

**City of Decatur  
Planning Commission**

**October 11, 2022 Regular Meeting  
MINUTES**

Decatur City Hall  
City Commission Room  
509 North McDonough Street

Members Present: Harold Buckley, Jr. (Chair), Greg Chilik, Rachel Cogburn, Joe Greco, Lori Leland-Kirk, Mike Travis

Members Absent: Todd Ohlandt

**Call to Order.** Mr. Buckley, Jr. confirmed a quorum and called the meeting to order at 7:00 p.m. He provided introductions and an overview of the procedural process for the meeting.

**Old Business:**

Approval of Minutes from August 9, 2022 regularly scheduled meeting.

*On a motion by Mr. Greco, seconded by Ms. Cogburn, the minutes were approved as presented. Mr. Travis and Ms. Leland-Kirk abstained.*

**New Business:**

Mr. Buckley, Jr., called the first item on the action agenda. The City of Decatur Community and Economic Development Department has requested **text amendments to Article 2, Article 3, Article 6, Article 7 and Article 12 of the Unified Development Ordinance** to allow duplex, triplex, and quadplex residential units in R-50, R-60, R-85, and RS-17 single-family residential zoning districts.

Ms. Kristin Allin, City Planner, introduced herself and presented a slide presentation. She stated that the proposed policy presented is the result of a couple of decades of community conversation, including the 2008 Affordable Housing Study, 2018 Housing Summit, and the 2019 Affordable Housing Task Force. The 2020 Affordable Housing Task Force Report was accepted by the City Commission, including its 23 recommendations. The 23 recommendations were incorporated into the 2020 Decatur Strategic Plan. The proposed text amendments are the result of recommendation 13 and the 2022 City Commission work plan, whereby City staff was asked to prepare a policy for their consideration.

Ms. Allin stated the text amendments would allow two units or duplex, and three to four unit walk-up flat dwellings to be constructed as new units or converted units inside an existing single family home within the R-50, R-60, R-85, and RS-17 single family residential zoning districts. The text amendments would also allow for 50% of the parking requirements to be accommodated as on-street parking spaces on a limited basis if parking is allowed on the street and there is sufficient frontage length to accommodate compact vehicles.

Ms. Allin presented renderings of single-family, duplex, triplex and quadplex units and stated that the text amendments would require the same zoning requirements, such as setbacks, lot coverage, lot size as single-family homes.

Ms. Allin presented the current single-family zoning map indicating that 67% of the land area is zoned for only single-family homes, as well as the results from the 2020 National Citizen Survey, and

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data related to the changes of demographics, including age, race diversity, and income, as well as loss of small multi-family housing types. The vision for the Decatur Strategic Plan over the years has shifted to not only speak about quality of life but to foster an equitable, thriving and welcoming community.

Ms. Allin stated that she is aware of concerns about impact, therefore she studied other cities that had adopted similar policies, such as Minneapolis, MN and Portland, OR. In each of these cities, less than 1% of all housing units are duplex, triplex or quadplex units and change has been slow and gradual. Based on the outcomes in other cities with similar policies, Decatur would be expected to see 8-12 new units per year, which is considered “gentle density.” The City would conduct performance measurements to collect data on number of new units created if the policy was adopted. Performance measurements could also be used for further amendments if it is warranted.

Ms. Allin stated that if the text amendment were adopted, opportunities would open up for the Decatur Land Trust to create more permanently affordable housing on properties currently owned by the City, such as 600 Commerce Drive, as well as the School Board providing teacher housing units on the residential properties they currently own.

Ms. Allin concluded her presentation to request the Planning Commission recommend approval of the proposed text amendments.

Mr. Buckley, Jr., opened questions from the Planning Commission.

In response to a question from Mr. Chilik, Ms. Threadgill stated that if the policy was approved, the City performance management team would measure the number of new duplexes, triplexes and quadplexes that are created. The measurement is taken on an annual basis related to building permits or certificates of occupancy and data is presented as part of the annual budget. Performance measurement does not involve community input since it is quantitative data.

