

DeKalb County Government

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



Minutes

Tuesday, September 1, 2020

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 H. Paul Womack Jr.

Call To Order

The DeKalb County Planning Commission will hold its online zoning meeting on Tuesday, September 1, 2020 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom).

The public is invited to watch the broadcast on DCTV's UStream link (<https://video.ibm.com/channel/dctv-channel-23>), or Join from PC, Mac, Linux, iOS or Android: (<https://dekalbcountyga.zoom.us/j/94883110323>)

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

Roll Call

- Present** 8 - Member Edward Patton, Member Jana Johnson, Member Vivian Moore, Vice Chair Jon West, Member Paul Womack Jr., Chairperson Tess Snipes, Member April Atkins, and Member Gwendolyn McCoy
- Absent** 1 - Member LaSonya Osler

Deferred Cases

- D1** [2020-0313](#) COMMISSION DISTRICT(S): 4 & 6
 Application of AHS Residential to rezone seven parcels from O-I (Office Institutional) District to HR-3 (High Density Residential - 3) District to allow for the development of multi-family units at a proposed density of 40 units per acre, at 4213, 4203, 4195, 4187, 4179, 4183 & 4159 Memorial Drive.
1st Motion: P. Womack, Jr. moved, J. West seconded for Denial. The motion failed 2-5-0.
2nd Motion: J. Johnson moved, G. McCoy seconded for a deferral to the BOC for consideration of recommended conditions. This motion failed 3-4-0.

This application moves forward with No Recommendation to the Board of Commissioners - Zoning Meeting on 9/24/2020 .

- D2** [2020-0601](#) COMMISSION DISTRICT(S): 5 & 7
Application of Parkland Communities, Inc c/o Battle Law, PC to rezone properties from R-100 (Residential Medium Lot) District to RSM (Residential Small Lot Mix) District to develop a 160-lot single family detached subdivision at a density of 3.50 units per acre, at 1467, 1503 & 1513 Stephenson Road.
1st Motion: E. Patton moved, J. Johnson seconded for Approval with Conditions, per Staff recommendation. This motion failed due to a tie vote 4-4-0.

2nd Motion: J. West moved, P. Womack, Jr. seconded for Denial. This motion failed due to a tie vote 4-4-0.

This application moves forward with No Recommendation to the Board of Commissioners - Zoning Meeting on 9/24/2020 .

- D3** [2020-0602](#) COMMISSION DISTRICT(S): 4 & 7
Application of Parkland Communities Inc. c/o Battle Law P.C. to rezone properties from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to allow the development of 140 single-family detached residences at a density of 3.42 units per acre, at the southeast intersection of Alford Road & Stephenson Road.
1st Motion: G. McCoy moved, J. Johnson seconded for Approval with conditions, per Staff recommendation. The motion failed due to a tie vote 4-4-0.

2nd Motion: J. West moved, P. Womack, Jr. seconded for Denial. This motion failed 3-5-0.

This application moves forward with No Recommendation to the Board of Commissioners - Zoning Meeting on 9/24/2020 .

- D4** [2020-0608](#) COMMISSION DISTRICT(S): 4 & 7
Application of Future Capital Investment c/o Mr. Kirk Harvey to rezone property from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to develop up to 20 single-family detached homes at a density of 3 units per acre on the southwest side of Bermuda Road, at 1347 Bermuda Road.

MOTION was made by Gwendolyn McCoy, seconded by Paul Womack Jr., that this agenda item be Denied, per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 1 - Member Osler

New Cases

N1 [2020-0833](#) COMMISSION DISTRICT(S): 2 & 6
Application of Focus Brands c/o Julie Sellers for a Special Land Use Permit (SLUP) to construct a new drive-through restaurant (Jamba Juice & Auntie Anne's) within the C-1 (Local Commercial) District, at 2933 N. Druid Hills Road.

1st Motion: J. West moved, A. Atkins seconded for Denial. The motion failed 2-5-0.

