



Development Standards

Mallory & Evans
Development, LLC

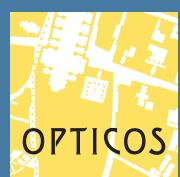


The Shoals

Master PD Submittal
December 31, 2024



**W&A
ENGINEERING**



Prepared For:

Mallory & Evans Development, LLC

625 Kentucky Street
Scottdale, GA 30079
404.297.1000

Prepared By:

Opticos Design, Inc.

2100 Milvia Street; Suite 125
Berkeley, California 94704
510.558.6957

With:

W&A Engineering

355 Oneta St; Suite D200
Athens, GA 30601
706.310.0400

C3 Studio LLC

133 W Jackson Ave
Knoxville, TN 37902
865.309.4461

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Application Report

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Request Summary

Applicant	W&A Engineering, Georgia for Mallory & Evans Development
Location	Southeast of the intersection of Barnett Shoals Rd. and Dekle Drive
Tax Parcels	174B 001C, 174B 001F, 174B 001A, 174B 001B, 174B 001D, 174B 017, and 174D1 010
Size	85 Acres approximately
Current Use	Vacant /Undeveloped
Current Zoning	C-N (PD)
Proposed Zoning	C-N (PD)
Current FLU	Traditional Neighborhood
Proposed FLU	Traditional Neighborhood

Neighborhood	Dwelling Units	Max Height	Min. # of Building Types	Min. Commercial Area*	Min. Open Community Space Area**
Arts & Entertainment	240-325	65 ft	5	20,000 sf	35,000 sf
Central	155-215	45 ft	6	Allowable	30,000 sf
Peninsula	60-85	45 ft	4	Allowable	15,000 sf
Garden	85-120	45 ft	4	Allowable	10,000 sf

*Gross square feet

**Plaza, public green space, community recreation, playground

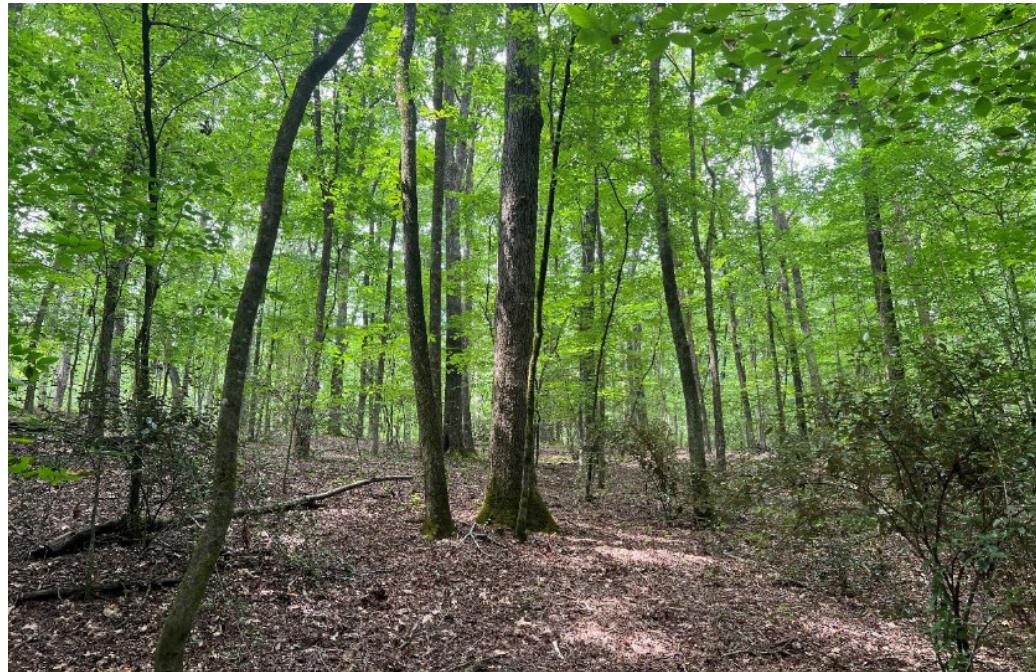
Note: The required open community space shall be located primarily centric within each neighborhood to promote cohesion with its community activity as opposed to being placed on the perimeter as a buffer



Aerial image of the site

Existing Conditions

The proposed development is approximately 85 acres in size and is located on the western side of Barnett Shoals Road. The property was rezoned to C-N (PD) in 2004 for a mixed-use development encompassing approximately 206 acres in total. The first phase of that project was completed in 2006. The subject property for this request (highlighted above) is undeveloped and wooded. The planned development will incorporate the natural topography and environmental assets of into a series of mixed-use commercial, residential, and amenity uses. This request is intended to be a distinct master planned development, separate from the original approval. The plan, this narrative and the pattern book are intended to replace the most recently approved versions of these documents. The new master plan will be complementary in scale and character to the current PD.



