

Report to Support the
Special Use Application
Alpha Xi Delta Sorority

480 S. Milledge Avenue
Athens, Georgia

Parcel #: 122D2 A002

July 2, 2025
August 28, 2025

Project # 24015



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Table of Contents

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1. Special Use Report
2. Variance Request
3. Water & Sewer Evaluation Request
4. Parking Agreement
5. Transportation Policy
6. Chi Phi Analysis

Plan Sheets:

- Special Use Site Plan
- Proposed Elevations

Report to Support the

Special Use Application Alpha Xi Delta Sorority

Introduction:

The Chapter of Alpha Xi Delta Sorority (AXD) has purchased 480 S. Milledge Avenue and proposes to construct a new chapter house and renovate apartments for the members. The site which contains 0.96 acres of land is identified as tax parcel 122D2 A002 in the Athens-Clarke County land records. The project construction plan is to renovate the apartment buildings which contain sixteen 2-bedroom apartments and demolish the front apartment building. The new chapter house will be constructed over the footprint of the apartment building. The current zoning is C-O (Commercial-Office) and the future development map shows the property is *Mixed Density Residential*; both of which allow for a sorority house. The property is in the Milledge Avenue Corridor Special District Overlay. Information below reflects the intent of the planned expansion and how the requirements for the Special Use Application are satisfied.

Site Characteristics:

The subject property is comprised of five existing two-story apartment buildings with an asphalt parking lot with 32 spaces. The site includes a one-way entrance drive from Milledge Avenue that loops around the parcel and exits on Milledge Avenue. Paved walkways also exist on the property. There is an alley at the rear of the site which exits to Baxter Street. The alley is shared with Kappa Kappa Gamma Sorority and Young Life. The remainder of the site that is not covered with impervious surfaces contains lawn and ornamental landscaping along with scattered mature trees along the periphery of the site. Properties surrounding the parcel are a single-family home to the south as well as the Young Life Clubhouse behind the residence. To the north is Kappa Kappa Gamma Sorority. Across Milledge Avenue to the east is an apartment complex. Clarke Central High School is to the west and rear of the subject parcel. All adjacent properties are zoned C-O except Clarke Central High School which is zoned G.

The site has a knoll approximately centered on the site with a gentle slope to Milledge Avenue and the alley in the rear of the parcel. The slope has an average fall of 4 percent but the existing driveways at the front slope down approximately 8 or 9 percent. The site has a brick retaining wall at the front property line. The wall extends toward the rear of the site approximately 48 feet along the drive entrance and drive exit. Stormwater runoff for the site drains along the slope towards the front or rear of the site. Any storm flow toward the residence to the south is directed to the front or rear of the site along a curb or retaining wall section on the shared property lines. The rear portion of stormwater for this site drains through the alley to Baxter Street. The front portion of this site drains to the gutter line in South Milledge Avenue and then to Baxter Street where the storm inlet is located.

The owner intends to refurbish four of the apartment buildings. The front apartment building will be demolished. All apartments contain two-bedroom units. There are four apartments in each building. Four buildings will remain, so the number of beds will be 32 in total with 8 beds per apartment building. The new chapter house will have two bedrooms. One is handicap accessible and the other is for the housemother. A total of 34 beds will be provided.

The new chapter house will be 68 feet wide by 58 feet deep and located in the front of the lot at the minimum front yard setback. The front apartment house cannot logically be converted from its current use. The ceilings are 8 feet on both the first and second floors. The interior would have to be gutted to use the building. A basement is needed to provide required sorority programming. It is not feasible to renovate the front building to meet programming needs. The chapter house must include enough space for a chapter meeting room, kitchen and dining facilities as well as shared common space. In addition, a handicapped accessible bedroom is needed and the housemother suite. A dedicated housemother parking space and two ADA spaces will be constructed. Nine parallel parking spaces are proposed along the southern property line. The parking spaces at the rear is proposed to stay but will be striped appropriately. The head-in parking spaces that exist on the south side of the parcel will be shifted toward the center apartment building and angled. Parking spaces will be created that meet the ACC Ordinance for size of the space, but a variance will be required for the number to be constructed as the site cannot support more than the 35 spaces proposed for the site. The sorority will enter into an agreement for leased spaces at Clarke Central High School (CCHS). These spaces will allow members and guests to park for chapter night and special events. It is proposed to lease 45 additional spaces. The total number of parking spaces will be 80 parking spaces. The sorority has approximately 100 members of which 34 will be living on the premises.

Chi Phi conducted an analysis of parking when they submitted a Special Use Application to ACC. A table from the special use report is attached which lists the chapter house size, the house area above grade, the total beds available and the parking spaces on the property. All these chapter houses were PURPOSE BUILT and not a conversion of existing houses.

The table shows most fraternities and sororities that were studied have enough parking on-site for the beds available. If additional parking is available, the count is very close to the number of beds available in most cases. Two outliers are Sigma Kappa which has 9 additional spaces above the number of beds and Chi Phi which has 35 additional spaces above the number of beds. A recent sorority addition on South Milledge Avenue is Alpha Phi Sorority. This sorority has 57 beds available. Two of these beds are guest beds. There are 55 parking spaces on-site. Alpha Xi Delta will have 34 beds and 35 parking spaces on site.

There are only four trees on the parcel but there are five trees that shade the parking lot located on the adjacent single-family property to the south. While new trees will be planted, the conserved canopy cannot meet the ACC ordinance for the zone. There are no trees along the north property line. There is no available space along this property line to plant trees. Even if there was adequate space, only small trees could be planted as an overhead power line extends down the property line. In addition, only a few areas exist on the property where new trees can

be planted. The areas available for new trees are the front yard and the parking lot on the south side of the property. A variance will be required for the tree canopy. Due to power lines at the front and north property lines, the area for street trees is extremely limited. The plan is to plant four trees in the front yard to act as street trees. The street trees will be a greater distance from the right-of-way than allowed.

Zoning Request and Future Land Use:

There is no change in the current zoning or future land use as it exists. The current C-O zoning and the future land use, *Mixed Density Residential*, is compatible with a sorority use.

Buffers:

No environmentally sensitive features or state water buffers are located on or within 200 feet of the subject property. No landscape buffers are required because the site is adjacent to C-O zoned properties and Clarke Central High School (CCHS) zoned G. A rear alley separates this property from CCHS. The subject property is adjacent to the parking lot of CCHS across the alley. CCHS has a chain link fence on the property line with a wide buffer of shrubs and five mature trees near the shared property line. The parcel to the south has its own fence built against the subject property fence and an outbuilding on the south parcel sits almost on the property line. There is no screening between the north parcel and this parcel. If the Special Use Application Permit is approved, this parcel and the north parcel will have the same use: sorority house with parking.

Site Access, Traffic, Parking and Pedestrian Safety:

Access to the site is from an existing one-way driveway in from South Milledge Avenue. At the rear of the site is a private alley that allows ingress/egress for the sorority to the south part of this parcel as well as Baxter Street. The entrance is shared with the north parcel. The alley access is used to access parking at the rear of the parcel as well as access the south parking lot. The alley extends between CCHS and Young Life and exits on Baxter Street. The main exit drive extends along the south side of the property to South Milledge Avenue. The existing one-way drive is currently 11 feet in width. The drives will be widened to the allowed minimum of 12 feet. At the main parking area to the South, the drive will be widened to 20 feet to provide adequate fire department access. To achieve this, the existing sidewalk in front of the middle apartment building is relocated against the building. The exit is not shared access.

The nearest location of a traffic count survey is identified as station 059-0109 and is located on S. Milledge Avenue north of the entrance to CCHS. A survey at this station in 2023 identified the Average Daily Vehicular trips to be 14,400 trips. A similar 1-day study in 2025 identified the Daily Vehicular Trips as 13,720 trips.

Since the sorority has approximately 100 members but only 34 full time occupants on the property, the average daily traffic to the sorority house will be significantly less than the 1000 vehicle trips which would require a traffic analysis. It is anticipated that 60 trips per hour will occur as a maximum. With the exception of members that will be parking on site, most of the people traveling to the site will use the UGA transportation system which provides regular

service along South Milledge Avenue. Other options are carpooling to meetings or ride share options, walking or biking. Freshman must live in a dorm and most women who rush a sorority will be living in Brumby Hall on Baxter Street-a relatively short walk to the sorority house. All inhabitants on the property will have permit parking. The transportation policy for the sorority is attached for reference.

