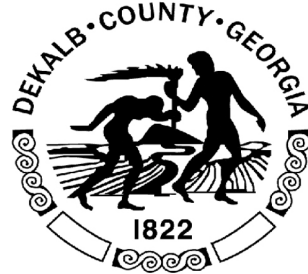


DeKalb County Government

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



Meeting Minutes

Thursday, July 25, 2024

5:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

Comm. Mereda Davis Johnson, Presiding Officer, District 5

Comm. Robert Patrick, Deputy Presiding Officer, District 1

Commissioner Michelle Long Spears, District 2

Commissioner Steve Bradshaw, District 4

Commissioner Edward "Ted" Terry, Super District 6

Rollcall

Present: 5 - Commissioner Robert Patrick, Commissioner Michelle Long Spears, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson and Commissioner Ted Terry

Administration: Barbara Sanders-Norwood, County Clerk, Terry G. Phillips, Deputy County Attorney

Call To Order

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

Deferred Cases

D1 [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 Robert Patrick, seconded by Michelle Long Spears, that this agenda item be deferred for three full cycles, returning January 23, 2025. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

D2 [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 Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be deferred for a full cycle, returning September 26, 2024. Items 2024-0105, 2024-0106 were heard together. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

D3 [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 Mereda Davis Johnson, seconded by Michelle Long Spears, that this agenda item be deferred for a full cycle, returning September 26, 2024. Items 2024-0105, 2024-0106 were heard together. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

D4 [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 Steve Bradshaw, seconded by Michelle Long Spears, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

D5 [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 Mereda Davis Johnson, seconded by Steve Bradshaw, that this agenda item be deferred for 30 days, August 27, 2024 for Public Hearing. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

New Cases

N1 [2024-0626](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application Of Dr. Claudette Spencer to rezone property from R-75 (Residential Medium Lot-75) zoning district To MU-1 (Mixed-Use Low Density) zoning district to allow for an adult day care facility, at 911 Mountain View Drive.

MOTION was made by Steve Bradshaw, seconded by Michelle Long Spears, that this agenda item be deferred for two full cycles, returning November 21, 2024. Commissioner Robert Patrick was absent during this vote. The motion carried by the following vote:

Yes: 4 - Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

Absent: 1 - Commissioner Patrick

N2 [2024-0628](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Ekwy Love for a Special Land Use Permit (SLUP) to allow an in-home child day care for up to six (6) in the RSM (Small Lot Residential Mix) zoning district, at 498 Crestwood Court.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days, August 27, 2024 for Public Hearing. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N3 [2024-0629](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Battle Law, P.C. for a major modification of zoning conditions pursuant to CZ-77077 to allow the construction of a convenience store with fuel pumps in the C-2 (General Commercial) zoning district, at 6061 Redan Road.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N4 [2024-0630](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Valrie Kong-Quee to rezone property from R-100 (Residential Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district to allow for an administrative office associated with a landscaping business, at 1422 Rock Chapel Road.

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be deferred for a full cycle, returning September 26, 2024. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N5 [2024-0631](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of Wilhemina Bestman for a Special Land Use Permit (SLUP) to allow for a late-night establishment in the C-1 (Local Commercial) zoning district, at 5439 Memorial Drive.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be approved with conditions. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N6 [2024-0632](#)

COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Fifth Third Bank c/o Dillard Sellers for a Special Land Use Permit (SLUP) to allow for a drive through for a bank in the C-1 (Local Commercial) zoning district, at 2933 North Druid Hills Road.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred to the next meeting, August 13, 2024 for Public Hearing. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N7 [2024-0633](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Cultivate Community c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot-100) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the construction of up to sixty-four (64) single-family, attached dwellings, at 5370, 5384 and 5378 Flat Shoals Parkway.

MOTION was made by Ted Terry, seconded by Steve Bradshaw, that this agenda item be deferred for two full cycles, returning November 21, 2024. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N8 [2024-0634](#)

COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Sky Lounge Cafe - Decatur for a Special Land Use Permit (SLUP) to allow for a late-night establishment in the C-1 (Local Commercial) zoning district, at 1850 Lawrenceville Highway.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred for two full cycles, returning November 21, 2024. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N9 [2024-0635](#)

COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment relating to campgrounds within residential areas, and for other purposes. The text amendment is county wide.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred for a full cycle, returning September 26, 2024. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

N10 [2024-0652](#)

COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text amendment relating to electric vehicle charging stations, and for other purposes. The text amendment is county wide..

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be deferred for 30 days, August 27, 2024 for Public Hearing. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY IN COUNTY SERVICES.

DeKalb County Government does not discriminate against qualified individuals with disabilities or exclude them from participating in or receiving benefits of its services, programs, or activities, based on disability. Janet Essix, DeKalb County Government's Employee Relations Manager and ADA Coordinator, is designated to coordinate the County's compliance with Part 35 of the Department of Justice regulations regarding the Americans with Disabilities Act. Janet Essix may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, 404.371.2309, to request information about access for persons with disabilities to County services, programs and activities, or to discuss a grievance regarding an impediment to such access. Ten days' notice is requested for special accommodations.

ADJOURNMENT:

There being no further official business, MOTION was made by Michelle Long Spears, seconded by Robert Patrick, that this agenda item be approved to adjourn the July 25, Board of Commissioners Zoning at 8:28 p.m. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry



Mereda Davis Johnson
Presiding Officer



Barbara Sanders (Jul 30, 2024 13:10 EDT)

Barbara Sanders-Norwood
County Clerk