

Special Use Report

220 College Avenue

Athena Bar & Lounge

William B Moorman, 220 College Ave, LLC owns the property at 220 College Avenue. The property is located on the Northeast corner of the intersection of College Avenue and East Clayton Street. The building on the property is a multi-story building that was originally constructed as a commercial building. It has been converted into a mixed-use building by Dr. Moorman with residences on floors 2 through 4 above the ground level. Floors 5 through 7 are offices. Dr. Moorman intends to lease the former Wells Fargo Bank space on the first floor to Min Soo Kim. This space has been vacant for several years since the bank vacated the premises. Mr. Kim intends to renovate the interior space by adding additional mezzanine and an exit door to East Clayton Street. Mr. Kim intends to open a bar in this space. The space will have an occupancy of 396 based upon the Life Safety Code. ACC requires any bar with over 100 occupants to be approved by a special use application.

Dr. Moorman has owned this building since 2005. He has continually leased the ground floor to various tenants since his purchase. The entrance to the main lobby is at the center of the building on College Avenue. To the left, on the ground floor are two bars. To the right is where a bank was located. When the bank closed Dr. Moorman aggressively marketed the space for a number of years. Various businesses, including fast food restaurants, sit-down restaurants and commercial retail enterprises have investigated the space. None of the prospective lessees were able to make the space work for them due to the floor layout which was unique to a bank or difficulty in meeting requirements for restaurant kitchen exhaust venting.

The special use process for bars with a capacity greater than 100 has not been used since the text amendment to require the special use process was approved in 2018. As a result, there is no guidance on additional factors to be addressed beyond the objective zoning criteria as listed in the special use applications. This report provides answers to the objective criteria and provides additional information related to the use.

Mr. Kim owns and operates the bar, Sake Mama, on East Clayton Street and is associated with another bar and restaurant in Marietta. The bar at this location will be called Athena Bar & Lounge. Mr. Kim will be investing a considerable sum in upgrading the interior of the existing space by adding additional mezzanine to the already existing mezzanine. The exiting plan shows the ground floor and mezzanine. An additional mezzanine of 1541 square feet is planned. The capacity of the bar will be 396. A full set of construction plans has already been reviewed by Athens Clarke County. The Fire Marshal has already visited the site and requested an additional exit to meet the requirements of the bar capacity. This new exit door is shown in the Clayton Street elevation of the plan set. This change to the exterior has already been approved by the Historic Preservation Commission. All departments have approved the plans except the Fire Marshal and Planning Department pending resubmittal plans. The Fire Marshal needed clarification of widths for proposed exit stairs and Planning requires a site plan to show how pedestrians will be protected while construction of the

new door (including landing and two risers) is completed. The Health Department application is still under review.

Mr. Kim has considerable experience running a bar in Athens. He fully understands the requirements for entry into bars as well as the qualifications that are required for employees at the bar. All bar employees are trained to meet the occupational requirements of the position they hold. The bar will have security cameras throughout so that bar managers may observe the occupants. Employees that handle ID checks also serve as security and crowd control at the entrance. Additional staff perform the same function inside. Since there is only the one entrance, staff will be able to monitor the occupancy in the building and stop access when capacity is reached. The proposed exit door is alarmed and posted for Emergency Exit Only. There is an additional exit from the mezzanine that goes directly to the main fire rated stair that serves the residential portion of the building. This exit leads to the lobby and the main doors of the building. This building is fully sprinklered and the space will have an emergency voice/alarm communication system as requested by the Fire Marshal.

Response to Zoning Criteria:

A. Is the use compatible with the current zoning and future land use plan

The property is located in the Commercial Downtown zone. It is centrally located within this zone which extends from the Oconee River to Pulaski Street. The future land use is Downtown. A-CC downtown zone is a mix of commercial and residential uses. Commercial uses include office, retail, music venues, restaurants, and bars. The use of this space in this building is compatible with the current zoning and the future land use.

B. Is the use in conformance with the zoning standards, comprehensive plan and state and federal laws.

Yes, the use meets all objective requirements of the zoning district, the comprehensive plan and state and federal laws.

C. Is there adequate water, sewer, paved access, urban storm runoff and adequate transportation.

Yes. Water and sewer exist and serve this building. The building was constructed circa 1908, and the storm water facilities have been recently upgraded as part of the East Clayton Street improvement project. The transportation network is fully developed to access all of the downtown area.

D. Will the zoning have an impact on the surrounding area in the following areas:

- 1.) Size, bulk and scale: The building is existing. The total bar area is 5781 square feet. The area that the bar will occupy is not the largest space used by a bar or venue downtown. The 40-Watt Club is larger at 8784 square feet. Also, 1785 Bar has a larger footprint. At 17209 square feet. There are several other bars of similar size including General's and the Cloud Bar (both in the same building). Each is 4737 square feet. Creature Comforts building is 9380 square feet of which approximately 2/3 is bar area. The outside seating area adds another 1700 square feet.

- 2.) Character and volume of traffic and parking: The downtown area has street parking and parking decks. Many people use ride share to access the downtown or walk. The ACC Transit system has bus stops along the downtown area. The traffic patterns are set. ACC closed College Avenue between Broad Street and Clayton Street which reduces traffic congestion at the College Avenue-Clayton Street intersection.
- 3.) Architectural compatibility with the surrounding area: The building is existing and historic. The Historic Preservation Commission has already approved the façade design for the new exit door required by the fire marshal.
- 4.) Possible impact on the environment: The bar will have no consequential impact on the environment in terms of increased drainage, erosion, flooding, or air quality. The bar produces no smoke, dust, odors, or environmental pollutants.
- 5.) Generation of noise, light, or glare: The building will have no additional outside lighting so there will be no impact. Peak times of use for the bar coincide with all the other bars in downtown Athens; therefore, there will be no discernible increase in noise or light.
- 6.) Development of adjacent properties: All properties adjacent to this building are in the CD zone. Any development envisioned adjacent to these properties will not be hindered by this use.
- 7.) Impact on future transportation corridors: This use does not impact any future transportation corridors.
- 8.) Impact on the character of the neighborhood: The proposed use of this section of the building will not impact the character of the neighborhood. The downtown area is a mix of commercial uses including office, restaurants, bars, event spaces and hotels. This increase in bar space will not increase the number of people already visiting the downtown area on any given night.
- 9.) Other factors: The bar owner is cognizant of all laws, rules and regulations pertaining to bars in the downtown area. He will operate within these laws, rules and regulations.