

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification B-1 (General Business District) to B-1 (General Business District) with modifications to rezone no. 1814 pursuant to an application for rezoning of property owned by Magnolia Valley Properties, LLC submitted on September 24, 2018.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by Smith Planning Group, LLC on September 24, 2018, requesting rezoning of a ±0.94 acre tract of land located along Mars Hill Road in the 221st G.M.D., Oconee County, Georgia, (portion of tax parcel no. C-02-045A), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the “Unified Development Code of Oconee County, Georgia” as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning classification for the property described on the attached “Exhibit A” is hereby changed from B-1 (General Business District) to B-1 (General Business District) with modifications to rezone no. 1814 for the purpose as set forth in “Exhibit A” attached hereto.

Said rezone is subject to the following conditions: as set forth in “Exhibit A” attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on February 18, 2019, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on April 2, 2019.

ADOPTED AND APPROVED, this 2nd day of April 2019.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Danzell
John Danzell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

W. E. “Bubber” Wilkes
W. E. “Bubber” Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Kathy Hayes
Kathy Hayes
Clerk, Board of Commis



EXHIBIT "A" TO REZONE #7657

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CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The development shall be connected to the Oconee County water system in a manner approved by the Oconee County Water Resources Department and the Oconee County Public Works Department. Accordingly, no building permits shall be issued without prior approval of the Oconee County Water Resources Department.
3. Development structure exteriors shall meet, at a minimum, the development standards required within the Mars Hill Zoning Overlay.
4. All vegetative screening, landscaping, and buffers shall meet the design standards as set forth in Article 8 of the Unified Development Code.
5. Collection services for any on-premises dumpsters and/or waste receptacles shall only be permitted between the hours of 7:30 AM and 6:00 PM. No such collection shall be permitted on Saturdays or Sundays. Furthermore, dumpsters shall be screened from view of all streets and neighboring properties.
6. All site lighting shall consist solely of full cutoff luminaires as defined by the Illuminating Engineering Society of North America.
7. The total building floor area of the development shall not exceed 11,000 square feet.
8. The following uses, allowed by right in the B-1 zoning district, shall be prohibited on the subject site:

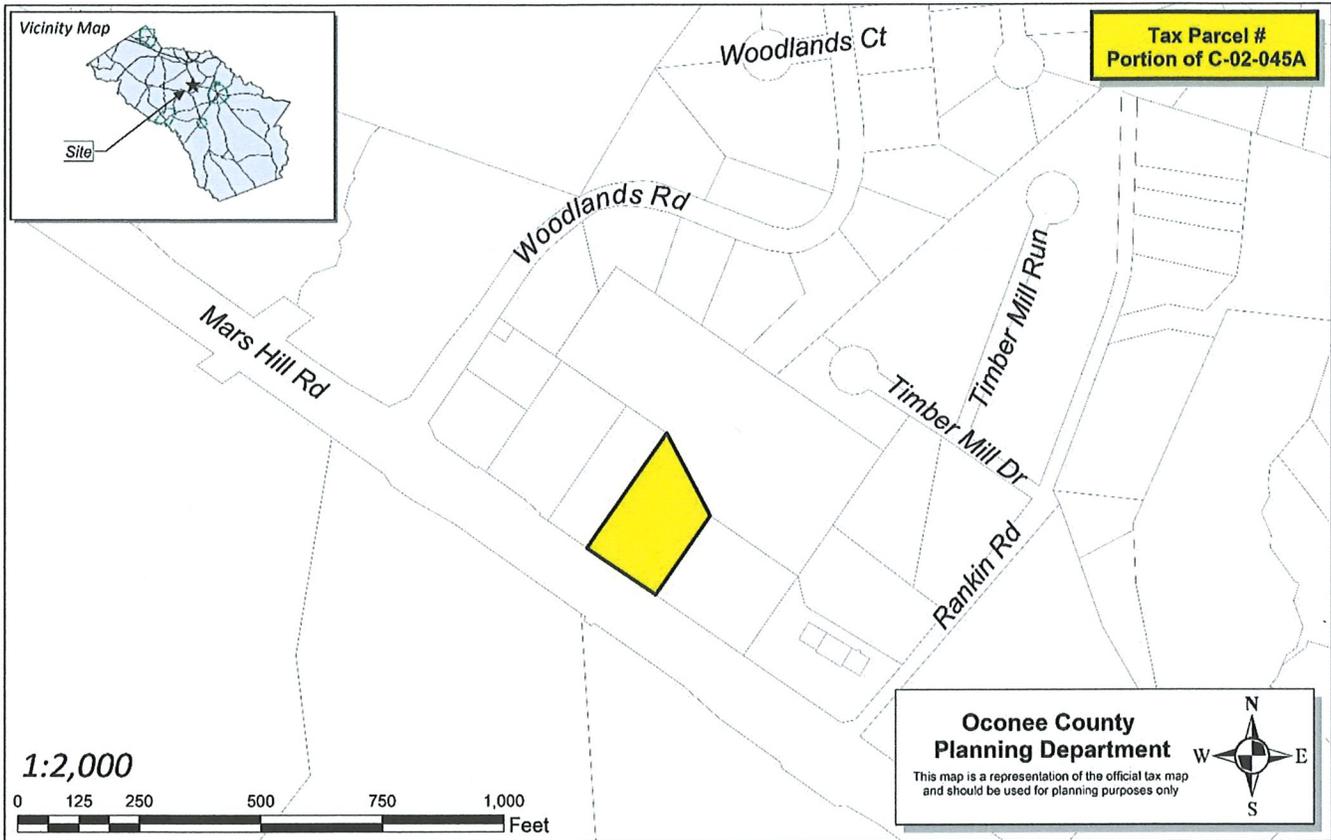
LIST OF DISALLOWED USES – REZONE NO. 7657	
Group Day Care Home	Bed-and-Breakfast Inns
Day Care Center	General Automotive Repair
Automotive Oil Change and Lubrication Shops	Car Washes
Electronic and Precision Equipment Repair and Maintenance	Automobile Driving Schools
Automobile Commercial Parking Lots and Garages	Adult Entertainment
Taxidermists	Museums
Amusement and Theme Parks, Fairgrounds	Archery or Shooting Ranges
Batting Cages	Outdoor Power Equipment Store
Convenience Food Stores with Fuel Pumps	Beer and Wine Stores
Gasoline Stations, Full Service	Gasoline Stations with Convenience Stores, no repairs
Cigar and Tobacco Stores	Restaurants, Limited-Service, including Fast Food and Take Out, with drive-through windows
Interurban Bus Transportation and Bus Stations	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Family Planning Centers	Prescription Shops
Freestanding Ambulatory Surgical and Emergency Centers	Assisted Living Facility
Personal Care Homes, Group	Personal Care Home, Congregate
Employment Services/Temporary Help Services	Bungee Jumping
Neighborhood Recreation Centers (for profit)	Softball, Baseball, Football, and Soccer Fields
Show Arena for Horses	Private Schools: Junior Colleges
Private School: Kindergarten, Elementary, and Secondary	Religious Exempt Nonpublic Postsecondary Institutions
Private Schools: Colleges and Universities	

9. Prior to the issuance of any building permit for phase 2 and any subsequent phases of the development, the development shall be connected to the Oconee County sewer system in a manner approved by the Oconee County Water Resources Department and the Oconee County Public Works Department at the developer's expense.

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TAX MAP



LEGAL DESCRIPTION

All those certain tracts or parcels of land, together with all improvements thereon, situate, containing 0.95 acres, more or less, lying and being in GMD 221, Oconee County, Georgia, located on the north side of Mars Hill Road, being more particularly described as follows:

Commence at a Mag. Nail set at centerline of Mars Hill Road and Woodland Road thence S62°47'18"E 461.94' to a point, which is the Point of Beginning:

Thence N34°37'53"E 287.18' to a point,

Thence S27°42'14"E 191.70' to a point,

Thence S34°30'18"W 198.06' to a point,

Thence N55°24'20"W 170.22' to a point, which is the Point of Beginning.

