

**Rezone for Parcel 213 011**  
**REPORT**

This report is intended to support the application to rezone parcel 213 011. The parcel contains 0.90 acre. Parcel 213 011 is split zoned with most of it zoned C-R and the balance is zoned RM-2. Parcel 213 011 has a split Future Land Use of General Business (C-R part) and Mixed Density Residential (RM-2 part). The parcel 213 018Q to the north and east of the subject parcel is being developed with townhomes. A private road planned to interconnect Tally Crossing to GA Hwy 72 is under construction by others on the parcel 213 018Q and parcel 213 011 has an access and sewer easement to the private road and beyond to the next eastern parcel. The planned private road runs southerly on the RM-2 parcel and connects to Hull Road/Hwy 72. The owner wishes to rezone the subject parcel 213 011 to C-G. This will require a change of the Future Land Use because approximately 0.3 acres of the subject parcel is currently Mixed Density Residential Future Land Use. The balance of the property is currently General Business Future Land Use. Therefore, the applicant proposes to change the Future Land Use from Mixed Density Residential to General Business for that part of the subject parcel. The current C-R zoning for the balance of the subject parcel is not compatible with the current Future Land Use of General Business. Rezoning to C-G will bring this into conformance.

The area proposed to be rezoned is 0.90 acre and is bounded on the south by Hull Road/Hwy 72. The owner wishes to develop or sell the property for development. The owner wishes to retain development options available under a C-G zoning; therefore, this request is a rezone to C-G with no conditions and to change the current Future Land Use from Mixed Density Residential to General Business. The subject parcel would be developed following the Athens Clarke County Code of Ordinances for the proposed zone.

The requested C-G rezone is not compatible with the current Future Land Use designation for the RM-2 part of the subject property. C-R is not compatible with General Business Future Land Use as well, but C-G is compatible. As a result, this is a Type I rezone application to change the Future Land Use and the Zoning. The rezone of the parcel requires a change to the Future Land Use plan from Mixed Density Residential to General Business for part of the subject.

There are no environmental areas on or near this property. Refer to Exhibits A and B for the Zoning and Future Land Use for the subject parcel and surrounding parcels. Refer to Exhibit C for the recorded combination plat of the subject parcel.

The development of this parcel under a C-G zoning will not create an isolated district in the Future Development Map. General Business is already east and west of this parcel except for the remaining sliver of Mixed Density Residential. This sliver will contain the private road that connects Tally Crossing to Hull Road/Hwy 72. Changing the subject parcel to General Business is consistent as some of the property to the east is currently developed with businesses. The parcel to the north is Multi-Family Residential including the new private road that separates the subject parcel from the General Business property to the west. Properties south of Hwy 72 are all General Business Future Land Use.

The proposed rezoning will not adversely affect the balance of the land uses in Athens-Clarke County since the parcel is so small. The surrounding area is developing in proportionate commercial and residential uses. The C-G rezone allows this parcel to be developed in compatibility with those surrounding it.

The rezone should not affect the provision of services in the area. ACC and private developers have developed the infrastructure to support the density of commercial and residential uses of the local area.

Any infrastructure required to support the development on this property is being provided by the owner/developer. The private road that will abut this parcel is also being constructed by the owner of the RM-2 property. Water and sewer infrastructure will be extended across the frontage for use by other parcels to the east.

The proposed use on this parcel appears to meet all objective criteria set forth for that use in the zoning regulations. No variances or special conditions are required to develop the property under C-G zoning regulations. C-G zoning conforms to the purpose and intent of the Comprehensive Plan for this area.

The existing land use pattern surrounding the property is a mix of commercial and residential properties of varying densities. The intent of this rezone is to develop the property as a commercial property just as all parcels west of the subject parcel on Hull Road/Hwy 72 are zoned C-G. Furthermore, property on the southside of Hull Road/Hwy 72 up to Voyles Road is zoned C-G.

The surrounding parcels are a mix of multifamily residential or commercial uses on properties zoned C-G, C-R or RM-2. The adjacent property to the north is zoned RM-2. While the proposed rezone for the subject parcel may be construed as creating an isolated district, it is, in effect, not. The parcel to the west is zoned C-G. The parcels to the east are C-R, many with existing businesses. Directly across Hull Road/Hwy 72 is C-G Zoning.

The population density pattern for the area is increasing in density. The existing roads in the area are developed or being developed to handle the required density. The increase in density will result in a new traffic light at the intersection of Tally Crossing and Hwy 29 once the Georgia Department of Transportation has actual field counts to warrant the signal. Tally Crossing is currently under construction to the parcel boundary of the auto body shop. This meets ACC's long-range goal for a road extension from US Hwy 29 to Voyles Road. The separate private road extends south from Tally Crossing to Hull Road/Hwy 72 with a right-in/right-out intersection. The GDOT permit for this is under review by GDOT and expected to be approved. The existing utilities installed or being installed on adjacent properties were designed to handle the capacity envisioned by the development of this area following the ACC Comprehensive plan.

Athens-Clarke County currently should have water and sewer capacity to support development of this small parcel at the density allowed by C-G zoning. This development will not increase the number of children attending Clarke County schools.

There are no environmental impacts on this property due to development except during construction. The impact will be mitigated by application of current ACC ordinances for Erosion Sedimentation and Pollution Control as well the Georgia Stormwater Management Manual. No reduction in air quality is anticipated during or after this development.

The proposed zoning amendment will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations because the adjacent parcels are all zoned C-R or C-G

The current C-R zone has restrictive commercial uses and almost all of which are not feasible to develop on a 0.90-acre tract. Overall development in the area is a mix of commercial and residential.

The aesthetic effect of existing and future use of the property as it relates to the surrounding area is not changed whether the property is rezoned C-G or remains C-R/RM-2. Both zones allow commercial development, but the density of development is less for C-R zoned property compared to C-G. This results in a lot that cannot be developed under C-R Zoning because of its small parcel size. All developments must conform to ACC development ordinances. Allowing this combined lot to be rezoned to C-G harmonizes the frontage on Hull Road/Hwy 72 with the other C-G parcels to the west.