

REZONE APPLICATION REPORT

Rezone Petition To Change the Zoning From RS-8 to RM-1 with Conditions

MADISON TRACE
DETACHED RESIDENTIAL CONDOMINIUM COMMUNITY
Athens-Clarke County Georgia
23.474 Acres at 215 Shadybrook Drive
Tax Parcel #233 008A
Athens-Clarke County Georgia

(Beall & Company, LLC has been engaged by the property owner (KITTLE CONSTRUCTION SERVICES, INC, Ronny Kittle Managing Member) to act as agent in the preparation of the necessary documentation associated with the subject rezone petition.)

Narrative

KITTLE CONSTRUCTION SERVICES, INC purchased the subject property from Mack Duncan / Douglas Duncan / Lucia Duncan in July 2023 for the purpose of developing the property as a residential condominium community of individual detached homes (see Representative Architecture). This proposed planned community will be developed in accordance with the requirements of the *Unified Development Code of Athens-Clarke County*, under the standards of the RM-1 zoning classification, but at a density of only 2.56 dwelling units per acre. The developer is not requesting RM-1 zoning to increase the density of the project, but to allow greater design flexibility. Said density is still consistent with the *Future Land Use* map, consistent with the *Comprehensive Plan*, consistent with the RS-8 maximum density of 3.8 dwelling units per acre, however, the RM-1 development standards give the developer the options of building private streets, greater latitude of driveway placement, and an additional benefit of not being required to mass grade an already topographically challenging site.

The owner is willing to allow the *RM-1 Rezone Concept Plan* and related descriptions in the *Rezone Narrative* to be binding subject to meeting project engineering requirements which may cause minor deviations from the approved plan (such as: adjusting a building location to preserve a tree; adding retaining walls as necessary to deal with the topographic issues; depicting buildings typically with more off-set; or other similar minor adjustments to the plan to fully comply with the ACC code requirements).

The site is predominately wooded with mature hardwoods (see Aerial Photo of the site). A large block of these mature trees will be preserved between the cul-de-sac termination of *MADISON SHOALS COURT* and the southwestern boundary of the subject property. The owner/developer plans to preserve all of the trees within the environmental corridors that exist on the subject property (other than the few as necessary to construct an 8" diameter ductile iron water mainline to interconnect the subject property with the existing 8" diameter water mainline recently completed in the right-of-way of Shadybrook Drive (see proposed waterline location on the RM-1 Rezone Concept Plan).

Upon project approval the owner/developer plans to initially clear, grade, and construct the roads and required infrastructure first, and then selectively clear and grade each building site individually until all of the units have been constructed.

The Project

The MADISON TRACE neighborhood will feature:

- (a) A maximum of 60 individual detached cottages dwelling units
- (b) vehicular access to the development from two locations on Seagraves Drive (and beyond to Lexington Road), and another vehicular access to the planned development proposed on the “Dekle” property (and beyond to the Barnett Shoals Road).
- (c) nature preserve within the conservation area along the stream to include walking paths and pedestrian access from an internal street
- (d) clubhouse / sales office
- (e) a natural forest preservation area of approximately 5.57 acres
- (f) low residential density of 2.56 dwelling units per acre equates to 8.31 bedrooms/acre
- (g) private curb & gutter streets
- (h) 5 ft. wide concrete sidewalks throughout the development
- (i) children’s play area
- (j) street tree plantings
- (k) on-street parking
- (l) full cut-off street/security lighting
- (m) stormwater management facility with runoff reduction
- (n) sanitary sewer, water, power, and related utility infrastructure

(Note: Should the ACC Government express a desire to extend the existing “Greenway” network along the existing stream through the subject property, the owner will be open to negotiate its location.)

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The Site

A flowing stream forms the northern boundary of the property for a length of nearly 2100 linear feet.

The property drains for a high point near the adjoining *Willow Mist* condominium development to the stream along the property's northern boundary. The subject property shares a common property line with the *Willow Mist* development (built in 1986, owned and managed by Mr. Kittle). The *Willow Mist* neighborhood was developed as a single-family attached and townhome community of 90 dwelling units on approximately 25 acres (density of 3.6 units per acre). Said neighborhood is served by *SEAGRAVES DRIVE* providing access to the Lexington Road and the east Athens area.