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PLAT

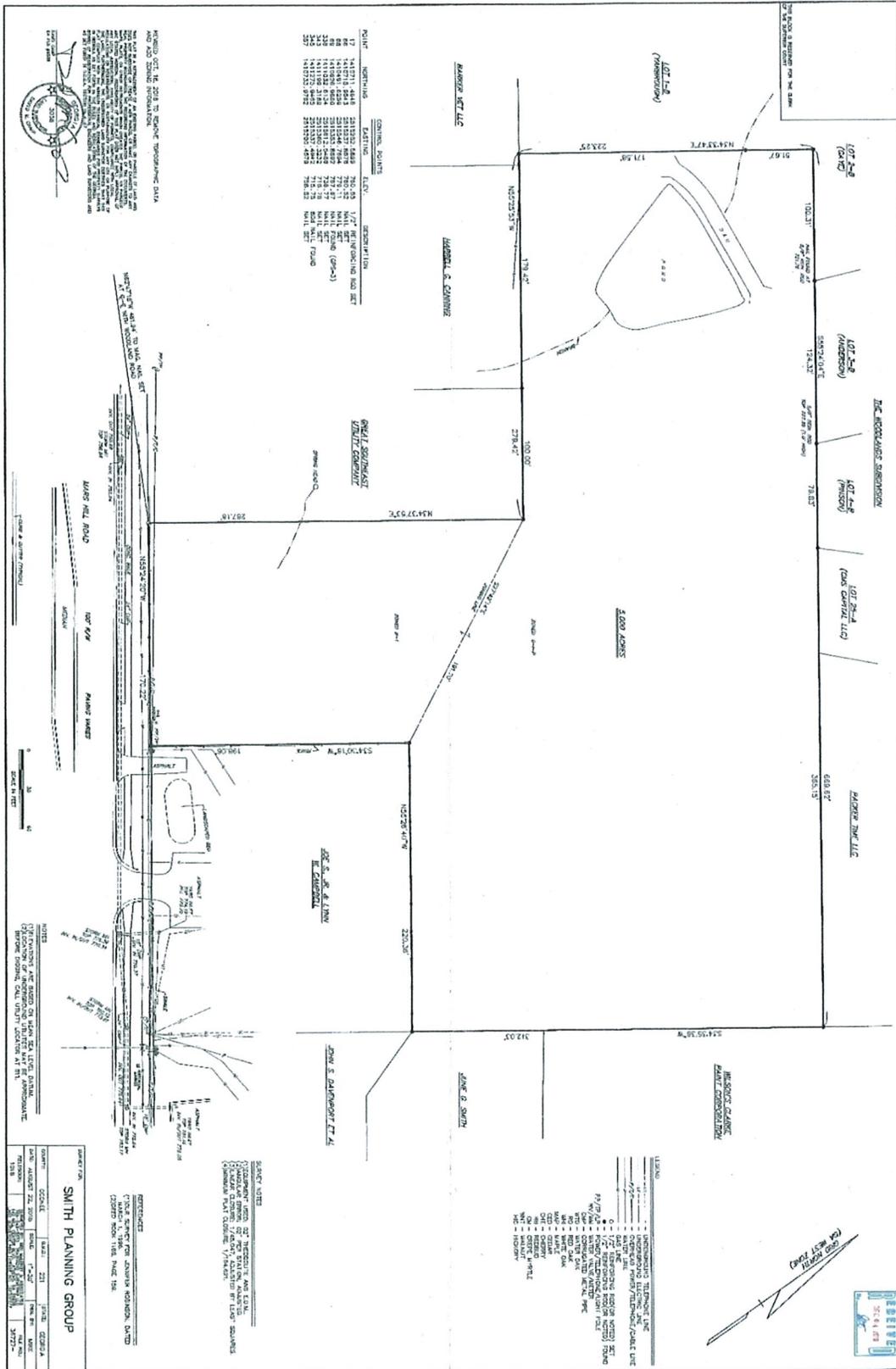


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NARRATIVE

1170 Mars Hill Road
Oconee County, Georgia



Change in Zoning Conditions
Narrative Statement
September 24, 2018
REVISED: November 26, 2018
REVISED: December 4, 2018
REVISED: February 8, 2019

INTRODUCTION

The subject site is located on Mars Hill Road, approximately 0.3 miles northwest of Butler's Crossing.

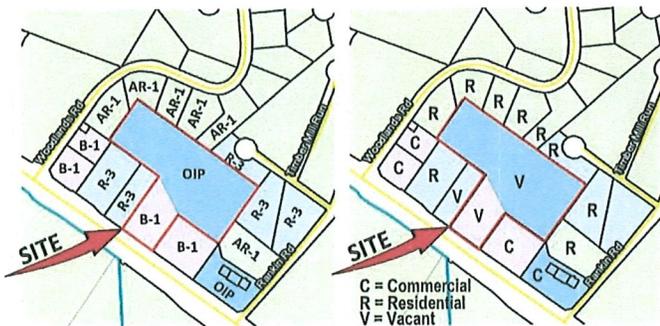
According to the Oconee County Future Development Map, the subject site and adjacent parcels lie within the Civic Center Character Area. The site also lies within the Mars Hill Overlay District.



BACKGROUND, EXISTING CONDITIONS AND PROPOSED USES

The 5.003 AC undeveloped property (Parcel C 02 045A) is a "T" shaped parcel that joins the right-of-way of Mars Hill Road. The vegetation on the site consists primarily of kudzu along Mars Hill Road with Loblolly Pines along the rear or northern boundary. The property slopes to the northwest and drains into an existing pond at the northwestern boundary. On August 1, 2000, the parcel was rezoned from AR-1 to OIP (Rezone No. 1813) and B-1 (Rezone No. 1814). The OIP portion is 4.06 AC and the B-1 portion of the site is 0.94 AC.

Uses adjacent to the site include commercial, multi-family and single-family residential uses. Zoning Map and Adjacent Use Map is provided below.



PROPOSED CHANGE IN CONDITIONS

The purpose of the request is to change the conditions of the previously approved rezoning cases. The classifications will remain unchanged. The change in conditions request stems from the completion of the Mars Hill 4 lane project. Under current conditions, the elevation of Mars Hill Road is considerably higher (approximately 12 to 16 vertical feet) along the frontage of the property from when Rezone No. 1813 and Rezone No. 1814 were originally approved.

The elevation change to Mars Hill Road requires moving the project entrance and adjusting the location of the buildings and parking structures. This is necessary to prevent steep access drive gradients which limit sight distance and inhibit accessibility from the proposed parking facilities to the buildings. The building within the B-1 zoning (i.e. closest to Mars Hill Road) has been moved to the northwest side of the site, and the entrance moved to the southeast side of the site. In conjunction with the new topography, this building is now better suited to having a basement. Keeping the same building footprint, the basement increases the building area to a total of 11,000 sq. ft., which is 5,500 sq. ft. larger than the building area previously approved in Rezone No. 1813.

Additionally, the configuration of the OIP portion at the rear of the property has been changed to reflect the new entrance drive and topographic change. The total number of buildings has been reduced from seven to five. The topography of the area necessitates that two of the buildings contain basements. This increases the total area of buildings located in the O.I.P zoned portion of the parcel from 16,800 sq. ft. to 18,900 sq. ft.

Proposed uses on the site will be consistent with those allowed in the B-1 and OIP zoning classifications with the following exclusions:

The following uses will not be permitted in the B-1 portion of the property:

- | | |
|---------------------------------------|---|
| Bait Sales | Lumber Yard |
| Builders Equipment / Material Storage | Mobile Home Sales Lot, Retail |
| Bus Terminal | Static Electricity Transformer Substation |
| Drive-In Restaurant | Tire Repairing, Supplies |
| Electric Power Station | Tractor Repair and Garage |
| Garage, Parking | Truck Repair |
| Garage, Repair | Truck Terminal |
| Gasoline Service Station | Welding Shop |

The following uses will not be permitted in the O.I.P portion of the property:

- | | |
|---------------------------------|---|
| Hospital | Static Electricity Transformer Substation |
| Nursing Home/Personal Care Home | Telephone Office/Substation |

All portions of the property that abut a residential use will be screened as per Oconee County requirements. The proposed development will have minimal impact on existing County services, facilities and infrastructure.

ARCHITECTURE

The architectural style of the buildings will be consistent with that approved previously and in conformance with the building materials required in the Mars Hill Overlay District. Namely, exterior materials will consist of masonry material such as brick and/or stone and architectural accents of wood and/or cementitious material. Roof material will be asphaltic architectural tab shingles, tile, slate, or wooded shakes. Metal roofing will be used only as accent.

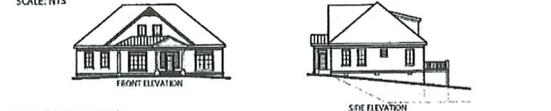
RETAIL BUILDING ELEVATIONS (B-1 PORTION OF SITE)

SCALE: NTS



OFFICE BUILDING ELEVATIONS (OIP PORTION OF SITE)

SCALE: NTS



Proposed Architectural Style

ACCESS, TRAFFIC, AND PARKING

1170 Mars Hill Road is proposing a new main entrance that will connect with Mars Hill Road and provide a deceleration lane. All paved drives within the development will remain private, with the Owner responsible for maintenance, up-keep and repairs.