On-site parking spaces are provided to accommodate 35 vehicles which includes two ADA spaces. One parking stall is reserved for the housemother. Since it is not feasible to provide sufficient parking to meet the ACC Code required for boarding houses, fraternities, and sororities, a variance from the required number of parking spaces is requested. No new construction or expansions of fraternities and sororities have been required to comply with the assembly parking requirement. The required spaces for Alpha Xi Delta based upon the ACC Ordinance is 75 spaces of resident parking or 154 spaces of assembly parking. Due to the lack of on-site parking, additional parking will be obtained from Clarke Central High School for chapter meeting nights as well as special events. Members will access the UGA transportation system to go to class, share rides amongst members as well as walk and ride bikes. Pedestrian access is provided by the existing sidewalk along South Milledge Avenue. Only people living on the premises will have permits to park on site. It is proposed that 45 additional parking spaces will be obtained from CCHS for a total of 80. As a benchmark for what has been acceptable to the ACC Commission, Chi Phi has 63 spaces on-site and the required amount is 184 for assembly, a reduction of 66%. No off-site parking was required for Chi Phi. Alpha Phi Sorority expanded on the Wilkins property. The amount of assembly parking is 134 spaces required. There are 55 spaces on-site and 32 spaces off-site. This is a total of 87 spaces which is a reduction of 35%. Delta Phi Epsilon currently under construction has 30 spaces approved on-site. The required parking spaces for assembly is 91 spaces. The sorority has obtained 40 spaces off-site for a total of 70 spaces. This is a reduction of 23%. For this project, Alpha Xi Delta has an assembly requirement of 154 spaces. There are 35 spaces on-site and 45 spaces proposed off-site for a total of 80 spaces. This is a 48% reduction.

Tree Management Plan and Planting:

The C-O zone requires 25% tree canopy conservation and 50% overall canopy coverage. The property also falls within the Milledge Avenue Overlay Corridor, and a tree preservation area encompasses the front yard. There are no trees located in the tree preservation area. Rearward, there is one cedar along the one-way entrance drive. There is one pecan on the property along the south property line. See the tree management plan for total conserved and planted trees. In total, there are four trees on the site. Existing conserved canopy will be 7.3%. Planting of parking lot and street trees will create 32.3% canopy coverage. A variance is requested for this condition.

Public Utilities and Services:

The site is served by public water and public sewer connecting from the ACC water and sewer lines located in the South Milledge Avenue right-of-way. The current meter is a master water meter located in the Milledge Avenue sidewalk. The sewer connection location is not known exactly but the entire complex connects to sewer across Milledge Avenue near the eastern right-

of-way line. A new fire line will be constructed and include the fire vault with three fire department connections in the front yard, one FDC for each building. A new hydrant will be installed near the fire vault. The fire department connections are located in the front yard, near the fire vault to allow whichever building that is on fire to be connected to the pumper truck as needed. There will be no fire connection at the building. This is a much safer option for fire fighters. The Fire Marshal has agreed with this approach.

Athens-Clarke County has determined that sufficient capacity for the water and sewer demand exists. That report is attached. Solid waste is handled by an existing dumpster located at the rear of the property. The sorority proposes replacing the dumpster with roll carts screened per Athens-Clarke County standards.

Stormwater Management:

All improvements on the site were constructed prior to the adoption of the stormwater ordinance. For this reason, there is no on-site stormwater management facility. Since the proposed addition replaces or creates new impervious of 5,705 square feet, stormwater management is required because the amount is more than 5,000 square foot limit. The stormwater facility will be sized based upon the amount of new and replaced impervious. New pervious pavement will replace existing impervious pavement to offset the total new impervious area of 8,410 sq ft. The storage and control of the stormwater will be in the south parking lot under the pervious pavement. Storage is an 18" gravel bed with underground outlet control. The 1" rainfall recharge amount, the 2-year storm event and the 25-year storm event will be detained in the gravel bed. Stormwater will exit in the alley which is the shortest route to the drain inlet in Baxter Street.

Lighting:

Existing site lighting consists of building mounted lights at all doorway entrances. The lights are covered with awnings; therefore, they comply with the ACC Lighting Standards. In addition, three overhead parking lot lights are located along the northern property line on the Kappa Kappa Gamma property. The lights provide lighting to Kappa Kappa Gamma parking lot but some light trespasses to the Alpha Xi Delta property to light the entrance drive. Because the property to the south is a residence in the C-O zone, the sorority intends to keep this side of the property dimly lit per ACC Ordinance. A detailed photometric plan submitted during the Plans Review Process will demonstrate site compliance with the Lighting Standards for Athens-Clarke County.

Special Use Considerations:

1. Conformance with the Future Development Map

The site is in an area designated as *Mixed Density Residential* in the Future Development map of Athens-Clarke County. The *Mixed Density Residential* area anticipates a broad variety of uses, including retail, services, and housing. The C-O zoning is compatible with the future uses and a sorority is allowed through the Type II Zoning Process. The UGA transportation

system provides service along Milledge Avenue. Sorority members and guests typically use this as their main means of transportation during the day. Additional auto uses are discouraged as intended in the *Mixed Density Residential* area due to the limited parking. Weekly chapter meetings and special events such as game day do provide a challenge for parking. Sorority members share rides, park at the site, park away from the property and walk to the event or take alternate transportation to the property. The new chapter house does not increase the number of current members of the sorority. The site has been a multi-family residential property since 1968 when the apartment buildings were constructed. The sorority is essentially the same use. The number of residents living on the property as apartments was 40. With the replacement of the front apartment building with a chapter house, the number of sorority residents including housemother will be 34.

2. Conformance with the Zoning Ordinance and purpose and intent of Comprehensive Plan

Plans for the new chapter house and the remodeled apartments were designed to comply with all requirements for the zone as much as practical. All area and dimensional requirements for the site comply with the current zoning requirement and a sorority house is allowed within the C-O zone subject to Special Use Approval. The survey shows that the site has existing impervious coverage above what is allowed for the zone. A variance to increase impervious coverage will be requested as the new chapter house increases the total impervious coverage of the site. The maximum floor to area ratio (FAR) is 0.5 in the Milledge Overlay District. With the increase in floor area between the existing front apartment building and the new chapter house, a variance will be required as the FAR increases from 0.47 to 0.65. Basements are included in this calculation. If the basements are not included in the calculation, the FAR is 0.5. Three variances are requested so that the site will meet the standards of the zoning ordinance. Variances will be for increased impervious, decreased pervious and increased FAR. As previously indicated in this report a variance will also be required for the number of parking spaces.

Expansion of the sorority house in the current location is in congruence with the intent and guiding principles of comprehensive plan. Utilizing the existing site to the fullest extent allowed by the zone and replacing the existing front apartment with the chapter house minimizes the impacts on the resources of Athens-Clarke County. No other location was appropriate from a search by the Alpha Xi Delta National Sorority Office. Alpha Xi Delta purchased this property. The Milledge Avenue Corridor between Broad Street and Five Points is the area for sororities. Other available sites on Milledge Avenue were smaller lots than the one purchased. The sorority felt that reuse of the apartments was the best option for use of the site. The site is better than other available properties because it is adjacent to an existing sorority and abuts CCHS.

3. Public Services are sufficient to service the proposed Special Use.

The existing site is currently served by public water and sewer, electricity, gas and communication lines. The prior multifamily use would indicate that water and sewer service

is sufficient for this site. A water and sewer availability analysis was sent to ACC Public Utilities for verification that the needs of the project can be accommodated by existing water and sewer. See the attached capacity letter. Vehicular access is from South Milledge Avenue, a state highway with approximately 14,400 Average Daily Trips as identified in a recent traffic survey. Since South Milledge Avenue is a state highway, it was designed to convey a large traffic volume. Use of the buildings as a sorority will not conflict with existing traffic patterns on South Milledge Avenue.

4. The proposed Special Use will not adversely affect the balance of Land Use in Athens-Clarke County.

This Special Use Application allows for a sorority on an existing property. Since the property has been an apartment complex for many years, the sorority use will not result in any change to or affect the balance of land use in Athens-Clarke County since the current site use will not change with the approval of the Special Use. Both uses are residential.

