


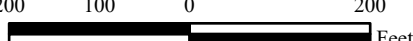
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE FUTURE LAND USE MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF A PORTION OF ONE PARCEL OF LAND COMPRISING APPROXIMATELY 12.87 ACRES IN TOTAL, 1.53 ACRES OF WHICH IS AFFECTED BY THE FUTURE LAND USE AMENDMENT APPROVED HEREIN, LOCATED AT 293 HOYT STREET FROM “GOVERNMENT” TO “DOWNTOWN;” AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Official Land Use Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A)(2) thereof, is hereby amended by changing the future land use designation of approximately 1.53 acres of a parcel of land comprising approximately 12.87 acres in total located at 293 Hoyt Street (Tax Parcel Number 163D3 D001) from “Government” to “Downtown,” as more fully shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Land Use Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Land Use Map and Exhibit A hereto are available for public inspection in said Clerk’s Office, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EXHIBIT A		ZONE-2025-11-2301 REZONE		
MAP 626		293 Hoyt Street <i>Ed Lane / SPG Planners + Engineers</i> <i>Athens-Clarke County Unified Government</i>		
FROM:		TO:		
Government		Downtown		
TAX PARCEL # 163D3 D001		PLANNING COMMISSION MEETING DATE December 11, 2025		ATHENS-CLARKE COUNTY COMMISSION MEETING DATE January 6, 2026

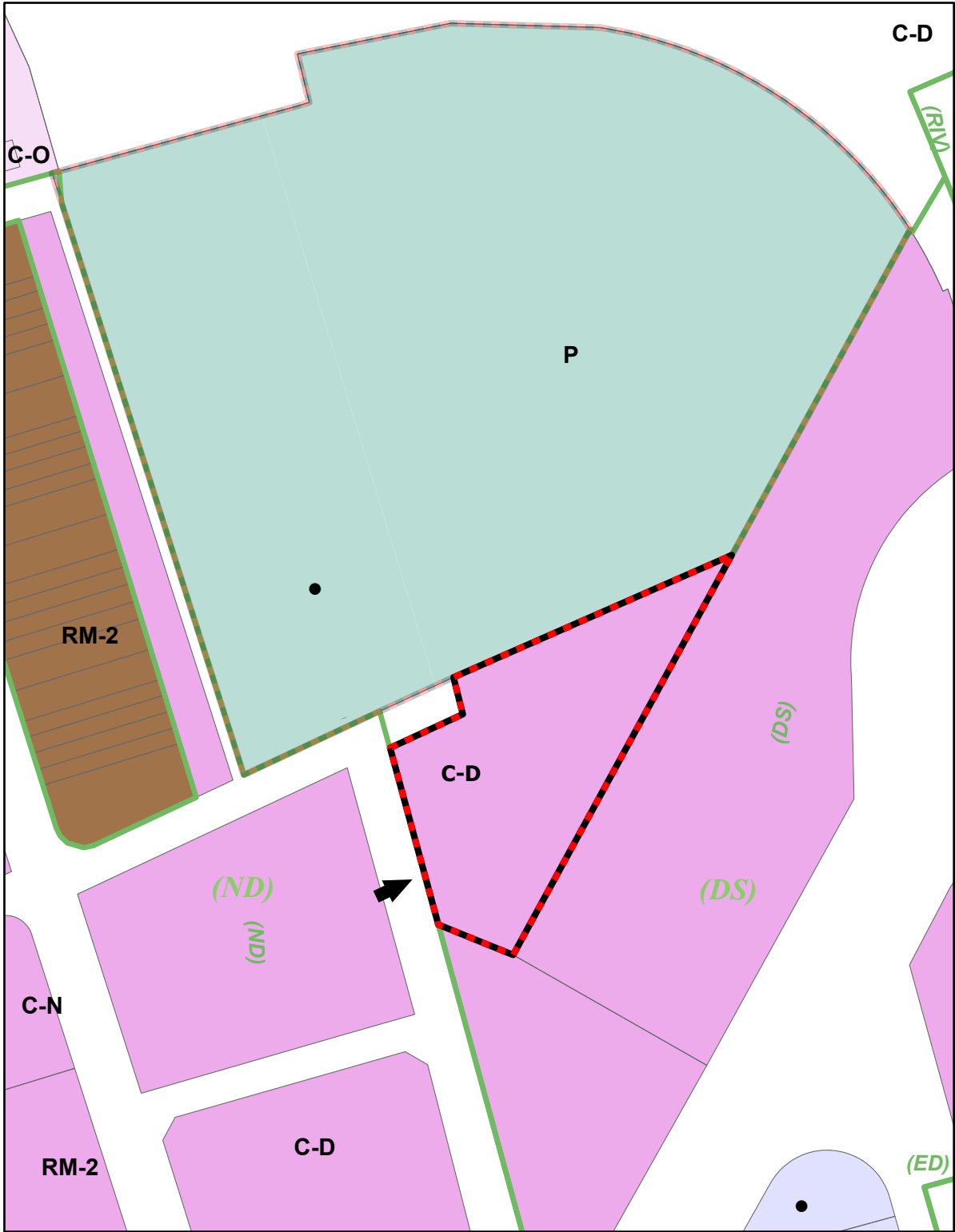
AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING A PORTION OF ONE PARCEL OF LAND COMPRISING APPROXIMATELY 12.87 ACRES IN TOTAL, 1.53 ACRES OF WHICH IS AFFECTED BY THE REZONE APPROVED HEREIN, LOCATED AT 293 HOYT STREET FROM P (PARK) TO C-D (COMMERCIAL-DOWNTOWN); AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of one parcel of land comprising approximately 12.87 acres in total, 1.53 acres of which is affected by the rezone approved herein, and located at 293 Hoyt Street, Athens, Georgia, from P (Park) to C-D (Commercial-Downtown) as shown on Attachment A hereto.

