

DeKalb County Government

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



Meeting Minutes

Tuesday, March 26, 2019

6:30 PM

Manual Maloof Building

Board of Commissioners - Zoning Meeting

*Commissioner Jeff Rader, Presiding Officer, District 2
Commissioner Steve Bradshaw, Deputy Presiding Officer, District 4*

*Commissioner Nancy Jester, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Kathie Gannon, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7*

- N7 [2019-3330](#) COMMISSION DISTRICT(S): 3 & 6
Application of the Director of Planning & Sustainability Department for
ATKM LLC to amend the Future Land Use Map from SUB
(Suburban) to CRC (Commercial-Redevelopment-Corridor) for the
development of 24 single-family attached townhome units and 6
single-family detached units, at 2602 E. Tupelo Street.

*J. Alexander Brook, Smith Gambrell & Russell, 1230 Peachtree St. Atlanta, GA
(no zipcode), Atticus LeBlanc, 1401 Conway Rd. Decatur, GA 30030, Rebecca
Stovall, 1222 Carter Rd. Decatur, GA 30030, Chris DePree, 1491 Woodfern Dr.
Decatur, GA 30030, spoke in favor*

**MOTION was made by Larry Johnson, seconded by Kathie
Gannon, that this agenda item be approved. Items 2019-3330 and
2019-3215 were heard together. Commissioner Nancy Jester was
absent from the meeting. The motion carried by the following
vote:**

Yes: 6 - Commissioner Rader, Commissioner Johnson,
Commissioner Gannon, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Jester

- N8 [2019-3215](#) COMMISSION DISTRICT(S): 3 & 6
Application of ATKM Memorial, LLC c/o J. Alexander Brock to
rezone property from R-75 (Residential Medium Lot - 75) to MR-2
(Medium Density Residential-2) for development of 24 single-family
attached townhome units and six single-family detached units at a
density of 5.54 units per acre, at 2602 E. Tupelo St.

*J. Alexander Brook, Smith Gambrell & Russell, 1230 Peachtree St. Atlanta, GA
(no zipcode), Atticus LeBlanc, 1401 Conway Rd. Decatur, GA 30030, Rebecca
Stovall, 1222 Carter Rd. Decatur, GA 30030, Chris DePree, 1491 Woodfern Dr.
Decatur, GA 30030, spoke in favor*

**MOTION was made by Larry Johnson, seconded by Kathie
Gannon, that this agenda item be approved with 6 conditions
submitted by Commissioners Larry Johnson and Kathie Gannon.
Items 2019-3330 and 2019-3215 were heard together.
Commissioner Nancy Jester was absent from the meeting. The
motion carried by the following vote:**

Yes: 6 - Commissioner Rader, Commissioner Johnson,
Commissioner Gannon, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Jester

MARCH 26, 2019

Z-19-1243043

2018-3215

AN ORDINANCE TO AMEND THE DEKALB COUNTY ZONING MAP

AN ORDINANCE TO AMEND THE DEKALB COUNTY ZONING MAP IN ORDER TO REZONE PROPERTY R-75 (RESIDENTIAL MEDIUM LOT - 75) TO MR-2 (MEDIUM DENSITY RESIDENTIAL-2) FOR DEVELOPMENT OF 24 SINGLE-FAMILY ATTACHED TOWNHOME UNITS AND SIX SINGLE-FAMILY DETACHED UNITS AT A DENSITY OF 5.54 UNITS PER ACRE. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF EAST TUPELO STREET, APPROXIMATELY 502 FEET EAST OF THE NORTHEAST CORNER OF EAST TUPELO STREET AND VENICE DRIVE, AT 2602 EAST TUPELO STREET, ATLANTA. THE PROPERTY HAS APPROXIMATELY 128 FEET OF FRONTAGE ON EAST TUPELO STREET AND CONTAINS 5.12 ACRES.

APPLICANT: ATKM Memorial, LLC
OWNER:

COMMISSION DISTRICTS: 3 & 6

WHEREAS, ATKM Memorial, LLC c/o J. Alexander Brock has filed an application to amend the DeKalb County Zoning Ordinance to rezone property located at 2602 East Tupelo Street, and more particularly described as follows:

All that tract or parcel of land and being in **District 15, Land Lot 202, Block 03, Parcel 103** of DeKalb County, Georgia, containing 5.12 acres, and

WHEREAS, it appears to the Board of Commissioners that the application meets all of the criteria set forth in the DeKalb County Code, Chapter 27, Article VII, Division 3, Section 27-7.3 for amending the DeKalb County Zoning Ordinance for the subject property from R-75 District to MR-2 District.

THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, HEREBY ORDAINS:

Part 1: Pursuant to the authority of the DeKalb County Board of Commissioners to exercise powers of zoning, set forth in Section 27, Article 1.1 & 7.3 of the DeKalb County Zoning Ordinance, an amendment to rezone property R-75 (Residential Medium Lot - 75) to MR-2 (Medium Density Residential-2) for development of 24 single-family attached townhome units and six single-family detached units at a density of 5.54 units per acre. The property is located on the north side of East Tupelo Street, approximately 502 feet east of the northeast corner of East Tupelo Street and Venice Drive. The property has approximately 128 feet of frontage on East Tupelo Street, contains 5.12 acres and is hereby approved, (with conditions).

Part 2: That if this amendment is approved conditionally, and under the provisions of Section 27-7.3.9 of the DeKalb County Zoning Ordinance, as identified by the use of the term "Conditional" after the district designation in Part 1 above, the development and use of the above-described property shall be permitted only in compliance with the conditions and/or site plan as attached to this ordinance.

Part 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Part 4: This ordinance, hereby approved, does not authorize the violation of any Zoning District Regulations. District regulation variances can be approved in accordance with Chapter 27, Article VII, Division 5.

MARCH 26, 2019

Z-19-1243043

2018-3215

ADOPTED by the DeKalb County Board of Commissioners this 26th day of March 2019.



Jeff Rader
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

ATTEST:



Barbara H. Sanders, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

Comm. 3rd
2019
Item No. 3215 Date: 3/26/19
Comm. L. Johnson
Clerk's Office K. Gannon

Substitute Conditions

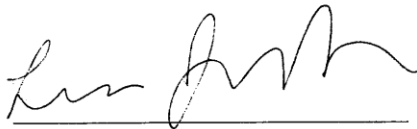
Z-19-1243043

Rezoning from R-75 (Residential Medium Lot-75) to
MR-2 (Medium Density Residential-2)

1. The subject property shall be developed in substantial compliance with the site plan titled, "Blue Sky", prepared by TSW, dated 2/19/19 and stamped as received by the Department of Planning and Sustainability on 02/20/19.
2. The proposed development shall have a maximum density of six (6) units per acre.
3. The proposed development shall consist of single-family detached or townhome building types.
4. The proposed greenway connection to Dearborn Park shall be provided as shown on the site plan referenced in Condition No. 1.
5. "The walking trails shown on the site plan referenced in Condition No. 1 shall be furnished with at least two dog waste disposal stations."
6. Tree recompense funds shall be used to plant trees in the Midway Woods community. A minimum of 20% of the trees required to be planted on the site shall be oak trees.

March 26, 2019

Larry Johnson District 3:



Kathie Gannon District 6:

