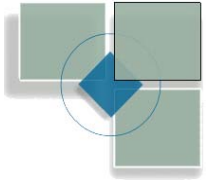




DeKalb County Planning & Sustainability Department

Lee May  
Interim Chief Executive Officer

Andrew A. Baker, AICP  
Director



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, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please 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. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

MANUEL MALOOF AUDITORIUM  
1300 COMMERCE DRIVE  
DECATUR, GA 30030

BOARD OF COMMISSIONERS HEARING DATE – TUESDAY, MAY 26, 2015; 6:30 P.M.

AGENDA

DEFERRED CASES:

- D.1 Z-14-19370 **WITHDRAWN WITHOUT PREJUDICE** Commission District: 5 Super District: 7  
16-007-10-001, 16-007-10-002, 16-007-10-003, 16-007-10-004, 16-007-10-005, 16-007-10-006,  
16-007-10-007, 16-007-10-008, 16-007-10-009, 16-007-10-010, 16-007-10-011, 16-007-10-012,  
16-007-10-013, 16-007-10-014, 16-007-10-015, 16-007-10-016, 16-007-10-017, 16-007-10-018,  
16-007-10-019, 16-007-10-020, 16-007-10-021, 16-007-10-022, 16-007-10-023, 16-007-10-024,  
16-007-10-025, 16-007-10-026, 16-007-10-027, 16-007-10-028, 16-007-10-029, 16-007-10-030

Application of APD Solutions, LLC to rezone from the OCR (Office-Commercial-Residential) District to C-1 (Local Commercial) District to adapt the use of an existing development consisting of unoccupied non-residential space and 23 residential units into a resort complex with lodging, dining and indoor amusement venue within Tier 1 of the Greater Hidden Hills Overlay District. The property is located on the south side of Covington Highway approximately 241 feet west of Hidden Creek Drive and Young Road on property formerly known as 5600 Covington Highway (Panola Slopes). The property has approximately 652 feet of frontage along the south side of Covington Highway and approximately 159 feet of frontage along the west side of Hidden Creek Drive and contains 10.15 acres.

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**D.2 SLUP-14-19372 WITHDRAWN WITHOUT PREJUDICE Commission District: 5 Super District: 7**

**16-007-10-024, 16-007-10-025, 16-007-10-026**

**Application of APD Solutions, LLC to request a Special Land Use Permit (SLUP) to allow a Late Night Establishment within (3) buildings on the ground floor of a proposed resort complex consisting of lodging, dining and indoor arcade in a proposed C-1 (Local Commercial) District within Tier 1 of the Greater Hidden Hills Overlay District.** The property is located on the south side of Covington Highway approximately 241 feet west of Hidden Creek Drive and Young Road on property formerly known as 5600 Covington Highway (Panola Slopes). The current addresses are 2276 Martin Terrace, 4880 and 4890 Panola Slope Way in Decatur, Georgia. The property has approximately 652 feet of frontage along the south side of Covington Highway and approximately 159 feet of frontage along the west side of Hidden Creek Drive and contains 10.15 acres.

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**D.3 Z-15-19586 DEFERRED UNTIL JUNE 9, 2015; DECISION ONLY Commission District: 3 Super District: 6 15-045-02-008**

**Application of John and Kim Osignuga c / o Battle Law Pc to rezone property from R-00 (Single-Family Residential) District to R-75 (Single-Family Residential) District to develop an 18-lot single-family detached subdivision at a maximum density of 2.14 units per acre within Tier 5 of the Bouldercrest-Cedar Grove-Moreland Overlay District.** The property is located on the east side of West Side Place, Approximately 320 feet north of Henrico Road at 3930 West Side Place in Ellenwood, Georgia. The property has approximately 400 feet of frontage along the east side of West Side Place and contains 8.37 acres.