The affected parcel of land is more fully described in that certain document entitled “Exhibit For: The Graduate, 295 E Dougherty Street, Athens, Georgia 30601, Athens-Clarke County, G.M.D. 220,” labeled in the lower right-hand corner as “Sheet 1 of 1,” prepared by John F. Brewer, III, registered land surveyor, dated September 27, 2025, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The affected parcel, a portion of which is being rezoned, is also known as Tax Parcel No. 163D3 D001 on the Athens-Clarke County tax maps being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. All ordinances or parts of ordinances in conflict with are hereby repealed.

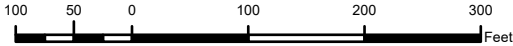


The Official Zoning Map of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential
(1 unit per 10 acre density)
- RM-1, Mixed Density Residential
(16 multi-family units per acre)
- RM-2, Mixed Density Residential
(24 multi-family units per acre)
- RM-3, Mixed Density Residential
(50 multi-family units per acre)
- RS-5, Single-Family Residential
(5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential
(8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential
(15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential
(25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential
(40,000 sq. ft. min. lot area)
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Downtown Design Areas
(DHD), Downtown Historic District
(WD), West Downtown
(ED), East Downtown
(DS), Dougherty Street
(RIV), River
(WE), West End
- Airport Overlay
AZ1, Precision Approach Zone
AZ2, Larger Than Utility Runway Nonprecision Approach Zone
AZ3, Utility Runway Nonprecision Approach Zone
TZ, Transitional Zone
RPZ, Runway Protection Zone
PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- Planned Development
- Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Railroads
- Special Use
- Historic Landmark

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.