In response to a question from Mr. Greco, Ms. Threadgill stated that qualitative assessment could be performed provided that it could be measured. Ms. Threadgill stated that the zoning code is not written in stone and that amendments may be made if deemed necessary if a policy is not performing as originally intended.

Mr. Buckley, Jr., opened the floor to public comment. A speaker sign-up sheet was provided and those that wished to speak were called from the list, as well as those in attendance by virtual means.

Mary Visscher, 317 Oakland Street, spoke in opposition due to unanswered questions, such as: 1) how would absentee landlords be monitored? 2) Would the policy prevent condominium or ownership of the individual units? 3) How will the policy prevent the units from being used as short term rentals? 4) How will the policy prevent micro-units and small floor areas? 5) How will this policy address sprinkler systems and safety standards? 6) How will this policy ensure compliance with housing codes long term? 7) How will this policy address ADA requirements? 8) What is to prevent corporate investments from dominating the rental market of the units? 9) What is the impact to the sanitary sewer and similar utilities? 10) What is the impact to police, fire, and the school system? Ms. Visscher stated that she would be in support if the policy only allowed duplexes and consider additional sized units at a future date.

David Ziemer, 116 Evans Drive, spoke in opposition and is concerned with on-street parking, tree loss, increased density, traffic and noise as a result of the proposed policy. He stated that is support for preserving existing housing and limiting demolitions over the proposed amendments.

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Lynn Gathercole, 1003 Katie Kerr Drive, provided a handout and spoke in opposition because the policy does not reflect the community desires, would not lower the tax burden of existing residents, would increase the rental to ownership ratio within the City, and that demographic data does not show drastic changes to warrant the need for a change in single family zoning policy.

Wynn Teale, 525 Ponce de Leon Place, spoke in opposition and would like to see the policy require all proposals for any duplexes, triplexes, and quadplexes be required public hearings for each unit proposed.

Linda Rosskopf, 604 Ponce de Leon Place, spoke in opposition due to concerns of units turning into short term rentals and the reality of how the units are not guaranteed to be affordable.

David Scharer, 526 Ponce de Leon Place, spoke in opposition due to concerns with absentee landlords and on-street parking.

Valerie Wilson, 421 South McDonough Street, spoke in favor of the proposed policy as a way to put a structure in place that allows additional opportunities for diversity in housing, which in turns brings more racial and economic diversity. The City has done a good job of large multi-family buildings and single-family houses, but has not made room for missing middle units that would be considered gentle density.

Aaron Wiener, 807 West Howard Avenue, spoke in opposition and would like to see the policy require all proposals for any new duplexes, triplexes, and quadplexes be required to seek permits through a public hearing process.

John Leake, 255 West Parkwood Road, spoke in opposition due to his concerns that the proposed policy is an overreach and allows too much change in density.

Sean Max, 350 Hillcrest Avenue, Unit 4, spoke in favor and finds that the proposed policy will assist with wealth growth because the units are much less costly and affordable than single family homes. Missing middle housing is the new version of a starter home for people of my generation. Additional residents also promote economic development and support the types of local businesses that people want to see in the City. Sean suggested the parking requirements be improved to lessen the burden of on-street parking demand and suggested some type of rent control for the units to ensure affordability.

Skip Fossett, 264 Lamont Drive, spoke in opposition due to concerns with burdens on taxpayers, and on-street parking demand as a result of the amendments. He said there were too many unanswered questions to make a sound decision.

John Kittle, 128 Garden Lane, spoke in favor of the text amendments as an appropriate response to affordability and missing middle housing types. He cited Garden Lane as a street with many examples of pre-existing missing middle units and there have been no issues with on-street parking. The units have added diversity to the street and the proposed policy would open up the opportunity for more diversity across the City.

Hope Baker, 183 Lamont Drive, spoke in opposition to the text amendments due to the likelihood of creating more rental units, not for sale units. She stated there is little information on the efficacy of the amendments.

Bill Williams, 220 Geneva Street, spoke in opposition and wishes to keep the character of single-family neighborhoods.

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Andrew Schwartz, 624 3<sup>rd</sup> Avenue, spoke in favor of the proposed policy and finds that the policy does not go far enough. Andrew stated he would like to see the elimination of parking minimums and see the expansion of live/work units in more zoning districts.

