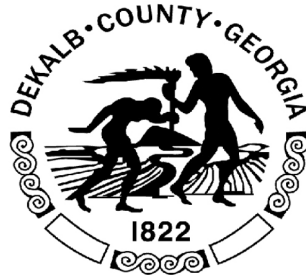


DeKalb County Government

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



Meeting Minutes

Thursday, January 26, 2023

5:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

Comm. Robert Patrick, Presiding Officer, District 1

Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5

Commissioner Robert Patrick, District 1

Commissioner Michelle Long Spears, District 2

Commissioner Larry Johnson, District 3

Commissioner Steve Bradshaw, District 4

Commissioner Mereda Davis Johnson, District 5

Commissioner Edward "Ted" Terry, Super District 6

Commissioner Lorraine Cochran-Johnson, Super District 7

Present: 7 - Commissioner Robert Patrick, Commissioner Michelle Long Spears, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Ted Terry and Commissioner Lorraine Cochran-Johnson

Administration: Matthew Welch, Deputy County Attorney

Call To Order

The DeKalb County Board of Commissioners will hold its zoning meeting on Thursday, January 26, 2023 at 5:30 p.m. at the Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030.

Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

The public is invited to watch the broadcast on DCTV's UStream link DCTV's webpage, and on DCTVChannel23.TV. <https://video.ibm.com/channel/dctv-channel-23>

The Board will provide 10 minutes of time for interested parties to speak in favor of an agenda item, and 10 minutes for interested parties to speak in opposition. 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.

Roll Call

Interested parties 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. Interested parties 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 interested parties 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 interested parties have finished speaking, staff shall make a recommendation for action to the Commission. At this point, interested parties 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 [2021-3522](#)

Commission District(s): Commission District 04 Super District 07

Application of Kyle Williams to rezone properties from R-100 (Residential Medium Lot-100) to R-60 (Residential Small Lot-60) Zoning District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D2 [2022-1996](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to amend the future land use plan from Suburban (SUB) to Commercial Redevelopment Corridor (CRC) to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D3 [2022-1997](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to rezone property from MU-4 (Mixed-Use High Density) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be Approved the Substitute with Conditions. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D4 [2022-1471](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of PMZ Developers LLC c/o Battle Law PC to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 5-Corridor1/R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) district to allow for single-family detached homes and single-family attached townhomes, at 4101 Bouldercrest Road.

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until May 25, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D5 [2022-1976](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of Shalom Restorations, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow single-family detached homes, at 695 Jordan Lane.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be withdraw without prejudice. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D6 [2022-1998](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days, until February 28, 2023 for Public Hearing. Item 2023-1998, 2022-2252 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D7 [2022-2252](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of ModWash, LLC c/o Battle Law P.C. to request a Special Land Use Permit (SLUP) to allow a drive-through car wash facility in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days, until February 28, 2023 for Public Hearing. Item 2023-1998, 2022-2252 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D8 [2022-2260](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Future Capital Investment for a Major Modification to zoning conditions pursuant to CZ-20-1243972 to reduce the number of single-family detached lots from 19 to 6 lots in the RSM (Small Lot Residential Mix) zoning district, at 1347 Bermuda Road.

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D9 [2022-2263](#)

COMMISSION DISTRICT(S): Commission District 01 Super District 07
Application of Paul Cables, Alpha Residential and Parker Poe to rezone properties from O-I (Office Institutional) zoning district to HR-3 (High Density Residential-3) zoning district to allow apartments, at 3375 Northeast Expressway.

MOTION was made by Robert Patrick, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until February 28, 2023 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D10 [2022-2264](#)

COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to allow the construction of single-family attached townhomes, at 1602 Scott Boulevard.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred to the next meeting, until February 16, 2023 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D11 [2022-2268](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Monique Hardnett for a Special Land Use Permit (SLUP) to allow a Child Caring Institution (CCI) for up to six children within the existing single-family detached home in the R-100 (Residential Medium Lot) zoning district, at 1193 Sherrington Drive.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D12 [2022-2269](#)

COMMISSION DISTRICT(S): Commission District 02 Super District 06
Application of the Director of Planning & Sustainability for text amendments to the *Zoning Ordinance*, Chapter 27-3.22-Emory Village Overlay District-to update permitted and prohibited uses; revise minimum parking requirements; and to address building design and other overlay district enhancements.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be a Full cycle deferral, until March 30, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Johnson, Commissioner Bradshaw,
Commissioner Davis Johnson, Commissioner Terry,
and Commissioner Cochran-Johnson

