



Legislation Details (With Text)

**File #:** 2019-4073    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 7/24/2019    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 9/24/2019    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 & 7  
 Application of LBM ATL, LLC c/o Barbara Odom to rezone property from R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) District to construct up to twenty-two single-family attached or detached units, at 5065 Flat Shoals Parkway.

**Indexes:**

**Attachments:** 1. N6 LBM ATL LLC Z-19-1243383

Date	Ver.	Action By	Action	Result
9/24/2019	1	Board of Commissioners - Zoning Meeting	denied	Pass
9/10/2019	1	Planning Commission	denial per staff recommendation	Pass

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

**SUBJECT:**

**COMMISSION DISTRICT(S): 3 & 7**  
**Application of LBM ATL, LLC c/o Barbara Odom to rezone property from R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) District to construct up to twenty-two single-family attached or detached units, at 5065 Flat Shoals Parkway.**  
**PETITION NO: N6. Z-19-1243383**

**PROPOSED USE:** Up to 22 single-family attached or detached units

**LOCATION:** 5065 Flat Shoals Parkway

**PARCEL NO. :** 15 062 07 056

**INFO. CONTACT:** Marian Eisenberg

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

**PURPOSE:**

**Application of LBM ATL, LLC c/o Barbara Odom to rezone property from R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) District to construct up to twenty-two single-family attached or detached units.** The property is located on the south side of Flat Shoals Parkway, approximately 320 feet west of Radcliffe Boulevard at 5065 Flat Shoals Parkway in Decatur, Georgia. The property has approximately 402 feet of frontage along the south side of Flat Shoals Parkway and contains 3.27 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL: DENIAL**

**PLANNING COMMISSION: DENIAL**

**PLANNING STAFF: DENIAL**

**STAFF ANALYSIS:** The proposed three-story single-family attached townhomes at a density of 7.24 units per acre are not compatible with the surrounding one and two-story low density single-family detached homes to the north, south, and east comprising the Chapel Hill and Chapel Mill subdivisions. A creek is the line of land use/zoning demarcation between the single-family attached townhomes (Brycewood Lakes Townhomes) and the Chapel Hills Commons Shopping Center to the west and the single-family detached subdivisions to the east (see attached zoning sketch). Permitting single-family attached townhome zoning (RSM) east of the creek at this location is “leap frogging” the line of land use demarcation as well as single-family zoned (R-100) properties which are developed or intended to be developed with single-family detached homes. Therefore, the request does not comply with the intent of the SUB character area of the Comprehensive Plan to protect established residential neighborhoods from incompatible development (Sec 7.3.4.A) and is incompatible with adjacent and surrounding uses (Sect. 7.3.4.B). It is the recommendation of the Planning & Sustainability Department that the application be, respectfully, “Denied”.

**PLANNING COMMISSION VOTE: Denial 9-0-0.** Vivian Moore, seconded by Gwendolyn McCoy, that this agenda item be Denied per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: DENIAL 9-1-0.** The CC Board and neighbors were concerned about traffic hazards: Flat Shoals Pkwy has a median, difficult for cars to get in and out of existing school; the additional units would make conditions worse. Also, they want environmental hazards in area to be resolved before new development occurs.