

**PLANNING STAFF REPORT
PRELIMINARY PLANNED DEVELOPMENT
CASE NUMBER PD-2015-10-2202
4500 ATLANTA HIGHWAY
NOVEMBER 5, 2015**

GENERAL INFORMATION AND PROPOSED DEVELOPMENT

I. THE REQUEST

APPLICANT Dewberry Engineers, Inc.
 OWNER Walton Georgia LLC
 FUTURE DEVELOPMENT REQUEST..... From *Community Center Mixed Use and Corridor Business to Corridor Residential and Corridor Business*
 ZONING REQUEST: From C-G (PD) (Commercial-General Planned Development) & C-G (Commercial-General) to C-G (PD) (Commercial-Neighborhood Planned Development), RM-2 (PD) (Mixed Density Residential Planned Development), & RS-5 (PD) (Single-Family Residential Planned Development)
 TYPE OF REQUEST..... Type I
 LOCATION..... 4500 Atlanta Highway and Bedgood Road
 COUNTY COMMISSION DISTRICT..... 6
 SIZE OF REZONING AREA 214.79 acres
 PRESENT USES Undeveloped / C-G; undeveloped / C-G (PD)
 PROPOSED USES Commercial, Multifamily and Single-Family Residential
 TAX MAP NUMBERS..... 044 025; 044B 023A, 024, 024A, 026, 027, 029, 030, 031
 ADJACENT USES AND ZONING (N) Railroad; undeveloped / AR
 (E) Single-family dwellings / AR; office, undeveloped / E-O (SU); warehouses, storage, utility, undeveloped / E-O; water tank / G; self-storage / C-G
 (S) Atlanta Highway; antiques, car sales, landscape materials, psychic, retail, storage, warehouse, undeveloped / C-G; single-family dwellings / AR
 (W) Single-family dwellings / RS-15; Single-family dwellings, undeveloped / RS-8
 STAFF RECOMMENDATION **Receive with Comments**

II. PURPOSE

The purpose of this request is to add two parcels to an existing planned development and to amend the current zoning from C-G (PD) (Commercial-General Planned Development) and C-G (Commercial-General) to C-G (PD) (Commercial-General Planned Development), RM-2 (PD) (Mixed Density Residential Planned Development), & RS-5 (PD) (Single-Family Residential Planned Development) on

214.79 acres. as well as amend the Future Development Map from *Community Center Mixed Use* and *Corridor Business* to *Corridor Residential* and *Corridor Business*. The proposed amendment would designate 15.72 acres as C-G (PD), 44.48 acres as RM-2 (PD), and 154.59 acres as RS-5 (PD). The proposed planned development proposes the following land use revisions:

Category	Current PD	Proposed PD
Acreage	212.39	214.79
Total Single-Family Dwelling Units	468	307
<i>Single family detached</i>	<i>368</i>	<i>307</i>
<i>Active Adult detached</i>	<i>100</i>	<i>0</i>
Total Multi-Family Dwelling Units	482	546
<i>Multifamily Dwellings</i>	<i>266</i>	<i>546</i>
<i>Condo/Townhome Dwellings</i>	<i>216</i>	<i>0</i>
Hotel Units	140	0
Commercial Area (acres)	17	15.72
Green Space (acres/%)	80.29 / 38%	93.49 / 44%

III. EXISTING CONDITIONS OF SUBJECT PROPERTY AND VICINITY

The subject property consists of nine undeveloped parcels and a total of 214.79 acres. Seven parcels are zoned C-G (PD) (Commercial-General Planned Development), consisting of 212.39 acres. The remaining acreage consists of two parcels zoned C-G (Commercial-General). None of the parcels are located within a local or National Register historic district or have a historic landmark designation.

To the north, there is a railroad line with undeveloped AR (Agricultural Residential) properties on the other side. To the east, there is one AR zoned property with single-family dwellings; a water tank on a G (Government) zoned property; a mix of warehouses, storage, utility, and undeveloped parcels on E-O (Employment-Office) zoned properties; office and undeveloped parcels zoned Conditional Use in E-O (Employment-Office); and self-storage on a C-G zoned property. To the south along the Atlanta Highway, there are a mix of uses on C-G properties, including antiques, car sales, landscaping materials, psychic, retail, storage, warehouse, and undeveloped property, as well as single-family dwellings on AR properties. To the west, there are single-family dwellings in RS-8 and RS-15 (Single-Family Residential) zoning districts and some undeveloped land zoned RS-15.

IV. PROPOSED DEVELOPMENT

The purpose of this request is to expand and amend an existing planned development. The proposed expansion adds 2.4 acres to the project and the amendment would designate 15.72 acres as C-G (PD), 44.48 acres as RM-2 (PD), and 154.59 acres as RS-5 (PD). There would be a reduction in the total number of single-family dwellings from 468 to 307 and an increase in the total number of multi-family dwelling units from 482 to 546 (or 1,092 bedrooms based on the water/sewer capacity request to ACC Public Utilities). The land area designed for commercial would be reduced from 17 acres to 15.72 acres and the area for green space would increase from 80.29 acres to 93.49 acres.

