

DeKalb County Government

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



Minutes

Tuesday, March 5, 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)

The DeKalb County Planning Commission held its online zoning meeting on Tuesday, March 5, 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 who joined the meeting by telephone, they were informed to be aware that their phone number may be displayed to the public viewing or participating in the online meeting.

The Planning Commission provided ten (10) minutes of time for citizens to speak in favor of an agenda item, and ten (10) minutes for citizens to speak in opposition. Public comments were limited to two (2) minutes for applications requesting a withdrawal. Citizens attending the meeting via the Zoom link were able to join the public comment queue by raising their hand in the Zoom application, while citizens who attended the meeting via telephone could 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 may have an opportunity to provide input in the allotted time.

Citizens had until 3 business days prior to the hearing date to email documents for inclusion into the official record by submitting such materials to plansustain@dekalbcountyga.gov

Legal noticing and posting of signs had 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 had prepared the required ordinances as well as the staff analysis, findings of facts, and recommendations for all applications that were on this agenda. Each case on the agenda proceeded accordingly:

Announcement of the case by Staff. Ten (10) minutes of testimony was allocated for the applicant and those in support of the application. Ten (10) minutes of testimony was allocated for the opponents. Speaking time was limited to two (2) minutes for any application seeking a withdrawal. 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 asked questions of the Staff, applicant or public for clarification of an issue. Citizens were not allowed to interrupt or speak out unless called upon by members of the Planning Commission.

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 of: 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, March 28, 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** 8 - Member Edward Patton, Member Jana Johnson, Member Jan Costello, Member LaSonya Osler, Vice Chair Jon West, Chairperson Tess Snipes, Member Deanna Murphy, and Member Sarah Zou
- Absent** 1 - Member Vivian Moore

Deferred Cases

- D1** [2023-1142](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
SUPER DISTRICT 07
Application of Stix & Stones Homes for a major modification of zoning conditions #1 and #2 pursuant to Z-22-1245596 to increase the number of units and construct a single-family detached cottage development at 1484 & 1520 Columbia Drive.
MOTION was made by Deanna Murphy, seconded by Jon West that this agenda item be deferred for one full cycle to the May 2024 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

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

Absent: 1 - Member Moore

- D2** [2023-1146](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani for a Special Land Use Permit (SLUP) to build and operate a restaurant with drive through in a C-2 (General Commercial) zoning district within a Town Center (TC) Activity Center, at 1726 Church Street.
MOTION was made by Sarah Zou, seconded by Edward Patton that this agenda item be deferred for one full cycle to the May 2024 zoning agenda to allow time for the applicant to make sidewalk, parking/biking improvements. (1st motion to deny failed 3-5-0).

This application moves forward to the Board of Commissioners -

Zoning Meeting on 3/28/2024. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

No: 3 - Member Johnson, Vice Chair West, and Member Murphy

Absent: 1 - Member Moore

D3 [2023-1150](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07

Application of Hybrass Properties, LLC c/o Battle Law P.C., LLC for a major modification of zoning conditions pursuant to CZ-18-22130 to construct townhouse dwellings within the RNC (Residential Neighborhood Conservation) zoning district., at Pleasant Hill Trail and Pleasant Hill Road.

MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be withdrawn without prejudice, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

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

Absent: 1 - Member Moore

D4 [2023-1249](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02
SUPER DISTRICT 06

Application of Fariz Morani to rezone from NS (Neighborhood Shopping) zoning district to C-1 (Local Commercial) district within a Town Center (TC) Activity Center to use the existing building to create a drive-through coffee shop, at 3823 North Druid Hills Road.

MOTION was made by Jan Costello, seconded by Sarah Zou that this agenda item be approved with four (4) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

No: 3 - Member Johnson, Vice Chair West, and Member Murphy

Absent: 1 - Member Moore

- D5** [2023-1154](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02
SUPER DISTRICT 06
Application of Fariz Morani for a Special Land Use Permit (SLUP) to operate a drive through coffee shop within C-1 (Local Commercial) zoning district and within a Town Center (TC) Activity Center, at 3823 North Druid Hills Road.

MOTION was made by Sarah Zou, seconded by Jan Costello that this agenda item be approved with four (4) conditions, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Costello, Member Osler, Chairperson Snipes, and Member Zou

No: 3 - Member Johnson, Vice Chair West, and Member Murphy

Absent: 1 - Member Moore

- D6** [2023-1155](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07
Application of Naqib Hussain to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to expand from an auto repair and sales business to a major auto repair business at 4381 Covington Highway.

MOTION was made by Jon West, seconded by Jan Costello 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 3/28/2024. The motion carried by the following vote:

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

Absent: 1 - Member Moore

New Cases

N1 [2024-0105](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07
Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be approved, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Osler, Member Murphy, and Member Zou

No: 2 - Vice Chair West, and Chairperson Snipes

Absent: 1 - Member Moore

N2 [2024-0106](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07
Application of Battle Law P.C., LLC. to rezone property from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to develop rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be deferred for two full cycles to the July 2024 zoning agenda.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

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

No: 1 - Chairperson Snipes

Absent: 1 - Member Moore

- N3** [2024-0107](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04
SUPER DISTRICT 06
Application of Toxaway Automotive Group, LLC c/o Battle Law P.C., LLC for a Special Land Use Permit (SLUP) to operate a minor automotive repair drive-through facility for oil changes in the C-1 (Local Commercial) zoning district, at 2209 Lawrenceville Highway.
MOTION was made by LaSonya Osler, seconded by Jan Costello that this agenda item be approved with four (4) conditions, per Staff recommendation.
- This application move forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:**
- Yes:** 8 - Member Patton, Member Johnson, Member Costello, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou
- Absent:** 1 - Member Moore
- N4** [2024-0108](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04
SUPER DISTRICT 07
Application of John Koryan for a Special Land Use Permit (SLUP) to allow an event center in the C-1 (Local Commercial) zoning district, at 6009 Memorial Drive, Ste. 10.
MOTION was made by LaSonya Osler, seconded by Jana Johnson that this agenda item be denied.
- This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:**
- Yes:** 8 - Member Patton, Member Johnson, Member Costello, Member Osler, Vice Chair West, Chairperson Snipes, Member Murphy, and Member Zou
- Absent:** 1 - Member Moore
- N5** [2024-0109](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
SUPER DISTRICT 06
Application of Brad Noble with Metro Capital Investment, LLC for a Special Land Use Permit (SLUP) for a self-storage facility in the C-2 (General Commercial) zoning district, at 2020 & 2030 Moreland Avenue; and, 1022 & 1032 Hillcrest Drive.

MOTION was made by Jon West, seconded by Deanna Murphy that this agenda item be denied, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 3/28/2024. The motion carried by the following vote:

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

Absent: 1 - Member Moore