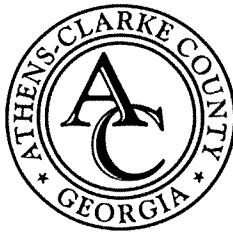


**ATHENS-CLARKE COUNTY PLANNING COMMISSION  
RECOMMENDATION**

<b>DATE:</b> January 8, 2026	<b>FILE NO:</b> SUP-2025-12-2459						
<b>LOCATION:</b> 420 E. Clayton Street <b>APPLICANT:</b> Michael B. Thurmond / Armentrout Matheny Thurmond <b>OWNER:</b> Deupree Company <b>REQUEST:</b> Special Use in C-D (Commercial-Downtown) <b>COMMISSION DISTRICT:</b> Four							
<b>PLANNING COMMISSION MOTION AND RECOMMENDATION:</b>							
NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Kristen Morales Present	X			Carey McLaughlin Absent			
Vice-Chair: Sarah Gehring Present	X			Taylor Pass Present	X		
Jen Fleece Absent				Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Present	X		
Matthew Hall Absent				Michael Lord Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:			
<b>For:</b> David Matheny <b>Against:</b> None							
<b>Discussion:</b> A commissioner asked what the required fire alarm system upgrade identified in the staff report would entail and what process it would follow. Fire Marshal Vaughn stated that as the occupant load would be over 300 persons, an upgraded system would be required, and review of this would take place during the commercial plans review process.							
<b>Motion:</b> Ms. Gehring made a motion for approval, Ms. Sanders seconded the motion, which passed unanimously.							



STAFF REPORT  
SPECIAL USE  
420 E. CLAYTON STREET  
SUP-2025-12-2459  
JANUARY 8<sup>th</sup>, 2026

APPLICANT: ..... Michael B. Thurmond / Armentrout, Matheny, Thurmond, P.C.

OWNER: ..... Deupree Company

ZONING REQUEST: ..... Special Use in C-D (DHD)

TYPE OF REQUEST: ..... Type II

LOCATION: ..... 420 E. Clayton Street, 429 & 431 E. Broad Street

TAX MAP NUMBERS: ..... 171B6 D003

COUNTY COMMISSION DISTRICT: ..... District 4

PROJECT SIZE: ..... 0.42 Acres

PRESENT USE: ..... Commercial Bar

PROPOSED USE: ..... Commercial Bar

PUBLIC NOTICE POSTED: ..... DECEMBER 23<sup>RD</sup>, 2025

STAFF RECOMMENDATION: ..... **APPROVAL**

PLANNING COMM. RECOMMENDATION: ..... **APPROVAL**

MAYOR & COMMISSION AGENDA SETTING: ..... JANUARY 20<sup>TH</sup>, 2026 (tentative)

MAYOR & COMMISSION VOTING SESSION: ..... FEBRUARY 3<sup>RD</sup>, 2026 (tentative)

## **I. Summary Recommendation**

The applicant is requesting a Special Use Permit with a parcel address at Tax Map number 171B6 D003, which includes the addresses of: 420 E. Clayton Street, 429 E. Broad Street and 431 E. Broad Street. The parcel is zoned Commercial-Downtown (Downtown Historic District) (C-D (DHD)), the proposed change combine two of the tenant spaces on the ground floor of the building on the E. Broad Street (429 E. Broad Street and 431 E. Broad Street) elevation for a bar with an occupancy of more than 100 persons.

While the spaces in the proposal are currently operating as commercial bars with 100+ capacity already, a combination of the two would qualify as a new bar and therefore need to go through the Special Use Permit process.

The allowance of a bar with an occupancy of 100+ persons at this property will support the preservation of this historic structure and encourage more business Downtown, as called for by the Comprehensive Plan. No changes are required for the Future Land Use Map as the use is consistent with the property's Downtown designation. It is also compatible with the Zoning Map and Code of Ordinances.

