



Development Standards

Mallory & Evans
Development, LLC

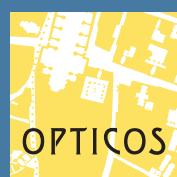


The Shoals

Master PD Submittal
October 4, 2024



**W&A
ENGINEERING**



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Application Report

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Request Summary

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

	Dwelling Units	Max Height	Min. # of Building Types	Min. Commercial Area*	Min. Open Community Space Area***
Arts & Entertainment	240-325	65 ft	5	15,000 sf	25,000 sf
Central	155-215	45 ft	6	Allowable	40,000 sf
Peninsula	60-85	45 ft	4	Allowable	20,000 sf
Garden	85-120	45 ft	4	Allowable	10,000 sf

*Gross square feet

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



Aerial image of the site

Existing Conditions

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



Existing conditions site photo



Existing conditions site photo

Compatibility

Comprehensive Plan Compatibility

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

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

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

Future Land Use Map Compatibility

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

Zoning Map Compatibility

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

Compatibility with Other Plans, studies, and programs

The A-CC Greenway Master Plan calls for a connection between Barnett Shoals Road and Lexington Road. The exact alignment has shifted as the Greenway Master Plan

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

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

Stormwater

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

Utilities

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

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

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

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

Phasing

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

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Transportation Network

Transportation Road Network

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

Scenario 1:

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

Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper.

Scenario 2:

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

Driveway 2 – construct a right turn lane on Barnett Shoals Road that has 150' of full width storage and a 50' taper.

Driveway 3 – as driveway 3 would be a connection through adjacent property, any future access point to SR 10/US 78 should include a right turn lane with 175' of full width storage and a 100' taper.

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

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

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

Transportation Off-Street network

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

Development Standards

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Development Standards

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

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

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

- Primary entrances shall front on a public right-of way, or greenspace.
- Secondary entrances are allowed, but are required to incorporate an entryway element from the Character Book.
- The following components of the Master Plan found on sheets (PD-01 through PD-06) shall be considered binding: Street network, to include general location, sections, and alignments as shown, subject to final engineering constraints.
- Uses identified as permitted within the C-N zone shall be permitted by right, with the exception of drive-through uses which shall be prohibited.
- Off-street parking areas shall be prohibited between fronts of buildings and the right-of-way except for A.D.U. uses.

Architectural Design Book

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

Requested Waiver of Ordinance Standards

Subdivision of attached units on individual lots

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

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

Ground Floor Commercial

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

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

Minimum Lot Size

9-10-3: No minimum lot size

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

Permitted Principal and Accessory Uses

9-15-5: Accessory Dwelling units are permitted on individual lots. (Special Use).

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

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

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

General Development and Site Design Standards

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

The design standards that will apply to this Master Planned Development will provide a consistent palate of thoughtfully chosen building forms, materials and design elements that will unify the quality of the core elements across the four distinct neighborhoods. Application of the standards for buildings and site design will help to ensure that the final character of the development at full-build out will be aligned with the vision presented for consideration and approval.

Non-Binding Layout of PD Plan

The lot layout and building footprints depicted on the site plan are conceptual and intended to represent a baseline scenario of development. As the neighborhoods develop the final lot layouts and building locations will be determined according to the guidelines and within the parameters established in the Architectural Design Book and Development Standards as approved.

Maximum block Size

9-25-8-c-3: Blocks greater than 3 acres.

The topography and environmental areas located on site make development possible in only a few locations. To make the proposed program feasible, development will need to be concentrated in areas where blocks are more than 3 acres in size. Where possible pedestrian access and alleys have been incorporated to provide access. Walkability and non-automobile access to and throughout the site will not be affected.

9-25-8-F-1-a: Allow buildings or contiguous groups of buildings in excess of 300 feet.

In conjunction with the waiver request for block areas greater than 3 acres, the proposed program will require some blocks to exceed the 300 foot maximum. Also, as above, block faces will be broken up with pedestrian and alley access throughout to provide regular breaks at or about the equivalent distance to the 300 foot standard.

