

**CITY OF BROOKHAVEN  
PLANNING COMMISSION  
FINAL MINUTES**

**August 2, 2017**

**Regular Meeting**

**7:00 PM**

4362 Peachtree Road, Brookhaven, GA 30319

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**A) CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Stan Segal	Chairman	Present	
Shannon Cameron		Present	
John Funny		Present	
Bert Levy		Present	
Conor Sen		Present	
Michael Diaz		Present	
Madeleine Simmons		Absent	

**B) APPROVAL OF MINUTES**

1. Approval of July 5, 2017 Planning Commission Work Session Meeting Minutes

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Funny
<b>SECONDER:</b>	Conor Sen
<b>AYES:</b>	Segal, Cameron, Funny, Levy, Sen, Diaz
<b>ABSENT:</b>	Simmons

2. Approval of July 5, 2017 Planning Commission Regular Meeting Minutes

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Funny
<b>SECONDER:</b>	Shannon Cameron
<b>AYES:</b>	Segal, Cameron, Funny, Levy, Sen, Diaz
<b>ABSENT:</b>	Simmons

**C) ORGANIZATIONAL AND PROCEDURAL ITEMS**

There were no organizational or procedural items discussed.

**D) UNFINISHED BUSINESS**

There was no unfinished business discussed.

**E) NEW BUSINESS**

**1. Rezoning Ordinance (ID # 2806):** RZ17-04: Majestic Investment Corporation - Rezone the Subject Properties from R-100 (Single-Family) to R-A5 (Single-Family) to Allow 17 Townhomes - 1611, 1621, & 1659 Johnson Ferry Road

Ms. Abaray stated staff recommended denial of the request.

Tom Platford, the applicant, reviewed the request and reiterated the desire to seek board approval.

Public comment opened.

Speakers in opposition:

Fay Ann Sherris, 1031 Fielding Park Ct.

Laurenthia Mesh, 3450 Weatherly Ct.

Bill Gannon, 505 Tannton Way

Richard Gapen, 3539 Greenwood Close

Trish Treadwell, 1024 St. James Crossing

Daryl Cook, also speaking on behalf of the applicant, addressed concerns raised during public comment by summarizing a hydrology study would be completed that would include underground water retention measures. He also noted construction would not begin until the Federal Emergency Management Agency (FEMA) approved the proposed development.

Public comment closed and board discussion began.

Discussion ensued as to whether the proposed development adhered to the zoning requirements of R-A5 and the Lakes District Character area. Mr. Platford noted similar developments in the surrounding area, as well as developments in Sandy Springs, Chamblee, and other parts of DeKalb county. He summarized that approving the proposed development would increase the economic value of the neighborhood and provide an esthetic improvement from what currently existed on the subject property. The commissioners noted that the proposed development was not supported by the Comprehensive Plan or the Lakes District Character area, and was not in keeping with the single-family detached character of the neighborhood.

Board discussion closed.

Commissioner Cameron motioned to deny RZ17-04, and Commissioner Funny seconded. The vote was unanimously approved.

<b>RESULT:</b>	<b>RECOMMENDED UNFAVORABLY [UNANIMOUS]</b>	<b>Next:</b>
	<b>8/22/2017 7:00 PM</b>	
<b>MOVER:</b>	Shannon Cameron	
<b>SECONDER:</b>	John Funny	
<b>AYES:</b>	Segal, Cameron, Funny, Levy, Sen, Diaz	
<b>ABSENT:</b>	Simmons	

**2. Ordinance (ID # 2789):** TA17-13 an Ordinance to Amend Chapter 27 Zoning, Article VI Enforcement & Penalties, of the Code of the City of Brookhaven

Ms. Abaray stated staff recommended approval of the text amendment as presented.

There were no comment cards in support or opposition, and board discussion opened and closed.

Commissioner Levy motioned to approve TA17-13, and Commissioner Cameron seconded. The vote was unanimously approved.

