



**STAFF REPORT
PRELIMINARY PLANNED DEVELOPMENT
& REZONE
1030, 1040, & 1060 MACON HWY & 100, 104,
110, 120, 140, & 150 PURITAN LANE
PD-2025-04-0702
MAY 1st, 2025**

APPLICANT: Frank Pittman, Pittman & Greer Engineering
OWNER: Macon Highway Village, LLC.
ZONING REQUEST: From RM-1 to RM-2 (PD)
TYPE OF REQUEST: Type II
LOCATION: 1030, 1040, & 1060 MACON HWY & 100, 104,
..... 110, 120, 140, & 150 PURITAN LANE
TAX MAP NUMBERS: 132D3 009, 132D3 010, 132D3 011, 132D3 012,
..... 132D3 013, 132D3 014, 132D3 015, 132D3 016,
..... 132D3 017
COUNTY COMMISSION DISTRICT: District 7
PROJECT SIZE: 9.49 Acres
PRESENT USE: Single-Family Residential
PROPOSED USE: Multi-Family Residential
PUBLIC NOTICE POSTED: April 16th, 2025
STAFF RECOMMENDATION: **COMMENT ONLY**
PLANNING COMM. RECOMMENDATION: **COMMENT ONLY**
MAYOR & COMMISSION AGENDA SETTING: .. July 15th, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION: August 5th, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting a Planned Development for 1030 – 1060 Macon Highway and 110 – 150 Puritan Lane. The proposal is for a multi-family townhouse-style development. The location is made up of nine parcels to be combined into a 9.49-acre tract. The combined lot has steep grade changes that will require considerable clearing and grading to achieve the proposed layout.

In order to construct 70 multi-family units, the applicant is asking to rezone the property from Mixed-Density Residential (RM-1) to Mixed-Density Residential (RM-2) with a Planned Development. This request does not require a change to the Future Land Use Map as it is designated as Mixed-Density Residential.

The project is seeking to extend from the adjacent multi-family development, but it does not include the same design considerations where buildings should be oriented toward the street with good pedestrian connections to the street and transit. Additionally, larger multi-family properties often incorporate an internal street network to break up large blocks. This proposal is seeking to eliminate that requirement. The zoning change is compatible with the surrounding Mixed-Density Residential zone. The proposal has elements that are partially compatible with the Comprehensive Plan. It will add to the housing supply but only offers a single housing type.

Infrastructure is important for this project as it is towards the edge of the county and also adjacent to a sewer trunk line. The Public Utilities department does not support the abandonment of Puritan Lane as it is used to service the sewer trunk line on McNutt's Creek. Further guidance on this is necessary and the applicant should work with Public Utilities to arrive at a single design approach for the next submission that accommodates access to ACCGov facilities and properties.

The applicant has requested four waivers that are not supported by Staff.

Planning Commission Recommendation: Pending

II. Purpose of Applicant Request

A. Proposal

The applicant has requested a Planned Development and Rezone from Mixed-Density Residential (RM-1) to Mixed-Density Residential (RM-2 (PD)) for the construction of townhouse-style multi-family development on multiple lots on Macon Highway and Puritan Lane. The applicant has also requested the Athens-Clarke County Unified Government to abandon Puritan Lane and sell the right-of-way to the developer. The plan would provide three access points, two along Macon Highway and another that connects to the Puritan Mill Development to the south across the abandoned Puritan Lane right-of-way. The parking is located in perpendicular spaces in front of units and in two additional parking areas, totaling 253 spaces. The proposed plan calls for 70 units consisting of 53 3-bedroom units and 17 4-bedroom units. Without the additional right-of-way, the plan would have 66 units consisting of 51 3-bedroom units and 15 4-bedroom units. Both proposals would include a dog park amenity and open space.

B. Existing Conditions

The property is located on the northwest corner of Macon Highway and Puritan Lane and currently exists as 9 separate parcels, each containing an individual single-family structure. The properties would be combined into a single 9.49-acre tract, including the 0.61-acre right-of-way. The applicant seeks to donate the existing houses to ACCGov or work with others to move them to other lots. The combined parcel would have 167.43 feet of road frontage along Macon Highway. The area is served by Transit Route 9, Macon Hwy/5 Points, with a bus stop located across Macon Hwy.

