



Legislation Details (With Text)

**File #:** 2021-2120    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Public Hearing

**File created:** 1/29/2021    **In control:** Board of Commissioners

**On agenda:** 8/10/2021    **Final action:** 8/10/2021

**Title:** COMMISSION DISTRICT(S): 4 & 6  
Application of Inline Communities LLC c/o Battle Law to rezone properties from R-75 (Residential-Medium Lot-75) and MR-2 (Medium Density Residential-2) District to RSM (Small Lot Residential Mix) District to construct townhomes and single-family detached residences, at 671 Northern Avenue.

**Indexes:**

**Attachments:** 1. Substitute 2021 07.27 Item 2021-2120, 2. Z 21 1244531 Recommended Conditions, 3. Z 21 1244531 May 2021 BOC Staff Report, 4. Z-21-1244531 Staff Report March 2021

Date	Ver.	Action By	Action	Result
8/10/2021	1	Board of Commissioners		
7/27/2021	1	Board of Commissioners		
7/13/2021	1	Board of Commissioners		
6/22/2021	1	Board of Commissioners		
5/27/2021	1	Board of Commissioners - Zoning Meeting		
5/6/2021	1	Planning Commission	approved with conditions per staff recommendation	Pass
3/25/2021	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
3/4/2021	1	Planning Commission		

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

**SUBJECT:**

**COMMISSION DISTRICT(S): 4 & 6**  
**Application of Inline Communities LLC c/o Battle Law to rezone properties from R-75 (Residential-Medium Lot-75) and MR-2 (Medium Density Residential-2) District to RSM (Small Lot Residential Mix) District to construct townhomes and single-family detached residences, at 671 Northern Avenue.**

**PETITION NO: D8. Z-21-1244531 2021-2120**

**PROPOSED USE: Townhomes and single-family detached residences.**

**LOCATION:** 671 Northern Avenue, Clarkston, Ga.

**PARCEL NO. :** 18-045-08-001, 18-045-08-003, 18-045-08-004, 18-045-08-005, 18-045-08-006, 18-045-08-007, 18-045-08-008, 18-045-08-095

**INFO. CONTACT:** John Reid, Sr. Planner

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

**PURPOSE:**

Application of Inline Communities LLC c/o Battle Law to rezone properties from R-75 (Residential-Medium Lot-75) and MR-2 (Medium Density Residential-2) District to RSM (Small Lot Residential Mix) District to construct townhomes and single-family detached residences. The property is located on the east side of Northern Avenue, and the northern terminus of Creekview Drive, approximately 140 feet south of Indian Creek Way, at 671, 657, 635, 655, 649, 641, 631, and 623 Northern Avenue, Clarkston. The property has approximately 603 feet of frontage on Northern Avenue and contains 22 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL: April 2021** No Recommendation; **Feb. 2021** - Denial.

**PLANNING COMMISSION: May 6, 2021** - Approval with Conditions. **March 4, 2021** - Two-Cycle Deferral.

**PLANNING STAFF:** Approval with Conditions.

**STAFF ANALYSIS:** Taken as a whole , the revised proposal contains a mixture of housing options that are designed to blend with existing development patterns, more than the minimum degree of open space along with opportunities for active and passive recreation for the community, and streetscape improvements. The applicant's traffic impact study did not produce findings indicating significant impact on the existing road network or the need for significant network improvements. However, the development's potential student yield may present issues for high school infrastructure in the surrounding community. Assuming that issue can be mitigated, and the development is constructed in compliance with applicable land development, building codes, and other county, state, and federal regulations, overall, the proposed project is consistent with the goals of Comprehensive Plan and Zoning Ordinance. The Applicant also submitted a list of additional zoning conditions at the May 6th Planning Commission meeting (see attached); and Staff has incorporated some of those conditions into the recommended conditions of approval (*deletions from original recommended conditions are in strikethrough, additions are in bold*). The Planning and Sustainability Department recommends that the rezoning application be "Approved with Staff's recommended conditions".

**PLANNING COMMISSION VOTE: May 6, 2021 - Approval with Conditions 7-0-2.** Jon West moved, LaSonya Osler seconded for Approval with Staff's recommended conditions, with consideration given to the applicant's conditions to examine which, if any, may be incorporated into the conditions by the time of Board of Commissioners meeting on May 27, 2021. Tess Snipes & Vivian Moore abstained. **March 4, 2021 - Two-Cycle Deferral 9-0-0.** J. Johnson moved, L. Osler seconded for a two-cycle deferral to the July 2021 zoning agenda.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: April 2021 - No Recommendation (due to two failed votes).** The applicant submitted a revised plan decreasing the density, increasing the open space, and increasing the storm water detention capacity. Issues discussed included concerns about traffic safety and sight distance issues along Northern Avenue, potential flooding impacts, and density; **Feb. 2021 - Denial 10-2-0.** Discussion included concerns about traffic safety and sight distance issues along Northern Avenue, potential flooding impacts, and density.