New Cases

N1 [2022-2532](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Mustaq Moosa to amend the Future Land Use Plan from Suburban (SUB) character area to Commercial Redevelopment Corridor (CRC) character area to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building, at 4819 Glenwood Road.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. Item 2022-2532, 2022-2533, 2022-2534 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Johnson, Commissioner Bradshaw,
Commissioner Davis Johnson, Commissioner Terry,
and Commissioner Cochran-Johnson

N2 [2022-2533](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Mustaq Moosa to rezone property from R-75 (Residential Medium Lot) zoning district to C-2 (General Commercial) zoning district to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building, at 4819 Glenwood Road.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. Item 2022-2532, 2022-2533, 2022-2534 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N3 [2022-2534](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Mustaq Moosa for a Special Land Use Permit (SLUP) to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building within the C-2 (General Commercial) zoning district, at 4819 Glenwood Road.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. Item 2022-2532, 2022-2533, 2022-2534 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N4 [2022-2535](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Walter Artis & Felicia Williams for a Special Land Use Permit (SLUP) to allow a Child Caring Institution (CCI) for up to six children within the existing single-family detached home in the RSM (Small Lot Residential Mix) zoning district, at 2931 Ward Lake Way.

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

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N5 [2022-2536](#)

COMMISSION DISTRICT(S): Commission District 01 Super District 07
Application of Atlanta Sanaton Associates c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot) zoning district to OIT (Office-Institutional Transitional) zoning district to allow for a place of worship, at 3964 Chamblee-Tucker Road.

MOTION was made by Robert Patrick, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn with prejudice. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N6 [2022-2537](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Anandi JRK, LLC c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) request to allow accessory fuel pumps for a proposed convenience store within Tier 1 of the Interstate 20 Overlay District and the C-1 (Local Commercial) zoning district, at 2571 E. Wesley Chapel Way.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be a Full cycle deferral, until March 30, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N7 [2022-2538](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of WSE Development, LLC c/o Dennis Webb, Jr. to amend the
Future Land Use Plan from Traditional Neighborhood (TN) character area to
Town Center (TC) character area to construct multi-family apartments, at 745
Arcadia Avenue.

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be withdrawn without prejudice. Item
2022-2538, 2022-2539 were heard together. The motion carried by
the following vote:**

Yes: 7 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Johnson, Commissioner Bradshaw,
Commissioner Davis Johnson, Commissioner Terry,
and Commissioner Cochran-Johnson

N8 [2022-2539](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of WSE Development, LLC c/o Dennis Webb, Jr. to rezone
properties from MR-2 (Medium Density Residential-2) zoning district and
R-75 (Residential Medium Lot) zoning district to HR-2 (High Density
Residential-2) zoning district to allow for the construction of multi-family
apartments, at 745 Arcadia Avenue.

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be withdrawn without prejudice. Item
2022-2538, 2022-2539 were heard together. The motion carried by
the following vote:**

Yes: 7 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Johnson, Commissioner Bradshaw,
Commissioner Davis Johnson, Commissioner Terry,
and Commissioner Cochran-Johnson

N9 [2022-2540](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 06
Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) zoning districts to MU-5 (Mixed Use Very High Density) zoning district to allow a future mix of land uses to implement the LCI Plan and transit-oriented development goals, at 3350 Kensington Road.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred for 30 days, until February 28, 2023 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N10 [2022-2541](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of Natalie Brannon to request a Special Land Use Permit (SLUP) to operate an in-home childcare facility for up to six children in an existing single-family, detached home in the R-100 (Residential Medium Lot-100) Zoning District, at 6651 Princeton Park Court.

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be denied. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

N11 [2022-2542](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Section 2.24.1, Table 2.2 (Non-Residential Zoning Districts Dimensional Requirements) to reduce or eliminate the minimum multi-family unit size in the O-I (Office Institutional) Zoning District. This text amendment is County-wide..

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N12 [2022-2549](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability to amend Article 6 (Parking) of the DeKalb County Zoning Ordinance to add minimum and maximum studio apartment parking ratio standards. This text amendment is County-wide.

MOTION was made by Larry Johnson, seconded by Mereda Davis Johnson, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N13 [2022-2543](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals). This text amendment is County-wide.

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be deferred for Two Full cycles , until May 25, 2023. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N14 [2022-2550](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for a text amendment to the DeKalb County Zoning Ordinance, Section 5.4.4 (Site and Parking Area Landscaping), to address parking lot landscaping requirements. This text amendment is County-wide.

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

ADJOURNMENT:

There being no further official business, MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved to adjourn the January 26, 2023 Board of Commissioners Zoning Meeting at 8:45 p.m. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Long Spears, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson



Robert Patrick
Presiding Officer



Barbara Sanders (Feb 6, 2023 09:26 EST)

Barbara Sanders-Norwood
County Clerk