



**STAFF REPORT  
REZONE  
200 & 205 ROCKWOOD BOULEVARD  
ZONE-2025-05-0888  
June 5<sup>th</sup>, 2025**

APPLICANT: ..... Jeff Carter / Carter Engineering Consultants Inc  
OWNER: ..... Sapphire Properties LP  
ZONING REQUEST: ..... C-N\* to RM-1  
TYPE OF REQUEST: .....Type II  
LOCATION: .....200 & 205 Rockwood Boulevard  
TAX MAP NUMBERS: .....043 016 & 044C5 S099  
COUNTY COMMISSION DISTRICT: .....District 6  
PROJECT SIZE: .....2.59 Acres  
PRESENT USE: .....Vacant  
PROPOSED USE: .....Residential Multi-Family  
PUBLIC NOTICE POSTED: .....May 21<sup>st</sup>, 2025  
STAFF RECOMMENDATION: .....**APPROVAL WITH CONDITIONS**  
PLANNING COMM. RECOMMENDATION: .....**PENDING**  
MAYOR & COMMISSION AGENDA SETTING: ...July 15, 2025 (tentative)  
MAYOR & COMMISSION VOTING SESSION: .....August 5, 2025 (tentative)

**I. Summary Recommendation**

The applicant is requesting to change the zoning on two parcels with addresses 200 and 205 Rockwood Boulevard from Commercial-Neighborhood with Conditions (C-N\*) to Mixed-Density Residential (RM-1). 200 Rockwood Blvd is 1.74 acres, and 205 Rockwood Blvd is 0.85 acres. The total acreage for this request is 2.59 acres, which primarily fronts US Highway 78/Monroe Highway. The parcels are at the entrance to the Creekside Manor subdivision, which is zoned Single-Family Residential.

The applicant has submitted a non-binding plan for 19 townhouse-style multifamily units to be split between the two lots. Though multi-family dwellings are permitted in C-N zoning, Code requires residences to be built on the second story of a commercial building or in the basement of a commercial building. Rezoning to RM-1 would allow for more variety of housing in the form of townhome-style buildings as well as infill on two vacant lots, which would be compatible with the Comprehensive Plan.

This proposal would align with the Future Land Use designation of Traditional Neighborhood and would not require a significant change from the current zoning. The biggest difference would be no commercial requirements for the land and shorter building height requirements.

For these reasons, **Staff recommends approval with conditions.** The following conditions are proposed:

1. Dwellings shall be constructed in a townhouse or duplex style and be on their own fee simple lot in order to fit within the design context of the subdivision
2. Allow up to 8 dwelling units or 17 bedrooms to not require street frontage

Planning Commission Recommendation: Pending

## **II. Purpose of Applicant Request**

### **A. Proposal**

The applicant is requesting to rezone from Commercial-Neighborhood with conditions (C-N\*) to Mixed-Density Residential (RM-1) for the construction of 19 townhouse-style multi-family units, with 13 units at 200 Rockwood Blvd and 6 units at 205 Rockwood Blvd. The townhomes would front US Highway 78/Monroe Highway and be accessed by entrances on Rockwood Boulevard. Parking is located in the rear of the homes, each with one parking spot in a lot near the townhome as well as a driveway leading up to each unit with space for one car. The proposed plan calls for 19 units consisting of 18 2-bedroom units and one 3-bedroom unit. There will be a cluster box unit for mail on both lots and a pavilion/greenspace on 200 Rockwood Blvd.

### **B. Existing Conditions**

The properties are located at the intersection of Rockwood Boulevard and US Highway 78/Monroe Highway at the main entrance to the Creekside Manor subdivision.

The properties are currently zoned Commercial-Neighborhood with Conditions. Properties to the north, south, and east are all zoned Single Family-Residential (RS-15). The property to the west, across the highway, is zoned Employment-Industrial (E-I).

The properties have some topographic change, dropping in elevation about 30 feet from the north to the south.

Each property was granted a rezone from RS-15 to C-N\* – 200 Rockwood Blvd in December 2012 and 205 Rockwood Blvd in January 2013. The conditions of this rezone solely served to minimize the impact of the potential commercial businesses on the adjacent residential area. These conditions would be removed by the proposed rezone to a residential use.

