



Legislation Details (With Text)

File #: 2021-2112 **Version:** 1 **Name:**

Type: Ordinance **Status:** Preliminary Item

File created: 1/29/2021 **In control:** Board of Commissioners - Zoning Meeting

On agenda: 3/25/2021 **Final action:** 3/25/2021

Title: COMMISSION DISTRICT(S): 5 & 7
Application of Sang Gloamy L Morris to rezone property from R-85 (Residential-Medium Lot-85) District to C-2 (General Commercial) District to allow a range of commercial uses, at 5011 Covington Highway.

Indexes:

Attachments: 1. Z-21-1244408 Staff Report March BOC 2021, 2. Z-21-1244408 2021-2112 Conditions-BOC

Date	Ver.	Action By	Action	Result
3/25/2021	1	Board of Commissioners - Zoning Meeting	approved per staff's conditions	Pass
3/2/2021	1	Planning Commission	approval per staff recommendation	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7
Application of Sang Gloamy L Morris to rezone property from R-85 (Residential-Medium Lot-85) District to C-2 (General Commercial) District to allow a range of commercial uses, at 5011 Covington Highway.

PETITION NO: N5. Z-21-1244408 2021-2112

PROPOSED USE: To be determined.

LOCATION: 5011 Covington Highway, Lithonia, Ga.

PARCEL NO. : 15-162-04-008

INFO. CONTACT: Brandon White, Current Planning Manager

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Sang Gloamy L Morris to rezone property from R-85 (Residential-Medium Lot-85) District to C-2 (General Commercial) District to allow a range of commercial uses. The property is located on the south side of Covington Highway, approximately 1,083 feet east of Wesley Chapel Road at 5011 Covington Highway, Decatur. The property has approximately 100 feet of frontage on Covington Highway and contains 0.61 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Approval of C-1, with three conditions.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The C-2 (General Commercial) Zoning District request is inconsistent with the Comprehensive Plan. The Suburban Character Area does not support the requested zoning district. Many of the permissible uses in C-2 may be too intense or undesirable in areas within this character area (e.g. major auto repair, heavy construction contractor, outdoor recreation, pawn shop, lumber supply, etc.). Additionally, rezoning to C-2 requires a future land use map amendment to Commercial Redevelopment Corridor (CRC). In the companion case, Case LP-21-1244555 (Agenda Item N4), staff recommends denial of the future land use map amendment. Staff is supportive of the applicant's desire to withdraw the future land use map change and to modify the rezoning request to C-1. The C-1 (Local Commercial) Zoning District request or a less intense commercial zoning classification (i.e. NS (Neighborhood Shopping), OI (Office-Institutional), OIT (Office-Institutional-Transitional)) would be consistent with the Comprehensive Plan. Suburban Character Area Policy 3 states, "non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above)." C-1 zoning presents a wide latitude of uses, however, lot size and applicable zoning development standards will limit the intensity of most redevelopment options. Based on the existing character of the surrounding area and the Covington Highway corridor, the rezoning request should present minimal adverse impacts on the community. Moreover, the subject property could be a catalyst for the development of a residential office corridor as other older residential structures along this portion of Covington Highway are converted to commercial use and/or as infill development comes along. The applicant is seeking commercial zoning of the subject property. According to the applicant's letter of intent, "I have had interest in the property for commercial use and wish to present the premises as marketable for lease or sale." Therefore, Staff recommends "Approval with conditions".

PLANNING COMMISSION VOTE: Approval of C-1, with conditions 9-0-0. The applicant requested to modify their rezoning request to rezone from R-85 to C-2 and change it to rezone from R-85 to C-1. G. McCoy moved, A. Atkins seconded to approve the applicant's modification request and approve the rezoning of C-1 with three (3) conditions presented by Staff.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 8-0-0, with the condition that no alcohol outlet (principal or accessory); auto/truck repair, sales, or service; convenience store; or gas stations (or fuel pumps-principal or accessory) be allowed.