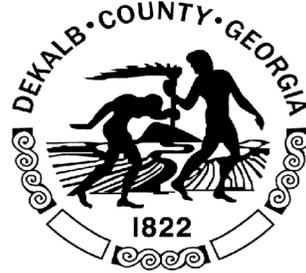


DeKalb County Government

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



Meeting Minutes

Thursday, March 28, 2024

6:05 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

Roll Call

Present: 4 - Commissioner Robert Patrick, Commissioner Michelle Long Spears, Commissioner Mereda Davis Johnson and Commissioner Ted Terry

Absent: 1 - Commissioner Steve Bradshaw

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 [2023-1142](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07

Application of Stix & Stones Homes for a major modification of zoning conditions #1 and #2 pursuant to Z-22-1245596 to increase the number of units and construct a single-family detached cottage development at 1484 & 1520 Columbia Drive.

Support: Cecil Francis- 2399 Rugby Avenue College Park GA 30337

Opposition: None

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be deferred until May 23, 2024 for Decision Only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D2 [2023-1146](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06

Application of Fariz Morani for a Special Land Use Permit (SLUP) to build and operate a restaurant with drive through in a C-2 (General Commercial) zoning district within a Town Center (TC) Activity Center, at 1726 Church Street.

Support: Fariz Moroni- 1726 Church Street Decatur Ga 30033

Opposition: None

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred until May 23, 2024 for Decision Only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D3 [2023-1150](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07

Application of Hybrass Properties, LLC c/o Battle Law P.C., LLC for a major modification of zoning conditions pursuant to CZ-18-22130 to construct townhouse dwellings within the RNC (Residential Neighborhood Conservation) zoning district., at Pleasant Hill Trail and Pleasant Hill Road.

Support: Joshua Mahoney- 3562 Habersham at Northlake Tucker GA 30084

Opposition: Melanie Malveaux-Alexander- 7941 Harmony Ridge Lane Lithonia GA 30058, Lamar Baity- 1707 Limestone Terrace Lithonia GA 30058

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

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

Absent: 1 - Commissioner Bradshaw

D4 [2023-1249](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06

Application of Fariz Morani to rezone from NS (Neighborhood Shopping) zoning district to C-1 (Local Commercial) district within a Town Center (TC) Activity Center to use the existing building to create a drive-through coffee shop, at 3823 North Druid Hills Road.

Support: Fariz Moroni- 1726 Church Street Decatur Ga 30033

Opposition: none

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred until May 23, 2024 for Public Hearing. Items 2023-1249, 2023-1154 were heard together. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D5 [2023-1154](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06

Application of Fariz Morani for a Special Land Use Permit (SLUP) to operate a drive through coffee shop within C-1 (Local Commercial) zoning district and within a Town Center (TC) Activity Center, at 3823 North Druid Hills Road.

Support: Fariz Moroni- 1726 Church Street Decatur Ga 30033

Opposition: none

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred until May 23, 2024 for Public Hearing. Items 2023-1249, 2023-1154 were heard together. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D6 [2023-1155](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07

Application of Naqib Hussain to rezone the subject parcel from C-1 (Local Commercial) zoning district to C-2 (General Commercial) zoning district to expand from an auto repair and sales business to a major auto repair business, at 4381 Covington Highway.

Support: Naqib Hussain – 4381 Covington Highway Decatur GA 30035, Antonio Tunney- 1509 South Indian Creek Drive Stone Mountain GA 30083, Abdul Ehsani- 2398 Lawrenceville Highway Unit E Decatur GA 30033, Tyra Paytes- 434 Kenilworth Circle Stone Mountain GA 30083, Jan Dunaway-4672 Fellswood Drive Stone Mountain GA 30083

Opposition: None

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

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

Absent: 1 - Commissioner Bradshaw

New Cases

N1 [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.

Support: Joshua Mahoney – 3562 Habersham at Northlake Tucker GA 30084

Opposition: Betty and James Robert- 968 South Indian Creek Drive South Stone Mountain GA 30083

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until July 25, 2024. Items 2024-0105, 2024-0106 were heard together. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N2 [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.