Parking is proposed to occur in two separate lots within the site and will be adjacent to primary and ancillary buildings. The parking lot design includes concrete curb and gutter, asphalt with striping, and concrete sidewalks.

While very difficult to quantify or measure, this development would not be expected to contribute to any meaningful or noticeable increase in traffic since it represents a small fraction of the existing traffic already present on Mars Hill Road. The development of this site as proposed does not increase traffic conditions beyond what would be typical and expected for uses of this type and scale. There will be little to no impact on the county school system.

Traffic generated by the proposed development is illustrated in the following Table. Note that, for the purposes of the Change in Conditions / Rezone Modification submittal, the table represents traffic generated at full build-out of the site which is anticipated to occur incrementally over the course of many years. Detailed construction documents shall be submitted for permitting for each building/phase of the overall plan, at which point a site-specific trip generation analysis will be produced for review by the Oconee County Public Works Department.

TRIP GENERATION (Based on ITE Trip Generator Manual, 9th Ed.)

Proposed Use: Office Park
Land Use Code: 750
Total Units of 1,000 sf (KSF): 18.6
Mars Hill Road: 45 mph

Proposed Use: Specialty Retail
Land Use Code: 826
Total Units of 1,000 sf (KSF): 5.5
Mars Hill Road: 45 mph

PROJECTED TRIP GENERATION BASED ON KSF² (UNITS OF 1,000 SF)

Description / ITE Code	Units	ITE Vehicle Trip Generation Rates (Peak hours are 4 to 6 each hour of observed street traffic on a right-of-way)						Expected Units	Total Generated Trips		
		AM Peak	PM Peak	Free Flow	AM Off	PM Off	PM Off		Daily	AM Hour	PM Hour
Office Park 750	18.6	1.42	1.71	1.68	0.91	0.98	0.98	18.6	212	37	25
Forward Street 826	5.5	4.32	4.84	2.71	0.91	0.92	0.45	5.5	244	38	15

UTILITY SERVICES

The proposed development will require domestic water, fire protection, and sanitary sewer services in addition to electricity, natural gas, television and internet service. Dry utility services (electric, cable, internet, etc.) will be coordinated with the individual service providers. All utilities shall be underground.

The subject site is to be served by OCPUD water service and septic drain field systems. There is no sanitary sewer available in the immediate vicinity. A septic permit from the Oconee County Health Officer will be required for each building prior to the issuance of any building permit. In some instances, depending on the use of the building, a common septic tank and drain field may be shared between two buildings. In no event shall a septic tank or drain field be located within 100 feet of an existing well as per EPD regulations.)

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The proposed uses (retail / office) will require domestic water and fire protection. The estimated water demands for the full build-out of the site is shown below:

Water: 105 Workers at 30 GPD / per worker (w/ kitchen) = 3,150 GPD
Maximum Day Demand: 2.2 GPM x 1.5 = 3.3 GPM
Peak Hour Demand: 3.3 GPM x 2.5 = 8.2 GPM

See Water Availability letter dated 11/27/18 as provided by OCPUD. An existing 16" DIP water line is located on the southern side of Mars Hill Road and within the Mars Hill Road R/W. The petitioner proposes to extend a water line from this existing line into the development in order to provide adequate water needs and fire protection.

Solid Waste will be collected onsite and disposed of by a private licensed contract service provider. Trash receptacles (dumpsters) are to be provided in two separate locations as shown on the Rezone Modification Concept Plan. Fencing and landscape screening will be installed around the receptacle in order to minimize any objectionable visual impact.

STORMWATER DRAINAGE

Stormwater management shall comply with all local, state, and federal regulations in effect at time of construction plan approval. Throughout the site, stormwater shall be collected in swales or in drains and pipes and directed to the proposed stormwater detention and water quality treatment basin. The site topography directs runoff to the northwest and drains into an existing pond at the northwestern boundary. A stormwater management facility is proposed to treat water quality and mitigate increased runoff peak flows prior to releasing to downstream properties. All maintenance shall be the responsibility of the Owner.

Post development run-off shall be maintained at or below pre-development rates for the 2, 5, 10, 25 and 100-year storms. The storm drain system and structures will be designed during the engineering phases of the project.

BUFFERS

Buffers will be installed around the exterior boundary of the project where commercial and residential uses meet and will be, at a minimum, in accordance with the previously approved site plan that accompanied Rezone Nos. 1813 & 1814. As much as practical, existing vegetation shall remain within these buffers. Evergreen plant material and/or fencing with berms will be installed as appropriate within the buffer to provide adequate screening of adjacent properties.

State waters exist on-site (around the existing pond) and all appropriate buffers will be adhered to. See the Rezone Modification Concept Plan for specific information concerning buffer locations.

PROJECT IDENTITY

Project signage to be applied for under separate permit. All signs to be installed according to Article 7 of the Oconee County UDC Code.

BUILDINGS

Each building will be owned individually with specific floor plans and details left to the Owner. External details such as architectural style, colors, etc. will be consistent with that approved previously and in conformance with the building materials required in the Mars Hill Overlay District and further dictated by the Condominium Declarations in order to achieve cohesiveness throughout the development. Six buildings are proposed under this request. Building placement and the square footage of each is set forth on the Concept Plan.

Estimated Value of the Project at Completion: \$4,500,000.00 (excludes land value, building furnishings, etc.)

Flooring Store Building Value: +/- \$1,000,000
Five (5) Office Buildings Value: +/- \$2,000,000

LAND DEDICATED FOR PUBLIC USE

Easements for utilities and waterlines will be granted to those various utilities as needed.

OPEN SPACE

There are no provisions for public open space. Open space will be owned and maintained by the Condominium Association.

PROJECT SCHEDULE

The retail portion (which includes the flooring store building, stormwater detention, septic drain fields and related improvements) within the B-1 zoning and a portion of the OIP zoning will be built as soon as all approvals and appropriate permits have been received (see approximate limits of the phase line on Rezone Modification Concept Plan) meaning construction of the retail portion will begin as soon as possible.

Full build-out of the site (i.e. construction of the remaining proposed office buildings and related improvements within the OIP portion) is anticipated to occur incrementally over the course of many years. Construction of the office buildings could begin as soon as 2020 or so, as market conditions will dictate potential start dates. The construction of individual office buildings will begin upon the approval of the site construction plans permits issued for the building(s).

OUTDOOR LIGHTING

For security reasons, pole-mounted lighting will be provided in the parking areas. All fixtures shall be full cutoff and fully shielded to minimize the impact to surrounding properties. Lighting fixtures mounted on the buildings will illuminate doors and passageways.

SIGNS

The project sign will be designed as per the requirements as set forth in the Oconee County Sign Ordinance.

OWNERSHIP

It is the intent of the petitioner to develop this parcel under Condominium Ownership with standards set forth in Condominium Declarations.

PROPOSED DEVELOPMENT STANDARDS

Development standards will be those as set forth in the Oconee County Zoning Ordinance and Subdivision Regulations. Where proposed development standards (i.e., as set forth in the proposed Condominium Declarations) exceed the county minimum standards, the more restrictive standards will apply.



**Planning Department
Oconee County, Georgia
STAFF REPORT**

REZONE CASE #: 7657

DATE: January 4, 2019

STAFF REPORT BY: Grace Tuschak, Planner

APPLICANT NAME: Smith Planning Group, LLC

PROPERTY OWNER: Magnolia Valley Properties, LLC

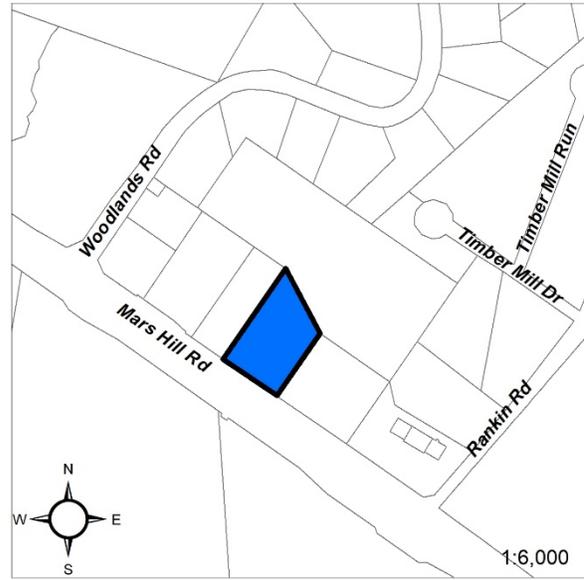
LOCATION: Along Mars Hill Road

PARCEL SIZE: ± 0.94 Acres

EXISTING ZONING: B-1 (General Business District)

EXISTING LAND USE: Undeveloped

ACTION REQUESTED: Rezone from OIP to OIP with modifications to rezone no. 1814



REQUEST SUMMARY: The applicant is petitioning for a modification to the conditions of rezone no. 1814 to allow for an increase in the allowed total square footage of the building on the B-1 – zoned portion of the subject parcel.

