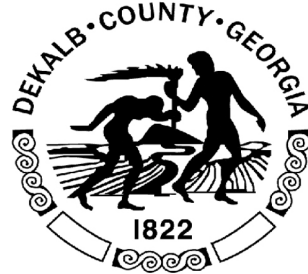


# DeKalb County Government

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



## Minutes

**Thursday, May 2, 2024**

**6:00 PM**

**via Zoom**

## **Planning Commission**

*Chairperson Tess Snipes*

*Co-Vice Chair Jon West*

*Co-Vice Chair LaSonya Osler*

*Member Deanna Murphy (Dist. 1)*

*Member Sarah Zou (Dist. 2)*

*Member Vivian Moore (Dist. 3)*

*Member LaSonya Osler (Dist. 4)*

*Member Jan Costello (Dist. 5)*

*Member Jana Johnson (Dist. 6)*

*Member Edward Patton (Dist. 7)*

**Call To Order**

The DeKalb County Planning Commission will hold its online zoning meeting on Thursday, May 2, 2024 at 6:00 p.m. This meeting will be conducted via teleconference (Zoom).

The public is invited to Join from PC, Mac, Linux, iOS or Android:

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/86330344636> or telephone dial: USA 888-270-9936 (US Toll Free) Conference code: 691303

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 Planning Commission will provide ten (10) minutes of time for citizens to speak in favor of an agenda item, and ten (10) minutes for citizens to speak in opposition. Public comments will be limited to two (2) minutes for applications requesting a withdrawal. Citizens attending the meeting via the Zoom link will be able to 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 are no comment cards, so when called upon, citizens are asked to please state their name and address for the record. The public is also asked to be conscious of speaking time so that everyone may have an opportunity to provide input in the allotted time.

Citizens have until 3 business days prior to the hearing date to email documents for inclusion into the official record by submitting such materials to [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov)

Legal noticing and posting of signs have been completed in accordance with requirements of the DeKalb County Zoning Ordinance. The items on this agenda were presented at Community Council review meetings last month. The Planning Department has prepared the required ordinances as well as the staff analysis, findings of facts, and recommendations for all applications that are on tonight's agenda. Each case on the agenda will proceed accordingly:

Announcement of the case by Staff. Ten (10) minutes of testimony will be allocated for the applicant and those in support of the application. Ten (10) minutes of testimony will be allocated for the opponents. Speaking time will be limited to two (2) minutes for any application seeking a withdrawal. Public testimony will then close and Planning Commission members will commence discussing the merits of the application with respect to the evaluation criteria, staff analysis and public testimony presented at this hearing. At this point, Planning Commissioners may ask questions of the Staff, applicant or public for clarification of an issue. Citizens are not allowed to interrupt or speak out unless called upon by members of the Planning Commission.

The Planning Commission will then make a motion to adopt the findings of facts for the record as presented in the staff analysis, or as modified by the Planning Commission followed by a recommendation to the Board of Commissioners of: Approval, Approval with conditions, Denial, Deferral, or Withdrawal without prejudice.

Cases on this agenda will be heard at a public hearing before the Board of Commissioners on Thursday, May 23, 2024 @ 5:30 p.m., in-person (this is not a Zoom meeting) at the Manuel Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030, and via the County website.

**Roll Call**

- Present**            7 - Member Edward Patton, Member Jana Johnson, Member Jan Costello, Member Vivian Moore, Vice Chair Jon West, Chairperson Tess Snipes, and Member Sarah Zou
- Absent**             2 - Member LaSonya Osler, and Member Deanna Murphy

**Deferred Cases**

**D1**      [2023-1431](#)      COMMISSION DISTRICT(S): COMMISSION DISTRICT 05  
 SUPER DISTRICT 07  
 Application of The Varner Group c/o Bejune Industries to rezone property from C-1 (Local Commercial) zoning district to RSM (Residential Medium Lot) zoning district to construct a townhome community, at 6826 Covington Highway.  
**MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be approved with nine (9) conditions, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 6 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**Abstain:** 1 - Chairperson Snipes

**D2**      [2023-1467](#)      COMMISSION DISTRICT(S): ALL DISTRICTS  
 Application of the Director of Planning & Sustainability for a text amendment relating to short-term rentals and for other purposes. This text amendment is County-wide.  
**MOTION was made by Jon West, seconded by Vivian Moore that this agenda item be deferred for two full cycles to the September 2024 zoning agenda, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**New Cases**

