

REPORT

1.) Presently, the subject parcels are zoned Single Family Residential (RS-15). In addition, the future land use section of the ACC Comprehensive Plan indicates that the location would be best served by Single Family Residential. Our request that the property be rezoned to a Commercial Neighborhood Planned Development is incongruous with both the present and future land use designations. This necessitates a Type I rezoning. However, for the reasons outlined below, we believe the present zoning and future land use designations are inappropriate for the site and that not only the subject property but also the neighborhood would be better served if the property were rezoned to CN(PD) and the future land use was amended to either Neighborhood Mixed Use or Commercial Center Mixed Use.

The site is not presently, nor has it ever been used residentially.

According to the 1918 Sanborn Maps, the site was previously the home of the Young Harris Memorial church. In the 1930's the structure fronting Chase St. was constructed as a supplement to the main church building that fronted Boulevard and served as its Sunday school. The main building was destroyed by fire in the mid 1980's and has remained a vacant lot ever since. Following its use as a Sunday school, the Chase St. structure was used commercially by Athens Banding Company until the late 1970s when the business ceased operations and the building was boarded up. Most recently the building was used for personal storage by the previous owners. The structure was largely neglected for decades until rehabilitation was initiated by the present owners.

Single Family Residential is not in agreement with the current zoning and future land use designations of the other three corners at the Chase and Boulevard intersection.

Presently the three other corners are occupied by the Salvation Army community center, the Bread Basket gas and convenience store, and an abandoned Amoco station recently approved for redevelopment as a coffee shop. These parcels are presently zoned Commercial Neighborhood and according to the future land use map, they are designated as either Neighborhood Mixed Use or Community Center Mixed Use. These land use designations promote pedestrian oriented, neighborhood scale retail stores and small businesses that are the focus of their respective neighborhoods. We believe the subject property is ideally suited to fill this role and either designation would be more appropriate for its future than Single Family Residential.

The historic nature of the site would be compromised by residential uses.

The subject properties lie within the boundaries Boulevard Historic District. The existing structure is the only remaining historic element on the four corners of the intersection. Our intention is to rehabilitate the existing structure and give it a new life by finding a use that allows the neighborhood to enjoy the building. While the exterior of the structure has an avenue for protection via the Historic Preservation Commission, the interior does not. The interior consists of a beautiful, surprisingly intact hall, stage, and balcony with many distinguishing historic features. To date, we have taken great care to preserve and

showcase the historic nature of the structure during our rehabilitation efforts. To convert the space to a residential use would necessitate alterations that would greatly diminish the historic character of the interior. On the other hand, many single tenant commercial uses would be highly compatible with the existing interior layout. Furthermore, as a single-family residence, the building would only be enjoyed by its residents, and not the greater community.

Pre-existing parcel characteristics limit the existing structure's viability as a single family residence.

As evidenced in the site plan, the existing historic structure does not conform to the parcel on which it sits. The entrance of the structure is minimally set back from Chase St, the structure covers better than two thirds of the lot, and its Southern face encroaches on the vacant corner lot. In addition, the drive to the North of the structure, the only possible location for off street parking, provides no opportunity for a turn around necessitating backing out onto Chase St. If the property were to be combined with the vacant lot, the only yard of any utility for the residents of the existing structure would be fronted on two sides by heavily trafficked thoroughfares and would likely require extensive buffering. By way of its inclusion in the Boulevard Historic District, buffering opportunities provided through fencing along the corridor frontage would be restricted by current design guidelines. The alternative solution, a high wall composed of dense plantings, would visually seal the corner off from the rest of the neighborhood, something many would deem inappropriate for such a prominent location. Considering the aforementioned site restraints, the existing structure has little or no viability without combining it with the existing lot, a lot that would better integrate with the corner complementing a commercial use rather than a residential one.

A neighborhood scale commercial use for the site would promote diverse traffic uses.

Considering the site restrictions and limited parking, it is unlikely that an auto dependent commercial use would be compatible. However, the site greatly lends itself to a use that would promote a diversity of transportation options. Located in close proximity to Boulevard, New Town, Pulaski Heights, and Normaltown, the site would be accessible to walkers and cyclists. In addition, a city bus stop is located across from the parcel on Boulevard. According to the Comprehensive Plan, this type of traffic use is compatible with the proposed future land use.

A neighborhood scale commercial use for the site would improve the diversity of land uses.

The greatest neighborhoods in the world are a mix of commercial and residential uses. Communities built around this idea are vital, sustainable, and livable. The Boulevard neighborhood is one of the most desirable neighborhoods in Athens, Chase Street is its commercial corridor, and this site is at the corridor's major neighborhood intersection. To limit the potential for this site to single family residential would be doing its residents a disservice. This building, for the remainder of its utility, and this site, for the remainder of its existence, should be given the opportunity to provide a use that offers the greatest

utility to the greatest number of the neighborhood's residents. This is what the future land use plan calls for along the majority of the Chase St. corridor, and this is what we hope to accomplish with our request.

