

Old Jefferson Road Residential – Application Report

May 2, 2025 – W&A File #24-00137

REQUEST SUMMARY

Applicant:	W&A Engineering, Georgia
Location:	5090 Old Jefferson Road
Tax Parcel :	103 001
Size:	46.285 Acres
Current Use:	Undeveloped
Current Zoning:	RS-8 Residential Single Family
Proposed Zoning:	RM-2 (PD) Mixed Density Residential
Current FLU:	Traditional Neighborhood
Proposed FLU:	Mixed-Density Residential (PD)

The purpose of this request is to rezone this parcel currently zoned RS-8 (Single-Family Residential) to RM-2 (PD) (Mixed-Density Residential, Planned Development) to construct:

- 94 fee simple, Townhomes "Paired Villas". 2 free standing fee simple homes
- 72 leasable Townhomes
- 152 leasable Cottage style, single family homes
- 26 leasable duplexes
- 5 leasable garages for up to 25 vehicles
- Clubhouse with a pool and other amenities

The request includes an amendment to the Future Land Use designation for the subject property from *Traditional Neighborhood* to *Mixed Density Residential*. This request includes six (6) waivers from code standards

EXISTING SITE

The subject property consists of one (1) undeveloped 46.285-acre parcel (Tax Parcel 103 001), located at 5090 Old Jefferson Road. In addition to 2 access drives on Old Jefferson Road, this project also proposes a connection to West Vincent Drive on the northeast end of the subject property. The property is fronted by Old Jefferson Road to the south, single family homes (Zoned AR) to the west. All remaining boundaries are adjacent to land that is currently zoned RS-8. The property to the east is currently vacant. Much of the northern property line is adjacent to a single residence on approximately 24-acres (770 W. Vincent Dr.) The remainder of the northern property line is a RS-8 residential subdivision. On the southeast corner of the subject site is a +/-0.92 utility easement. No development is proposed on this easement. Both the subject site and adjacent properties are outside of all overlay districts and corridors.

Other than the utility easement on the southeast corner of the property, this site is densely wooded. This site drains to creeks which flow northwest and are located on the northern half of the western boundary. There are +/- 3.40 acres of wetlands which will remain protected.



Figure 1: 2021 Aerial view of the subject property on Old Jefferson Road

PROPOSED DEVELOPMENT

Vision

The proposed development provides a mixture of housing types featuring 250 leasable cottages, townhomes, and duplexes offering a variety of one, two and 3-bedroom units comprised of 8 different floor plans with building heights varying between one, two and three stories. In addition, there will be 94 fee simple two story “paired villas” offering three bedroom floor plans and 2 free standing fee simple homes. The intent is to give several options to the prospective resident within the context of a community rich in contrast and variation. Each home is connected to the area through a sensible vehicular layout and the overall design is purposeful in its attention to the human scale interaction with the built environment of the community. Every unit connects to interior walkways with long stretches free from traffic.

The site design will represent a Traditional Neighborhood ambiance influenced by various New Urbanism principles. This community provides a mix of housing options, activated open green space, common courtyards and pathways, and pedestrian friendly streets based on a traditional grid pattern. The layout is meant to encourage connectivity and walkability while fostering a sense of place and community, with the ultimate goal of enhancing the lives of our residents.

This community will add a much-needed residential development to a growing city with a shortage of available and attainable housing stock. Surrounding neighborhood connectivity will be further enhanced by the proposed public extension of West Vincent Drive, improving the existing street grid for the neighborhood and its vicinity. Fee simple paired villas are placed in a way that continues the feel of the adjoining neighborhood.

Amenities will include a clubhouse typical of a Class-A residential community, including a fitness center, coworking space and club room. Outdoor amenities will be strategically located throughout the community and include a small and large dog park, resort-style pool, pickleball courts, children's play area, grill stations, cabanas, community gardens, walking trails and common gathering areas encouraging social interaction and a sense of community. Other resident services include onsite management and maintenance staff, trash valet, EV charging stations, package concierge, pet spa, bike storage, recycling center and managed mesh Wi-Fi throughout the community.

The goal of this development is to capture the **"Missing Middle"** with a unique product that will meet shifting market demands and ultimately benefit the overall Athens community.

Design Principles

DESIGN

- Traditional Neighborhood Design
- Elements of New Urbanism
- Single-parcel Ownership – For Lease Component
- Human Scale
- Density Of 8-10 Units Per Acre

HOME

- Cottages Courts, Townhomes & Duplexes
- 1, 2 & 3-story Structures with 8 Unique Floor Plans
- Quality Architecture
- 2 Parking Spaces Per Unit (min.)

GREEN SPACE

- Public & Private Outdoor Space
- Open Courtyards
- Homes Oriented Towards Green Space
- Community Gardens

Connectivity

- Well-Connected Street Network
- Well-Connected Sidewalk/Greenway Network
- De-emphasized Car Use
- Community Trails



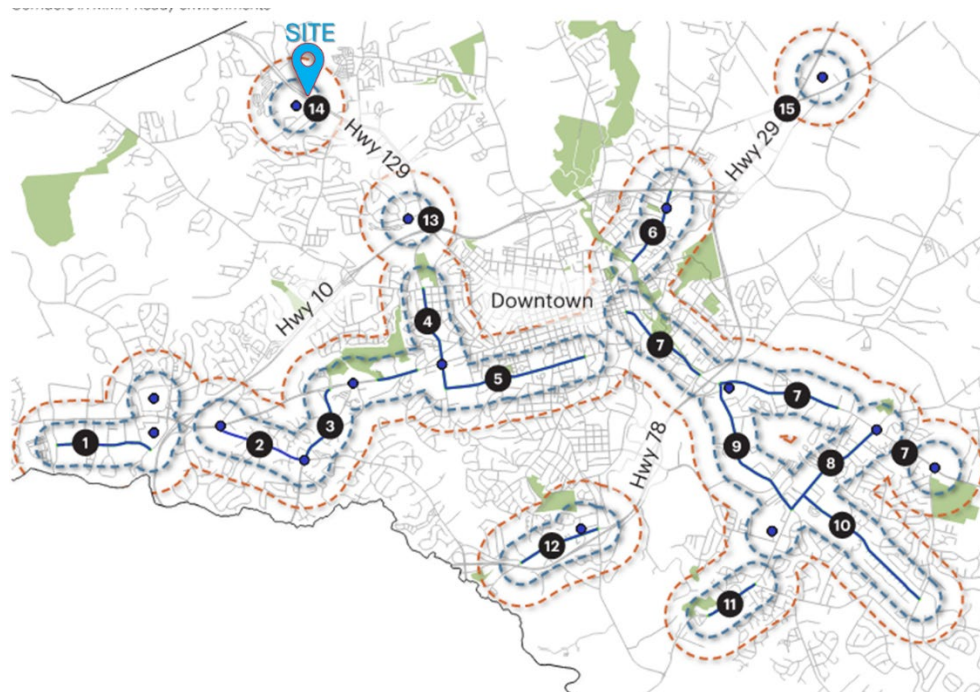
Missing Middle Housing

The Athens-Clarke County Planning Department recognized the need for more housing choices and engaged Opticos Design to conduct a study in 2022 for potential ways to achieve this.

That study is called **“Missing Middle Housing Scan” Analysis**+ Definitions of Barriers to Missing Middle Housing. Below are some highlights from that study that illustrates how our project aligns with its findings and helps meet A-CC’s Goals:

- Missing Middle types achieve medium-density yields and provide high-quality, marketable options between the scales of single-unit homes and mid-rise apartments. They are designed to meet the specific needs of shifting demographics and new market demands and are a key component in neighborhoods offering diverse housing choices. They are called “missing” because very few of these housing types have been built since the early 1940s due to regulatory constraints, the shift to auto-dependent patterns of development, and the incentivization of single-unit homeownership by the federal government. (pg. 14–15)
- The solution is not as simple as adding more multi-family housing stock using the same housing typologies that have been built over the past couple of decades. Instead, it will be necessary to shift the way that we design, locate, regulate, and develop homes. As “What’s Next” states, “It’s a time to rethink and evolve, reinvent and renew.” To that end, MMH types such as Duplexes, Fourplexes, Cottage Courts, Multiplexes, Townhouses, and Live/Work units, are a critical part of the solution and should be in the toolbox of every architect, planner, real estate agent, and developer. (pg. 14)
- MMH creates community through the integration of shared community spaces within the types, as is the case for Courtyard Buildings or Cottage Courts, or simply from the proximity they provide to the community within a building and/or the neighborhood. This is an important aspect, in particular within the growing market of single-person households (which is at nearly 30% of all households, nationally) that want to be part of a community. This has been especially true for single women who have proven to be a strong market for these MMH types, particularly Cottage Courts. (pg. 17)
- By 2040, ACC is projected to become home to an additional 26,425 residents. Using the average household size for ACC (2.36 people), that means an additional 11,197 units over the next 18 years, or an annual average of 622 units. (Pg 8)
- 56% of millennials and 46% of baby boomers want to live in more Walkable Neighborhoods, and 59% of millennials and 27% of baby boomers are looking for MMH. (Pg 10)
- For 2020 and 2021, ACC produced an average of 748 new units, of which only 110 were single-unit dwellings
- By 2025, 85% of households will not have children, but we are building as if they will. Millennials, baby boomers, and single person households do not need or want a large yard or house to maintain. Further, nearly 30% of them are single-person households.
- This is a call for architects, planners, real estate professionals, and developers to think outside the box and to begin to create immediate, viable solutions to address the mismatch between the housing stock and what the market is demanding: vibrant, diverse, sustainable, walkable urban places. MMH types are an important part of this solution and should be integrated into comprehensive and regional planning, zoning code updates, TOD strategies, and business models for developers and builders who want to be at the forefront of this paradigm shift. (pg. 17)

The map identifies the potential Areas and Corridors in MMH-Ready environments (pg44)

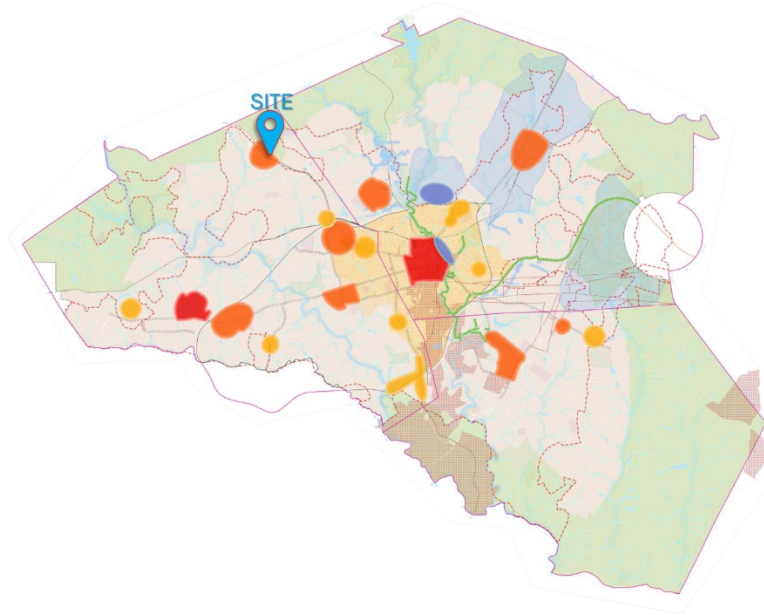


Missing Middle Housing types proposed for the project:



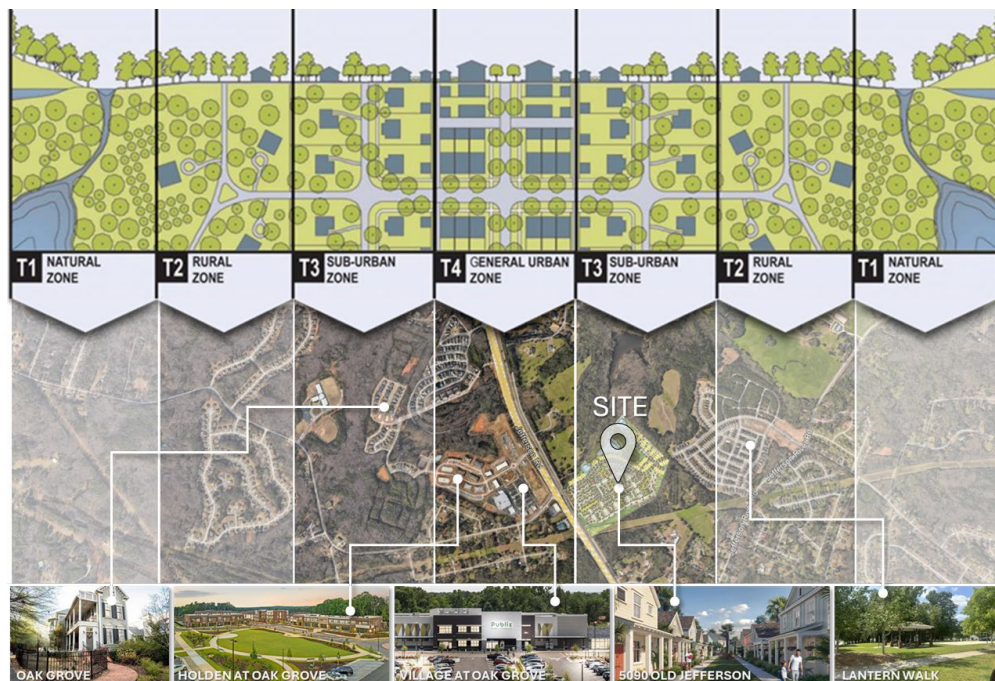
*Modified Image from pg. 32

Areas of growth identified by the ACC The Future Land Use Map study

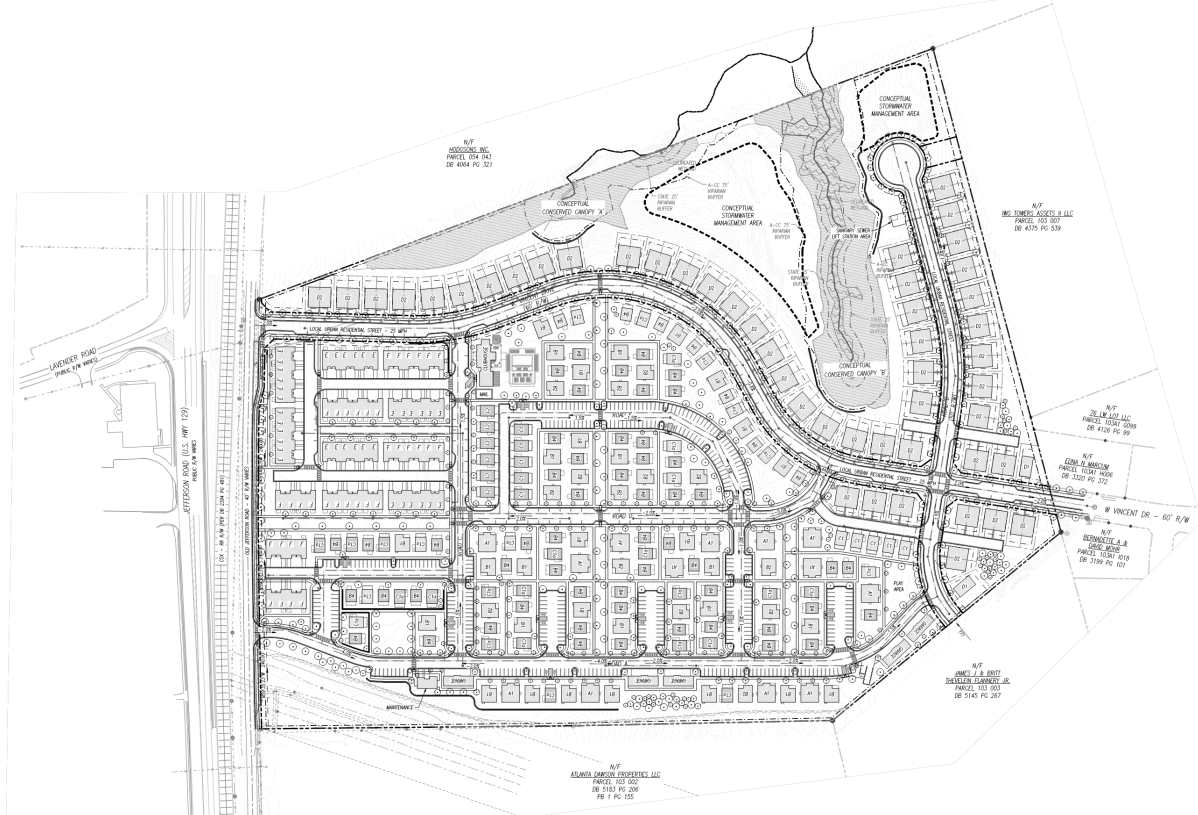


The study describes how smart planning utilizes transect as a guide to “showcase the changes between what characterizes one land type to the next and the context involved between each areas”. The transect helps visualize how the intensity and density of development should gradually reduce as you move away from commercial urban and towncenter hubs.

The proposed development aligns well with this smart growth philosophy. Below depicts how the site is contiguous to Jefferson Road, a main corridor, and the Village at Oak Grove, a commercial town center, and showcases the gradual transition to medium then lower density as you move further away from the commercial node.



Proposed Site Plan



Dwellings

This request includes a total of 346 residential units, which consists of a combination of two different leasable townhome variations, two different fee simple paired villas and six different cottage style units, duplexes (227 total buildings), a clubhouse, and a handful of accessory buildings. The proposed residential unit breakdown is as follows:

<u>Quantity</u>	<u>TYPE</u>	<u>Beds</u>	<u>Baths</u>	<u>Total Beds</u>
36	Townhouse (E)	2	2	72
36	Townhouse (F)	3	2.5	108
94	Paired Villa (Fee Simple)	3	2.5	282
2	Villa (Fee Simple)	3	2.5	6
26	Duplex	1	1	26
30	Cottage (B1)	2	2	60
14	Cottage (B2)	2	2	28
61	Cottage (B4)	2	2.5	122
31	Cottage (C1)	3	2.5	93
16	Cottage (C1 Alt)	3	2.5	48
Total = 346				Total = 845

MISSING MIDDLE HOUSING – LEASEABLE

Unit Sampling





MISSING MIDDLE HOUSING – FEE-SIMPLE VILLAS (FOR SALE)



Connectivity

The proposed plan includes the extension of West Vincent Drive to its planned connection with Old Jefferson Road, as well as extended vehicular, transit, cyclist, and pedestrian interconnectivity opportunities. The project also allows for future interconnectivity to adjacent parcels to the east and north. Pedestrian connectivity is woven through a series of connected green spaces and courtyards throughout the proposed site.

Parking

To reduce the amount of surface parking, all leasable townhome units are self-parked with a garage, accessed from alleys at the rear of each townhome building. The fee simple "Paired Villas" and the two stand-alone fee-simple residences are self-parked with a garage integrated into the front of the unit or alley loaded. These paired villa units also provide driveways to the garages that could serve as additional guest parking for the residents. There are 53 parallel spaces depicted along the extension of West Vincent Drive and another 54 along interior connecting roads. Additional surface lots and garage parking brings the total number to 875 spaces available to residents and guests.

