

DeKalb County Government

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



Minutes

Tuesday, September 10, 2019

6:30 PM

Manuel J. Maloof Auditorium

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

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 Member Gwendolyn McCoy

New Cases

N1 [2019-4068](#) COMMISSION DISTRICT(S): 2 & 7
 Application of Elizabeth G Newsom to request a Special Land Use Permit (SLUP) to allow a home occupation (skincare studio) with customer contact in a R-75 (Residential Medium Lot) District, at 1513 Frazier Road.

MOTION was made by April Atkins, seconded by Jon West, that this agenda item be Approved with conditions per Staff recommendation, with an amendment to condition #3 to correct a grammatical error; and an added 8th condition to read as follows: “Access to parking shall be accessible only through the driveway directly adjacent to the property where the business will be held, located and accessible at Tolbert Drive.”

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019 . 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 Member McCoy

No: 1 - Member Johnson

N2 [2019-4069](#) COMMISSION DISTRICT(S): 2 & 6
 Application of Elegant Homes, LLC to rezone property from R-85 (Residential Medium Lot-85) to RSM (Residential Small Lot Mix) to allow development of a 16-unit mixed residential development, at 1051, 1047 & 1043 Briarcliff Road.

MOTION was made by April Atkins, seconded by Edward Patton, that this agenda item be Deferred Full Cycle per Staff recommendation to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy

N3 [2019-4070](#) COMMISSION DISTRICT(S): 1 & 7
Application of Mumtaz Alli c/o Hilliard Starkey Law for a Special Land Use Permit for an alcohol outlet (alcohol sales in a convenience store) in a C-1 (Local Commercial) District, at 3645 Chamblee Tucker Road.
MOTION was made by Paul Womack Jr., seconded by Vivian Moore, that this agenda item be Denied. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

No: 1 - Member Patton

Abstain: 1 - Member Johnson

N4 [2019-4071](#) COMMISSION DISTRICT(S): 4 & 6
Application of Woodland Asset Management for a Special Land Use Permit for a proposed restaurant with a drive through in a C-1 (Local Commercial) District, at 5100 Memorial Drive.
MOTION was made by LaSonya Osler, seconded by Jana Johnson, that this agenda item be Approved with Staff's modified conditions as follows: Remove condition #4; and correct condition #2 to change, "Memorial College Drive" to "Memorial College Avenue". This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

No: 2 - Vice Chair West, and Member McCoy

N5 [2019-4072](#) COMMISSION DISTRICT(S): 3 & 6
Application of Loren Wimpfheimer to rezone from R-75 (Residential Medium Lot) District to RSM (Small Lot Residential Mix) District for 64 single family attached townhomes, at 1639 Eastland Road.
MOTION was made by Vivian Moore, seconded by Jon West, that this agenda item be Approved with conditions per Staff

recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy

No: 1 - Chairperson Snipes

N6 2019-4073 COMMISSION DISTRICT(S): 3 & 7
 Application of LBM ATL, LLC c/o Barbara Odom to rezone property from R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) District to construct up to twenty-two single-family attached or detached units, at 5065 Flat Shoals Parkway.

MOTION was made by Vivian Moore, seconded by Gwendolyn McCoy, that this agenda item be Denied per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy

N7 [2019-4074](#) COMMISSION DISTRICT(S): 3 & 7
 Application of Georgia General Snapfinger Dev c/o Battle Law to amend the 2035 Future Land Use Plan Map from SUB (Suburban) to TC (Town Center), at 2658 Kelley Chapel Road.

MOTION was made by Vivian Moore, seconded by Edward Patton, that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

Abstain: 1 - Member Atkins

N8 2019-4075 COMMISSION DISTRICT(S): 3 & 7
 Application of Georgia General Snapfinger Dev c/o Battle Law to rezone property from R-100 (Residential Medium Lot-100) to MR-1 (Medium Density Residential-1) for a mixed residential development, at

Kelley Chapel Road and Snapfinger Road.

MOTION was made by Vivian Moore, seconded by Edward Patton, that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

Abstain: 1 - Member Atkins

- N9** [2019-4076](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No. 10, LLC c/o Battle Law to Amend The 2035 Future Land Use Plan Map from Neighborhood Center (NC) to Light Industrial (LIND), at 3101 Clifton Springs Road.
MOTION was made by Jana Johnson, seconded by April Atkins, that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy
- N10** [2019-4077](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No 10 c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to M (Light-Industrial) District to develop a distribution warehouse within Tier 2 of the I- 20 Overlay District, at 3101 Clifton Springs Road.
MOTION was made by Jana Johnson, seconded by April Atkins, that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy
- N11** [2019-4078](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No. 10 LLC c/o Battle Law to rezone

property from MU-4 (Mixed Use High Density) District to MR-1 (Medium Density Residential-1) District within Tier 2 of the 1-20 Overlay District, at 3101 Clifton Springs Road.

MOTION was made by Jana Johnson, seconded by April Atkins, that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. 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 Member McCoy

N12 2019-4079

COMMISSION DISTRICT(S): 3 & 6

Application of Natasha Taylor to rezone property from R-75 (Residential Medium Lot-75) District to RSM (Residential Small Lot Mix) District to construct a two-family residence (“duplex”), at 316 Wilkinson Drive.

MOTION was made by Vivian Moore, seconded by Jana Johnson, that this agenda item be Deferred Full Cycle. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Johnson, Member Moore, Vice Chair West, and Member Womack Jr.

No: 3 - Member Osler, Chairperson Snipes, and Member McCoy

Not Present: 1 - Member Atkins

N13 [2019-4122](#)

COMMISSION DISTRICT(S): ALL DISTRICTS

Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 5.4.7, Fences, walls and retaining walls and Article 9.1.3.

MOTION was made by Jon West, seconded by Vivian Moore, that this agenda item be Deferred Full Cycle. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

Abstain: 1 - Member Johnson

Not Present: 1 - Member Atkins

N14 [2019-4123](#) COMMISSION DISTRICT(S): ALL DISTRICTS
 Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 2 to correct scrivener's errors.

MOTION was made by Jon West, seconded by Paul Womack Jr., that this agenda item be Deferred Full Cycle per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

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

Not Present: 1 - Member Atkins

N15 [2019-4124](#) COMMISSION DISTRICT(S): ALL DISTRICTS
 Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance to add Film/Movie production to the Use Table 4.1.

MOTION was made by Paul Womack Jr., seconded by Vivian Moore, that this agenda item be Approved per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2019. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Moore, Member Osler, Member Womack Jr., Chairperson Snipes, and Member McCoy

No: 1 - Vice Chair West

Abstain: 1 - Member Johnson

Not Present: 1 - Member Atkins