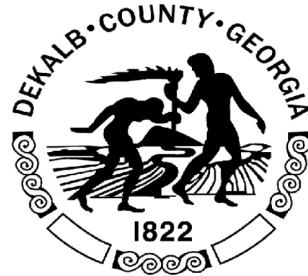


DeKalb County Government

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



Minutes

Thursday, November 4, 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 Lauren Blaszyk.

The DeKalb County Planning Commission will hold its online zoning meeting on Thursday, November 4, 2021 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom).

The public is invited to 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

Call To Order

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. 15 minutes of testimony will be allocated for the applicant and those in support of the application. 15 minutes of testimony will be allocated for the opponents. Public testimony will then be closed 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.

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: Approval, Approval with conditions, Denial, Deferral, or Withdrawal without prejudice.

Cases on tonight's agenda will be heard at a public hearing before the Board of Commissioners on Thursday November 18, 2021 @ 5:30 p.m., via Zoom.

Roll Call

Present 8 - Member Edward Patton, Member Vivian Moore, Member LaSonya Osler, Vice Chair Jon West, Chairperson Tess Snipes, Member April Atkins, Member Gwendolyn McCoy, and Member Lauren Blaszyk

Absent 1 - Member Jana Johnson

Defered Cases

D1 2021-2638 COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
 Application of David Kirk to rezone property from NS (Neighborhood Shopping) District to C-1 (Local Commercial) District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

MOTION was made by Vivian Moore, seconded by LaSonya Osler that this agenda item be Deferred Full Cycle to the January 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Moore, Member Osler, Chairperson Snipes, Member McCoy, and Member Blaszyk

No: 2 - Vice Chair West, and Member Atkins

Absent: 1 - Member Johnson

D2 2021-2639 COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
 Application of David Kirk to request a Special Land Use Permit (SLUP) to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

MOTION was made by Gwendolyn McCoy, seconded by LaSonya Osler that this agenda item be Deferred Full Cycle to the January 2022 zoning cycle.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Moore, Member Osler, Chairperson Snipes, Member McCoy, and Member Blaszyk

No: 2 - Vice Chair West, and Member Atkins

Absent: 1 - Member Johnson

D3 [2021-2641](#) COMMISSION DISTRICT(S): Commission District 04; Super District 06
 Application of Mosaic Communities c/o Battle Law to rezone properties from R-85 (Residential Medium Lot-85) District to RSM (Small Lot Residential Mix) District to allow single-family cottages, urban single-family attached and detached units, and duplexes, at 3943 Norman Road.

MOTION was made by LaSonya Osler, seconded by Vivian Moore that this agenda item be Deferred Full Cycle, per Staff recommendation to the January 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

D4 [2021-2903](#) COMMISSION DISTRICT(S): Commission District 04; Super District 06
 Application of Avondale Park, LLC c/o Battle Law, PC for a Major Modification of the conditional site plan and other conditions of MU-5 (Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125, to change the mixture of multifamily, office, and retail land uses, and to revise the single-family detached and townhome exterior designs, at 3458 Mountain Drive.

MOTION was made by LaSonya Osler, seconded by Vivian Moore that this agenda item be Deferred Two Full Cycles, per Staff recommendation to the March 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

D5 [2020-1543](#) COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

MOTION was made by Jon West, seconded by Gwendolyn McCoy that this agenda item be Deferred Two Full Cycles, per Staff recommendation to the March 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

New Cases

N1 2021-3155 COMMISSION DISTRICT(S): Commission District 03; Super District 07

Application of Elese Sims for a Special Land Use Permit (SLUP) for a child day care up to six (6) in an R-100 (Residential Medium Lot-100) District, at 3815 Boring Road.

MOTION was made by Vivian Moore, seconded by LaSonya Osler that this agenda item be Approved with Staff's recommended six (6) conditions, with an added condition to list hours of operation as 7:00 a.m. - 7:00 p.m., Monday through Friday.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N2 [2021-3156](#) COMMISSION DISTRICT(S): Commission District 04; Super District 07

Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 Residential Medium Lot- 100) to R-60 (Residential Small Lot-60) to allow for the construction of a single-family detached residential subdivision, at 5277 Rockbridge Road.

MOTION was made by LaSonya Osler, seconded by Jon West that this agenda item be Deferred Full Cycle, due to the applicant amending their rezoning request of R-100 to R-60 to now be R-100 to R-75.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N3 [2021-3157](#) COMMISSION DISTRICT(S): Commission District: 03; Super District 06

Application of VG First Baptist Senior, LP for a Special Land Use Permit (SLUP) for a senior housing development of multi-family and detached dwelling units in an R-75 (Residential Medium Lot-75) District, at 2318 2nd Avenue.

MOTION was made by Vivian Moore, seconded by LaSonya Osler that this agenda item be Deferred Two Full Cycles, per Staff recommendation to the March 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N4 [2021-3158](#) COMMISSION DISTRICT(S): Commission District 03; Super District 07

Application of James Cantrell for a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes, at 3446 Midway Road.

MOTION was made by Vivian Moore, seconded by Gwendolyn McCoy that this agenda item be Deferred Full Cycle, per Staff recommendation to the January 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N5 2021-3159 COMMISSION DISTRICT(S): All Districts
 Application of the Director of Planning & Sustainability to amend Section 7.4.6 of the DeKalb County Zoning Ordinance to modify criteria to be considered in evaluating and deciding an application for a Special Land Use Permit (SLUP). This text amendment is County-wide.

MOTION was made by Jon West, seconded by April Atkins that this agenda item be Deferred Full Cycle to the January 2022 zoning agenda.

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N6 [2021-3160](#) COMMISSION DISTRICT(S): All Districts
 Application of the Director of Planning and Sustainability to amend Section 27-7.5.3 (A) (1) of the DeKalb County Zoning Ordinance to refine variance criteria for the Zoning Board of Appeals. This text amendment is County-wide.

MOTION was made by Gwendolyn McCoy, seconded by LaSonya Osler that this agenda item be Deferred Full Cycle, per Staff recommendation to the January 2022 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson

N7 [2021-3161](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment to adopt the 2022 Zoning Calendar and Resolution. This text amendment is County-wide.

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

This item moves forward to the Board of Commissioners - Zoning Meeting on 11/18/2021. The motion carried by the following vote:

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

Absent: 1 - Member Johnson