5. The Proposed use is in conformance with the zoning district, all comprehensive plan policies and state and federal laws

The proposed use meets all the requirements of the zoning district with the approval of six (6) requested variances. All plans for the new chapter house will be designed in compliance with all applicable local, state and federal laws. Furthermore, development plans are aligned with the comprehensive plan policies and requirements of Athens-Clarke County which includes adaptive reuse.

6. Adequate Capacity of water, sewer, paved access, electricity, storm drainage and storm drainage.

As previously indicated in this report, the existing site is adequately served by public facilities. Furthermore, ACC Public Utilities has verified that water and sewer capacity exists for this use. Stormwater flows from the site will not be over the existing flows even with the increase in impervious coverage. The pervious pavement with gravel storage bed under will control storm events to pre-existing conditions. All stormwater for this parcel and surrounding parcels flow to gutters in Milledge Avenue and Baxter Street where the storm inlet is located west of the alley intersection on Baxter. Controlled flow of stormwater will be down this alley to the existing storm inlet.

7. The Special Use will not have an adverse impact on the surrounding area

a. Similarity in scale, bulk and coverage:

The existing apartment buildings are located within the Milledge Avenue Historic district which stretches along South Milledge Avenue from South Lumpkin Street to Broad Street. This historic district is comprised of residential homes, fraternity and sorority houses as

well as commercial offices, many in existing houses. The proposed Alpha Xi Delta chapter house is similar in scale of the adjacent sorority house as well as other sorority houses nearby. While the chapter house will increase the size from the current apartment footprint by 1,967 square feet, the chapter house is not out of scale with surrounding properties. The scale of the chapter house is similar to the existing apartment building when viewed from South Milledge Avenue. The chapter house does create new impervious in existing pervious areas so that impervious coverage will be more than the allowable limit. Since the current topography is above South Milledge Avenue elevations and a brick retaining wall is located at the right-of-way, the site coverage increase will not create a visual impact on the surrounding areas.

b. Character of volume of traffic and vehicular parking generated by proposed use and effects on surrounding streets:

As previously indicated, most members traveling to Alpha Xi Delta will utilize public transportation by riding UGA transportation. Ride sharing is common as well as alternatives such as biking. The sorority is close to the freshmen dorms on Baxter Street. On-site parking is limited to 35 spaces, which will provide all of the parking for the residents. Additional parking of 45 spaces will be obtained through an offsite parking agreement for Chapter night and special events. The traffic associated with the proposed conditions is not out of scale with the other fraternity and sorority houses along South Milledge Avenue and is an insignificant part of current daily travel on South Milledge Avenue. This addition will not cause any adverse impacts on the traffic on South Milledge Avenue.

c. Architectural compatibility with surrounding area:

The current apartment buildings were constructed in 1968 and are not a contributing property to the Milledge Avenue District. The house is designated in the Milledge Avenue Historic District Design guidelines as a “Non-Contributing In-Character Property”. This means that while the site does not add to the historic value of the district, the house has significant aesthetic qualities reflective of the district’s character. The proposed chapter house will be designed following the guidelines for the Milledge Avenue Historic District. A COA concept review of the new chapter house was completed by the Historic Preservation Commission. The building and elevation plans did not receive any negative comments at the preliminary review hearing. No one on the HPC committee objected to demolishing the existing front apartment and replacing it with a chapter house. On August 20, 2025, the HPC approved the design for a COA.

d. Possible environmental impacts including but not limited to, drainage, soil erosion and sedimentation, flooding, air and water quality

A new stormwater facility will be constructed in the south parking area. This will include 8,410 sq ft of pervious pavement, 18" deep stone storage and underdrains. The volume

of storage will be able to detain the first 1" (rainfall recharge), the 2-year channel protection volume and the 25-year overbreak volume. The 100-year event will pass through the system. The outlet for the system will be in the alley. The proposed building was designed and will be constructed in accordance with all local, state and federal environmental laws and regulations to ensure that there are no environmental impacts from the replacement of the front apartment with the new chapter house.

e. Generation of noise, light and glare:

The proposed building will not result in additional generation of noise by the sorority or additional light and glare impacts on adjacent properties. The residential property to the south is screened from the sorority with landscaping and privacy fence.

Generation of noise from the sorority is not expected to be objectionable. The main noise from outside activities occurs during rush. As typical with most sororities. Alpha Xi Delta also hosts parents day events in the spring. All chapter meetings will be held in the chapter house. That meeting room will be in the basement of the chapter house. Sororities do not host house parties.

f. Impacts on development of adjacent properties compatible with the future development maps:

All properties immediately surrounding the site are zoned and developed for commercial and multifamily residential uses. The proposed chapter house which is located entirely on the subject property will not infringe on any future development rights for the adjacent properties.

g. Impacts on future transportation corridors:

Approval of the Special Use for the chapter house will result in a minimal traffic increase for South Milledge Avenue because alternate transportation is typically used by members of the sorority. There will not be any impact on future transportation corridors throughout the county.

Variances Requested

- Variance Application-General Regulations for Existing Lot
- Variance Application-General Regulations for Landscaping
- Variance Application-Milledge Avenue Corridor Special District Overlay
- Variance Application-Parking Spaces Required
- Variance Application-Screening Standards
- Variance Application-Tree Plan

Conclusion:

The proposed use of the property for Alpha Xi Delta Sorority was designed and will be constructed to minimize the potential impacts to the surrounding properties and adjacent uses. With the approval of the six requested variances, this project meets all the requirements of the ACC Code of Ordinances. Approval of the Special Use Application will allow Alpha Xi Delta to satisfy their requirements for fraternal living while protecting the rights and interests of the adjacent property owners and the local community.

PLANNING COMMISSION

SPECIAL USE VARIANCE APPLICATION

SUBMITTAL REQUIREMENTS: 14x copies of Application, 1x Digital Copy, Fee

FEE: \$225 per variance requested (Cash/card/check - make check payable to ACC)

VARIANCES REQUESTED

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - *side yard building setback variance from 10' to 6'* or Sec 9-25-8-C-2 - *waiver of public sidewalk along street frontage*

Sec. 9-10-3. - General Regulations: a variance is requested to increase maximum coverage on the existing lot from 65% to 85.1%.

Note: Current existing impervious is 75.8%.

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

- 1. Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity :**

This property is currently over the allowed maximum impervious of 65%. It is at 75.8%. Athens-Clarke County created the special use process for all Greek organizations and boarding house to gain approval for a construction permit. Ever since one fraternity constructed a chapter house on Hancock Avenue, the locations where Greek organizations can build facilities have been confined to streets where Greek organizations currently exist: South Milledge Avenue, Lumpkin Street and lately Downtown. All sorority houses are on South Milledge Avenue or Lumpkin Street. Any move by a Greek organization to establish a fraternity or sorority in other areas than these streets creates aggressive resistance from neighboring single-family residences. This site was selected after a long search for a suitable property on South Milledge Avenue. Other available sites were too small or otherwise unsuitable such as abutting a residential zone.

This property differs from other properties because of the existing built conditions. Among others, this site has more impervious than currently allowed with parking at the rear which allows cars to back into an alley. The sorority desires to renovate the apartment buildings rather than demolish the buildings with the exception of the front apartment. The site is fully developed and only minimal improvements to meet the ACC Code of Ordinance can be made. The existing front apartment currently shields the site from view on Milledge Avenue. It is completely screened from the residence on the left. It is open to the right to the adjacent parcel which is owned by another sorority. The site is higher than South Milledge which also contributes to reducing the visible massing of the apartments behind the front building.

- 2. Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:**

In order to comply with all the regulations pertaining to this site, the sorority would have to demolish the entire site and construct a larger building to house the sorority including bedrooms. The site could then be brought into compliance with the code of ordinances with the exception of parking. This seems excessive in order to comply strictly with the ordinance.

The new chapter house creates some of the new impervious on the site. Other new impervious include a parking space as well as relocating the middle building sidewalk to create a 20' wide area that is required for fire safety. A new sidewalk to the street from the front building. This increases the maximum percent impervious to 85.1% above existing impervious percentage which is 75.8%. The requirements for a functioning chapter house require a larger structure than the front apartment. This is achieved by a slightly larger footprint and a full basement. The chapter house has been designed to provide the appropriate meeting rooms, dining room, housemother's suite, study rooms and general social rooms as needed by a national sorority. The chapter building is the minimal size with a compact footprint on the property. This is the minimum size required based upon the Alpha Xi Delta national sorority programming requirements for chapter houses.