Overall, in the opinion of Staff, the project is compatible with the long-range plans of Athens-Clarke County and satisfies the Special Use criteria. Therefore, **Staff recommends approval**.

Planning Commission Recommendation: **PENDING**

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

### **A. Proposal**

This proposal is to allow for the combination of two separate bar spaces within the existing building into a single bar space. This combination is proposed with the creation of an internal 8' opening between the two adjacent spaces. While both spaces currently operate as bars, current code requirements call for Special Use approval for new bars with more than 100-person capacity. (Section 9-10-2 L(16)). The existing allowance for the Double Barrel Bar at 429 E. Broad Street is noted as 190-person capacity while the existing allowance for the Buddha Bar at 431 E. Broad Street is noted as 131-person capacity. The total capacity as a combined single bar is proposed at 321 people. No changes to the entrances or exists are proposed with the combination.

### **B. Existing Conditions**

The building is located between N. Thomas Street and Wall Street and has elevations on both E. Clayton Street and E. Broad Street. The building is one tax parcel, but contains three addresses for the various tenants: 420 E. Clayton Street, 429 E. Broad Street and 431 E. Broad Street

The building is three stories tall, with two commercial bar spaces on the lowest level facing E. Broad Street as well as commercial bar and restaurant spaces on the street level facing E. Clayton Street. There are residential spaces in the floors above the commercial spaces on E. Clayton Street. This building has not gone through any previous zoning cases. However, different suites/floors have gone through the Construction Plans Review Process over the years for the various uses. The building is located in the Downtown commercial district and is surrounded by similar commercial properties.

## **III. Policy Analysis**

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

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

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

These spaces are currently being used as commercial bar spaces. Keeping that use in our Downtown area would be a way to encourage redevelopment over greenfield expansion. 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 *Downtown*, which is described as follows:

#### *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.*

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 permit for a special use to allow for a bar with an occupancy of 100+ persons in the Commercial-Downtown (Downtown Design Area) (C-D (D)) zoning district. If this special use permit is granted, no change to the underlying zoning district will be necessary. It is located in the Downtown Historic District, so exterior changes would need to be compliant with historic preservation, though the applicant is not requesting any exterior changes at this time.

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

An East Broad Street Project in the Athens in Motion Plan is for a separated facility (striped bike lanes) from Wilkerson Street to S. Lumpkin Street. No related plans were identified in the Strategic Plan or the Greenway Network Plan.

## **IV. Technical Assessment**

### **A. Environment**

The Arborist has reviewed the plan and recommends approval.

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

The Transportation & Public Works Department has reviewed the proposal and does not have any grading and drainage comments.

### **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 special use*
- *Water services must be equipped with double check backflow preventors if not already equipped*
- *PUD recommends approval*

### **D. Transportation**

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

- *No Traffic Engineering comments or concerns regarding this project's impacts to traffic congestion, traffic volume, or traffic signal operations. No comments regarding transportation planning initiatives or other projects.*

### **E. Fire Protection**

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

- *Based on the information provided, both tenant spaces will remain the same use and*

*occupancy classification under the Life Safety Code. Each space is currently protected by an approved automatic fire sprinkler system, which will remain in service.*

- *The proposed connection of the two bars via an 8'-0" cased opening and operation as a single establishment will require the fire alarm system to be evaluated and upgraded as necessary to comply with the applicable requirements of NFPA 72, including occupant notification requirements for the combined space.*
- *Provided the fire alarm system is upgraded to meet current NFPA 72 requirements and all existing means of egress are maintained, the Athens-Clarke County Fire Marshal's Office recommends approval.*

## **F. Compliance with the Zoning Ordinance and Development Standards**

The application report, site plan and elevation drawing submitted with this request will become binding for the project upon approval of the Special Use Permit. 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 existing structure is to be maintained essentially as it is with no change to scale or coverage.