**RESULT:** RECOMMENDED FAVORABLY [UNANIMOUS] Next: 8/22/2017  
7:00 PM  
**MOVER:** Bert Levy  
**SECONDER:** Shannon Cameron  
**AYES:** Segal, Cameron, Funny, Levy, Sen, Diaz  
**ABSENT:** Simmons

3. **Ordinance (ID # 2790):** TA17-14 an Ordinance to Amend Section 27-1410, Agriculture and Forestry, of the Code of the City of Brookhaven

Ms. Abaray stated staff recommended approval of the text amendment as presented.

There were no comment cards in support or opposition, and board discussion opened and closed.

Commissioner Sen motioned to approve TA17-14, and Commissioner Funny seconded. The vote was unanimously approved.

**RESULT:** RECOMMENDED FAVORABLY [UNANIMOUS] Next: 8/22/2017  
7:00 PM  
**MOVER:** Conor Sen  
**SECONDER:** John Funny  
**AYES:** Segal, Cameron, Funny, Levy, Sen, Diaz  
**ABSENT:** Simmons

4. **Ordinance (ID # 2791):** TA17-15 an Ordinance to Amend Section 27-1408, Accessory Buildings, Structures, and Uses, of the Code of the City of Brookhaven

Ms. Abaray stated staff recommended approval of the text amendment as presented.

There were no comment cards in support or opposition, and board discussion opened and closed.

Commissioner Funny motioned to approve TA17-15, and Commissioner Sen seconded. The vote was unanimously approved.

**RESULT:** RECOMMENDED FAVORABLY [5 TO 0]Next: 8/22/2017 7:00 PM  
**MOVER:** John Funny  
**SECONDER:** Conor Sen  
**AYES:** Cameron, Funny, Levy, Sen, Diaz  
**ABSENT:** Simmons  
**RECUSED:** Segal

5. **Ordinance (ID # 2792):** TA17-16 an Ordinance to Amend Section 27-1443 Places of Worship; Convents; Monasteries; Temporary Religious Meetings; General Requirements, of the Code of the City of Brookhaven

Ms. Abaray stated staff recommended approval of the text amendment as presented.

There were no comment cards in support or opposition, and board discussion opened and closed.

Commissioner Cameron motioned to approve TA17-16, and Commissioner Funny seconded. The vote was unanimously approved.

<b>RESULT:</b>	<b>RECOMMENDED FAVORABLY [UNANIMOUS] Next: 8/22/2017 7:00 PM</b>
<b>MOVER:</b>	Shannon Cameron
<b>SECONDER:</b>	John Funny
<b>AYES:</b>	Segal, Cameron, Funny, Levy, Sen, Diaz
<b>ABSENT:</b>	Simmons

**6. Ordinance (ID # 2793):** TA17-17 an Ordinance to Amend Section 27-1444, Private Elementary, Middle and High School, of the Code of the City of Brookhaven

Ms. Abaray stated staff recommended approval of the text amendment as presented.

Public comment opened.

Speakers in opposition:  
Dale Boone, 1684 North Druid Hills

Public comment closed and board discussion began.

The commissioners discussed the possibility of a deferral based on potential inconsistencies presented during the public comment section. The commissioners requested clarification from staff regarding the definition of a charter school, the minimum acreage of a charter school at both the local and state level, as well as the best practices for both public and private schools.

Board discussion closed.

Commissioner Cameron motioned to approve TA17-17, and Commissioner Diaz seconded. The motion failed 2-4.

Commissioner Levy motioned to defer TA17-17 to the September 6 meeting, and Commissioner Funny seconded. The motion passed 4-2.

<b>RESULT:</b>	<b>DEFERRED [4 TO 2] Next: 9/6/2017 7:00 PM</b>
<b>MOVER:</b>	Bert Levy
<b>SECONDER:</b>	John Funny
<b>AYES:</b>	Segal, Funny, Levy, Sen
<b>NAYS:</b>	Cameron, Diaz
<b>ABSENT:</b>	Simmons

**F) ADJOURNMENT**

Commissioner Funny motioned to adjourn the meeting at 8:14 p.m., and Commissioner Sen seconded. The vote was unanimously approved.

**APPROVED:**

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Stan Segal, Chairman

ATTEST:

\_\_\_\_\_  
Community Development

Approved