FINAL MOTION was made by Paul Womack Jr., seconded by Edward Patton, that this agenda item be Approved with conditions per Staff recommendation. This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

Yes: 5 - Member Patton, Member Johnson, Member Womack Jr., Chairperson Snipes, and Member McCoy

No: 2 - Vice Chair West, and Member Atkins

Not Present: 2 - Member Moore, and Member Osler

N2 [2020-0834](#) COMMISSION DISTRICT(S): 2 & 6
Application of Stein Investment Co., LLC c/o Dennis J Webb for a future land use amendment request to change from Neighborhood Center (NC) to Regional Center (RC) to allow for a mixed-use development comprising approximately 14,000 square feet of accessory restaurant and retail space and 264 multi-family apartments, at 2814 Clairmont Road.

MOTION was made by April Atkins, seconded by Jana Johnson,

that this agenda item be Deferred, Full Cycle.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

N3 2020-0835 COMMISSION DISTRICT(S): 2 & 6
 Application of Stein Investment Co., LLC c/o Dennis J Webb to request a rezoning of properties from C-1 (Local Commercial) and C-2 (General Commercial) to HR-3 (High Density Residential-3) district to allow for the construction of a mixed use development consisting of approximately 10,000 square feet of accessory restaurant and retail space and 264 multi-family apartments, at 2814 Clairmont Road.
MOTION was made by April Atkins, seconded by Jana Johnson, that this agenda item be Deferred, full cycle.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

N4 [2020-0836](#) COMMISSION DISTRICT(S): 1 & 7
 Application of Embry Hills Church of Christ c/o Michelle Battle for a Special Land Use Permit (SLUP) to add a new 700-seat sanctuary and expand the parking lot to accommodate 243 parking spaces, at 3214 Chamblee-Tucker Road.
MOTION was made by Paul Womack Jr., seconded by Gwendolyn McCoy, that this agenda item be Deferred, full cycle per Staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

N5 [2020-0837](#) COMMISSION DISTRICT(S): 5 & 7
 Application of D.R. Horton-Crown LLC c/o Battle Law, P.C. to amend the Future Land Use Plan from Conservation Open Space (COS) to Suburban (SUB) to allow for a thirty-six single-family detached subdivision, at 8400 Pleasant Hill Way.
MOTION was made by Gwendolyn McCoy, seconded by Edward Patton, that this agenda item be Approved with conditions per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

N6 [2020-0838](#) COMMISSION DISTRICT(S): 5 & 7
 Application of D.R. Horton-Crown LLC c/o Battle Law, P.C. to rezone property from R-85 (Residential Medium Lot) District to RNC (Residential Neighborhood Conservation) District to develop thirty-six single-family detached residences, at 8400 Pleasant Hill Way.
MOTION was made by Gwendolyn McCoy, seconded by Edward Patton, that this agenda item be approved with conditions per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

N7 [2020-0839](#) COMMISSION DISTRICT(S): 2 & 6

Application of Daniel J Reuter to rezone property from R-75 (Single-Family Residential) District to R-60 (Single-Family Residential) District to create two lots, at 1377 Scott Boulevard.

MOTION was made by April Atkins, seconded by Jon West, that this agenda item be Approved.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler

- N8 **2020-0840** COMMISSION DISTRICT(S): 3 & 7
 Application of APC Contractors Inc to rezone properties from O-I (Office Institutional) to MR-2 (Medium Density Residential-2) District to allow the construction of a 44-unit single-family attached townhome development, at 3229, 3237, 3245, 3251, and 3265 Memorial Drive.
MOTION was made by Jon West, seconded by Paul Womack Jr., that this agenda item be Approved with conditions per staff recommendation, with an amendment to condition #1 to provide specific reference to the most recent, updated plans provided by the developer to Staff last week.

This application moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Vice Chair West, Member Womack Jr., Member Atkins, and Member McCoy

No: 1 - Chairperson Snipes

Not Present: 2 - Member Moore, and Member Osler

- N9 [2020-0841](#) COMMISSION DISTRICT(S): 4 & 6
 Application of the Director of Planning & Sustainability to amend text in the DeKalb County 2035 Comprehensive Plan, Chapter 7, to include the Memorial Drive Revitalization Plan as a Small Area Plan (SAP).
MOTION was made by Paul Womack Jr., seconded by Jana Johnson, that this text amendment be Adopted, per Staff recommendation.

This text amendment moves forward to the Board of Commissioners - Zoning Meeting, on 9/24/2020. The motion carried by the following vote:

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

Not Present: 2 - Member Moore, and Member Osler