The existing planned development provides a single, 17-acre, mixed-use center with approximately 302,800 commercial square feet, live/work units, townhomes, condominiums, a 2.75-acre “civic area”, and a two-level parking deck to be located along the primary entrances from Atlanta Highway.

The proposed site plan eliminates this mix use center and amenities. The proposed site plan shows seven unmarked building footprints along the Atlanta Highway that Staff assumes will be commercial uses of unknown size and with parking that may or may not be sufficient. Potential commercial uses are listed in the application report as Hotels; Retail Sales and Service; Convenience Store; Restaurant; Professional Services and Office; Vehicle Service and Repair; Auto and RV Sales; Dry Cleaner or Laundry Services; Arts, Entertainment, and Recreation; Administrative or Research Facilities; Broadcasting or Production Studios; and Bakery.

Just north of the commercial district, three types of multifamily dwellings are shown on the site plan: (1) six “Active Adult” multifamily buildings of unknown bedroom units per dwelling along the western project boundary; (2) an area with 19 multifamily buildings of unknown bedroom units per dwelling and a recreation center in the center of the property; and (3) an area with 11 “Active Adult” multifamily buildings of unknown bedroom units per dwelling and a recreation center along the eastern boundary. Without bedroom counts, the sufficiency of the provided parking cannot be determined. Building square footage and building heights are also not provided. Open space and recreation space (beyond the recreation centers) are not specifically denoted on the plans.

The request for a water and sanitary sewer capacity evaluation by the ACC Public Utilities Department indicates that the multifamily dwellings will have two bedrooms per dwelling unit. Therefore, Staff would consider the total multifamily density to be 1,092 bedrooms rather than the 546 dwelling units indicated in the application report.

Single-family lots are indicated just north of the multifamily district. Parcel sizes vary on the single-family lots, but they generally get larger the further north the lots are located. The area south of Bedgood Lake would have 215 single-family lots, while the remaining 92 lots would be located to the north of the lake. The lots north of the lake will have two potential vehicular access points, one of which is a proposed residential street that would cross the Bedgood Lake dam, and the second being a right-of-way stub in the same location as on the existing binding plan, which would potentially cross the creek and connect to a future extension of Aubrey Drive. ACC Transportation & Public Works has commented that ACC ownership will not be accepted for any portion of a dam, any roadway constructed on a dam, or any roadway whose sole access is across a dam. The proposed number of lots north of the lake is less than the 140 residential dwellings proposed in the approved existing planned development; however, due to Section 9-26-3-C restriction that no more than 19 dwelling units are permitted on a dead end street, as well as a remaining concern with the number of dwellings to be located north of the lake, the existing approval has a condition that two vehicular interconnections shall be constructed by the developer to access these lots prior to final plat approval.

The existing planned development reserves 5.31 acres for a future commuter rail facility in the northeast corner of the site. The proposed planned development eliminates this possibility and provides 15 single-family lots in that area instead.

The applicant has not yet provided any architectural design guidelines other than to denote that all commercial and residential buildings shall conform to the southern vernacular style. The application report states that all single-family dwellings will be one to two stories with no basement and will not exceed 30 feet in height. Additionally, the report states that single-family dwellings on smaller lots will require a style of home with a front-facing garage. Unlike the existing planned development, this proposal does not mention accessory dwelling units as an option on the single-family detached lots.

The applicant proposes to increase the amount of green space from 80.57 acres, or 38% of the total site area, to 93.49 acres, or 44% of the total site area. The application report states that the green space will provide recreational opportunities for the residents in the form of swimming, boating, walking trails, and wonderful views. However, the applicant has not provided any more details on how the open space is to be programmed throughout the site other than showing two recreation centers in the proposed multifamily zone, a club house and tennis court in the single-family zone, and a pedestrian bridge over the lake. A green line and a green area are shown in the single-family zone on the site plan, but they are not labeled. The application report suggests that the green line may be walking trails but does not reference the green area.

The eastern end of the 20-acre lake has a dam structure and an outfall beneath the dam. A breach analysis and coordination with ACC Transportation and Public Works has determined that dam rehabilitation is required. The application report states that the developer has begun these required upgrades, as well as developing an Emergency Action Plan and an Operations and Maintenance Plan.

As indicated in the application report, all open space, drainage easements, private service lane easements, and stormwater facilities shall be owned and maintained by a homeowners association.

A traffic impact analysis (TIA) has not yet been submitted for this planned development amendment. The existing planned development has four points of access from Atlanta Highway, which includes one signalized intersection. The proposed planned development application report identifies two access points from Atlanta Highway: (1) Dakota Drive, which shall be upgraded to a full service road, and (2) a signalized intersection immediately west of the neighboring property at 4502 Atlanta Highway. A condition of the existing planned development and also shown on the proposed site plan would be a third access point along the eastern property line as a future extension of Whitetail Way through the neighboring property at 170 Whitetail Way. The site plan suggests two more potential access points to the site: one utilizing Bedgood Road and the previously noted future connection along on the western property line as an extension of Aubrey Drive on the adjoining property at 450 Aubrey Drive. The application report does not mention either of these access points or how the existing substandard Bedgood Road or right-of-way will be improved.

