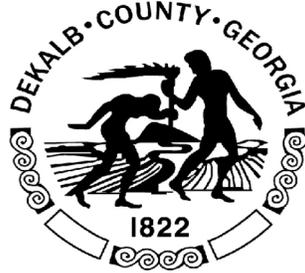


# DeKalb County Government

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



## Meeting Minutes

**Thursday, November 19, 2020**

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

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

*The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, November 19, 2020 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](mailto:PublicHearing@dekalbcountyga.gov).*

## **Deferred Cases**

D1 [2020-0834](#)

**COMMISSION DISTRICT(S): 2 & 6**

Application of Stein Investment Co., LLC c/o Dennis J Webb for a future land use amendment request to change from Neighborhood Center (NC) to Regional Center (RC) to allow for a mixed-use development comprising approximately 14,000 square feet of accessory restaurant and retail space and 264 multi-family apartments, at 2814 Clairmont Road.

*Den Webb/Eric Bosman, 1230 Peachtree St. Atlanta, GA, Gunter Sharp, 2209 Street D'Ville, Martha Gross (no address), Barbara Vargas, 1856 Chrysler Dr., Randy Roosa 2093 Imperial Dr., James Roland, 3046 Briarcliff Rd. #15, spoke in favor*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be deferred, until December 15, 2020 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 Cochran-Johnson

D2 [2020-0835](#)

**COMMISSION DISTRICT(S): 2 & 6**

Application of Stein Investment Co., LLC c/o Dennis J Webb to request a rezoning of properties from C-1 (Local Commercial) and C-2 (General Commercial) to HR-3 (High Density Residential-3) district to allow for the construction of a mixed use development consisting of approximately 10,000 square feet of accessory restaurant and retail space and 264 multi-family apartments, at 2814 Clairmont Road.

*Den Webb/Eric Bosman, 1230 Peachtree St. Atlanta, GA, Gunter Sharp, 2209 Street D'Ville, Martha Gross (no address), Barbara Vargas, 1856 Chrysler Dr., Randy Roosa 2093 Imperial Dr., James Roland, 3046 Briarcliff Rd. #15, spoke in favor*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be deferred, until December 15, 2020 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 Cochran-Johnson

## New Cases

### N1 [2020-1163](#)

**COMMISSION DISTRICT(S): 5 & 7**

Application of Halim Najib for a Special Land Use Permit (SLUP) to operate a Child Caring Institution for teenage mothers in an MR-1 (Medium Density Residential-1) District, at 5797 Marbut Road.

**MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for a Full Cycle, until January 28, 2021. The motion carried by the following vote:**

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

### N2 [2020-1166](#)

**COMMISSION DISTRICT(S): 5 & 7**

Application of Michelle Bennett for a Special Land Use Permit (SLUP) for a Personal Care Home to allow for up to six adults, at 1880 Singer Way.

**MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, 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 Cochran-Johnson

### N3 [2020-1167](#)

**COMMISSION DISTRICT(S): 5 & 7**

Application of Kaplan Residential to rezone property in the Indian Creek Overlay District from O-I (Office Institutional) to MR-1 (Medium Density Residential-1) to allow for a 230-unit townhome development, at 1014 Elder Lane.

*Sharon Gay, 3030 Peachtree Street Atlanta, GA 30308, Roderick Frierson, 1528 Hidden Hills Pkwy, Larry Coles, 5097 Highland Hills Pkwy, spoke in favor*

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

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

**N4** [2020-1169](#)

**COMMISSION DISTRICT(S): 4 & 6**

Application of Quik Trip Corporation c/o Battle Law P.C. for a Special Land Use Permit (SLUP) to allow an alcohol outlet within a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 4.2.8 Supplemental Regulations of the DeKalb County Code, at Memorial Drive and Collingwood Drive.

*Michelle Battle, One west Court Square, spoke in favor*

*Siraj, 4729 Memorial Dr., spoke in opposition*

**MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be deferred for a Full Cycle, until January 28, 2021. Items 2020-1169 and 2020-1170 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 Cochran-Johnson

**N5** [2020-1170](#)

**COMMISSION DISTRICT(S): 4 & 6**

Application of Quik Trip Corporation c/o Battle Law P.C. for a Special Land Use Permit (SLUP) to allow fuel pumps for a new 4,993 square foot convenience store (Quik Trip) within the C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 4.2.28 Supplemental Regulations of the DeKalb County Code, at Memorial Drive and Collingwood Drive.

*Michelle Battle, One west Court Square, spoke in favor*

*Siraj, 4729 Memorial Dr., spoke in opposition*

**MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be deferred for a Full Cycle, until January 28, 2021. Items 2020-1169 and 2020-1170 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 Cochran-Johnson

**N6** [2020-1171](#)

**COMMISSION DISTRICT(S): 4 & 6**

Application of Lennar Corporation c/o Battle Law P.C. to rezone properties from R-85 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to construct up to 63 urban single-family homes at a density of 5.2 units per acre, at 4549 Erskine Road and 1247 Oakmont Drive.

