

DeKalb County Government

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



Minutes

Thursday, May 5, 2022

5:30 PM

via Zoom

Planning Commission

Chairperson Tess Snipes

Co-Chair Jon West

Member Lauren Blaszyk (Dist. 1)

Member April Atkins (Dist. 2)

Member Vivian Moore (Dist. 3)

Member LaSonya Osler (Dist. 4)

Member Gwendolyn McCoy (Dist. 5)

Member Jana Johnson (Dist. 6)

Member Edward Patton (Dist. 7)

The DeKalb County Planning Commission will hold its online zoning meeting on Thursday, May 5, 2022 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:

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/86330344636>

Or Telephone Dial: USA 8882709936 (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 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 May 26, 2022 @ 5:30 p.m., via Zoom.

Roll Call

- Present** 6 - Member Jana Johnson, Member Vivian Moore, Member LaSonya Osler, Chairperson Tess Snipes, Member Gwendolyn McCoy, and Member Lauren Blaszyk
- Absent** 3 - Member Edward Patton, Vice Chair Jon West, and Member April Atkins

New Cases

N8 2022-1476 COMMISSION DISTRICT(S): Commission District 02 Super District 06
 Application of NDM EDENS LLC c/o Dennis J. Webb, Jr. to rezone property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) to allow mixed retail, office, and residential development with a grocery store and movie theater, at 2050 Lawrenceville Highway.

MOTION was made by Jana Johnson, seconded by Lauren Blaszyk that this agenda item be Approved with fourteen (14) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

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

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

N9 2022-1477 COMMISSION DISTRICT(S): Commission District 03 Super District 07
 Application of Kova Real Estate, LLC to rezone property from R-75 (Residential Medium Lot-75) to R-60 (Residential Medium Lot-60) to allow an 11-lot subdivision for single-family detached homes, at 1500 Columbia Drive.

MOTION was made by Vivian Moore, seconded by LaSonya Osler that this agenda item be Deferred, Full Cycle to the July 2022 zoning agenda due to the applicant presenting a new site plan, not previously seen by the community, nor reviewed by Planning staff.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

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

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

N10 [2022-1478](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07

Application of FL Sims Funeral Home Decatur LLC to rezone from R-100 (Residential Medium Lot) to O-I (Office Institutional) to allow for a funeral home, at 4031 Rainbow Drive.

MOTION was made by Vivian Moore, seconded by Gwendolyn McCoy that this agenda item be Denied, due to community opposition and the business already operating without the required Special Land Use Permit.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

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

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

N11 [2022-1479](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06

Application of Nationwide Investments, LLC to rezone from Tier 2 of the Scottdale Overlay District to Tier 1 of the Scottdale Overlay District, to allow construction of a single-family detached and single-family attached (townhome) development, at 496 Warren Avenue.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved with eight (8) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

Yes: 5 - Member Johnson, Member Moore, Member Osler, Member McCoy, and Member Blaszyk

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

Abstain: 1 - Chairperson Snipes

N12 [2022-1480](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of Nationwide Investments, LLC to rezone from R-75 (Residential Medium Lot-75) to MR-1 (Medium Density Residential-1), to allow construction of a single-family detached and single-family attached (townhome) development.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved with eight (8) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

Yes: 5 - Member Johnson, Member Moore, Member Osler, Member McCoy, and Member Blaszyk

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

Abstain: 1 - Chairperson Snipes

N13 [2022-1481](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of AK Memorial Shopping Center, LLC to amend the future land use map from NC (Neighborhood Center) to CRC (Commercial Redevelopment Corridor) Character Area to allow for film/movie/tv production studios, at 5615 Memorial Drive.

NO RECOMMENDATION.

1st MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved, per Staff recommendation. That motion failed 4-0-2. Lauren Blaszyk and Gwendolyn McCoy abstained.

2nd MOTION was made by Gwendolyn McCoy to defer to the Board of Commissioners. That motion failed due to lack of a 2nd.

This application moves forward to the Board of Commissioners - Zoning Meeting with no recommendation from the Planning Commission on 5/26/2022.

- N14** [2022-1482](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of AK Memorial Shopping Center, LLC to rezone properties from C-1 (Local Commercial) to OD (Office Distribution) Zoning District to allow for film/movie/tv production studios, at 5615 Memorial Drive.

NO RECOMMENDATION.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved with nine (9) conditions, per Staff recommendation. The motion failed 4-0-2. Lauren Blaszyk and Gwendolyn McCoy abstained.

The Board wanted their concerns noted regarding notice to the community (or lack thereof), traffic, noise and security. They also ask for the BOC to consider the input of the residents, as well as the business owners.

This application moves forward to the Board of Commissioners - Zoning Meeting with no recommendation from the Planning Commission on 5/26/2022.

- N15** **2022-1483** COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Battle Law, PC to rezone property from R-100 (Residential Medium Lot-100) to RSM (Residential Small Lot Mix) to develop a 26-unit senior housing community, at 373 Stone Mountain-Lithonia Road.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved with three (3) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

Yes: 5 - Member Johnson, Member Moore, Member Osler, Member McCoy, and Member Blaszyk

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

Abstain: 1 - Chairperson Snipes

N16 **2022-1484** COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Battle Law, PC for a Special Land Use Permit (SLUP) to develop senior housing cottages within the RSM (Residential Small Lot Mix) District, at 373 Stone Mountain-Lithonia Road.

MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be Approved with three (3) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

Yes: 5 - Member Johnson, Member Moore, Member Osler, Member McCoy, and Member Blaszyk

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

Abstain: 1 - Chairperson Snipes

N17 [2022-1485](#) COMMISSION DISTRICT(S): All Districts
Application of Director of Planning & Sustainability for a text amendment to modify Section 5.7.5.I.2 (Detached Houses- Maximum Size) to modify the maximum size of single-family cottages. This text amendment is County-wide.

MOTION was made by Lauren Blaszyk, seconded by Gwendolyn McCoy that this agenda item be Approved, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

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

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

N18 [2022-1486](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Director of Planning and Sustainability for a text amendment to the Emory Village Overlay-Sec. 3.22 to allow the limited sale of beer, wine, and spirits as an accessory retail use for off-site consumption at any location within the overlay district.

MOTION was made by Jana Johnson, seconded by Lauren Blaszyk that this agenda item be Deferred, Full Cycle to the July 2022 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/26/2022. The motion carried by the following vote:

Yes: 5 - Member Johnson, Member Moore, Member Osler, Member McCoy, and Member Blaszyk

No: 1 - Chairperson Snipes

Absent: 3 - Member Patton, Vice Chair West, and Member Atkins

N19 **2022-1487** COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to amend Article 2 (District Regulations) and to amend Article 5 (Site Design and Building Form Standards) to increase the maximum building height allowed in the OD (Office Distribution) Zoning District, with limitations. This text amendment is County-wide.

NO RECOMMENDATION.

MOTION was made by Gwendolyn McCoy, seconded by LaSonya Osler that this agenda item be Approved, per Staff recommendation. The motion failed 4-0-2. Lauren Blaszyk and Gwendolyn McCoy abstained.

This application moves forward to the Board of Commissioners - Zoning Meeting with no recommendation from the Planning Commission on 5/26/2022.