The proposed application report mentions "New Battle Street," which is one of the street names on the existing binding site plan. However, the proposed site plan does not provide names for any of the proposed streets internal to the site while the preliminary tree management plan provides basic road labels (e.g. Road A, Road B, etc.). Road names, classifications, standards, construction, and ownership are not provided. None of the residential streets proposed as public rights-of-way appear to allow for on-street parking, although required for the two proposed residential zones. Sidewalks are mentioned in the application report, but are not shown on the site plan. Street trees are included on a chart in the Preliminary Tree Management Plan, but they are not shown on the plans. No landscaping is shown on the site plans. The application reports states that the development will have a Master Landscaping Plan, which will include street trees, parking lot trees, and a five-foot landscape strip along residential streets.

The existing approved planned development has a phasing plan with four phases, with Phase 1 consisting of a mix of commercial, multifamily, and single-family dwellings, and the other phases consisting of a mix of residential types. The proposed application report states that phasing shall be determined by market demand.

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards. The following seven waivers have been requested:

1. *Waiver for Clear Cutting and Mass Grading from Section 9-26-2-A-6-D-2, which is applicable to subdivisions in RS-5, RS-8, RS-15, RS-25, and RS-40 zones, and states: Following preliminary plat approval and issuance of a site review permit, and prior to final plat approval, land disturbing activity shall be limited by permit only to those grading and clearing activities within the areas identified on the preliminary plat as street right-of-way, water and sanitary sewer easements, and stormwater management facilities. The permitted land disturbing activity zone shall also include an additional 15 feet on either side of the street right-of-way, an additional ten feet on either side of the water, sanitary sewer and stormwater line easements, and an additional ten feet around stormwater management facilities. The director of the department of public utilities may approve additional temporary construction easement areas for installation of water and sewer lines and related facilities if required for the installation of such utilities in accordance with the department policies and procedures. No land disturbance activities shall be permitted outside of such areas.*

The application does not provide a grading plan for the site and one is not required for this zoning amendment. Justification for this waiver is not provided.

2. *Waiver for Minimum Total Tree Canopy Tree Canopy Cover Requirements from 8-7-15-a, which states that new developments and existing developments adding structural or site improvements as defined in section 9-25-2 and developments requiring preliminary plats as defined in section 9-26-2, and developments for which a land development/land disturbance activity permit is required, shall contribute at least a minimum amount of tree canopy cover to Athens-Clarke County's overall total. Existing single-family residential lots that appear on a preliminary plat approved prior to the adoption of this chapter are exempt.*

This waiver is addressed by the ACC Arborist in the “Environment” section of this report.

3. *Waiver from Table 1: Land Use Zone from Section 8-7-15, which provides that C-G, Total Tree Canopy Cover, Conserved and Planted: 40%, Conserved Tree Canopy Cover Component of Total (lots great than or equal to 12,500 sq ft): 10%; RM-2, Total Tree Canopy Cover, Conserved and Planted: 50%, Conserved Tree Canopy Cover Component of Total (lots great than or equal to 12,500 sq ft): 25%; RS-5 Site, Total Tree Canopy Cover, Conserved and Planted: 40%, Conserved Tree Canopy Cover Component of Total (lots great than or equal to 12,500 sq ft): 15%; RS-5 Each Lot, Total Tree Canopy Cover, Conserved and Planted: 35%, Conserved Tree Canopy Cover Component of Total (lots great than or equal to 12,500 sq ft): 0%.*

This waiver is addressed by the ACC Arborist in the “Environment” section of this report.

4. *Waiver from Tree Canopy Cover in Parking Lots from Section 8-7-15-J, which states that a minimum of one tree per seven parking spaces is required. Parking areas shall be shaded by parking lot canopy trees as listed in the Athens-Clarke County Tree Species List. Minimum requirements are specified further.*

This waiver is addressed by the ACC Arborist in the “Environment” section of this report.

5. *Waiver from Streetscape Trees in Section 8-7-15-K, which states that trees shall be required as part of the streetscape on either side of the front lot line in accordance with sections 9-14A-12, 9-15-2, 9-25-8, and 9-26-6. Tree establishment shall be done in accordance with the technical standards set forth in section 8-7-19. Minimum requirements are specified further.*

This waiver is addressed by the ACC Arborist in the “Environment” section of this report.

6. *Waiver for Block Size for RM-2 from Section 9-25-8-C-3, which states that a project may not contain a block of greater than three acres. Projects larger than three acres shall develop a public or private street system that creates blocks of three acres or less.*

Justification for this waiver is not provided in the application report.

7. *Waiver for Front Façade of Garage from Section 9-25-8-B-2, which states the front facade area of the garage shall not occupy more than 40 percent of the total front facade area for the building. The front facade area of the garage shall mean the total external surface area of the facade containing the primary garage bay opening that faces a public right-of-way. The front facade area of the garage square footage shall be defined by the internal width and height of the space used for the garage. The total front facade area for the building shall be exclusive of roofing. This measurement does not apply to garages facing an alley.*

The application does not include proposed architectural elevations or Design Guidelines. The application report states that smaller single-family residential lots will require a style of home with a front-facing garage, but justification for this waiver is not provided.

