



**STAFF REPORT
REZONE
1691 MILLEDGE AVENUE EXTENSION
ZONE-2024-11-2446
JANUARY 2nd, 2025**

APPLICANT:Bradley Martin
OWNER:1691 Milledge Ext LLC.
ZONING REQUEST:RM-1 to RM-2
TYPE OF REQUEST:Type II
LOCATION:1691 Milledge Avenue Extension
TAX MAP NUMBERS:173C4 B006
COUNTY COMMISSION DISTRICT:10
SIZE OF REZONING AREA:0.38 acres
PRESENT USE:Single-Family Residential
PROPOSED USE:Multi-Family Residential
PUBLIC NOTICE POSTED:December 18th, 2024
STAFF RECOMMENDATION:**APPROVAL WITH CONDITION**
PLANNING COMM. RECOMMENDATION:**PENDING**
MAYOR & COMMISSION AGENDA SETTING: ...January 21st, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION:February 4th, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting a rezone at 1691 Milledge Avenue Extension from Mixed-Density Residential (RM-1) to Mixed-Density Residential (RM-2) for the purpose of adding a 3-bedroom unit to the property. The zoning request does not require a change to the Future Land Use Map which is currently *Mixed-Density Residential*.

The proposal is compatible with the Comprehensive Plan, particularly in regards to increasing housing supply in an area that is currently surrounded by RM (Mixed Density Residential) zoning.

A binding site plan is not required for this rezone request. Staff has reviewed this plan for general compliance with the Code. At this time, no general compliance issues have been identified. If approved, the proposal will be reviewed for code compliance at the time of permitting review. The Public Utilities Department has noted that a sanitary sewer main extension at the expense of the owner/developer will be required in order to serve the proposed structure with sanitary sewer. PUD recommends approval with condition that sewer main is extended to provide independent service. Staff recommends **approval with condition**.

Condition:

1. A sanitary sewer main extension is required for the proposed new structure to be served by ACC sanitary sewer.

Planning Commission Recommendation: Pending

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting a rezone at 1691 Milledge Avenue Extension from Mixed-Density Residential (RM-1) to Mixed-Density Residential (RM-2). The applicant seeks a rezone of the .38-acre parcel to allow for greater density in order to construct a three-bedroom structure on the property. The parcel is near campus, recreational amenities and other multi-family housing that has been developed at a similar scale. The existing residence has maximized bedroom density allowed by RM-1 zoning. The rezone to RM-2 would allow three additional bedrooms on the lot.

B. Existing Conditions

The subject property is located on the east side of Milledge Avenue Extension and backs up to Rogers Road (private UGA road serving graduate housing) at the rear property line, though there is no access to/from Rogers Road. It is a relatively flat lot with only a slight drop in elevation from Milledge Avenue Extension to Rogers Road. The property contains a house, garage and shed. According to tax records the house has 6 bedrooms, which is the maximum density allowed under the current zoning. The property is served by ACC water but does not have sewer access along any property line.

The areas to the north and east are zoned Government (G) and are the site of University of Georgia Housing. The property to the south is zoned RM-1 and contains a duplex. Across Milledge Avenue Extension to the west, the properties are zoned RM-2 and contain multi-family apartments and condominiums.

III. Policy Analysis

C. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies:

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

Land Use

- Infill and redevelopment should be prioritized over greenfield expansion.

The parcel is currently a multi-family use and is located next to larger scale existing multi-family residential. Additionally, this location is near UGA, recreational opportunities and has easy access to the Five Points business district and Loop 10. Staff finds the proposal is compatible with the Comprehensive Plan.

D. Consistency with Future Land Use Map

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

Mixed-Density Residential

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

No change to the Future Land Use Map is required since the requested RM-2 zone and the multi-family use of the property are consistent with the Map.

E. Consistency with the Zoning Map

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

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

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the current RM-1 zoning and the proposed RM-2 zoning is increase in the bedroom/acre calculation. The increased density will allow for three additional bedrooms, as proposed. The subject property is bordered by multi-family development. Given the presence of existing multi-family housing in the area, Staff considers the request to be compatible with the Zoning Map.

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

No other plans or studies were identified.

IV. Technical Assessment

A. Environment

The Athens-Clarke County Environmental Areas Map shows there are no designated environmental areas on or near the subject property.

The Arborist has reviewed the plan and recommended approval with the expectation that the project will meet all requirements of The Community Tree Management Ordinance at the time of plan review.

B. Grading and Drainage

The Transportation and Public Works Department has reviewed the proposal and does not have any grading and drainage-related comments.

C. Water and Sewer Availability

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

- *A sanitary sewer main extension at the expense of the owner/developer will be required in order to serve the proposed structure with sanitary sewer. PUD recommends approval with condition that sewer main is extended to provide independent services*

D. Transportation

The Transportation and Public Works Department has reviewed the proposal and recommended approval without any transportation-related comments.

E. Fire Protection

The Fire Marshal has reviewed the proposal and recommended approval without comment.

F. Compliance with the Zoning Ordinance and Development Standards

Since a binding plan is not required or proposed with this request, Staff reviewed the plan for general compliance with the code. If approved the proposal will be reviewed for code compliance at the time of permitting review. The applicant has not made any waiver requests, so they will be expected to comply with all of the applicable standards. Signage and lighting are not reviewed at this stage, but the applicant is expected to adhere to those standards as well.

End of Staff Report.

Reviewed

Zoning Criteria Considered by Staff

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

- ☒ The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
- ☒ The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
- ☒ The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
- ☒ The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
- ☒ The existing land use pattern surrounding the property in issue.
- ☒ The possible creation of an isolated district unrelated to adjacent and nearby districts.
- ☒ The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
- ☒ Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
- ☒ Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
- ☒ Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
- ☒ Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
- ☒ The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
- ☒ The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.