Utilities and Public Services

The site is currently served by public water and sanitary sewer. Sanitary sewer will access an existing manhole at the end of West Vincent Drive. Some portions of this project will require a sanitary sewer pump station and force main to access this location. The approval of the proposed public sanitary sewer pump station will require separate approval by the Mayor and Commission. Initial approval of a public sanitary sewer pump station for this site was approved by Mayor and Commission on June 15, 2021. The Applicant has submitted the conceptual design elements to the Department of Public Utilities for review. Solid waste collection for fee simple paired villa units will be provided by a licensed provider. The leasable component will be responsible for establishing its own service, with these units serviced by a private provider via its property management company which will be in compliance with the Dumpster Service requirements found in Sec. 5-2-16(a)(1) of the Athens-Clarke County Code of Ordinances. All leased units have a central collection compactor and recycling center for their residents' use.

Public Transportation

The site is within one-half mile of Athens Transit Bus Route 8, located along Jefferson River Road. Bike and pedestrian access to Route 8 would be via proposed and existing public sidewalks along W. Vincent Drive and provide access to the route along Jefferson River Road.

Environmental and Stormwater

The Athens-Clarke County Environmental Areas Map shows Walton Creek and a related branch on the site. The property is not located within a Flood Hazard Area, according to FEMA maps. Riparian wetlands are also associated with the creek areas. Creek locations, wetlands and corresponding buffers have been delineated, and locations verified through field surveys and are shown on the proposed development layout. These areas are being preserved.

The proposed planned development will comply with all state and local stormwater regulations. Stormwater management will be managed with surface detention facilities and shall be designed to protect the watershed from pollution and erosion. The design shall be in accordance with the Georgia Stormwater Management Manual and all ACC regulations. Final details and design of stormwater structures will be completed during the site development/civil design phase of the project. The general locations of facilities depicted on the site plan 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.

The Applicant held a Stormwater Concept Meeting with the Department of Transportation and Public Works on April 15, 2025 to present the project and review the strategy for managing stormwater run-off from the site. The

Department of Transportation and Public Works has confirmed that the Applicant's conceptual strategy for managing stormwater is consistent with local regulations.

ZONING

Currently, the property is zoned RS-8 (Single-Family Residential). The request is to rezone the properties to RM-2 (Mixed Density Residential). The surrounding developments are zoned AR, and RS-8 with RS-5 developments and Holden at Oak Grove Apartments (Zoned C-G) nearby. The request to rezone to RM-2 comes from a desire to broaden the available housing options, as permitted by the RM-2 within a neighborhood that is similar in look and feel of the properties connected via West Vincent Drive while offering a variety of housing options. The request for RM-2 is the minimum zoning needed to develop the site with the requisite density to provide attainable housing in a walkable community.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The current Future Land Use designation for the site is *Traditional Neighborhood*. The request is to change the Future Land Use designation for the entire site to *Mixed Density Residential*.

The 2023 Comprehensive Plan defines a Traditional Neighborhood as follows: *"These are medium density neighborhoods with traditional qualities including well-connected street systems, sidewalks, street trees, and a variety of housing types. Homes are often built close to the street with front porches. Garages are set back farther than the homes and porches. Traditional Neighborhood areas support single-family residences, duplexes which resemble large homes, and townhouses. Strict design standards should be implemented to ensure appropriateness of design and to protect neighborhood character. Limited commercial and other non-residential uses designed at a neighborhood scale are encouraged, but only in areas close to principal and minor arterial routes that have good access to transit."*

The 2023 Comprehensive Plan defines Mixed-Density Residential as follows:

"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."

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

- 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.
- 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.
- Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.