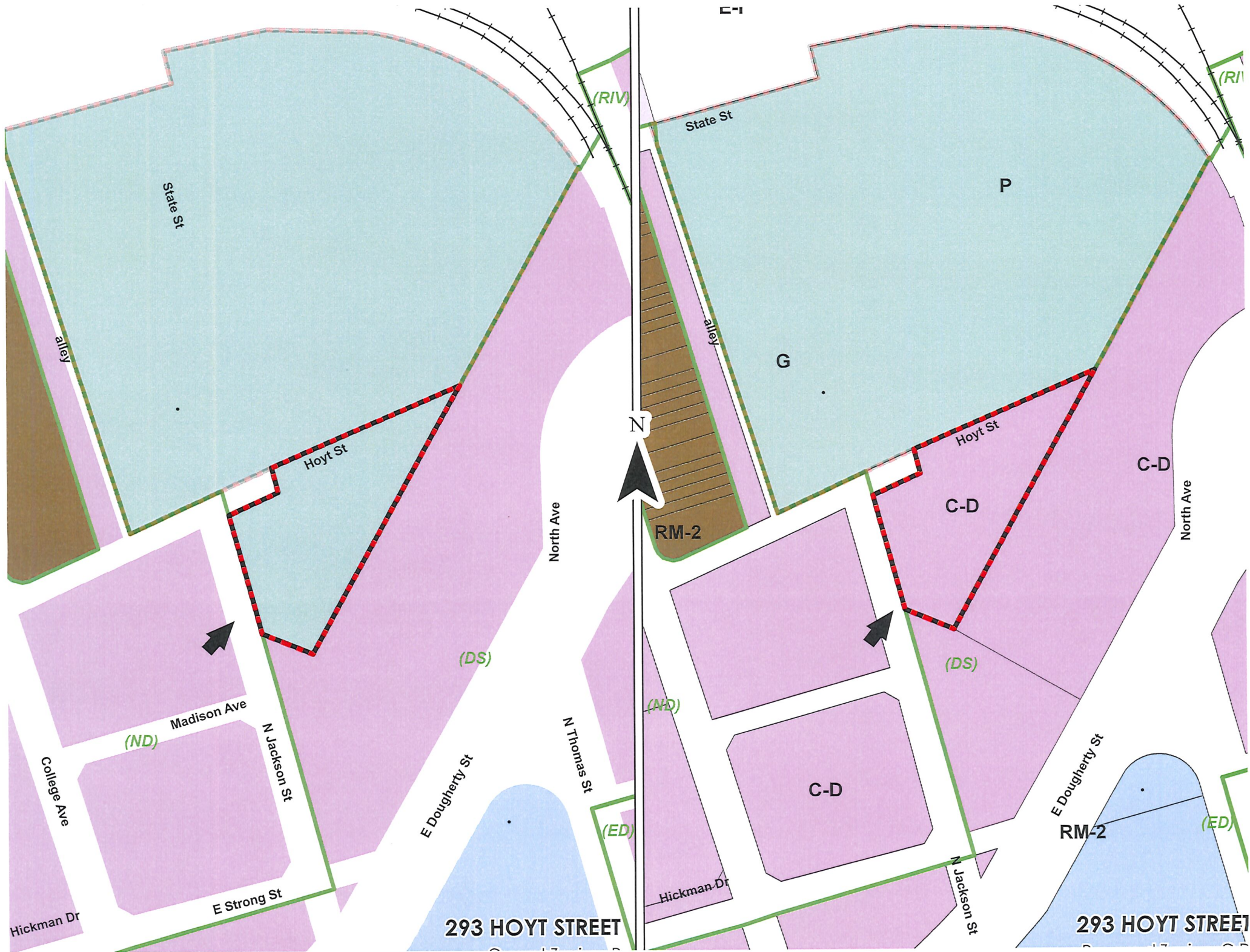
ATTACHMENT A	ZONE-2025-11-2301 Rezone	
	293 Hoyt Street Ed Lane / SPG Planners + Engineers Athens-Clarke County Unified Government	
626	FROM: P	TO: C-D
TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
163D3 D001	December 11, 2025	January 6, 2026

