



# DeKalb County Government

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

## Legislation Details (With Text)

**File #:** 2018-1537    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 1/9/2018    **In control:** Board of Commissioners  
**On agenda:** 8/28/2018    **Final action:**  
**Title:** Commission District(s): 4 & 6  
Rezone - LDG Development Z-18-22040

### Indexes:

**Attachments:** 1. 2018 08.28 Item 2018-1537.pdf, 2. Staff Report and Attachments May 2018, 3. Recommended Conditions (Staff) July, 4. Recommended Conditions (Planning Commission) July, 5. Site Plan rev. 7-20-18, 6. Conditions Requested by LDG 7\_23\_18 final and marked-up, 7. Staff Report and Attachments July 2018, 8. 2018 08.28 Item 2018-1537 Conditions.pdf

Date	Ver.	Action By	Action	Result
8/28/2018	1	Board of Commissioners		
7/24/2018	1	Board of Commissioners - Zoning Meeting	deferred 30 days	Pass
7/10/2018	1	Planning Commission	approval with modified conditions to read as follows:	Pass
3/27/2018	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
3/6/2018	1	Planning Commission	Full cycle deferral per staff recommendation	Pass

Substitute

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

### SUBJECT:

**Commission District(s):** 4 & 6

**Rezone - LDG Development Z-18-22040**

**Petition No.:** Z-18-22040

**Proposed Use:** A 244-unit, multi-family residential development.  
**Location:** 3337, 3345, 3353, 3361, 3367 & 3375 Kensington Road  
**Parcel No.:** 15-250-06-001 through 006  
**Information Contact:** Marian Eisenberg  
**Phone Number:** 404-371-4922

### PURPOSE:

To rezone property from R-75 (Residential Medium Lot) District and O-I (Office-Institutional) District to HR-3 (High-Density Residential) District for a 244-unit multi-family residential development at a density of 86 units per acre. The property is located on the south side of Kensington Road, approximately 303 feet east of the southeast intersection of Covington Highway and Kensington Road at 3337, 3345, 3353, 3361, 3367 and 3375 Kensington Road, Decatur, Georgia. The site has approximately 559.5 feet of frontage along the south side of

Kensington Road and contains 2.83 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (6-19-18) NO RECOMMENDATION; (4-17-18) DEFERRAL

**PLANNING COMMISSION:** (7-10-18) APPROVAL WITH CONDITIONS; (5-1-18) FCD

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:** The proposed development provides the high-density residential desired in proximity to transit. It proposes 244 apartment units with 4,500 square feet of office and retail space, including a business center available to the public as well as the residents. While income-restricted, the proposal would provide units for households with a range of incomes up to 80% of the regional average median income (AMI). As a result of input from the community, the plan includes an amenity package including an outdoor play and recreation area, as well as an enhanced streetscape. The County Transportation Division has recommended that the applicant provide a safety analysis of pedestrian crossing activity on Kensington Road from the proposed development to the MARTA Station on the opposite side of the street. This requirement is included in the recommended conditions. Based on the desire for high density in the regional activity center in which the property is located, and the extensive work on the zoning conditions to incorporate input from community representatives, Staff recommends “Approval with conditions”.

**PLANNING COMMISSION VOTE:** (7-10-18) **Approval with Conditions as amended, 6-2-0.** The Planning Commission recommended the following amendments to the staff-recommended conditions: delete Condition Nos. 1, 2, and 5 and delete the language requiring future non-residential uses and affordable units in Condition No. 3; (5-01-18) **Full cycle deferral, 7-0-0.** J. West moved and P. Womack, Jr. seconded for a full cycle deferral.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (6-19-18) **No recommendation (vote tied).** (4-17-18) **Deferral, 6-5-0.** The applicant requested Full Cycle Deferral because they are trying to acquire additional property from MARTA to add to the proposed development. Some of the District Council members were opposed to the development stating that the plans were unclear. Opposition and concerns expressed by the Council and community members include lack of greenspace for children, property value impact, safety for pedestrian traffic, connectivity to MARTA station, fencing, and handicapped accessibility.