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**NEW CASES:**

**N.1 LP-15-19776 DEFERRED UNTIL JUNE 23, 2015; PUBLIC HEARING Commission District: 2 Super District: 6**

**18-049-12-001, 18-049-12-002, 18-049-12-003, 18-049-12-004, 18-049-12-005, 18-049-12-006, 18-049-12-007, 18-049-12-008, 18-049-12-009, 18-049-12-010, 18-049-12-011, 18-049-12-012, 18-049-12-013, 18-049-12-014, 18-049-12-015, 18-049-13-001, 18-049-13-002, 18-049-13-003, 18-049-13-004, 18-049-13-005, 18-049-13-006, 18-049-13-007, 18-049-13-008, 18-049-13-009, 18-049-13-010, 18-049-13-011, 18-049-13-012, 18-049-13-013, 18-049-13-014, 18-049-13-015, 18-049-13-016, 18-049-13-017, 18-049-13-018, 18-049-13-019, 18-049-13-020, 18-049-13-021, 18-049-13-022, 18-049-13-023, 18-049-13-024**

**Application of Fuqua Development c / o Smith Gambrell & Russell, LLP to change the land use designation from SUB (Suburban) to TC (Town Center).** The property is located on the southeast side of Scott Boulevard, the east side Barton Way, the east and west sides of Blackmon Drive, and the north side of North Decatur Road, at 1591, 1581 & 1573 Scott Boulevard; 615, 609, 601, 597, 591, 585 & 579 Barton Way; 2506, 2512, 2518, 2524, 2530, 2536, 2542, 2548, 2554, 2560, 2556, 2572, 2578, 2584 & 2592 Blackmon Drive, and 2574, 2582, 2588 & 2598 North Decatur Road, Decatur. The property has approximately 675.82 feet of frontage on Scott Boulevard, 641.74 feet of frontage on Barton Way, 1,083 feet of frontage on Blackmon Drive, and 713 feet of frontage on North Decatur Road and contains 15.45 acres.

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**N.2 Z-15-19439 DEFERRED UNTIL JUNE 23, 2015; PUBLIC HEARING**

**Commission District: 2 Super District: 6**

**18-049-12-001, 18-049-12-002, 18-049-12-003, 18-049-12-004, 18-049-12-005, 18-049-12-006, 18-049-12-007, 18-049-12-008, 18-049-12-009, 18-049-12-010, 18-049-12-011, 18-049-12-012, 18-049-12-013, 18-049-12-014, 18-049-12-015, 18-049-13-001, 18-049-13-002, 18-049-13-003, 18-049-13-004, 18-049-13-005, 18-049-13-006, 18-049-13-007, 18-049-13-008, 18-049-13-009, 18-049-13-010, 18-049-13-011, 18-049-13-012, 18-049-13-013, 18-049-13-014, 18-049-13-015, 18-049-13-016, 18-049-13-017, 18-049-13-018, 18-049-13-019, 18-049-13-020, 18-049-13-021, 18-049-13-022, 18-049-13-023, 18-049-13-024**

**Application of Fuqua Development c/o Smith Gambrell & Russell, LLP to rezone property from O-I (Office-Institutional) and R-75 (Single-Family Residential to OCR (Office-Commercial-Residential), for a mixed-use development with 95,000 square feet of retail, restaurant, and office space and 450 multifamily residential units.** The property is located on the southeast side of Scott Boulevard, the east side Barton Way, the east and west sides of Blackmon Drive, and the north side of North Decatur Road, at 1591, 1581 & 1573 Scott Boulevard; 615, 609, 601, 597, 591, 585 & 579 Barton Way; 2506, 2512, 2518, 2524, 2530, 2536, 2542, 2548, 2554, 2560, 2556, 2572, 2578, 2584 & 2592 Blackmon Drive, and 2574, 2582, 2588 & 2598 North Decatur Road, Decatur. The property has approximately 675.82 feet of frontage on Scott Boulevard, 641.74 feet of frontage on Barton Way, 1,083 feet of frontage on Blackmon Drive, and 713 feet of frontage on North Decatur Road and contains 15.49 acres.

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**N.3 SLUP-15-19775 DEFERRED UNTIL JUNE 23, 2015; PUBLIC HEARING**

**Commission District: 2 Super District: 6**

**18-049-12-001, 18-049-12-002, 18-049-12-003, 18-049-12-004, 18-049-12-005, 18-049-12-006, 18-049-12-007, 18-049-12-008, 18-049-12-009, 18-049-12-010, 18-049-12-011, 18-049-12-012, 18-049-12-013, 18-049-12-014, 18-049-12-015, 18-049-13-001, 18-049-13-002, 18-049-13-003, 18-049-13-004, 18-049-13-005, 18-049-13-006, 18-049-13-007, 18-049-13-008, 18-049-13-009, 18-049-13-010, 18-049-13-011, 18-049-13-012, 18-049-13-013, 18-049-13-014, 18-049-13-015, 18-049-13-016, 18-049-13-017, 18-049-13-018, 18-049-13-019, 18-049-13-020, 18-049-13-021, 18-049-13-022, 18-049-13-023, 18-049-13-024**