3. Describe how the special conditions and circumstances do not result from the actions of the applicant:

Alpha Xi Delta purchased the parcel on Milledge Avenue with the intent of constructing the sorority chapter house and renovating four apartment buildings with 32 beds total. The property will meet the needs of the sorority. No parcels are available on South Milledge Avenue that are the size to allow a sorority to construct a facility that can objectively meet all the ACC Code of Ordinances without variances. The site constraints that limit the expansion are not the result of any actions of the applicant, but changes to laws and regulations by Athens-Clarke County over the years.

4. Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.

Granting the variance will allow the sorority to expand by constructing a functioning chapter house to serve the needs of the sorority. This is a programming need and not the result of membership growth. The sorority has been meeting on the UGA campus for a number of years and now wish to install themselves in a permanent home. The benefit to the chapter house will not impact on the properties adjacent to it. While the chapter house is larger than the single-family home, it is smaller than the Kappa Kappa Gamma chapter house just adjacent to the north. See the street view and perspective of the three houses. The Historic Preservation Committee has approved the architecture at its last meeting August 20, 2025.

5. Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

This variance is the minimum required to afford relief for the sorority to use their property. The increase in impervious is the result of the increased chapter house footprint over the existing apartment building, a new connecting sidewalk to connect to the S Milledge Avenue sidewalk, expansion of the drive width to meet the ACC code minimum of 12 feet, one new parking space between two apartments and the relocation of the sidewalk at the middle building to provide the required aisle width with an increased 20 foot width between parking spaces for firefighting equipment. Other than the increase in house area and the one additional parking space, the other increases are needed to meet fire access requirements and an ACC Planning Department request.

PLANNING COMMISSION

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List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - *side yard building setback variance from 10' to 6'* or Sec 9-25-8-C-2 - *waiver of public sidewalk along street frontage*

Sec. 9-10-3. General Regulations: a variance is required to reduce the minimum landscaped areas from 35% to 14.9%.

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

1. Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity :

This property is currently under the required pervious of 35%. It is currently 24.2% pervious area. Athens-Clarke County created the special use process for all Greek organizations and boarding house to gain approval for a construction permit. Ever since one fraternity constructed a chapter house on Hancock Avenue, the locations where Greek organizations can build facilities have been confined to streets where Greek organizations currently exist: South Milledge Avenue, Lumpkin Street and lately Downtown. All sorority houses are on South Milledge Avenue or Lumpkin Street. Any move by a Greek organization to establish a fraternity or sorority in other areas than these streets creates aggressive resistance from neighboring single-family residences. This site was selected after a long search for a suitable property on South Milledge Avenue. Other available sites were too small or otherwise unsuitable such as abutting a residential zone.

This property differs from adjacent properties because of the existing built conditions. Among others this site has more impervious than currently allowed, and parking at the rear which allows cars to back into an alley. The sorority desires to renovate the apartment buildings rather than demolish the buildings with the exception of the front apartment. The site is fully developed and only minimal improvements to meet the ACC Code of Ordinance can be completed. The existing front apartment currently shields the site from view on Milledge Avenue. It is completely screened from the residence on the left. It is open to the right to the adjacent parcel which is owned by another sorority. The site is higher than South Milledge which also contributes to reducing the visible massing of the apartments behind the front .

2. Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:

In order to comply with all the regulations pertaining to this site, the sorority would have to demolish the entire site and construct a larger building to house the sorority including bedrooms. The site could then be brought into compliance with the code of ordinances with the exception of parking. This seems excessive in order to comply strictly with the ordinance. The new chapter house creates some of the new impervious on the site. Other new impervious include a parking space as well as relocating the middle building sidewalk to create a 20' wide area that is required for fire safety. A new sidewalk to the street from the front building. This decreases the percent pervious to 14.9% below the existing pervious percentage of 24.2%. The requirements for a functioning chapter house require a larger structure than the front apartment. To mitigate the loss of pervious area and the increase in impervious area, an 8410 sq ft area of pervious pavement is proposed with an underground gravel storage system for rainfall recharge and detention. If this pervious pavement area is counted as part of total pervious, the percentage of pervious would meet the required 35%

3. Describe how the special conditions and circumstances do not result from the actions of the applicant:

Alpha Xi Delta purchased the parcel on Milledge Avenue with the intent of constructing the sorority chapter house and renovating four apartment buildings with 32 beds total. The property will meet the needs of the sorority. No parcels are available on South Milledge Avenue that are the size to allow a sorority to construct a facility that can objectively meet all the ACC Code of Ordinances without variances. The site constraints that limit the expansion are not the result of any actions of the applicant, but changes to laws and regulations by Athens-Clarke County over the years.

4. Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.

Granting the variance will allow the sorority to expand by constructing a functioning chapter house to serve the needs of the sorority. This is a programming need and not the result of membership growth. To mitigate the decrease in impervious coverage, it is proposed to install on 8,410 sq ft pervious pavement area in the parking lot. This will create rainfall recharge which is currently running off the site. The area proposed for pervious pavement is equal to an amount of natural pervious area (grass) that would bring the total impervious area to 65% and the total pervious area to 35%. Sororities have been good neighbors in Athens and good stewards of their properties.

5. Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

This variance is the minimum required to afford relief for the sorority to use their property. The increase of pervious surface is the minimum required for the removed pervious as a result of the planned construction. The decrease in impervious area by the installation of pervious pavement would result in a total pervious area of 35%.

PLANNING COMMISSION

SPECIAL USE VARIANCE APPLICATION

SUBMITTAL REQUIREMENTS: 14x copies of Application, 1x Digital Copy, Fee

FEE: \$225 per variance requested (Cash/card/check - make check payable to ACC)

VARIANCES REQUESTED

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - *side yard building setback variance from 10' to 6'* or Sec 9-25-8-C-2 - *waiver of public sidewalk along street frontage*

Sec. 9-12-7 Milledge Avenue Corridor Special District Overlay: a variance to increase the maximum FAR allowed from 0.5 to .65.

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

- 1. Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity :**

This property differs from adjacent properties because it is less than 1-acre, and the existing built conditions do not conform to the Code of Ordinances because it was constructed prior to adoption of the ordinances. The site is fully developed and only minimal improvements to meet the ACC Code of Ordinance can be completed. The existing front apartment currently shields the site from view on Milledge Avenue. It is completely screened from the residence on the left. It is open to the right to the adjacent parcel which is owned by another sorority. The site is higher than South Milledge which also contributes to reducing the visible massing of the apartments behind the front .

This property differs from adjacent properties because of the existing built conditions. The sorority desires to renovate the apartment buildings rather than demolish the buildings with the exception of the front apartment. The site is fully developed and only minimal improvements to meet the ACC Code of Ordinance can be completed. The existing front apartment currently shields the site from view on Milledge Avenue. It is completely screened from the residence on the left. It is open to the right to the adjacent parcel which is owned by another sorority. The site is higher than South Milledge which also contributes to reducing the visible massing of the apartments behind the front .

- 2. Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:**

The current property has a FAR of 0.47. The construction of a new chapter house which would create a FAR of 0.5 is not of sufficient size for a chapter house. The two latest sororities that were built on South Milledge Avenue were able to stay below the 0.5 FAR because the lot sizes were larger than this one. ACC has effectively created a restricted area suitable for Greek organizations: South Milledge Avenue,

Lumpkin Street and Downtown. The available properties for sale are few and those that are, are similar in lot size to this parcel. If the basement of the rear building and the basement of the chapter house are removed from the calculations, the FAR would be 0.5. Since the basements are hidden from view, the perceived scale of the front structure is appropriate for the neighborhood.

3. **Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.**

Granting the variance will allow the sorority to expand by constructing a functioning chapter house to serve the needs of the sorority. This is a programming need and not the result of membership growth. The sorority was established in Athens previously but then closed circa 1960. They have been operating on the UGA campus recently for a number of years and now wish to install themselves in a permanent home. Sororities have been good neighbors in Athens and good stewards of their properties.

4. **Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.**

This variance is the minimum required to afford relief for the sorority to use their property. The increase in FAR is based upon the increased floor area from the basement plus the difference of the square area of the two floors above compared to the original structure. The FAR increases to 0.65. Because the chapter house is planned with a basement, the basement "hides" the space that would increase footprint of the house if it as only a two-story structure on a slab. The FAR is used mainly to prohibit fast food restaurants in certain areas of the county and also to create similarly scaled structures on adjacent parcels. The increase here is not out of line for many of the fraternities and sororities on South Milledge if the basements are not included in the FAR calculation.

