



## Legislation Details (With Text)

**File #:** 2020-0387      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Preliminary Item  
**File created:** 3/17/2020      **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 6/25/2020      **Final action:**  
**Title:** COMMISSION DISTRICT(S): 4 & 6  
Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) Districts to MU-4 (Mixed Use High Density) District to allow a future mix of land uses to implement the LCI Plan.

**Indexes:**

**Attachments:** 1. N10 MARTA Z 20 1243878

Date	Ver.	Action By	Action	Result
6/25/2020	1	Board of Commissioners - Zoning Meeting	withdraw without prejudice	Pass
6/2/2020	1	Planning Commission	withdrawn without prejudice per staff recommendation	Pass

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

**SUBJECT:**

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

**Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) Districts to MU-4 (Mixed Use High Density) District to allow a future mix of land uses to implement the LCI Plan.**

**PETITION NO: N10. Z-20-1243878 (2020-0387)**

**PROPOSED USE:** Future Mix of Land Uses to implement LCI Plan

**LOCATION:** Various properties along south side of Mountain Drive, northeast side of Covington Highway, the north side of Kensington Road, and the west side of Memorial Drive.

**PARCEL NO. :** Parcels of 15-250 and 15-251

**INFO. CONTACT:** Jahnee Prince, AICP

**PHONE NUMBER:** 404-371-2607

**PURPOSE:**

Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) Districts to MU-4 (Mixed Use High Density) District to allow a future mix of land uses to implement the LCI Plan. The property is located on the south side of Mountain Drive, the northeast side of Covington Highway, the north side of Kensington Road, and the west side of Memorial Drive, along both sides of the MARTA rail line in Decatur, Georgia. The property has approximately 1,976 feet of frontage along Mountain Drive, 1,660 feet of frontage along Memorial Drive, 758 feet of frontage along Covington Highway, and 1,521 feet of frontage along Kensington Road and contains 38

acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Withdrawal without prejudice.

**PLANNING COMMISSION:** Withdrawal without prejudice.

**PLANNING STAFF:** Withdrawal without prejudice.

**STAFF ANALYSIS:** The proposed MU-4 district allowing a high intensity mixture of uses with residential densities up to 40 dwelling units per acre will allow future development opportunities that are consistent with the following policies of the Regional Center (RC) character area of the 2035 Comprehensive Plan: “Encourage a very high density mix of retail, office, services, and employment opportunities and allow residential densities up to 120 dwelling units per acre (RC Policy No. 2 & 21)” and “Encourage the clustering of neighborhood and community shopping and office facilities in nodes with defined boundaries which are convenient to population concentrations and major transportation facilities.” (Land Use Policy No. 12). The proposed MU-4 district is also consistent with the goals of the 2003 and 2012 Kensington LCI studies to encourage “transit-oriented development” as “a high-density, mixed-use development that provides a central transit “village”, offering all the elements of a complete live/work/play environment. However, based on community input from the May 12th community meeting and meetings with Commissioner Gannon, MARTA is requesting that the MU-4 rezoning request for this property be withdrawn (see attached withdrawal letter). MARTA has submitted the following comments clarifying their withdrawal request: “Based on community feedback, MARTA will undertake a master planning process for transit-oriented development at Kensington Station. At the completion of the master plan, we will submit a rezoning application to support the vision for transit-oriented development at the station. The current zoning districts (R-75, MR-2, and C-1) are not supportive of the density and mix of land uses envisioned in transit-oriented communities. The master planning process will provide MARTA and the community an opportunity to create a development strategy representing the density of mixed-use activities we want to support at the Kensington MARTA station”. Therefore, the Department of Planning and Sustainability recommends “Withdrawal without Prejudice” of the rezoning request as requested by the applicant.

**PLANNING COMMISSION VOTE: Withdrawal without Prejudice 8-0-0.** L. Osler moved, G. McCoy seconded for Withdrawal without prejudice, per Staff Recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Withdrawal without prejudice 10-0-0.**