STAFF RECOMMENDATION: Staff recommends conditional approval of the present request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: February 18, 2019

BOARD OF COMMISSIONERS: April 2, 2019

ATTACHMENTS:

- Application
- Narrative
- Zoning Impact Analysis
- Site Review
- Aerial Photo
- Tax Map
- Plat of Survey
- Concept Plan
- Copy of Rezone No. 1814

Note: The present rezone request was submitted in conjunction with rezone modification request no. 7656, which addresses the OIP-zoned portion of the subject parcel.

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject site consists of ± 0.94 acres located towards the front of the 5-acre parcel no. B-02-045A along Mars Hill Road. The BOC approved rezone no. 1814 on August 1, 2000, rezoning the subject portion of the property from AR-1 (Agricultural Residential One Acre District) to B-1 (General Business District) in order to allow for the development of a retail/professional office building.

SITE VISIT DESCRIPTION

- As of the site visit on 02/01/2019, the subject site is undeveloped and heavily wooded.
- The subject site appears substantially below the grade of Mars Hill Road and slopes moderately to the northwest.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single-family residential subdivision (Woodlands)	AR-1 (Agricultural Residential One-Acre District)
SOUTH	Single family residential Commercial offices	B-1 (General Business District) AR-1 (Agricultural Residential One-Acre District) OIP (Office Institutional Professional District)
EAST	Multi-family residential	R-3 (Multi-Family Residential District)
WEST	Multi-family residential Single family residential Veterinary Office Well lot	R-3 (Multi-Family Residential District) B-1 (General Business District)

PROPOSED MODIFICATION TO REZONE NO. 1814

- The applicant proposes to make the following changes to the previously approved plans for the B-1-zoned portion of the property:
 - Move the proposed commercial building to the northwest side of the site
 - Move the proposed project entrance to the southeast side of the site
 - Increase the total allowed square footage of the proposed commercial building from 5,500 to 11,000 by adding a basement but retaining the same building footprint

TRAFFIC PROJECTIONS

- An average of 28 additional weekday vehicle trips are projected above the traffic estimated to be generated by the previously approved development (see calculations below)
- Traffic Calculations (based on the ITE Trip Generator Manual, 9th Ed.)
 - Proposed Use: Furniture Store (Flooring/Carpeting)
 - Land Use Code 890

	Units of 1,000 sf	ADT Ratio	Total estimated weekday vehicle trips
Rezone no. 1814	5.5	5.06	5.5 x 5.06 = 28
Current request	11.0	5.06	11 x 5.06 = 56

- Staff notes that the applicant, in a later submission dated 02/08/19, is amending the present rezone request to allow other uses in addition to the flooring store use within separate suites of the same building. However, estimated traffic counts shown above do not reflect this change to the request.

PUBLIC FACILITIES

Water:

- Water service is proposed to be provided by the County. The Oconee County Water Resources Department has indicated via a water availability letter dated 11/27/2018 that adequate water capacity currently exists for the proposed development.
- An existing 16” water line is located along Mars Hill Road, and the applicant proposes to extend a water line into the development.

Sewer:

- If approved, the proposed development would be served by private septic tanks and drain fields, as sanitary sewer connection is currently unavailable at the subject site.
- No septic tanks are planned for installation within 100 feet of an existing well in compliance with EPD regulations.

Roads:

- One project entrance is proposed along Mars Hill Road which will serve the entirety of the subject parcel.
- Concrete curb and gutter are proposed throughout the development.

ENVIRONMENTAL

- Stormwater is proposed to be collected in swales or in drains and pipes and directed to the proposed stormwater detention pond, as depicted on the concept plan submitted 12/04/2018.
- No flood plains, jurisdictional wetlands, or state waters exist on the subject parcel.

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR REZONING CONSIDERATION” AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

- A. How does the current request compare to the existing uses and zoning of nearby properties?** Compatible commercial zoning districts including B-1, B-2, and OIP exist to the south and west of the subject property and are common along the Mars Hill Corridor. The current request is a slight modification of the retail/professional office use previously approved under rezone no. 1814. Staff concludes that the proposed use is consistent with the existing uses and zoning of nearby properties.
- B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?** The current zoning restricts development to 5,500 square feet of commercial space as reflected on the original concept plan submitted with rezone no. 1814. It is reasonable to believe that the subject property values could be diminished by limiting the allowed building area to 5,500 square feet.
- C. To what extent does the destruction of the property values of the individual property owner promote the health, safety, or general welfare of the public with consideration to:**
- 1. Population density and effect on community facilities such as streets, schools, water, and sewer?** If approved, the current request could be expected to slightly increase demand for County water and marginally increase traffic to the subject site above the previously approved development. The current request should not have any significant negative impacts on population density or schools in the area.
 - 2. Environmental impact?** No adverse environmental impacts are expected as a result of the proposed changes to the development.
 - 3. Effect on adjoining property values?** It is not anticipated that approval of the present request should have any negative effect on adjoining property values.
- D. What is the relative gain to the public in maintaining the current zoning category, as compared to the hardship imposed upon the current property owner?** The hardship imposed upon the current property owner by maintaining the current zoning conditions would be the restriction of development to 5,500 square feet for the B-1-zoned portion of the subject property. Staff holds that there is no significant gain to the public in maintaining the current zoning.
- E. What is the length of time that the property has been vacant as currently zoned, considered in the context of land development in the area of the vicinity of the property?** The subject property has been vacant since the approval of rezone no. 1813 in August of 2000. Vicinal development within the last

twenty years has consisted of the construction of the CVS pharmacy at the Butler's Crossing commercial node and the development of the Mander's Crossing shopping center starting in 2005.

- F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?** Wood or ceramic tile flooring stores are allowed by right in B-1 zoning districts, and the subject property is already zoned for retail use under rezone no. 1814. Staff holds that the proposed commercial use and the requested increase in building square footage remain consistent with the stated purpose of the B-1 zoning district.
- G. How does this request conform with or diverge from established land use patterns?** The Mars Hill Road corridor contains numerous commercial properties, particularly in the vicinity of the subject parcel. Limited commercial development of the area began in the 1980s and Butler's Crossing Shopping Center was constructed in the late 1990s, establishing a commercial node at the intersection of Mars Hill Road and Hog Mountain Road. The trend of commercial development along the Mars Hill Corridor has continued over the past two decades, including the construction of CVS Pharmacy in 2007 and Mander's Crossing Shopping Center in 2005. Based on these trends and considering the recent widening of Mars Hill Road, it is reasonable to assume that this corridor will continue to commercialize. Staff therefore holds that the requested small increase in the intensity of proposed commercial use on the subject property is in conformity with established land use patterns in the area.
- H. How does this request conform with or diverge from the Future Land Use Map or the goals and objectives of the Comprehensive Plan?** The 2040 Future Development Map designates the subject property a character area of Civic Center. The 2040 Community Agenda describes this character area as a "relatively high-intensity mix of business, retail shopping, offices and recreational complexes..." with "consumer-based commercial establishments that offer goods and services to the residents of central Oconee" as a primary land use. Staff holds that the current request is in conformity with the goals and objectives of the Comprehensive Plan for this character area.
- I. What is the availability of adequate sites for the proposed use in districts that permit such use?** There are numerous sites vacant sites zoned B-1 throughout the County. However, given the prevalence of existing conditional zoning, it is unlikely that these sites would permit such use as proposed.
- J. Is the site suitable for the proposed use relative to the requirements set forth in the Unified Development Code (off-street parking, setbacks, buffer zones, open space, etc.)?** The associated concept plan does not depict the required 50-foot incompatible-use buffer required along the adjoining single-family residential use on parcel number C 02 045B. Furthermore, staff notes that previously approved 10-foot incompatible-use buffers depicted on the same plan are not compliant with the UDC and will be required to meet current standards as set forth in Article 8 of the UDC. However, staff holds that the site is suitable for the proposed development relative to the requirements set forth in the UDC and should not require any variances if the forgoing deficiencies are adequately addressed.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Staff recommends conditional approval of this rezone request, subject to the following conditions to be fulfilled by the owner/developer at their expense:

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The development shall be connected to the Oconee County water system in a manner approved by the Oconee County Water Resources Department and the Oconee County Public Works Department. Accordingly, no building permits shall be issued without prior approval of the Oconee County Water Resources Department.
3. Development structure exteriors shall meet, at a minimum, the development standards required within the Mars Hill Zoning Overlay.

4. All vegetative screening, landscaping, and buffers shall meet the design standards as set forth in Article 8 of the Unified Development Code.
5. Collection services for any on-premises dumpsters and/or waste receptacles shall only be permitted between the hours of 7:30 AM and 6:00 PM. No such collection shall be permitted on Saturdays or Sundays. Furthermore, dumpsters shall be screened from view of all streets and neighboring properties.
6. All site lighting shall consist solely of full cutoff luminaires as defined by the Illuminating Engineering Society of North America.
7. The total building floor area of the development shall not exceed 11,000 square feet.
8. The following uses, allowed by right in the B-1 zoning district, shall be prohibited on the subject site:

LIST OF DISALLOWED USES – REZONE NO. 7657	
Group Day Care Home	Bed-and-Breakfast Inns
Day Care Center	General Automotive Repair
Automotive Oil Change and Lubrication Shops	Car Washes
Electronic and Precision Equipment Repair and Maintenance	Automobile Driving Schools
Automobile Commercial Parking Lots and Garages	Adult Entertainment
Taxidermists	Museums
Amusement and Theme Parks, Fairgrounds	Archery or Shooting Ranges
Batting Cages	Outdoor Power Equipment Store
Convenience Food Stores with Fuel Pumps	Beer and Wine Stores
Gasoline Stations, Full Service	Gasoline Stations with Convenience Stores, no repairs
Cigar and Tobacco Stores	Restaurants, Limited-Service, including Fast Food and Take Out, with drive-through windows
Interurban Bus Transportation and Bus Stations	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Family Planning Centers	Prescription Shops
Freestanding Ambulatory Surgical and Emergency Centers	Assisted Living Facility
Personal Care Homes, Group	Personal Care Home, Congregate
Employment Services/Temporary Help Services	Bungee Jumping
Neighborhood Recreation Centers (for profit)	Softball, Baseball, Football, and Soccer Fields
Show Arena for Horses	Private Schools: Junior Colleges
Private School: Kindergarten, Elementary, and Secondary	Religious Exempt Nonpublic Postsecondary Institutions
Private Schools: Colleges and Universities	

Magnolia Valley Properties - Rezone 7657 Aerial View

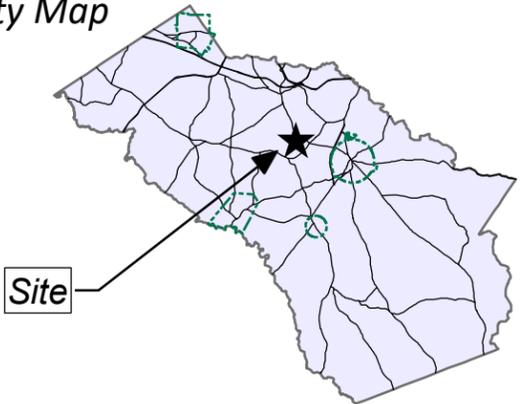


Feet

1:3,000



Vicinity Map



Site

**Tax Parcel #
Portion of C-02-045A**

Woodlands Ct

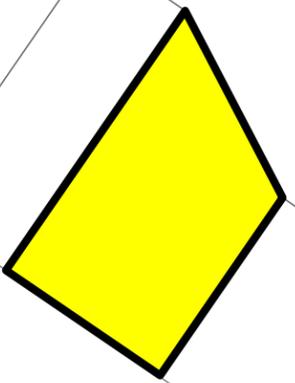
Woodlands Rd

Mars Hill Rd

Timber Mill Dr

Timber Mill Run

Rankin Rd

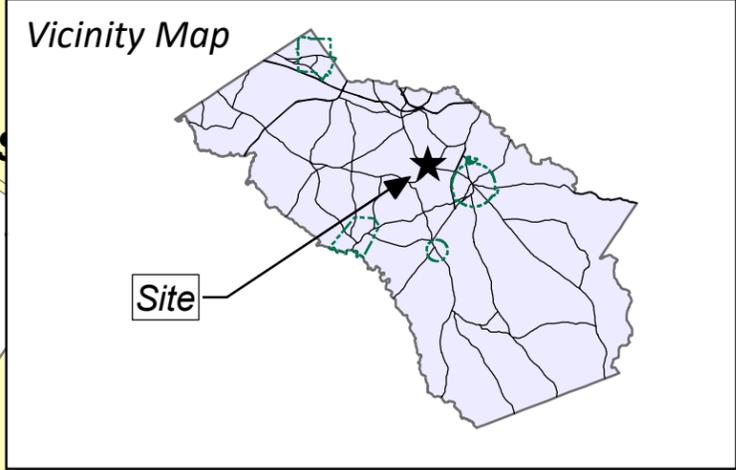


1:2,000



**Oconee County
Planning Department**

This map is a representation of the official tax map
and should be used for planning purposes only

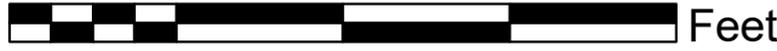


**Oconee County
Planning Department**



This map is a representation of the future development map and should be used for planning purposes only

0 95 190 380 570 760 Feet



The graphic scale bar shows increments of 95 feet up to 760 feet.

