

DeKalb County Government

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



Meeting Minutes

Tuesday, July 23, 2019

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 Lorraine Cochran-Johnson, Super District 7*

- Present:** 6 - Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson and Commissioner Lorraine Cochran-Johnson
- Absent:** 1 - Commissioner Nancy Jester

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

2019-4081 Reconvene

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved to reconvene the July 23, 2019 Board of Commissioners Zoning Meeting. Commissioner Nancy Jester was absent from the meeting. Commissioners Larry Johnson and Kathie Gannon were out of the room and not voting. The motion carried by the following vote:

- Yes:** 4 - Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson
- Absent:** 3 - Commissioner Jester, Commissioner Johnson, and Commissioner Gannon

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.

Deferred Cases

- D1** [2019-3557](#) COMMISSION DISTRICT(S): ALL
Application by the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Table 4.1 and Article 4.2.23 Drive-through facilities to allow a drive through facility, for a use other than a restaurant, to be allowed in the C-1 (Local Commercial) and C-2 (Commercial) districts located in Activity Centers.
- MOTION was made by Kathie Gannon, seconded by Lorraine Cochran-Johnson, that this agenda item be to approve the text in the substitute submitted from the floor with the addition of the Use Tables dated July 23, 2019, submitted by Commissioner Kathie Gannon. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:**
- Yes:** 6 - Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson
- Absent:** 1 - Commissioner Jester

- D2** [2019-3209](#) COMMISSION DISTRICT(S): 5 & 7
Application of Rose C. Evans to amend the Future Land Use Plan Map from Suburban (SUB) to Light Industrial (LIND) to develop a parking lot for a trucking company and utilize the existing residential structure on the site as office space, at 1422 & 1450 Rock Chapel Road.
Julie Sellers, 1776 Peachtree St. #322 South Atlanta, GA 30309, spoke in favor to withdraw

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn. Items 2019-3209 and 2019-3210 were heard together. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

- D3** [2019-3210](#) COMMISSION DISTRICT(S): 5 & 7
Application of Rose C. Evans to rezone property from R-100 (Single-Family) District to C-2 (Local Commercial) District to develop a contractor's office with truck parking, at 1422 & 1450 Rock Chapel Road.
Julie Sellers, 1776 Peachtree St. #322 South Atlanta, GA 30309, spoke in favor to withdraw

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn. Items 2019-3209 and 2019-3210 were heard together. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

New Cases

- N1** [2019-3840](#) COMMISSION DISTRICT(S): 4 & 7
Application of Xandria Branch to request a Special Land Use Permit (SLUP) to allow a 4,500 square foot lounge (Glowbar ATL) within the Stonebridge Village shopping center to operate beyond 12:30 a.m. as a Late-Night Establishment within the C-1 (Local Commercial) District, at 8002 Rockbridge Road.

Xandria Branch, 8002 Rockbridge Rd. Lithonia, GA 30058, Landon Lee, 8002 Rockbridge Rd. Lithonia, GA 30058, spoke in favor

Deborah Wallace, 482 Crestwood Ct. Lithonia, GA 30058, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Justin Wallace, 7088 Brookside Lndg Stone Mountain GA 30087, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Kathie Gannon, that this agenda item be approved with 3 staff conditions. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

- N2** [2019-3841](#) COMMISSION DISTRICT(S): 3 & 6
Application of Hunter Carson to rezone property from R-75 (Residential Medium Lot -75) to R-60 (Residential Small Lot-60) to allow the property to be split into two lots, at 1357 Diamond Ave.

Hunter Carson, 1357 Diamond Ave Atlanta, GA 30316, spoke in favor

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

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

Absent: 1 - Commissioner Jester

- N3** [2019-3842](#) COMMISSION DISTRICT(S): 4 & 7
Application of Tracy Turner for a Special Land Use Permit for an in-home child day care facility for up to six children in an RSM (Small Lot Residential Mix) District, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1., at 925 Oakwood Chase Cir.
Tracy Turner, 925 Oakwood Chase Circle Stone Mountain, GA 30083, Daniel Brinson, 591 Kingsgate Ridge Stone Mountain, GA 30088, Chalice Dodson, 5194 Katherine Village Dr. Ellenwood, GA 30294, spoke in favor

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with 3 staff conditions. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

- N4** [2019-3843](#) COMMISSION DISTRICT(S): 3 & 6
Application of Strategic Development Partners to rezone from C-1 (Local Commercial District) to M (Light Industrial) to allow development of a 125,000 square foot industrial building, at 3112 Panthersville Road.
JR Wright, 3715 Northside Pkwy, Bldg 400, Ste. 425 Atlanta, GA 30327, Stephen Bridges, 1303 Peachtree View NW Atlanta, GA 30319, spoke in favor

Will Barnes, 1470 Flat Shoals Atlanta, GA 30316, Dorcas Henegan, 3619 Panthersville Road Decatur, GA 30034, spoke in opposition

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be approved with 4 staff conditions. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

- N5** [2019-3844](#) COMMISSION DISTRICT(S): 2 & 6
Application of Hole in One Ventures, LLC for a Special Land Use Permit (SLUP) to allow for a bank drive-through ATM within a Town Center Character Area in a C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1. Use Table and Article 4.2.23-Supplemental Regulations of the DeKalb County Code, at 2626 N. Decatur Rd.

Julie Sellers, 1776 Peachtree St. #322 South Atlanta, GA 30309, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, spoke in favor

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be approved with 11 revised staff conditions dated July 23, 2019 submitted by Commissioner Kathie Gannon. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

- N6** [2019-3845](#) COMMISSION DISTRICT(S): 4 & 7
Application of R. Lawton Jordan Esq. to rezone property from RSM (Small Lot Residential Mix) District to C-1 (Local Commercial) District to allow local commercial uses on the site, at 7231 Rockbridge Rd.

Lawton Jordan, 309 Sycamore Street Decatur, GA 30030, spoke in favor

Lance Hammonds, 6933 Waters Edge Dr. Stone Mountain, GA 30087, Lautia Walker, 448 Summit View Dr. Stone Mountain, GA 30087, Felicia J. Coleman, 6961 Wind Run Way Stone Mountain, GA 30087, James Rhinehart, 6974 Overlook Pt. Stone Mountain, GA 30087, Maude D. King, 519 Breakwater Terrace Stone Mountain, GA 30087, Joetta Preston, 331 Beechwood Lane Stone Mountain, GA 30087, Stephanie M. Barnes, 6931 Autumn Ridge Rd. Stone Mountain, GA 30087, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until August 27, 2019. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N7 [2019-3846](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning & Sustainability to reduce the
650 square foot minimum requirement for multifamily housing units
with Federal HUD 202 funding for senior affordable housing.

**MOTION was made by Kathie Gannon, seconded by Lorraine
Cochran-Johnson, that this agenda item be to approve the
language as inserted in table 2.4 of the Zoning Districts, so that
units funded by the Federal HUD 202 program for Senior
Affordable Housing are exempt from the minimum unit size and
shall comply with the government funding requirements.
Commissioner Nancy Jester was absent from the meeting. The
motion carried by the following vote:**

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

Absent: 1 - Commissioner Jester

ADJOURNMENT:

There being no further official business, MOTION was made by Commissioner Mereda Davis Johnson and seconded by Commissioner Kathie Gannon to adjourn the July 23, 2019 Board of Commissioners Zoning meeting at 7:50 p.m. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester



Jeff Rader
Presiding Officer



Michael Thurmond
Chief Executive Officer



Barbara Sanders-Norwood
County Clerk