



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Legislation Text

File #: 2018-1912, Version: 2

Substitute

Public Hearing: YES  NO

Department: Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S): 4 & 6**

**Major Modification - Carlos Arenas.**

**Petition No.: CZ-18-22125**

**Proposed Use:** Mixed commercial, multi-family residential, & single-family residential development.

**Location:** Enter Location.

**Parcel No.:** 15-251-01-020; 027; & 028

**Information Contact:** Marian Eisenberg

**Phone Number:** 404-371-4922

**PURPOSE:**

A Major Modification of conditions of zoning pursuant to CZ-15-19943, for a mixed townhome, multifamily residential, and commercial development with 7.52 units per acre and 184, 800 square feet of commercial space, in an MU-5 (Mixed Use-5) district. The property is located on the north side of Mountain Drive, approximately 250 feet east of Farrar Court at 3458, 3468, and 3478 Mountain Drive in Decatur. The property has approximately 358 feet of frontage on Mountain Drive and contains 9.32 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (6-19-18) APPROVAL; (4-17-18) DENIAL

**PLANNING COMMISSION:** (7-10-18) APPROVAL WITH CONDITIONS

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:** The mixture of non-residential and residential uses in the proposal is consistent with the following policies of the 2035 Comprehensive Plan: "Create compact mixed-use districts and reduce automobile dependency and travel to obtain basic services." (Regional Center Character Area Policy No. 5) and "Allow increased density to encourage urban lifestyles that support mixed use in activity centers." (Land Use Policy No. 3) Comments by the Transportation Division in 2015 and in May 2018, indicate that the surrounding street system will not be excessively burdened by traffic that would be generated by the proposed development. For the May zoning cycle, the DeKalb County School Board commented that there is adequate capacity in the designated high, middle, and elementary schools to accommodate the new students who were expected to live in the development, which was proposed to contain more residential units than the current proposal as revised. Therefore, the Department of Planning and Sustainability recommends "Approval

with conditions”. The conditions have been revised to be relevant to the modified site plan and to eliminate redundancy or reiteration of established procedures of the Department of Planning & Sustainability.

**PLANNING COMMISSION VOTE:** (7-10-18) **Approval with Conditions 8-0-0.** The Planning Commission recommended amendment to the staff-recommended conditions to include five conditions requested by residents of Farrar Court. (5-01-18) **No recommendation.** First motion for “Denial” failed; vote was 4-3-0. Second motion for “Approval with Conditions” failed; vote was 3-4-0.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (6-19-18) **Approval 9-2-0.** The Community Council Board thought that the revised site plan is satisfactory. (4-17-18) **Denial 11-1-0.** Council recommended denial for the following reasons: 1. No detailed site plan showing location of underground detention; 2. Watershed Management Department has not approved the applicant's sewer action plan; 3. Impact on School system has not been assessed; and 4. Needs more consultation with Department of Transportation regarding access improvements.