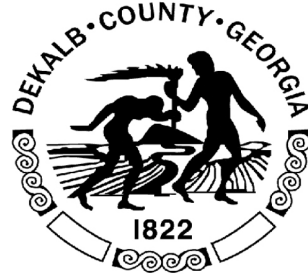


DeKalb County Government

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



Meeting Minutes

Thursday, November 21, 2019

6:30 PM

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:** 5 - Commissioner Nancy Jester, Commissioner Jeff Rader,
Commissioner Steve Bradshaw, Commissioner Mereda Davis
Johnson and Commissioner Lorraine Cochran-Johnson
- Absent:** 1 - Commissioner Kathie Gannon
- Vote Via Phone** 1 - Commissioner Larry Johnson

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

2019-4701 Reconvene

MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be approved to reconvene the November 21, 2019 Board of Commissioners Zoning Meeting. Commissioner Larry Johnson voted by phone. Commissioner Mereda Davis Johnson was out of the room and not voting. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

- Yes:** 5 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Bradshaw,
and Commissioner Cochran-Johnson
- Absent:** 2 - Commissioner Gannon, and Commissioner Davis
Johnson

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.

N2 [2019-4346](#) COMMISSION DISTRICT(S): 3 & 6
Application of Cynthia Evans for a Special Land Use Permit (SLUP) to allow for a child day care facility for up to six children in a R-75 (Residential Medium Lot) District, at 1415 Foxhall Lane

Cynthia Evans, 1415 Foxhall Lane Atlanta, GA 30316, spoke in favor

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions. Commissioner Larry Johnson voted by phone. Commissioner Mereda Davis Johnson was out of the room and not voting. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Gannon, and Commissioner Davis Johnson

- N3** [2019-4347](#) COMMISSION DISTRICT(S): 2 & 6
Application of Brookhaven Consultations & Training, LLC for a Special Land Use Permit (SLUP) to allow a home occupation with customer contact in an R-85 (Residential Medium Lot) District, at 1346 Sheffield Drive.

David Golstrom, 1346 Sheffield Dr. NE Atlanta, GA 30329, spoke in support

MOTION was made by Jeff Rader, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions, with an additional condition that there is off street parking. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N4** [2019-4348](#) COMMISSION DISTRICT(S): 3 & 7
Application of Dionne Newell to request a Special Land Use Permit (SLUP) to allow a Special Events Facility with late night hours (Pisces Banquet Hall) in Suite 4 & 5 of a multi-tenant commercial building in the C-1 (Local Commercial) District, at 4467 Glenwood Road.

Bonita Lacy, 2071 McAfee Rd. Decatur, GA 30032, spoke in favor

MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be approved with staff conditions, with the exception of condition #5. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N5** [2019-4349](#) COMMISSION DISTRICT(S): 5 & 7
Application of Ken Wood to rezone properties from C-1 (Local Commercial) District to RSM (Small Lot Residential Mix) District to develop seventy-two single family attached townhomes at a proposed density of 7.97 units per acre, at 6540 & 6556 Covington Highway; 2314 & 2338 Wellborn Road.

Kenneth Wood, 350 Research Court Peachtree Corners, GA 30092, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Dean Cowart, 13220 Center Dr. Dunwoody, GA 30338, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions dated November 21, 2019. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N6** [2019-4350](#) COMMISSION DISTRICT(S): 5 & 7
Application of Michael Tchouaffe to request a Special Land Use Permit (SLUP) to allow a Late-Night Establishment within an existing 5,200 square foot building in a C-1 (Local Commercial) District, at 4407 Covington Highway.

Rovelt Smith, 2081 Millstone Drive Conyers, GA 30094, Michael Young, 5091 Kanawhan Bluff Stone Mountain, GA 30087, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions, and an additional condition that late night hours are limited to Friday and Saturday. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N7 [2019-4351](#) COMMISSION DISTRICT(S): 5 & 7
Application of Shy Temple Christian Methodist Episcopal Church for a Special Land Use Permit (SLUP) to demolish an existing sanctuary building and construct a new 10,000 square foot sanctuary building in a R-85 (Residential Medium Lot) District, at 2030 Wesley Chapel Road..

Dr. James C. Clements, 2030 Wesley Chapel Rd. Decatur, GA 30035, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N8 [2019-4352](#) COMMISSION DISTRICT(S): 5 & 7
Application of Guyana Association of Georgia c/o Mr. Carl Lashley to rezone properties from R-100 (Residential Medium Lot) and RSM (Small Lot Residential Mix) Districts to O-I (Office Institutional) District to allow the development of a cultural facility up to 16,000 square feet, at 1970 & 1978 Panola Road.

