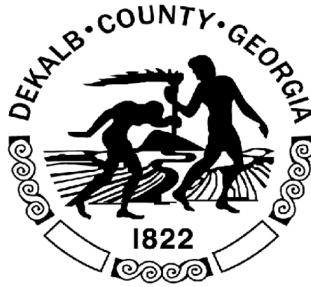


DeKalb County Government

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



Minutes

Tuesday, January 9, 2024

6:00 PM

via Zoom

Planning Commission

Chairperson Tess Snipes
Vice Chair Jon West
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 held its online zoning meeting on Tuesday, January 9, 2024 at 6:00 p.m. This meeting was conducted via teleconference (Zoom).

The public was 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, they were made aware that their phone number may be displayed to the public viewing or participating in the online meeting.

The Planning Commission provided 10 minutes of time for citizens to speak in favor of an agenda item, and 10 minutes for citizens to speak in opposition. Citizens who attended the meeting via the Zoom link was able to join the public comment queue by raising their hand in the Zoom application, while citizens who attended the meeting via telephone was able to join the comment queue by pressing # and the number 2. There were no comment cards, so when called upon, citizens were asked to please state their name and address for the record. The public was also asked to be conscious of speaking time so that everyone had an opportunity to provide input in the allotted time.

Interested parties had 3 business days prior to the hearing date to email documents for inclusion into the official record by submitting such materials no later than 3 business days to plansustain@dekalbcountyga.gov

Legal noticing and posting of signs were 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 was proceeded accordingly:

Announcement of the case by Staff. 10 minutes of testimony was allocated for the applicant and those in support of the application. 10 minutes of testimony was allocated for the opponents. Public testimony was then closed and Planning Commission members commenced 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 then made 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 this agenda will be heard at a public hearing before the Board of Commissioners on Thursday, January 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 9 - Member Edward Patton, Member Jana Johnson, Member Jan Costello, Member Vivian Moore, Member LaSonya Osler, Vice Chair Jon West, Chairperson Tess Snipes, Member Deanna Murphy, and Member Sarah Zou

New Cases

N1 [2023-1426](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
SUPER DISTRICT 07
Application of Dianne C. Belle for a Special Land Use Permit (SLUP) to allow a home occupation with customer contacts in the R-100 (Residential Medium Lot) zoning district, at 3684 Seton Hall Way.

MOTION was made by Vivian Moore, seconded by Edward Patton 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 1/25/2024. The motion carried the following vote:

Yes: 8 - Member Patton, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou

Not Present: 1 - Member Johnson

N2 [2023-1427](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of Samantha Maffey for a Special Land Use Permit (SLUP) to allow a bank with a drive through in the C-1 (Local Commercial) zoning district and Tier 1 of the I-20 Overlay District, at 2445 Wesley Chapel Road.

MOTION was made by Edward Patton, seconded by Vivian Moore that this agenda item be approved with two (2) conditions, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried the following vote:

Yes: 8 - Member Patton, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou

Not Present: 1 - Member Johnson

N3 [2023-1428](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07

Application of Michael Reynolds for a Major Modification of zoning conditions pursuant to CZ-87086 to construct a hardware store in the C-1 (Local Commercial) zoning district and Tier 1 of the Hidden Hills Overlay District. 5440 Covington Highway.

MOTION was made by Deanna Murphy, seconded by Jon West that this agenda item be approved with modified conditions, per staff recommendation. The Planning Commission voted to remove condition #2 and #4.

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried the following vote:

Yes: 8 - Member Patton, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou

Not Present: 1 - Member Johnson

N4 [2023-1429](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02
SUPER DISTRICT 06

Application of Mark Ferguson for a Special Land Use Permit (SLUP) to allow the existing Po' Boy Shop restaurant to operate as a late-night establishment (beyond 12:30 am) in the C-1 (Local Commercial) zoning district, at 1369 Clairmont Road.

MOTION was made by Sarah Zou, seconded by Jan Costello that this agenda item be approved with seven (7) conditions, per staff recommendation. The Planning Commission voted to amend condition #7 to change the 36-month renewal period to a 24-month renewal period.

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried the following vote:

Yes: 5 - Member Patton, Member Costello, Member Moore, Member Murphy, and Member Zou

No: 4 - Member Johnson, Member Osler, Vice Chair West, and Chairperson Snipes

N5 [2023-1430](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
SUPER DISTRICT 06
Application of Theresa Walcot-Ceesay for a Special Land Use Permit (SLUP) to allow for a Community Living Arrangement (CLA) in the NS (Neighborhood Shopping) zoning district and Tier 2 of the I-20 Overlay District, at 4077 Flat Shoals Parkway.

MOTION was made by Vivian Moore, seconded by Jana Johnson that this agenda item be approved with five (5) conditions, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou

N6 [2023-1431](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07
Application of The Varner Group c/o Bejune Industries to rezone property from C-1 (Local Commercial) zoning district to RSM (Residential Medium Lot) zoning district to construct a townhome community, at 6826 Covington Highway.

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

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:

Yes: 8 - Member Patton, Member Johnson, Member Costello, Member Moore, Member Osler, Vice Chair West, Member Murphy, and Member Zou

Abstain: 1 - Chairperson Snipes

- N7** [2023-1432](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02
SUPER DISTRICT 06
Application of AP Zonolite, LLC c/o Troutman, Pepper, Hamilton & Sanders, LLP to rezone property from M (Light Industrial) zoning district to C-1 (Local Commercial) zoning district to expand the office and commercial uses on the property, at 1075 Zonolite Road.
- MOTION was made by Sarah Zou, seconded by Deanna Murphy that this agenda item be deferred for two full cycles to the May 2024 zoning agenda, per the Applicant's request.**
- This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:**
- Yes:** 9 - Member Patton, Member Johnson, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou
- N8** [2023-1433](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07
Application of Ashley Denis for a Special Land Use Permit (SLUP) to allow a Personal Care Home (PCH) for up to six (6) persons in the R-85 (Residential Medium Lot) zoning district, at 2056 Tudor Castle Circle.
- MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be denied.**
- This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:**
- Yes:** 8 - Member Patton, Member Johnson, Member Costello, Member Moore, Member Osler, Chairperson Snipes, Member Murphy, and Member Zou
- No:** 1 - Vice Chair West
- N9** [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 Jon West, seconded by Jana Johnson that this agenda item be denied.**

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:

Yes: 7 - Member Johnson, Member Costello, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou

No: 2 - Member Patton, and Member Moore

N10 [2023-1467](#)

COMMISSION DISTRICT(S): ALL DISTRICTS

Application of the Director of Planning & Sustainability for a text amendment relating to short-term rentals and for other purposes. This text amendment is County-wide.

MOTION was made by Jon West, seconded by Sarah Zou that this agenda item be deferred for two full cycles to the May 2024 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 1/25/2024. The motion carried by the following vote:

Yes: 9 - Member Patton, Member Johnson, Member Costello, Member Moore, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou