



**STAFF REPORT
PRELIMINARY PLANNED
DEVELOPMENT AMENDMENT
100 & 130 NEWTON BRIDGE ROAD
PD-2025-04-0696
MAY 1, 2025**

APPLICANT: Joseph Bates / SPG Planners+Engineers
OWNER: Westclox Rocks LLC
FUTURE LAND USE REQUEST: Remains *Employment Center*
ZONING REQUEST: Amend E-O (PD)
TYPE OF REQUEST: Type II
LOCATION: 100 & 130 Newton Bridge Road
TAX MAP NUMBERS: 112 003 & 112 003C
COUNTY COMMISSION DISTRICT: District 9
PROJECT SIZE: 19.5 Acres
PRESENT USE: Vacant Industrial
PROPOSED USE: Commercial-Residential Mixed Use
PUBLIC NOTICE POSTED: April 15, 2025
STAFF RECOMMENDATION: **COMMENTS ONLY**
PLANNING COMM. RECOMMENDATION: **COMMENTS ONLY**
MAYOR & COMMISSION AGENDA SETTING: .. July 15, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION: August 5, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting to amend the Planned Development for the portion located at 100 and 130 Newton Bridge Road, currently zoned E-O (PD) (Employment-Office (Planned Development)). The request includes 69 townhouse-style multi-family units (application did not make clear whether these were fee-simple lots or not), 200,000 sq. ft. of commercial-office flex space, and 531 parking spaces. The 19.5-acre site is currently home to a vacant manufacturing facility, approximately 234,000 sq. ft. in size.

The Planned Development approved in 2021, called for creating a “vibrant mixed-use destination that transforms the site...into a unique and eclectic live-work-play community.” In addition to the multi-family, warehouse, and office space mentioned above, the subject properties were to include 181,000 sq. ft. of flex commercial-office space, largely in the existing manufacturing facility, a 150-room hotel along Dairy Pak Road, and “a series of inviting outdoor gathering spaces,” as quoted from the applicant’s binding report.

The project is not compatible with the Comprehensive Plan, although it is compatible with the Future Land Use Map and Zoning Map, since no changes are required to those maps. Staff considers the changes proposed to the project to be incompatible with the Comprehensive Plan due to the removal of green open spaces and central gathering spaces, including the outdoor event space, and the lack of integrated nodal design, as described below and embodied in the existing binding plan. Staff is concerned that the design changes would compromise the ability of the project to serve as a node for

the current and future residents of the Newton Bridge corridor.

Generally, the proposal fills the available acreage, but does not maximize the potential of the land to the degree that the existing plan does. Staff recommends that the applicant place limits on the maximum square footage or ratio of space available to each use, a maximum bay size, a minimum bay count, reserving a set amount of micro-spaces for business start-ups, or some combination of all the above to help fulfill the stated intent to create a “vibrant ecosystem of local businesses and jobs.”

The approved plan is comparable to the new, popular Wire Park development, in Watkinsville, where a vacant manufacturing facility was converted into a variety of commercial flex spaces, organized around public corridors and central gathering spaces, and complemented with new residences. In Staff’s opinion, this proposal abandons many of the elements in the existing binding plan that have made Wire Park successful.

While Staff understands that large planned developments may evolve, the expectation is that any evolution should attempt to adhere to the original design spirit and community benefit. Even if the existing building must be demolished, that does not prevent the applicant from building the existing plan from the ground up. Staff notes that the applicant has not offered sufficient evidence to justify why the plan needs to be amended so thoroughly.

Planning Commission Recommendation: Pending

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting to amend the Planned Development for the portion located at 100 and 130 Newton Bridge Road, currently zoned E-O (PD) (Employment-Office (Planned Development)). The request includes 69 townhouse-style multi-family units (application did not make clear whether these were fee-simple lots or not), 200,000 sq. ft. of commercial-office flex space, and 531 parking spaces. The applicant is proposing to rescind previously granted waivers to allow up to 100,000 sq. ft. of retail, 65,000 sq. ft. of restaurant/bar uses, and a theater of less than 1,000 seats, while carrying forward the conserved tree canopy waiver, allowable use chart, and block size waiver as well as increasing the percentage of residential square footage from 35% of the total project to 55%.

B. Existing Conditions

The 19.5-acre site is currently occupied by a vacant 234,000 sq. ft. (approximate size) industrial manufacturing facility, former home of a General Time Corporation clock factory. The project is zoned E-O (PD) and is part of the larger 35-acre General Time Planned Development, which has been split into multiple parcels and multiple phases. To the north, previous phases of the PD have been constructed, including 200 multi-family apartments at 180 Newton Bridge Road, and a 114,000 sq. ft. building that is split between a Terrapin Brewery warehouse (69,000 sq. ft.) and a Wayfair office (45,000 sq. ft.). To the east and south sit industrial and utility uses that are zoned I (Industrial). Across Newton Bridge Road to the west sit a variety of light industrial/office uses (zoned Industrial) in the industrial park on Paradise Boulevard, including an Athens-Clarke County maintenance facility.

As stated by the applicant, the site is a brownfield under the oversight of the Georgia Environmental Protection Division. Remediation has occurred to make the project eligible for redevelopment, although restrictions remain, including where residences can be located and what stormwater practices are feasible.

The Planned Development approved in 2021, called for creating a “vibrant mixed-use destination that transforms the site...into a unique and eclectic live-work-play community.” In addition to the multi-family, warehouse, and office space mentioned above, the subject properties were to include 181,000 sq. ft. of flex commercial-office space, largely in the existing manufacturing facility, a 150-room hotel along Dairy Pak Road, and “a series of inviting outdoor gathering spaces,” as quoted from the applicant’s binding report. This included breaking up the existing facility into four separate buildings connected by exterior public walkways and a central courtyard—similar to the layout of the popular Wire Park industrial redevelopment in nearby Watkinsville. In addition to the courtyard, 2.5 acres were set aside for a large greenspace as a “front door” between Newton Bridge Road and the existing building. This greenspace included art, plaza space, a lawn with a stage, terraced seating, an events pavilion, art, and also mentioned the possibility of hosting an outdoor event venue with capacity for 3,000 people. The commercial-office flex space is slated for a mix of “distinctive restaurants and cafes, local retail, artist studios and galleries, makerspaces, wellness studios, and homegrown innovative businesses.” The zoning use chart was modified to allow Light Manufacturing, Food Processing, Manufacturing Non-Odiferous Food, Distribution Centers, Kennels, and Whole Storage & Distribution in the flex space at the eastern rear of the site. Heavy Manufacturing, Auto/RV sales, mortuaries, cemeteries, and drug rehab centers were struck from the underlying zoning’s list of allowable uses. Daycares were also permitted so that the project could truly serve as a “work-play-live environment.”

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Infill and redevelopment should be prioritized over greenfield expansion.*

By virtue of being a redevelopment site, the project is prioritizing infill and redevelopment.

The 2023 Comprehensive Plan calls for the following policies that **are not** supported in this project:

- *Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.*
- *Incentivize and incorporate the arts and greenspace into all new developments.*
- *Encourage the creation of publicly accessible gathering spaces within neighborhoods and development projects.*
- *Create appealing and inviting community gateways and corridors.*
- *Utilize best practices for the attraction and retention of business and industry.*

With the exception of an undefined 0.4-acre open space/child play area, the project is removing all of the greenspaces and publicly accessible gathering spaces, including the “front door” event space, that are centerpieces of the existing binding plan. The existing plan devoted considerable effort to envisioning architectural design and landscaping elements that would give the project a unique and attractive post-industrial look, as Wire Park did. The proposal exchanges that attention to detail with non-descript warehouse-style buildings connected by 90,000 square feet of unmarked asphalt slab that functions for trucking better than public gatherings. In Staff’s opinion, without these greenspaces and attention to design details, the project will not be particularly inviting as a community gateway. Removing these spaces also removes most of the areas where people would “play” in a project that is, according to the applicant, supposed to be “live-work-play.”

The design functions more as two pods with a dividing parking lot—one residential and one commercial—that are adjacent but not integrated, as one would expect a node to be. Staff is concerned that the proposed changes will compromise the project’s ability to serve as a “destination project,” as originally envisioned in the binding application report. Without the central gathering spaces and integrated design, Staff is concerned that the proposal would no longer be able to serve as the node for the current and future residents of the Newton Bridge corridor. Rather it could become a place that people drive by on their way to other destinations.

The Athens-Clarke County Economic Development Department has identified target sectors to cultivate and attract to Athens, including craft beverages, the creative economy, bioscience, healthcare, and advanced manufacturing. The applicant stated that bays will be available from 2,500-32,000 sq. ft., although the typical flex-space is 5,000-8,000 sq ft. However, the bays are arranged in rows rather than clustered around courtyards and walkways as currently approved. Rows reduce the spillover benefits that come with clustering around a courtyard, such as the incentive to patronize multiple businesses in one visit or satisfy different individual tastes within a group. Expected users include “professional offices, service businesses, small-scale warehousing and industry, fabrication, retail showrooms, makers, and more,” which is broader and less specific than the previous userbase of “distinctive restaurants and cafes, local retail, artist studios and galleries, makerspaces, wellness studios, and homegrown innovative businesses.” Homegrown innovative businesses and other start-up types would likely find the size of the proposed bays to be cost-prohibitive. Based on this, Staff concludes that the user base would likely shift towards larger, established businesses and less oriented around creating the third-space, place-based, and collaborative ecosystem in the existing plan. Staff recommends that the applicant place limits on the maximum square footage or ratio of space available to each use, a maximum bay size, a minimum bay count, reserving a set amount of micro-spaces for business start-ups, or some combination of all the above to help fulfill the stated intent to create a “vibrant ecosystem of local businesses and jobs.”

Overall, the proposal, with the exception for its redevelopment nature, is not compatible with the Comprehensive Plan.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Employment Center*, which is described as follows:

Employment Center

These are areas of industry, office, research parks, and flex-space mixed uses. Large-scale employment areas, which include large industrial areas, manufacturing, office parks, and research centers, are incompatible with housing. Smaller-scale employment areas are appropriate to be in close proximity to a neighborhood area. Design standards regulating building placement, landscaping, and buffering should apply. Small amounts of retail may be compatible in some areas.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. It is not clear that the flex-office space, which will serve as an employment area, is compatible with the proposed residences because the proposed site plan is laid out in a way that suggests warehousing and trucking without placing restrictions on the scale of that use, which would be incompatible with residential uses. Therefore, the proposal may not be compatible with the Future Land Use description for this area, unless the applicant can clarify any restrictions on warehousing and trucking. The site was also identified for a potential node, as a Town Center, in the Growth Concept Map and ongoing Future Land Use Map update.

C. Compatibility with the Zoning Map

The applicant has requested to amend a Planned Development, zoned E-O (PD) (Employment-Office (Planned Development)). No change is being made to the underlying zoning and the applicant has proposed to carry forward the list of allowed and disallowed uses in E-O zones as modified by the existing Planned Development. As mentioned above, the zoning use chart was modified to allow Light Manufacturing, Food Processing, Manufacturing Non-Odiferous Food, Distribution Centers, Kennels, and Whole Storage & Distribution in the flex space at the eastern rear of the site. Heavy Manufacturing, Auto/RV sales, mortuaries, cemeteries, and drug rehab centers were struck from the underlying zoning's list of allowable uses. Daycares were also permitted. The project is compatible with the Zoning Map since no changes are required.

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

Newton Bridge Road and its connecting streets are the subject of several transportation projects from Athens in Motion and other plans, including several multi-use paths, potential lane reallocation on the four-lane section of Newton Bridge Road, and intersection improvements that are already in the design process or could be warranted based on future development in this corridor. The project is also in the Newton Bridge Area Tax Allocation District, which is involved in selecting and funding some of these projects. It is important that this project be considered in the wider corridor context, especially when considering what, if any, transportation infrastructure improvements might be made. Since the future of Newton Bridge Road is unlikely to include significant industrial traffic, but would host increased residential trips, a reconsideration of the street design is warranted to safely calm traffic, provide multi-modal accessibility, and account for changing traffic flows. The project itself already has a multi-use path constructed, but is expected to work with the Transportation & Public Works Department on future projects, as needed.

IV. Technical Assessment

A. Environment

No designated environmental areas on the property. However, as explained above, the site is a brownfield under the oversight of the Georgia Environmental Protection Division. Remediation has occurred to make the project eligible for redevelopment, although restrictions remain, including where residences can be located and what stormwater practices are feasible.

The Arborist has reviewed the tree management plan and offered the following comments:

- ACC Arborist recommends that applicant provide a tree management plan comparison between proposed and the tree management plan that was included in the binding site plan of PD-2020-10-2975. The tree management plan for the entire 35.12-acre particular planned development was binding. Because the current site plan for 19.47 acres of the project is changing, ACC Arborist recommends that applicant document that binding tree canopy cover for the entire 35 acres will not be negatively impacted.*

B. Grading and Drainage

The Transportation & Public Works Department has reviewed the proposal and offered the following grading and drainage-related comments:

- Will need to show that proposed stormwater will pass through existing drainage (at boundary with GPC).*

C. Water and Sewer Availability

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

- *ACC water and sanitary sewer is available. Capacity is available to serve the proposed development.*
- *Tree conflicts exist with proposed utilities. Minimum of 10' horizontal separation is required between trees and water/sewer mains. Minimum of 5' horizontal separation is required between trees and water/sewer services*
- *Fire Hydrants are required at all intersections*
- *PUD recommends approval with the condition that tree and utility locations be non-binding*

D. Transportation

The traffic analysis offered by the applicant proposes a reduction of trips from previous estimates by reducing the number of projected uses from eleven to five—removing specialty retail, light industrial, manufacturing, quality restaurant and theater/event space among others, in favor of business park and townhouses. Reducing the diversity of uses, especially those likely to be prominent attractions, is one more cause for Staff to be concerned that the development will not provide the diversity and quantity of mixed uses that the PD envisions. Providing 531 parking spaces, which is 82 more than the requirement of 449, is a signal that the project is not prioritizing placemaking for people – which is at the core of the approved vision.

