



# DeKalb County Government

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

## Legislation Details (With Text)

**File #:** 2019-4077      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Preliminary Item  
**File created:** 7/24/2019      **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 11/19/2019      **Final action:** 11/19/2019  
**Title:** COMMISSION DISTRICT(S): 3 & 6  
Application of Otto Tract No 10 c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to M (Light-Industrial) District to develop a distribution warehouse within Tier 2 of the I - 20 Overlay District, at 3101 Clifton Springs Road.

### Indexes:

**Attachments:** 1. Staff Report D6 Otto Tract No. 10 LLC Z 19 1243386

Date	Ver.	Action By	Action	Result
11/19/2019	1	Board of Commissioners - Zoning Meeting	withdrawn without prejudice	Pass
11/5/2019	1	Planning Commission	withdrawal per the applicant's request	Pass
9/24/2019	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
9/10/2019	1	Planning Commission	Full cycle deferral per staff recommendation	Pass

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

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

**Application of Otto Tract No 10 c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to M (Light-Industrial) District to develop a distribution warehouse within Tier 2 of the I- 20 Overlay District, at 3101 Clifton Springs Road.**

**PETITION NO: D6. Z-19-1243386**

**PROPOSED USE:** Distribution Warehouse - 350,000 Square Feet

**LOCATION:** 3101 Clifton Springs Road

**PARCEL NO. :** 15-090-01-013

**INFO. CONTACT:** Marian Eisenberg

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

### PURPOSE:

Application of Otto Tract No 10 c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to M (Light-Industrial) District to develop a distribution warehouse consisting of 350,000 square feet within Tier 2 of the I- 20 Overlay District. The property is located on the south side of Clifton Springs Road, approximately 323 feet west of the southwest intersection of Clifton Springs Road and Flat Shoals Parkway at 3101 Clifton Springs Road, Decatur, GA. The property has approximately 511 feet of frontage along the south

side of Clifton Springs Road and contains 26.89 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL: (10/09/19) NO RECOMMENDATION; (08/14/19) DENIAL**

**PLANNING COMMISSION: (11/05/19) WITHDRAWAL WITHOUT PREJUDICE; (09/10/19) FULL CYCLE DEFERRAL**

**PLANNING STAFF: WITHDRAWAL WITHOUT PREJUDICE**

**STAFF ANALYSIS:** The proposed request for the M (Light Industrial} District is consistent with adjacent and surrounding non-residential uses if Land Plan Amendment (LP-19-1243387) is approved for a LIND (Light Industrial) land Use designation on the subject site. The proposed use (warehouse distribution facility) is consistent with the following industrial land use plan policy of the 2035 Comprehensive Plan: “Designate specific areas through the use of zoning and other land use tools for industrial development”. Given that the proposed development requires a traffic study and archeological study, Planning Staff previously recommended a full cycle deferral to allow the applicant to submit these documents for Staff review. However, Planning staff was notified on Tuesday, November 5, 2019 of the applicant’s intent to withdraw the requested rezoning petition. Therefore, the Planning and Sustainability Department recommends **WITHDRAWAL WITHOUT PREJUDICE**.

**PLANNING COMMISSION VOTE: (11/05/19) Withdrawal Without Prejudice 7-0-0.** J. Johnson moved, G. McCoy seconded for withdrawal without prejudice per the applicant's request. **(9/10/19) Full Cycle Deferral 9-0-0.** J. Johnson moved, A. Atkins seconded for a full cycle deferral per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: (10/9/19) No vote. No discussion; (8/14/19) Denial 8-0-2.** The Board acknowledged that the distribution center would bring jobs but pointed out that plans for other distribution centers have not been realized. The Board expressed concerns about truck traffic related to the distribution center and thought that the proposal would result in too many apartment units.