Existing conditions site photo



Existing conditions site photo

Compatibility

Comprehensive Plan Compatibility

The 2023 Comprehensive Plan recommends the following policies which support the approval of the proposed request.

- Improve accessibility to commercial/business nodes throughout the county, with special attention to the Georgia Square Mall area and Atlanta highway corridor, Hawthorne Avenue, Downtown, the Lexington Road corridor, Epps Bridge Road, North Avenue, and the Barnett Shoals corridor through Athens' East Side.
- Increase the supply and variety of quality housing units, at multiple price points, in multiple locations, to suit the needs of a variety of households.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.
- Promote intra- and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development.
- Encourage the creation of publicly accessible gathering spaces within neighborhoods and development projects.

The development of a new mixed-use district, centrally located along the Barnett Shoals corridor, which includes a variety of housing options, commercial uses, and a multi-use trail would signify the creation of a new node. The 15 housing types will increase the variety and availability of housing across the proposed new neighborhoods. This diversity in sizes and types of units will increase the access to housing for a wider range of incomes and households than would be offered by a conventional residential development. The plan provides a street that can be extended to accommodate a connection with Lexington Rd. should the adjacent parcel be developed. Additionally, the plan provides pockets of common open space, commercial plaza, and outdoor gathering spaces for the public to utilize. Finally, the plan proposes an extension of the Greenway which would connect the entire project from Barnett Shoals Road through the commercial district, along the lake shore, and through the residential neighborhoods.

Future Land Use Map Compatibility

The Future Land Use Map indicates that the subject property is currently designated as a Traditional Neighborhood with a small portion to the north of Dekle Drive identified as Mixed Density Residential. Both districts are identified as compatible with the proposed C-N zoning district as identified in Table 9.4 of Athens-Clarke County Code of Ordinances.

Zoning Map Compatibility

The Master Plan designation being sought includes this application report, the accompanying master plan demonstrating the requested development and use standards, and the submitted architectural guidelines. Approval of this PD would result in a development compatible with surrounding properties and would not create an isolated district. The base zoning district will remain unchanged (C-N) which would remain in compliance with the land use guidance and strategy outlined in the Comprehensive Plan. Adjacent properties are zoned RM-1, RM-2, RS-8, or are part of the previously approved C-N (PD) which encompassed both sides of Dekle Lake

Compatibility with Other Plans, studies, and programs

The A-CC Greenway Master Plan calls for a connection between Barnett Shoals Road and Lexington Road. The exact alignment has shifted as the Greenway Master Plan has evolved over time. This PD request would extend the current greenway by approximately 1.2 miles and connect the neighborhoods and the commercial mixed-use areas of the development south along Barnett Shoals Road to its intersection with Carriage Lane. The proposed alignment, as depicted on the plan, would be a 12' multi-use path inside the public right-of-way.

The proposed inter-parcel connection to the east would allow a connection between Barnett Shoals Rd. and Lexington Rd. This connection is shown with a different alignment on the Transportation Corridor Concept Map (Loc 9- Lexington Heights to Lakewood Drive).

Changes to the Existing Approved Planned Development

1. Community Center

The community center that was part of the original PD has been removed from this amendment. To offset this loss of potential public amenity, the application is proposing over one mile of public multi-use path in conjunction with the proposed road network. This path and road network have the potential to connect Barnett Shoals Road to Lexington Rd in addition to extending the Firefly trail from Carriage Lane to Lexington Rd.

2. Amendment Boundary

The boundary illustrated on the "PD Base Plan CPOO" is the boundary for this proposed rezone amendment. If approved, all land falling within this boundary shall be governed by the proposed PD amendment, and all land outside of this boundary shall be governed by the past binding PD and its amendment.

Utilities and Stormwater

Utilities

Athens-Clarke County Public Works has provided a capacity assurance letter verifying that capacity currently exists to serve the proposed development.

The public costs to improve, provide, or maintain public infrastructure and other services for the proposed development would be the same or like the anticipated costs of the currently approved plan.

Public water and sanitary sewer service will be installed in the proposed public right of way or within an alley or maintenance easement as required by Athens-Clarke County public works.

Residential solid-waste collection will be provided by a licensed provider. Individual lot owners will be responsible for establishing their own service, with the commercial and multi-family units service provided by the property managers in compliance with the Dumpster Service requirements found in Sec 5-2-16 (a) (1) of the Athens Clarke County Code of Ordinances.