The property is currently zoned RM-1, as are adjacent properties to the east, west and south. There's one parcel to the south zoned Commercial-Neighborhood (C-N) and the property to the north is owned by the Unified Government of Athens-Clarke County and is zoned Government (G). The ACC property currently has its access from Puritan Lane and would require a new access point, such as an access agreement through the proposed project, if Puritan Lane is abandoned.

The property has significant topographic change, dropping in elevation over 100 feet from the north to the south. The steepest grade change is at the rear of the property. The project will require considerable grading to achieve the proposed layout.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that are partially supported in this project

- *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.*

Overall, the proposal is partially compatible with the Comprehensive Plan. While increasing the supply of housing by adding 70 multi-family units, it lacks variety, as all of the new housing would be of one type. Projects of this size should seek to offer multiple housing types and forms, supporting a range of residents and household options.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Mixed-Density Residential*, which is described as follows:

Mixed-Density Residential

These are residential areas where higher density residential development is allowed and intended. Limited nonresidential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation

No change to the Future Land Use Map is required since the proposed use is compatible with the Map. However, the project is not compatible with the character description which calls for buildings to be oriented toward the street with good pedestrian connections and easy access to public transit.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from RM-1 to RM-2 (PD). The following information has been provided to compare the difference in development intensity between the existing RM-1 (Mixed-Density Residential) zoning and the requested RM-2 (Mixed-Density Residential) zone. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

Standard	CURRENT RM-1 Zoning	REQUESTED RM-2(PD) Zoning
Minimum Lot Size	5,000 sq. ft.	5,000 sq. ft.
Density	16 units/acre	24 units/acre
Max Lot Coverage	55%	65%
Max Building Height	30 feet	35 feet
Setbacks	6-15 feet	6-10 feet
Conserved Canopy	35%	25%
Total Canopy	55%	50%
Parking	1-2 spaces/unit	1-2 spaces/unit

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the current RS-1 zoning and the proposed RM-2 zoning is density. The rezone allows for 76 additional units. It also slightly reduces conserved and total tree canopy and allows an additional 5' in building height.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

No other plans or studies were identified.

IV. Technical Assessment

A. Environment

The Arborist has reviewed the tree management plan and offered the following comment(s):

- *Project will be expected to meet all requirements of the community tree management ordinance at time of plan review. The canopy requirements for the requested rezone of RM-2 are 50% total tree canopy cover and 25% conserved canopy cover. The applicant is requesting to conserve only 17% of the site in tree canopy.*
- *Due to the back-and-forth steps necessary to approve an administrative waiver of tree conservation, the ACC Arborist recommends approval but prefers that the request for an administrative waiver of tree conservation be completed during Plan Review.*
- *ACC Arborist notes that the conserved canopy area proposed by the applicant is chock-full of invasive plant species, including Chinese privet in the forest understory. Per 8-7-19 (d)(10), areas dominated by kudzu or Chinese privet will not be eligible for tree canopy cover credit.*

B. Grading and Drainage

The Transportation & Public Works Department has reviewed the proposal and offered no comments.

C. Water and Sewer Availability

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

- *Puritan Lane is a critical access road for PUD to access and maintain the McNutt Creek Sanitary Sewer Trunk Line. PUD recommends against abandoning this road and right-of-way. This development should maintain an easy, drive-able and restrict-able access for PUD to maintain this section of the McNutt Creek line.*
- *ACC water and sewer is available. Capacity is available to serve the proposed concept of 27,000 GPD. Capacity is available to serve the max allowable build out of 27,331 GPD. The max allowable build out per current zoning is 18,221 GPD.*

D. Transportation

The Transportation & Public Works Department has reviewed the proposal and offered the following transportation-related comments:

- *Minimum driveway entrance is 24'.*
- *Need to connect sidewalk and curb and gutter along Macon Hwy.*
- *For alternate plan, right-of-way is not shown, but as a reminder, sidewalk must be within ROW on Puritan Lane.*
- *Vicinity map does not show all contained sites.*

E. Fire Protection

The Fire Marshal has reviewed the proposal and offered the following comment.