- 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 location of this request is Downtown, where there is already a considerable amount of parking, pedestrians, bicyclists, and mass transit users.

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

Because there is no exterior change to the building, it remains compatible with the character of the Downtown Historic District.

- 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.*

No environmental impacts are anticipated.

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

No significant impact of noise, light, or glare are anticipated as the project will be required to follow the lighting ordinance and noise ordinance in place for ACC. Though some bar noise will be generated by the proposed, it is unlikely to rise over the amount of normal bar noise created by neighboring businesses.

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

The proposed development of this property would have no impact on the ability to develop adjacent properties and would be compatible with the future development map.

- g) *Impact on future transportation corridors.*

There would be no impact on future transportation corridors from the proposed development.

h) *Impact on the character of the neighborhood by the establishment or expansion of the proposed use in conjunction with similar uses.*

The proposed use would have no significant impact on the character of the neighborhood, as there are similar uses surrounding the parcel.

i) *Other factors found to be relevant by the hearing authority for review of the proposed use.*

No other factors have been found to be relevant.

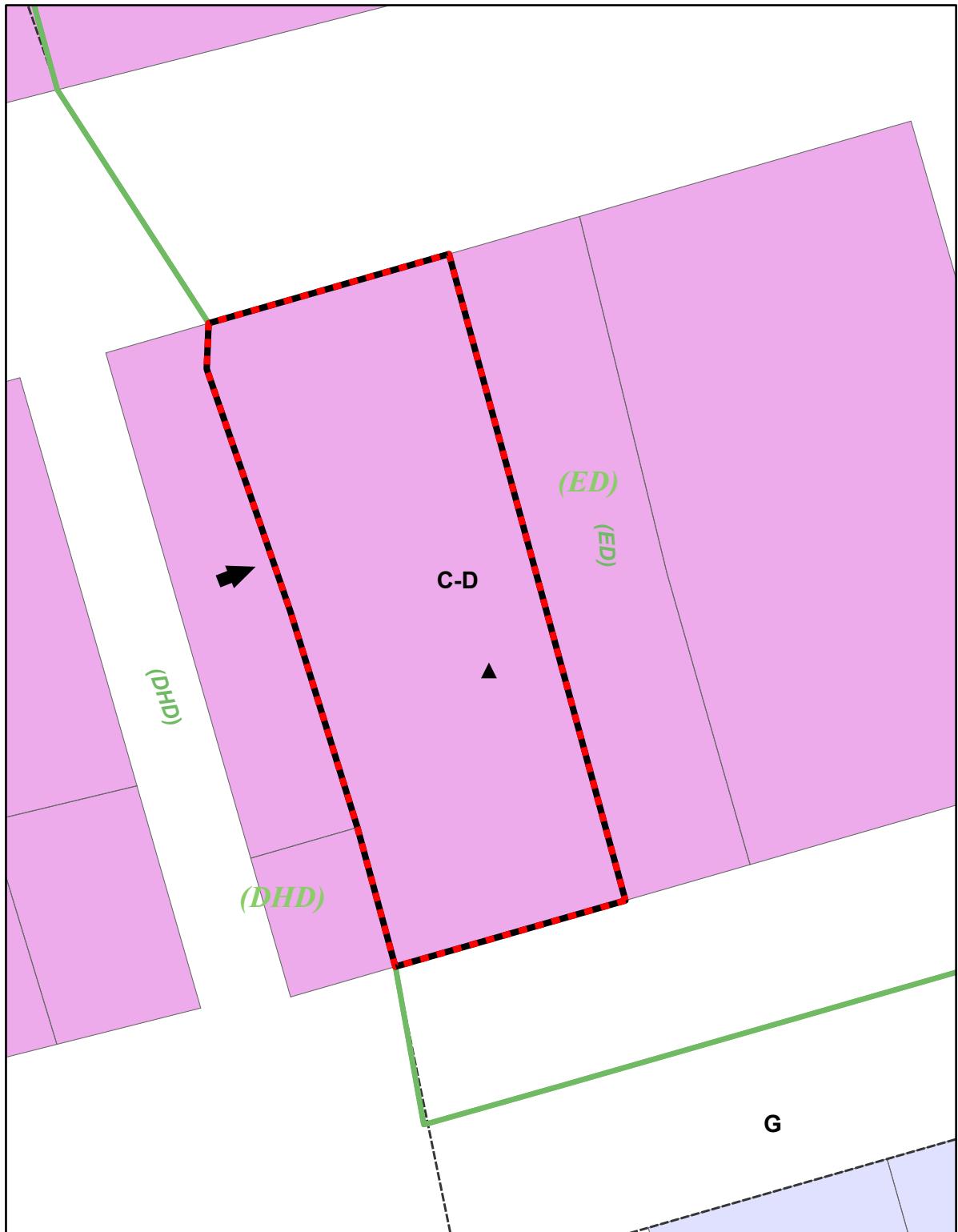
Staff finds that the proposal meets the Special Use review criteria. Approval is recommended.