COMPATIBILITY WITH COMPREHENSIVE PLAN

I. COMPATIBILITY WITH FUTURE DEVELOPMENT MAP

The Future Development Map indicates that the seven parcels in the existing planned development currently have a *Community Center Mixed Use* Future Development designation, which is described as follows:

This is applied to areas that are in community centers on the Growth Concept map. These are the main shopping areas for the community, and should include the highest residential densities outside of the Downtown. The designation encourages a broad variety of uses, including retail, services, and housing. It is the intention that this district is primarily commercial, and that housing is supplementary to the main commercial uses of the site. Housing should not occur on the ground floor adjacent to the main street frontage, and generally in the district no less than 30% of the building area should be devoted to residential use. These areas will serve a variety of needs for the residents of an area up to a three-mile radius, and therefore will include larger scale uses. A broad variety of appropriate housing types should be encouraged. However, these large developments are intended to be the focus of their respective neighborhoods, and their design should include connections between each development that are conducive to both pedestrian and transit use. Retail and office uses should dominate the ground floors of the primary street facades, with residential uses permitted in second and third stories. The street level facade of these areas should have a scale and architectural elements that relate to pedestrians. Pedestrian circulation in these centers is a primary concern and should encourage connectivity within and to surrounding areas. Traffic calming methods shall be incorporated into design (i.e. on-street

parking, medians, landscaping, and framing the street with buildings to create more of a pedestrian friendly design.) Small and medium scale retail stores should frame the streets with large-scale retailers located behind with focus given to pedestrian circulation rather than automobiles. Continuous internal pedestrian walkways, no less than 5 feet in width, should be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. Walkways should connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building, store entry points, plaza space and shall feature adjoining landscaped areas. These areas should contribute to the establishment or enhancement of community and public spaces. A relatively high density is anticipated, with up to .7 FAR and 25 dwelling units per acre.

The Future Development Map indicates that the two parcels (044 023A and 044 024A) being added to the planned development by this amendment currently have a *Corridor Business* Future Development designation, which is described as follows:

This designation is intended for areas that have primarily business uses along corridors, but outside of centers. Corridor Business encourages small- and large-scale retailing, services, and housing. It is intended for areas that have shallow lot depth and are mostly devoted to commercial uses, or areas that are auto-oriented, such as the Atlanta Highway. It is not as pedestrian friendly as Main Street Business, but still is reasonably accessible by foot, bike or transit. Pedestrian orientation design is particularly appropriate when these streets contain neighborhood shopping areas or multi-family housing adjacent to neighborhoods. Buildings should be oriented to the street, corridors should be lined with street-trees. Parking lots should not be located at the street front and shared parking should be encouraged.

The application includes a request to amend the Future Development Map to change the designations from *Community Center Mixed Use* and *Corridor Business* to *Corridor Residential* for the proposed RM-2 and RS-5 zones and to *Corridor Business* for the entirety of the proposed C-G zone.

The *Corridor Residential* Future Development designation is described as follows:

These areas have residential uses located along a corridor. Densities of up to ten dwelling units per acre are intended, and design guidelines should require buildings to be oriented towards the street and include streetscape enhancements. Low intensity commercial uses, such as offices or bed-and-breakfasts are also possible.

Since the application includes a request to change the Future Development Map designations, it is being processed as a Type I request.

II. COMPATIBILITY WITH VISION STATEMENTS, ISSUES AND OPPORTUNITIES & POLICIES

Some of the relevant 2008 Comprehensive Plan vision statements, opportunities, and policies considered in the review of this application request:

- Policy: Strengthen tree canopy protection by periodic review of the tree management and environmental areas ordinances to evaluate effectiveness in order to promote an increase in tree canopy and tree protection.
- Policy: Restrict mass grading.

- Policy: Limit development in designated natural areas, regulate outdoor lighting, invasive species, encourage the reuse or re-adaption of vacant residential and commercial properties and brownfields.
- Policy: A mix of housing types, including workforce housing and life-cycle housing, will be encouraged.
- Policy: Athens-Clarke County will champion Traditional Neighborhood developments.
- Public Open Space creation and tree canopy preservation will be a major priority within our neighborhoods, along our streets, parking lots and within commercial and industrial developments.
- Policy: Athens-Clarke County development regulations and review will focus on form, appearance, context and use.
- Policy: Athens-Clarke County is committed to creating walkable, safe, and attractive neighborhoods throughout the community in new and existing developments where people have easy access to schools, parks, shopping, and services are available to all residents from their homes.
- Policy: Work with developers to promote and expand alternative parking lot designs that create circulation routes within commercial centers as distinct streets. The designs should include sidewalks, shade trees, small courtyards, on-street parking and traditional block sizes with multiple access points to shopping areas.

COMPATIBILITY WITH ZONING MAP AND ORDINANCE STANDARDS

I. COMPATIBILITY WITH ZONING MAP

The purpose of this request is to expand and amend an existing planned development. The majority of the subject property acreage will be rezoned from C-G (Commercial-General) to RS-5 (Single-Family Residential) and RM-2 (Mixed Density Residential), while two C-G zoned parcels fronting Atlanta Highway will retain their zoning classification while being incorporated into the planned development.