**N1**     [2024-0361](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 05  
 SUPER DISTRICT 07  
 Application of Eritrea Geberehiwot for a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the R-85 (Residential Medium Lot-85) zoning district, within the Hidden Hills Overlay District, at 1584 S. Hairston Road.  
**MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be denied, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N2**     [2024-0362](#)     COMMISSION DISTRICT(S): DISTRICT 05 SUPER DISTRICT 07  
 Application of Wendy Rios Ochoa for a renewal of a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the RSM (Small Lot Residential Mix) zoning district, at 6168 Marbut Road.  
**MOTION was made by Jan Costello, seconded by Jon West that this agenda item be approved with one (1) condition, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N3**     [2024-0363](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 03  
 SUPER DISTRICT 07  
 Application of Rosalie Ezekiel for a Special Land Use Permit (SLUP) to operate a private school in R-75 (Residential Medium Lot-75) zoning district, at 2135 Shamrock Drive.

**MOTION was made by Edward Patton, seconded by Vivian Moore that this agenda item be approved with one (1) condition, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N4**     [2024-0364](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 04  
 SUPER DISTRICT 07  
 Application of Proverbs Christian School, LLC for a Special Land Use Permit (SLUP) to allow a child day care facility for up to six (6) children in the RSM (Small Lot Residential Mix) zoning district, at 598 Mountain Harbor.

**MOTION was made by Jan Costello, seconded by Vivian Moore that this agenda item be approved with four (4) conditions, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N5**     [2024-0365](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 02  
 SUPER DISTRICT 06  
 Application of Amy Wilson c/o Battle Law, P.C. to rezone property from R-75 (Residential Medium Lot-75) zoning district to C-1 (Local Commercial) zoning district to operate a specialized school for art classes and other art-related activities, at 558 Medlock Road.

**MOTION was made by Jan Costello, seconded by Sarah Zou that this agenda item be approved with three (3) conditions per staff recommendation, with a modification to condition #1, adding tattoo parlors and vape shops to the list of restricted uses.**

**This application moves forward to the Board of Commissioners -**

**Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N6**     [2024-0366](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 03  
 SUPER DISTRICT 06  
 Application of Erica Morgan for a Special Land Use Permit (SLUP) to allow single-family attached townhomes in Tier 3 of the Bouldercrest Overlay District, the Soapstone Historic District, and the R-100 (Residential Medium Lot-100) zoning district, at 2098 & 2124 Cedar Grove Road.  
**MOTION was made by Vivian Moore, seconded by Jon West that this agenda item be denied.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 6 - Member Patton, Member Johnson, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**No:** 1 - Member Costello

**Absent:** 2 - Member Osler, and Member Murphy

**N7**     [2024-0367](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICT 05  
 SUPER DISTRICT 07  
 Application of MBA Productions, LLC c/o Giacoma, Roberts, & Daughdrill, LLC for a Major Modification of zoning conditions pursuant to CZ-00069 to allow music recording and photography studios in the O-I (Office-Institutional) zoning district, at 6020, 6038, and 6048 Paul Road.  
**MOTION was made by Jan Costello, seconded by Jana Johnson that this agenda item be approved with eight (8) conditions per staff recommendation, with 2 additional conditions: 1) Fence needs to be aesthetically pleasing and appropriate for front yards in a residential area; and 2) Parking shall be reduced to the minimum required and that space be used for landscaping.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following**

**vote:**

**Yes:** 6 - Member Patton, Member Johnson, Member Costello, Vice Chair West, Chairperson Snipes, and Member Zou

**No:** 1 - Member Moore

**Absent:** 2 - Member Osler, and Member Murphy

**N8**     **2024-0110**     COMMISSION DISTRICT(S): COMMISSION DISTRICT 05  
 SUPER DISTRICT 07  
 Application of MARTA to rezone properties from O-I/R-75/MR-1/RSM zoning districts, within the Indian Creek Overlay District to MU-4 (Mixed Use High Density) zoning district, within the Indian Creek Overlay District to allow for a mixed-use, transit-oriented development (TOD) at the Indian Creek Marta station.  
**MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be approved with nineteen (19) conditions, per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

**Absent:** 2 - Member Osler, and Member Murphy

**N9**     [2024-0114](#)     COMMISSION DISTRICT(S): COMMISSION DISTRICTS 03, 04 & 05; SUPER DISTRICT 06 & 07  
 Application of the Director of the DeKalb County Planning & Sustainability department to request text amendments to the Zoning Ordinance, 27-3.41 DIVISION 41. - COVINGTON AND INDIAN CREEK DISTRICTS. This text amendment is for properties within the boundary of the Covington and Indian Creek Districts.  
**MOTION was made by Jon West, seconded by Jan Costello that this agenda item be approval per staff recommendation.**

**This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:**

**Yes:** 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou



**Absent:** 2 - Member Osler, and Member Murphy