Minimum Off Street Parking

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

One of the first steps is to reduce the amount of and in turn space dedicated to the storage of automobiles, particularly for

commercially centered areas. Parking for the shoals will be provided as follows:

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

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

Sidewalk on one side of proposed street

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

A section of approximately 1,200 linear feet of new residential street along the eastern edge of the Arts and Entertainment Neighborhood extending across the dam will accommodate pedestrians and non-auto traffic with a multi-use path on one side of the street. The narrow width of the proposed crossing, and the close proximity to sensitive environmental areas require a limited area be disturbed. In order to preserve a pedestrian connection between proposed neighborhoods the multi-use trail on one side was give priority over the sidewalk on both sides.

Connections to the road network

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

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

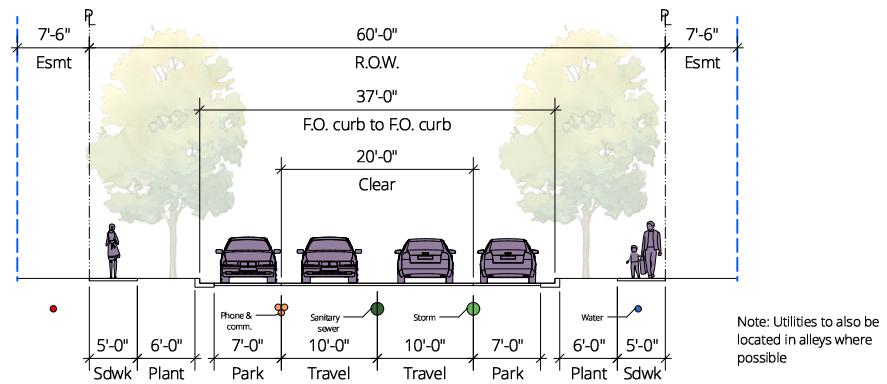
Park Ridge Access

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

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

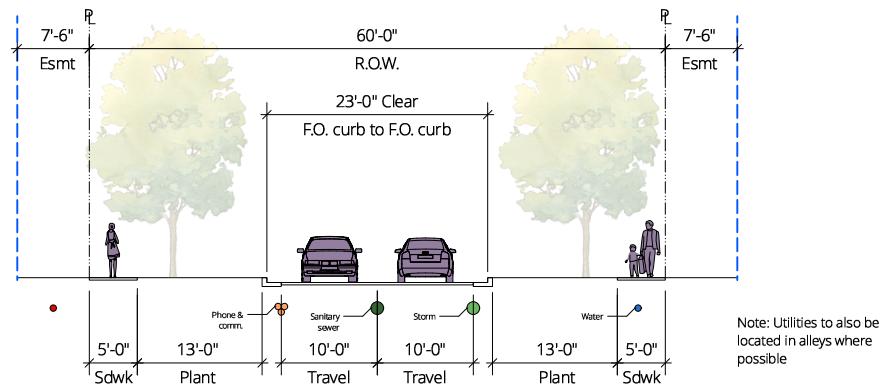
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Typical Street Sections



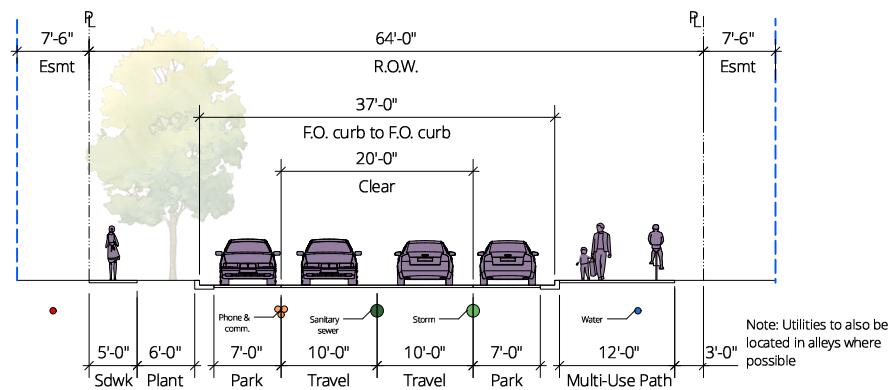
1 Typical Street

Scale: 1" = 20'-0"