Stormwater

The post-development stormwater will be managed in accordance with the Georgia Stormwater Manual and the Athens-Clarke County stormwater regulations for new developments. On-site stormwater will be managed with a combination of surface and underground detention facilities. Permeable pavers will be installed in off-street parking stalls as well as on-street parking areas as depicted on the master plan. Final details and design of stormwater structures will be completed during the site development/civil design phase of the project. The general locations of stormwater facilities depicted on the submitted site plans are accurate as of the date of this submittal but may need to be moved to accommodate the final grading, soil conditions, or other factors that could impact feasibility. Final locations may change and may be approved administratively. As required a stormwater concept meeting was held with the public works department on June 4, 2024.

All technical requirements for engineering and life safety shall be met at the time of plans review

Phasing

Overall

This project will require multiple phases to complete the final build out. The timeline makes specifics for phasing difficult to predict because of the influence the markets and other external factors have on the overall pace of development. Generally the speaking the phasing will progress beginning with the frontage along Barnett Shoals Rd and move eastward. The initial phase is planned to encompass the Arts and Entertainment neighborhood and a portion of the Central neighborhood are to balance the site's grading. Subsequent phases will be built according to market conditions.

Commercial

This development shall provide a total minimum ground floor commercial area of 20,000 SF within its first phase. This minimum area shall be located along Mains Street and around a potential second commercial plaza. In an effort to ensure that this commercial is delivered in a manner that promotes activation of the streetscape, all buildings fronting Main Street shall require commercial on the ground floor and have a maximum building depth of 80'.

Although there is a potential for additional commercial square footage within the first phase and allowance for additional commercial within subsequent phases, commitments to additional mandatory minimum areas could pose a risk to the project given the challenges to providing parking and the unforeseen future market conditions to support such commercial viability.

Greenway

The construction and dedication of the greenway shall occur in concert with its respective street construction and dedication. The construction of said street shall occur in line with the timing of its respective neighborhood phase.

Topography and Grading

The subject site is renowned for its natural beauty, characterized by rolling terrain, steep slopes, and deep creek corridors lined with mature trees. This natural beauty is a defining feature that enhances the potential of the proposed development and should be regarded as a valuable asset. The proposed design aims to balance the creation of a dense, walkable, and interconnected neighborhood with the preservation of the site's unique environmental features.

The site's topography plays a critical role in shaping the neighborhood layout. Large portions of the land are constrained by protected environmental corridors, limiting the amount of developable area. Preliminary geotechnical investigations have revealed the presence of subsurface rock in several locations, adding significant costs to grading activities. Additionally, the project must align with existing peripheral elevations, which constrain the allowable changes in grade. This is further complicated by technical requirements for public road geometry, utility design, and ensuring gravity-fed sewer service from the project's most interior neighborhood to Barnett Shoals Road.

The proposed design prioritizes moderately dense, walkable neighborhoods to foster community interaction while adhering to ADA accessibility standards. Achieving these design goals within the constraints of the site's topography presents a considerable challenge. Balancing these requirements while minimizing grading is essential—not just to preserve the site's natural beauty but also to manage costs effectively.

Given these challenges, the applicant respectfully requests that no additional grading restrictions be imposed. Further limitations would undermine the feasibility of achieving a thoughtful and harmonious design that integrates the neighborhood with its natural surroundings.

Transportation Networks

Transportation Road Network

The Traffic Impact Study evaluated in two scenarios. The first with two driveway connections to the road network, and three driveway connections in the second. Both scenarios were evaluated for the Build Year 2029 and Projection Year 2039. The following recommendations were developed for each scenario.

Scenario 1:

- Driveway 1 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper. Construct a full access driveway from proposed development onto Barnett Shoals with a 200' long/12' wide left turn lane and 200' long/12' wide right turn lane for traffic leaving the proposed development.
- Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper.

Scenario 2:

- Driveway 1 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper. Construct a full access driveway from proposed development onto Barnett Shoals with a 200' long/12' wide left turn lane and 200' long/12' wide right turn lane for traffic leaving the proposed development.

- Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper.
- Driveway 3 – as driveway 3 would be a connection through adjacent property, any future access point to SR 10/US 78 should include a right turn lane with 175' of full width storage and a 100' taper.