*Michelle Battle, One West Court Square, Shalewa Smith, 4084 Cimmaron Drive, spoke in favor*

*Henry Griesbach 1253 Ocalla Ave., Alem Giorgis, 479 Irskin Rd., Angela Kaylor, 4455 Irskin Rd., Stephanie Minderhout, 1273 Otello Ave., spoke in opposition*

**MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for a Full Cycle, until January 28, 2021. Commissioner Steve Bradshaw abstained. The motion carried by the following vote:**

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

**Abstain:** 1 - Commissioner Bradshaw

**N7** [2020-1172](#)

**COMMISSION DISTRICT(S): 1 & 7**

Application of Azalea House for a Special Land Use Permit (SLUP) in the Northlake Overlay District, Tier 2 and the O-I (Office Institutional) (Conditional-CZ-00078) District to expand an existing community personal care home, at 1896 Ludovic Lane.

*Humera Savaja, Azalea House, spoke in favor*

**MOTION was made by Nancy Jester, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff's 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 Cochran-Johnson

**N8** [2020-1174](#)

**COMMISSION DISTRICT(S): 5 & 7**

Application of Shy Temple CME Church, Inc. for a Special Land Use Permit in the R-85 (Residential Medium Lot-85) District to expand a place of worship approved pursuant to SLUP-19-1243513 by constructing the new sanctuary on expanded property, at 2030 Wesley Chapel Road.

*James Clements, 185 Woodstream Dr. Newnan, GA 30265, Barbara Campbell (no address), spoke in favor*

**MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff's 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 Cochran-Johnson

**N9** [2020-1175](#)

**COMMISSION DISTRICT(S): 3 & 6**

Application of the Director of Planning and Sustainability to amend Section 27-3.39.3 (Permitted Uses and Structures), Section 27-9.1.3 (Definitions), and create Section 27-3.39.8 (Supplemental Regulations) of the Bouldercrest-Cedar Grove-Moreland Overlay District.

**MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be deferred for two Full Cycles, until March 25, 2021. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Davis Johnson

N10 [2020-1183](#)

**COMMISSION DISTRICT(S): All Districts**

Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 2.11.2. Dimensional Requirements, in all districts of DeKalb County.

*Michelle Battle, One West Court Square, spoke in favor*

**MOTION was made by Kathie Gannon, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred to the next meeting and assigned to the Planning, Economic Development & Community Services Committee (PECS), and return to the Board on December 8, 2020 for Decision only. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Davis Johnson

N11 [2020-1184](#)

**COMMISSION DISTRICT(S): All Districts**

Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27 to amend Section 4.2.35. Mini-warehouse, Section 9.1.3. and Section 4.1 Use Table pertaining to Self-Storage and Mini-warehouse, in all districts of DeKalb County.

*Martha Gross, (no address), spoke in favor*

**MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be deferred for a Full Cycle and assigned to the Planning, Economic Development & Community Services Committee (PECS), and return to the Board on January 28, 2021. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Davis Johnson

N12 [2020-1188](#)

**COMMISSION DISTRICT(S): All Districts**

Application of the Director of Planning & Sustainability for a text amendment to adopt the 2021 Zoning Calendar and Resolution, in all districts of DeKalb County.

**MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be deferred and assigned to the Planning, Economic Development & Community Services Committee (PECS), and return to the Board on December 15, 2020 for Public Hearing. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Davis Johnson

N13 [2020-1325](#)

**COMMISSION DISTRICT(S): 2 & 6**

Application of Stein Investment Co., LLC to consider approving a resolution to adopt the Briarcliff Road-Clairmont Road Small Area Plan and to amend the DeKalb County Comprehensive Plan to include the aforementioned plan, as a part of the Supplemental Plans, Chapter 7.

*Den Webb/Eric Bosman, 1230 Peachtree St. Atlanta, GA, Gunter Sharp, 2209 Street D'Ville, Martha Gross (no address), Barbara Vargas, 1856 Chrysler Dr., Randy Roosa 2093 Imperial Dr., James Roland, 3046 Briarcliff Rd. #15, spoke in favor*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be deferred to the next meeting, until December 8, 2020 for Public Hearing. The motion carried by the following vote:**

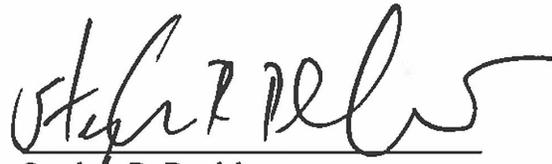
**Yes:** 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

**ADJOURNMENT:**

**There being no further official business, MOTION was made by Commissioner Kathie Gannon and seconded by Commissioner Nancy Jester to adjourn the November 19, 2020 Board of Commissioners Zoning meeting at 9:35 p.m. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Davis Johnson



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Stephen R. Bradshaw  
Presiding Officer



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Barbara Sanders-Norwood  
County Clerk

# 11.19.2020 Zoning Minutes for signature

Final Audit Report

2020-12-01

Created:	2020-12-01
By:	Kristin Rodgers (kwrogers@dekalbcountyga.gov)
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## "11.19.2020 Zoning Minutes for signature" History

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2020-12-01 - 5:49:01 PM GMT
-  Email viewed by Barbara Sanders (bhsander@dekalbcountyga.gov)  
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-  Document e-signed by Barbara Sanders (bhsander@dekalbcountyga.gov)  
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