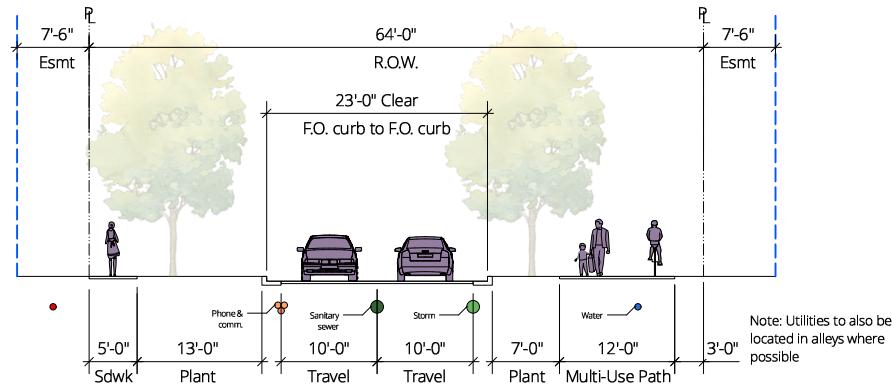
2 Typical Street at Corners

Scale: 1" = 20'-0"



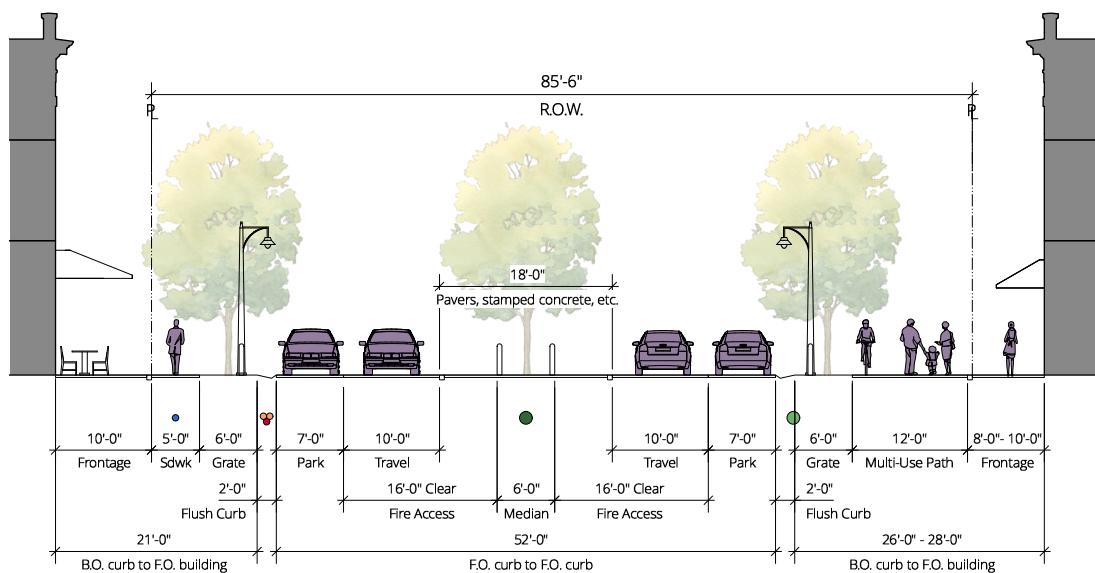
3 Typical Street - Multi-Use Trail

Scale: 1" = 20'-0"



4 Typical Street at Corners - Multi-Use Trail

Scale: 1" = 20'-0"



5 Main Street

Scale: 1" = 20'-0"

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Conclusion

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

a network of streets, sidewalks, and a multi-use path which will also connect them to the off-street transportation network in the larger community. The vision for The Shoals/ Lakewood would align with the vision for this area described in the Comprehensive Plan. Approval of our request to rezone would represent a significant step towards implementing that vision.

Statement of Request and Legal Objections

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

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

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

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

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

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

This 4th day of October, 2024

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Conclusion



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