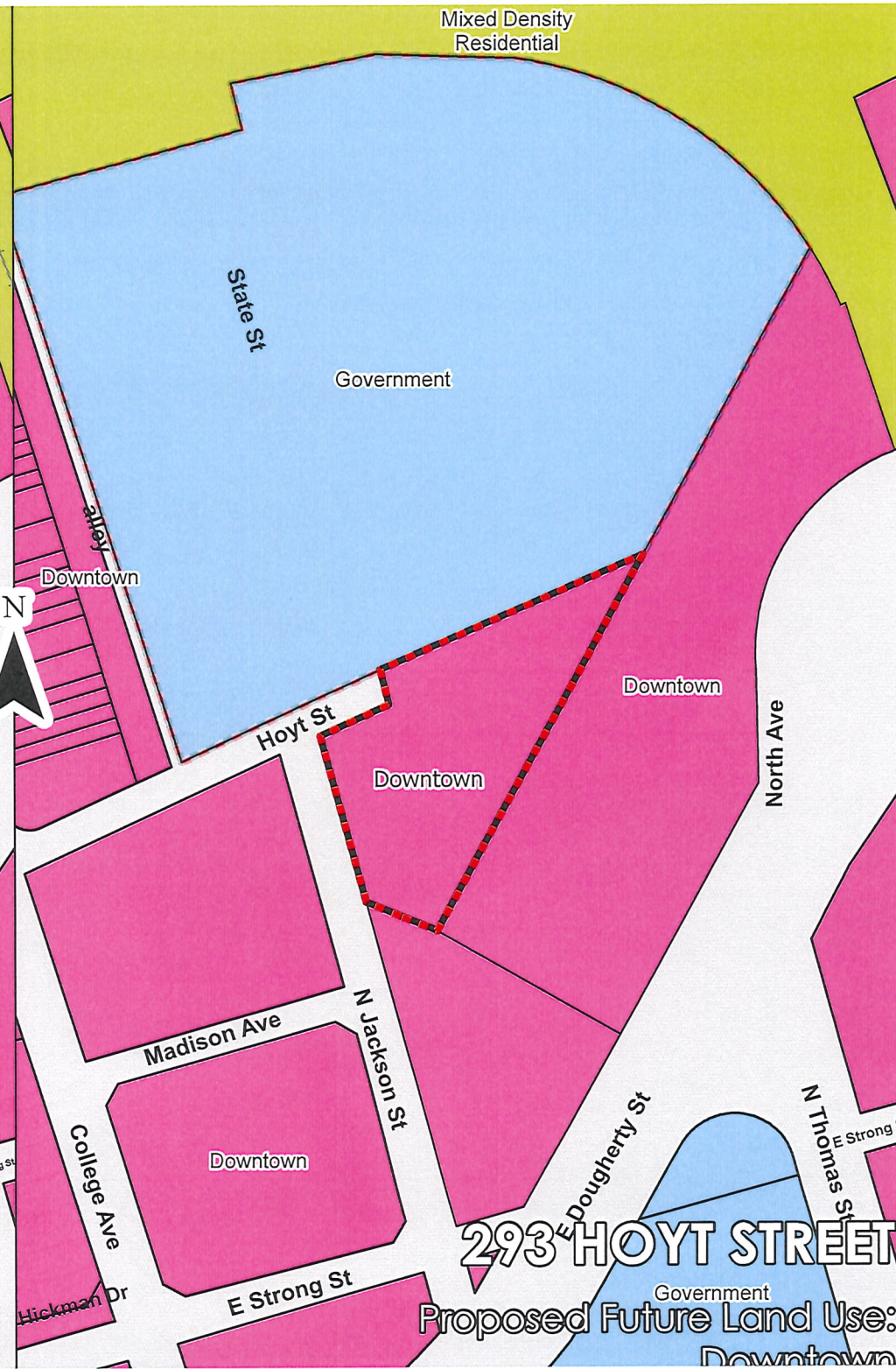
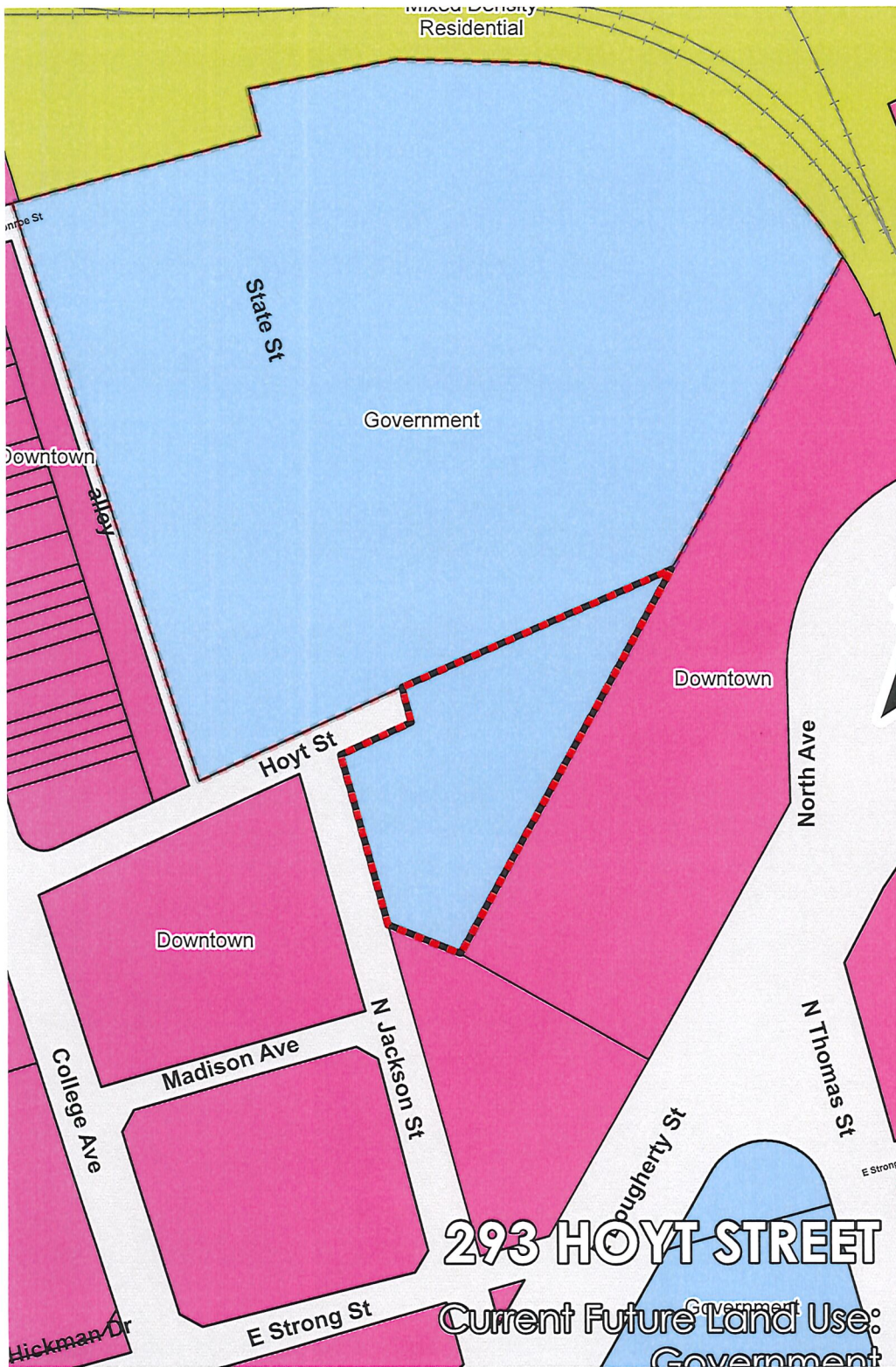
**ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION**

