



**STAFF REPORT**  
**MASTER PLANNED DEVELOPMENT**  
**1030, 1040, & 1060 MACON HWY & 100, 104,  
110, 120, 140, & 150 PURITAN LANE**  
**PD-2025-04-0702**  
**AUGUST 7<sup>th</sup>, 2025**

APPLICANT: ..... Frank Pittman / Pittman & Greer Engineering  
OWNER: ..... Macon Highway Village, LLC.  
FUTURE LAND USE REQUEST: ..... Remains *Mixed Density Residential*  
ZONING REQUEST: ..... From RM-1 to RM-2 (PD)  
TYPE OF REQUEST: ..... Type II  
LOCATION: ..... 1030, 1040, & 1060 MACON HWY & 100, 104,  
..... 110, 120, 140, & 150 PURITAN LANE  
TAX MAP NUMBERS: ..... 132D3 009, 132D3 010, 132D3 011, 132D3 012,  
..... 132D3 013, 132D3 014, 132D3 015, 132D3 016,  
..... 132D3 017  
COUNTY COMMISSION DISTRICT: ..... District 7  
PROJECT SIZE: ..... 9.49 Acres  
PRESENT USE: ..... Single-Family Residential  
PROPOSED USE: ..... Multi-Family Residential  
PUBLIC NOTICE POSTED: ..... July 23<sup>rd</sup>, 2025  
STAFF RECOMMENDATION: ..... ***DENIAL***  
PLANNING COMM. RECOMMENDATION: ..... ***PENDING***  
MAYOR & COMMISSION AGENDA SETTING: .. August 19<sup>th</sup>, 2025 (tentative)  
MAYOR & COMMISSION VOTING SESSION: .... September 2<sup>nd</sup>, 2025 (tentative)

## **I. Summary Recommendation**

This proposal involves the rezone of multiple parcels from Mixed-Density Residential (RM-1) to Mixed Density Residential (RM-2) Planned Development (PD). The proposal is for a multi-family townhouse-style development. The location is made up of nine parcels to be combined into a single, 9.49-acre tract. The combined lot has steep grade changes that will require considerable clearing and grading to achieve the proposed layout.

This request does not require a change to the Future Land Use Map as it is already designated as *Mixed-Density Residential*.

The project is seeking to extend from the adjacent multi-family development that is located on the southwest side of the Puritan Lane right-of-way and includes a connection that creates a second access point for both multi-family developments. There is a request to abandon the Puritan Lane right-of-way and sell it to the developer. In return, the plan includes easements to allow the Public Utilities Department access to the sewer trunk line on McNutt's Creek, as well as maintenance and recreational access to future trails for the adjoining ACC property. The zoning change is compatible with the surrounding Mixed-Density Residential zoning. The proposal has elements that are partially compatible with the Comprehensive Plan. It will add to the housing supply, but only offers a single

housing type. The project could take advantage of Inclusionary Zoning for a density bonus and would introduce a variety of bedroom options.

Staff notes that grouping the units into 5-7 per building, such as with this proposal, requires larger foundations. On sloping sites, such as the subject property, this often requires extensive grading and retaining walls to achieve the layout. Breaking the units into smaller buildings should be considered to reduce the need for extensive clearing and grading.

The applicant has requested a conserved canopy waiver that is not supported by Staff. The applicant also needs a waiver for the maximum block size of 3 acres, though it was not requested. **Staff is recommending denial of the request.**

#### Suggested Conditions

Should this project be approved, Staff recommends the following conditions of approval:

1. The plans shall be amended to resolve all outstanding corrective action issues, as detailed in the Staff report for the Master Planned Development, dated August 7<sup>th</sup>, 2025.
2. The plan shall be amended to address the issues raised by Leisure Services in the master staff report:

*Access easement updated to include enough area for the trail to follow a contour line as specified by Leisure Services.*

*The five parking spaces for ACC Park use changed from compact to standard size spaces.*

*Developer to work with ACCGov Park Planning Office to develop and install signs for dedicated parking spaces.*

*Sidewalk to be extended to provide a pedestrian sidewalk connection to ACC access easement. Bike rack location should be moved accordingly.*

*Add a 6' wide curb cut to allow access for utility side-by-side vehicles when maintenance is required on the ACC Park property.*

3. The applicant shall design and install a pedestrian crossing, in conformance with the standards of the Transportation & Public Works Dept and Transit in effect at the time of construction, across Macon Highway.

**Planning Commission Recommendation:** Pending

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

### **A. Proposal**

The applicant has requested a Planned Development and Rezone from Mixed-Density Residential RM-1 to Mixed-Density Residential (RM-2 (PD)) for the construction of townhouse-style multi-family development on multiple lots on Macon Highway and Puritan Lane. The project would have 70 2-story townhomes with a proposed unit mix of 53 three-bedroom units and 17 four-bedroom units. The applicant has also requested for Puritan Lane to be abandoned by the Athens-Clarke County Unified Government and have the right-of-way quitclaimed to the developer. This will allow for an interconnection from the Puritan Mill development to the south, while still providing access for the Public Utilities Department to access the sewer trunk on McNutt's Creek, and opportunity for additional tree planting.

The entrance at the center of the development is now a private drive with angled parking. Half of the units have been oriented toward the private drive and toward Macon Hwy, eliminating the need for two previously requested waivers. Perpendicular, on-street parking along the connecting drives, as well as 2 small lots, provides parking for the rest of the development.

Open space is located primarily around the perimeter of the property and in the reclaimed Puritan Lane right-of-way. Another easement at the rear of the development allows for access for maintenance and future trails connecting to the adjoining ACC Property with five parking spaces reserved for public use of the park during the day.

This proposal requests relief from the conserved canopy requirement and, while not requested, also needs a waiver to allow a block size greater than 3 acres.

## **B. Existing Conditions**

The property is located on the northwest corner of Macon Highway and Puritan Lane and currently exists as 9 separate parcels, each containing an individual single-family structure. The properties would be combined into a single 9.49-acre tract, including the 0.61-acre Puritan Lane right-of-way. The applicant seeks to move the existing houses to land owned by ACCGov or move them to other lots owned by the same property owner. The combined parcel would have 167.43 feet of road frontage along Macon Highway. The area is served by Transit Route 9, Macon Hwy/5 Points, with the only bus stop located across Macon Hwy.

The property is currently zoned RM-1, as are adjacent properties to the east, west and south. There's one parcel to the south zoned Commercial-Neighborhood (C-N) and the property to the north is owned by the Unified Government of Athens-Clarke County and is zoned Government (G). The ACC property currently has its access from Puritan Lane and requires an access agreement through the proposed project, if Puritan Lane is abandoned.

The property has significant topographic change, dropping in elevation over 100 feet from the north to the south. The steepest grade change is at the rear of the property. The project will require considerable grading and retaining walls to achieve the proposed layout.

## **III. Policy Analysis**

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

The 2023 Comprehensive Plan calls for the following policies that are partially 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.*

Overall, the proposal is partially compatible with the Comprehensive Plan. While increasing the supply of housing by adding 70 multi-family units, the proposed unit mix and development form lacks variety as all of the new housing would be of one type. Projects of this size should seek to offer multiple housing types and forms, supporting a range of residents and household options.

### **B. Compatibility with the 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 proposed use is compatible with the Map. However, the project is not compatible with the character description which calls for buildings to be oriented toward the street with good pedestrian connections and easy access to public transit.

## C. Compatibility with the Zoning Map

The applicant has requested a rezone from RM-1 to RM-2 (PD). The following information has been provided to compare the difference in development intensity between the existing RM-1 (Mixed-Density Residential) zoning and the requested RM-2 (Mixed-Density Residential) 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 RM-1 Zoning	REQUESTED RM-2(PD) Zoning
<b>Minimum Lot Size</b>	5,000 sq. ft.	5,000 sq. ft.
<b>Density</b>	16 units/acre	24 units/acre
<b>Max Lot Coverage</b>	55%	65%
<b>Max Building Height</b>	30 feet	35 feet
<b>Setbacks (side-front)</b>	6-15 feet	6-10 feet
<b>Conserved Canopy</b>	35%	25%
<b>Total Canopy</b>	55%	50%
<b>Parking</b>	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 density. The rezone allows for 76 additional units. It also slightly reduces conserved and total tree canopy and allows an additional 5' in building height.