- *The Fire Marshal's Office cannot approve either of the proposed plans due to inadequate fire department access. Both plans show a dead-end access road exceeding 150 feet in length but do not provide an approved turnaround as required. In accordance with Section 503.2.5 of the*

International Fire Code (IFC), dead-end fire apparatus access roads over 150 feet must include an approved turnaround per Appendix D.

F. Compliance with the Zoning Ordinance and Development Standards

A Planned Development designation is intended to encourage development of compatible land uses on a scale larger than that of individual small parcels. This designation is used to request waivers to the required development standards in an effort to provide design flexibility to account for special circumstances unique to the design or lot, as long as the proposal meets the spirit and intent of the code. Planned Development requests include a binding application report, site plan, and architectural elevations in an effort to guarantee to the community that what is proposed will be constructed if approved. 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.

Requested Waivers

1. *Waiver from Section 8-7-15 – A waiver from required minimum 25% conserved tree canopy.*

Applicant's Purpose: Allow 17% conserved tree canopy.

Staff Opinion: The applicant states that due to steep topography, more trees will need to be cleared to provide slopes for grade tie-ins. Also, there are no existing trees in the area of Puritan Lane which is an area proposed for open space but doesn't count as conserved canopy. An alternative alignment that works with existing topology could require less grading and allow for more conserved canopy. Staff does not support this waiver

2. *Waiver from Section 9-26-3.O – A waiver from the maximum block size of 3 acres.*

Applicant's Purpose: Allow block sizes greater than 3 acres.

Staff Opinion: The 90-degree parking that has been proposed as part of the parking/access doesn't meet standards for a private drive and can't be considered a block break. Spaces parallel to the curb or diagonal spaces would be required. The Planning Director would determine if topographical conditions or manmade barriers justify an exception. Staff determines that buildings 1100 and 1200 make up an approximately 1.5-acre block, which meets the standards. The rest of the buildings and associated parking would make up a second block with just over 5 acres with the remaining acres considered open space. The purpose of block regulations is to achieve a balance between walkability and the need for efficient vehicle movement and the proposed blocks do not meet this goal. Staff does not support this waiver.

3. *Waiver from Section 9-25-8.C.1.a – A waiver from the requirement for 50% of residential buildings to face a street.*

Applicant's Purpose: Allow buildings to face interior parking and access roads instead of facing Macon Hwy.

Staff Opinion: Buildings should have their orientation toward Macon Hwy to promote easy pedestrian access and attractive street frontages. They should have easily recognizable and accessible primary entries with direct access to the street. A layout with stepped units that better works with the topography and allows buildings to face Macon Hwy would be preferred. The Puritan Mills property to the south achieved this type of alignment with similar topology constraints. The layout, as proposed, also triggers the need for the additional waiver from ACCGov development standards, as covered below in Waiver 4. Staff does not support this waiver.

4. *Waiver from Section 9-25-8.C.1.b – A waiver from the requirement that buildings within 75 feet of a public or private street must include front entry porches oriented towards the street and provide direct access to the street.*

Applicant's Purpose: Due to lack of buildings fronting Macon Hwy. there are no front entry porches that will be oriented toward the street. Access to the street will be from sidewalks from the building entries.

Staff Opinion: As stated above, building orientation to promote pedestrian access to the street should be prioritized. Staff does not support this waiver.

End of Staff Report.

Reviewed

Zoning Criteria Considered by Staff

The following factors have been considered as set forth in *Guhl v. Holcomb Bridge Road Corp.*, 238 Ga. 322, 232 S.E.2d 830 (1977).

- ☒ The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
- ☒ 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.
- ☒ The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
- ☒ 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.
- ☒ The existing land use pattern surrounding the property in issue.
- ☒ The possible creation of an isolated district unrelated to adjacent and nearby districts.
- ☒ The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
- ☒ Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
- ☒ 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 zoned as requested will not alone constitute a significant detriment.
- ☒ Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
- ☒ Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
- ☒ 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.
- ☒ The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.