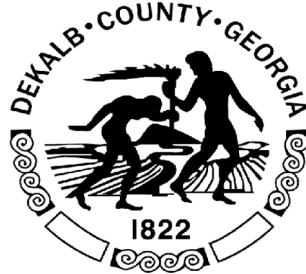


# DeKalb County Government

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



## **Minutes - Final**

**Tuesday, January 8, 2019**

**6:30 PM**

**Manuel J. Maloof Auditorium**

### **Planning Commission**

*Chairperson Tess Snipes*

*Vice Chair Marcus Butts*

*Member April Atkins*

*Member Edward Patton*

*Member Jana Johnson*

*Member Vivian Moore*

*Member LaSonya Osler*

*Member Jon West*

*Member H. Paul Womack Jr.*

**Call To Order****Roll Call**

**Present** 8 - Member Edward Patton, Member Jana Johnson, Member Vivian Moore, Member LaSonya Osler, Member Jon West, Member Paul Womack Jr., Chairperson Tess Snipes, and Member April Atkins

**Defered Cases**

**D1**     [2018-2163](#)     COMMISSION DISTRICT(S): 2 & 6  
Application of LCI-SVAP NDM JV, LP c/o Kathryn Zickert to rezone property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) for redevelopment of the North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development at Lawrenceville Highway/Birch Road/Sweet Briar Road.

**Attachments:** [July 2018 Staff Report and Attachments](#)  
[November 2018 Staff Report and Attachments](#)  
[January 2019 Staff Report and Attachments](#)

**withdraw without prejudice**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

**D2**     [2018-2164](#)     COMMISSION DISTRICTS: 2 & 6  
Application of LCI-SVAP NDM JV, LP c/o Kathryn M. Zickert for a Special Land Use Permit for Costco fuel pumps as part of redevelopment of North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development, in accordance with Chapter 27, Article 4, Table 4.1 - Use Table of the DeKalb County Code, at Lawrenceville Hwy/Birch Rd/Sweet Briar Rd.

**Attachments:** [July 2018 Staff Report and Attachments](#)  
[November 2018 Staff Report and Attachments](#)  
[January 2019 Staff Report and Attachments](#)

**withdraw without prejudice**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

**New Cases**

- N1**     [2018-3060](#)     COMMISSION DISTRICT(S): 1 & 7  
application of John T. Rosser to rezone property from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop a single-family detached residence on a non-conforming lot, at 2405 Henderson Mill Road.
- Attachments:**   [N1 Z 19 1235286 Recommended Conditions](#)  
[N1 John T Rosser Z 19 1235286](#)
- approved with conditions per staff recommendation**
- Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins
- N2**     [2018-3061](#)     COMMISSION DISTRICT(S): 3 & 6  
Application of Langford and Company Strategic Investments, LLC for a Major Modification of zoning conditions, approved pursuant to CZ-04068, to allow the property to be subdivided into two single-family lots in the R-60 (Residential Small Lot) District, at 2184 Cavanaugh Avenue.
- Attachments:**   [Staff Report and Attachments](#)  
[Staff-Recmmndd Conditions 1-8-19](#)  
[Comments by Land Development, Transportation](#)  
[Staff-Recmmndd Conditions 1-14-19](#)
- approved with conditions per staff recommendation**
- Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins
- N3**     [2018-3062](#)     COMMISSION DISTRICT(S): 3 & 6  
Application of William Walters for a Special Land Use Permit to allow a home occupation (vintage audio electronics repair) with customer contact in an R-75 (Residential Medium Lot) District, at 2088 Brannen Road.
- Attachments:**   [N3 SLUP 19 1235300 Recomm Cond](#)  
[N3 William Walters SLUP 19 1235300](#)
- approved with conditions per staff recommendation**
- Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

- N4**     [2018-3063](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Fitzroy & Marsha A Smith to rezone properties from C-1 (Local Commercial) District to C-2 (General Commercial) District to allow major auto repair within a new three-bay building with accessory storage, at 2478 Rock Chapel Road.

**Attachments:**   [N4 Z 19 1235308 staff conditions](#)  
[N4 Fitzroy Marsh Smith Z 19 1235308 staff report](#)

**denied**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

- N5**     [2018-3064](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Fitzroy & Marsha A. Smith for a Special Land Use Permit to allow major auto repair within a new three-bay (or four bay) building with accessory storage, at 2478 Rock Chapel Road.

**Attachments:**   [N5 SLUP 19 1242980 staff conditions](#)  
[N5 Fitzroy Marsha Smith SLUP 19 1242980 staff report](#)

**denied**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

- N6**     [2018-3065](#)     COMMISSION DISTRICT(S): 5 & 7  
Application of Marjorie Ledgister for a Special Land Use Permit to allow a group personal care home of four residents on a property zoned R-100 (Residential Medium Lot - 100) in the Hidden Hills Overlay District, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1, at 5393 Rockmoor Dr.

**Attachments:**   [Staff Report and Attachments](#)  
[Staff-Recommended Condition](#)  
[Comments from Land Development, Transportation Division](#)

**approved with conditions per staff recommendation**

**Yes:** 7 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Chairperson Snipes, and Member Atkins

**Not Present:** 1 - Member Womack Jr.

- N7     [2018-3066](#)     COMMISSION DISTRICT(S): 3 & 6  
Application of VC Development, LLC to rezone property from R-75 (Residential Medium Lot) District to RSM (Residential Small Lot) District to allow the development of a 20-lot single-family subdivision with two open space lots, at 2080 Tilson Road.