The subject property is presently zoned RS-8. Said property is separated from the other existing RS-8 zoned lots in the area by the existing stream and ACC riparian buffers. Said stream also separates the subject property from the RM-2 zoned property recently developed by *TRINITAS Athens*. The abutting property to the southwest is zoned C-N PUD and is known as the "*DEKLE*" property.

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The Development

The entire 23.474 acres will be rezoned to RM-1 to accommodate the development of the *MADISON TRACE* neighborhood. The property will be developed in a single phase.

It is anticipated that the entire project infrastructure will be developed in one phase over an 8-12 month period. Build-out of the proposed buildings is anticipated to require a minimum of approximately 18 months (anticipated completion is 2.5 years).

The development will be constructed with private curb & gutter streets, county water, sanitary sewer, and sidewalks throughout for a comprehensive pedestrian friendly circulation system.

Handicap ramps will be installed at all crosswalk locations throughout the development. All utilities will be underground. Extensive landscaping including street trees will be installed throughout the development.

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EXTERIOR BUILDING MATERIALS

The building exteriors throughout the development will vary from predominately brick, to brick and stucco, to cultured stone, and "hardy" siding with stucco, stone, and cultured stone detailing (see representative architecture exhibits).

All residential units will comply with front fenestration requirements of the ACC Unified Development code.

All residential units will be constructed to Georgia Power Company high energy efficiency standards including spray foam wall insulation, high SEER heat-pump installations, and water saving plumbing fixtures.

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SINGLE DETACHED RESIDENTIAL BUILDINGS

A total of 60 cottage units will be constructed. Floor plans will range in size from 2000 SF to 3000 SF.

1½-story cottages, and 1½-story cottages with basements, and 2-story cottages with basements will be constructed in the neighborhood, and each with 3-BR/2-Bath/2-car garage floor plans and 4-BR/3-Bath/2-car garage floor plans

Assuming an average size of 2600 square feet the approximate total square footage of cottage units is expected to be 156,000 square feet.

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WATER SUPPLY

A 6" diameter water supply mainline exists in the right-of-way of *SEAGRAVES DRIVE*. A new 8" diameter ductile iron water main will be constructed throughout the *MADISON TRACE* neighborhood to connect with the existing water mainline in *SEAGRAVES DRIVE* and also with the 8" diameter ACC water mainline recently completed in the *SHADYBROOK DRIVE* right-of-way. Proposed water mainlines will be designed and installed at the developer's expense to interconnect the existing waterlines and create a "looped" system to provide residential service and fire protection for the development. Said water system will be constructed to ACC standards, and will be dedicated to the ACC Utility Department upon completion and testing.

(Note: The owner recently paid the ACC Utility Department to tap the existing watermain in Seagraves Drive and cross the existing street with an 8" ductile iron mainline which will be one of the two waterlines providing service and fire protection to the proposed development.)

Attached you will also find a *Water & Sanitary Sewer Evaluation letter* from John Halley of the ACC Utility Department stating that as of the present date the ACC water system and sanitary sewer system **does** have capacity available to serve the demand request.

Water Capacity Calculations for MADISON TRACE - Athens

ADF - Average Daily Flow in gallons per day (gpd)

- assume a total of 60 dwelling units
- assume 3.333 persons per household
- assume 120 gpd per person

60 dwelling units x 120 gpd per person x 3.333 persons = 23,998 gpd demand for the project

Note: A fire hydrant flow test was conducted by R. Carter of the ACC Utility Department at the request of Beall & Company on October 5, 2022 on two fire hydrants located on Seagraves Drive in the adjoining Willow Mist development. The results of said test are included herein at the end of this written report .

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WASTE WATER

Sanitary sewer lines now exist in the right-of-way of *SHADYBROOK DRIVE*, *SEAGRAVES DRIVE*, and along the stream conservation corridor.

Proposed gravity sanitary sewer lines will be designed and installed at the developer's expense to serve the needs of the project. Sanitary sewer lines will be extended from a manhole near SEAGRAVES DRIVE and throughout the proposed road network to provide service to each individual dwelling unit proposed in the MADISON TRACE neighborhood. (See the sanitary sewer and water mainline locations on the attached RM-1 Rezone Concept Plan.)

Sanitary Sewer Capacity Calculations for MADISON TRACE - Athens

ADF - Average Daily Flow in gallons per day (gpd)

- assume sewer at 85% of Water gpd: $23,998 \times 0.85 = 20,398$ gpd

Note: No actual capacity will be utilized until the first buildings are fully constructed and occupancy begins. The developer's best case scenario anticipated date for that occupancy is around December 2026.