Casey Purser, 714 Twin Oaks Drive, spoke in favor due to the opportunity that the text amendments have as a tool address affordability. Not having enough affordable housing affects people at all levels and there is an urgent need to address it. The text amendments would reintroduce a policy from the past and it can be implemented successfully through parking and design standards. To have it work perfectly will be too long of a process. He encouraged the adoption of the policy and have an ongoing discussion for additional changes if needed.

James Klosky, 501 West Howard Avenue, spoke in opposition due to concerns with on-street parking demand, traffic, and lack of enforcement of absentee landlords. James would like to see the policy require all proposals for any duplexes, triplexes, and quadplexes be required public hearings for each unit proposed.

Sherry Siclair, 416 3<sup>rd</sup> Avenue, spoke in favor of the proposed policy as an opportunity to increase diversity and encouraged the Commission to recommend approval. The text amendments do not need constant tiny details for those with fears of change to feel safe and comfortable. The Commission has the privilege of being in a position of leadership and sometimes that means doing the very unpopular thing because it is the right thing to do.

David Spencer, 627 Sycamore Street, spoke in opposition due to concerns with absentee landlords and the actual financials of these new units being reasonably priced at affordable rates.

Mark Arnold, 15 Glenn Court, spoke in opposition due to concerns with the text amendments being able to deliver on the intended goal, traffic, quality of life, as well as investor led groups taking advantage of the proposed policy and that the policy is not a guarantee that it will create affordable housing as suggested in the presentation.

Max Rutherberg-Marshall, 517 Drexel Avenue, spoke in opposition due to concerns that the actual rental rates of these new units would not be affordable, would have absentee landlords, would cause greater on-street parking demands, and will not be cared for in the long term.

Mary Leslie, 221 Glendale Avenue, spoke in opposition due to concerns with increase in school enrollment, on-street parking demands, and absentee landlords. Mary is also concerned with effects of the proposed policy on demands for property to build missing middle and increase demolitions. The neighborhood in which Mary lives is a National Register Historic District and the loss of historic buildings due to demolition would cause the de-listing of the historic district.

Mike Craig, 250 Superior Avenue, spoke in opposition due to concerns with on-street parking demands, investor led groups purchasing properties, and the lack of ability to control the affordability of the units.

Robin Bittman, 252 Lamont Drive, spoke in opposition due to concerns about absentee landlords, lack of affordability requirements, impacts on floodplains and storm water management.

Jack Wilkes, 252 Lamont Drive, spoke in opposition due to concerns about increase in tax valuations, increase in tear downs, and that the proposed policy will not result in affordability.

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Tim O’Keefe, 612 3<sup>rd</sup> Avenue, spoke in favor and found the proposed policy would address affordability problems within the City and increase racial and economic diversity. The proposed policy would require duplexes, triplexes and quadplexes to meet the same requirements as a single family home development. The cost per unit would be less than a single family home and although it is not cheap it is a step forward. Land should be used with more density, especially in Decatur with its proximity to mass transit and jobs to decrease commute and transportation costs.

Phillip Hodges, 234 West Benson Street, spoke in opposition due to concerns that this is not the right process by which to hear such a policy change, that the affordable housing task force was biased, and that the intended goal of the policy will not be met. He suggested that this should be a vote by referendum and that development that achieves greater density should be encouraged around transit stations not within the single-family neighborhoods.

Cathy Hodges, 234 West Benson Street, spoke in opposition due to concerns with the lack of community outreach, that the committees that worked on the proposed policy recommendation were housing advocates and not regular residents of Decatur. She also stated concerns with the idea that allowing on-street parking will reduce storm water runoff, and the policy would give away control that change the character of the neighborhoods.

Natalie Williams, 174 Lamont Drive, spoke in opposition, due to concerns with investors and the lack of a way to manage investors from purchasing properties in Decatur.

Eric Inkster, 215 West Benson Street, spoke in opposition due to concerns with investors who would purchase properties in Decatur to develop the missing middle housing and the lack of design standards to ensure that the units will fit in with the surrounding neighborhood. He suggested pre-selected or pre-approved designs for these types of new units.