It should be noted that the project could take advantage of Inclusionary Zoning which provides incentives to include affordable housing options to very-low and low-income households that will meet existing and anticipated needs of those households. A 50% density bonus, applied to the RM-1 zoning, would net the same density as the requested RM-2 zoning. The inclusionary dwelling units would need to be designed with a number of bedroom and bathroom options to accommodate diverse family sizes.

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

No other plans or studies were identified.

## **IV. Technical Assessment**

### **A. Environment**

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

*Project will be expected to meet all requirements of the community tree management ordinance at time of plan review. The canopy requirements for the requested rezone of RM-2 are 50% total tree canopy cover and 25% conserved canopy cover. The applicant is requesting to conserve only 17% of the site in tree canopy with a total tree canopy of 60%. The conserved canopy area proposed by the applicant contains many invasive plant species, including Chinese privet in the forest understory. Per Section 8-7-19 (d)(10), areas dominated by kudzu or Chinese privet will not be eligible for tree canopy cover credit.*

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

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

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

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

- *ACC water and sewer are available. Capacity is available to serve the proposed concept of 27,000 GPD. Capacity is available to serve the max allowable build out of 27,331 GPD. The max allowable build out per current zoning is 18,221 GPD.*

### **D. Transportation**

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

- *To address the transportation network's safety, efficiency, and connectivity within this site's location and its vicinity, the Transportation & Public Works department approves this application with the condition that the applicant design and install a pedestrian crossing across Macon Highway as part of this development. This crossing will connect the new sidewalk planned to be installed, as shown on the application's site plan, with the existing sidewalk on the opposite side of Macon Highway along the frontage of 1015 Macon Highway. The installation of this pedestrian crossing will create a safe connection across Macon Highway, where two sidewalk segments would otherwise exist without any connectivity between them. This lack of connectivity increases the likelihood of unsafe conditions for pedestrians needing to cross at a location without a designated crossing. Staff views this particular location as a strategic opportunity to install a crossing adjacent to the ACC transit Route 9 stop near the Oak House Distillery, which will yield significant benefits for the transportation network's connectivity, efficiency, and safety.*

### **E. Fire Protection**

The Fire Marshal has reviewed the proposal and offered no comments.

### **F. Leisure Services**

Due to proximity to ACC parkland, the Leisure Services Department was asked to review and offered the following comments:

- *Access easement as shown is not sustainable for a trail without a long run of stairs. Currently, slopes shown in the easement are at 3:1 plus. To build a sustainable and accessible trail,*

*following a contour line is recommended. The magenta line (on the Leisure Service Plan Markup sheet) shows the proposed location of this trail. Move easement location to envelop this line.*

- *Text call-out notes 5 parking spaces, but only 4 spaces fall within the easement hatch. All of the parking spaces for ACC Park use are shown as Compact Car Parking. Standard size spaces for public use are requested.*
- *Developer to work with ACCGov Park Planning Office to develop and install signs for dedicated parking spaces.*
- *Extend sidewalk to provide a pedestrian sidewalk connection to ACC access easement. Otherwise, when ACC Park users park in the designated parking spaces, they would have to walk in the street to access the park trail connection. Move bike rack location accordingly.*
- *A 6' wide curb cut is preferred to allow easier access for our utility side by side vehicles when maintenance is required on the ACC Park property.*

## **G. 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 – A waiver from required minimum 25% conserved tree canopy.*

Applicant's Purpose: Allow 17% conserved tree canopy.

Staff Opinion: The applicant states that due to steep topography, more trees will need to be cleared to provide slopes for grade tie-ins. Also, there are no existing trees in the area of Puritan Lane which is an area proposed for open space but doesn't count as conserved canopy. An alternative alignment that works with existing topography could require less grading and allow for more conserved canopy. Staff does not support this waiver.

### **Corrective Actions:**

1. *Staff has determined that one of the blocks is larger than 3 acres; therefore, the applicant needs a waiver from Section 9-26-3.O – A waiver from the maximum block size of 3 acres. The applicant needs to request this waiver or amend the plans.*

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.