



I. Call to Order and Roll Call

The Zoning Public Hearing was called to order at 3:08 PM by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Amelia Inman, Vanerriah Wynn, and Ric Dodd. Darold Honore joined the call later. Zoning Administrator Bill Johnston was present on the call.

II. An application to rezone the property at 7238 Center Street, Parcel Identification Number 16 153 02 004, from the current “Edge” District to the “Downtown” District. The purpose of the rezoning is to allow establishment of a standard restaurant as a permitted use.

a. Report from Bill Johnston, Zoning Administrator

The recommendation is for approval of the proposed rezoning from the edge district to the downtown district subject to 5 conditions.

- A site plan revised to eliminate parking spaces 1 and 2, designated as accessible spaces, and conversion of other standard spaces to ADA-compliant spaces shall be submitted as a condition of zoning of the property.
- The architectural rendering submitted with the rezoning application and depicting the appearance and exterior finish materials of the building shall be a condition of zoning of the property.
- No permits of any kind shall be issued prior to approval of the site plan and architectural rendering and adoption of the site plan and rendering by Mayor and Council as conditions of zoning.
- Any review comments by DeKalb County Watershed Management shall be resolved as a condition of the rezoning prior to issuance of any permits.
- The rezoning, if approved, shall permit establishment of a “standard” restaurant as defined in Sec. 17-31 *Definitions* and reprinted here shall not be construed to allow other restaurant forms as may be prohibited in the Downtown District or are subject to approval of a special exception or conditional use.

Restaurant, standard. A restaurant having the following primary characteristics:

- The principal business is the sale of food and beverages to sit-down customers in a ready-to consume state for consumption within the building.
- Customers usually order food from a menu and are served food and beverage by a restaurant employee at the same table or counter at which the food and beverage are ordered and consumed.
- Food and beverages are usually served in or on non-disposable tableware and glassware.

- Drive in or drive-through facilities are not provided, and the restaurant is not dependent on a driveway approach or parking spaces for motor vehicles to serve customers food and beverages while in a motor vehicle, rather than within the building. Carry-out orders are provided only on an incidental basis.
- Restaurants providing cafeteria-type service that have the other primary characteristics of standard restaurants may also be considered standard restaurants.”

b. Presentation by Applicant (10-minutes allotted, including rebuttal)

Mr. Cubel Bain, representing the applicant, Mr. Clinton Garibaldi stated that this project was originally started back in 2014 with a vision for a restaurant to create a nice community eatery for the neighborhood area. An investment was made in purchasing the property, using the huge tree as a landmark.

c. Presentation by Persons Opposed to the Application (10 minutes allotted)

Ms. Melba Lawrence a resident behind Wilson’s Roofing, in Lithonia since 1985, it is very close to where she lives and there is concern about traffic, noise, and lighting, feels that it is too close to the residential area. Mr. David McCoy referenced a pdf document that was provided to city hall to address his concerns.

d. Presentation by Persons In-Favor of the Application (10 minutes allotted)

There were no persons present in-favor of the application.

e. Closing of Public Hearing

Councilwoman Howard motioned to close the public hearing, the motion was seconded by Councilman Honore and approved by a vote of 5-0.

f. Deliberation by Council on Zoning Administrator’s Recommendations and Presentations

Council is unanimously in favor to table for more research.

g. Decision

Councilman Dodd motioned to table until April 19 for a Special Called Meeting at 3:00 pm to address everyone’s concerns collectively; the motion was seconded by Councilwoman Howard and approved by a vote of 5-0.

III. Adjournment of Zoning Hearing

Councilman Dodd motioned to adjourn the zoning hearing, the motion was seconded by Councilwoman Inman; the motion was approved by a vote of 5-0, and the meeting was adjourned at 4:03 pm.