



## Legislation Details (With Text)

**File #:** 2018-2456    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 7/20/2018    **In control:** Board of Commissioners  
**On agenda:** 8/28/2018    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 and 7  
Ali Ihsan & Associates.

**Indexes:**

**Attachments:** 1. 2018 08.28 Item 2018-2456.pdf, 2. Staff Report and Attachments, 3. Recommended Conditions, 4. Hydrology Study, 5. 2018 08.28 Item 2018-2456 Conditions.pdf

Date	Ver.	Action By	Action	Result
8/28/2018	1	Board of Commissioners		
8/14/2018	1	Board of Commissioners	deferred.	Pass
7/24/2018	1	Board of Commissioners - Zoning Meeting	deferred 2 weeks	Pass

Substitute

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

**SUBJECT:**

**COMMISSION DISTRICT(S):** 3 and 7  
**Ali Ihsan & Associates.**

**Petition No.:** CZ-18-22025

**Proposed Use:** Single-family detached homes.

**Location:** 3446 Midway Road

**Parcel No.:** 15-218-13-061

**Information Contact:** Marian Eisenberg

**Phone Number:** 404-371-4922

**PURPOSE:**

To rezone property from R-75 (Single-Family Residential) to RSM (Residential Small Lot Mix) for development of six urban single-family detached homes. The property is located on the southwest corner of Midway Road and Beech Road, at 3446 Midway Road, Decatur. The property has approximately 211.29 feet of frontage on Midway Road and 210 feet on Beech Road and contains 1.1 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (6-13-18) APPROVAL WITH CONDITIONS

**PLANNING COMMISSION:** (7-10-18) APPROVAL WITH CONDITIONS

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS

**PLANNING STAFF ANALYSIS:** The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.” It is also consistent with Suburban Character Area policy No. 7 that encourages infill housing to “increase neighborhood density and income diversity”. The proposed development will replace a non-conforming commercial use that has become an eyesore. However, the density of development is not simply a response to the housing market: in exchange for the increase in density over the base density of four units per acre, the applicant has proposed enhanced open space over 38% of the site. The height and compact layout of the homes on the site would be similar to the height and layout of new residences in the RSM district across Beech Drive. By adding to the variety of housing types in the neighborhood, the proposed development would accommodate people with a variety of preferences and lifestyles, thereby increasing the neighborhood’s social vitality. As a corner lot, the property is automatically buffered from surrounding land uses by streets on two sides. Possible impacts on the adjoining property to the west have been reduced by locating the proposed buildings 62 feet from the shared property line. In addition, the applicant proposes to enhance the open space between the building and the adjoining property with trees, a walking trail, and a gazebo, thus providing a visually pleasant separation from adjoining properties. To further separate the proposed development from the adjoining property to the west, Staff recommends that the rear property line be planted with a landscape screen. Therefore, the Department of Planning and Sustainability recommends “Approval with conditions”.

**PLANNING COMMISSION VOTE: (7-10-18) Approval with Conditions, 6-2-0.** V. Moore moved and M. Butts seconded for approval with Staff’s conditions, amended to incorporate conditions presented by a neighborhood representative. J. West & J. Johnson opposed. The Planning Commission **(5-01-18) Full Cycle Deferral, 5-3-0.** J. Johnson moved and J. West seconded for a full cycle deferral. V. Moore, M. Butts, and T. Snipes opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: (6-13-18) Approval with Conditions, 9-1-0.** The Community Council Board followed the recommendation of nearby neighbors for "Approval" with the following conditions: 1) The fence that surrounds the development shall be made of board or brick and iron and shall not be solid; b) the buildings shall face the street; and c) a hydrology study shall be presented to the Board of Commissioners. **(4-11-18) Full Cycle Deferral, 9-1-0.** Full cycle deferral to work with the interested residents who oppose the proposal. Opposing neighbors think that the density and height of the proposed townhomes would be inconsistent with the character of the neighborhood.