

DeKalb County Government

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



Meeting Minutes

Tuesday, January 23, 2018

6:30 PM

Manuel J. Maloof - Auditorium

Board of Commissioners - Zoning Meeting

*Commissioner Jeff Rader, Presiding Officer, District 2
Commissioner Steve Bradshaw, Deputy Presiding Officer, District 4*

*Commissioner Nancy Jester, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Kathie Gannon, Super District 6
Commissioner Gregory Adams, Super District 7*

Present: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson and Commissioner Gregory Adams

Staff Present: Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, Deputy County Attorney

2018-1620 Reconvene

MOTION was made by Steve Bradshaw, seconded by Nancy Jester, that this agenda item be approved to reconvene the January 23, 2018 Board of Commissioners Zoning Meeting. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

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, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please 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. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

New Cases

N1 [2018-1502](#) COMMISSION DISTRICT(S): 1 & 7
 Title: Special Land Use Permit - SLUP-18-21926 - Peacock
 Partnership, Inc..

Attachments: [N1 SLUP 18 21926 Peacock Partnership
 Recommended Conditions](#)

*H. Dean Peacock, 5225 Interstate North Parkway Atlanta, GA 30328, Kelley
McManaman, 3301 Chase Rd. Chamblee, GA 30341, Jenna Teston, 3305 N.
Embry Circle Atlanta, GA 30341, Vicki Hood, 3154 Chamblee Tucker Rd.
Atlanta, GA 30341, spoke in favor*

*Betsy Eggers, 1408 Tugaloo Brookhaven, GA 30319, Chris Hester, 3511
Summitridge Drive Atlanta, GA 30340, Denise Johnson, 1277 Peachtree View
NE Brookhaven, GA 30319, Andrew Morris, 2792 McClave Dr. Doraville, GA
30340, Art Hansen, 2494 Brookdale Dr. NE Atlanta, GA 30345, Jane Tsai, 401
10th St. NW Atlanta, GA 30340, spoke in opposition*

**MOTION was made by Nancy Jester, seconded by Gregory
Adams, that this agenda item be approved with 3 staff conditions.
Items 2018-1502 and 2018-1504 were heard together. The motion
carried by the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Gannon,
 Commissioner Bradshaw, Commissioner Davis
 Johnson, and Commissioner Adams

- N2 [2018-1504](#) COMMISSION DISTRICT(S): 1&7
Title: Special Land Use Permit - SLUP-18-21957 - Peacock
Partnership, Inc.

Attachments: [Staff Report and Attachments](#)
[Recommended Conditions](#)

*H. Dean Peacock, 5225 Interstate North Parkway Atlanta, GA 30328, Kelley
McManaman, 3301 Chase Rd. Chamblee, GA 30341, Jenna Teston, 3305 N.
Embry Circle Atlanta, GA 30341, Vicki Hood, 3154 Chamblee Tucker Rd.
Atlanta, GA 30341, spoke in favor*

*Betsy Eggers, 1408 Tugaloo Brookhaven, GA 30319, Chris Hester, 3511
Summitridge Drive Atlanta, GA 30340, Denise Johnson, 1277 Peachtree View
NE Brookhaven, GA 30319, Andrew Morris, 2792 McClave Dr. Doraville, GA
30340, Art Hansen, 2494 Brookdale Dr. NE Atlanta, GA 30345, Jane Tsai, 401
10th St. NW Atlanta, GA 30340, spoke in opposition*

**MOTION was made by Nancy Jester, seconded by Gregory
Adams, that this agenda item be approved with 3 staff conditions.
Items 2018-1502 and 2018-1504 were heard together. The motion
carried by the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N3 [2017-1492](#) COMMISSION DISTRICT(S): 1 & 7

Attachments: [N3 SLUP 18 21932 Bhavin Mehta](#)
[CONDITIONS FOR BUCKEYE](#)

*Paul Maner, 3250 N. Embry Cir. Atlanta, GA 30341, Jenna Teston, 3305 N.
Embry Cir. Atlanta, GA 30341, Dennis Juranek, 3345 N. Embry Cir. Chamblee,
GA 30341, Katherine Cadena, 3151 Embry Hills Dr. Atlanta, GA 30341, Vicki
Hood, 3154 Chamblee Tucker Rd. Atlanta, GA 30341, spoke in opposition*