The internal street network was designed to be as walkable and pedestrian oriented as possible. The proposed typical street sections shown depict the standard assembly for public streets to be built as part of the project. The lane assemblies have been reviewed and approved by the Fire Marshal and the Transportation and Public Works Department. The project's middle entrance from Barnett Shoals Rd. is proposed to be a private street constructed to public standards. This main-street area between the mixed-use buildings may be closed to automobile traffic from time to time to accommodate events, parking for food trucks, or other uses as needed. The section of road across the existing dam will be built to the same proposed standard with an access easement for public use. The maintenance of this portion of the road and the dam will be the responsibility of the owners.

Based on the Traffic Impact Study developed for this project the project's trip generation is as follows:

ITE Code	Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
				Entry	Exit	Total	Entry	Exit	Total
210	S-F D	54 du	572	11	32	43	35	21	56
215	S-F A	192 du	1,382	23	69	92	64	45	109
220	MF	492 du	3316	47	150	197	158	93	251
822	Retail	33,640 sf	1,649	128	128	256	240	205	445
Total			6,919	209	379	588	498	363	861

Transportation Off-Street network

A 12' wide multi-use path provided within the public right of way is planned to connect the neighborhoods throughout the project with the larger off-street transportation network. The proposed plan depicts approximately 1.2 miles of new multi-use trail in addition to new sidewalks along the new internal streets.

Public Transportation

Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be provided within the first phase of the project if deemed necessary by the Athens-Clarke County Transit Director or authorized designer during the plan development phase of the project.

Access

- All required access easements shall be provided prior to a certificate of occupancy.
- All units shall be permitted to maintain access to parking, rights-of-way, and life safety access. No units shall be allowed to install fences or other obstructions that prevent said access to another unit.

Project Parking

This application is seeking a waiver from the code required parking minimums listed in the ACC UDC (see Parking Reduction Waiver). In addition to this request, the applicant is proffering a condition that "All uses shall provide an option for guest parking within a quarter mile of the use." The application is also seeking to provide greater on-street parking density along the southern entrance road by utilizing "reverse in parking." This method of parking allows for the utilization of angled parking while also increasing safety for cars when exiting the space.

Street Trees

To uphold one of the primary goals of the currently approved Planned Development (PD)—enhancing pedestrian safety and community walkability—the applicant proposes continuing the placement of required street trees within the verge between the sidewalk and the street. In the existing PD, the verge width ranges from 3.5 to 5.5 feet, which falls below the minimum standards for tree planting as specified in the Athens-Clarke County (ACC) code at the time of this application.

To comply with current technical standards outlined in Sec. 8-7-19, Table 2 (Minimum Distances in Feet Required between Trees and Structures or Infrastructure by Tree Canopy Size Category), the plan increases verge widths to between 6 and 13 feet, depending on the specific street section. This expanded planting area allows for the inclusion of "medium" canopy trees (as classified in the ACC Tree Species List), where a 6-foot planting width is provided, and "large" canopy trees wherever greater space permits.

The applicant emphasizes the importance of using "medium" and "large" trees instead of "small" species due to their superior ability to shade sidewalks and provide a stronger presence along the street. These larger trees contribute to traffic calming, reduce vehicle speeds, and create a more inviting environment for pedestrians, thereby reinforcing the project's commitment to walkability and community engagement.

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Development Standards

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Development Standards

The following table summarizes the proposed development standards for the project. These standards will work in concert with those in the Architectural Design Book to regulate building form and site design. The applicable underlying base zoning district standards are included for a comparison.

General District Regulations	The Shoals	C-N	RS-5
Maximum residential density	9 du/acre or 16 beds/acre	16 beds/acre	6.0 du/acre
Minimum lot area	No Minimum area	5,000 sq. ft.	N/A
Minimum lot width	20' attached 40' detached	50 ft.	20' attached 40' detached
Minimum lot depth	N/A	50 ft.	N/A
Minimum front yard	7.5 ft.	10 ft.	15 ft.
Minimum side yard	6 ft.	6 ft.	6 ft.
Minimum side yard, adjacent to street	7.5 ft.	6 ft.	10 ft.
Minimum yard when abutting residential zone	N/A	10 ft.*	N/A
Minimum Rear Yard	5 ft.	15 ft.	10 ft.
Minimum Rear Setback from alley	0 ft.	15 ft.	10 ft.
Maximum FAR	No maximum	0.75	--
Maximum lot coverage	No maximum	75%	50%
Minimum landscaped area	No minimum	25%	--
Maximum building height	Per Neighborhood. See Design Book	65 feet	30 feet

In addition to the dimensional standards to the left, the following requirements must be met in order to ensure the continuity of character throughout the lifetime of the development.