Kathie Gannon, 335 West Ponce de Leon Avenue, spoke in opposition due to the lack of definition of what affordability means and the lack of guarantee that the units would be affordable. The proposed policy does not equal diversity or affordability.

Mary Karwoski, 119 Barry Street, spoke in opposition to the text amendments due to the lack of information about codes enforcement, as well as the likelihood of parking issues, increased impervious surfaces, and storm water runoff.

Brian McGee, 128 Brower Street, spoke in opposition due to concerns with increase in density, unlivable congestion, increase in school enrollment, and that the text amendments will not solve for affordability against the real estate market forces. Not everyone will be able to live in Decatur.

Denise Boevel, 134 East Hill Street, Building 11, spoke in opposition to the text amendments given her experience as an investor in a quadplex in the City. More effort should be given to the disappearing missing middle buildings that exist and repairs that are needed to keep them up and affordable.

Pamela Privett, 111 Mockingbird Lane, spoke in opposition due to concerns with absentee landlords, parking, lack of codes enforcement, and no requirements for affordability.

Anders Wells, 105 Patillo Way, spoke in opposition and would rather see a focus on preserving what is existing. It is the disappearing middle, not the missing middle that needs to be solved for.

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Alan Clark, 726 South Candler Street, spoke in opposition due to concerns with increase in school enrollment and effects to local historic districts.

Jacob Buchanan, 1229 Church Street, Unit H, spoke in favor of the text amendments because it would dismantle the exclusive single-family zoning tool that has been used for generations to segregate communities of different races and socioeconomic status and drives up housing values. The text amendments would increase diversity and create opportunities for community within community, as he experienced in a quadplex living arrangement. He suggested that parking minimums be eliminated because cities are for people not vehicles.

Marcie Mascaro, 201 Westchester Drive, spoke in favor of the text amendments as a way to increase opportunities for more affordability in the city, create generational wealth, and requires duplexes, triplexes and quadplexes to comply with the same requirements as single-family residences. There should not be a fear of renters because the people who will live there are folks that work in the City such as at the sanitation department, city schools, security services, or restaurant workers so that they do not have to commute such great distances and that they can be fully integrated into our community.

Paul Hamalian, 535 East Ponce de Leon Avenue, spoke in favor of the text amendments as a key solution to correct systemic racism, allows aging residents to remain in the community, and increases supply to help meet housing demand. Single family zoning has long been used as exclusionary practices that creates segregation of races and socioeconomic status.

John Ridley, 205 Adams Street, spoke in opposition to the text amendments due to concerns of loss of tax exemptions for seniors, the increase in density, the instability it would create within the community and school system as a result of decreased and destabilized property values.

Bill Igou, 270 3<sup>rd</sup> Avenue, spoke in opposition and found the text amendments will not have the intended effects and exacerbate affordability challenges and cited multiple studies that he had researched. The amendments are pro-developer and would have severe negative effects on tenants as absentee developers would profit off the community. The ability of developers to put multiple units on a single family home lot will increase land values because the land costs for housing unit will be lowered by distributing the cost of the lot across multiple units. The financial returns to investors and developers will rise, as more people will find themselves in tenancy situations. Investors and developers will target properties with the lowest valued improvements, which is problematic for low and middle income residents and gentrification.

Alan Moy, 809 West Ponce de Leon Avenue, spoke in opposition due to concerns with unintended consequences, such as opening up 65% of the City to increased demolitions and rebuilding. He encouraged that the amendments require a conditional use permit for duplexes, triplexes and quadplexes and be reviewed on a case by case basis.

Jude Holmes, formerly of 202 Kings Highway, spoke in opposition due to concerns with increase in rental units over ownership opportunities. He encouraged that affordability start in the town center and expand from there, rather than have a too broad policy. Townhomes and condominiums should

Mr. Buckley, Jr. provided time for rebuttal and for Ms. Allin to address concerns and questions brought forward by the public.

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Ms. Allin stated that the current code only allows for the demolition and build-back of single-family homes in residential districts, which has set Decatur on a trajectory of rising housing costs and land values.