REQUESTED WAIVERS FROM ORDINANCE STANDARDS

The Planned Development request seeks waivers from the following code requirements:

1. **8-7-15 (Table 1) Tree Canopy Cover** – A waiver from the conserved tree canopy cover will be required to develop the property as depicted on the proposed binding plan. Approximately 8.61% of the net site area will be retained as conserved canopy, and the remainder of the required canopy will be made up with planted tree canopy, and any additional alternative compliance methods can be achieved in conformance with the requirements of the Technical Standards section of the Athens-Clarke County Community Tree Management Ordinance. To help to offset the lower amount of conserved canopy and to illustrate commitment to the ecological well-being of this property, forest regeneration areas will be planted with more species diversity, larger caliper trees, and in greater numbers than code requires.
2. **9-8-3 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. We propose a waiver to reduce the minimum lot size for single-family residential uses to 2,300 square feet. This request is only applicable to the fee simple portion of the development. Each individual lot will vary but typical dimensions are as follows:
 - a. Single-Family Detached (alley loaded) 35'-40' X 80'-100'
 - b. Single-Family Detached (front loaded) 40'-50' X 100'
 - c. Single-Family Attached (Townhouse) 22' X 80'-100'
3. **9-25-8-c-1 (a), (b). Residential Design Standards for RM Zones, Orientation Requirements** – Some interior units will be alley-loaded single-family attached or multi-family units that face a common green that may be private or semi-public. The orientation of these units conflict with the site design standards, which require that a minimum of 50 percent of the buildings have a front entrance facing a public or private street, articulated with a covered front entry porch. The overall intent of this section of code to create an inviting, neighborly and well-designed residential space will still be achieved.
4. **9-25-8-c-3 Maximum Block Size**

Waivers from these 9-25-B-c-3 and 9-26-3-O-2 requirements are sought to facilitate the design of this moderately dense residential community. While the block sizes do not meet the code, as defined, they are broken up by alleys and open space corridors. Approval by the Planning Director to count 50' wide open space sections as block separations is being sought for two of the three non-conforming blocks, in accordance with 9-26-3-o-2.
5. **9-26-3-o-2 Maximum Block Area and Dimensions**

Waivers from these 9-25-B-c-3 and 9-26-3-O- requirements are sought to facilitate the design of this moderately dense residential community. While the block sizes do not meet the code, as defined, they are broken up by alleys and open space corridors. Approval by the Planning Director to count 50' wide open space sections as block separations is being sought for two of the three non-conforming blocks, in accordance with 9-26-3-o-2.
6. **9-26-3-C. Dead ends and cul-de-sacs.** – The proposed cul-de-sac located at the northwest corner of the site is approximately 550' in length including the turnaround. The proposed residential dead-end street is proposed to serve 14 single family lots with alley access. This slightly longer road length will not negatively impact public safety or access to these lots by emergency services.

ARCHITECTURE

The architectural package accompanying this request includes a healthy mix of attractive dwellings, ranging between one and three stories and comprised of duplexes, cottages, and townhouses. The elevations provided are representative of the style, composition, and materials proposed. While some elevations in the package are not compliant with the requirements of Sec. 9-25-8-C-1-c, the elevations and site plan will comply with code requirements by the time of Master Plan submittal.

CONCLUSION

The proposed Planned Development uses innovative and thoughtful site design to address the missing middle housing in the Athens area providing a community that offers features that residents value the most. It will enhance neighborhood connectivity and will add density to a large, undeveloped property adjacent to a major roadway in a location where the utility infrastructure can support such density. With its proximity to the new Oak Grove commercial development, the proposed community will be an attractive option for Athenians looking for a place to call home.

STATEMENT OF REQUEST AND LEGAL OBJECTIONS

Foxglove Partners, LLC is the owner of property located at 5090 Old Jefferson Road, Athens-Clarke County, Georgia.

The request is aligned with the general goals, policies and objectives identified in the Comprehensive Plan and is in keeping with the descriptions listed in the existing Future Land Development Map.

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 Appellant 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. We also wish to preserve our rights for constitutional challenge if the case of a vote of denial to the request.

This 2nd day of May 2025.

Respectfully submitted,



Scott Haines, ASLA, PLA
W&A Engineering, LLC