Sanitary sewer lines and sanitary manholes currently exist on Mr. Kittle's *Willow Mist* development in and near the right-of-way of SEAGRAVES DRIVE. The attached R-1 Rezone Concept Plan depicts the approximate location where new sanitary sewer mainlines will be extended into and throughout the Madison Trace road network. The ACC Utility Department also provided an evaluation of the proposed sewer and of the requested sewer capacity.

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SURFACE WATER DRAINAGE

Concrete curb & gutter, county approved pipe, sheet flow, and natural and engineered drainage corridors will be employed to collect and divert storm-water to proposed stormwater management areas and water-quality basins and infiltration areas. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50 year events. The stormwater management facility will be designed to achieve the required capacity and volume based on hydrological analysis to be performed and submitted with the site improvement construction plans in full compliance with the GEORGIA STORMWATER MANAGEMENT MANUAL, 2016 EDITION, VOLUME 2: TECHNICAL HANDBOOK (pages 343-358) for compliance with current local, state, and federal requirements.

Constructed "infiltration areas" and rain gardens may also be proposed in select areas of the development to further enhance water quality objectives and to achieve run-off reduction

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ACCESS & TRAFFIC

Although the address of the subject property is *Shadybrook Drive*, the development will not access *Shadybrook Drive*. Only the 8" waterline recently completed in *Shadybrook Drive* will be extended along the existing *Shadybrook Drive* right-of-way and into the subject property.

A new private road called *MADISON BOULEVARD* will be constructed on the subject property to become the primary access to connect the development with *SEAGRAVE DRIVE*. Another private street called *MADISON TRACE DRIVE* will be constructed to connect the development with the adjoining "Dekle" property as a "future" 2nd access to the Madison Trace Development (said interconnection location has been mutual agreed upon between the property owners). Upon a formal agreement being reached between owners for cost and maintenance sharing, access between the Dekle property and the subject property for vehicular and pedestrian access may be allowed. Other interior private streets called *TRACE CIRCLE*, *MADISON SHOALS COURT*, and an emergency service access drive will tie back to *SEAGRAVES DRIVE* per the approved rezone concept plan.

(Note: The ACC Hearings Board unanimously voted on 7/10/2024 to approve a variance to waive the requirement for the subject development to provide at least two driveway access points. The Hearings Board Findings & Conclusions are included with the re-zone submittal. The purpose for the variance was so that upon approval of the rezone and approval of the project engineering, the site development, and construction can proceed before and during such time that the "Dekle" roads are constructed to the common access point shown.)

Also, at the request of the ACC Transportation & Public Works Department a "50-ft. public access easement" will be platted and recorded on the existing portion of *SEAGRAVES DRIVE* (private) starting at the end of the public right-of-way at the creek crossing and extending all the way around the *SEAGRAVES* loop road, and extending from *SEAGRAVES DRIVE* over to the subject property along the street to be known as "*MADISON BOULEVARD*" (see concept plan).

According to the current *Trip Generation Manual - 11th Edition* the project will generate less traffic than the ACC thresholds of 1000 daily trips or 100 trips in the AM or PM peak hour.

The actual projected ADT for up to 60 residential units in *MADISON TRACE* is 414 average daily trips, with AM peak hour trips at 26, and PM peak hour trips at 33.

(see updated TRIP GENERATION MEMORANDUM for Madison Trace Residential Neighborhood prepared by Michael Greenlee of Travis Pruitt & Associates dated May 2, 2024 for more detailed analysis.)

(Note: It is the developer's intent to also install a decel-lane at the intersection of *Seagraves Drive* and *Lexington Road* in accordance with GDOT standards.)

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SCHEDULE

The petitioners plan to complete the zoning efforts on the subject property by December 2024. Construction of the project infrastructure will commence immediately upon approval of the civil/site construction plans around January 2025. The infrastructure will require a minimum of 8-12 months (November-December 2025), and residential building construction is anticipated to require a minimum of 12-18 months to complete (Dec 2026-June 2027).

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MAINTENANCE OF COMMON AREAS

All common areas including private streets, driveways, sidewalks, storm drainage, nature trails, conservation areas, and stormwater management areas in the development will be owned and maintained by the *MADISON TRACE CONDOMINIUM ASSOCIATION*.