Support: Joshua Mahoney – 3562 Habersham at Northlake Tucker GA 30084

Opposition: Betty and James Robert- 968 South Indian Creek Drive South Stone Mountain GA 30083

MOTION was made by Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until July 25, 2024. Items 2024-0105, 2024-0106 were heard together. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N3 [2024-0107](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 04 SUPER DISTRICT 06

Application of Toxaway Automotive Group, LLC c/o Battle Law P.C., LLC for a Special Land Use Permit (SLUP) to operate a minor automotive repair drive-through facility for oil changes in the C-1 (Local Commercial) zoning district, at 2209 Lawrenceville Highway.

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

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

Absent: 1 - Commissioner Bradshaw

N4 [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.

Support: John Korean- 6009 Memorial Drive Stone Mountain GA 30083

Opposition: Steve Goss- 727 Kenilworth Circle Stone Mountain GA 30083,

Phillip Webb- 891 Fireside Way Stone Mountain GA 30083

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be deferred for two full cycles, until July 25, 2024 for Decision Only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N5 [2024-0109](#)

COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 06

Application of Brad Noble with Metro Capital Investment, LLC for a Special Land Use Permit (SLUP) for a self-storage facility in the C-2 (General Commercial) zoning district, at 2020 & 2030 Moreland Avenue; and, 1022 & 1032 Hillcrest Drive.

Support: David White- 500 Sun Valley Drive Roswell GA 30076, Amy Tayler 1162 Key Road Southeast Atlanta GA 30316, Brad Noble- 780 Johnson Ferry Road Atlanta GA 30342

Opposition: None

MOTION was made by Ted Terry, seconded by Robert Patrick, that this agenda item be deferred until April 23, 2024 for Decision Only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

PARKS & RECREATION

D1 [2024-0142](#)

Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 3488 Mosley Road, Ellenwood, Georgia 30294.

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D2 [2024-0143](#)

Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4071 Old River Road, Ellenwood, Georgia 30294.

Support: None

Opposition: Desin Smith-P.O. Box 3300 Decatur GA 30031

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

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

Absent: 1 - Commissioner Bradshaw

D3 [2024-0144](#)

Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4083 Old River Road, Ellenwood, Georgia 30294.

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

D4 [2024-0145](#)

Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 319 3rd Avenue, Scottdale, Georgia 30002.

Support: None

Opposition: Darla Duvall- 3400 Alcan Way Tucker GA 30084

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

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

Absent: 1 - Commissioner Bradshaw

D5 [2024-0146](#)

Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 304 Creighton Avenue, Scottdale, Georgia 30079.

Support: Melvin Sims- 240 Chastain Manor Drive Norcross GA 30071

Opposition: None

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

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

Absent: 1 - Commissioner Bradshaw

N1 [2024-0387](#)

Commission District(s): District 4 and District 6

Request for a Resolution authorizing the acquisition of certain property located at 304 Creighton Avenue, Scottdale GA: 18 010 03 012 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the Cedar Park Project.

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be withdrawn. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N2 [2024-0388](#)

Commission District(s): District 4 and District 6

Request for a Resolution authorizing the acquisition of certain property located at 319 3rd Avenue, Avondale Estates GA: 18 010 03 001 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the Cedar Park Project.

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be withdrawn. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N3 [2024-0389](#)

Commission District(s): District 3 and District 7

Request for a Resolution authorizing the acquisition of certain property located at 3488 Mosley Road, Ellenwood, GA: 15 027 02 007 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be withdrawn. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N4 **2024-0390**

Commission District(s): District 3 and District 7

Request for a Resolution authorizing the acquisition of certain property located at 4071 Old River Road, Ellenwood, GA: 15 028 05 010 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be withdrawn. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

N5 [2024-0391](#)

Commission District(s): District 3 and District 7

Request for a Resolution authorizing the acquisition of certain property located at 4075 Old River Road, Ellenwood, GA: 15 028 05 003 through the use of eminent domain pursuant to O.C.G.A. § 22-1-1, et seq. for public park and recreational purposes as part of the County Line Park Project.

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw

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 Robert Patrick, seconded by Michelle Long Spears, that this agenda item be approved to adjourn the March 28, 2024 Board of Commissioners Zoning Meeting at 8:56 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bradshaw



Mereda Davis Johnson
Presiding Officer



Barbara Sanders (Apr 18, 2024 13:49 EDT)

Barbara Sanders-Norwood
County Clerk