

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **CREATION OF THE WEST BROAD STREET SPECIAL DISTRICT OVERLAY AND REZONING FOURTEEN PARCELS OF LAND TOTALING APPROXIMATELY 6.70 ACRES LOCATED AT 1000-1092 WEST BROAD STREET, 177-187 NORTH MILLEDGE AVENUE, 815-883 REESE STREET, AND 140-146 NORTH CHASE STREET FROM C-G (COMMERCIAL-GENERAL) AND RM-1 (MIXED DENSITY RESIDENTIAL) TO C-G (WBS) (COMMERCIAL-GENERAL, WEST BROAD STREET SPECIAL DISTRICT OVERLAY); AND FOR OTHER PURPOSES.**

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

SECTION 1. Section 9-3-2 of the Code of Athens-Clarke County, Georgia, entitled “*Classification of Districts*,” is hereby amended by adding to the chart contained therein under the heading entitled “*Special District Overlay*” a new overlay district called “West Broad Street” and the abbreviated designation “WBS,” so that the portion of the chart under said heading now reads as follows:

<i>Special District Overlay</i>	
Gaines School Road Corridor	GSRC
Milledge Avenue Corridor	MAC
Mixed Density Residential Limited	RM-LTD
West Broad Street	WBS
78/316	78/316

SECTION 2. Chapter 9-12 of the Code of Athens-Clarke County, Georgia, entitled “*Special District Overlays*,” is hereby amended by adding thereto a new Section 9-12-8, which shall be entitled “*West Broad Street Special District Overlay*.” The text of said section shall read as follows:

Sec. 9-12-8. - West Broad Street Special District Overlay.

- A. Purpose and intent. The purpose of the West Broad Street Special District Overlay is to address issues of public safety, health, and general welfare, including controlling the visual and architectural character of the West Broad Street Special District Overlay. The use of design requirements will help to ensure that new development is visually and functionally compatible with the unique character of the transition area containing commercial, residential and institutional uses.
- B. Boundaries. The West Broad Street Special District Overlay (WBS) boundaries include those properties within the block surrounded by West Broad Street, North Milledge Avenue, Reese Street, and North Chase Street. The boundaries of this special district overlay are specifically designated on the Official Zoning Map of Athens-Clarke County, Georgia, as shown on Attachment A hereto. The Official Zoning Map of Athens-Clarke County, constituting the component part of the zoning ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with section 9-3-3 and section 9-3-7 thereof, is hereby

amended by adding the WBS (West Broad Street Special District Overlay) as a zoning district to the legend of said map, as shown on Attachment A hereto. 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 and shall be duly noted in the appropriate minutes of the Mayor and Commission.

- C. Unless specifically addressed by this section, the uses and standards established by the underlying C-G (Commercial-General) zoning district shall be in effect. In any case where the provisions of the West Broad Street Special District Overlay conflict with those of the underlying zoning district or with other provisions of this title, the standards and requirements of this overlay district shall govern. Unless specifically addressed by the West Broad Street Special District Overlay ordinance, the uses and standards established by Title 9 of the Code of Athens-Clarke County, Georgia as of the date of adoption of the West Broad Street Special District Overlay shall remain in effect, regardless of subsequent amendments to the same.
- D. Uses. Uses are permitted according to the use table in Section 9-10-2, except for the following additional prohibited uses:
  - (1) quick vehicle servicing
  - (2) vehicle repair
  - (3) auto and RV sales
  - (4) distribution center
  - (5) self-service storage
  - (6) construction materials sales
  - (7) kennels
  - (8) mortuary
- E. Residential density. The maximum residential density shall be 50 bedrooms per gross acre.
- F. Minimum building setbacks. The required minimum building setbacks shall be according to Section 9-10-3, with the following exceptions:
  - 1. The minimum building setback from North Milledge Avenue and North Chase Street shall be 15 feet.
  - 2. One foot of setback shall be provided for each foot of true elevation height of a vertical plane facing Reese Street.
- G. Building height. The maximum building height shall be 65 feet, with the following exceptions:
  - 1. Within 50 feet of North Milledge Avenue and North Chase Street the maximum building height shall be 40 feet.
  - 2. Within 50 feet of Reese Street the maximum building height shall be 30 feet.

- H. Access. Vehicular access to Reese Street shall be restricted to residential, office, and institutional uses.
- I. Buffer. Whenever any nonresidential use abuts a residential use on a separate parcel, a vegetative buffer at least 20 feet wide, densely planted per the specifications of Section 9-15-3(A)(2), shall be provided.
- J. Parking structure. No more than 10% of a parking structure's exterior wall surface visible from a public right-of-way, singularly or in combination, may be of plaster, stucco, exposed concrete, or metal sheet siding. Plain concrete block, synthetic stucco, mirror glass, and glass with less than 60% VLT (Visual Light Transmission) are prohibited exterior building materials. Any ground-floor parking visible from any public right-of-way shall be screened from the street by a combination of evergreen plant material and trees to be approved by the Planning Director.
- K. Multifamily standards.
1. Ground-floor dwellings shall only be permitted within 100 feet of Reese Street.
  2. Multifamily dwellings shall have no more than two full baths per dwelling.
  3. Multifamily dwellings shall have a maximum of two-and-one-half parking spaces per dwelling.

SECTION 3. The Official Zoning Map of Athens-Clarke County, Georgia, as referenced in Section 9-3-3 of the Code of Athens-Clarke County, Georgia, is hereby amended by adding to the legend thereto the West Broad Street Special District Overlay (abbreviated "WBS") and rezoning fourteen parcels of land totaling approximately 6.70 acres from C-G (Commercial-General) and RM-1 (Mixed Density Residential) to C-G (WBS) (Commercial-General, West Broad Street Special District Overlay) as shown on Attachment A hereto, which is incorporated herein by reference. The affected parcels are further identified in the chart below.

<i>Tax Parcel No.:</i>	<i>Street Address:</i>
122B4 I002	146 North Chase Street
122B4 I003	North Chase Street
122B4 I004	140 North Chase Street
122B4 I005	1092 West Broad Street
122B4 I006	1086 West Broad Street
122B4 I007	1076 West Broad Street
122B4 I008	1000 West Broad Street
122B4 I009	177 North Milledge Avenue
122B4 I010	187 North Milledge Avenue
122B4 I011	815 Reese Street
122B4 I012	829 Reese Street
122B4 I013	835 Reese Street

122B4 I014	853 Reese Street
122B4 I015	883 Reese Street

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.