**Attachments:** [N7 VC Development LLC Z 19 1235291 staff report](#)  
[RECOMMENDED CONDITIONS Z-19-1235291 \(2018-3066\)](#)

**Full cycle deferral**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

- N8     [2018-3067](#)     COMMISSION DISTRICT(S): 3 & 6  
Application of 3012 RIVER ROAD, LLC c/o Shea Roberts to rezone property from R-100 (Residential-Medium Lot - 100) District to RSM (Residential Small Lot Mix) District for development of ten single-family detached homes, at 3012 River Road.

**Attachments:** [Staff Report and Attachments](#)  
[Staff-Recommended Conditions](#)  
[Comments by Land Development, Transportation](#)  
[BOC-Applicant Conditions 1-14-19](#)

**approved with conditions per staff recommendation**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

- N9     **2018-3068**     COMMISSION DISTRICT(S): 3 & 6  
Application of Scott Bennett for a major modification to remove all conditions on property zoned MR-2 (Medium Density Residential -2) District, pursuant to CZ-05033 for 149 single-family attached townhomes in order to develop 291 apartment units at a density of 24 units per acre within Tier 2 of the I-20 Overlay District, at 2128 & 2170 Cook Road.

**Attachments:** N9 CZ 19 1235305 Recomm Cond  
N9 Scott Bennett CZ 19 1235305

**Full cycle deferral**

**Yes:** 6 - Member Patton, Member Johnson, Member Moore, Member Osler, Chairperson Snipes, and Member Atkins

**No:** 2 - Member West, and Member Womack Jr.

**N10**    [2018-3069](#)    COMMISSION DISTRICT(S): 2 & 6  
 Application of Scott Bennett to rezone commercially developed property from RSM (Small Lot Residential Mix) District to the C-1 (Local Commercial) District to allow for future commercial uses, at 7189 Rockbridge Road.

**Attachments:**    [N10 Z 19 1235304 Recomm Cond](#)  
                               [N10 Scott Bennett Z 19 1235304](#)

**approved with conditions per staff recommendation**

**Yes:** 7 - Member Patton, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

**No:** 1 - Member Johnson

**N11**    [2018-3070](#)    COMMISSION DISTRICT(S): 2 & 6  
 Application of Carl Trevathon for a Special Land Use Permit to allow a one-story, 2,100 square-foot classroom addition to an existing place of worship in the R-85 (Single-Family Residential) District, at 1438 Sheridan Road.

**Attachments:**    [SLUP 19 1235307 Recommended Conditions](#)  
                               [N11 Carl Trevathan SLUP-19-1235307](#)

**approved with conditions per staff recommendation**

**Yes:** 7 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Chairperson Snipes, and Member Atkins

**Abstain:** 1 - Member Womack Jr.

**N12**    [2018-3071](#)    COMMISSION DISTRICT(S): 5 & 7  
 Application of Sam and Kimberly A. Underdue for a Special Land Use Permit for a Child Caring Institution (CCI) for up to six children in an R-100 (Residential Medium Lot - 100) district, at 3903 Snapfinger Road.

**Attachments:**    [N12 Sam & Kimberly Underdue SLUP 19 1235312](#)  
                               [Comments by Land Development, Transportation Divisions](#)

**Full cycle deferral per staff recommendation**

**Yes:** 7 - Member Patton, Member Johnson, Member Moore, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

**Not Present:** 1 - Member Osler

**N13**    [2018-3072](#)    COMMISSION DISTRICT(S): 3 & 6  
 Application of Michelle Williams for a Special Land Use Permit (SLUP) to allow a child day care facility for up to 6 children in an RSM (Residential Small Lot Mix) district, at 3004 Kenville Lane.

**Attachments:**    [Staff Report and Attachments](#)  
                           [Staff-Recommended Conditions](#)  
                           [Comments by Land Development, Transportation Divisions](#)

**approved with conditions per staff recommendation**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins

**N14**    [2018-3073](#)    COMMISSION DISTRICT(S): 3 & 7  
 Application of Barry Hayden for a Special Land Use Permit to allow a Late-Night Establishment within 1,500 feet of a residential district, on property zoned C-1 (Local Commercial)/I-20 Overlay District, Tier 2, at 2075 Candler Road.

**Attachments:**    [Staff Report and Attachments](#)  
                           [Additional Information from Applicant](#)  
                           [Neighbor's Signatures, Shared Pkng. Agrmnt.](#)

**deferred for 30 days**

**Yes:** 7 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., and Member Atkins

**No:** 1 - Chairperson Snipes

**N15**    [2018-3074](#)    COMMISSION DISTRICT(S): 4 & 6  
 Application of Ralston George to rezone property from R-75 (Residential Medium Lot) District to MU-1 (Mixed-Use Low Density) District to develop 64 attached townhome units and approximately 22,520 square feet of retail development, at 3780, 3770, 3764, 3762 & 3756 Covington Highway.

**Attachments:**    [N15 Ralston George Z 19 1235327](#)

**Full cycle deferral per staff recommendation**

**Yes:** 7 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., and Member Atkins

**No:** 1 - Chairperson Snipes

**N16**    [2018-3075](#)    COMMISSION DISTRICT(S): 5 & 7  
Application of Leslie Bortier to rezone property from R-85 (Residential Medium Lot) District to the R-60 (Residential Small Lot) District to develop 25 single-family detached residences, at 1746 Pleasant Hill Road.

**Attachments:**    [N16 Z 19 1242964 Recomm Cond](#)  
[N16 Leslie Bortier Z 19 1242964](#)

**deferred substitute**

**Yes:** 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Member West, Member Womack Jr., Chairperson Snipes, and Member Atkins