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BUFFERS

Street trees will be installed throughout the development. Green-space buffers and landscape strips are proposed and illustrated on the Rezone Concept Plan. State waters buffers, Conservation Corridors, and ACC riparian buffers that exist along the stream on the property are illustrated on the rezone concept plan and will be preserved.

These proposed buffers will only be penetrated as necessary for storm drainage and utilities as allowed in accordance with provisions of the Unified Development Code of Athens-Clarke County and state and federal regulations.

* * *

UTILITIES

All utilities are proposed to be underground. Any overhead services that currently exist will be rerouted within the appropriate utility corridor acceptable to ACC and the affected utility company. Proposed utilities are power, water, sanitary sewer, telephone, cable TV, and fiber-optic internet access.

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GARBAGE COLLECTION

Garbage collection is expected to be by private contract service.

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PUBLIC & SEMI-PUBLIC AREAS

Waterline and sewer line easements will be dedicated to the ACC Utilities Department. Drainage easements, and access easements will remain the property of the neighborhood condominium association. Easements for power, telephone, cable TV, and gas will be dedicated as required for specific utility construction.

A separate StormWater Access and Maintenance Easement will be prepared and recorded therein giving the Athens-Clarke County Unified Government the right to inspect and, if necessary, make repairs and/or conduct other needed maintenance activities should the condominium association fail the properly maintain said storm water management facility(s).

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OUTDOOR LIGHTING

Full cut-off LED light fixtures on metal or fiberglass poles will be installed to illuminate the development for safety and security. These light standards will be oriented inward, down and away from any neighboring residential areas.

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IMPACT TO SCHOOLS

There will be no negative impact to the schools or to the school system due to the number of the students associated with the development. However, there will be a significant positive impact to the school system due to the enhanced tax base generated by the \$39,000,000 in anticipated increased property values each year, in perpetuity.

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PROJECT VALUATION

Based on a total of 60 residential units in the neighborhood then the total value of the project at build-out and occupancy will be approximately \$39,000,000.

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

- The proposed development as planned will increase the supply and variety of quality housing units.
- The price per square foot of the proposed new housing units will be substantially higher than any existing homes on neighboring properties, however, the square footage of each of these homes will be modest and in keeping with neighboring properties.
- The proposed RM-1 density request of 2.56 units per acre is less than and compatible with the neighboring RS-8 properties which allow up to 3.8 dwelling units per acre.

- The RM-1 zoning request is not being made to increase the density allowed, but to give greater design flexibility than the RS-8 code requirements.
- The owner agrees to a relatively “binding” site plan which as depicted certainly meets the objectives of parkland, green-space, and environmental sustainability.
- Given that all of the adjoining properties except one (Dekle property) are already developed, and given that the Dekle property was previously approved as a large scale PUD (Planned Unit Development); and given it is common knowledge that the Dekle property has been redesigned and resubmitted as a Modified PUD depicting a road interconnection with the subject property as depicted on the subject RM-1 Rezone Concept Plan, then the owner submits that the subject property is in fact an “in-fill” development and not a “Greenfield” expansion.
- Concrete sidewalks 5 feet in width will be constructed on both sides of all streets in the *Madison Trace* project. Those sidewalks will be extended into the road right-of-way of *Seagraves Drive* in the existing Willow Mist development. Residents of the Willow Mist development already walk along the road right-of-way of *Seagraves Drive* to the existing bus stop at the intersection of *Lexington Road* and *Seagraves Drive*.

These sidewalk additions in the Madison Trace project coupled with interconnecting sidewalks to be build in the “Dekle” development will incentivize walking and other alternative transportation modes both to Lexington Road as well as to Barnett Shoals Road.

COMPATIBILITY WITH THE FUTURE LAND USE MAP

The Madison Trace project as designed is consistent with the TRADITIONAL NEIGHBORHOOD classification of the Future Land Use Map.

COMPATIBILITY WITH THE ZONING MAP

- The proposed Madison Trace development will be a condominium form of ownership rather than fee simple lots.
- The density equates to 2.56 dwelling units per acre which equates to 8.31 bedrooms per acre.

As designed with a binding rezone concept plan the development is compatible with the zoning map.

