential Zoning Districts: Dimensional Requirements) for the facilitation of cottage housing development in various zoning districts; to amend Section 5.7.5 (Detached Houses) related to cottage housing development, and to revise other applicable sections of the Zoning Ordinance to accommodate cottage housing development.

Attachments: [TA-22-1246101 March 2023 BOC - Cottage Home Text Amendment](#)
[TA-22-1246101 Nov 2022 Staff Report Cottage Housing](#)
[TA-22-1246101](#)
[CC-2 Comments for TA-22-1246101 Cottage Housing Development](#)

(11/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/7/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

New Cases

N1 [2023-0064](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying Inc to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to accommodate an existing landscape company, upgrade and expand the building, and add additional parking, at 1422 Rock Chapel Road.

Attachments: [LP-23-1246239 Staff Report March 2023 1422 Rock Chapel Rd](#)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

N2 [2023-0065](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying, Inc. to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to accommodate an existing landscaping company, upgrade and expand the building, and add additional parking, at 1422 Rock Chapel Road.

Attachments: [Z-1246238 March BOC 2023 Staff Report 1422 Rock Chapel Rd](#)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

N3 [2023-0066](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying to amend the Future Land Use Plan from Suburban (SUB) character area to Light Industrial (LIND) character area to allow for the construction of a proposed landscaping company, at 1450 Rock Chapel Road.

Attachments: [LP-23-1246240 Staff Report March 2023 1422 Rock Chapel Rd](#)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

N4 [2023-0067](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Land Engineering and Surveying to rezone property from R-100 (Residential Medium Lot) zoning district to M (Light Industrial) zoning district to allow for the construction of a proposed landscaping company, at 1450 Rock Chapel Road.

Attachments: [Z-23-1246241 March 2023 BOC Staff Report 1450 Rock Chapel Rd](#)

(3/7/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N5 [2023-0068](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Craig Wasilewsky to amend the future land use plan from
Suburban (SUB) character area to Neighborhood Center (NC) character
area, at 710 Fayetteville Road.

Attachments: [LP-23-1246249 Staff Report March 2023 710 Fayetteville Rd](#)

(3/7/23 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N6 [2023-0069](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Craig Wasilewsky to rezone property from R-75 (Residential
Medium Lot) zoning district to MR-2 (Medium Density Residential-2)
zoning district to construct multi-family apartments, at 710 Fayetteville
Road.

Attachments: [Z-23-1246248 Recommended Conditions](#)

[Z-23-1246248 March BOC 2023 Staff Report 710 Fayetteville Rd](#)

(3/7/23 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N7 [2023-0070](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Celina Lane c/o Battle Law, P.C. to request a Major
Modification to zoning conditions pursuant to CZ-1243618 to modify
condition #1 to allow the site plan to be changed to reflect the operation of a
dog daycare business and modify use conditions to include dog daycare,
boarding (primary), grooming, indoor/outdoor play area within the existing
Parkview Plaza building (Suite B) in the MU-4 (Mixed Use-4) zoning
district, at 1807 Memorial Drive.

Attachments: [CZ-23-1246278 Recommended Conditions](#)

[CZ-1246278 Staff Report March 2023 1807 Memorial Dr](#)

(3/7/23 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

N8 [2023-0071](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Celina Lane c/o Battle Law, P.C. to request a Special Land
Use Permit (SLUP) to allow for a dog daycare business within the existing
Parkview Plaza building (Suite B) in the MU-4 (Mixed Use-4) zoning
district, at 1807 Memorial Drive.

Attachments: [SLUP-23-1246250 Recommended Conditions](#)
[SLUP-1246250 March BOC 2023 Staff Report 1807 Memorial Dr](#)
[\(3/7/23 Planning Commission: approved with conditions per staff
recommendation to the Board of Commissioners - Zoning Meeting\)](#)

N9 [2023-0072](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Bimor, LLC c/o Battle Law, P.C. to request a Major
Modification to zoning conditions pursuant to CZ-00043 to allow the
construction of eight (8) single-family attached townhomes in the RSM
(Residential Small Lot) zoning district, at 7006 Covington Highway.

Attachments: [Deferral request for 7006 Covington Highway](#)
[CZ-23-1246251 March 2023 BOC Staff Report 7006 Covington](#)
[Hwy](#)
[\(3/7/23 Planning Commission: deferred for a full cycle to the Board of
Commissioners - Zoning Meeting\)](#)

N10 [2023-0115](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of QuikTrip Corp c/o Battle Law, P.C. to request a Special
Land Use Permit (SLUP) to allow the installation of fuel pumps associated
with a new convenience store in the C-2 (General Commercial) zoning
district, at 4434, 4450 and 4466 Memorial Drive.

Attachments: [SLUP 23-1246256 March 2023 BOC Staff Report 4434.4450.4466](#)
[Memorial Dr](#)
[\(3/7/23 Planning Commission: deferred for a full cycle to the Board of
Commissioners - Zoning Meeting\)](#)

N11 [2023-0185](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability to amend the
DeKalb County Zoning Ordinance to address Workforce Housing. This text
amendment is County wide..

Attachments: [TA-23-1246284 Workforce Housing Draft Ord 1.24.23 March 2023](#)
[Staff Report](#)
[\(3/7/23 Planning Commission: deferred for two full cycles to the Board of
Commissioners - Zoning Meeting\)](#)