- Primary entrances shall front on a public right-of way or green space.
- Secondary entrances are allowed, but are required to incorporate an Entryway Element from the Architectural Design Book.
- The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding: Street network, to include general location, sections, and alignments as shown. This consists of the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan, although those elements are subject to additional regulations found within this document and the Architectural Design book.
- Off-street parking areas shall be prohibited between fronts of buildings and the right-of-way except for ADU uses.

Allowed Uses

All uses identified as permitted uses within the CN zone shall be permitted by right. In addition, the uses below shall also be permitted. See the section immediately following this one for prohibited uses.

- Duplexes
- Ground floor residential in MF buildings
- Accessory Dwelling Units
- Hotels (**up to 15,000 sf**)
- Theaters (less than 1,000 seats)
- Indoor Recreation
- Temporary Special Events
- Printing/Publishing
- Bakeries (**up to 5,000 sf**)

Prohibited Uses

The following uses shall not be permitted:

- The sale of gasoline
- Vehicle Repair
- Cemeteries/mortuaries

Development Standards (cont.)

Architectural Design Book

An Architectural Design Book for residential and mixed-use buildings have been included in this submittal. These standards are a separate document that depicts a variety of common elements and complementary styles for the project's architecture. That will provide a common set of guiding principles to define the character throughout the project. Where these guidelines vary from the requirements of the Athens Clarke County Zoning ordinance or subdivision regulations with regard to the design standards for residential and mixed-use projects found in Sec. 9-25-8, the standards contained within the guideline document, the approved master plan, and this application report are intended to apply. This applies to buildings, orientation, block size, streetscape, landscaping, and open space requirements. Once approved the included standards shall govern.

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Requested Waiver of Ordinance Standards

Subdivision of attached units on individual lots

9-7-3 Limitation 3: No attached dwelling units on individual lots within 100 feet of any property line.

In order to provide opportunities for individual ownership to more consumers the proposed townhomes and single family attached units will be able to be subdivided onto separate lots. Up to five units may be attached by a common wall if part of a subdivision of two acres or more, if they are developed as attached single-family units, as defined in chapter 9-2, and the units are on separate lots designed to be sold individually.

Ground Floor Commercial

9-10-2- Limitation 1: Multi-family uses are permitted on the ground floor on more than the 50% required. (Special Use).

To provide the greatest variety of housing, there will be more than 50% of the proposed multi-family buildings that will not have ground floor commercial space. There are four dedicated mixed-use buildings that will have a commercial component located on the ground floor. There are also live/work units proposed where the ground floor could be utilized for commercial or residential use depending on the tenant's needs.

Minimum Lot Size

9-10-3: No minimum lot size.

Because of the variety and type of housing being offered, a conventional subdivision with the standard 5,000 square foot lot area will be difficult to achieve. Previously a minimum lot size of 4,000 square feet was approved. We propose a waiver to remove the minimum lot size as a development standard and rely on lot width to ensure all lots are buildable.

Permitted Principal and Accessory Uses

9-10-2, 9-15-15, 9-15-12(B): Accessory Dwelling units are permitted on individual lots. (Special Use).

Where feasible carriage house dwellings are planned above garages and as defined within the A-CC code will technically be considered accessory dwelling units. These units will be located in the residential portions of the site and are intended to offer an additional living arrangement not otherwise allowed.

9-10-2: Duplexes shall be a permitted use.

To offer as many types of housing as possible the proposed development would include duplex units in a variety of floor plans and configurations. Currently the code prohibits duplex units in the base zoning district (C-N) and the applicable general regulations referenced in Limitation 11.

9-10-2: Expansion on additional commercial uses.

To allow for and encourage commercial vibrancy within the community, the following additional commercial uses are requested to be allowed. By accommodating a diverse range of businesses, the development can attract more foot traffic and offer residents and visitors more choices and experiences.

- Hotels (**up to 15,000 sf**)

- Theaters (less than 1,000 seats)

- Indoor Recreation

- Temporary Special Events

- Printing/Publishing

- Bakeries (**up to 5,000 sf**)

General Development and Site Design Standards

Design standards required by A-CC Zoning Ordinance Sec 9-25-8-B (for single-family uses), 9-25-8 C. (for multi-family residential uses in commercial zones) & 9-25-8 E. (for non-residential or mixed uses in commercial zones) shall be waived and replaced with the design standards found in the Architectural Design Book.

The design standards that will apply to this Master Planned Development will provide a consistent palate of thoughtfully chosen building forms, materials and design elements that will unify the quality of the core elements across the four distinct neighborhoods. Application of the standards for buildings and site design

will help to ensure that the final character of the development at full-build out will be aligned with the vision presented for consideration and approval.