Ms. Allin stated the main vehicle that Decatur has relied on for affordable housing is the Decatur Housing Authority, which is not enough to achieve the different income levels and diversity the community seeks. Their waiting list is over 12,000 applicants. The Housing Authority primarily serves those earning up to 80% area median income. The proposed text amendments seek to increase missing middle home sizes and incomes of 60% to 120% area median income.

Ms. Allin stated the concerns about lucrative developers buying up land in Decatur is unlikely, given the limitations of development being similar to that of single-family homes.

Ms. Allin stated the concerns about preserving existing naturally occurring affordable housing is valid and is being addressed through other initiatives, such as supporting the work of the Housing Authority to purchase properties to keep affordable and through rehabilitation funding programs that support the existing owners to keep the units affordable. Preservation of existing affordable units is one part of the strategy, whereas production of new affordable housing is another key strategy put forward by the Task Force that is addressed through the proposed text amendments.

Ms. Allin addressed the comments related to the fear of the new units being used for short term rentals. She stated that short term rental policy could be a companion policy that ran beside the proposed text amendments to deter short term rental investors from taking advantage.

In response to a question by Mr. Buckley, Jr., Ms. Allin stated that staff expects gently density of 8-10 units per year if the policy is adopted, and there is no limitations on whether a development is for rent or for sale. For instance, if a development was completed by the Decatur Land Trust, it would be for sale and kept permanently affordable for workforce households.

In response to a question by Mr. Travis, Ms. Allin confirmed the current codes fully disallow duplexes, triplexes, and quadplexes in the R-60, R-85 zoning districts and there are no avenues for special use permits to allow them.

In response to a question by Ms. Leland-Kirk, Ms. Allin stated that accessory dwelling units would be permitted on developments of duplexes, triplexes and quadplexes, one per development site. Ms. Leland-Kirk stated that it needs to be stated clearer within the proposed text amendments if that is the case.

In response to a question by Ms. Leland-Kirk, Ms. Allin stated that walk-up flats could be horizontally or vertically oriented, but that given the width of lots within the City it is unlikely a quadplex would result in a horizontally oriented, townhome form. Ms. Threadgill added that if that design form is of concern, the wording of the text amendment could be revised to eliminate the word “or” and require that walkup flats be permitted with they are horizontally and vertically oriented, similar to stacked flats.

Ms. Leland-Kirk stated that she would prefer text amendment that the duplex type be a permitted use, and that triplex and quadplexes be allowed only with a conditional use permit, to which Mr. Buckley, Jr. agreed. She also expressed concerns of increased property value and increased tear downs of the more affordable homes in neighborhoods.

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In response to a question from Mr. Travis, Ms. Allin confirmed the proposed text amendments does not address minimum floor area to prevent micro-units, only maximum floor area. Ms. Threadgill stated that the UDO does provide that multifamily units be a minimum floor area of 500 square feet per unit and similar measure could be used. She also stated that the building code also provides for minimum square footage for residential units through minimum bedroom sizes, living spaces, etc.

In response to a question from Mr. Chilik, Ms. Allin stated that the number of permitted on-street parking spaces would be measured by the length of a 15-ft. compact parking space and that it is not to enforce that only compact cars be parked in those spaces. Most vehicles can fit within a 15 ft. length. There would be limitations to the allowance, such as whether or not on-street parking is permitted on the frontage of the missing middle development and the length of the total frontage of the development. She also stated that the text amendments provide the on-street parking as an option, and that the development may have all spaces on-site provided lot coverage storm water management requirements are also met.

In response to a question from Mr. Buckley, Jr., Ms. Allin stated that corporate investment in the City of Decatur has not been problematic as compared to other parts of Metro Atlanta, in part due to high land values not being as lucrative as other geographical areas. She present a slide with data about investment-owned properties.

Mr. Greco stated that he finds that duplexes, triplexes and quadplexes add vibrancy and that many of those that exist today were developed long ago and maintain a reasonable level of affordability. New construction would likely be unaffordable without some affordability limitations in place. The cost of land, the construction or retrofit costs would result in high sales or rent prices to be able for a developer to have a return on the investment.