The Transportation & Public Works Department has reviewed the proposal and offered the following transportation-related comment:

- *Although the number of trips in the proposal is lower than the existing plan, the number of trips still exceeds 1,000 trips per day—the trigger for a TIA. An updated TIA will need to be submitted, including analysis for the Chase Street roundabouts at their intersection with the Loop 10 ramps.*
- *Entrance off Dairy Pak nearest Barber exceeds 36' maximum driveway width.*
- *Developer is expected to work collaboratively with ACC staff on the Barber St and N Chase St transportation improvement projects.*
- *Modifications to the N Corner of Dairy Pak and Newton Bridge may require adjustment based on project timing.*

E. Fire Protection

The Fire Marshal has reviewed the proposal and offered the following comment:

- *The project will be expected to meet all required fire codes adopted at the time of the plan review.*

F. Compliance with the Zoning Ordinance and Development Standards

A Planned Development designation is intended to encourage development of compatible land uses on a scale larger than that of individual small parcels. This designation is used to request waivers to the required development standards in an effort to provide design flexibility to account for special circumstances unique to the design or lot, as long as the proposal meets the spirit and intent of the code. Planned Development requests include a binding application report, site plan, and architectural elevations in an effort to guarantee to the community that what is proposed will be constructed if approved. All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards.

Requested Waivers:

1. *Waiver from Section 8-7-15's conserved tree canopy for E-O zones, to reduce the conserved canopy from 15% to 3.91%. [Staff notes that this is an approved waiver that is being carried over from the existing Planned Development]*
2. *Waiver from Section 9-11-2(L3)'s to increase the allowable percentage of residential square footage from 35% to 55%.*

Applicant's Purpose: Allows the townhomes.

Staff Opinion: Staff notes that this waiver was previously granted to increase the square footage from the base allowance of 20% to 35%. A further increase could be justified if the applicant can provide greater specificity on the mix of uses to ensure that incompatible residential and commercial or industrial uses would not be in conflict. Assuming no significant user conflicts, Staff is comfortable adding more residential to the site, but not at the expense of the spirit of the existing plan, including its provision of central gathering spaces and third-space commercial space. As currently proposed, Staff does not support this waiver request.

3. *Waiver from Section 9-11-2 to allow the following uses: Light Manufacturing, Food Processing, Manufacturing Non-Odiferous Foods, Distribution Centers, Kennels, and Wholesale Storage & Distribution.*

Applicant's Purpose: Allows greater flexibility of uses to create a diverse ecosystem of businesses in the flex space.

Staff Opinion: Staff notes that this is an approved waiver that is being carried over from the existing Planned Development. However, the Wholesale Storage & Distribution use has since been amended and split into two uses: *Wholesale Storage* and *Distribution Center*. The applicant should revise this waiver to align with the current use chart, as defined in the ordinance, adopted Dec. 5th, 2023.

4. *Waiver from the 3-acre block size maximum of Sec. 9-25-8(C)3. [Staff notes that this an approved waiver being carried over from the existing Planned Development.]*

Corrective Actions:

1. *The townhouse elevations do not have enough architectural design elements as required by Sec. 9-25-8(B)1.*
2. *The townhouse elevations need to be varied to comply with the differentiation requirement of Sec. 9-25-8(B)3.*
3. *The applicant needs to verify that the townhouse elevations comply with the trim requirement of Sec. 9-25-8(B)6. This can be remedied at Plans Review.*
4. *The townhouses need to be revised to meet the offset and variation requirements of Sec. 9-25-8(C)8.*
5. *The flex space buildings are not oriented towards the street as required by Sec. 9-25-8(E)1.a.*
6. *The parking at the rear of the site must provide a 10-foot planted buffer where it abuts the property line, as required by Sec. 9-25-8(G)2.*
7. *The Dairy Pak Road driveway must have screening between the residential and flex space, per Sec. 9-25-8(G)5.b. This can be remedied in Plans Review.*

8. *Accessible parking spaces must be provided, per Sec. 9-30-4. This can be remedied in Plans Review.*
9. *Bike parking must be provided, per Sec. 9-30-5. This can be remedied in Plans Review.*
10. *The parking minimum calculations may be able to be revised downward if the applicant can apply the credit for on-street parking in Sec. 9-30-3.*

End of Staff Report.

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.