2.) All land included within the development is owned by Community Revival, LLC, comprised of members Patrick M. O'Brien and John F. LaFlamme.

3.) Considering the small scale of the proposed development, either the property owners or tenants will be capable of providing maintenance for the site and its improvements.

4.) The project is eligible for zoning as a Planned Development because it meets requirement (c). The site consists of a preexisting, nonconforming historic structure on a small parcel that is bordered on either side by residential uses and fronts two heavily trafficked thoroughfares. As a result, it is likely that multiple waivers will be necessary to address site issues. The planned development rezone process provides the means to address these waivers as a package as opposed to individually through the hearings board.

Expected request for waivers include:

- Rear and side yard setback requirements for commercial projects adjacent to residential uses
- Parking requirements for commercial projects in historic districts
- Curb-cut distances from the Chase and Boulevard intersection
- Off street parking calculation

5.) The development will be handled in a single phase that, barring unforeseen circumstances, should commence in the Fall of 2006.

6.) Considering the scale of the project, we do not expect any inordinate demands on Public Services should the property be rezoned.

7.) The existing land use pattern surrounding the subject property consists of three basic components. 1. The three other corners of Chase and Boulevard: These parcels are presently zoned Commercial Neighborhood and according to the future land use map, they are designated as either Neighborhood Mixed Use or Community Center Mixed Use. 2. The Chase St. Corridor: This majority of this corridor is zoned Commercial Neighborhood, complemented by Chase St. Elementary, a governmental use, and a handful of RS properties. 3. The Boulevard Neighborhood: This primarily RS zoned historic neighborhood radiates from this intersection in all four directions. The subject property is bordered by single family structures on its Northern and Eastern boundaries.

8.) The other three corners of the Chase and Boulevard intersection are zoned CN, as is a majority of the Chase St. Corridor, thus approval of our request would complement the surrounding zoning, not create an unrelated, isolated district.

9.) The subject property has never had a residential use, and should it be rezoned to CN (PD), no net increase or decrease in population is expected. The project will not generate

enough traffic to require a TIA and the overall increase in traffic at the intersection or through the neighborhood will be negligible. In 2003 the traffic count at that intersection was roughly 12,500 cars/day, the expected traffic to be generated from this site is roughly 100 cars/day. No significant increase on any other public facility is expected.

10.) Considering the scale of this project, no significant costs to the Unified Government or other governmental entities is expected.

11.) The topography of the site is flat and the submitted site design contains a significant amount of porous pavement and a rain garden for the purpose of minimizing any negative impact this project may have on water quality via effective storm water management. Presently, the lot is minimally landscaped and the proposed new plantings will increase the tree canopy and contribute to improved air quality. As an adaptive re-use project, new construction necessitating land disturbance that could contribute to soil erosion, sedimentation, and flooding will be minimal.

12.) The adjacent properties have already been developed. However, the existing structure had been boarded up and neglected for the better part of twenty years and the adjoining lot has been vacant since the main church burned down in the mid 1980's. For decades, this corner has provided little to no utility to the neighborhood. The proposed zoning amendment, if approved, will revitalize this corner in a manner that preserves the integrity of the historic structure and provides a better balance of neighborhood scale businesses at this significant commercial hub. We propose that this not only improves the value of the adjacent properties but the neighborhood in general.

13.) The primary reasons the property cannot be used in accordance with existing zoning, independent of any increase in economic value, are the numerous site restrictions, the historic character of the existing structure, and its heavily trafficked location. As evidenced in the site plan, the existing structure is non-conforming with the parcel on which it sits. If the property were to be combined with the vacant lot, the only yard of any utility for the residents of the existing structure would be fronted on two sides by heavily trafficked thoroughfares and would likely require extensive buffering. By way of its inclusion in the Boulevard Historic District, buffering opportunities provided through fencing along the corridor frontage would be restricted by current design guidelines. The alternative solution, a high wall composed of dense plantings, would visually seal the corner off from the rest of the neighborhood. The existing structure has little or no viability without combining it with the existing lot, a lot that would better integrate with the corner complementing a commercial use rather than a residential one. The existing structure is the only remaining historic element on the four corners of the intersection. While the exterior of the structure has an avenue for protection via the Historic Preservation Commission, the interior does not. The interior consists of a beautiful, surprisingly intact hall, stage, and balcony with many distinguishing historic features. To convert the space to a residential use would necessitate alterations that would greatly diminish the historic character of the interior. The entrance of the structure is minimally set back from Chase St, a corridor boasting better than 12,000 cars a day at this intersection. In addition, the drive to the North of the structure, the only possible location

for off street parking, provides no opportunity for a turn around which would necessitate backing out onto Chase St.

14.) The rehabilitation and revitalization of this historic structure along with the progressive site design and landscaping improvements will transform this corner from an eyesore to a neighborhood jewel.

SPECIAL REQUEST

The applicants request that the following uses presently permitted in the CN zone be prohibited should the property be rezoned.

1. Bottling Plant
2. Cemeteries
3. Mortuaries