5. **Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.**

This variance is the minimum required to afford relief for the sorority to use their property. The increase in FAR is based upon the increased floor area from the basement plus the difference of the square area of the two floors above compared to the original structure. The FAR increases to 0.65. Because the chapter house is planned with a basement, the basement "hides" the space that would increase footprint of the house if it as only a two-story structure on a slab. The FAR is used mainly to prohibit fast food restaurants in certain areas of the county and also to create similarly scaled structures on adjacent parcels. The increase here is not out of line for many of the fraternities and sororities on South Milledge if the basements are not included in the FAR calculation.

PLANNING COMMISSION

SPECIAL USE VARIANCE APPLICATION

SUBMITTAL REQUIREMENTS: 14x copies of Application, 1x Digital Copy, Fee

FEE: \$225 per variance requested (Cash/card/check - make check payable to ACC)

VARIANCES REQUESTED

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - *side yard building setback variance from 10' to 6'* or Sec 9-25-8-C-2 - *waiver of public sidewalk along street frontage*

Sec. 9-30-2(A)3. - Spaces Required: A variance is requested to reduce the required number of parking spaces to 35 spaces on site and 45 spaces off site.

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

1. **Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity:**

This property differs from adjacent properties because of its small size and the existing built conditions. These include a smaller than allowed one way drive, non-compliant parking, more impervious than currently allowed, and parking at the rear which allows cars to back into a private alley. The sorority desires to renovate the apartment buildings rather than demolish the buildings with the exception of the front apartment. The site is fully developed and only minimal improvements can be completed to meet the ACC Code of Ordinances. The existing front apartment currently shields the site from view on Milledge Avenue. It is completely screened from the residence on the left. It is open to the right to the adjacent parcel which is owned by another sorority. The site is higher than South Milledge which also contributes to reducing the visible massing of the apartments behind the front .

2. **Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:**

In order to comply with all the regulations pertaining to this site, the sorority would have to demolish the entire site and construct a larger building to house the sorority including bedrooms. The site could then be brought into compliance with the code of ordinances with the exception of parking. This seems excessive in order to comply strictly with the ordinance. Even then, the sorority would still not meet the requirement for 154 spaces according to the ACC Code of Ordinances. No fraternity or sorority can comply with the required parking by ACC Ordinance. In the past, ACC has recognized the need to allow a variance on parking count if the number of spaces equals at least the number of beds at the property. This design results in 35 spaces including the allowed number of compact spaces. Attached is the analysis conducted by Chi Phi as part of their Special Use Application. The evaluation shows most Greek organizations provide parking generally for the number of beds in the house.

The sorority proposed to provide 35 spaces on-site and 45 spaced off-site at CCHS. This is a total of 80 spaces. This is a reduction of 48% from required parking for Greek organizations. As noted in the Special Use Report, Chi Phi was allowed a reduction of 66%; Alpha Phi was allowed a reduction of 35% ; Delta Phi Epsilon was allowed a reduction of 23% . The sorority has 100 members. If 35 spaces are on-site, the required spaces off-site is 119 spaces. The sorority requires side share, public transportation or biking or walking to the property. Based on the proposed reduction from 119 to 45 off-site spaces, this is equivalent to 2.6 occupants in each automobile.

3. Describe how the special conditions and circumstances do not result from the actions of the applicant:

The limited space to construct the required minimum number of on-site parking spaces is not result of any action by the applicant. The special condition is common for fraternities and sororities along South Milledge Avenue which were constructed prior to the change in parking regulations. Changes in the parking regulations increasing the required number of parking spaces for the sorority is a direct result from changes to the Athens-Clarke County Code of ordinances, not any action by the applicant.

Alpha Xi Delta has a transportation policy that restricts automobiles on the property to only those with a valid permit. Alternative transportation is proposed as well as side-sharing.

4. Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.

Granting the variance will allow the sorority to create a chapter house to serve the needs of the sorority. This is a programming need and not the result of membership growth. They have been operating on the UGA campus recently for a number of years and now wish to install themselves in a permanent home.

Granting this variance will have minimal negative impact on the surrounding neighborhood.

5. Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

This variance is the minimum required to afford relief for the sorority to use their property. No additional parking can be placed on site. The plan reconfigures the parking to obtain a number of spaces that can be used by residents at the house. The CCHS parking lot is directly behind the sorority property and within the allowable walking distance as required by the ACC Ordinances. See the attached drawing.

PLANNING COMMISSION

SPECIAL USE VARIANCE APPLICATION

SUBMITTAL REQUIREMENTS: 14x copies of Application, 1x Digital Copy, Fee

Fee: \$225 per variance requested (Cash/card/check - make check payable to ACC)

VARIANCES REQUESTED

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - side yard building setback variance from 10' to 6' or Sec 9-25-8-C-2 - waiver of public sidewalk along street frontage

Sec. 9-30-9(E)6(b) Design Requirements/Development and Maintenance/Screening Standards: A variance to allow no screening for the rear parking because the Clarke Central High School has a 10-foot vegetative screen along the alley that screens the CCHS parking lot from this lot

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

1. **Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity:**

Screening of parking areas from school properties is required with at least a 6' tall fence or dense plantings to provide the same degree of screening. No screening on the subject property is proposed and we must not assume the retention of the vegetative buffer on the school property. However, the rear of the property where the uses abut is not proposed to see any modifications as a result of the plan.

2. **Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:**

The existing alley separates the subject property from the school property and no reduction in any existing screening is proposed as part of this project and no modifications to the entire rear half of the property means that whatever of the property is currently visible will not differ if the project is allowed to proceed.

3. **Describe how the special conditions and circumstances do not result from the actions of the applicant:**

The existing conditions of the alley placement between the subject property and the high school is not a result of any actions of the applicant. Similarly, the existing development of the rear of the property regarding parking and building placement is not the result of any action of the applicant.

4. Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.

The retention of the existing conditions at the rear of this property while repurposing the property for a new use is consistent with policies of the Comprehensive Plan and will not be a change from the existing condition.

5. Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.

The elimination of the screening requirement will allow for the retention of the existing development at the rear of this property without any degradation of the existing screening located on the school's side of the alley. Redevelopment of sites over greenfield development is a policy of the Comprehensive Plan that this would support. Requiring the screening for even a portion of the rear of the property would eliminate this potential.

PLANNING COMMISSION

SPECIAL USE VARIANCE APPLICATION

SUBMITTAL REQUIREMENTS: 14x copies of Application, 1x Digital Copy, Fee

FEE: \$225 per variance requested (Cash/card/check - make check payable to ACC)

VARIANCES REQUESTED

List the requested variances, citing the specific section(s) of the Athens-Clarke County Code, the required and proposed standards. Examples: Sec. 9-7-3 - *side yard building setback variance from 10' to 6'* or Sec 9-25-8-C-2 - *waiver of public sidewalk along street frontage*

Sec. 8-7-15 Tree Canopy Coverage: A variance to allow less conserved canopy and less total canopy. The required conserved canopy is 25%. The required conserved and planted canopy is 50% total canopy. The plan can achieve 7.3% conserved canopy and 32.5% total canopy.

VARIANCE(S) MAY BE GRANTED IN AN INDIVIDUAL CASE IF IT CAN BE SHOWN THAT A LITERAL ENFORCEMENT OF AN ORDINANCE WILL RESULT IN AN UNNECESSARY HARDSHIP TO THE APPLICANT.

In order to determine that an unnecessary hardship might occur, the following questions must be completely answered.

1. **Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity :**

The existing built conditions restrict placement of trees to a few areas. The requirement of the Fire Marshal for access and a wide enough aisle for a fire truck results in a loss of pervious area for trees. There are very few trees on the site and, of the four existing trees, two must be removed to achieve the minimum parking on site or due to construction. The current canopy which could be conserved is less than 20%. Existing utility lines further restrict the placement of medium or large trees elsewhere on site. There are trees adjacent to the property on the south property line. These do provide significant shading to the parking lot.

2. **Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:**

The existing built conditions restrict placement of trees to a few areas. Even if all the existing trees were conserved, a waiver would be required for conserved canopy. The requirement of the Fire Marshal for access and a wide enough aisle for a fire truck resulting in a loss of pervious area. There are very few trees on the site and the currently canopy is less than 20% of the site area. Existing utility lines further restrict the placement of medium or large trees.

