



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Legislation Details (With Text)

**File #:** 2022-1469    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 4/1/2022    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 5/26/2022    **Final action:** 5/26/2022  
**Title:** COMMISSION DISTRICT(S): Commission District 02 Super District 06  
Application of Amy Swick, Inhance Construction Co., LLC to rezone properties from O-I (Office-Institutional) to MR-2 (Medium Density Residential-2) District for a proposed townhome community, at 1493 LaVista Road.

### Indexes:

**Attachments:** 1. Z-22-1245447 Recommended Conditions May BOC 2022, 2. Z-22-1245447 Staff Report May BOC 2022 1493 LaVista Rd

Date	Ver.	Action By	Action	Result
5/26/2022	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
5/3/2022	1	Planning Commission	approved with conditions per staff recommendation	Pass

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

### SUBJECT:

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
Application of Amy Swick, Inhance Construction Co., LLC to rezone properties from O-I (Office-Institutional) to MR-2 (Medium Density Residential-2) District for a proposed townhome community, at 1493 LaVista Road.

**PETITION NO:** N1. Z-22-1245447 (2022-1469)

**PROPOSED USE:** Townhome community.

**LOCATION:** 1493 & 1501 LaVista Rd, Atlanta, Georgia 30324

**PARCEL NO. :** 18 108 07 001 and 18 109 03 017

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

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

### PURPOSE:

Application of Amy Swick, Inhance Construction Co., LLC to rezone properties from O-I (Office-Institutional) to MR-2 (Medium Density Residential-2) District for a proposed townhome community. The property is located on the south side of LaVista Road, approximately 126 feet east of Shepherds Lane, at 1493 and 1501 LaVista Road in Atlanta, Georgia. The property has 226 Feet of frontage along LaVista Road and contains 1.3 acres.

### RECOMMENDATION:

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Approval with Conditions.

**PLANNING STAFF:** Approval with Conditions.

**STAFF ANALYSIS:** (Rev. 5.12.2022) There is a companion land use amendment request (See Case LP-21-1245063) to change from Suburban (SUB) to Neighborhood Center (NC). These properties are located within and at the edge of a Neighborhood Center (NC) land use character area focused around the LaVista Road/Briarcliff intersection and a Suburban (SUB) land use character area to the west and south which includes the single-family residential neighborhoods. The NC outer ring policies and development guidelines call for a mix of residential, retail, office, and service uses at maximum density of 24 units per acre, building heights between one and three stories, and enhanced buffers to allow for an appropriate transition into the abutting and nearby low density single-family residential areas. The plan appears to be consistent with the NC outer ring policies relating to building height (three story building height provided), land use (single-family attached residential), and density (15.38 units per acre provided). While there is a request to reduce the required buffer from 50 feet to 20 feet along the southwest property line and 30 feet along the south property line, those buffers are consistent with the buffers in the immediate vicinity. The MR-2 zoned three-story townhomes to the east at 1587 Lavista Road (on the east side of the adjacent apartments) are also providing a 30- foot buffer adjacent to an abutting single-family area. In order to provide a visual variation within the building facades and provide a diversity of unit types, the developer is proposing 16-foot building widths for twelve of the units and 20-foot building widths for the remaining units. Since the code requires all townhome units to be at least 20-feet wide, variances will be required by the Board of Zoning Appeals for that as well. The Zoning Board of Appeals will ultimately decide whether the site conditions warrant a buffer reduction. With appropriate zoning conditions, it appears that the rezoning request would be consistent with the policies and strategies of the 2035 Comprehensive Plan 5-year update and with abutting and nearby office, multi-family residential, townhomes, and single-family detached residential land uses (Sec. 7.3.5. A&B). Since the May 3rd Planning Commission meeting the applicant has slightly revised the plan to clarify that the proposed units will be fee-simple condominiums, added landscaping notes on the site plan as requested by the Planning Commission, and proposed additional conditions relating to solar and electric vehicle charging. Therefore, it is the recommendation of the Planning & Sustainability Department that the request be “Approved, with the attached revised recommended conditions.” (Additions in blue bold).

**PLANNING COMMISSION VOTE:** Approval with Conditions 6-0-1. Lauren Blaszyk moved, Gwendolyn McCoy seconded for Approval with fourteen (14) conditions, per Staff recommendation. Tess Snipes abstained.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval 10-0-0.