



Legislation Details (With Text)

**File #:** 2019-4711    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 11/25/2019    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 5/28/2020    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 &7  
Application of APC Contractors, Inc. c/o Miles Hanford & Tallant, LLC to rezone property from R-75 (Residential Medium Lot-75) to R-60 (Residential Small Lot - 60) for a 25-unit single-family residential development at a density of 5.07 units per acre, at 2061 & 2067 Windyhill Road.

**Indexes:**

**Attachments:** 1. Recommended conditions Z-20-1243617, 2. Z 20 1243617 Staff Report Jan 2020, 3. Z 20 1243617 Staff Report March PC 3-2-20, 4. D1 APC Contractors Z 20 1243617 5-28-2020 BOC Staff report

Date	Ver.	Action By	Action	Result
5/28/2020	1	Board of Commissioners - Zoning Meeting	withdrawn	Pass
3/3/2020	1	Planning Commission	denied	Pass
1/28/2020	1	Board of Commissioners - Zoning Meeting	Full cycle deferral	Pass
1/7/2020	1	Planning Commission	denied	Pass

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

**SUBJECT:**

**COMMISSION DISTRICT(S): 3 &7**

**Application of APC Contractors, Inc. c/o Miles Hanford & Tallant, LLC to rezone property from R-75 (Residential Medium Lot-75) to R-60 (Residential Small Lot - 60) for a 25-unit single-family residential development at a density of 5.07 units per acre, at 2061 & 2067 Windyhill Road.**

**PETITION NO: D1. Z-20-1243617 (2019-4711)**

**PROPOSED USE:** Townhome Development

**LOCATION:** 2061 and 2067 Windyhill Road, Decatur, GA.

**PARCEL NO. : 15-151-01-004, 15-151-01-005**

**INFO. CONTACT:** Melora Furman

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

**PURPOSE:**

Application of APC Contractors, Inc. c/o Miles Hanford & Tallant, LLC to rezone property from R-75 (Residential Medium Lot-75) to R-60 (Residential Small Lot - 60) for a 25-unit single-family attached townhome development at a density of 5.07 units per acre. The property is located on the west side of Windyhill Road, approximately 255 feet north of Tilson Road, at 2061 and 2067 Windyhill Road, Decatur, GA. The property has approximately 200 feet of frontage on Windyhill Road and contains 12.52 acres.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** (2/12/2020) Denial. (12/11/2019) Denial.

**PLANNING COMMISSION:** (3/3/1010) Denial. (1/7/2020) Denial.

**PLANNING STAFF:** (3/3/20, 3/24/20) Approval with Conditions. (1/7/20, 1/28/2020) Full Cycle Deferral.

**STAFF ANALYSIS:** The revised application is consistent with the policies and intent of the 2035 Comprehensive Plan. For Suburban character areas, the Plan states the following policy: (Policy 1) “Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density.” After revision from townhomes to single-family residential, the development echoes the one-unit-one-lot development pattern of the surrounding residential areas. In addition, the proposed density of the development is consistent with the moderate density called for by Policy 15 of the Comprehensive Plan. The zoning proposal is suitable. The proposed density and character of the proposed single-family development would be compatible with that of adjacent and nearby properties, and would be screened from view from the rear yards of those properties by landscaped transitional buffers. The proposed development would replace two aging homes with a subdivision that would respond to current consumer preferences for smaller lots relative to the size of a single-family home. The new homes would breathe new life into a neighborhood that might otherwise decline in value. Therefore, the Department of Planning and Sustainability recommends “Approval” with conditions.

**PLANNING COMMISSION VOTE:** (3/3/2020) **Denial 7-1-0.** J. West moved and J. Johnson seconded for “Denial”. (1/7/2020) **Denial 9-0-0.** V. Moore moved and J. West seconded for “Denial”.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (2/12/2020) **Denial 8-1-0.** Although a representative who represented nearby neighbors spoke in support, a representative of the Highland Park Civic Association spoke in opposition, saying that the development would set a bad precedent for the larger community for rezoning to R-60. (12/11/2020) **Denial 10-0-0.** The CC-3 recommendation was based on comments by nearby neighbors, who said that the density of the proposed townhome development would be too high, that the proposal is inconsistent with the surrounding R-75 properties, and that it would establish a negative precedent for developable properties in the area.