

DeKalb County Government

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



Meeting Minutes

Thursday, September 30, 2021

5:30 PM

via Zoom

Board of Commissioners - Zoning Meeting

*Commissioner Steve Bradshaw, Presiding Officer, District 4
Commissioner Lorraine Cochran-Johnson, Deputy, District 7*

*Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Ted Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7*

Present: 6 - Commissioner Robert Patrick, Commissioner Jeff Rader, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Ted Terry and Commissioner Lorraine Cochran-Johnson

Absent: 1 - Commissioner Larry Johnson

Administration: Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, County Attorney

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, September 30, 2021 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). 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>

TO participate and Join from PC, Mac, Linux, iOS or Android: or
<https://dekalbcountyga.zoom.us/j/94883110323> Or Telephone: Dial: USA 602 333 0032 USA 8882709936
(US Toll Free) Conference code: 217687

For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting.

The Board will provide 15 minutes of time for citizens to speak in favor of an agenda item, and 15 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # and the number 2. 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. Citizens may also email documents for inclusion into the official record by submitting such materials by 5:30 p.m. on the date of the public hearing to PublicHearing@dekalbcountyga.gov

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.

Roll Call

Deferred Cases

D1 [2020-1543](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

Support: Martha Gross - 2855 Briarcliff Rd

Opposition : None

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for two full cycles, until November 18, 2021. Commissioner Larry Johnson was absent for the meeting. The motion carried by the following vote:

Absent: 1 - Commissioner Johnson

D2 [2020-1546](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

MOTION was made by Lorraine Cochran-Johnson, seconded by Mereda Davis Johnson, that this agenda item be deferred for Three full cycles, until March 24, 2022. Commissioner Larry Johnson was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

New Cases

N1 [2021-2900](#)

COMMISSION DISTRICT(S): Commission District 02; Super District 06
Application of Richard Adams to request a Special Land Use Permit (SLUP) to allow an alcohol outlet (beer and wine sales) within an existing grocery store (Oak Grove Market) in the C-1 (Local Commercial) district, at 2757 LaVista Road.

Support: Martha Gross - 2855 Briarcliff Rd, Leslie Cook - 1474 N Amanda Cir NE, Atlanta, GA,

Opposition : None

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

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N2 [2021-2901](#)

COMMISSION DISTRICT(S): Commission District 05; Super District 07
Application of Mustaq Moosa to rezone properties from R-100
(Single-Family Residential) District to C-1 (Local Commercial) District to
construct a neighborhood shopping center, at 1762 Panola Road.

Support: Jan Castillo- (No Address)

Opposition: None

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

Yes: 6 - Commissioner Patrick, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Johnson

N3 [2021-2904](#)

COMMISSION DISTRICT(S): Commission District 02; Super District 06
Application of PEC c/o Doug Linneman to amend the Future Land Use Map from
Suburban (SUB) to Town Center (TC) to allow the construction of new multi-
family apartments, at 2784 N. Druid Hills Road.

*Support: Allen Pinsker - 1550 High Haven Court Atlanta GA, Martha Gross -
2855 Brier Cliff Rd, Ryan Lees - 1353 Fama Drive, Venetta Grimes - 2284
Livista Rd Atlanta GA 30329, John Delaney (No Address) 2298 Livista Rd NE
Atlanta GA 30329*

*Opposition: Missy Cortell - (No Address), Leslie Cook - 1474 North Manor NE
Atlanta GA*

**MOTION was made by Jeff Rader, seconded by Ted Terry, that
this agenda item be deferred for 30 days, until October 26, 2021
for Public Hearing. items 2021-2904, 2021-2905 were heard
together. Commissioner Larry Johnson was absent from the
Meeting. The motion carried by the following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Johnson

N4 [2021-2905](#)

COMMISSION DISTRICT(S): Commission District 02; Super District 06
Application of PEC c/o Doug Linneman to request a rezoning from R-100 (Residential Medium Lot) to MR-2 (Medium Density Residential-2) District to allow the construction of new multi-family apartments, at 2784 N. Druid Hills Road.

MOTION was made by Jeff Rader, seconded by Ted Terry, that this agenda item be deferred for 30 days, until October 26, 2021 for Public Hearing. items 2021-2904, 2021-2905 were heard together. Commissioner Larry Johnson was absent from the Meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N5 [2021-2906](#)

COMMISSION DISTRICT(S): Commission District 02; Super District 06
Application of Nuts n Berries c/o Kevin Parker for a Special Land Use Permit (SLUP) to allow an accessory alcohol outlet within an existing retail store in the C-1 (Local Commercial) District, at 2118 North Decatur Road.