Currently, the C-G zoning on the subject property extends up to 0.8 of a mile from Atlanta Highway, while the resulting 700-ft. C-G zone depth will be similar to typically found in the area along Atlanta Highway. The proposed RM-2 zone will provide a transition between the intensive C-G zone and the proposed single-family development, while the proposed RS-5 zone will provide another transition between the RM-2 zone and the adjoining AR (Agricultural Residential) zone. Furthermore, rather than zoning the entire development under an intensive zoning classification, the proposed RM-2 and RS-5 zones will more adequately pertain to the types of development proposed therein.

II. COMPATIBILITY WITH ORDINANCE STANDARDS

The planned development application includes seven requested waivers listed at the end of the “Proposed Development” section of this report. With the exception of the requested waivers, if granted, the project will be expected to comply with all other applicable zoning and development standards. Additional information is required to be submitted with the subsequent master plan submittal, and at that time it will be reviewed by Staff for compliance and compatibility since the submitted plans and application report will become binding upon approval.

The ACC Arborist has reviewed the submitted tree management plan and has additional comments, which are noted in the “Environment” section this report.

EFFECT ON COMMUNITY

I. BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

As compared to the existing planned development, the proposed amendment slightly decreases by 2.4 acres the area devoted to commercial uses, increases by 64 the number of multifamily dwellings, and significantly decreases the number of single-family lots by 161. Athens-Clarke County has experienced a dramatic increase in multifamily dwellings in the past few years, but most of these have occurred in the downtown area. Recently constructed or planned apartment complexes in the nearby vicinity include The Fairways at Jennings Mill and in the nearby Ridge Pointe development on Jimmie Daniel Road. Meanwhile, the number of single-family residential subdivisions being constructed or planned has significantly diminished in the past several years.

II. POPULATION

There would be a reduction in the total number of single-family dwellings from 468 to 307 and an increase in the total number of multi-family dwelling units from 482 to 546 (or 1,092 bedrooms), so there would be an overall reduction in the number of dwellings units by 97.

III. ENVIRONMENT

Wetlands and several riparian buffers exist on the subject properties, according to the ACC Environmental Areas Map, as well as an approximately 9.5 acre lake. Two creeks cross the western property line and another two creeks cross the northern property line to feed into the lake. Drainage from the lake is joined by another creek that crosses the northern property line to both exit the property on the eastern property line. Two ephemeral streams are located in the northeastern corner and along the eastern property line. Wetlands are present from the outfall of the dam along the creek beds to the eastern property line. The site plan only markedly indicates the two creeks crossing the western property line to feed into the lake and the single creek draining from the lake, although no development is proposed in the immediate area of other riparian channels.

The application report states that the Winslow Park Home Owner's Association shall be responsible for the maintenance of all open space.

A tree management plan has been submitted as part of this proposal for review by the Athens-Clarke County Arborist, who has the following comments. This project includes three zonings, with each reviewed separately.

C-G zone

The C-G (Commercial-General) zoning district requires that 10% of the site have conserved tree canopy. For this site, 1.57 acres or 68,476 sf would be required, but the proposal will conserve none of the existing canopy. The required overall 40% tree canopy must be met at project completion. Accounting for the existing 0% of conserved tree canopy, an additional 40% of tree canopy will still need to be planted. As proposed, the plans indicate plantings equal to 89.06%. The quantity of this planting cannot be verified as trees are not shown on the plan. The 89.06% appears to be calculated from the required street tree plantings, but the linear footage of the streets provided does not match the distances depicted on the plan.

The following waivers have been requested for the C-G portion of this project:

1. Minimum total tree canopy cover requirements per Section 8-7-15(a): Staff does not deem this waiver as necessary since the minimum overall canopy of 40% is satisfied based on the provided calculations.
2. Tree canopy cover required by zoning district listed in Table 1 per Section 8-7-15(c): Staff does not deem this waiver as necessary, but a waiver from Sec 8-7-15(e) (Minimum conserved tree canopy cover requirement) is needed since no canopy is being conserved.
3. Tree canopy cover in parking areas per Section 8-7-15(j): The submitted plans do not show any trees in the parking areas. Enough information has not been provided to determine why this waiver is necessary and which specific sections of Section 8-7-15(j) are involved. The report provided to Staff states, “The parking lot will incorporate canopy trees throughout” and “the landscaping will play a major part in defining the atmosphere and feel of Winslow Park.”
4. Street trees per Section 8-7-15(k): The calculations on the plan indicate that the streets will be planted at a rate of one per thirty-five linear feet. The ordinance requires planting at one per thirty feet. Enough information has not been provided to determine why this waiver is necessary and which specific sections of 8-7-15(k) are involved.