Suburban Neighborhood

Rural Places

Civic Center

Woodlands Ct

Woodlands Rd

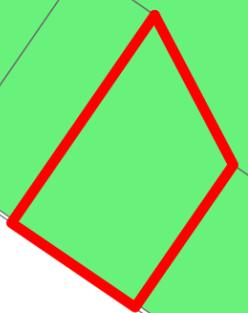
Mars Hill Rd

Civic Center

Rankin Rd

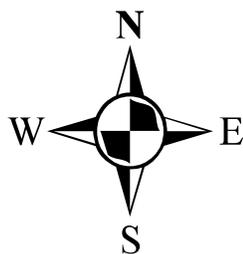
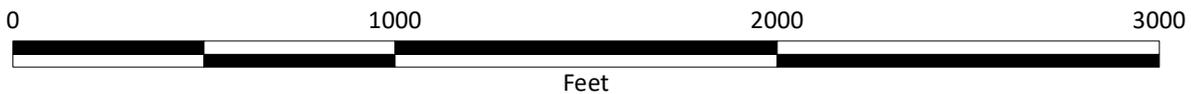
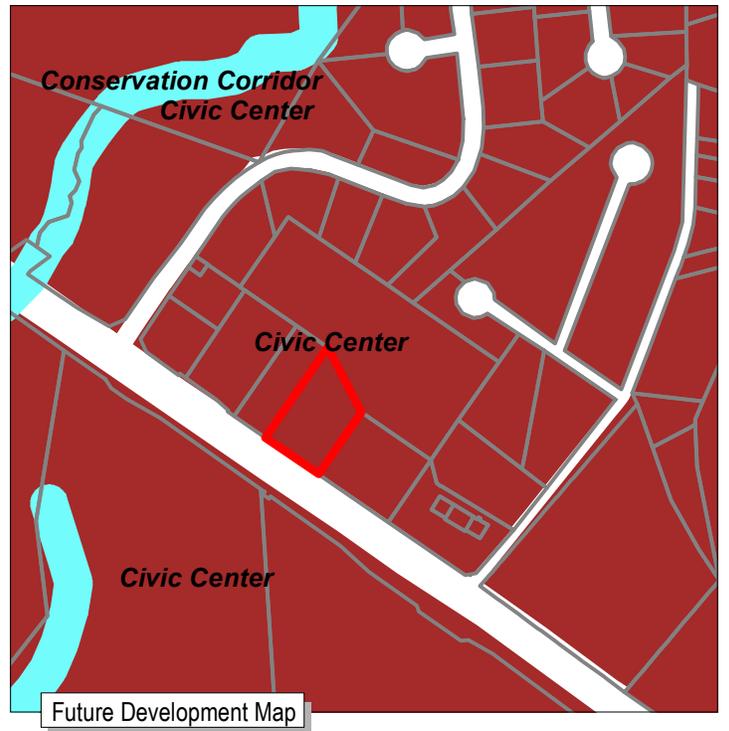
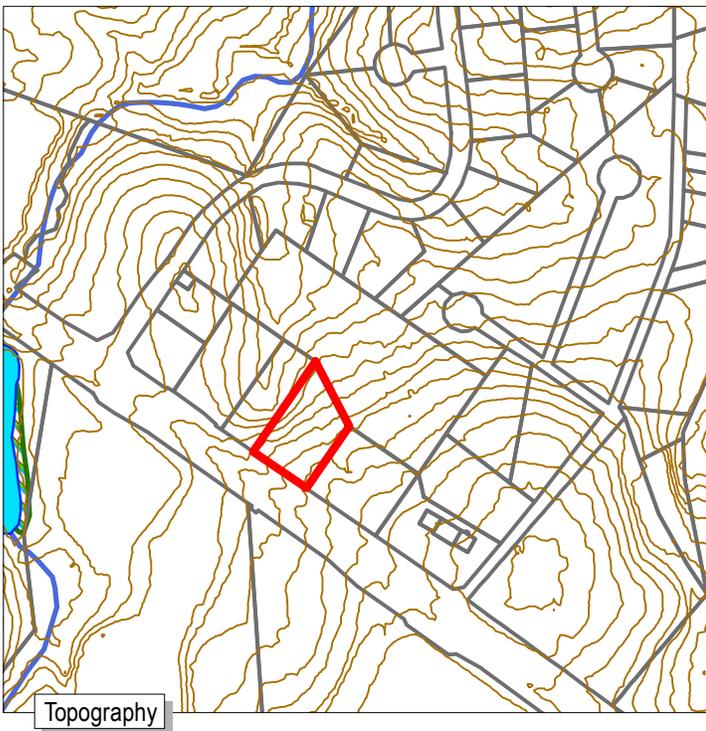
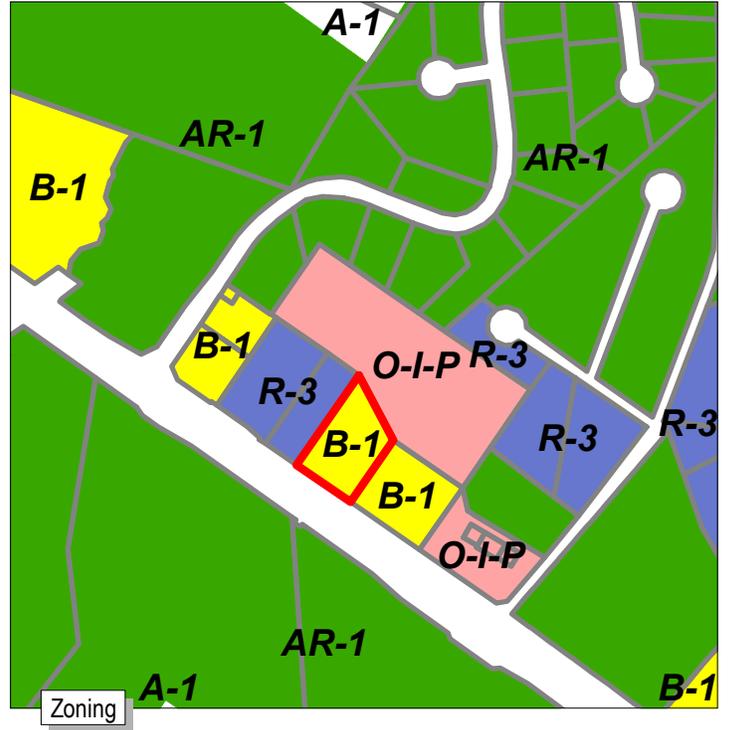
Timber Mill Run

Civic Center



Magnolia Valley Properties - Rezone # 7657

Site Review



1:6000



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- Rezoning from: _____ to _____ Change in Conditions of Approval for Case #: 1814
- Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: Smith Planning Group, LLC

Address: 1022 Twelve Oaks Circle,
(No P.O. Boxes)
Suite 201
Watkinsville, GA 30677

Telephone: 706-769-9515

Property Owner

Name: Magnolia Valley Properties, LLC

Address: 465 Huntington Road, Ste 140
(No P.O. Boxes)
Athens, GA 30606-1857

Telephone: 706-353-6086

Applicant is (check one): the Property Owner Not the Property Owner (attach Property Owner's Authorization)

Applicant's Certification: I hereby certify that the information contained in and attached to this application is true and correct.

Signature: [Signature] Date: 11-26-18 Notarized: _____



M. Graves

Property

Location: 1170 Mars Hill Road
(Physical Description)
Watkinsville, GA 30677

Tax Parcel Number: C 02 045A

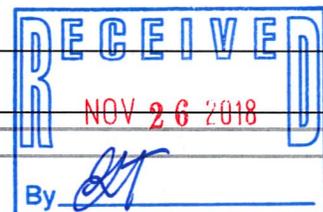
Size (Acres): 0.94 AC Current Zoning: B-1

Future Development Map—Character Area Designation: Civic Center

Use

Current Use: Undeveloped

Proposed Use: Flooring / Carpet Store (B-1)



Attachments (check all that apply)

- Property Owner's Authorization (if applicable)
- Application Fee
- Warranty Deed
- Typed Legal Description
- Plat of Survey
- Disclosures (Interest & Campaign Contributions)
- Zoning Impact Analysis
- Narrative (Detailed Description of the Request)
- Concept Plan
- Attachments to the Concept Plan:
 - Water and/or Sewer Capacity Letter from OCUD
 - Representative Architecture/Photographs
- Proof all property taxes paid in full
- Other Attachments: _____

For Oconee County Staff Use Only

Application Date Received: 11/26/18 Date Accepted: 12/4/18

DRI Transmitted to RDC Date: _____ N/A

Date Submitted: _____ Findings Complete

Posted: _____ Ad: _____ Ad: _____

Application Withdrawn Date: _____

Action APPLICATION NUMBER 7657

Planning Commission Date: 1/22/19

Approval With Conditions Denial

Board of Commissioners Date: 2/5/19

Approved With Conditions Denied

LEGAL DESCRIPTION FOR B-1 PORTION

MAGNOLIA VALLEY PROPERTIES, LLC

465 Huntington Road, Ste 140
Athens, GA 30606-1857

All those certain tracts or parcels of land, together with all improvements thereon, situate, containing 0.95 acres, more or less, lying and being in GMD 221, Oconee County, Georgia, located on the north side of Mars Hill Road, being more particularly described as follows:

Commence at a Mag. Nail set at centerline of Mars Hill Road and Woodland Road thence S62°47'18"E 461.94' to a point, which is the Point of Beginning:

Thence N34°37'53"E 287.18' to a point,

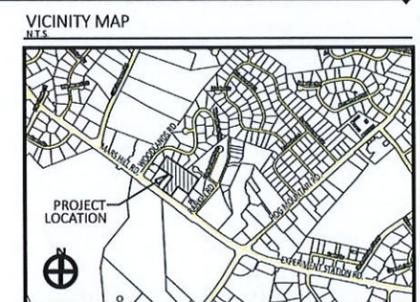
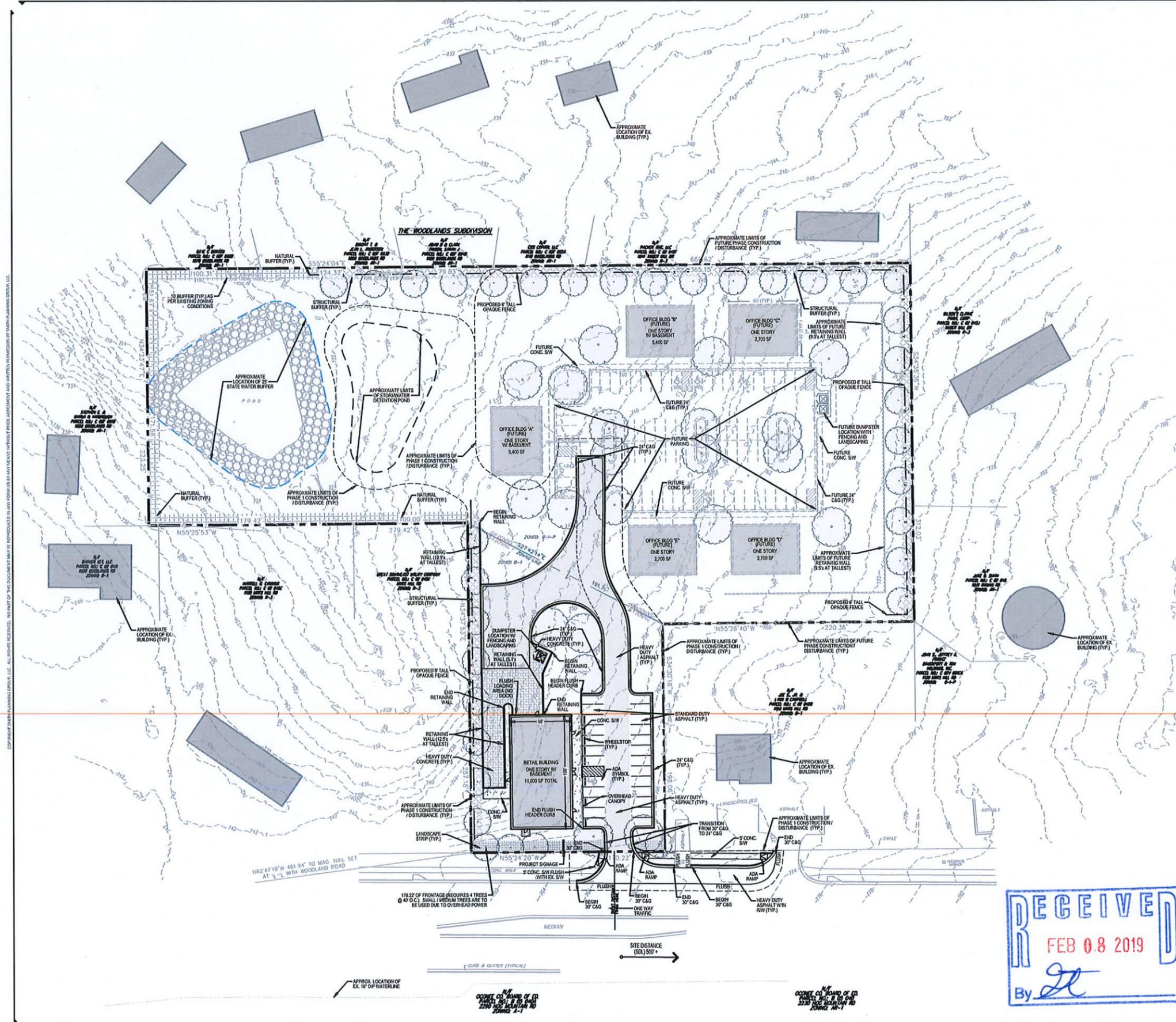
Thence S27°42'14"E 191.70' to a point,