David Sacks, 89 Dartmouth Ave. Avondale Estates, GA 30002, Shena Applewhaite, 180 Roseheath Dr. Covington, GA 30016, Carl Lashley, 600 Saint Christopher Lane Ellenwood, GA 30294, Jawara Mars, 5335 Walker Rd. Stone Mountain, GA 30088, spoke in favor

Angela Johnson, 1999 Downs Pl. Lithonia, GA 30058, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff conditions. Items 2019-4352 and 2019-4353 were heard together. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

N9 [2019-4353](#) COMMISSION DISTRICT(S): 5 & 7
Application of Guyana Association of Georgia c/o Mr. Carl Lashley for
a Special Land Use Permit (SLUP) to allow the development of a
cultural facility up to 16,000 square feet in the O-I (Office Institutional)
District, at 1970 & 1978 Panola Road.

*David Sacks, 89 Dartmouth Ave. Avondale Estates, GA 30002, Shena
Applewhaite, 180 Roseheath Dr. Covington, GA 30016, Carl Lashley, 600 Saint
Christopher Lane Ellenwood, GA 30294, Jawara Mars, 5335 Walker Rd. Stone
Mountain, GA 30088, spoke in favor*

Angela Johnson, 1999 Downs Pl. Lithonia, GA 30058, spoke in opposition

**MOTION was made by Mereda Davis Johnson, seconded by
Lorraine Cochran-Johnson, that this agenda item be approved
with staff conditions. Items 2019-4352 and 2019-4353 were heard
together. Commissioner Larry Johnson left the meeting at
approximately 6:40 p.m. Commissioner Kathie Gannon was
absent from the meeting. The motion carried by the following
vote:**

Yes: 5 - Commissioner Jester, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

N10 [2019-4356](#) COMMISSION DISTRICT(S): 3 & 7
Application of Phoenix City Holdings, LLC c/o Battle Law P.C. to
rezone property from R-100 (Residential Medium Lot-100) District to
RSM (Small Lot Residential Mix) District to develop sixty-one single
family attached townhomes at a proposed density of 5.94 units per
acre, at 3792 Harvest Drive.

**MOTION was made by Lorraine Cochran-Johnson, seconded by
Nancy Jester, that this agenda item be tabled. Commissioner
Larry Johnson left the meeting at approximately 6:40 p.m.
Commissioner Kathie Gannon was absent from the meeting. The
motion carried by the following vote:**

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon
MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be taken off table.

Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson

Absent: 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson

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

Erica Brits, 3765 Harvest Dr. Decatur, GA 30034, Terry Glover, 3250 Harvester Woods Rd. Decatur, GA 30034, Mookie Abdullah, 3627 Spring Trce Decatur, GA 30034, Cartria Wood, 3495 Kingswood Run Decatur, GA 30034, spoke in opposition

MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be deferred for a Full Cycle, until January 28, 2020. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson

Absent: 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson

- N11** [2019-4357](#) COMMISSION DISTRICT(S): 5 & 7
Application of Johnny Garcia to rezone property from O-I (Office Institutional) District to C-1 (Local Commercial) District to install an electronic sign, at 4982 Covington Highway.

Yessenid Herrerd, 4425 Mark Anthony Ct. Decatur, GA 30035, Dr. Johnny Garcia D.C., 4982 Covington Hwy Decatur, GA 30035, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred to the next meeting, until December 10, 2019 for Decision Only. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Johnson, and Commissioner Gannon

- N12** [2019-4397](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning and Sustainability for a text amendment to amend Table 5.2 to clarify buffer width requirements when adjacent to “R” districts whether adjoining use is single family attached or detached.

MOTION was made by Lorraine Cochran-Johnson, seconded by Steve Bradshaw, that this agenda item be deferred for a full cycle, until January 28, 2020. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m.

Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson

Absent: 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson

- N13** [2019-4398](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning and Sustainability for a text amendment to Article 5.7.5 H: Driveways and Article 5.7.5 N Garages.
MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be deferred for a full cycle, until January 28, 2020. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:
- Yes:** 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson
- Absent:** 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson
-
- N14** [2019-4358](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning & Sustainability for a Text Amendment to adopt the 2020 Rezone Calendar & Resolution.
Martha Gross, 2855 Briarcliff Rd. NE Atlanta, GA 30329, Barbara Vargas, 1856 Chrysler Dr. NE Atlanta, GA 30345, spoke in opposition
MOTION was made by Lorraine Cochran-Johnson, seconded by Nancy Jester, that this agenda item be . Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:
- Yes:** 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson
- Absent:** 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson

ADJOURNMENT:

There being no further official business, MOTION was made by Commissioner Nancy Jester and seconded by Commissioner Lorraine Cochran-Johnson to adjourn the November 21, 2019 Board of Commissioners Zoning meeting at 8:30 p.m. Commissioner Larry Johnson left the meeting at approximately 6:40 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 8:00 p.m. Commissioner Kathie Gannon was absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, and Commissioner Cochran-Johnson

Absent: 3 - Commissioner Johnson, Commissioner Gannon, and Commissioner Davis Johnson



Jeff Rader



Barbara Sanders-Norwood
County Clerk