

DeKalb County Government

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



Minutes

Thursday, May 2, 2024

6:00 PM

via Zoom

Planning Commission

Chairperson Tess Snipes

Co-Vice Chair Jon West

Co-Vice Chair LaSonya Osler

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 Thursday, May 2, 2024 at 6:00 p.m. This meeting was conducted via teleconference (Zoom).

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 were on this agenda.

Cases on this agenda will be heard at a public hearing before the Board of Commissioners on Thursday, May 23, 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** 7 - Member Edward Patton, Member Jana Johnson, Member Jan Costello, Member Vivian Moore, Co-Vice Chair Jon West, Chairperson Tess Snipes, and Member Sarah Zou
- Absent** 2 - Co-Vice Chair LaSonya Osler, and Member Deanna Murphy

Deferred Cases

D1 [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 Edward Patton that this agenda item be approved with nine (9) conditions, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

Abstain: 1 - Chairperson Snipes

D2 [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 Vivian Moore that this agenda item be deferred for two full cycles to the September 2024 zoning agenda, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

New Cases

N1 [2024-0361](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
 SUPER DISTRICT 07
 Application of Eritrea Geberehiwot for a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the R-85 (Residential Medium Lot-85) zoning district, within the Hidden Hills Overlay District, at 1584 S. Hairston Road.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be denied, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N2 [2024-0362](#) COMMISSION DISTRICT(S): DISTRICT 05 SUPER DISTRICT 07
 Application of Wendy Rios Ochoa for a renewal of a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the RSM (Small Lot Residential Mix) zoning district, at 6168 Marbut Road.
MOTION was made by Jan Costello, seconded by Jon West that this agenda item be approved with one (1) condition, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N3 [2024-0363](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
 SUPER DISTRICT 07
 Application of Rosalie Ezekiel for a Special Land Use Permit (SLUP) to operate a private school in R-75 (Residential Medium Lot-75) zoning district, at 2135 Shamrock Drive.

MOTION was made by Edward Patton, seconded by Vivian Moore that this agenda item be approved with one (1) condition, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N4 [2024-0364](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04
 SUPER DISTRICT 07
 Application of Proverbs Christian School, LLC for a Special Land Use Permit (SLUP) to allow a child day care facility for up to six (6) children in the RSM (Small Lot Residential Mix) zoning district, at 598 Mountain Harbor.

MOTION was made by Jan Costello, seconded by Vivian Moore 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 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N5 [2024-0365](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02
 SUPER DISTRICT 06
 Application of Amy Wilson c/o Battle Law, P.C. to rezone property from R-75 (Residential Medium Lot-75) zoning district to C-1 (Local Commercial) zoning district to operate a specialized school for art classes and other art-related activities, at 558 Medlock Road.

MOTION was made by Jan Costello, seconded by Sarah Zou that this agenda item be approved with three (3) conditions per staff recommendation, with a modification to condition #1, adding tattoo parlors and vape shops to the list of restricted uses.

This application moves forward to the Board of Commissioners -

Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N6 [2024-0366](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03
 SUPER DISTRICT 06
 Application of Erica Morgan for a Special Land Use Permit (SLUP) to allow single-family attached townhomes in Tier 3 of the Bouldercrest Overlay District, the Soapstone Historic District, and the R-100 (Residential Medium Lot-100) zoning district, at 2098 & 2124 Cedar Grove Road.
MOTION was made by Vivian Moore, seconded by Jon West that this agenda item be denied.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 6 - Member Patton, Member Johnson, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

No: 1 - Member Costello

Absent: 2 - Member Osler, and Member Murphy

N7 [2024-0367](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
 SUPER DISTRICT 07
 Application of MBA Productions, LLC c/o Giacoma, Roberts, & Daughdrill, LLC for a Major Modification of zoning conditions pursuant to CZ-00069 to allow music recording and photography studios in the O-I (Office-Institutional) zoning district, at 6020, 6038, and 6048 Paul Road.
MOTION was made by Jan Costello, seconded by Jana Johnson that this agenda item be approved with eight (8) conditions per staff recommendation, with 2 additional conditions: 1) Fence needs to be aesthetically pleasing and appropriate for front yards in a residential area; and 2) Parking shall be reduced to the minimum required and that space be used for landscaping.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following

vote:

Yes: 6 - Member Patton, Member Johnson, Member Costello, Vice Chair West, Chairperson Snipes, and Member Zou

No: 1 - Member Moore

Absent: 2 - Member Osler, and Member Murphy

**N8 2024-0110 COMMISSION DISTRICT(S): COMMISSION DISTRICT 05
SUPER DISTRICT 07**
Application of MARTA to rezone properties from O-I/R-75/MR-1/RSM zoning districts, within the Indian Creek Overlay District to MU-4 (Mixed Use High Density) zoning district, within the Indian Creek Overlay District to allow for a mixed-use, transit-oriented development (TOD) at the Indian Creek Marta station.
MOTION was made by Jan Costello, seconded by Edward Patton that this agenda item be approved with nineteen (19) conditions, per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy

N9 [2024-0114](#) COMMISSION DISTRICT(S): COMMISSION DISTRICTS 03, 04 & 05; SUPER DISTRICT 06 & 07
Application of the Director of the DeKalb County Planning & Sustainability department to request text amendments to the Zoning Ordinance, 27-3.41 DIVISION 41. - COVINGTON AND INDIAN CREEK DISTRICTS. This text amendment is for properties within the boundary of the Covington and Indian Creek Districts.
MOTION was made by Jon West, seconded by Jan Costello that this agenda item be approval per staff recommendation.

This application moves forward to the Board of Commissioners - Zoning Meeting on 5/23/2024. The motion carried by the following vote:

Yes: 7 - Member Patton, Member Johnson, Member Costello, Member Moore, Vice Chair West, Chairperson Snipes, and Member Zou

Absent: 2 - Member Osler, and Member Murphy