**Application of Fuqua Development c/o Smith Gambrell & Russell, LLP to increase the height of multifamily residential buildings in a mixed use development from the allowed maximum of two stories to five stories; to allow two drive-through lanes for two commercial buildings.** The property is located on the southeast side of Scott Boulevard, the east side Barton Way, the east and west sides of Blackmon Drive, and the north side of North Decatur Road, at 1591, 1581 & 1573 Scott Boulevard; 615, 609, 601, 597, 591, 585 & 579 Barton Way; 2506, 2512, 2518, 2524, 2530, 2536, 2542, 2548, 2554, 2560, 2556, 2572, 2578, 2584 & 2592 Blackmon Drive, and 2574, 2582, 2588 & 2598 North Decatur Road, Decatur. The property has approximately 675.82 feet of frontage on Scott Boulevard, 641.74 feet of frontage on Barton Way, 1,083 feet of frontage on Blackmon Drive, and 713 feet of frontage on North Decatur Road and contains 15.45 acres.

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**N.4 SLUP-15-19854 DEFERRED UNTIL JUNE 23, 2015; PUBLIC HEARING**

**Commission District: 2 Super District: 6**

**18-049-12-001, 18-049-12-002, 18-049-12-003, 18-049-12-004, 18-049-12-005, 18-049-12-006, 18-049-12-007, 18-049-12-008, 18-049-12-009, 18-049-12-010, 18-049-12-011, 18-049-12-012, 18-049-12-013, 18-049-12-014, 18-049-12-015, 18-049-13-001, 18-049-13-002, 18-049-13-003, 18-049-13-004, 18-049-13-005, 18-049-13-006, 18-049-13-007, 18-049-13-008, 18-049-13-009, 18-049-13-010, 18-049-13-011, 18-049-13-012, 18-049-13-013, 18-049-13-014, 18-049-13-015, 18-049-13-016, 18-049-13-017, 18-049-13-018, 18-049-13-019, 18-049-13-020, 18-049-13-021, 18-049-13-022, 18-049-13-023, 18-049-13-024**

**Application of Fuqua Development c/o Smith Gambrell & Russell, LLP to allow a drive-through restaurant.** The property is located on the southeast side of Scott Boulevard, the east side Barton Way, the east and west sides of Blackmon Drive, and the north side of North Decatur Road, at 1591, 1581 & 1573 Scott Boulevard; 615, 609, 601, 597, 591, 585 & 579 Barton Way; 2506, 2512, 2518, 2524, 2530, 2536, 2542, 2548, 2554, 2560, 2556, 2572, 2578, 2584 & 2592 Blackmon Drive, and 2574, 2582, 2588 & 2598 North Decatur Road, Decatur. The property has approximately 675.82 feet of frontage on Scott Boulevard, 641.74 feet of frontage on Barton Way, 1,083 feet of frontage on Blackmon Drive, and 713 feet of frontage on North Decatur Road and contains 15.45 acres.

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**N.5 Z-15-19762 DEFERRED UNTIL JUNE 9, 2015; DECISION ONLY**

**Commission District: 4 Super District: 6**

**15-250-01-013**

**Application of Carlos Arenas to rezone property from RM-85 (Multi-Family Residential) to PC-3 (Pedestrian Community) District to allow a mixed-use development consisting of a maximum of 48 single-family detached units, 66 townhomes, 408 multi-family units, and 54,990 square feet of commercial development.** The property is located on the north side of Mountain Drive, approximately 294 feet east of Pine Tree Circle at 3360 Mountain Drive in Decatur, Georgia. The property has approximately 770 feet of frontage along the north side of Mountain Drive and contains 30.5 acres.

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**N.6 SLUP-15-19764 APPROVED WITH STAFF'S SEVEN CONDITIONS**

**Commission District: 3 Super District: 6**

**15-107-01-226**

**Application of Kimotta Jackson for a Special Land Use Permit (SLUP) to operate a child day care facility for no more than six (6) children in an existing single family residence zoned R-75 (Single-Family Residential) District.** The property is located on the south side of Battlecrest Drive, approximately 485 feet south of Manassas Lane at 2883 Battlecrest Drive in Decatur, Georgia. The property has approximately 74 feet of frontage on the south side of Battlecrest Drive and contains .44 acre.