RM-2 zone

The RM-2 (Mixed Density Residential) zoning district requires that 25% of the site have conserved tree canopy. For this site, 11.12 acres, or 484,387 sf, would be required. The proposal will conserve 2.73 acres of the existing canopy, or 6.14%. The required overall 50% tree canopy must still be met at project completion. Accounting for the existing 6.14% of tree canopy, an additional 43.86% of tree canopy will need to be planted. As proposed, the plans indicate plantings equal to 49.46%, which provide for a complete site total of 55.60%. The quantity of this planting cannot be verified as trees are not shown on the plan. The 49.46% appears to be calculated from the required street trees. The following waivers have been requested for the RM-2 portion of this project:

1. Minimum total tree canopy cover requirements per Section 8-7-15(a): Staff does not deem this waiver necessary since the minimum overall canopy of 50% is satisfied based on the provided calculations.
2. Tree canopy cover required by zoning district listed in Table 1 per Section 8-7-15(c): Staff does not deem this waiver necessary, but a waiver from Sec 8-7-15(e) (Minimum conserved tree canopy cover requirement) is needed since only 6.14% of the required 25% canopy is conserved.
3. Tree canopy cover in parking areas per Section 8-7-15(j): The submitted plans do not show any trees in the parking areas. Enough information has not been provided to determine why this waiver is necessary and which specific sections of 8-7-15(j) are involved. The report provided to Staff states, “The parking lot will incorporate canopy trees throughout” and “the landscaping will play a major part in defining the atmosphere and feel of Winslow Park.”
4. Street trees per Section 8-7-15(k). The calculations on the plan indicate that the streets will be planted at a rate of one per thirty linear feet. Enough information has not been provided to determine why this waiver is necessary and which specific sections of 8-7-15(k) are involved.

The RS-5 (Single-Family Residential) zoning district requires that 15% of the site have conserved tree canopy. For this site, 23.19 acres, or 1,010,091 sf, would be required. The proposal will conserve 28.36 acres of the existing canopy, or 18.35%. The required overall 40% tree canopy must be met at project completion, as well as 35% canopy coverage for each lot. Accounting for the existing 18.35% of tree canopy, an additional 21.65% of tree canopy will need to be planted. As proposed, the plans indicate plantings equal to 24.58%, for a complete site total of 42.93%. The quantity of this planting cannot be verified since trees are not shown on the plan and the 35% canopy required per lot is not identified. The

24.58% appears to be calculated from the required street trees. The following waivers have been requested for the RS-5 portion of this project:

1. Minimum total tree canopy cover requirements per Section 8-7-15(a): Staff does not deem this waiver as necessary since the minimum overall canopy of 40% is satisfied based on the provided calculations.
2. Tree canopy cover required by zoning district listed in Table 1 per Section 8-7-15(c): Enough information has not been provided to determine why this waiver is necessary. Most lots will have the 35% overall canopy requirement met with the required street trees and the 35% canopy per lot only applies to lots greater than or equal to 12,500 sf.
3. Street trees per Section 8-7-15(k): The calculations on the plan indicate that the street trees will be planted at a rate of one per thirty linear feet. Enough information has not been provided to determine why this waiver is necessary and which specific sections of 8-7-15(k) are involved.

The tree management plan associated with this Planned Development proposal will become binding upon approval if waivers to the Community Tree Management ordinance are requested. The aforementioned comments do not preclude compliance with all other technical standards regarding the installation and maintenance of trees as provided for in the Community Tree Management Ordinance.

IV. TRAFFIC, TRANSPORTATION, & TRANSIT

An increase in traffic is expected within the vicinity as a result of this proposed development. Five points of vehicular access are proposed or indicated:

- The westernmost access point from Atlanta Highway is via Dakota Drive. Dakota Drive is currently a substandard road that is proposed to be upgraded to a full service roadway by the developer.

- A central and primary access point is proposed immediately west of the neighboring property at 4502 Atlanta Highway. No roadway currently exists in this location. The proposed roadway would be completely contained within the planned development. A traffic signal is proposed at the intersection of this road and the Atlanta Highway.

- The easternmost access point from Atlanta Highway is via the existing Bedgood Road, which would only serve the proposed commercial area. Bedgood Road is currently a substandard road. However, there is no mention of this access point in the application report, of any improvements proposed for this road, or if a request will be made for ACC to partially abandon the right-of-way.

The existing planned development and the proposed application denotes a fourth access point as an extension of Whitetail Way from its intersection with Trade Street. "New Battle Street" is the name of this extension on the existing binding site plan and is mentioned in the proposed application report. A current zoning condition of the existing planned development is for this street to be constructed by the developer prior to final plat approval of Phase II. The street would need to be extended through the neighboring property at 170 Whitetail Way (Tax Map #044 026V). It was never the intention of Athens-Clarke County to purchase any rights-of-way or construct any street connections for this proposed development. As the comments from ACC Transportation & Public Works state below, the county does not have plans or resources to acquire the right-of-way through 170 Whitetail Way to make this connection for the benefit of the developer.

Another future access point is shown on the proposed site plan as a possible connection along the western property line to the neighboring property at 450 Aubrey Drive (Tax Map #043 010B). As with the Whitetail Way connection, another current zoning condition of the existing planned development is for two vehicular interconnections to be constructed to access Phase IV (the proposed dwellings on the north side of the lake) prior to final plat approval. The existing and the proposed site plans show a right-of-way stub connection in this area. Again, there is no future right-of-way on the neighboring property and, in this case, the connection would require a stream crossing. However, there is no mention of this access point in the proposed application report.