Semi-Binding Layout of PD Plan

The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding: Street network, to include general location, sections, and alignments as shown.

This consists of the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan, although those elements are subject to additional regulations found within this document and the Architectural Design book.

Requested Waiver of Ordinance Standards (cont.)

Minimum Off Street Parking

9-30-2: Reduction in the minimum parking requirement based on alternative standards that will provide more walkable places, where the automobile will be considered less and people considered more in the design of our neighborhoods.

One of the first steps is to reduce the amount of and in turn space dedicated to the storage of automobiles, particularly for commercially centered areas. Parking for will be provided as follows:

- Commercial uses: 1 space / 300 square feet of leasable space.
- Multi-family units and Cottages: 1 space /dwelling unit
- Single family (except for Cottages): 2 space / dwelling unit

For comparison using these standards will require the 1,014 off-street spaces depicted on the submitted PD plan. The current adopted A-CC standards would require 1,612 off-street spaces.

All uses shall provide an option for guest parking within a quarter mile of the use.

Sidewalk on one side of proposed street

9-26-3-A-5 Street, Block, and Easement Standards

A section of approximately 1,200 linear feet of new residential street along the eastern edge of the Arts and Entertainment Neighborhood extending across the dam will accommodate

pedestrians and non-auto traffic with a multi-use path on one side of the street. The narrow width of the proposed crossing, and the close proximity to sensitive environmental areas require a limited area be disturbed. In order to preserve a pedestrian connection between proposed neighborhoods the multi-use trail on one side was give priority over the sidewalk on both sides.

Connections to the road network

9-26-3-C: Dead ends and cul-de-sacs.

The proposed street network provides a temporary dead end meeting the criteria for exemption from the limitations for dead end roads found in the street, block, and easement standards of the Athens-Clarke County Subdivision Regulations. The temporary dead end street along the eastern boundary of the subject property is proposed to provide a future connection between Barnett Shoals Rd. and Lexington Rd. This connection is shown with a different alignment on the Transportation Corridor Concept Map (Loc 9- Lexington Heights to Lakewood Drive), and the required temporary turnaround is provided.

Park Ridge Access

9-26-3-Q: Street connection to adjacent residential subdivision street. (Special Use).

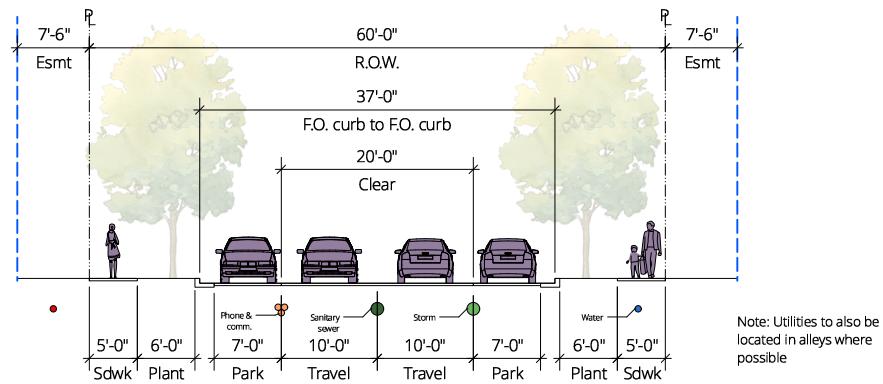
Every effort was made to find creative solutions to provide access at as many points as possible throughout the proposed development. The access to Park Ridge Drive is the best option available at the time of submittal. The level of detail required for a binding plan submittal requires that we present a solution that can be achieved with enough certainty to ask for approval.

Proffered Conditions List

1. The following components of the Master Plan found on sheets (PD01 through PD06) shall be considered binding. Street network, to include general location, sections, and alignments as shown, this includes the following elements: on-street parking, sidewalks, multi-use paths, and street tree placements. Minor adjustments can be made to these elements in order to meet technical standards. Adjustments can also be made to meet life safety requirements, specifically where fire lanes are needed in place of on-street parking. The selection and placement of structures is not part of the binding plan although those elements are subject to additional regulations found within this document and the Architectural Design Book.
2. Ground-level facades facing Main St shall provide a minimum 50% glazing zone.
3. This development shall provide a total minimum ground floor commercial area of 20,000 SF within its first phase. This minimum area shall be located along Main Street and around a potential second commercial plaza. To ensure that this commercial is delivered in a manner that promotes activation of the streetscape, all buildings fronting Main Street shall:
 - Require commercial on the ground floor.
 - Have a maximum building depth of 80'
4. Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be provided within the first phase of the project if deemed necessary by the Athens-Clarke County Transit Director or authorized designer during the plan development phase of the project. Note that there's currently a bus stop with a bench and shelter on the corner of Barnett Shoals and Dekle Drive on the north end of the Arts and Entertainment neighborhood.
5. All technical requirements for engineering and life safety shall be met at the time of plans review.
6. All required access easements shall be provided prior to a certificate of occupancy (CO).
7. All units shall be permitted to maintain access to parking, right-of-way, and life safety routes. No units shall be allowed to install fences or other obstructions that prevent said access to another unit.
8. The required green space shall be located primarily centric within each neighborhood to promote cohesion with its community activity as opposed to being placed on the perimeter as buffer.
9. All uses shall provide an option for guest parking within a quarter mile of the use.

