



**STAFF REPORT
REZONE & SPECIAL USE
ZONE-2025-09-1773 &
SUP-2025-09-1908
115 MCCLUNG ROAD
NOVEMBER 6, 2025**

APPLICANT: Eric Johansen / Universal Planning LLC
OWNER:DRH Properties LLC
FUTURE LAND USE REQUEST: Remains *General Business*
ZONING REQUEST: Rezone from C-G & C-R to E-O; Special Use in E-O
TYPE OF REQUEST: Type II
LOCATION: 115 McClung Road
TAX MAP NUMBERS: 154 038P
COUNTY COMMISSION DISTRICT: District 9
PROJECT SIZE: 2.138
PRESENT USE: Undeveloped
PROPOSED USE: Commercial Self-Service Storage
PUBLIC NOTICE POSTED: October 22nd, 2025
STAFF RECOMMENDATION - REZONE:**APPROVAL**
STAFF RECOMMENDATION - SUP:**DENIAL**
PLANNING COMM. REC. - REZONE:**PENDING**
PLANNING COMM. REC. - SUP:**PENDING**
MAYOR & COMMISSION AGENDA SETTING: .. November 18th, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION: December 2nd, 2025 (tentative)

I. Summary Recommendation

The applicant is requesting two separate zoning actions on 115 McClung Road (Tax Parcel #154 038P) totaling 2.138 acres.

1. Rezone from Commercial-General (C-G) and Commercial-Rural (C-R) to Employment Office (E-O).
2. If the rezone is approved, a Special Use Permit is requested for a self-storage use on the newly approved E-O parcel. The Special Use Permit also includes a variance request to raise the Floor-Area Ratio (FAR) maximum from 0.75 to 1.0.

The proposed rezoning of the parcel to E-O is partially compatible with the surrounding commercially and residentially-zoned land. The E-O zone allows for many of the same uses as C-G and has many of the same development standards in regards to coverage, height, setbacks and tree canopy. Assigning E-O zoning to this location would represent “spot zoning,” but other E-O properties are in the vicinity. This could allow further mixing of the uses in a growing portion of the community.

The Special Use request for a self-storage facility would not fit in as well with the surrounding parcels. The zoning code and comprehensive plan seek connected uses that support residents by

providing for their regular needs. Those connections require active streetscapes and opportunities for live, work and play. A self-storage facility is a secondary or support use, that does not activate a business district and generally separated from a lively commercial district. E-O zoning also doesn't have the same design standards as the commercial zones, if this project proceeds it should be held to those same regulations.

Staff believes that the request to rezone from C-G and C-R to E-O is a reasonable change that provides for an additional range of compatible land uses for this area. However, Staff does not support the request for Special Use to allow self-storage, as it is only an ancillary and passive use compared to what the current and proposed zoning might allow. **Staff is recommending approval of the rezone. Staff is recommending denial of the Special Use Permit.**

If the Special Use is approved, Staff recommends the following condition:

Condition

1. The plans shall meet the design standards in Sec. 9-25-8(E)

Planning Commission Recommendation: Pending

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting two separate zoning actions on 115 McClung Road (Tax Parcel #154 038P). The first is a rezone from Commercial-General (C-G) and Commercial-Rural (C-R) to Employment-Office (E-O). The second and subsequent request (predicated on approval of the first) is for a Special Use Permit for a climate-controlled self-storage facility to be constructed on 115 McClung Road.

B. Existing Conditions

115 McClung Road is a 2.138-acre, undeveloped parcel near US Hwy 29. The parcel meets the road grade of McClung Road before dropping roughly 16' going toward the rear (north). It is situated on the corner of McClung Road and the proposed Nease Road expansion (being developed separately) behind a series of quick-service restaurants and commercial enterprises. It is across US Hwy 29 N from the Kroger Shopping Center and is situated near a handful of multifamily developments and a senior living facility. Surrounding zoning designations are primarily Commercial-General (C-G), and there is a large Mixed-Density Residential (RM-2) parcel at the end of the McClung Road cul-de-sac as well as Commercial-Rural (C-R) & Single-Family Residential (RS-15) in the vicinity.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

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

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

Rezoning to Employment-Office (E-O) is only a moderate pivot away from the current Commercial-General (C-G) zoning that exists on 115 McClung Road. It would allow for hotels/motels,

professional services and offices, and a host of services that would benefit the surrounding land uses such as administrative or research facilities. It would only allow for the development of a self-storage facility through obtaining a Special Use Permit.

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

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

The proposal sits in an area of increased development; however, the site is on the edge and currently undeveloped. The amount of E-O zoned property is not very common in this area.

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

- *Infill and redevelopment should be prioritized over greenfield expansion*
- *ACC Economic Development Target Sectors (Craft Beverages, Creative Economy, Bioscience, Healthcare, Advanced Manufacturing)*
- *Increase the availability of well-paying jobs*
- *Create appealing and inviting community gateways and corridors*

Self-storage lends itself to very few stated objectives in the comprehensive plan due to its nature of being a more supportive use as opposed to an active use. The comprehensive plan focuses on building an engaged community with active nodal development, but storage is a much more passive and ancillary use often planned or situated outside a residential mixed-use area or main commercial center.

