



Legislation Details (With Text)

File #: 2020-1531 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 11/30/2020 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 1/28/2021 **Final action:**
Title: COMMISSION DISTRICT(S): 3 & 6
 Application of Williams Teusink LLC c/o Kyle Williams to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 1/M (Light Industrial) District to M (Light Industrial) District to allow for a truck parking lot (Transportation Equipment Storage) and an accessory vocational school (outdoor truck driver training related to maneuvering and parking), at 1795 Constitution Road.

Indexes:

Attachments: 1. Z-21-1244232 Williams Teusink staff report

Date	Ver.	Action By	Action	Result
1/28/2021	1	Board of Commissioners - Zoning Meeting	withdrawn	Pass
1/5/2021	1	Planning Commission	withdrawn without prejudice per staff recommendation	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): 3 & 6

Application of Williams Teusink LLC c/o Kyle Williams to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 1/M (Light Industrial) District to M (Light Industrial) District to allow for a truck parking lot (Transportation Equipment Storage) and an accessory vocational school (outdoor truck driver training related to maneuvering and parking), at 1795 Constitution Road.

PETITION NO: N1. Z-21-1244232 2020-1531

PROPOSED USE: Truck parking lot and vocational school for outdoor truck driver training.

LOCATION: 1795 Constitution Road, Atlanta, GA 30316

PARCEL NO. : 15-077-01-002

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Williams Teusink LLC c/o Kyle Williams to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 1/M (Light Industrial) District to M (Light Industrial) District to allow for a truck parking lot (Transportation Equipment Storage) and an accessory vocational school (outdoor truck driver training related to maneuvering and parking).The property is located on the south side of Constitution Road, approximately 1,290 feet east of International Park Drive at 1795 Constitution Road in Atlanta, Georgia. The property has approximately 325 feet of frontage along Constitution Road and contains 5.03 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Deferral.

PLANNING COMMISSION: Withdrawal Without Prejudice.

PLANNING STAFF: Withdrawal Without Prejudice.

STAFF ANALYSIS: The subject property falls within Tier 1 of the Bouldercrest Overlay District (BOD) and has an underlying zoning of M (Light Industrial). The applicant originally wanted to demolish the existing building and operate a vocational school for outdoor truck driver training, and to park those trucks on-site overnight. Since Tier 1 of the BOD allows vocational training but does not allow overnight truck parking, the applicant was requesting that the BOD be removed because the underlying M zoning district allows both overnight truck parking and vocational training. Since the application was filed, the applicant has indicated that there will be no overnight truck parking on this property. The applicant has indicated that any overnight truck parking will be located on the adjacent Schneider Trucking properties to the west which are under common ownership and are not within the BOD; those adjacent properties are zoned M which allows overnight truck parking as a permitted land use and have been used for long term truck parking for many years. Since there will be no overnight truck parking on the subject property, there is no need to remove the overlay district designation since vocational training is a permitted land use in Tier 1 of the BOD. The applicant submitted a letter requesting withdrawal of this rezoning application on December 22, 2020 (see attached). Therefore, the Planning & Sustainability Department recommends that the application be "Withdrawn Without Prejudice."

PLANNING COMMISSION VOTE: **Withdrawal without prejudice 9-0-0.** V. Moore moved, J. West seconded for Withdrawal Without Prejudice, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: **Deferral 5-1-0.** Council members present recommended deferral to allow time for the applicant and Planning staff to come to an agreement on the reason that the property must be removed from the Bouldercrest Overlay District.