Regarding internal circulation, the proposed site plan does not provide road names for any of the proposed roads internal to the site. The proposed preliminary tree management plan provides basic road labels (e.g. Road A, Road B, etc.). Street classifications, standards, construction, and ownership are also not provided. As the comments from ACC Transportation & Public Works state below, Athens-Clarke County will not accept for ownership any portion of a dam, any roadway constructed on a dam, or any roadway whose sole access is across a dam. Additionally, no more than 19 dwelling units are permitted on a dead end street as per Section 9-26-3-C. It appears from the site plan that the multifamily dwellings will have gate access, but additional details are not given.

The application report states that a minimum five-foot-wide sidewalk will be maintained throughout the entire development to provide pedestrian access and circulation. Sidewalk widths may vary in the C-G zones to better accommodate outdoor dining. However, sidewalks are not shown on the submitted site plans. The site plans suggest a pedestrian/bike trail throughout the property and a pedestrian bridge crossing Bedgood Lake. However, the application report does not mention any pedestrian circulation other than the sidewalks nor does it mention the pedestrian bridge. Bicycle circulation and bicycle parking are not addressed in the application report.

The Winslow Park Home Owner's Association shall be responsible for the maintenance of all private service lanes.

The Transportation & Public Works Department has reviewed the proposal and made the following comments:

- A Traffic Impact Analysis is needed to determine if improvements to the existing public infrastructure are necessary and/or justified.
- In order to utilize Dakota Drive for access, this substandard road must be improved to meet current A-CC standards for the level of service required.
- A-CC has no plans or resources to acquire Right-of-Way from Quality Deer Management or for constructing White Tail Way from existing pavement to the Winslow Park property line. The developer is solely responsible for undertaking the acquisition and construction.
- A-CC will not accept for ownership any portion of a dam, any roadway constructed on a dam or any roadway whose sole access is across a dam. Suggest a roadway crossing downstream of the dam using a culvert.

Athens-Clarke County Transit does not currently serve this section of Atlanta Highway. The Transit Department has reviewed the proposal and made the following comments:

- Transit would consider extending service to this area since it has the density, retail, and future population to support the extended service.
- A service extension to this development could tie in with other future service extensions to the western edge of the county, including the Caterpillar factory.

- The developer will need to consult with the Transit Department for the number, location, and design of bus stops and turn arounds.

V. GRADING AND DRAINAGE

Significant grading is anticipated to occur for this development. A waiver for clear cutting and mass grading has been requested. However, neither the application report nor the site plans provide a grading plan or phasing to enable Staff to evaluate the need or impact of the waiver.

The application report states that the existing Category I dam on Bedgood Lake has safety deficiencies. Since the dam provides downstream flood control, the dam must be rehabilitated by the developer, which the application report states is in progress.

The Winslow Park Home Owner's Association shall be responsible for the maintenance of all stormwater facilities and drainage easements.

The Transportation & Public Works Department has reviewed the proposal and made the following comments:

- Use of Bedgood Lake to meet stormwater management requirements cannot be determined without detailed analysis and plans. These are normally reviewed as part of the site plan approval process. Therefore no commitment to allow this use can be made at this time.

VI. WATER AND SEWER AVAILABILITY

The Public Utilities Department has reviewed the proposal and made the following comments:

- ACC water and sanitary sewer are available.
- PUD will do the water and sanitary sewer evaluation to verify capacity once the application fee is received. The evaluation must be completed before PUD can recommend zoning approval.

VII. FIRE PROTECTION

The Athens-Clarke County Fire Marshal has reviewed the proposal and made the following comments:

- The ACC Fire Department can provide fire protection without any services being affected or additional cost.
- Additional fire hydrants are needed.
- Fire apparatus can access this project.
- Multifamily and senior living buildings must be sprinkled.
- ACC Fire and Emergency Services does not have any significant issues with this project.

RECOMMENDATIONS

I. STAFF RECOMMENDATION – Receive with Comments

The purpose of this request is to add two parcels to an existing planned development, to significantly redesign the project, and to amend the current zoning from C-G (PD) (Commercial-General Planned Development) and C-G (Commercial-General) to C-G (PD) (Commercial-General Planned Development), RM-2 (PD) (Mixed Density Residential Planned Development), & RS-5 (PD) (Single-

Family Residential Planned Development) on 214.79 acres, as well as amend the Future Development Map from *Community Center Mixed Use* and *Corridor Business* to *Corridor Residential* and *Corridor Business*. The proposed amendment would designate 15.72 acres as C-G (PD), 44.48 acres as RM-2 (PD), and 154.59 acres as RS-5 (PD).

Most of the subject property was rezoned in 2004 from C-G and AR (Agricultural Residential) for the Water's Edge planned development. A significant redesign was approved in 2007 for the project renamed as Winslow Park, which included very detailed site plans and architectural design standards. This current redesign application report lacks a purpose statement for the proposed significant changes, but at this time it appears to Staff that the purpose is to obtain a greater level of freedom for development or resale by reducing the level of binding details and by obtaining significant ordinance waivers (i.e., grading, trees) without any provided justifications.