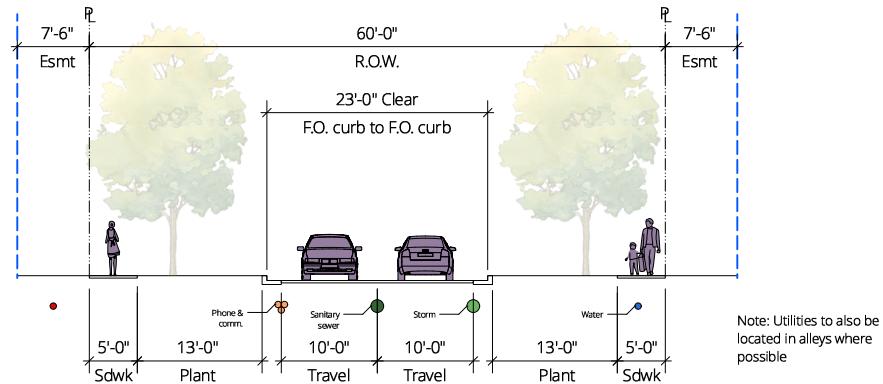
10. The boundary illustrated on the "PD Base Plan CPOO" is the boundary for this proposed rezone amendment. If approved, all land falling within this boundary shall be governed by the proposed PD amendment, and all land outside of this boundary shall be governed by the past binding PD and its amendment
11. All entryways will have an Entryway Element. At least 50% of the buildings will have an Entryway Element that is at least 48" deep. The remaining Entryway Elements will be at least 24" deep.
12. All uses identified as permitted uses within the CN zone shall be permitted by right. In addition, the uses below shall also be permitted.
 - Duplexes
 - Ground floor residential in MF buildings
 - Accessory Dwelling Units
 - Hotels (**up to 15,000 sf**)
 - Theaters (less than 1,000 seats)
 - Indoor Recreation
 - Temporary Special Events
 - Printing/Publishing
 - Bakeries (**up to 5,000 sf**)
13. Putting limitations on commercial uses by prohibiting the following:
 - The sale of gasoline
 - Vehicle Repair
 - Cemeteries/mortuaries

Typical Street Sections



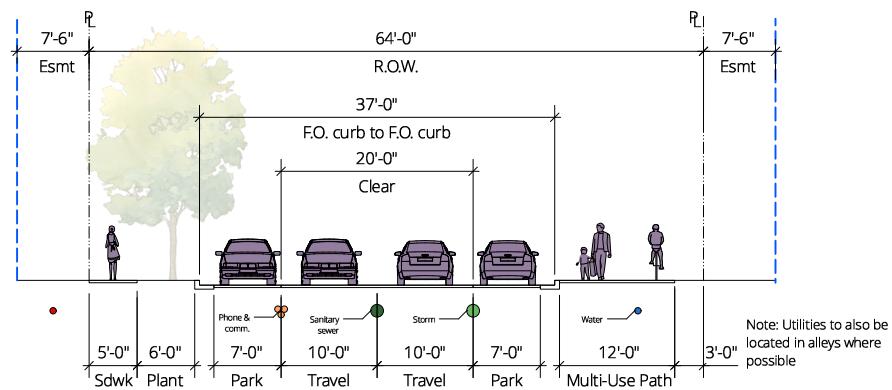
1 Typical Street

Scale: 1" = 20'-0"



