

1125 Newton Bridge Road
Rezoning and Future Land Use Map Amendment
Application Report

Prepared by Applicant D.R. Horton, Inc.

August 8, 2023

REZONING

1. How the proposed rezoning will conform 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 rezoning does not conform to the Future Land Use Map, the general plans for the physical development of Athens-Clarke County nor the master plan or portion thereof adopted by the Mayor and Commission. The current Future Land Use Map designates the area as Employment and it is applicant's understanding that the general plans for physical development of the area had anticipated industrial development on the site. While applicant understands industrial development had been the plan for the subject site for many years, industry has yet to show interest in the subject site for development. In consideration of the current housing shortage and the numerous employers that are seeking to base business in Athens-Clarke County the subject site would be an ideal location for quality, affordable housing. Applicant seeks to amend the Future Land Use Map to Traditional Neighborhood for the subject site. Additionally, applicant has discussed with planning staff and the appropriate utilities departments within the county and has made plans to provide necessary infrastructure to the area, including a pump station, if zoning and other required permits are approved that would be required for any development, whether residential or industrial.

2. The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County.

The proposed rezoning will not adversely affect the balance of land uses in Athens-Clarke County. The proposed rezoning will allow much needed housing options be added to the economy. With the County park so close to the subject property, a residential site in such close proximity will be a great addition to the balance of land uses in the area and provide additional tax payers to utilize an amenity created by residents' investment. The proposed rezoning will potentially add value to adjacent and neighboring properties. If the pump station is simultaneously approved, engineers estimate additional capacity available to provide approximately 2,000,000 square feet of industrial space with sewer.

3. Public facility elements of the Comprehensive Plan and how the proposed change will affect the provision of the services anticipated in the plan.

Applicant has participated in a development team meeting with members of the Athens-Clarke County Staff. As a result of that meeting, applicant has had additional communication with water and sewer services. Based on those discussions, applicant has agreed to design and build a pump station that will provide enough capacity for the subject site as well as additional capacity that could potentially be utilized by future, neighboring developments. The proposed rezoning will potentially add value to

adjacent and neighboring properties. If the pump station is simultaneously approved, engineers estimate additional capacity available to provide approximately 2,000,000 square feet of industrial space with sewer. Applicant will continue to work closely with all public facility staff members in order to design and provide a development that is not burdensome to Athens-Clark County services.

Additionally, applicant has agreed with the Athens Clark County Department of Transportation to provide improvements along the frontage of the subject property and to additionally improve 2 off-site intersections located at Kathwood and Newton Bridge and Vincent and Newton Bridge respectively. Please see Traffic Mitigation Memo and the Traffic Improvement Exhibits that were submitted with this Master Plan/PUD application.

4. 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 proposed use meets all objective criteria set forth for traditional neighborhood uses in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements. Applicant will comply with all local, state, and federal laws and ordinances. In the instance that the proposed use does not meet all criteria, applicant will follow all proper and required procedures to seek necessary variances.

5. The existing land use pattern surrounding the property in issue.

Although the subject site had been planned as an industrial development, there are neighboring residential properties that surround the site and would set precedent for a residential development at the subject site. Additionally, an Athens-Clarke County park facility is located directly across the street from the subject site. Applicant has planned for a connection to the park in order to allow future residents of the development to easily access the tax payer resource. The location of the park and proximity to the site are further indication that the development of single family residences on the site will not disrupt the existing land use pattern but in fact offers the opportunity to enhance the land use pattern. With the addition of the sewer infrastructure, if approved, and the off-site intersection improvements, the rezoning of this property for the residential development will create potential for development in the Newton Bridge Road area that has previously been nearly impossible due to lack of infrastructure.

6. The possible creation of an isolated district unrelated to adjacent and nearby districts.

The proposed development will not create an isolated district unrelated to adjacent and nearby districts. As previously discussed, there are other RS-25 communities surrounding the subject site. While applicant initially discussed development of an RS-15 community with staff, after further consideration and in order to maintain the look of adjacent and nearby properties applicant redesigned the site as RS-25.

7. 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.

Applicant does not believe the increase from the development will over-tax the load on public facilities. As previously discussed, prior to making this application, applicant voluntarily held a development team meeting which included representatives from Athens-Clark County utilities, department of

transportation, and fire and emergency services. The only department that indicated a potential issue was water and sewer due to the lack of infrastructure in the area. Applicant has planned for and fully intends to design and build a pump station that will not only service the subject site but will also allow for additional capacity to service nearby sites if needed. Applicant has also already completed a Traffic Impact Study and provided that report to staff as a part of this application. Additionally, the additional new residents that will become homeowners in this community will add to the tax base thereby increasing the budget for infrastructure maintenance.

8. 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.

Although staff has not provided exact cost in providing services to the area, as indicated in the response above to question #7 and previous questions, applicant has addressed areas of concern with Athens-Clarke County staff. While applicant does not believe the single family residential development will be any more burdensome to the community than an industrial site, Applicant will continue to work closely with staff and elected officials during the development process in order to ensure the development is a valued asset to the community and not a liability.

At no cost to Athens-Clark County, applicant has agreed to make off-site improvements to two existing intersections near the subject property. Additionally, if the sewer pump station is approved, applicant has agreed to a financial contribution for maintenance of the system.

9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

Applicant will plan for and develop the site in a way that complies with all local, state, federal, and EPA laws, ordinances, and requirements.

10. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

The proposed zoning amendment will be an improvement of development of adjacent property in accordance with existing regulations. The site has not been developed, although zoned and planned for nearly 20 years ago. The addition of quality single-family residences to the area will improve the value of nearby properties as well as provide an increase to the tax base for the district. Additionally, as previously mentioned in this report, applicant plans to install valuable infrastructure on the site that will be an asset to future nearby developments.

11. 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 rezoned as requested will not alone constitute a significant detriment;

Applicant is not aware of any substantial reasons why the property cannot be used in accordance with existing zoning. However, what applicant does know is that although the site was zoned nearly 20 years ago and there was a plan for an industrial development, that development has not occurred. The site lacks valuable infrastructure that is necessary for development which may be cause for the lack of

interest. Applicant is prepared to invest in the site and the Athens-Clarke County community in order to provide the necessary infrastructure.

12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

The current site is not developed. The homes planned by applicant will be a great addition to the aesthetics of the area. Applicant plans to build homes utilizing a mixture of materials. The site also has beautiful amenity areas and open space/park areas placed throughout the site.

13. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The current housing crisis requires the addition of more quality affordable houses in the market. The location of the site near other residential developments as well as near a public park facility make it ideal for a quality housing development.

FUTURE LAND USE MAP AMENDMENT

1. The proposed rezoning 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.

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2. The proposed rezoning 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 proposed use meets all objective criteria set forth for single family residential uses in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements. Applicant will comply with all local, state, and federal laws and ordinances. In the instance that the proposed use does not meet all criteria, applicant will follow all proper and required procedures to seek necessary variances.

3. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.

Applicant does not believe the increase from the development will over-tax the load on public facilities. As previously discussed, prior to making this application, applicant voluntarily held a development team meeting which included representatives from Athens-Clark County utilities, department of transportation, and fire and emergency services. The only department that indicated a potential issue was water and sewer due to the lack of infrastructure in the area. Applicant has planned for and fully intends to design and build a pump station that will not only service the subject site but will also allow for additional capacity to service nearby sites if needed. Applicant has also already completed a Traffic Impact Study and provided that report to staff as a part of this application.

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