3. **Describe how the special conditions and circumstances do not result from the actions of the applicant:**

The property is existing. There are no areas along the northern, southern, or west property line where trees may be placed. The existing condition has no areas that can be completed to a pervious area to plant a tree. On the east and north property lines, utility lines exist and restrict tree placement in the

front yard.

4. **Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County.**

Most of the site is not visible. The property to the south has existing mature trees on the property line that currently provide shade to the parking lot. The property to the rear has a vegetable screen and five trees that shade the alley and rear parking. These existing trees provide shade to the property even though the trees are located off the property. In the front, street trees are proposed but are beyond the 10-foot-wide area from the property line that is designated for street trees. The arborist has suggested moving trees back to plant four medium trees. The plan shows large trees in the front yard and located as required for minimum distance from an above ground utility line. The south parking area has two large trees and two medium trees to be planted in pervious areas. This is the maximum canopy coverage that can be obtained given the existing and proposed conditions.

5. **Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.**

The tree plan places as many large, medium and small trees on site to attempt to maximize the total canopy coverage percentage.



June 27, 2025

Michael B. Thurmond, P.E.
Armentrout Matheny Thurmond PC
330 Research Dr, Suite A240
Athens, GA 30605

Re: Water & Sanitary Sewer Evaluation
480 S Milledge Ave-Alpha Xi Delta Sorority

Dear Mr. Thurmond:

Per your request, the Public Utilities Department evaluated the water and wastewater capacity for the above referenced project. This evaluation was made utilizing the following criteria and/or assumptions:

1. Development Type: Residential
2. Domestic Water Demand: Residential = 3,900 GPD Total
3. The Athens-Clarke County water system's available fire flow (AFF) capacity to serve this project is currently limited to 2,000 GPM
4. Sanitary Sewer Demand: Residential = 3,900 GPD

As of this date, the Athens-Clarke County water system and sanitary sewer system do have capacity available to serve the proposed development with water and sanitary sewer based on the above referenced demands.

The Unified Government of Athens-Clarke County does not reserve utility line capacity for this or any other development. This evaluation is valid for one (1) year from the date of this letter. Service capacity is committed to a particular development only, when the owner/developer secures a building permit for the Athens-Clarke County Building Permits and Inspection Office.

This evaluation is based on information you provided. If the development requires rezoning or is not compatible with the Athens-Clarke County Land Use Plan an additional evaluation may be required.

ENGINEERING MANAGEMENT

124 E. Hancock Ave. * P.O. Box 1868 * Athens, Georgia 30601 - 1868
(706) 613-3490



FAX (706) 613-3198

Page 2 of 2
Michael B. Thurmond, P.E.
480 S Milledge Ave

June 27, 2025

Please be aware that the Athens-Clarke County Fire Marshal is responsible for determining and approving the Needed Fire Flow (NFF) for the proposed development. You should contact the Fire Marshal for a determination of the NFF to insure that the NFF does not exceed the Available Fire Flow (AFF).

If an extension(s) is required to obtain utility service from the public system, the extension(s) will be at the sole responsibility and expense of the property owner/developer. Permanent easements conveying ownership, operation, and maintenance responsibility of the utility lines and meters to the Unified Government of Athens-Clarke County are required for any extension.

If you have any questions or need additional information, please call.

Sincerely,



Matthew R. Adamson, P.E.
Engineering Administrator

Cc: Hollis Terry IV, Director
Hugh Ogle, Assistant Director
Bruce Lonnee, Planning Director
Richard Vaughn, Fire Marshall
Office File

MA/jp

STATE OF GEORGIA
COUNTY OF CLARKE

PARKING AGREEMENT

THIS PARKING AGREEMENT (this "Parking Agreement") is made as of the _____ day of _____ 2027 by and between **CLARKE COUNTY SCHOOL DISTRICT**, whose address is 595 Prince Avenue, Athens, Georgia ("CCSD"), and **ALPHA XI DELTA SORORITY NATIONAL**, located at 1389 W. 86th Street, #350, Indianapolis, IN 46260 ("Alpha Xi Delta") CCSD and Alpha Xi Delta shall also be referred to herein each as "Party", and collectively as "Parties".

RECITALS

WHEREAS, CCSD is the owner of real property with improvements thereon known and designated as 350 South Milledge Avenue according to the present system of numbering buildings in Athens-Clarke County, Georgia and being more commonly known as Clarke Central High School (the "CCSD Property"); and

WHEREAS, Alpha Xi Delta is the owner of real property with improvements thereon known as 480 S. Milledge Avenue, according to the present system of numbering buildings in Athens-Clarke County, Georgia and being more particularly described in "Exhibit A" attached hereto and incorporated herein (the "Alpha Xi Delta Property"); and

WHEREAS, on certain dates and times, the sorority use of the Alpha Xi Delta Property will require more parking spaces than are presently contained on the Alpha Xi Delta Property in order to comply with the current ordinances of the Unified Government of Athens-Clarke County, Georgia; and

WHEREAS, CCSD has agreed to lease to Alpha Xi Delta and Alpha Xi Delta has agreed to lease from CCSD, the non-exclusive use of a maximum of _____ () parking spaces contained on the CCSD Property at specified times during the University of Georgia school year for the purpose of providing vehicular parking for the sorority sisters of Alpha Xi Delta, on the terms and conditions herein contained.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby covenant and agree as follows:

1. **Demise of Premises.** CCSD hereby agrees to demise and lease to Alpha Xi Delta and Alpha Xi Delta agrees to take and lease from CCSD the non-exclusive use of parking a maximum of _____ (____) vehicles in the existing paved parking areas on the CCSD Property as more particularly shown on "Exhibit B" attached hereto and incorporated herein for the dates and times and upon the terms specified in items 2 below, together with vehicular and pedestrian access thereto over the existing curb and walkways contained on the CCSD Property (collectively, the "Leased Parking"). Said Leased Parking specifically includes the nearest parking space which is 740 feet to an access to the sorority house as measured in walking distance along a sidewalk separated from street traffic in accordance with Sec. 9-12-7E. of the Athens-Clarke County Code of Ordinances and as more particularly shown on "Exhibit C" attached hereto and incorporated herein.

2. **Terms.** Alpha Xi Delta is hereby leasing the Leased Parking on evenings during the University of Georgia school year from 5:00 p.m. through 7:30 p.m. commencing on July 1, 2026 (the "Effective Date") and continuing until June 30, 2028, or earlier termination as specified herein (the "Chapter Parking"). The Parties agree that Alpha Xi Delta may be allowed to lease the Leased Parking on other dates and times for special events subject to availability and separate agreement between the Parties ("Special Events Parking"). Notwithstanding the foregoing, CCSD may, by no less than seven (7) days' notice to Alpha Xi Delta, prohibit parking by Alpha Xi Delta hereunder on one or more specified dates when CCSD anticipates needing the spaces for events at Clarke Central High School, said need to be determined by CCSD in this sole discretion.

3. **Rent.** The Rent for the Chapter Parking shall be _____ (\$_____) annually to be paid as follows: Full amount payable on or before July 1, 2026. Alpha Xi Delta shall make each Rent payment to CCSD at the address set forth above, or at such other place or to such other persons or entities as CCSD from time to time may designate to Alpha Xi Delta in writing.

4. **No Service Provided: Repairs, Maintenance, and Alterations.** The Parties understand and agree that CCSD shall not be required to furnish any services or facilities or to make any repairs or alterations in or to the Lease Parking other than routine maintenance. Alpha Xi Delta hereby accepts the Lease Premises in its current AS IS condition as suitable for its parking purposes. Alpha Xi Delta shall be responsible for any debris, cleanup or damage of the Leased Parking caused by the use of Alpha Xi Delta.

5. **Use.** Alpha Xi Delta's sole use of the Leased Parking shall be for the parking of cars and vehicles used by its sorority sisters during Chapter Parking and by its sorority sisters and invited guests during Special Events Parking, as separately agreed upon.