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.

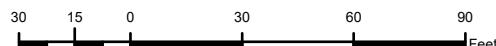


# The Official Zoning Map of Athens-Clarke County

## Legend

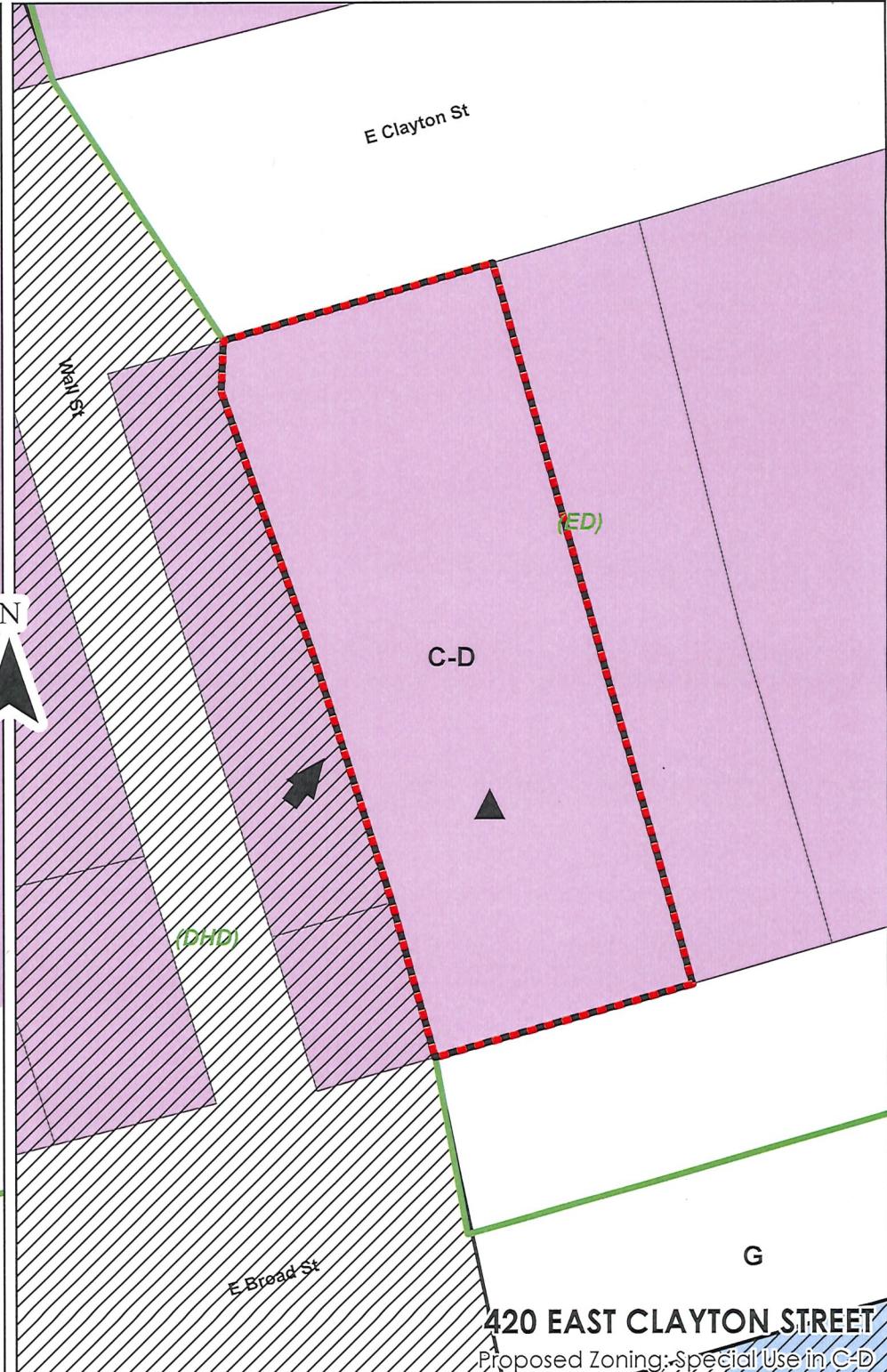
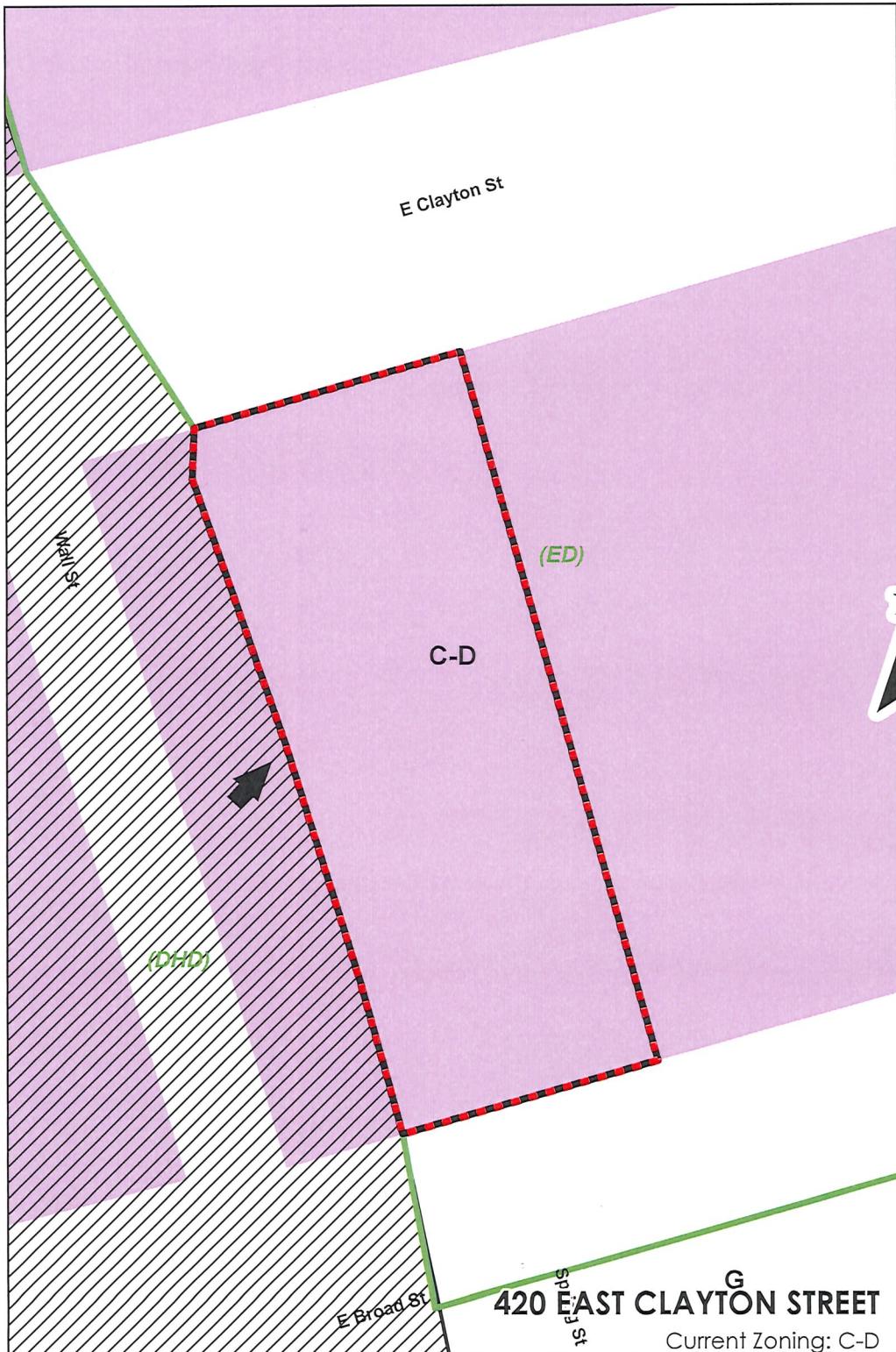
P, Parks	Downtown Design Areas
IN, Institutional	<b>(DHD)</b> , Downtown Historic District
C-G, Commercial-General	<b>(WD)</b> , West Downtown
C-D, Commercial-Downtown	<b>(ED)</b> , East Downtown
C-N, Commercial-Neighborhood	<b>(DS)</b> , Dougherty Street
C-O, Commercial-Office	<b>(RIV)</b> , River
C-R, Commercial-Rural	<b>(WE)</b> , West End
E-I, Employment-Industrial	Airport Overlay
