



# DeKalb County Government

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

## Legislation Details (With Text)

**File #:** 2021-2428    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 3/30/2021    **In control:** Board of Commissioners  
**On agenda:** 6/22/2021    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 & 7  
Application of DR Horton Inc, c/o Battle Law, P.C. to rezone properties from O-I (Office-Institutional) District to MR-1 (Medium Density Residential-1) District to construct 120 single-family attached townhomes, at 4743 Flat Shoals Parkway.

### Indexes:

**Attachments:** 1. Z-21-1244671 Recommended Conditions, 2. Z-21-1244671 Staff Report BOC rev. 5-17-2021, 3. Z-21-1244671 Staff Report May 2021

| Date      | Ver. | Action By                               | Action  | Result |
|-----------|------|---|---|--------|
| 6/22/2021 | 1    | Board of Commissioners                  |   |        |
| 5/27/2021 | 1    | Board of Commissioners - Zoning Meeting |   |        |
| 5/4/2021  | 1    | Planning Commission                     | approved with conditions per staff recommendation | Pass   |

**Public Hearing:** YES ☐ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

**COMMISSION DISTRICT(S): 3 & 7**

**Application of DR Horton Inc, c/o Battle Law, P.C. to rezone properties from O-I (Office-Institutional) District to MR-1 (Medium Density Residential-1) District to construct 120 single-family attached townhomes, at 4743 Flat Shoals Parkway.**

**PETITION NO: N5. Z-21-1244671 2021-2428**

**PROPOSED USE: 120 Single-family attached townhomes.**

**LOCATION:** 4743 Flat Shoals Parkway.

**PARCEL NO. :** 15-061-03-001

**INFO. CONTACT:** Dustin Jackson, Sr. Planner

**PHONE NUMBER:** 404-371-2155

### PURPOSE:

Application of DR Horton Inc, c/o Battle Law, P.C. to rezone properties from O-I (Office-Institutional) District to MR-1 (Medium Density Residential-1) District to construct 120 single-family attached townhomes. The property is located on the south side of Flat Shoals Parkway, approximately 663 feet west of Wesley Chapel Road, at 4743 Flat Shoals Parkway in Decatur, Georgia. The property has approximately 837 feet of frontage along Flat Shoals Parkway and contains 17.52 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Denial.

**PLANNING COMMISSION:** Approval with Conditions.

**PLANNING STAFF:** Approval with Conditions.

**STAFF ANALYSIS:** Based on the impact and zoning analysis above, the zoning proposal is consistent with the 2035 Comprehensive Plan. The Neighborhood Center (NC ) future land use designation supports the requested zoning designation. The rezoning would add to the vitality of the surrounding neighborhood and mesh well with existing residential uses. The zoning proposal will not adversely affect the existing use or usability of adjacent properties, however, the development's impact on the adjacent road network may warrant mitigation. Therefore, the Department of Planning and Sustainability recommends "Approval with Conditions".

**PLANNING COMMISSION VOTE: Approval with Conditions 7-1-1.** Edward Patton moved, Jana Johnson seconded for Approval with Staff's recommended three (3) conditions, with an added condition that there be a mandatory homeowners association. Vivian Moore opposed; Tess Snipes abstained.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 5-2-0.** Board members had concerns about traffic, a cap on the number of rental units, the impact of the development on schools, and provision of garage parking.