Thence S34°30'18"W 198.06' to a point,

Thence N55°24'20"W 170.22' to a point, which is the Point of Beginning.



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PROJECT DATA AND NOTES

OWNER / DEVELOPER: MAGNOLIA VALLEY PROPERTIES, LLC
 455 HUNTINGTON ROAD, STE 140
 ATHENS, GA 30606-1857
 CONTACT: STAN CHASTEEN

TAX MAP REF. NOS.: C 02 045A

EXISTING LAND USE: VACANT / UNDEVELOPED

ZONING CLASSIFICATION: B-1 (0.94 AC) / DIP (4.36 AC)

TOTAL LAND AREA: 5.003 ACRES

PROPOSED USE: RETAIL AND OFFICES WITH CONDOMINIUM OWNERSHIP (THE EXTERIOR BOUNDING WALLS SHALL BE LOT LINE)

TOTAL NO. BLDGS.: 7

FUTURE BLDG. 1 (B-1 PORTION): RETAIL = 5,500 SQ. FT., STORAGE/LOWER LEVEL = 5,500 SQ. FT.

FUTURE BLDG. 2 (DIP PORTION): RETAIL = 5,400 SQ. FT., BLDG "A" = 5,400 SQ. FT., BLDG "B" = 5,400 SQ. FT., BLDG "C" = 2,700 SQ. FT., BLDG "D" = 2,700 SQ. FT., BLDG "E" = 2,700 SQ. FT.

TOTAL AREA OCCUPIED BY BLDGS.: 29,900 SQ. FT. (11,000 SQ. FT. + 18,900 SQ. FT.)

PARKING DATA:
 TOTAL PARKING SPACES (PS) PROVIDED: 25 PS A' FLOORING / CARPET STORE + 77 PS FOR OFFICE BLDGS. = 102 PS (INCLUDES 5 HC SPACES).
 TOTAL LOADING SPACES PROVIDED: 2

TOTAL AREA OCCUPIED BY PAVING: 452,300 SQ. FT.

COMMON AREA: 43.32 ACRES

FLOODPLAIN: THIS PROPERTY DOES NOT LIE WITHIN A FLOODPLAIN ACCORDING TO FIRM 1301000 NO. 13219C0065D, DATED 9/2/2009.

WATER SUPPLY: OCONEE COUNTY UTILITY DEPARTMENT

SEWERAGE DISPOSAL: SEPTIC TANKS AND DRAIN FIELDS (SUBJECT TO APPROVAL BY COUNTY SANITATION)

PROPOSED UTILITIES: WATER, ELECTRICITY, TELEPHONE AND CABLE

SURFACE DRAINAGE: THE PROPOSED STREETS AND CONCRETE CURBING, BITUMINOUS COATED CURB AND ALLUMINIZED CURB, AND NATURAL AND IMPROVED DRAINAGE SWALES WILL BE EMPLOYED TO CONVEY SURFACE DRAINAGE TO THE STORMWATER DETENTION POND.

GARBAGE COLLECTION: GARBAGE COLLECTION TO BE ACCOMPLISHED BY PRIVATE SERVICE PROVIDERS.

COVENANTS: COVENANTS WILL BE RECORDED WITH THE FINAL PLAT OF THE SUBDIVISION. PROVISIONS FOR A MANDATORY PROPERTY OWNER'S ASSOCIATION WILL BE ESTABLISHED. MANDATORY ASSESSMENTS SUFFICIENT TO COVER THE COST OF THE MAINTENANCE AND INSURANCE REQUIRED FOR THE STORMWATER RETENTION BASIN, OPEN SPACES AND ANY OTHER COMMON SPACES WILL BE ADDRESSED.

BOUNDARY: TOPOGRAPHIC AND EXISTING CONDITION INFORMATION TAKEN FROM A SURVEY BY BEN MASSEY & ASSOCIATES, ATHENS, GA. ENTITLED "SURVEY FOR SMITH PLANNING GROUP," DATED 08-22-18. ADDITIONAL TOPOGRAPHIC INFO TAKEN FROM OCONEE COUNTY GIS.

CONSTRUCTION PLANS AND FINAL PLAT SHALL INCLUDE CERTIFICATION BY DEVELOPER'S GEORGIA LICENSED DESIGN PROFESSIONAL THAT THE BOUNDARY CAN BE ADEQUATELY TRANSMITTED THROUGH EXISTING DOWNSTREAM STORM DRAIN STRUCTURES WILL NOT RESULT IN INCREASED RISK OF HEIGHTS OR ADDITIONAL THREATS TO PUBLIC SAFETY, AND WILL NOT ADVERSELY AFFECT DOWNSTREAM PROPERTIES.

THE STORMWATER RETENTION FACILITY WILL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION IN ACCORDANCE WITH OCONEE COUNTY SUBDIVISION REGULATIONS.

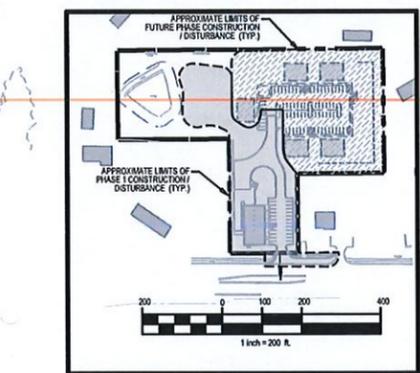
ALL UTILITIES SHALL BE LOCATED UNDERGROUND.

SITE DEVELOPMENT WILL OCCUR IN PHASES. FLOORING / CARPET STORE WILL BE BUILT IN THE FIRST PHASE AND SUBSEQUENT PHASES FOR OFFICE BUILDING CONSTRUCTION WILL OCCUR AS MARKET DEMANDS.

DEVELOPER ACKNOWLEDGES THAT DENSITY AND USE MAY REQUIRE SANITARY SEWER.

THE ACCESS DRIVE AND DECELERATION LANE WILL BE PERMITTED THROUGH THE GA. DEPT. OF TRANSPORTATION AND WILL REFLECT AS BUILT CONDITIONS OF THE MARS HILL ROAD WIDENING PROJECT.

STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE AND OTHER APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.