Consistency with Other Adopted ACC Government Plans, Studies, Or Programs

- A simple nature trail for the residents and guests is proposed by the developer. As stated earlier, if the ACC Government prefers to extend the GREENWAY onto the site then the owner is willing to negotiate an easement location at that time.
- The owner is aware that the site is located in a Tax Allocation District and that TAD funds may be available for certain infrastructure work.

TECHNICAL ASSESSMENT / WATER and SEWER AVAILABILITY

- There is one stream on the subject 23.474 acre parcel along with 25' state waters buffer, 75' ACC Environmental Corridor, and 100-year floodplain acreage. The waterline recently completed in *Shadybrook Drive* will be extended at the developers expense along the right-of-way of *Shadybrook Drive* to cross the stream and the 25' state waters buffer and the 100-year flood elevation to higher ground, then turn and extend into the proposed road network before looping through to adjoining properties. ACC Public Utilities has stated in their latest correspondence that the requested water capacity is currently available.
- The existing sanitary sewer located in the Willow Mist neighborhood will also be extended as depicted on the RM-1 Rezone Concept Plan. In the latest correspondence for the ACC Public Utilities Department they state that sewer capacity requested for the development will be available to serve the project.

TECHNICAL ASSESSMENT / TRANSPORTATION AND PUBLIC WORKS

- GRADING: Grading, drainage, and erosion control plans will be prepared and submitted during the Site Development Plans preparation design stage of development for submittal to the *CONSTRUCTION PLANS REVIEW* process typically following the *REZONE* process.
- *Beall & Company LLC* has redesigned the project primarily due to maintenance concerns expressed by the *ACC Transportation and Public Works Department* relating to an earlier design. Meetings have since taken place with the owners and consultants of the subject property and the Dekle property and with the ACC T&PW staff in order to arrive at an alternate access location suitable to all parties (as depicted on the current RM-1 Rezone Concept Plan).
- An updated Traffic Impact Analysis prepared by Michael Greenlee of *Travis Pruitt & Associates* is included with the current submittal.

FIRE PROTECTION

- The updated RM-1 Rezone Concept plan depicts the proposed water mainline (in blue ink) including fire hydrant locations and the initial tie-in points to waterlines in *Seagraves Drive* and in *Shadybrook Drive*.
- The updated plan also depicts two initial fire department access points to the Madison Trace Development, and a 3rd access tie-in point with the Dekle property upon its development.

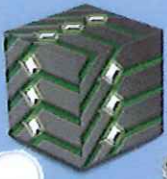
COMPLIANCE WITH ZONING ORDINANCE AND DEVELOPMENT STANDARDS

- All signage and lighting will adhere to existing ACC standards.
- Block sizes are contemplated in the updated RM-1 Rezone Concept Plan
- Buffer requirements will be complied with as depicted on future Site Development Construction Plans.
- Retaining walls where required will be depicted on future Site Development Construction Plans.

DEVELOPER AGREED UPON CONDITIONS OF THE REZONE SUBMITTAL TO DATE

- The owner/developer agrees to a maximum dwelling unit count of 60.
- The owner/developer agrees to the maximum building height restrictions as listed in the ACC UDC Sec. 9-15-22. A. – Structure height - General exception.
- The owner/developer agrees that a 50-ft public access easement will be provided and recorded for the entirety of SEAGRAVES DRIVE beginning at the current end of the public right-of-way on SEAGRAVES DRIVE. An additional 50-ft public access easement will be provided and recorded identified as Parcel A (0.17 acres) as shown on a Retracement Boundary Plat for Ronnie Kittle prepared by Baseline Surveying & Engineering, dated 02-07-2023 (attached), to extend from the SEAGRAVES Drive public access easement to the boundary line of the subject 23.47 acre parcel.
- The owner/developer agrees to a “30-ft Greenway Easement” to accommodate a 12-foot improvement along a non-roadway that will be dedicated to ACC for “Greenway Construction” at a mutually agreed upon location on the property.

REPRESENTATIVE ARCHITECTURE



BEALL & COMPANY

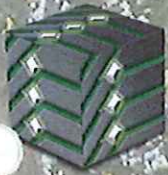
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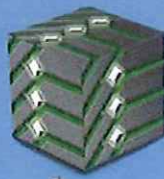
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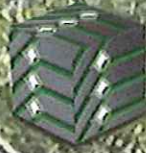
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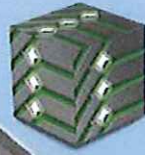


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