

DeKalb County Government

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



Minutes

Tuesday, January 5, 2021

5:30 PM

Via Zoom

Planning Commission

Chairperson Tess Snipes

Co-Chair Jon West

Member April Atkins

Member Jana Johnson

Member Gwendolyn McCoy

Member Vivian Moore

Member LaSonya Osler

Member Edward Patton

Member H. Paul Womack Jr.

Call To Order

The DeKalb County Planning Commission will hold its online zoning meeting on Tuesday, January 5, 2021 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom).

The public is invited to watch the broadcast on DCTV's UStream link
<https://video.ibm.com/channel/dctv-channel-23> Join from PC, Mac, Linux, iOS or Android: Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/94261560575> Or Telephone: Dial: USA 8882709936 (US Toll Free) Conference code: 934462

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 plansustain@dekalbcountyga.gov

Roll Call

Present 9 - Member Edward Patton, Member Jana Johnson, Member Vivian Moore, Member LaSonya Osler, Vice Chair Jon West, Member Paul Womack Jr., Chairperson Tess Snipes, Member April Atkins, and Gwendolyn McCoy

New Cases

N1 2020-1531 COMMISSION DISTRICT(S): 3 & 6
Application of Williams Teusink LLC c/o Kyle Williams to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 1/M (Light Industrial) District to M (Light Industrial) District to allow for a truck parking lot (Transportation Equipment Storage) and an accessory vocational school (outdoor truck driver training related to maneuvering and parking), at 1795 Constitution Road.
MOTION was made by Vivian Moore, seconded by Jon West, that this agenda item be Withdrawn Without Prejudice, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning

Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

- N2** [2020-1532](#) COMMISSION DISTRICT(S): 1 & 7
 Application of Corporation of Mercer University c/o Battle Law PC to request a Special Land Use Permit to allow up to five stories in building height for any future development on the Mercer University Campus in the O-I (Office Institutional) District, 2930 Flowers Road.
MOTION was made by Paul Womack Jr., seconded by LaSonya Osler, that this agenda item be Approved.

This item moves forward to the Board of Commissioners - Zoning Meeting, due back on 1/28/2021. The motion carried by the following vote:

Yes: 8 - Member Patton, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

Abstain: 1 - Member Johnson

- N3** [2020-1534](#) COMMISSION DISTRICT(S): 5 & 7
 Application of LandLife LLC c/o Battle Law, P.C. for a request to modify the conditions of zoning pertaining to CZ-07-12945 in the MU-1 (Mixed Use- 1) and MU-4 (Mixed Use - 4) zoning district to eliminate the zoning condition requiring senior apartments, 1688 Rock Chapel Road.
MOTION was made by Gwendolyn McCoy, seconded by Edward Patton, that this agenda item be Approved with conditions, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 8 - Member Patton, Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Member Atkins, and McCoy

No: 1 - Chairperson Snipes

- N4** [2020-1535](#) COMMISSION DISTRICT(S): 3 & 7
 Application of Memorial Properties for a Special Land Use Permit

(SLUP) to allow for the construction of a 15.6-foot high, 634 square foot mausoleum structure in an existing cemetery in the R-75 (Residential Medium Lot) District, at 4085 Glenwood Road.

MOTION was made by Vivian Moore, seconded by Gwendolyn McCoy, that this agenda item be Approved with conditions, per Staff recommendation.

This item is moved forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

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

No: 1 - Vice Chair West

N5 2020-1536 COMMISSION DISTRICT(S): 3 & 7
 Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store with fuel pumps in the C-1 (Local Commercial) District, at 4845 Flat Shoals Parkway.

MOTION was made by Vivian Moore, seconded by LaSonya Osler, that this agenda item be Approved with conditions, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

N6 2020-1537 COMMISSION DISTRICT(S): 3 & 7
 Application of Urban Retail LLC c/o Battle Law, P.C. to request a Special Land Use Permit (SLUP) to redevelop the existing gas station with a new convenience store and an accessory alcohol outlet in the C-1 (Local Commercial) District, 4845 Flat Shoals Parkway.

MOTION was made by Vivian Moore, seconded by Gwendolyn McCoy, that this agenda item be Approved with conditions, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Member Atkins, and McCoy

No: 2 - Member Johnson, and Chairperson Snipes

N7 [2020-1538](#) COMMISSION DISTRICT(S): 3 & 7
 Application of Brian C. Morris to rezone property from O-I (Office Institutional) to RSM (Small Lot Residential Mix) to allow the construction of a single-family home, at 1548 Line Street.
MOTION was made by Vivian Moore, seconded by Jon West, that this agenda item be Approved, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

N8 [2020-1539](#) COMMISSION DISTRICT(S): 2 & 6
 Application of The Church in Atlanta Inc c/o Dennis Webb, Jr. to request a Special Land Use Permit (SLUP) to rebuild and expand a Place of Worship in the R-100 (Single-family Residential) District, at 2345 Shallowford Road.
MOTION was made by April Atkins, seconded by Jana Johnson, that this agenda item be Approved with conditions per Staff recommendation, with a modification to condition #2 to read as follows: "That the proposed expansion and redevelopment shall be submitted in substantial conformance with the submitted site plan, dated October 28, 2020".

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 8 - Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

Abstain: 1 - Member Patton

N9 [2020-1541](#) COMMISSION DISTRICT(S): 5 & 7
 Application of JVCL, LLC to request a rezoning from R-85 (Single-Family Residential) to C-1 (Light Commercial) District to allow a range of commercial uses, at 5021 Covington Highway.

MOTION was made by Gwendolyn McCoy, seconded by LaSonya Osler, that this agenda item be Approved with conditions per staff recommendation, with an amendment to condition #4 to include the following in the prohibited uses: pawn shops, tattoo parlors, check cashing establishments, adult entertainment business, title pawn and payday loan establishments, dollar stores and night clubs.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Moore, Member Osler, Vice Chair West, Member Womack Jr., Chairperson Snipes, Member Atkins, and McCoy

N10 [2020-1542](#)

COMMISSION DISTRICT(S): 2 & 6

Application of Julie Sellers to request a Special Land Use Permit (SLUP) to allow drive-through restaurant within an existing vacant building in the C-1 (Local Commercial) District in accordance with Section 27-4.2.23 (Supplemental Regulations) of the zoning ordinance, at 3033 N. Druid Hills Road.

MOTION was made by April Atkins, seconded by LaSonya Osler, that this agenda item be Approved with conditions, per Staff recommendation.

This item moves forward to the Board of Commissioners - Zoning Meeting, on 1/28/2021. The motion carried by the following vote:

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

No: 1 - Vice Chair West