DATE: December 11, 2025				FILE NO: ZONE-2025-11-2301			
LOCATION: 293 Hoyt Street APPLICANT: Ed Lane / SPG Planners & Engineers OWNER: Athens-Clarke County Unified Government REQUEST: From P to C-D (Park to Commercial-Downtown) COMMISSION DISTRICT: Two							
PLANNING COMMISSION MOTION AND RECOMMENDATION:							
NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Kristen Morales Present				Carey McLaughlin Present	X		
Vice-Chair: Sarah Gehring Absent				Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Matthew Hall Present	X			Michael Lord Absent			
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	
<p>For: Ed Lane, David Ellison, Andy Savoy Against: Helen Kuykendoll, Valerie Aldridge, Hunter Tyson</p> <p>Discussion: (Staff note: The rezone and future land use change were discussed at the same time with separate recommending votes) The applicants addressed questions from the public regarding easements for the art walk and financial details of the proposed land swap. Ms. Fleece asked about whether the easements would be in place should the proposed development not go forward for any reason, to which the applicant said they would remain in place regardless. Ms. Beresford stated she did not see an issue with the proposed change, especially given that easements would provide security for the playground and art walk. Commissioners voted to recommend approval of the rezone, with inclusion in the Dougherty Street Design Area.</p> <p>Motion: Ms. Beresford made a motion to approve zoning change and include the parcel in the Dougherty Street Design area. Ms. Fleece seconded the motion, which passed unanimously.</p>							

**ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION**

DATE: December 11, 2025				FILE NO: ZONE-2025-11-2301			
LOCATION: 293 Hoyt Street APPLICANT: Ed Lane / SPG Planners & Engineers OWNER: Athens-Clarke County Unified Government REQUEST: From <i>Government</i> to <i>Downtown</i> COMMISSION DISTRICT: Two							
PLANNING COMMISSION MOTION AND RECOMMENDATION:							
NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Kristen Morales Present				Carey McLaughlin Present	X		
Vice-Chair: Sarah Gehring Absent				Taylor Pass Present	X		
Jen Fleece Present	X			Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Matthew Hall Present	X			Michael Lord Absent			
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	7	0	
<p>For: Ed Lane, David Ellison, Andy Savoy Against: Helen Kuykendoll, Valerie Aldridge, Hunter Tyson</p> <p>Discussion: (Staff note: The rezone and future land use change were discussed at the same time with separate recommending votes) The applicants addressed questions from the public regarding easements for the art walk and financial details of the proposed land swap. Ms. Fleece asked about whether the easements would be in place should the proposed development not go forward for any reason, to which the applicant said they would remain in place regardless. Ms. Beresford stated she did not see an issue with the proposed change, especially given that easements would provide security for the playground and art walk. Commissioners voted to recommend approval of the future land use change.</p> <p>Motion: Ms. Beresford motioned to recommend approval of Future Land Use Change, Ms. Fleece seconded the motion, which passed unanimously.</p>							







STAFF REPORT
Rezone
293 Hoyt Street
ZONE-2025-11-2301
December 11, 2025

APPLICANT:Ed Lane / SPG Planners + Engineers
OWNER:Athens-Clarke County Unified Government
ZONING REQUEST:From P to C-D
TYPE OF REQUEST:Type I
LOCATION:293 Hoyt Street (1.53 ac. of 12.87 ac. parcel)
TAX MAP NUMBERS:163D3 D001
COUNTY COMMISSION DISTRICT:District 2
PROJECT SIZE:1.53 Acres
PRESENT USE:Park and surface parking
PROPOSED USE:Mixed-use (residential and commercial)
PUBLIC NOTICE POSTED:November 26, 2025
STAFF RECOMMENDATION REZONE:**APPROVAL**
STAFF RECOMMENDATION FLU:**APPROVAL**
STAFF RECOMMENDATION DESIGN AREA:**DOUGHERTY STREET**
PLANNING COMM. RECOMMENDATION RZ:**APPROVAL**
PLANNING COMM. RECOMMENDATION FLU:**APPROVAL**
PLANNING COMM. RECOMMENDATION DDA:**DOUGHERTY STREET**
MAYOR & COMMISSION AGENDA SETTING: ...December 16, 2025 (tentative)
MAYOR & COMMISSION VOTING SESSION:January 6, 2026 (tentative)

I. Summary Recommendation

This proposal is to rezone 1.53 acres of a 12.87-acre property from Park (P) to Commercial-Downtown (C-D). The request also seeks to change the Future Land Use from Government to Downtown. The proposal does not include a request for a Downtown Design Area designation; however, when a property is rezoned to Commercial-Downtown, it is required to assign a Design Area. As the surrounding block is all currently in the Dougherty Street Downtown Design Area, this Design Area is most appropriate.