E-O, Employment-Office	<b>AZ1</b> , Precision Approach Zone
G, Government	<b>AZ2</b> , Larger Than Utility Runway Nonprecision Approach Zone
I, Industrial	<b>AZ3</b> , Utility Runway Nonprecision Approach Zone
AR, Agricultural Residential (1 unit per 10 acre density)	<b>TZ</b> , Transitional Zone
RM-1, Mixed Density Residential (16 multi-family units per acre)	<b>RPZ</b> , Runway Protection Zone
RM-2, Mixed Density Residential (24 multi-family units per acre)	<b>PSZ</b> , Primary Surface Zone
RM-3, Mixed Density Residential (30 multi-family units per acre)	<b>78/316 Special District Overlay</b>
RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)	<b>PPD</b> , Planned Development
RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)	<b>*</b> , Zoning with Conditions
RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)	<b>Historic District</b>
RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)	<b>RM-LTD</b> , Mixed Density Residential Limited Overlay
RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)	<b>Conditional Use</b>
	<b>GSRC</b> , Gaines School Road Corridor
	<b>MAC</b> , Milledge Avenue Corridor
	<b>WBS</b> , West Broad Street
	<b>Special District Overlay</b>
	<b>Special District Overlay</b>
	<b>Special District Overlay</b>
	<b>Railroads</b>
	<b>Special Use</b>
	<b>Historic Landmark</b>

