



## Legislation Details (With Text)

**File #:** 2020-0606      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Preliminary Item  
**File created:** 6/2/2020      **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 7/30/2020      **Final action:** 7/30/2020  
**Title:** COMMISSION DISTRICT(S): 5 & 7  
Application of Venture Communities LLC c/o Dunlavy Law Group, LLC to request a major modification of zoning conditions pursuant to Z-07-13334 and CZ-04-111 to allow 38 townhomes within the MU-4 (Mixed Use High Density) District and Tier 2 of the I-20 Overlay District at 2620 Shell Bark Road and 2641 Acuity Way.

### Indexes:

**Attachments:** 1. CZ 20 1243960 Recommended Conditions, 2. CZ 20 1243960 Staff Report, 3. CZ 20 1243960 PC Conditions 7-7-20, 4. 2020 07.30 Item 2020-0606

Date	Ver.	Action By	Action	Result
7/30/2020	1	Board of Commissioners - Zoning Meeting	approved substitute	Pass
7/7/2020	1	Planning Commission		

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

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

**Application of Venture Communities LLC c/o Dunlavy Law Group, LLC to request a major modification of zoning conditions pursuant to Z-07-13334 and CZ-04-111 to allow 38 townhomes within the MU-4 (Mixed Use High Density) District and Tier 2 of the I-20 Overlay District at 2620 Shell Bark Road and 2641 Acuity Way.**

**PETITION NO: N9. CZ-20-1243960 2020-0606**

**PROPOSED USE:** 38 Townhomes

**LOCATION:** 2620 Shell Bark Road and 2641 Acuity Way, Decatur, Georgia.

**PARCEL NO. :** 16-009-01-001, 16-024-06-001

**INFO. CONTACT:** Matthew Williams, Zoning Administrator

**PHONE NUMBER:** 404-371-4922 X4

### PURPOSE:

Application of Venture Communities LLC c/o Dunlavy Law Group, LLC to request a major modification of zoning conditions pursuant to Z-07-13334 and CZ-04-111 to allow 38 townhomes within the MU-4 (Mixed Use High Density) District and Tier 2 of the I-20 Overlay District. The property is located on the west side of Acuity Way, approximately 836 feet south of Snapfinger Woods Drive, at 2620 Shell Bark Road and 2641 Acuity Way, Decatur, Georgia. The property has approximately 836 feet of frontage along Acuity Way and contains 7.02 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Approval with conditions.

**PLANNING STAFF:** Approval with conditions.

**STAFF ANALYSIS:** The zoning proposal is consistent with the following policies and strategies of the 2035 Comprehensive Plan: “Utilize the zoning code to provide a variety of housing opportunities and choices to better accommodate the needs of residents.” (Housing Policy No. 9) and “Ensure that new development and redevelopment is compatible with existing residential areas.” (Land Use Policy No. 4) According to the applicant, the housing market has changed since the zoning conditions were originally approved in 2004 and modified in 2007. The modifications don’t change the land use type that could be developed on the property - it will remain residential - but they would, in the applicant’s opinion, make the property and residential development on the property more suited for today’s housing market. Since there does not appear to be a need for the previously approved housing type at the subject location, staff agrees that the modifications are appropriate. Therefore, the Department of Planning and Sustainability recommends “Approval, with the conditions attached on the following pages as marked-up and final versions”.

**PLANNING COMMISSION VOTE: Approval with Conditions 7-1-0.** G. McCoy moved and A. Atkins seconded for Approval with Staff’s conditions, with an amendment to condition #3 that there be a minimum of 1700 square feet of heated area. T. Snipes opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 9-0-0.** The proposed townhomes are compatible with existing housing in the area. There was no opposition.