6. **Indemnity; Insurance.** Alpha Xi Delta shall indemnify CCSD (and its board and directors) against and save CCSD (and its board and directors) harmless from, any and all losses, damages, claims, liabilities, judgments, cost and expenses (including the reasonable cost and expenses of defending any claim), arising directly or indirectly during the term of this Parking Agreement out of any act, omission or negligence of Alpha Xi Delta, its patrons, agents, employees, consultants, affiliates, guests, invitees, and third party assignees, sublessors and designees. At all times during the term hereof, Alpha Xi Delta shall maintain general liability coverage in standard form naming Clarke County School District as a Certificate Holder, and providing that coverage may not be cancelled or terminated without no less than thirty (30) days' notice to CCSD under the

liability policy of the group renting the facility. The indemnity contained in this Section shall survive the termination of this Parking Agreement. At all times during the term of this Agreement and any renewals thereof, the insurance maintained by Alpha Xi Delta shall not be less than that evidenced by the Certificate of Insurance attached hereto as Exhibit D.

7. **Termination.** Notwithstanding any other term of this Parking Agreement to the contrary, Alpha Xi Delta and CCSD shall each have the right to terminate this Parking Agreement at any time upon not less than six (6) months prior written notice to the other. Upon any such termination, this Parking Agreement shall terminate and expire on the date specified in such notice as if this Parking Agreement has expired by lapse of time. In the event that the effective date of termination causes this Parking Agreement to terminate on a date other than the Payment Date or a subsequent anniversary of the Payment Date, Alpha Xi Delta shall prorate its final payment of Rent to CCSD to correspond to such shortened period.

8. **Assignment and Subletting.** Alpha Xi Delta may not assign or sublet the whole or any part of the Leased Premises at any time to any other party without the prior written approval of CCSD.

9. **Successor and Assigns.** Except as otherwise set forth in this Parking Agreement, the agreements and conditions in this Parking Agreement contained on the part of either Party to be performed and observed shall be binding upon said Party and its successors and assigns and shall inure to the benefit of the other Party and its successors and assigns.

10. **Force Majeure.** No liability shall result to either Party from such Party's delay in performance or non-performance under this Parking Agreement caused by circumstances beyond such Party's control, including but limited to, acts of God, war, terrorism, riot, fire, explosion, accident, flood, sabotage, lockout, injunctions, catastrophic breakage or failure of machinery or apparatus, national defense requirements or compliance with or change in applicable law. The non-performing Party shall be diligent in attempting to remove any such cause and shall promptly notify the other Party of the extent and probable duration of such cause.

11. **Notices.** All notices sent or required to be sent hereunder shall be sent in writing (a) by registered or certified mail, return receipt requested, postage prepaid, or (b) by overnight courier, or (c) delivered in person, to the address set forth in the caption to this Parking Agreement above or to either Party at such other address as such Party may designate by notice to the other Party.

12. **Waiver; Invalidity of Particular Provision.** The failure of a Party to exercise or enforce any of its rights under this Parking Agreement shall not be a waiver of those rights and shall not affect any other right that Party under this Parking Agreement. In the event that any provision of this Parking Agreement shall be found to be void or unenforceable, such findings shall not be construed to render any other provision of this Parking Agreement either void or unenforceable and all other provisions shall remain in full force and effect unless the provisions which are invalid or unenforceable shall substantially affect the rights or obligations granted to or undertaken by either Party.

13. **Construction; Section Headings.** Each term and each provision of this Parking Agreement to be performed by Alpha Xi Delta shall be construed to be both a covenant and a condition. The paragraph headings throughout this Parking Agreement are used for convenience only, and shall not be held to explain, modify, amplify or otherwise aid in the interpretation,

construction or meaning of this Parking Agreement. Upon request, either Party shall execute any and all documentation required by the Unified Government of Athens-Clarke County, Georgia to evidence this Parking Agreement.

14. **Arbitration.** Any dispute arising directly or indirectly from this Parking Agreement, including tort claims, shall, if no amicable settlement shall be reach through negotiations, be finally settled by arbitration in Athens, Georgia. Unless otherwise agreed by the Parties or the arbitrator in writing, the costs of the Arbitration shall be borne equally by the Parties.

15. **Counterparts.** This Parking Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have caused this Parking Agreement to be executed as of this day and year first above written.

CLARKE COUNTY SCHOOL DISTRICT

By: _____ (SEAL)
Dr. Jennifer Scott, Superintendent

ALPHA XI DELTA SORORITY NATIONAL

By: _____

Name: Elysia Gallivan _____

Title: CEO _____

(Corporate Seal)

State of: _____

County of: _____

The foregoing instrument was acknowledged
Before me this _____ day of _____, 2024

You, Name Here, Notary

My Commission Expires _____

EXHIBIT A

ALPHA XI DELTA PROPERTY

All that tract or parcel of land, lying and being in the 216th G.M.D. Athens-Clarke County, Georgia, consisting of 0.95 acres, more or less as shown on that certain survey by Baseline Surveying and Engineering, Inc. dated November 14, 2023, and being more particularly described as follows:

To Find the True Point of Beginning, begin at a mark on top of a wall with Georgia West Zone State Plane Coordinate, N1437600.404 and E2532879.580 which is on the western right-of-way of South Milledge Avenue running thence north 85 degrees 33 minutes 13 seconds west 277.33 feet to a nail set to at a spindle; continuing thence north 84 degrees 37 minutes 09 seconds west 137.50 feet to a pk nail set in pavement; running thence north 04 degrees 32 minutes 49 seconds east 99.80 feet to a pk nail found in pavement; running thence south 85 degrees 18 minutes 05 seconds east 414.88 feet to a 1/2 inch rebar on the right-of-way of South Milledge Avenue; running thence south 04 degrees 41 minutes 44 seconds west 100.17 feet along the South Milledge Avenue right-of-way to the mark on top of the wall, the True Point of Beginning.

Said property being commonly known as 480 S. Milledge Avenue according to the present system of numbering in Athens, Georgia.