## **III. Policy Analysis**

### **A. Compatibility with Comprehensive Plan**

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

- *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.*
- *Infill and redevelopment should be prioritized over greenfield expansion.*
- *Encourage the creation of publicly accessible gathering spaces within neighborhoods and development projects. Protect and improve the quality and function of Athens' air, water, and land resources.*

Multifamily units would increase the variety of housing types at the edge of a single-family residential subdivision. This proposal would develop two vacant lots for more infill. This proposal contains space for a pavilion/greenspace which would encourage publicly accessible gatherings for the people living in the neighborhood. Overall, the proposal is compatible with the Comprehensive

Plan.

## B. Compatibility with the Future Land Use Map

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

### Traditional Neighborhood

*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.*

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The proposal is compatible with the Future Land Use description for this area.

## C. Compatibility with the Zoning Map

The applicant has requested a rezone from C-N\* to RM-1. The following information has been provided to compare the difference in development intensity between the existing C-N zoning and the requested RM zone. 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:

Standard	CURRENT	REQUESTED
	C-N Zoning	RM-1 Zoning
Minimum Lot Size	5,000 sq ft	5,000 sq ft
Density	16 bedrooms per acre	16 bedrooms per acre
Max Lot Coverage	75%	55%
Max Building Height	65 feet	30 feet
Setbacks	10 front/6 side	15 front/6 side/10 rear
Conserved Canopy	15%	35%
Total Canopy	45%	55%
Parking	Use dependent	1-2 parking spaces per 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 C-N zoning and the proposed RM-1 zoning is that C-N zoning is primarily for a variety of small-scale commercial uses while RM zoning is primarily for residential uses. The request allows the same number of bedrooms on the parcels as the current zoning, but caps the building height at 30 feet. The shorter building heights would help the proposed townhomes to fit in with the existing single-family homes in the nearby subdivision. The proposed zoning would also require more tree canopy.

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

There are no applicable plans or programs relating to these properties.

## **IV. Technical Assessment**

### **A. Environment**

No designated environmental areas are on the property, and no impact is expected. The Arborist has reviewed the tree management plan and offered the following comments:

- *No waivers regarding the Community Tree Management ordinance are being requested by applicant. ACC Arborist recommends approval. Project will be expected to meet all requirements of the community tree management ordinance at time of plan review.*

### **B. Grading and Drainage**

The Transportation & Public Works Department has reviewed the proposal and recommends approval.

### **C. Water and Sewer Availability**

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

- *ACC water is available*
- *ACC sanitary sewer is available*
- *ACC water capacity is available*
- *ACC dry weather flow sewer capacity is available*
- *ACC wet weather flow sewer capacity is NOT available. A privately designed, owned, and maintained sewer storage facility to retain sanitary sewer on site during wet weather conditions is required in order to serve the development with ACC sanitary sewer, or alternative solution as deemed acceptable by PUD Director*
- *Dry Weather Capacity is available for proposed concept of 6,000 GPD*
- *Dry Weather Capacity is available for the max allowable build-out of 6,216 GPD*
- *Maximum allowable build-out per the current zoning is 6,216 GPD*
- *Confirm that there is adequate space for onsite sewer storage facility/facilities*
- *Sewer main should be located a minimum of 10' from the stormwater pond*
- *Minimum 10' of separation is required between trees and utility mains*
- *Fire hydrants are required at the intersection with Rockwood Blvd*
- *PUD recommends approval with condition that tree and utility locations be non-binding*

### **D. Transportation**

The Transportation & Public Works Department has reviewed the proposal and offered no additional comment.

### **E. Fire Protection**

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

- *The proposed development at 200/205 Rockwood Boulevard (Zone-2025-05-0888) has been reviewed for compliance with fire department access, water supply, and fire protection requirements. While the site allows for unobstructed access and does not negatively impact emergency response times, the fire apparatus access roads do not comply with the 2018 International Fire Code (IFC) due to the absence of an approved turnaround. Although the available fire flow is sufficient at 2,000 GPM, hydrants must be relocated to the front of Townhome A2 and another between Townhomes B1 and B2 to improve accessibility for fire department operations. Depending on the final design and construction, fire sprinkler systems may also be required in the townhomes, which will be addressed during the plan review process. Based on these findings, the current site design does not meet the minimum requirements of the State Minimum Fire Codes.*

## **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.