**MOTION was made by Nancy Jester, seconded by Gregory
Adams, that this agenda item be denied. The motion carried by
the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N4 [2018-1505](#) COMMISSION DISTRICT(S): 3 & 6
Major Modification - CZ-18-21828 - Linda Dunlavy for Paran Homes

Attachments: [Staff Report and Attachments](#)
 [Recommended Conditions](#)

Linda Dunlavy, 1026 B Atlanta Ave. Decatur, GA 30030, spoke in favor

Brenda Steele, 4292 Loveless Place Ellenwood, GA 30294, Barbara Gray, 4272 Loveless Drive Ellenwood, GA 30294, Vera Shabazz, 3639 Bouldercrest Rd. Ellenwood, GA 30273, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Bruce McMillan, 3874 Brookwater Rd. Decatur, GA 30034, Patricia Culp, 3577 Bouldercrest Rd. Ellenwood, GA 30294, spoke in opposition

MOTION was made by Larry Johnson, seconded by Nancy Jester, that this agenda item be deferred to the next meeting, until February 13, 2018 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

- N5 [2018-1506](#) COMMISSION DISTRICT(S): 3 & 7
TITLE: Major Modification - CZ-18-21934.

Attachments: [Staff Report and Attachments](#)
 [Recommended Condition](#)

Marc Glaser, 41530 Flat Shoals Pkwy Decatur, GA 30034, Keisha Archer, 4635 Flat Shoals Pkwy Decatur, GA 30034, spoke in favor

Bruce McMillan, 3874 Brookwater Point Decatur, GA 30034, Donald Murray, 3984 Brookside Pkwy Decatur, GA 30034, spoke in opposition

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N6 [2017-1496](#) COMMISSION DISTRICT(S): 3 & 6
Title: Z-18-21938 Blue Tiger Properties, LLC.

Attachments: [Z-18-21938 Recommended Conditions](#)
 [N6 Blue Tigers LLC Z 18 21938](#)

Mitchell Cook, 2030 Powers Ferry Road, Suite 370 Atlanta, GA 30339, spoke in favor

Wesley Graham, 2491 E. Tupelo St. SE Atlanta, GA 30317, Marioso Hofmann, 2501 E. Tupelo St. Atlanta, GA 30317, Rebecca Stoval, 2602 E. Tupelo St. Atlanta, GA 30317, Calita Robinson, 1533 N. Ellington St. Atlanta, GA 30317, spoke in opposition

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N7 [2018-1508](#) COMMISSION DISTRICT(S): 3 & 6
TITLE: Rezone - Z-18-21945 - Benjamin Leininger.

Attachments: [N7 Benjamin Leininger Z 18 21945](#)

Ben Leininger, 211 S. Howard St. SE Atlanta, GA 30317, spoke in favor

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be deferred for a full cycle, until March 27, 2018. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

- N8 [2017-1489](#) COMMISSION DISTRICT(S): 4 & 7
Title: SLUP 18 21901 Seynab Afrax.

Attachments: [N.8 SLUP 18 21901 Seynab Afrax
conditions 18-21901](#)

Iman Husein, 685 Rowland Road Stone Mountain, GA 30083, spoke in favor

Gary Kinnemore, 669 Rowland Rd. Stone Mountain, GA 30083, Anne Jones, 766 Rowland Rd. Stone Mountain, GA 30083, Ryan Brown, 780 Rowland Rd. Stone Mountain, GA 30083, Linda Leta, 4463 Nantucket Cove Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N9 [2017-1486](#) COMMISSION DISTRICT(S): 4 & 7

Attachments: [Z-18-21931 Recommended Conditions
N9 Gail Mooney Z 18 21931](#)

Gail Mooney, 657 Lake Dr. Snellville, GA 30039, Shawn Dhanani, 1351 Arlene Valley Lane Lawrenceville, GA 30043, spoke in favor

Robbie Terry-Washington, 6968 Deshon Ridge Dr. Lithonia, GA 30058, Carl Washington Jr., 6968 Deshon Ridge Dr. Lithonia, GA 30058, Star Morris, 6959 Deshon Ridge Dr. Lithonia, GA 30058, Glenda Lee, 6935 Deshon Ridge Dr. Lithonia, GA 30058, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be deferred for a full cycle, until March 27, 2018. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N10** [2017-1493](#) COMMISSION DISTRICT(S): 4 & 7
Title: SLUP 18 21936 Doreen Jordan.