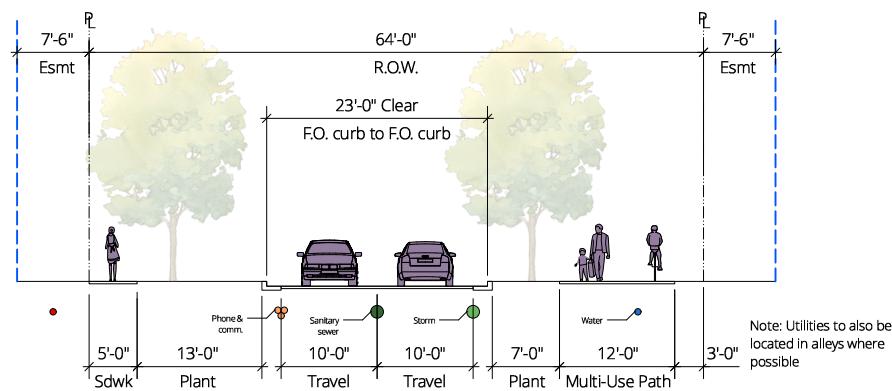
2 Typical Street at Corners

Scale: 1" = 20'-0"



3 Typical Street - Multi-Use Trail

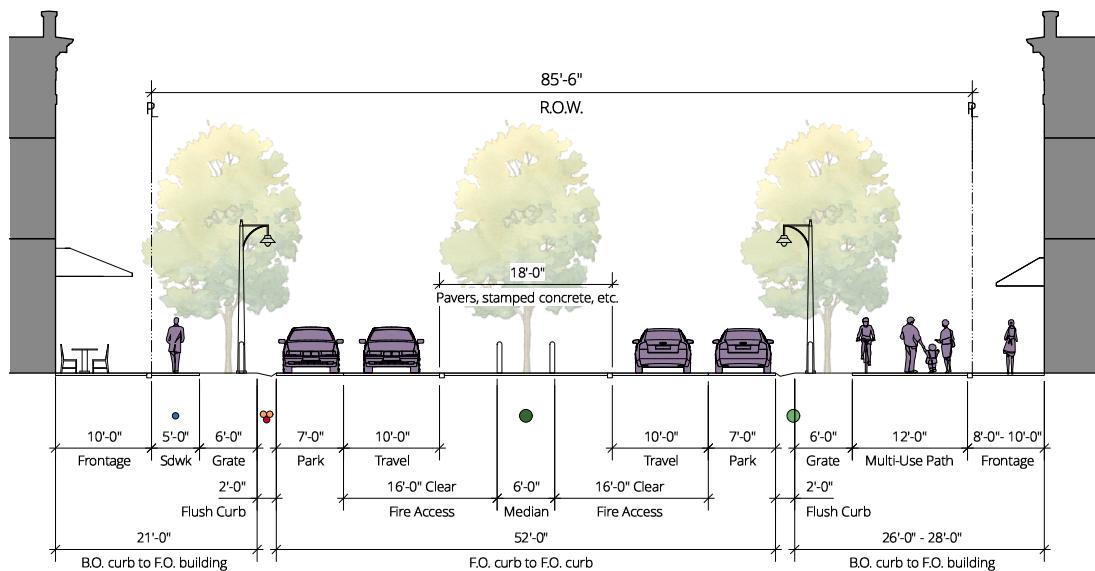
Scale: 1" = 20'-0"



4 Typical Street at Corners - Multi-Use Trail

Scale: 1" = 20'-0"

Typical Street Sections (cont.)



5 Main Street

Scale: 1" = 20'-0"

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Conclusion

The proposed development approval that this request would allow is a departure from the conventional style of development that is common across the community and the region. The intentional inclusion of a wide variety of housing options will make them more attainable to a broader cross section of households. The mixed-use component along Barnett Shoals would establish a new node along a corridor identified as one where increased access to commercial activity is needed and should be encouraged.

The four distinct neighborhoods will be connected to each other through a network of streets, sidewalks, and a multi-use path which will also connect them to the off-street transportation network in the larger community.

The vision for The Shoals/ Lakewood would align with the vision for this area described in the Comprehensive Plan. Approval of our request to rezone would represent a significant step towards implementing that vision.

Statement of Request and Legal Objections

Mallory and Evans Development, LLC is the owner of property now or formerly known as Lakewood or The Shoals-Athens along Barnett Shoals Rd in Athens Clarke County GA.

The request is aligned with the general goals, policies and objectives identified in the Comprehensive Plan. As evidenced by the property's access to public water, sewer, and sidewalks, the subject property is expected to redevelop. The request would allow a similar and compatible use according to the Comprehensive Plan and current development regulations. A refusal to grant the requested Rezoning would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies.

Under these circumstances, a denial of the Request in question would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would discriminate unfairly between the Applicant and others similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Denial of the Request would amount to a taking of property, in violation of the Fifth and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

For these reasons, we respectfully request Approval of this request.

This 20rd day of December, 2024

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Conclusion



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