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	SUP-2025-12-2459 Special Use Permit <b>420 EAST CLAYTON STREET</b> Michael B. Thurmond / Armentrout Matheny Thurmond Deupree Company	
631		
FROM: <b>C-D</b>	TO: <b>Special Use in C-D</b>	
TAX PARCEL # <b>171B6 D003</b>	PLANNING COMMISSION MEETING DATE January 8, 2026	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE February 3, 2026





**Report to Support the  
Special Use Application  
420 E. Clayton Street – Athens, GA**

The Deupree Company, c/o First American Bank & Trust, P.O. Box 1688, Athens, GA 30603, owns the property at 420 E Clayton Street. This property, located in the block between Wall Street and N. Thomas Street and runs South to North from Broad Street to Clayton Street, is a 3-story masonry structure. The building was constructed by the Deupree Family in 1954 after the original building, constructed in the 1800's by the Deupree Family, was destroyed by fire. The spaces in question for this Special Use Permit (SUP) are located in the basement level of 420 E Clayton St with store fronts at 429 E Broad Street and 431 E Broad Street. Currently 429 and 431 E Broad Street are leased by Jason Dunn, Hospitality South, and are separate bars known as Double Barrel Bar and Buddha Bar respectively.

The purpose of this SUP is to be able to combine the two bars into one bar that will be known as Double Barrel Bar. The process for bars downtown with a capacity greater than 100 is required to seek a SUP per an approved A-CC 2018 Text Amendment. There is no guidance on additional factors to be addressed beyond the objective zoning criteria as listed in the special use application. This report provides answers to the objective criteria and provides additional information related to the proposed use.

As stated earlier the two spaces, Double Barrel Bar, 429 E Broad Street and Buddha Bar, 431 E Broad Street, have been leased and operated by Jason Dunn since 2008. It is now Mr. Dunn's desire to combine the two bars into one. It is worth noting at this point that both bars, independently, operate at a capacity of over 100 occupants. Double Barrel Bar is allowed an occupancy of 190 and Buddha Bar is allowed an occupancy of 131. Both bars were in operation prior to the 2018 amendment.

There are currently no changes to the existing layouts planned for the two bars except to add an 8'-0" cased opening between the bars. Therefore, the total occupancy will remain as 291 (Double Barrel – 190 + Buddha – 131) but operate as one bar under the name of Double Barrel Bar. Both bars currently have automatic fire sprinkler systems and will be upgraded to have emergency voice/alarm communication systems as required by the A-CC Fire Marshal. All existing exits will remain and be maintained.

Response to Zoning Criteria:

A. Is the use compatible with the current zoning and future land use plan

The property is located in the Commercial Downtown zone. It is centrally located within this zone which extends from the Oconee River to Pulaski Street. The future land use is Downtown. A-CC downtown zone is a mix of commercial and residential uses. Commercial uses include office, retail, music venues, restaurants, and bars. The use of this space in this building is compatible with the current zoning and the future land use.

B. Is the use in conformance with the zoning standards, comprehensive plan and state and federal laws.

Yes, the use meets all objective requirements of the zoning district, the comprehensive plan and state and federal laws.

C. Is there adequate water, sewer, paved access, urban storm runoff and adequate transportation.

Yes. Water and sewer exist and serve this building. The building was constructed in 1954, and the storm water facilities are in place. The transportation network is fully developed to access all of the downtown area.

D. Will the zoning have an impact on the surrounding area in the following areas:

- 1.) Size, bulk and scale: The building is existing. The area that the bar will occupy will not change.
- 2.) Character and volume of traffic and parking: There will be no changes. The downtown area has street parking and parking decks. Many people use ride share to access the downtown or walk. The ACC Transit system has bus stops along the downtown area.
- 3.) Architectural compatibility with the surrounding area: The building is existing and historic. There will be no changes to the existing facades.
- 4.) Possible impact on the environment: The bars are existing so there will be no impact on the environment in terms of increased drainage, erosion, flooding, or air quality.
- 5.) Generation of noise, light, or glare: Since the two bars are existing, there will be no impact.
- 6.) Development of adjacent properties: All properties adjacent to this building are in the CD zone and are fully developed.
- 7.) Impact on future transportation corridors: This use does not impact any future transportation corridors.
- 8.) Impact on the character of the neighborhood: None.
- 9.) Other factors: The bar owner is cognizant of all laws, rules and regulations pertaining to bars in the downtown area. He will operate within these laws, rules and regulations as he has already been doing since 2008.

