



# DeKalb County Government

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

## Agenda Item

**File #:** 2019-4721

1/7/2020

**File Status:** Approval Review

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 5 & 7

**Application of the Director of Planning and Sustainability on behalf of Michele Battle, Battle Law, P.C. for a map amendment to the DeKalb County Zoning Maps to amend Article 3.37.5 District boundaries and maps of the Greater Hidden Hills Overlay District to change a portion of the district from Tier 1 to residential area.**

**PETITION NO:** N12. Z-20-1243713 (2019-4721)

**PROPOSED USE:** Greater Hidden Hills Overlay District Map Tier Change

**LOCATION:** 5702 and 5758 Covington Highway; 5810 Covington Highway; 2650 Young Road

**PARCEL NO. :** 16-026-02-018; 16-026-02-001; 16-026-02-002; 16-027-02-014

**INFO. CONTACT:** Marian Eisenberg

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

**PURPOSE:**

Application of the Director of Planning and Sustainability on behalf of Michele Battle, Battle Law, P.C. for a map amendment to the DeKalb County Zoning Maps to amend Article 3.37.5 District boundaries and maps of the Greater Hidden Hills Overlay District to change a portion of the district from Tier 1 to residential area. The property is located on land lots 26 and 27 in the 16th District. The property has approximately 322 feet of frontage on the southeast side of Young Road and approximately 1,156 feet of frontage along the north side of Covington Highway and contains 41.5 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Pending.

**PLANNING STAFF:** Approval with Condition.

**STAFF ANALYSIS:** Pursuant to Article 3.37.5 District boundaries and maps of the Greater Hidden Hills Overlay District, any changes to the Greater Hidden Hills Overlay District Map dated October 28, 2011, will require a map amendment and a text amendment revising this section to reflect the revised map for the District.

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Therefore, the Planning and Sustainability Department recommends Approval subject to the following condition:

**PLANNING COMMISSION VOTE:** Pending.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval 8-0-1.

## Recommended Conditions

Z-20-1243713

1. Initiate a text amendment to update the Greater Hidden Hills Overlay District Map dated October 28, 2011 to reflect the change from Tier 1 to the Residential Tier.



Michael Thurmond  
Chief Executive Officer

## DeKalb County Department of Planning & Sustainability

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**Planning Commission Hearing Date: January 07, 2020, 6:30 P.M**

**Board of Commissioners Hearing Date: January 28, 2020, 6:30 P.M.**

### STAFF ANALYSIS

|                                                |                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                      |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Case No.:</b>                               | Z-20-1243713                                                                                                                                                                                                                                                                                                                 | <b>Agenda #:</b> N.12                                                                                                                                |
| <b>Location/Address:</b>                       | The north side of Covington Highway at 5702 and 5758 Covington Highway, Stone Mountain, GA and 5810 Covington Highway, Decatur, GA. The property also has frontage along the east side of Young Road at 2650 Young Road, Stone Mountain, GA. ne Mountain, GA.                                                                | <b>Commission District:</b> 5 <b>Super District:</b> 7                                                                                               |
| <b>Parcel ID:</b>                              | 16-026-02-001, 16-026-02-002, 16-026-02-018, & 16-027-02-014                                                                                                                                                                                                                                                                 |                                                                                                                                                      |
| <b>Request:</b>                                | To amend the Greater Hidden Hills Overlay District Map to change from Tier 1 (Commercial and Multi-Family) designation to Residential Tier for portions of property within land lots 26 and 27 in the 16 <sup>th</sup> district.                                                                                             |                                                                                                                                                      |
| <b>Property Owner:</b>                         | The Pierre Louisius Group, LLC; EPL Enterprises, Inc; Christ Fellowship of Stone Mountain, Inc./DR Horton, Inc.                                                                                                                                                                                                              |                                                                                                                                                      |
| <b>Applicant:</b>                              | DeKalb County Planning and Sustainability Department                                                                                                                                                                                                                                                                         |                                                                                                                                                      |
| <b>Acreage:</b>                                | 42.1 Acres                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                      |
| <b>Existing Land Use:</b>                      | Our Shepherds Baptist Church on Young Road. The rest of the site is undeveloped with mature shrubbery, trees and vegetation.                                                                                                                                                                                                 |                                                                                                                                                      |
| <b>Surrounding Properties Adjacent Zoning:</b> | North of the site on Young Road are single-family detached residences and Decatur Adventist Church on R-100 zoned property. Further east are residential uses along Covington Highway are Covington Glen Apartments and Scarbrough Square subdivision on property zoned RSM. West of the site is Park Stonehaven Apartments. |                                                                                                                                                      |
| <b>Comprehensive Plan:</b>                     | <b>Suburban (SUB) &amp; Commercial Redevelopment Corridor (CRC)</b>                                                                                                                                                                                                                                                          | <div><div><input checked="" type="checkbox"/></div><div>Consistent</div></div> <div><div><input type="checkbox"/></div><div>Inconsistent</div></div> |

