

# DeKalb County Government

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



## Summary

**Tuesday, October 4, 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*

**Administration:** Barbara Sanders-Norwood, County Clerk, Matthew C. Welch, Deputy County Attorney

The DeKalb County Board of Commissioners will hold its online zoning meeting on Tuesday, October 4, 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 [2022-1487](#)

**COMMISSION DISTRICT(S): All Districts**

**Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to amend Article 2 (District Regulations) and to amend Article 5 (Site Design and Building Form Standards) to increase the maximum building height allowed in the OD (Office Distribution) Zoning District, with limitations. This text amendment is County-wide.**

**Withdrawn without prejudice**

### D2 [2022-1481](#)

**COMMISSION DISTRICT(S): Commission District 04 Super District 06**

**Application of AK Memorial Shopping Center, LLC to amend the future land use map from NC (Neighborhood Center) to CRC (Commercial Redevelopment Corridor) Character Area to allow for film/movie/tv production studios, at 5615 Memorial Drive..**

**Withdrawn without prejudice**

**D3**      [2022-1482](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of AK Memorial Shopping Center, LLC to rezone properties from C-1 (Local Commercial) to OD (Office Distribution) Zoning District to allow for OD (Office Distribution) uses, which may include film/movie/tv production studios., at 5615 Memorial Drive.**

**Withdrawn without prejudice**

**D4**      [2022-1486](#)

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
**Application of Director of Planning and Sustainability for a text amendment to the Emory Village Overlay-Sec. 3.22 to allow the limited sale of beer, wine, and spirits as an accessory retail use for off-site consumption at any location within the overlay district.**

**Withdrawn**

**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.**

**Deferred for a full cycle, until November 17, 2022**

**New Cases**

**N1**      [2022-1906](#)

**COMMISSION DISTRICT(S):** All Districts  
**Application of the Director of Planning and Sustainability to adopt a major update to the DeKalb County 2050 Comprehensive Plan, as required by the Rules of the Georgia Department of Community Affairs, Chapter 110-12-1 Minimum Standards and Procedures for Local Comprehensive Planning, and established by the Georgia Planning Act of 1989. The property is located on within the areas of unincorporated DeKalb County. This text amendment is County-wide.**

**Deferred, until November 17, 2022**

N2 [2022-1907](#)

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
**Application of Charles F. Palmer for a Special Land Use Permit (SLUP) to allow senior housing in the O-I (Office Institutional) Zoning District and the Druid Hills Historic District; and to increase building height beyond 70 feet up to 101 feet, at 1256 Briarcliff Road.**

**Deferred for 30 days, until November 8, 2022 for Public Hearing**

N3 [2022-1908](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of David Kirk to amend the Land Use Map from LIND (Light Industrial) to TC (Town Center) for a multi-family residential development, at 2920 North Decatur Road.**

**Approved**

N4 [2022-1909](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of David Kirk to rezone property from M (Light Industrial) zoning district to HR-2 (High Density Residential-2) zoning district to allow construction of a multifamily residential development, at 2920 North Decatur Road.**

**Approved with conditions**

N5 [2022-1910](#)

**COMMISSION DISTRICT(S):** Commission District 01 Super District 07  
**Application of The Church in Atlanta Inc. c/o Dennis J. Web Jr., Smith Gambrell & Russell, LLC for a Special Land Use Permit (SLUP) to replace the existing church building with a new church in the R-100 (Residential Medium Lot-100) zoning district, at 2345 Shallowford Road.**

**Deferred for 30 days, until November 8, 2022 for Public Hearing**

N6 [2022-1911](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07  
**Application of Troy Morrison for a Special Land Use Permit (SLUP) to allow a Personal Care Home (Community Living Arrangement - CCI) for four (4) individuals in the R-75 (Residential Medium Lot-75) zoning district, at 3771 Elkridge Drive.**

**Deferred for 30 days, until November 8, 2022 for Public Hearing**

N7 [2022-1912](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 07  
**Application of El Amar Engineering & Construction c/o Battle Law, P.C. to rezone properties from R-75 (Residential Medium Lot-75) zoning district to R-60 (Residential Small Lot-60) zoning district to construct single-family detached homes, at 883 Mountain View Drive.**

**Approved with conditions**

N8 [2022-1976](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of Shalom Restorations, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow single-family detached homes, at 695 Jordan Lane.**

**Deferred for a full cycle, until November 17, 2022**

N9 [2022-1977](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of Starleatha Denson to rezone property from R-85 (Residential Medium Lot-85) zoning district to RSM (Small Lot Residential Mix) zoning district to increase the size of an existing personal care home from six (6) residents to seven (7) residents, at 2336 Wesley Chapel Road.**

**Withdrawn without prejudice**

N10 [2022-1978](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of Starleatha Denson for a Special Land Use Permit to increase the size of an existing personal care home from six (6) residents to seven (7) residents in the R-85 (Residential Medium Lot-85) zoning district, at 2336 Wesley Chapel Road.**

**Withdrawn without prejudice**

**N11**     [2022-1979](#)

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
**Application of Stein Investment Group c/o Smith Gambrell & Russell to rezone properties from C-1 (Local Commercial) zoning district to HR-3 (High Density Residential-3) zoning district to allow for the construction of a mixed-use development to include approximately 30,000 square feet of accessory restaurant/retail space, 6,000 square feet of accessory office space, 392 multi-family units, and a shared structured parking garage, at 3082 Briarcliff Road.**

**Deferred for 30 days, until November 8, 2022 for Public Hearing**

**N12**     [2022-1980](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 06  
**Application of Abeba Abebe to amend the future land use plan from Commercial Redevelopment Corridor (CRC) to Suburban (SUB) to allow the existing single-family house to have a residential zoning classification, at 2716 Ellen Way.**

**Approved**

**N13**     [2022-1981](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 06  
**Application of Abeba Abebe to rezone property from C-1 (Local Commercial) / Tier 2, I-20 Corridor Compatible Use Overlay District to R-75 (Residential Medium Lot-75) zoning district to allow an existing single-family house to have a residential zoning classification, at 2716 Ellen Way.**

**Approved**

**N14**     [2022-1991](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07  
**Application of Breakthru House Inc. c/o Battle Law, P.C to rezone properties from O-I (Office Institutional) zoning district and R-75 (Residential Medium Lot-75) zoning district to O-I (Office Institutional) zoning district to allow personal care homes and offices, at 1866 Eastfield Street.**

**Approved with 1 condition**

**N15**     [2022-1992](#)

**COMMISSION DISTRICT(S):** Commission District 01 Super District 07  
**Application of Fugees Family Inc. c/o Janeya Hisle for a Special Land Use Permit (SLUP) to allow a public charter school within the existing buildings formerly owned by Northeast Baptist Church in the R-100 (Residential Medium Lot-100) zoning district, at 3201 Bolissa Drive.**

**Withdrawn without prejudice**

**N16**     [2022-1996](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to amend the future land use plan from Suburban (SUB) to Commercial Redevelopment Corridor (CRC) to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.**

**Deferred for 60 days until November 17, 2022**

**N17**     [2022-1997](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to rezone property from MU-4 (Mixed-Use High Density) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.**

**Deferred for 60 days, until November 17, 2022**

**N18**     [2022-1998](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.**

**Deferred for a full cycle, until November 17, 2022**