The portion of the parcel requesting the rezone is immediately south of the east end of Hoyt Street across from the Lay Park Recreation Facility and the Lyndon House Arts Center. The subject area is developed with surface parking for the Lay Park facilities along with a playground and a small amount of open space. Hoyt street, North Jackson Street and North Avenue bound a triangular block that currently is the site for the Abacus Hotel, The Foundry Music Venue and Event Space, a surface parking lot and the Lay Park amenities. Development plans have not been submitted as a part of this rezone request; however, the intention is to remove everything except the historic foundry structures and construct a mixed-use housing development. There have also been discussions to convey the rear portion of the hotel property back to Athens-Clarke County for a parking structure, however, that action requires a separate rezone request. While Staff sees the validity in this request, it should be

noted that maintaining the current level of service to Lay Park and a public playground facility should be a priority to any potential project that would occur should the rezone request be approved.

Downtown has grown to accommodate higher density residential developments over the last two decades. It is the central hub of Athens-Clarke County, supports a variety of businesses, provides jobs, has multiple transportation options and abuts The University of Georgia. Additionally, downtown is reaching some limits with its boundaries: UGA to the south, the entertainment district and river to the east, historic neighborhoods to the west and infrastructure constraints to the north. Using remaining spaces efficiently is necessary to continue positive growth for the community.

Staff finds that the requested C-D zoning is consistent with the type of development pattern that has already occurred throughout Downtown Athens. The rezone is compatible with the Comprehensive Plan and the rezone is also compatible with the surrounding Future Land Use in that block. Therefore, **Staff recommends approval of the requests.**

Planning Commission Recommendation: Pending

II. Purpose of Applicant Request

A. Proposal

The proposal is to rezone 1.53 acres of a 12.87-acre property from Park (P) to Commercial-Downtown (C-D). The request also is seeking to change the Future Land Use from Government to Downtown. This portion of the existing parcel is across Hoyt Street (private portion) from the remainder of Lay Park and The Lyndon House.

B. Existing Conditions

The portion of the property seeking a rezone has 56 surface parking spaces, a playground and around 20,000 sq ft of open space. It is accessed by the public and private portions of Hoyt Street. Additionally, it is bound by Jackson Street, the rear façade of the Abacus Hotel and the surface parking lot at 550 N Jackson Street. It also abuts Lay Park Community Center, The Lyndon House Arts Center and Fire House #1. The remainder of the block has the Downtown Design Area designation of Dougherty Street. The site has moderate topography that slopes from northwestern corner toward the eastern side of the property.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project: (use as applicable)

- Encourage development of Downtown as a vibrant, diverse center where everyone feels welcome to live, visit, and do business.
- Infill and redevelopment should be prioritized over greenfield expansion.

Overall, the proposal is compatible with the Comprehensive Plan. This proposal can bring more opportunity to Downtown and enable housing that is closer to jobs, education and daily needs. Redevelopment of this site will also build off the growth of Downtown and have the opportunity to utilize community amenities and contribute to updated infrastructure.

B. Compatibility with the Future Land Use Map

The applicant has requested a change to the Future Land Use Map from *Government* to *Downtown*. The existing and requested Future Land Use categories are described as follows:

Existing Future Land Use

Government

These areas are in use or proposed for use by federal, state, or local government agencies, including the University of Georgia and Clarke County Board of Education. Many of these locations are intended to serve the community, and should encourage walkability, landscaping and neighborhood-oriented transportation alternatives.

Proposed Future Land Use

Downtown

Retail, office and entertainment uses are encouraged, as is high-density multifamily housing. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation. As parking is handled on a district level, off-street parking for individual commercial development is not intended. Parking structures with commercial uses on the street-level frontage are encouraged rather than surface parking lots. This area should have strict design requirements to protect historic integrity and to ensure that new buildings develop in a form and architectural style compatible with existing downtown character.

The change to the Future Land Use Map is required any time a Park or Government-zoned property is sold to a private entity. Commercial-Downtown zoning is in line with all surrounding parcels apart from the remaining Lay Park and Lyndon House property which remain zoned Park. 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 Park to Commercial-Downtown. The following information has been provided to compare the difference in development intensity between the existing P zoning and the requested C-D 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	P Zoning	C-D Zoning
	Minimum Lot Size	N/A	none
	Density	N/A	200 units per acre
	Max Lot Coverage	N/A	100%
	Max Building Height	N/A	100 feet
	Setbacks (front/rear/side)	N/A	none
	Conserved Canopy	N/A *	0%
	Total Canopy	N/A *	0%
	Parking	use dependent	use dependent

* Existing and conserved canopy and related standards of the Community Tree Management Ordinance for Athens-Clarke County parks shall be determined by the Mayor and Commission in conjunction with the approval of all park master plans.

