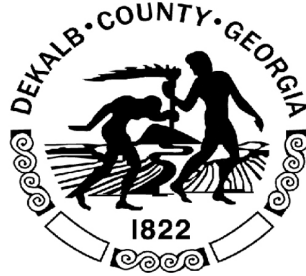


DeKalb County Government

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



Minutes

Thursday, July 11, 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, July 11, 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

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, July 25, 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** 6 - Member Edward Patton, Member Jana Johnson, Member Jan Costello, Member LaSonya Osler, Chairperson Tess Snipes, and Member Sarah Zou
- Absent** 3 - Member Vivian Moore, Vice Chair Jon West, and Member Deanna Murphy

Deferred Cases

D1 [2023-1466](#) COMMISSION DISTRICT(S): All Districts
 Application of the Director of Planning & Sustainability for a text amendment relating to film studio requirements and for other purposes. This text amendment is County-wide.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be deferred for three full cycles to the January 2025 zoning agenda, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

D2 [2024-0105](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
 Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.
MOTION was made by Jan Costello, seconded by Jana Johnson that this agenda item be approved, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

- D3** [2024-0106](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Battle Law P.C., LLC. to rezone property from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to develop rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be deferred full cycle to the September 2024 zoning agenda, per staff recommendation
- This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:**
- Yes:** 5 - Member Patton, Member Johnson, Member Costello, Member Osler, and Member Zou
- Absent:** 3 - Member Moore, Vice Chair West, and Member Murphy
- Abstain:** 1 - Chairperson Snipes
- D4** [2024-0108](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of John Koryan for a Special Land Use Permit (SLUP) to allow an event center in the C-1 (Local Commercial) zoning district, at 6009 Memorial Drive, Ste. 10.
MOTION was made by LaSonya Osler, seconded by Jan Costello that this agenda item be denied, per staff recommendation.
- This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:**
- Yes:** 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou
- Absent:** 3 - Member Moore, Vice Chair West, and Member Murphy
- D5** [2024-0367](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of MBA Productions, LLC c/o Giacomma, 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 Edward Patton that this agenda item be approved with modified conditions per staff recommendation, with an added condition that the applicant shall host at least one (1) community meeting/event per year for charitable and/or educational purposes.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

No: 1 - Member Johnson

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

New Cases

N1 [2024-0626](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application Of Dr. Claudette Spencer to rezone property from R-75 (Residential Medium Lot-75) zoning district To MU-1 (Mixed-Use Low Density) zoning district to allow for an adult day care facility, at 911 Mountain View Drive.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be deferred full cycle to the September 2024 zoning agenda, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N2 [2024-0628](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Ekwy Love for a Special Land Use Permit (SLUP) to allow an in-home child day care for up to six (6) in the RSM (Small Lot Residential Mix) zoning district, at 498 Crestwood Court.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be deferred full cycle to the

September 2024 zoning agenda, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N3 [2024-0629](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07

Application of Battle Law, P.C. for a major modification of zoning conditions pursuant to CZ-77077 to allow the construction of a convenience store with fuel pumps in the C-2 (General Commercial) zoning district, at 6061 Redan Road.

MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be withdrawn without prejudice, per staff recommendation and the applicant's request.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N4 [2024-0630](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07

Application of Valrie Kong-Quee to rezone property from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with a landscaping business, at 1422 Rock Chapel Road.

MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be deferred two full cycles to the November 2024 zoning agenda, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N5 [2024-0631](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06

Application of Wilhemina Bestman for a Special Land Use Permit (SLUP) to allow for a late-night establishment in the C-1 (Local Commercial) zoning district, at 5439 Memorial Drive.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be approved with six (6) conditions, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Johnson, Member Costello, Member Osler, and Member Zou

No: 1 - Chairperson Snipes

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N6 [2024-0632](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application of Fifth Third Bank c/o Dillard Sellers for a Special Land Use Permit (SLUP) to allow for a drive through for a bank in the C-1 (Local Commercial) zoning district, at 2933 North Druid Hills Road.

MOTION was made by Sarah Zou, seconded by Jan Costello that this agenda item be approved with fifteen (15) conditions submitted by staff.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N7 [2024-0633](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07

Application of Cultivate Community c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot-100) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the construction of up to sixty-four (64) single-family, attached dwellings, at 5370, 5384 and 5378 Flat Shoals Parkway.

MOTION was made by Jan Costello, seconded by Jana Johnson that this agenda item be deferred two full cycles to the November 2024 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

- N8 [2024-0634](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Sky Lounge Cafe - Decatur for a Special Land Use Permit (SLUP) to allow for a late-night establishment in the C-1 (Local Commercial) zoning district, at 1850 Lawrenceville Highway.
MOTION was made by Sarah Zou, seconded by Jana Johnson that this agenda item be denied, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

- N9 [2024-0635](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment relating to campgrounds within residential areas, and for other purposes. The text amendment is county wide.
MOTION was made by Jan Costello, seconded by Sarah Zou that this agenda item be deferred two full cycles to the November 2024 zoning agenda.

This application moves forward to the Board of Commissioners -

Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy

N10 [2024-0652](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment relating to electric vehicle charging stations, and for other purposes. The text amendment is county wide..

MOTION was made by Jan Costello, seconded by Jana Johnson that this agenda item be approved, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 7/25/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

Absent: 3 - Member Moore, Vice Chair West, and Member Murphy