Attachments: [N10 SLUP 18 21936 Doreen Jordan
conditions18-21936](#)

Doreen Jordan, 7157 Waters Edge Drive Stone Mountain, GA 30087, spoke in favor

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved with 6 staff conditions. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N11** [2017-1120](#) COMMISSION DISTRICT(S): 5 &7

Attachments: [text amendment stonecrest zoning map
text amendment stonecrest](#)

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred, until February 27, 2018 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

- N12** [2017-1488](#) COMMISSION DISTRICT(S): 5 & 7
Title: Z-18-21942 Quik Trip Corporation.

Attachments: [Z-18-21942 Recommended Conditions
N12 Quik Trip Corp Z 18 21942](#)

Michelle Battle, One West Court Sq. Suite 750 Decatur, GA 30030, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred, until February 27, 2018. Items 2017-1488, 2017-1494, 2017-1495 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N13 [2017-1494](#) COMMISSION DISTRICT(S): 5 & 7
Title: SLUP-18-21937 Quik Trip Corporation.

Attachments: [SLUP-18-21937 Recommended Conditions](#)
[N13 Quik Trip Corp SLUP 18 21937](#)

Michelle Battle, One West Court Sq. Suite 750 Decatur, GA 30030, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred, until February 27, 2018. Items 2017-1488, 2017-1494, 2017-1495 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N14 [2017-1495](#) COMMISSION DISTRICT(S): 5 & 7
Title: SLUP-18-21958 Quik Trip Corporation.

Attachments: [SLUP-18-21958 Recommended Conditions](#)
[N14 Quik Trip Corp SLUP 18 21958](#)

Michelle Battle, One West Court Sq. Suite 750 Decatur, GA 30030, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred, until February 27, 2018. Items 2017-1488, 2017-1494, 2017-1495 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N15 [2017-1130](#) COMMISSION DISTRICT(S): 4 & 6

Title: To amend Chapter 27-3.36 the DeKalb County Zoning Ordinance the text and map in the Scottdale Overlay District.

Attachments: [TA-18-21949 \(PROPOSED SCOTSDALE TEXT AMENDMENT\)](#)
[TA-18-21949 map Scottdale](#)

Victoria Webb, 3137 Rockbridge Rd. Avondale Estates, GA 30002, Charles W. (Bill) Crane, 317 North Clarendon Avenue Scottdale, GA 30079, James Alec Gelin, 227 First Ave. Avondale Estates, GA 30002, Lynn & Mark Click, 301 North Clarendon Avenue Scottdale, GA 30079, Jenn Baugh, 276 Third Ave. Avondale Estates, GA 30002, Stuart White, 259 First Ave. Avondale Estates, GA 30002, Alex Robinson, 279 First Ave. Avondale Estates, GA 30002, Nathan Mutic, 289 First Ave. Avondale Estates, GA 30002, Kevin Cunningham, 230 North Clarendon Avondale Estates, GA 30002, spoke in favor

Michelle Battle, One West Court Sq. Suite 750 Decatur, GA 30030, Vanetta Daniels, 3306 Blanton Drive Scottdale, GA 30072, Marcia Pearson, 2897 North Druid Hills Road NE #108 Atlanta, GA 30079, Katherine Rhodes, 3432 Rockbridge Road Avondale Estates, GA 30002, Leroy Gipson, 206-208 North Clarendon Ave. Avondale Estates, GA 30002, Vanessa Hawkins, 3362 Rammel Way Avondale Estates, GA 30002, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be deferred, until February 27, 2018 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N16 [2017-1476](#) COMMISSION DISTRICT(S): All Commission districts

Title: Amendment to Chapter 27-7.2.2, D of the DeKalb County Zoning Ordinance related to the duties and procedures for the Planning Commission to be consistent with the amended Bylaws. The amended Bylaws are in accordance with Sec. 21, Amendments of the DeKalb County Planning Commission Bylaws, dated July 9, 2003.

Attachments: [TA-18-21948 PCBYLAWS2017Revised](#)
[TA-18-21948 Art 7 PC](#)

MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be deferred, until February 27, 2018 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

ADJOURNMENT:

There being no further official business, MOTION was made by Mereda Davis Johnson, seconded by Steve Bradshaw, to adjourn the January 23, 2018 Board of Commissioners Zoning meeting at 9:18 p.m. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams



Jeff Rader
Presiding Officer



Barbara Sanders-Norwood
County Clerk