



## Legislation Details (With Text)

**File #:** 2018-3068    **Version:** 2    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 11/30/2018    **In control:** Board of Commissioners  
**On agenda:** 3/26/2019    **Final action:** 3/26/2019  
**Title:** COMMISSION DISTRICT(S): 3 & 6  
Application of Scott Bennett for a major modification to remove all conditions on property zoned MR-2 (Medium Density Residential -2) District, pursuant to CZ-05033 for 149 single-family attached townhomes in order to develop 291 apartment units at a density of 24 units per acre within Tier 2 of the I-20 Overlay District, at 2128 & 2170 Cook Road.

**Indexes:**

**Attachments:** 1. 2019 03.26 Item 2018-3068, 2. N9 CZ 19 1235305 Recomm Cond, 3. N9 Scott Bennett CZ 19 1235305, 4. 2019 03.26 Item 2018-3068 Revised Conditions, 5. Ordinance and Final Conditions CZ-19-1235305 Scott Bennett

Date	Ver.	Action By	Action	Result
3/26/2019	2	Board of Commissioners	approved substitute submitted from the floor	Pass
3/12/2019	2	Board of Commissioners	deferred for 2 weeks	Pass
1/22/2019	2	Board of Commissioners - Zoning Meeting	deferred	Pass
1/8/2019	2	Planning Commission	Full cycle deferral	Pass

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

**SUBJECT:**

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

Application of Scott Bennett for a major modification to remove all conditions on property zoned MR-2 (Medium Density Residential -2) District, pursuant to CZ-05033 for 149 single-family attached townhomes in order to develop 291 apartment units at a density of 24 units per acre within Tier 2 of the I-20 Overlay District, at 2128 & 2170 Cook Road.

**PETITION NO:** N9. CZ-19-1235305

**PROPOSED USE:** 291 Apartment Units

**LOCATION:** 2128 & 2170 Cook Road

**PARCEL NO.:** 15-140-03-018 & 15-140-03-020

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application of Scott Bennett to request a major modification to remove all conditions on property zoned MR-2 (Medium Density Residential-2) District pursuant to CZ-05033 for 149 single-family attached townhomes in order to develop 291 apartment units at a density of 24 units per acre within Tier 2 of the I-20 Overlay District.

The property is located on the north side of Cook Road approximately 965 feet east from the intersection with Flat Shoals Road at 2128 and 2170 Cook Road. The property has approximately 553 feet of frontage along Cook Road and contains 12.135 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Full Cycle Deferral

**PLANNING COMMISSION:** Full Cycle Deferral

**PLANNING STAFF:** Approval with Conditions

**STAFF ANALYSIS:** Given the DeKalb County Zoning Code update in 2015, applicants can utilize applicable codes where appropriate to encourage and enforce current plan policies on undeveloped properties and seek to increase density based on bonus criteria such as LEED Certification and additional enhanced open space. Staff's review concludes that the current DeKalb County Zoning Code addresses several of the required conditions. Therefore, the Department of Planning and Sustainability recommends, "Approval, subject to the attached revised conditions".

**PLANNING COMMISSION VOTE:** 6-2-0/V. Moore moved, J. Johnson seconded for a full cycle deferral. P. Womack, Jr. and J. West opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** 10-0-0/ Deferral to have another neighborhood meeting including Community Council 3 Board members.