



Legislation Details (With Text)

**File #:** 2020-0083    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 1/13/2020    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 7/30/2020    **Final action:** 7/30/2020  
**Title:** COMMISSION DISTRICT(S): 5 & 7  
 Application of Sudhir Tejpaul to rezone property in the Kensington-Memorial Overlay District from MU-4 (Mixed Use-4) to HR-1 (High-Density Residential-1) for a multifamily residential building, at 1221 & 4220 S. Indian Creek Place.

**Indexes:**

**Attachments:** 1. Recommended Conditions BOC 5-28-20, 2. N2 Sudhir Tejpaul Z 20 1243741 5-28-2020 BOC Staff report, 3. Z 20 1243741 Recommended Conditions PC July 2020, 4. Z 20 1243741 Recommended Conditions for July BOC, 5. Staff Report Z 20 1243741 BOC 7-30-2020

Date	Ver.	Action By	Action	Result
7/30/2020	1	Board of Commissioners - Zoning Meeting	approved per staff's conditions	Pass
7/7/2020	1	Planning Commission		
5/28/2020	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
3/3/2020	1	Planning Commission	Full cycle deferral	Pass

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

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

**Application of Sudhir Tejpaul to rezone property in the Kensington-Memorial Overlay District from MU-4 (Mixed Use-4) to HR-1 (High-Density Residential-1) for a multifamily residential building, at 1221 & 4220 S. Indian Creek Place.**

**PETITION NO: D1. Z-20-1243741 (2020-0083)**

**PROPOSED USE:** A four-story multifamily residential building.

**LOCATION:** 1221 and 4220 South Indian Creek Place, Stone Mountain, GA

**PARCEL NO. :** 15-222-13-015 & 15-222-13-019

**INFO. CONTACT:** Melora Furman

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Sudhir Tejpaul to rezone property in the Kensington-Memorial Overlay District from MU-4 (Mixed Use-4) to HR-1 (High-Density Residential-1) for a multifamily residential building. The property is located on the south side of Redan Road, approximately 286 feet east of South Indian Creek Drive, at 1221 and

4220 Indian Creek Place, Stone Mountain, GA. The property has approximately 35 feet of frontage on Redan Road, 481 feet on Indian Creek Place/Paulette Way, and 300 feet on Indian Creek Place and contains 2.27 acres.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** (6-8-20) Approval; (2-10-20) Deferral.

**PLANNING COMMISSION:** (7/7/20) Approval with Conditions. (3-3-20) Deferral Full Cycle.

**PLANNING STAFF:** Approval with Conditions.

**STAFF ANALYSIS:** The proposal is consistent with the 2035 Comprehensive Plan’s Town Center policies that support a high-density mix of retail, office, services and employment centers that serve several neighborhoods. The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property, which are either retail (the CVS store), part of the originally approved development concept (townhomes) or located approximately ten feet above the project site (the Hiawatha subdivision). Therefore, the Department of Planning and Sustainability recommends “Approval with Conditions”.

**PLANNING COMMISSION VOTE: (7/7/20) Approval with Conditions, 7-0-0.** G. McCoy moved and A. Atkins seconded for approval with 13 conditions recommended by Staff. The motion was unanimous. **(3/3/2020) Deferral Full Cycle 6-2-0.** G. McCoy moved and J. West seconded a motion to defer full cycle to allow time for the applicant to submit a more detailed site plan and elevations and renderings of the proposed building.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: (6/8/2020) Approval 7-1-0.** CC5 members supported additional apartment units on the site. **(2/10/2020) Deferral 7-0-0.** The Community Council Board recommended full cycle deferral to allow time for the applicant to redefine the site plan to show an amenity area and detention pond, and to submit architectural plans.