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 difference between the current P zoning and

proposed C-D zoning is going from one of the least intensive park/recreational use designations as compared to the most intensive urban center designation. Parks often complement urban centers and the majority of the existing Lay Park and Lyndon House are to remain.

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

The ACC Greenway Network Plan has multiple projects proposed around this site. This location sits in Tax Allocation District (TAD) #4 – East Downtown. Athens In Motion has designated East Dougherty Street as a Tier 1 Pedestrian Project.

IV. Technical Assessment

A. Environment

The Arborist has reviewed the tree management plan and recommended approval with the following comment:

- *Project will be required to meet all requirements of the community tree management ordinance at time of development during plan review.*

B. Grading and Drainage

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

C. Water and Sewer Availability

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

- *ACC water is available*
- *ACC sanitary sewer is available*
- *ACC water capacity is available*
- *ACC sanitary sewer capacity is NOT presently available*
- *Any proposed development must make necessary improvements to the sanitary sewer system that are sufficient to provide sewer capacity for the proposed development.*

D. Transportation

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

E. Fire Protection

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

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

F. Compliance with the Zoning Ordinance and Development Standards

A binding plan is not required or proposed with this request. 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.

Dougherty + North Jackson + Hoyt Redevelopment

Athens, Georgia

Introduction

Core Spaces, a private developer, has been collaborating with the Mayor & Commission and City Department representatives over the past few years on a redevelopment plan for the Dougherty + North Jackson + Hoyt Street block that will be mutually beneficial. The private developer's plan proposes providing the city with a much-needed public parking garage, essential downtown sewer infrastructure improvements, and preservation of the iconic Foundry. Currently the proposed redevelopment area is public surface parking, a public playground, and Hotel Abacus.



The proposed redevelopment plan involves a land swap between Core Spaces and Athens-Clarke County. Core Spaces will purchase +/- 2.75 AC from Athens-Clarke County and Core Spaces will sell +/- 0.90 AC of land to Athens-Clarke County. The proposed public parking garage will be located on the publicly acquired +/- 0.90 AC of land.



The Rezone Request

On June 17, 2025, the Unified Government and the Downtown Athens Development Authority ("the Authority") entered into an Intergovernmental Agreement that authorized the Authority to negotiate a Development Agreement with Core Spaces and authorized the Authority to initiate this rezone. The Mayor & Commission have requested that the Athens Downtown Development Authority serve as the agent to submit a rezoning application for the Athens-Clarke County owned parcel to advance the agreed-upon development framework.

The purpose of the rezone request is to get the appropriate zoning in place for the land swap. Currently a majority of the Athens-Clarke County land to be purchased by Core Spaces is zoned appropriately, Commercial Downtown (C-D). A portion of parcel 163D3 D001, the portion south of Hoyt Street is zoned Government (G). The simple rezone request is to rezone +/- 1.53 AC of parcel 163D3 D001 to Commercial Downtown (C-D). The property to be used as a Parking Deck will be rezoned from C-D to G at a later date and is not included in this application.

In addition to a change in zoning, we are also requesting a change in the future land use map. Current land use for the subject portion of parcel 163D3 D001 is Government. The request is to change the future land use to Downtown.

To reiterate, the proposed rezoning actions apply only to the playground and parking lot portion of Parcel 163D3 D001; the Lyndon House and Lay Park facilities north of Hoyt Street are unaffected.



The Proposed Redevelopment

The proposed development by Core Spaces will comply with all Commercial Downtown (C-D) zoning requirements and is envisioned as a mixed-use building that seamlessly integrates engaging street-level commercial activity with residential uses above. A couple of key components of the proposed redevelopment.

1. As part of the Development Agreement, Developer is required to submit traffic impact study for entire development that specifically analyses pedestrian and bus connections (including school buses for Lay Park) and adjacent impacted intersections and implement all recommended improvements before issuance of a Certificate of Occupancy.
2. Developer is required to construct Sewer Improvements pursuant to a Memorandum of Understanding with the Unified Government which will be at no cost to the public. (Estimated cost of \$2,600,000). Sewer capacity created by these improvements will be reserved for the Development and provide sewer capacity for the downtown area.
3. Developer will be combining this parcel to create a new development that, per the Development Agreement, will participate in inclusionary zoning ordinance and the estimated payment in lieu of the Unified Government is projected to be approximately \$7,878,00.
4. Developer will be swapping this parcel for another parcel (the Parking Deck Parcel) and will be building a Parking Deck for the DDA pursuant to terms of Development Agreement.
5. Developer will be installing a public playground on its property in the approximate location of the current playground. Developer also will be paying the Unified Government for a replacement playground intended for Lay Park.
6. Developer will be granting a historic façade easement on the Foundry structure
7. Developer will be granting an artistic mural easement along Jackson Street
8. The Developer will be relocating the Hoyt House to a location approved by the Unified Government.