OFFSITE PARKING PLAN

EXHIBIT B

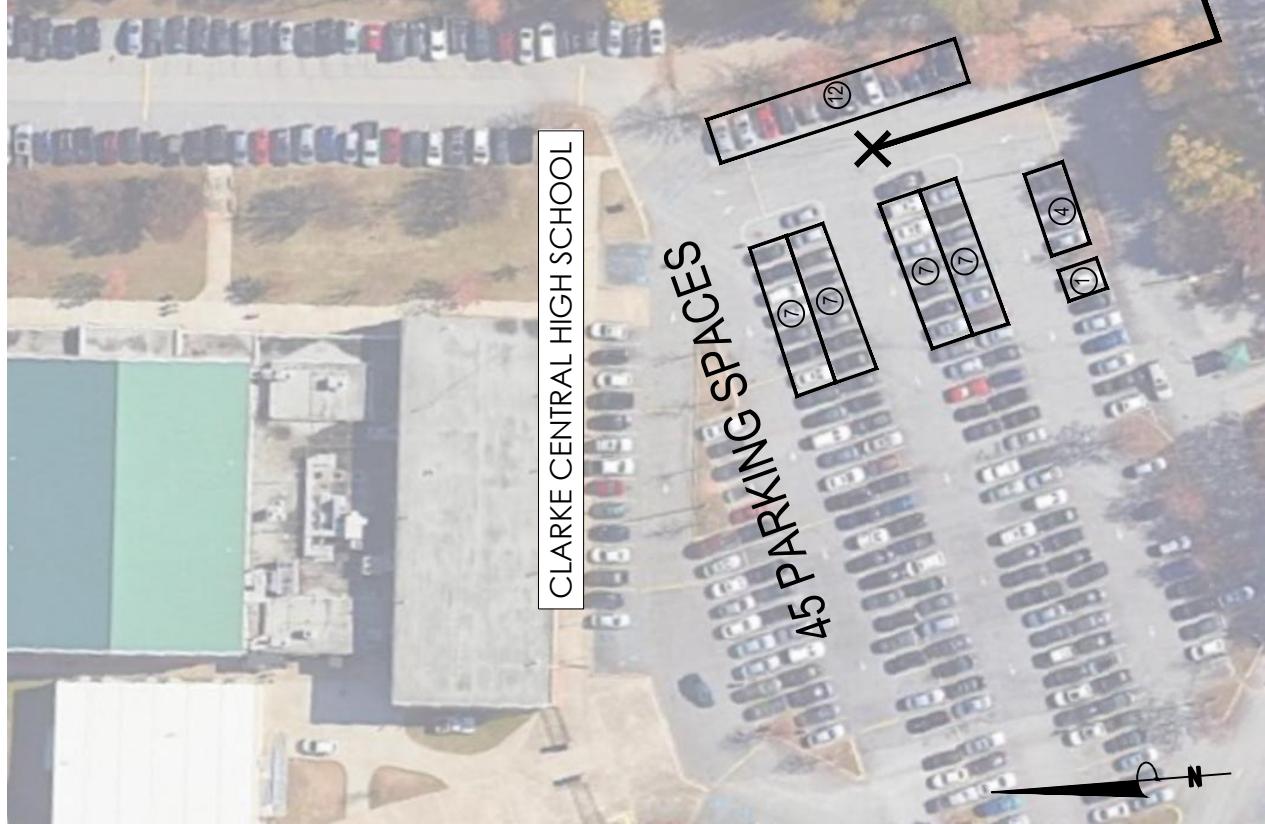
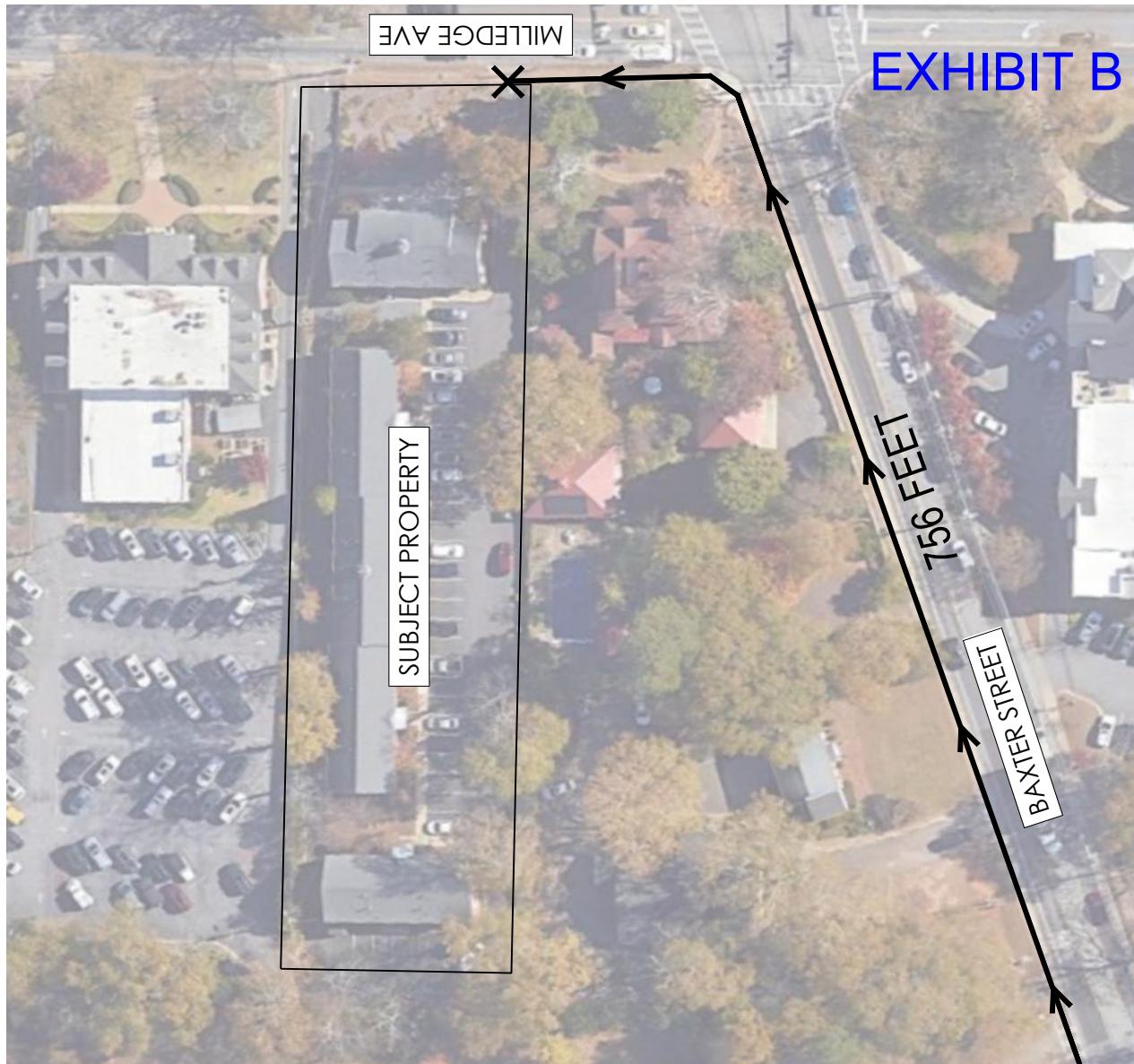


EXHIBIT C

 **qPublic.net™** Athens-Clarke County, GA



Overview



Legend

-  Parcels
-  Roads

Parcel ID 122D2 A002
Class Code Commercial
Taxing District Urban Services District
Acres 0.95

Owner HOBNAIL BOOT LLC
Physical Address 130 SPRINGDALE ST
Assessed Value ATHENS, GA 30605
Value \$1

Last 2 Sales
Date 7/15/2020 Price \$2300000 Reason FM Qual Q
8/8/2017 \$2235000 FM Q

(Note: Not to be used on legal documents)

Date created: 8/11/2025
Last Data Uploaded: 8/8/2025 7:14:25 PM

Developed by  SCHNEIDER
GEOSPATIAL

Alpha Xi Delta at University of Georgia Transportation Policy

This policy and procedure is adopted by Alpha Xi Delta Georgia, LLC and will be followed by all members, initiated and uninitiated, who will be informed of this procedure at the time of pledging and at the beginning of each semester thereafter. The purpose of this policy and procedure is to ensure the appropriate use and occupancy of the parking facility. Parking at the Alpha Xi Delta house and parking spaces leased by Alpha Xi Delta will be by permit only. One permit will be issued per parking space.

The following order will determine who will have the ability to park in the Alpha Xi Delta parking Lot. If the number of members interested exceeds the number of permits to be issued, members will be chosen based on the chapter point system. In the event of a tie for points, as a determining factor, members will be chose on a basis of GPA (highest to lowest).

Priority for issuing parking permits for Alpha Xi Delta parking is established as follows:

1. One parking space will be reserved for the housemother.
2. Members who live on-site will have first priority.
3. All elected executive council members that live on the property will have priority for the academic year following elections; the newly elected officers will have priority for any space available for spring term following their election provided they live on the property.
4. If there are any remaining permits, members with the most points who do not live in the chapter facility may obtain a permit.
5. Freshman living in the dorms will not be permitted to drive to the house for events or chapter meetings.
6. Parking spaces will be reserved for automobile use only. Motorcycles and scooters will park in another designated area.

Members without Permits:

All members without permits are encouraged to use the University transit system. Parking on neighborhood streets is **strongly discouraged**. Ride share with other members shall be required for these members that plan to use the off-site parking spaces.

Enforcement:

It will be the responsibility of the House Director to monitor the parking lot for permits. In the event that a car is parked in the lot without a permit, the Director will have the vehicle towed at the vehicle owner's expense. Members who violate this policy or members who have a guest who violates this policy, may have all future parking privileges revoked.

Size Comparison Tables

Note: parking spaces shown within [] denotes an unstriped condition. Approximations were made based on the typical 9'x18' space.

Table 1.1

Comparison of <u>PURPOSE BUILT</u> Greek Chapter Houses along S. Milledge Ave. Between Baxter St. & S. Lumpkin St.						
Greek Letters	Organization	Address (S.Milledge)	Heated Space Above Grade (SF)	Width Fronting Milledge (LF)	Total Beds Available	Parking Spaces on the Parcel
ΣΚ	Sigma Kappa	654	17,116	77	54	63
ΚΔ	Kappa Delta	750	19,492	181	53	54
ΑΓΡ	Alpha Gamma Rho	785	12,404	90	33	34
ΠΒΦ	Pi Beta Phi	886	13,616	152	61	53
ZTA	Zeta Tau Alpha	897	16,756	120	60	64
ΛΧΑ	Lambda Chi Alpha	990	11,426	123	44	[28]
ΔΔΔ	Delta Delta Delta	1111	24,321	95	66	62
ΑΟΠ	Alpha Omicron Pi	1190	21,822	147	65	67
Average			17,119	123	55	57
ΧΦ	Chi Phi	925	16,995	113	28	63
Difference			-124	-10	-27	6

Δ

9

1

1

-8

4

-16

-4

2

2

35