



Legislation Details (With Text)

File #: 2019-3210 **Version:** 2 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 1/14/2019 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 7/23/2019 **Final action:**
Title: COMMISSION DISTRICT(S): 5 & 7
 Application of Rose C. Evans to rezone property from R-100 (Single-Family) District to C-2 (Local Commercial) District to develop a contractor’s office with truck parking, at 1422 & 1450 Rock Chapel Road.

Indexes:

Attachments: 1. Recommended Conditions D3 Z 19 1235180, 2. Staff Report D3 Z 19 1235180

Date	Ver.	Action By	Action	Result
7/23/2019	2	Board of Commissioners - Zoning Meeting	withdrawn	Pass
7/9/2019	2	Planning Commission	No recommendation	
5/28/2019	2	Board of Commissioners - Zoning Meeting	Full cycle deferral	Pass
5/7/2019	2	Planning Commission	Full cycle deferral per staff recommendation	Pass
3/26/2019	2	Board of Commissioners - Zoning Meeting	Full cycle deferral	Pass
3/5/2019	2	Planning Commission	deferred for a full cycle	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Rose C. Evans to rezone property from R-100 (Single-Family) District to C-2 (Local Commercial) District to develop a contractor’s office with truck parking, at 1422 & 1450 Rock Chapel Road.

PETITION NO: D3. Z-19-1235180

PROPOSED USE: Heavy construction contractor’s office with no outside storage

LOCATION: 1422 & 1450 Rock Chapel Road, Lithonia, GA.

PARCEL NO.: 16-189-01-002 & 16-189-01-003

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Rose C. Evans to rezone property from R-100 (Single-Family) District to C-2 (General Commercial) District to develop a heavy construction contractor’s office with no outside storage. The property

is located on the east side of Rock Chapel Road, approximately 62 feet north of Rock Mountain Road at 1422 and 1450 Rock Chapel Road, Lithonia, Georgia. The property has approximately 583 feet of frontage along Rock Chapel Road and contains 8.53 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: (6-10-19) DENIAL; (4-8-19) DENIAL; (2-11-19) DENIAL

PLANNING COMMISSION: (7-9-19) NO RECOMMENDATION; (5-7-19) FULL CYCLE DEFERRAL; (3-5-19) FULL CYCLE DEFERRAL

PLANNING STAFF: Denial

STAFF ANALYSIS: The proposed request for C-2 (General Commercial) District is not appropriate given the Suburban (SUB) land use character area designation on the site. Therefore, the Planning and Sustainability Department recommends **Denial** of the applicant's request. However, should the Board of Commissioners choose to approve the requested land plan amendment for LIND (Light Industrial) on the subject site, Planning suggests the attached recommended conditions for C-2 zoned property on the subject site.

PLANNING COMMISSION VOTE: (7-9-19) Two motions were made; one to approve and one to deny. Both motions failed for lack of a majority vote. This application moves forward, with no recommendation from the Planning Commission; **(5-7-19) Full Cycle Deferral 9-0-0.** J. Johnson moved, E. Patton seconded for a full cycle deferral per Staff recommendation; **(3-5-19) Full Cycle Deferral 8-0-0.** J. West moved, P. Womack, Jr. seconded for a full cycle deferral.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (6-10-19) Denial 8-0-0. (4-8-19) Denial 8-1-0. Business is currently operating illegally on the site without the proper zoning district; (2-11-19) Denial 10-0-0. Other sites available for industrial uses.