Ms. Leland-Kirk complimented the level of community outreach that was performed throughout the development of the proposed text amendments.

There being no further public comment, Mr. Buckley, Jr., closed public comment and opened Commission discussions.

Mr. Buckley, Jr. stated that the proposed text amendments may not be perfect, but it is the culmination of conversations that have taken place for years and years. Do not make perfect the enemy of the good, because it may be another ten years before it returns. Decatur is at an inflection point in whether to decide it is a Decatur that is inclusive and welcoming, or a Decatur that is an affluent and privileged community. If it is the former, more work needs to be done on the text amendments to ensure that the intentions can be achieved and that unintended consequences be avoided.

Ms. Leland-Kirk stated her suggestion of putting forth suggest policy to address the valid comments received during public comment and provide suggested tweaks to the text amendments, to which Mr. Buckley, Jr., agreed and cited the need to eliminate the allowed accessory dwelling units in addition to the duplexes, triplexes, and quadplexes – it would be too many units.

Mr. Travis stated that his suggestion that an oversight component, conditional use permit requirements, and similar are easy enough to put forward, but may need more time and suggested the item be tabled.

In response to a question from Mr. Buckley, Jr., Ms. Threadgill stated that the City Commission requests that a recommendation be made tonight, which is also required by the procedures for text

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amendments and she read aloud Section 11.2.2.H.1. of the UDO that states the Planning Commission shall make a recommendation following the public hearing and submit its report to the City Commission, which would be Monday, October 17<sup>th</sup>. The State of Georgia Zoning Procedures Law was amended so that amendments to single-family zoning are required two public hearings, which the Planning Commission is considered one public hearing and the October 17<sup>th</sup> meeting is the second public hearing. There is a time period of three months before the City Commission can take a formal vote, which allows staff the time to take into consideration the comments and provide additional revisions including any direction given by the City Commission. The City Commission then will need to take two formal votes to enact the text amendments, which are scheduled on January 17 and February 6, 2023.

Mr. Buckley, Jr., stated that given the code requirement, the Planning Commission should send an adverse recommendation rather than try to table, and recommend that the City Commission deny the text amendments in their current form, to which Mr. Travis agreed.

In response to a question from Ms. Cogburn, Mr. Buckley, Jr., confirmed that the Planning Commission should list the concerns that led to that decision.

Ms. Threadgill stated there are three recommendations of which one would be put forward, approve, approve with conditions, or deny. Therefore, if the Planning Commission wants to put forth suggested changes to the text amendments, then the outcome of approve with conditions is an option.

Ms. Chilik expressed concern about unintended consequences of opening up opportunities to private investors and that there would be a shift in market forces that market-rate housing would outpace the production of affordable units, and encourage a greater rate of tear downs of naturally occurring affordable housing that remains.

Ms. Buckley, Jr., stated that he could support either a denial or approve with conditions, but was hesitant to come up with conditions in the moment. He called for a motion to be made for consideration.

On a motion by Ms. Leland-Kirk, seconded by Mr. Chilik, the Planning Commission unanimously recommended that the proposed text amendments be denied in their current form.

Ms. Leland-Kirk stated the reasons for the motion were based on the need for additional consideration on the following items: 1) that accessory dwelling units not be allowed in conjunction with duplexes, triplexes, and quadplexes; 2) that triplexes and quadplexes be allowed only upon issuance of a conditional use permit; 3) that additional requirements be considered for on-street parking standards; 4) that additional design standards be considered for walk-up flats as it pertains to horizontal orientation; 5) that an additional companion policy be considered for short term rentals; 6) that there be more consideration for neighborhood architectural design character; and 7) that there be mechanisms in place to limit demolitions of existing naturally occurring affordable housing stock.

Mr. Buckley, Jr., called the second item on the action agenda. Talia and Joe Bunting have requested a conditional use permit to allow an 8-bedroom lodging house to function as a boutique inn within a R-60 zoning district for the property located at **620 Pinetree Drive**.