Overall, the proposed Rezone is compatible with the Comprehensive Plan.

Overall, the proposed Special Use Permit 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 *General Business*, which is described as follows:

General Business

These are commercial areas that serve a variety of needs for the residents of the region. It is intended for small- and large-scale retailing and service uses that are auto-oriented, such as Atlanta Highway, Lexington Road, and US 29 North. Pedestrian-oriented design is particularly appropriate when these streets contain neighborhood-shopping areas or are adjacent to multifamily housing or residential neighborhoods. Pedestrian circulation in these centers is a primary concern; therefore, connectivity within and to surrounding areas should be encouraged. Internal pedestrian walkways should be provided from the public right-of-way to the principal customer entrance of all principal buildings on the site. Walkways should connect focal points of pedestrian activity, such as, but not limited to, transit stops, street crossings, building, store entry points, and plaza space. Walkways shall feature adjoining landscaped areas that contribute to the establishment or enhancement of community and public spaces. The street-level facade of these areas should have a scale and architectural elements that relate to pedestrians. Buildings should be oriented to the street corridors, which should be lined with street trees. Small and medium-scale retail stores should frame the streets with large-scale retailers located behind, with focus given to pedestrian circulation rather than automobiles. Parking lots should not be located at the street front, and shared parking should be encouraged.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The request for Rezone is compatible with the Future Land Use map since Employment-Office (E-O) zoning is considered *General Business*

However, the request for Special Use requires additional consideration and is less compatible with the Future Land Use map due to Self-Storage not being a by-right use in E-O zoning. *General Business* Future Land Use tends toward more dynamic uses with regular activity, businesses that serve daily or weekly needs and a lively streetscape.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from C-G (Commercial-General) and Commercial-Rural (C-R) to E-O (Employment-Office). The following information has been provided to compare the difference in development intensity between the existing C-G zoning and the requested E-O 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:

	CURRENT	REQUESTED
Standard	C-G Zoning	E-O Zoning
Min Lot Size	2,500 SF	2,500 SF
Density	24 beds/acre	20% of total project SF
Max Lot Coverage	80%	75%
Max Building Height	65 ft.	65 ft.
Setbacks	0-10 ft.	0-10 ft.
Conserved Canopy	10%	15%
Total Canopy	40%	40%
Parking	Varies based on use	Varies based on use

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-G zoning and the proposed E-O zoning is the effect it has on density and a minor deviation in allowable land uses.

Staff notes that a small slice of the property is zoned for C-R , which is the result of re-platting that has occurred in the area. The adjacent stormwater management facility is zoned C-R and a slice of that parcel was recently recombined with the parcel at 115 McClung, which was previously zoned entirely for C-G. The rezoning would resolve this split zone.

The proposed rezone from C-G and C-R to E-O is partially compatible with the zoning map. It is true that the rezone would create a degree of spot zoning, but E-O relates well with the adjacent C-G zoning and land uses and so the “spot zoning” effect is mitigated. That relationship should also include following the same design standards that are required for the adjacent commercial properties.

The proposed Special Use application for self-storage is not compatible with the zoning map as self-storage is not a by-right use in the proposed E-O zone and so requires an additional zoning action (the request for Special Use) and additional evaluation.

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

The ACC Greenway Network Plan shows a proposed trail along the rear of this property. The adjacent multi-family project has reserved space in its development for potential future connection.

IV. Technical Assessment

A. Environment

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

- *ACC Arborist recommends approval. Project will be expected to meet all requirements of the community tree management ordinance at time of plan review, including a Tree Canopy Waiver if the applicant cannot achieve 15% conserved.*

B. Grading and Drainage

The Transportation & Public Works Department has reviewed and approved the proposal without comment.

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and recommends approval with the following comments:

- *ACC water is available*
- *ACC sanitary sewer is available*
- *Capacity is available to serve the proposed development*

D. Transportation

The Transportation & Public Works Department has reviewed and approved the proposal without comment.

E. Fire Protection

The Fire Marshal has reviewed the proposal and recommends approval.

F. Compliance with the Zoning Ordinance and Development Standards

The Rezone application does not contain a binding plan, but the Special Use application plan would become binding 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.

Special Use requests are evaluated using the following criteria:

- a) *Similarity in scale, bulk, and coverage.*

The proposal is for a 4-story structure, as indicated on the site plan, with at least one level below the road grade and a maximum size of 93,131 sq ft, contingent upon their variance request to increase FAR from 0.75 to 1.0. For reference, the Kroger building is approximately 120,000 sq ft, the assisted living facility is 70,000 sq ft, but most of the commercial space in this area is under 10,000 sq ft. Staff finds this proposal to be on the larger side of the spectrum in the area and not allowable on 2.138 acres.

- b) *Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*

The type of traffic generated by the use is often of the larger variety for moving and storage. This would be common throughout the day and evening as would be convenient for a customer's schedule. It would bring little or no pedestrian, bicycle or transit traffic and have no streetscape activation due to the storage nature of the use.