The purpose of the preliminary planned development review is to provide an opportunity for the Planning Commission to comment on the project prior to the preparation of the master development plan. Any comments by the Planning Commission are for the benefit of the applicant in drafting the master development plan and shall not be binding. Staff wants to emphasize that this application lacks information that is usually provided at this time to allow a sufficient analysis, such as detailed architectural elevations for each proposed building type and a complete traffic study. Only sufficient detailed information will enable the Staff to fully analyze the impact and suitability of the proposed development, which cannot be done at this time. Therefore, it should be expected that Staff may have significant comments on this proposal when the missing information has been provided for further review.

The following list provides recommendations for a more complete and accurate master planned development submittal:

1. Provide a site plan with the following in addition to the information already provided:
 - Proposed zoning designations for the entire development.
 - Depiction and identification names or labels for all streets within and abutting the subject property, including right-of-way and pavement widths
 - Existing and proposed public water, sanitary sewer, and access easements, and stormwater management facilities.
 - Location of all transit facilities.
 - Identify gate structures for the multifamily developments.
 - Use designations for all areas not covered by buildings, parking, or landscaping.
 - All State waters, wetlands, and environmental areas on the property.
2. Provide a phasing plan for the Planned Development, if the project is to be phased.
3. Provide a chart per Section 9-7-4 showing density calculated by multiplying the number of lots allowed by the adjusted development acreage.
4. Provide a chart per Section 9-7-6 showing calculated required open space appropriate for the phases of development and designate these areas on the site plan.
5. Provide a chart per Section 9-8-7 and 9-25-8-C-7, showing calculated required outdoor recreation space for the phases of the development, demarcate and designate these areas on the site plan, and provide recreational easements.
6. Provide a landscaping plan.
7. As per 9-8-3, for the purposes of calculating RM density, unit values are determined by counting the number of bedrooms, as defined in Chapter 9-2. The request for water and sanitary sewer capacity to ACC Public Utilities Department indicates that multifamily dwellings will have two bedrooms per dwelling unit. Consequently, Staff considers the number of total multifamily bedroom units to be

1,092 rather than the 546 indicated in the application report. Use the correct dwelling unit count for each zoning district.

8. Transportation & Public Works will not accept the road over the dam and any roads solely dependent on crossing the same as dedicated street. If the developer cannot find another point of access for the single-family dwellings north of Bedgood Lake, the road crossing the dam and above the lake must be private streets.
9. Until another point of access for the single-family dwellings north of Bedgood Lake is constructed, the maximum number of residential dwellings served by a dead end road cannot exceed 19 units as per Section 9-26-3-C.
10. It is the sole responsibility of the developer to acquire any needed rights-of-way and to construct any necessary street connections to serve this development, including the extension of Whitetail Way, prior to development of the single-family lots.
11. As per Section 9-26-4-B, at least one on-street parking space per two units shall be provided in addition to the off-street parking requirements for all residential and mixed-use subdivisions of five lots or more.
12. As per Section 9-25-8-E-3, parking cannot be in the front yard in a C-G zoning district, raised pedestrian walkways must be provided in parking lots with more than 50 spaces or more than 100 feet in average width and depth, and developments of two acres or more must provide a pedestrian circulation plan for the site.
13. Provide the total gross floor area for the commercial development. If it exceeds 60,000 sq ft, then the Section 9-25-8-F standards apply.
14. Staff cannot calculate the number of parking spaces without more information on the number of bedrooms in the multifamily dwellings.
15. Staff cannot calculate the number of parking spaces without designating commercial uses or knowing building square footage.
16. The developer should work with the Transit Department on the design standards for all transit amenities.
17. Provide complete architectural elevations for each building type or detailed design guidelines for each zoning designation.
18. Provide a Traffic Impact Analysis.
19. The Public Utilities Department must approve the water and sewer evaluation prior to Master Plan approval.
20. Coordinate with GDOT for approval on proposed Atlanta Highway connections prior to Master Plan submittal.
21. Determine if the right-of-way along Dakota Drive is sufficient for sidewalks and street trees.
22. The application should include a full list of requested waivers of Code standards.
23. An explanation should be provided for removal of the future commuter rail facility proposed in the existing planned development.

II. PLANNING COMMISSION RECOMMENDATION - Pending

The Planning Commission is scheduled to consider the request at their regular meeting on November 5, 2015.

III. CURRENT STATUS

This request is scheduled to go before the Planning Commission for comments on November 5, 2015. At that time, the Planning Commission will review the submitted application for comments only. Submittal of a Master Planned Development report and plan will follow a subsequent review cycle schedule.

REPORT FOR: 4500 Atlanta Highway

Zoning Criteria for Type I Applications

1. The Future Development Map and its intended outcome, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
2. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.
3. Public facility elements of the Comprehensive Plan and how the proposed change will affect the provision of the services anticipated in the plan.
4. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
5. The existing land use pattern surrounding the property in issue.
6. The possible creation of an isolated district unrelated to adjacent and nearby districts.
7. The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
8. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.
10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
11. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if rezoned as requested will not alone constitute a significant detriment.
12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Public Notice

In accordance with Section 9-4-9(E), public notice of this zoning request was first posted on or near the subject property on October 21, 2015.