Ms. Talia Bunting, Applicant, presented a slideshow and the application request. Ms. Bunting stated that she owns 19 short term rentals throughout Metro Atlanta and receive close to 7,500 visitors over the year. The application for a boutique inn is aligned with the Decatur 2020 Strategic Plan. Ms. Bunting stated that her short term rentals are highly rated and well cared for. She presented the

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surrounding uses and zoning districts as it relates to the suitability of the proposed overnight lodging use and would comply with the code requirements. She stated that she spoke with adjacent neighbors and the three themes that were most repeated were trash, traffic, and parking.

Ms. Bunting stated that the parking plan places six spaces in the side yard adjacent and will plant landscaping adjacent to the street. The trash enclosure will be placed at the rear of the house. She stated that because the property is located at the edge of the neighborhood along East Ponce de Leon Avenue, a high capacity road, at the corner of Pinetree Drive, there would not be any more traffic generated within the neighborhood streets.

In response to a question by Mr. Buckley, Jr., Ms. Bunting stated that the number of employees would include one employee who will be on site as required, with an additional three to four part-time cleaning staff.

In response to a question by Mr. Travis, Ms. Bunting stated that the employees would have minimal impact on the parking needs. The caretaker would either have no vehicle or have a dedicated on-site parking space. There will be a charge for guests who bring their vehicles and need on-site parking.

In response to a question by Leland-Kirk, Ms. Bunting stated that her intent is the conditional use permit would not have a time limit. Ms. Threadgill stated the code does not have a limit on conditional use permits unless it is a condition of approval and a conditional use permit is transferrable to a new owner and they would be subject to the same requirements and conditions of the use permit.

In response to a question from Mr. Chilik, Ms. Bunting stated the trash would be bins and would not encroach onto the required ADA ramp that is proposed at the rear of the property.

Mr. Buckley, Jr., opened the floor to public comment. A speaker sign-up sheet was provided and those that wished to speak were called from the list, as well as those in attendance by virtual means.

Anny Fayssoux, 627 Pinetree Drive, spoke in opposition to the application. She stated her concerns that the permit would be a permanent change to the neighborhood with a commercial enterprise with events, that the lodging fees are overpriced for the area, that the proposal underestimates the parking needs and trash generation, that the circular driveway is located too close to the intersection, that there is a decrease in pervious surfaces, and that there are safety issues with being across the street from a private school and encourages an active shooter.

Carol Rappold, 605 Pinetree Drive, spoke in opposition to the application. She stated her concerns that the property values of houses in the vicinity would be affected by having the use close by, that the trash generation is underestimated and it will impact the ADA ramp, and that there will be an increased demand for on-street parking for such proposed use.

Tricia Drake, 617 Pinetree Drive, spoke in opposition to the application. She stated her concerns with the applicant also having a first right of refusal to purchase the adjacent property at 630 Pinetree Drive and that the intent was to expand the use to another property.

Sarah Barefoot, 637 Pinetree Drive, spoke in opposition to the application. She stated her concerns with the lack of sufficient parking, lack of garbage area, that an upscale lodge does not equate to a well-managed property and there is a likelihood that it will become a part house, and that the owner will live off site.

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Mike Leaf, 627 Pinetree Drive, spoke in opposition to the application. He stated his concerns with the existing home being converted from four bedrooms to nine bedrooms, whereas two people reside there and it will increase to 17 people for overnight lodging at the property. The increase in intensity places stress on the parking needs. He is concerned that the ADA ramp will not be accessible due to the proposed location of the trash bins and questioned whether there will be any ADA bedrooms on the first floor or if an elevator would be used.

Lynda Twilley, 609 Pinetree Drive, spoke in opposition to the application. She cited concerns with insufficient off-street parking for the proposed use, and on-street parking that would block a fire hydrant.

Mr. Buckley, Jr., provided Ms. Bunting with time for rebuttal to address questions and comments that were made during public comment.

Ms. Bunting stated that as the code stands, this house could be rented and turned into a party house, but her application puts forward a proposal whereby that would not occur. The plan is to have four bedrooms on the first floor of which at least one will be ADA accessible and four bedrooms on the second floor. She stated that events are micro-weddings and elopements that became very popular during COVID-19 and continues to be a trend.