- c) *Architectural compatibility with the surrounding area.*

The architecture is mostly medium-to-large-box commercial in this area. Recent developments have brought some residential structures to the business district of mostly 2-3 story garden style apartments. This proposal is limited in use of windows and doors and does not provide a streetscape that would invite foot traffic.

- d) *The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.*

The project site has some environmental areas on the adjacent property to the rear. Development of the site as proposed will not get into those areas. Drainage, erosion and sedimentation will be required to be handled on site.

- e) *Generation of noise, light, and glare.*

The proposed use will have minimal noise, light and glare and is not out of context compared to the adjacent commercial uses.

- f) *The development of adjacent properties compatible with the future development map and the zoning district.*

Staff understand the need for secondary uses such as storage, especially in areas with apartments and commercial uses. However, this site sits along a more local road and could better serve future residents with lively commercial operations with additional housing opportunity, such as a townhome-form residential, which has not been introduced in this neighborhood.

- g) *Impact on future transportation corridors.*

The proposed use would have minimal impact on future transportation corridors.

Requested Variances

The applicant has requested a variance from Sec. to (9-11-4) to allow an increased FAR from 0.75 to 1.0, which would allow for a structure with maximum square footage of 93,131 as opposed to 69,848. Variances are assessed using the following criteria:

1. *Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity:*

Staff Assessment: The applicant has identified that this parcel drops to roughly 16' below the grade of McClung Road and that would inhibit most types of development without extensive retaining walls. Staff agrees that the existing topography is an obstacle to development, but one that could be overcome with the right design. The neighboring parcels also have topographic challenges present and this design still utilizes retaining walls of an unspecified height.

2. *Explain how the strict application of the provisions of this title to this particular piece of property*

would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:

Staff Assessment: The applicant has stated that the additional FAR that would be allowed under the variance is a necessity so that they may utilize "...basement levels for both square footage of the building and for grading and site development purposes...". The applicant argues that the subject property is zoned C-G (Commercial-General), "...which up to a few years ago permitted the land use of a Climate Controlled Self Storage facility... the FAR for C-G land uses is 1.5". The applicant correctly identifies that self-storage *used* to be a permitted land use in C-G and the maximum FAR permitted in that zone is 1.5. However, it is worth noting that a FAR of .75 is not outside the norm for other zones. E-O (Employment-Office), E-I (Employment-Industrial), and I (Industrial) zoning, all have a FAR of 0.75. C-O (Commercial-Office) and C-N (Commercial-Neighborhood) zoning also have a maximum FAR of 0.75. C-R (Commercial-Rural) zoning has the lowest maximum with a FAR of 0.25.

3. *Describe how the special conditions and circumstances do not result from the actions of the applicant:*

Staff Assessment: Staff agrees that the applicant is not responsible for the natural topography of the site, but is also operating under the understanding that the owner and development team were part of the platting changes that resulted in the final size and shape of this lot. Further, what the applicant is requesting is above the norm and limiting the FAR to .75 would not prohibit development.

4. *Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County:*

Staff Assessment: The applicant makes their case for Self-Storage by providing with their application a Market Study analyzing the viability of Self-Storage in the context of surrounding properties and businesses. The study and variance application identifies "three (3) multi-family, (1) townhouse, (1) senior housing, (1) single family new lots, and (1) proposed multi-family development all located within less than 1 mile of the Subject Property". The applicant makes the case that these surrounding developments would all benefit from having self-storage nearby as many residents rent rather than own and could utilize the services the applicant offers. The Application Report provided by the applicant states "With the rapid resident growth patterns and the commercial businesses continuing to open in this development corridor, the missing link is a quality climate-controlled self-storage facility." The Application Report does not make reference to the 15 self-storage facilities identified in the Market Study within a 5-mile radius of this site. Many of those are identified in the report as not offering the same level of service or product as this applicant, however there is still Self-Storage available to residents in the vicinity. While staff does not believe that granting this variance will have any excessively negative impacts, the passive land use provided by Self-Storage is also not something that furthers the intent of the ordinance or the Comprehensive Plan of Athens-Clarke County.

5. *Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.*

Staff Assessment: The Applicant makes the case for approval based on the fact that net leasable square footage is typically 75% of the total square footage to account for areas such as hallways, corridors, elevators and offices. Extrapolating from that, if the variance is approved for FAR of 1.0, the sq.ft. of the development would be 93,131 and roughly 69,848 sq.ft. of that would be

leasable. If the variance were denied, the development would be capped at 69,848 sq.ft. with 52,386 sq.ft. of leasable area. The Applicant does not mention that for the development to be approved as submitted, they must be granted a Special Use Permit and this variance.

Staff finds that the proposal does not meet the five criteria to justify a variance.

Corrective Actions:

1. If the variance is not granted, the applicant will need to meet the standards of the underlying zoning district
2. Parking for self-storage is based off the office size, however, none has been provided for the project and parking requirements or allowances cannot be determined.
3. The project would be required to have bicycle parking; however, none is shown.
4. As proposed, this project will require a Tree Canopy Waiver if the applicant cannot achieve 15% conserved.

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.