Zoning Criteria

1. Explain how the proposed zoning action is compatible with 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 zoning action requires a modification to the Future Land Use Map (FLU); however, this adjustment is necessary only to ensure that the subdivided and recombined portions of the parcels continue to conform to the FLU. In other words, the proposed change does not entail any substantial FLU alteration but instead shifts approximately 1.75 acres from

Government FLU to Downtown.

The proposed zoning action is compatible with the physical development of the subject area.

Moreover, the proposed zoning action is not only compatible but also helps to effectuate and realize the Commission-approved Downtown Master Plan, specifically with respect to infill development at the corner of Dougherty and Jackson Streets, as well as the Jackson Street Greenway and Art Walk.

2. **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 application is for a Type I Rezone and involves rezoning of Government owned land. The proposed zoning changes meet the intent of the Comprehensive Plan and conform to the required ordinances.

3. **The proposal will not adversely affect the balance of land uses in Athens-Clarke County.**

Because of the “land swap” nature of the proposed zoning action, the net balance of land use change results in 0.85 acres increase in the C-D zone, located in the Downtown area adjacent to other C-D parcels and arranged coherently with them. The proposed action is not expected to adversely affect the overall balance of land uses.

4. **Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.**

Public services exist to service the proposal including:

- Downtown streets able to carry dense urban traffic
- Watermains, fire flow, water pressure
- Emergency vehicle access and fire apparatus access
- Sanitary sewer service does exist at the subject site, however, downstream sewer capacity constraints are currently present in the sewer basin at which the parcels are situated. The Sewer Improvements Developer is required to construct pursuant to its agreement with the Unified Government are expected to resolve these constraints.
- Should the redevelopment of the parcels occur, the proposed public parking deck would improve the availability of public parking in the downtown area.

5. **The existing land use pattern surrounding the property in issue.**

Yes, the proposed zoning changes are coherent with the surrounding patterns.

6. The possible creation of an isolated district unrelated to adjacent and nearby districts.

No.

7. 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.

No. In particular the Commercial Downtown Core has very low likelihood of over-taxing the school system due to the high-density, mid-rise living residential units. The possible inclusion of a new public parking deck would provide a much-needed increase in downtown parking and help alleviate the current strain on public facilities.

8. 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.

No. As proposed in the Downtown Athens Master Plan as potential infill redevelopment, and as analyzed in the Urban3 *Economic of Community Design*, surface lots and 1–2-story structures in the downtown core do not reflect the highest and best use. The proposed zoning changes serve to facilitate redevelopment of the parcels.

9. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

Assuming the zoning action catalyzes redevelopment of the parcels, the subject land would be improved by bringing into compliance with current stormwater management regulations, representing a significant enhancement over the existing conditions. Additionally, all future permits would conform to current standards for drainage, soil erosion and sedimentation, flooding, air quality and water quantity.

10. Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

No. The surrounding adjacent parcels are zoned G- Government and therefore do not have a traditional market value or tax rate. The proposed zoning action will allow a combination with the adjoining Hotel Abacus Parcel which would allow the highest and best use of the land and provide a significant increase in value for property located within the East Downtown Tax Allocation District (TAD 4).

11. 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.

The awkward shape of the parcel has prevented development efforts and limited its use to a surface parking lot. By rezoning the property, it can be combined with the adjoining Hotel Abacus parcel for a new mixed-use development that allows the Developer to construct a new parking deck for the Downtown Development Authority. The development agreement framework provides mutual benefits, enabling substantial capital investment while addressing community needs such as limited sewer capacity, public parking, and the redevelopment of City-owned surface parking lots.

12. The aesthetic effect of existing and future use of the property as it relates to the surrounding area.

The existing improvements on the parcel, currently known as Hotel Abacus were originally constructed in 1974. The two-story hotel / motel buildings do not have historic significance and are aging. The Foundry is a building of historic significance and will be preserved with a historic façade easement. Redevelopment of the parcel would constitute an improvement in the aesthetic effect of the existing and surrounding area.

13. 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.

Yes. As outlined in the introduction, the rezone request is submitted at the behest of the Mayor & Commission, serving in the best interests of their constituents and as advised by City Staff and the City Manager's Office. This context gives supporting grounds for the approval of the zoning proposal.