MOTION was made by Jeff Rader, seconded by Ted Terry, that this agenda item be approved per staff's conditions. Commissioner Mereda Davis Johnson was absent for this vote and Commissioner Larry Johnson was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Davis Johnson

N6 [2021-2907](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Housing Development Corporation c/o Keri Taylor-Spann to
amend the Future Land Use Map from Suburban (SUB) to Commercial
Redevelopment Corridor (CRC) to allow the construction of a multi-family
residential and single-family attached townhome development, at 4698 E.
Anderson Road.

Support: None

*Opposition: Jan Dunaway - 1472 Southwood Dr, Carol Hayse - 2665 Spicer Ln
Decatur, GA*

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be withdrawn without prejudice. Item
2021-2907, 2021-2908 were heard together. Commissioner Larry
Johnson was absent from the meeting. The motion carried by the
following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Johnson

N7 [2021-2908](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Housing Development Corporation c/o Keri Taylor-Spann to rezone
properties from R-85 (Residential Medium Lot) and C-1 (Local Commercial)
districts to MR-2 (Medium Density Residential-2) District to allow the
construction of a multi-family residential and single-family attached townhome
development, at 4717 Anderson Road.

Support: None

*Opposition: Jan Dunaway - 1472 Southwood Dr, Carol Hayse - 2665 Spicer Ln
Decatur, GA*

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be withdrawn without prejudice. Item
2021-2907, 2021-2908 were heard together. Commissioner Larry
Johnson was absent from the meeting. The motion carried by the
following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N8 [2021-2933](#)

COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Griffin & Davis Consulting, Inc. to amend the Future Land Use Map from Suburban (SUB) to Traditional Neighborhood (TN) to allow development of single-family attached townhomes, at 1484 Columbia Drive.

Support: Portia Minter - 1936 Longdale Drive Decatur, Val Price-Littleton - (No Address), April Tigner - 1143 Saint Remy Way Conyers GA, Alunda Quaye - 4517 Mitchells Meadow Lane

Opposition: None

MOTION was made by Lorraine Cochran-Johnson, seconded by Robert Patrick, that this agenda item be deferred for 30 days, until October 26, 2021 for Public Hearing. Items 2021- 2933, Items 2021-2910 were heard together. Commissioner Larry Johnson was absent from the meeting. The motion carried by the following vote::

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N9 [2021-2910](#)

COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Griffin & Davis Consulting, Inc. Rezone property from R-75
(Residential Medium Lot - 75) to MR-1 (Medium Density Residential-1) to allow
for development of single-family attached townhomes, at 1484 Columbia Drive.

*Support: Portia Minter - 1936 Longdale Drive Decatur, Val Price-Littleton - (No
Address), April Tigner - 1143 Saint Remy Way Conyers GA, Alunda Quaye -
4517 Mitchells Meadow Lane*

Opposition: None

**MOTION was made by Lorraine Cochran-Johnson, seconded by
Robert Patrick, that this agenda item be deferred for 30 days,
until October 26, 2021 for Public Hearing. Items 2021- 2933, Items
2021-2910 were heard together. Commissioner Larry Johnson was
absent from the meeting. The motion carried by the following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Johnson

N10 [2021-2903](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Avondale Park, LLC c/o Battle Law, PC for a Major Modification
of the conditional site plan and other conditions of MU-5
(Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125, to
change the mixture of multifamily, office, and retail land uses, and to revise the
single-family detached and townhome exterior designs, at 3458 Mountain Drive.

Support: None

*Opposition: Emily Halevy - 659 Forraw Ct, Carol Hayes - 2665 Spicer Ln
Decatur GA*

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be Full cycle deferral per staff
recommendation, until November 18, 2021. Commissioner Larry
Johnson was absent from the meeting. The motion carried by the
following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N11 [2021-2909](#)

COMMISSION DISTRICT(S): Commission District 03; Super District 06
Application of Cindy Simpson for CHRIS 180 to request a Special Land Use Permit (SLUP) for a Child Caring Institution for up to six children, at 1748 Pine Trail.

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

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

N12 [2021-2911](#)

COMMISSION DISTRICT(S): Commission District 05; Super District 07
Application of Melesha Myrie for a Special Land Use Permit (SLUP) to increase an existing Personal Care Home from three (3) persons to the maximum of six (6) in an R-85 District, at 1816 Enid Drive.

Support: Jessie Maddox - 1241 Lendale Dr Decatur

Opposition: None

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved per staff conditions. Commissioner Larry Johnson was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson

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 Mereda Davis Johnson, seconded by Ted Terry, that this agenda item be approved to adjourn the September 30, 2021 Board of Commissioners Zoning Meeting at 8:29 p.m. Commissioner Larry Johnson was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Johnson



Stephen R. Bradshaw
Presiding Officer

Barbara Sanders-Norwood
County Clerk