## **SUBJECT SITE & ZONING HISTORY**

The subject property consists of approximately 42 acres at the northeast intersection of Covington Highway (a four-lane major arterial) and Young Road (a two-lane collector) within the Greater Hidden Hills Overlay District. It combines four contiguous parcels. The site has frontage on Young Road and Covington Highway. Our Shepherds Baptist Church is developed along the Young Road frontage. The majority of the site fronts along Covington Highway. It is heavily wooded with tall mature dense vegetation. A stream runs diagonally through the site. Property zoned R-100 (Residential Medium Lot) District was placed on the site with the adoption of the DeKalb County Zoning Ordinance in 1956. One parcel is zoned C-1 (Local Commercial) without conditions pursuant to Z-86-166. Another parcel is zoned C-1 pursuant to CZ-07-3918 with the following conditions: to prohibit barber shops, nail salons, wing-type restaurants, liquor stores, pawn shops or check cashing establishments. A portion of the site is zoned RSM pursuant to Z-7205.

## **ZONING ANALYSIS**

Currently, the Greater Hidden Hills Overlay District Map splits the subject site within two Tiers (Tier 1 -Commercial & Multi-Family for property fronting on Covington Highway) and (Residential Tier for property fronting on Young Road). To ensure that the Greater Hidden Hills Overlay District map reflect consistency with existing and proposed residential development in the area, Planning Staff has initiated a zoning request for a map change in the Tier designation for the subject site. This request will change all of the parcels on the north side of Covington Highway within land lots 16-026 and 16-027 from Tier 1 – Commercial & Multi-Family to the Residential Tier.

The subject site abuts RSM (Residential Small Lot) District zoned properties along Covington Highway consistent with the proposed rezoning request. The proposed map change would allow residential uses compatible with existing zoned and developed residential properties east of the subject site along Covington Highway. Further west of the site at the northwest intersection of Covington Highway and Young Road is Park Stonehaven Apartments. East on Covington Highway are residential uses (Covington Glen Apartments and Scarbrough Square subdivision).

Of the total 42 acres, the 2035 Comprehensive Plan designates the future land use for approximately 31 acres within the Suburban (SUB) Character Area. The intent of the Suburban Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. While the proposed map change would eliminate the opportunity for commercial development on this property, it would create density by adding housing units and provide more options for available housing to County residents.

## **Impact Analysis**

**Section 27-7.3.5 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

### **A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:**

The proposed map amendment change is consistent with the following 2035 Comprehensive Plan policies: In appropriate locations encourage residential development to conform with traditional neighborhood development principles; and Permit accessory housing units, or new well-designed, small-scale infill residences to increase neighborhood density.

**B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:**

The proposed rezoning to request a map amendment to the Greater Hidden Hills Overlay District map from the commercial tier to the residential tier is consistent with rezoning request Z-20-1243620 to develop 324 single family attached townhomes at a proposed density of 7.81 units per acres on the subject site.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:**

Development of the currently zoned C-1 (Local Commercial) District property along Covington Highway is challenging due to the site distance issues and limitations with curb cuts along Covington Highway.

**D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:**

The rezoning request to amend the Greater Hidden Hills Overlay District Map should not adversely affect the use or usability of adjacent and/or nearby residential properties along Covington Highway and /or Young Road.

**E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:**

The primarily undeveloped site provides no economic use. The proposed rezoning to the Residential Tier would provide economic value to the site while providing another housing option in the area.

**F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources:**

The proposed rezoning will not adversely affect historic buildings, sites, districts or archaeological resources.

**G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:**

Compliance to required road improvements from Georgia Department of Transportation (GDOT) and DeKalb County Department of Public Works, will mitigate traffic issues. Transportation requires pedestrian scale street lights, three-foot landscape strip and six-foot sidewalk. A review by the Georgia Department of Transportation will be needed long Covington Highway along with five-foot landscape strip, six-foot sidewalks, pedestrian scale street lights and a minimum of dedication of right-of-way 50 feet from centerline. The increase in residential units will have an impact on area schools.

**H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The rezoning proposal should not adversely impact the environment or surrounding natural resources.

**Staff Recommendation: Approval with Condition**

Pursuant to Article 3.37.5 District boundaries and maps of the Greater Hidden Hills Overlay District, any changes to the Greater Hidden Hills Overlay District Map dated October 28, 2011, will require a map amendment and a text amendment revising this section to reflect the revised map for the District. Therefore, the Planning and Sustainability Department recommends Approval subject to the following condition:

1. Initiate a text amendment to update the Greater Hidden Hills Overlay District Map dated October 28, 2011 to reflect the change from Tier 1 to the Residential Tier.

Attachments

1. Zoning Map
2. Land Use Map