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**N.7 SLUP-15-19767 APPROVED WITH STAFF'S SEVEN CONDITIONS**  
Commission District: 2 Super District: 6  
18-101-08-019

**Application of Jennifer Rembert for a Special Land Use Permit (SLUP) to operate a child day care facility for no more than six (6) children in an existing single family residence zoned R-75 (Single- Family Residential) District.** The property is located on the north side of North Hills Drive, approximately 130 feet east of Willivee Drive at 978 North Hills Drive in Decatur, Georgia. The property has approximately 65 feet of frontage along North Hills Drive and contains .24 acre.

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**N.8 Z-15-19768 APPROVED WITH STAFF'S TEN CONDITIONS**  
Commission District: 3 Super District: 6  
15-148-02-033, 15-148-02-034, 15-147-05-013

**Application of Clare Allah For Chris Kids, Inc. to rezone from R-75 (Single-Family Residential) to O-I (Office-Institutional) for a 3-story, 20,000 square foot office building.** The property is located on the southeast corner of Fayetteville Road and Pine Trail, at 1713 and 1723 Pine Trail and 1030 Fayetteville Road, Atlanta. The property has approximately 274 feet of frontage on Pine Trail and 484 feet of frontage on Fayetteville Road and contains 2.15 acres.

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**N.9 SLUP-15-19771 DEFERRED UNTIL JUNE 9, 2015; DECISION ONLY**  
Commission District: 2 Super District: 6  
18-150-01-031, 18-150-01-032, 18-150-01-033, 18-150-01-045

**Application of Cliff Valley School for a Special Land Use Permit (SLUP) request to expand the parking lot of Cliff Valley Elementary and Middle School and relocate the driveway access off of Clairmont Road in the R-100 (Single-Family Residential) District.** The property is located on the west side of Clairmont Road, approximately 261 feet south of Grace Arbor Court at 2388, 2398, 2408, and 2426 Clairmont Road in Atlanta, Georgia. The property has approximately 683 feet of frontage on the west side of Clairmont Road and contains 6.6 acres.

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**N.10 SLUP-15-19779 APPROVED WITH TEN CONDITIONS SUBMITTED BY COMMISSIONER GANNON AND ATTORNEY MICHELE BATTLE FROM THE FLOOR.** Commission District: 4 Super District: 6  
18-100-01-004

**Application of Max Rojas for a Special Land Use Permit (SLUP) for minor auto repair in a C-1 (Local Commercial) District.** The property is located on the east side of Lawrenceville Highway and the south side of White Boulevard at the southeast intersection of Lawrenceville Highway and White Boulevard at 2207 Lawrenceville Highway. The property has approximately 136 feet of frontage on the east side of Lawrenceville Highway and 118 feet of frontage along the south side of White Boulevard and contains .35 acre.

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**N.11 SLUP-15-19801 APPROVED WITH STAFF'S SIX CONDITIOINS** Commission District: 5  
Super District: 7  
15-131-03-010; Portion of Parcel ID: 15-131-03-010

**Application of Jessie Cunningham for a Special Land Use Permit for a 2,800 square foot Late-Night Establishment in Suite G & H (adjacent to Little Giant) of the Wesley Chapel Crossing Shopping Center in the I-20 Overlay District (Tier 2) and the C-1 (Local Commercial) District.** The property is located on the east side of Wesley Chapel Road, approximately 364 feet north of New Snapfinger Woods Drive at 2440 Wesley Chapel Road in Decatur, Georgia. The property has approximately 183 feet of frontage on the east side of Wesley Chapel Road and contains 9.53 acres.

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**N.12 SN-15-19803 APPROVED** Commission District: 3 & 5 Super  
District: 7  
16-009-01-001, 16-009-01-017, 16-024-01-010, 16-024-01-012, 16-024-01-014, 16-024-06-001,  
16-009-07-090

**Application of DeKalb County Board of Commissioners for a request for a street name change from Lithonia Way to Acuity Way for that length of street beginning on the south side of Snapfinger Road extending to Panola Industrial Way.** The Road is currently aligned with Miller Road on the north side of Snapfinger Road and has approximately 2,370 linear feet of frontage along six parcels zoned either M-Industrial or OCR (Office Commercial Residential).