In response to questions from Ms. Leland-Kirk, Ms. Bunting stated that she is looking at valet and a parking arrangement for small events, as well as parking tags. She would be willing to have a shared parking agreement with a nearby entity as part of an approval.

In response to questions from Mr. Greco, Ms. Bunting stated there will be four bedrooms and the caretaker unit on the first floor and four bedrooms on the second floor. Her architect is applying local building and fire codes as part of the designed renovations.

In response to a question from Mr. Chilik, Ms. Bunting stated there will be a valet offered for times when guests exceed parking provided.

There being no further public comment, Mr. Buckley, Jr., closed public comment and opened Commission discussions.

In response to a question from Mr. Buckley, Jr., Ms. Threadgill stated that the code only allows functions and activities when associated with overnight guests. If there is a micro-wedding for a wedding party staying onsite then it would be permitted, but rentals or day spa uses would be considered commercial services and not allowed under the code for lodgishouses.

In response to a question from Ms. Leland-Kirk, Ms. Threadgill stated that short-term rentals are not addressed by City code, therefore the City does not track or regulate them. Short-term rentals have been monitored loosely but the Decatur is not a tourist city like Savannah or Macon, whereby rentals are numerous. However, it is a policy that Ms. Allin is presently looking at in conjunction with the previous policy discussed.

In response to a question from Mr. Buckley, Jr., Ms. Threadgill stated that the code defines bed and breakfasts as up to five guestrooms, lodgishouses up to eight bedrooms, and hotels and motels for larger scale overnight lodging. Each of these lodging types collect hotel/motel taxes for the City, including short-term rentals.

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In response to a question from Mr. Greco, Ms. Threadgill described the difference between the procedures for approval of a bed and breakfast versus a lodginghouse.

Ms. Threadgill stated that Pinetree Drive is a residential-only restrict parking district on the north side of the street and guests of the proposed use would not be able to parking on the restricted side of the street.

Mr. Buckley, Jr., expressed concerns with events and the number of guests that they would generate and the parking demands on the neighborhood. He stated there may be a need to limit the number of guests allowed at an event as a conditional of approval.

Mr. Travis stated his concerns with a commercial use in an R-60 zoning district.

Mr. Greco stated that given the context of institutional, public uses and high-density residential across the street, C-2 commercial zoning in the immediate vicinity, and that proposed use is at the edge of the single-family residential district abutting a main thoroughfare, he found that the proposed use was well situated. If there are additional conditions for parking and others that address concerns, he is generally in favor.

The Commission discussed limits on event guests, valet and shuttle services, and noise. Ms. Threadgill stated that the fire code will also limit occupancy loads and the use would be subject to the residential decibel limitations of the noise ordinance, which is enforced by the Police Department. It would most likely prohibit an amplified band.

*Motion by Mr. Chilik, seconded by Mr. Greco, the Planning Commission voted 5-1 to recommend approval with conditions of the requested conditional use permit. Buckley, Jr. (Chair), Chilik, Cogburn, Greco, Leland-Kirk voted in favor; Travis voted nay.*

Mr. Buckley, Jr., called the second item on the action agenda. The City Manager's Office has requested **text amendments to Article 7, Article 11, and Article 12 of the Unified Development Ordinance** for the purpose of substituting gender-neutral pronouns.

Ms. Threadgill presented the memorandum and the provisions on behalf of the City Manager's Office.

Mr. Buckley, Jr., opened the floor to public comment. There being no public comment, Mr. Buckley, Jr., closed public comment and opened Commission discussions.

The Commission expressed general support for the gender-neutralization of the zoning code.

*Motion by Ms. Leland-Kirk, seconded by Ms. Cogburn, the Planning Commission voted unanimously to recommend approval of the proposed gender-neutral text amendments.*

**IV. Other Business.** None.

**V. Adjourn** at 1:23 AM on Wednesday, October 12, 2022.

Consistent with the requirements of O.C.G.A. §50-14-1(e)(2)(B) these minutes were approved at the next regularly scheduled meeting on \_\_\_\_\_, 2022 and made part of the record.

\_\_\_\_\_  
(draft)

Angela Threadgill, Acting Secretary to the Planning Commission