



DeKalb County Government

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

Legislation Details (With Text)

File #: 2024-0105 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 1/3/2024 **In control:** Planning Commission
On agenda: 7/11/2024 **Final action:**
Title: COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

Indexes:

Attachments: 1. LP-24-1246832 March 2024 Staff Report 3744 Redan Road

Date	Ver.	Action By	Action	Result
3/28/2024	1	Board of Commissioners - Zoning Meeting		
3/5/2024	1	Planning Commission		

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

PETITION NO: D2-2024-0105 LP-24-1246832

PROPOSED USE: Rental townhouses.

LOCATION: 3744 Redan Road, Decatur, Georgia 30032

PARCEL NO. : 15-220-01-026

INFO. CONTACT: Andrea Folgherait, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district.

RECOMMENDATION:

COMMUNITY COUNCIL: Full Cycle Deferral.

PLANNING COMMISSION: Approval.

PLANNING STAFF: Approval.

STAFF ANALYSIS: The applicant, Battle Law, P.C., LLC., is seeking to amend the Future Land Use Map to change the land use character area from SUB (Suburban) to CRC (Commercial Redevelopment Corridor). The applicant has also filed a companion application Z-24-1246799 to rezone the property from the R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential - 1) zoning district. The lot is bordered on all four sides by the Suburban (SUB) Character Area. Ordinarily, this would indicate that the proposed land use change is not consistent with the Future Land Use Map (FLUM). However, the Future Land Use Map designations in the immediate surrounding area are not well aligned with the existing zoning or the existing land use of these properties. The lot is bordered on two sides by lots zoned MR-2 (Medium Density Residential-2), which is not permitted in the SUB Character Area. Also, the lot across the street at 3737 Redan Rd contains a large complex of garden-style apartments, and the adjacent single-family residential lots on Oakwood Manor have a residential density of 10 units per acre, great than the maximum 8 units/acre allowed under of the SUB character area. In addition, the lot is located on a relatively narrow 0.2 mile stretch of Suburban that is sandwiched between Town Center (TC) and Commercial Recreation Corridor (CRC). This CRC has in recent years expanded closer to the property in question with only two narrow SUB lots currently in between the CRC and the property. The fact that this lot is sandwiched between two higher-intensity areas on the same road (Redan Rd.) and is bordered on two sides by parcels with a higher residential density goes against the intentions of the SUB character area, which is geared towards “those areas of the county that have developed in traditional suburban land use patterns”. Another feature of the Suburban character area is “limited transit access”, but this lot is located a short ¼ miles walk to a Covington Highway MARTA bus stop. The *2050 Unified Plan* specifies that, “Denser and more innovative housing options should be focused in or near activity centers, nodes, and corridors.” The subject property is located in close proximity to all three of these features, including the *Kensington MARTA Station* Regional Center and the *Redan Rd & Indian Creek Dr* Town Center. Based on the above-mentioned issues, this application to amend the Future Land Use Map to CRC is consistent with the policies and intentions of the *2050 Unified Plan*, even though it is inconsistent with the Future Land Use Map designation of the immediately adjacent properties. Therefore, based upon review of Section 7.3.4.a (Compatibility with adjacent and surrounding uses) and 7.3.4.d (Consistency with comprehensive plan text), it is the recommendation of the Planning Department that the application be “Approved”, and that there be a future amendment to the Future Land Use Map to align the character area of the surrounding properties with the existing zoning and land use.

PLANNING COMMISSION VOTE: Approval 6-2-0. Jan Costello moved, Edward Patton seconded for approval, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Full cycle deferral 9-0-0.