CONSTRUCTION PHASE LIMITS



LAND PLANNING
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 1022 TWELVE OAKS PLACE, STE 201
 WATKINSVILLE, GA 30677
 (706) 781-9515
 (706) 781-8995 FAX
 www.smithplanninggroup.com

1170 MARS HILL ROAD
 OCONEE COUNTY, GEORGIA

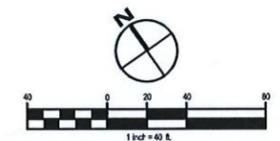


SHEET TITLE:
**REZONE
 MODIFICATION
 CONCEPT PLAN**

SHEET ISSUE: 9/24/18 PROJECT NO. 18-2408

NO.	DATE	DESCRIPTION
1	11/26/18	ADDRESS COMMENTS
2	12/4/18	ADDRESS COMMENTS
3	2/8/19	ADDRESS COMMENTS

SHEET NO.
CIC-0



1170 Mars Hill Road

Oconee County, Georgia



Change in Zoning Conditions

Narrative Statement

September 24, 2018
REVISED: November 26, 2018
REVISED: December 4, 2018
REVISED: February 8, 2019

INTRODUCTION

The subject site is located on Mars Hill Road, approximately 0.3 miles northwest of Butler's Crossing.

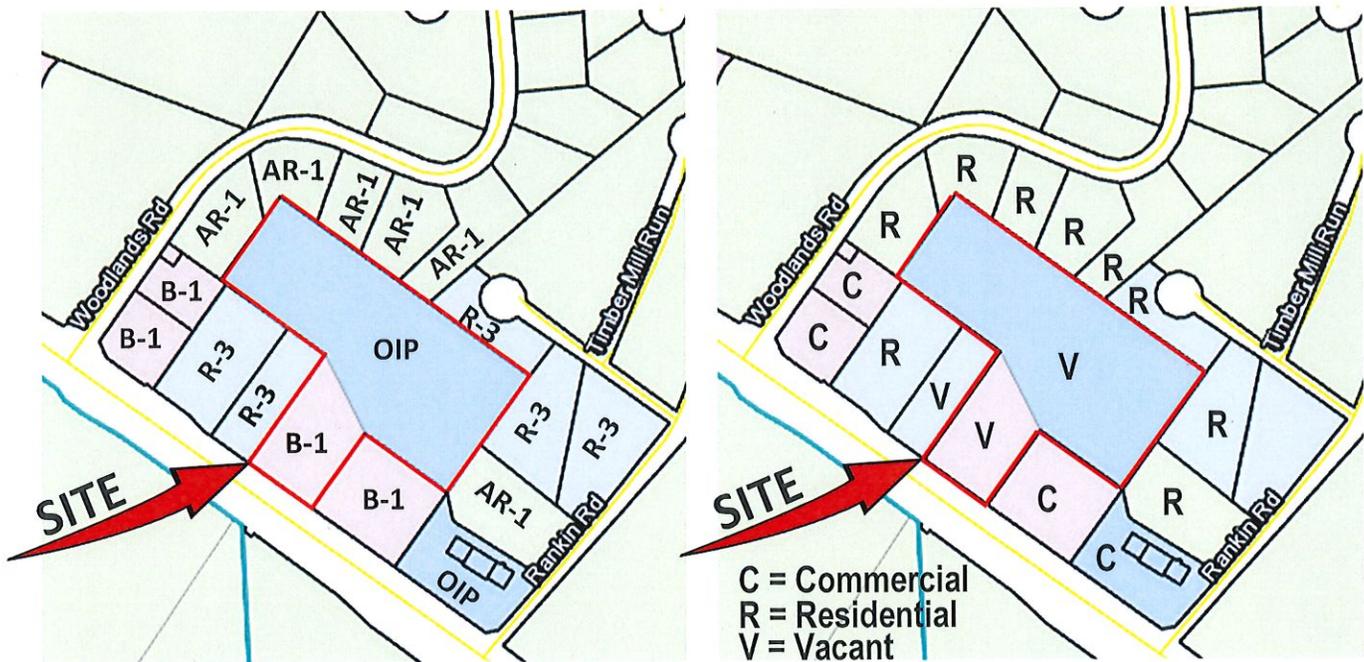
According to the Oconee County Future Development Map, the subject site and adjacent parcels lie within the Civic Center Character Area. The site also lies within the Mars Hill Overlay District.



BACKGROUND, EXISTING CONDITIONS AND PROPOSED USES

The 5.003 AC undeveloped property (Parcel C 02 045A) is a "T" shaped parcel that joins the right-of-way of Mars Hill Road. The vegetation on the site consists primarily of kudzu along Mars Hill Road with Loblolly Pines along the rear or northern boundary. The property slopes to the northwest and drains into an existing pond at the northwestern boundary. On August 1, 2000, the parcel was rezoned from AR-1 to OIP (Rezone No. 1813) and B-1 (Rezone No. 1814). The OIP portion is 4.06 AC and the B-1 portion of the site is 0.94 AC.

Uses adjacent to the site include commercial, multi-family and single-family residential uses. Zoning Map and Adjacent Use Map is provided below.



PROPOSED CHANGE IN CONDITIONS

The purpose of the request is to change the conditions of the previously approved rezone cases. The classifications will remain unchanged. The change in conditions request stems from the completion of the Mars Hill 4 lane project. Under current conditions, the elevation of Mars Hill Road is considerably higher (approximately 12 to 16 vertical feet) along the frontage of the property from when Rezone No. 1813 and Rezone No. 1814 were originally approved.

The elevation change to Mars Hill Road requires moving the project entrance and adjusting the location of the buildings and parking structures. This is necessary to prevent steep access drive gradients which limit sight distance and inhibit accessibility from the proposed parking facilities to the buildings. The building within the B-1 zoning (i.e. closest to Mars Hill Road) has been moved to the northwest side of the site, and the entrance moved to the southeast side of the site. In conjunction with the new topography, this building is now better suited to having a basement. Keeping the same building footprint, the basement increases the building area to a total of 11,000 sq. ft., which is 5,500 sq. ft. larger than the building area previously approved in Rezone No. 1813.

Additionally, the configuration of the OIP portion at the rear of the property has been changed to reflect the new entrance drive and topographic change. The total number of buildings has been reduced from seven to five. The topography of the area necessitates that two of the buildings contain basements. This increases the total area of buildings located in the O.I.P zoned portion of the parcel from 16,800 sq. ft. to 18,900 sq.ft.

Proposed uses on the site will be consistent with those allowed in the B-1 and OIP zoning classifications with the following exclusions:

The following uses will not be permitted in the B-1 portion of the property:

- | | |
|---------------------------------------|---|
| Bait Sales | Lumber Yard |
| Builders Equipment / Material Storage | Mobile Home Sales Lot, Retail |
| Bus Terminal | Static Electricity Transformer Substation |
| Drive-In Restaurant | Tire Repairing, Supplies |
| Electric Power Station | Tractor Repair and Garage |
| Garage, Parking | Truck Repair |
| Garage, Repair | Truck Terminal |
| Gasoline Service Station | Welding Shop |

The following uses will not be permitted in the O.I.P portion of the property:

- | | |
|---------------------------------|---|
| Hospital | Static Electricity Transformer Substation |
| Nursing Home/Personal Care Home | Telephone Office/Substation |

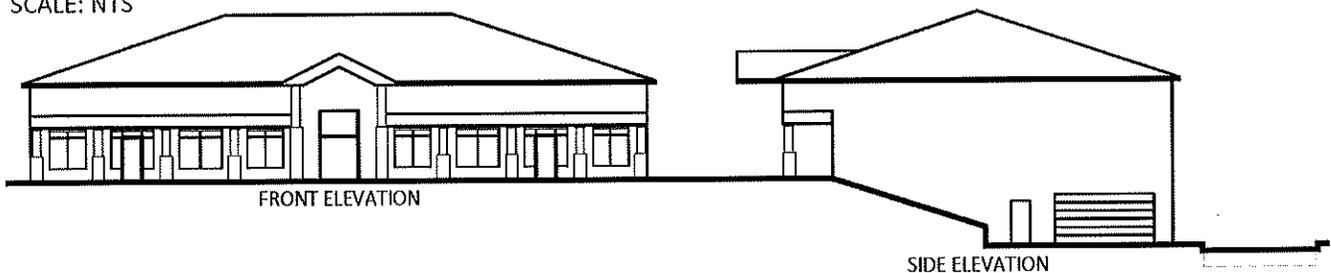
All portions of the property that abut a residential use will be screened as per Oconee County requirements. The proposed development will have minimal impact on existing County services, facilities and infrastructure.

ARCHITECTURE

The architectural style of the buildings will be consistent with that approved previously and in conformance with the building materials required in the Mars Hill Overlay District. Namely, exterior materials will consist of masonry material such as brick and/or stone and architectural accents of wood and/or cementitious material. Roof material will be asphaltic architectural tab shingles, tile, slate, or wooded shakes. Metal roofing will be used only as accent.

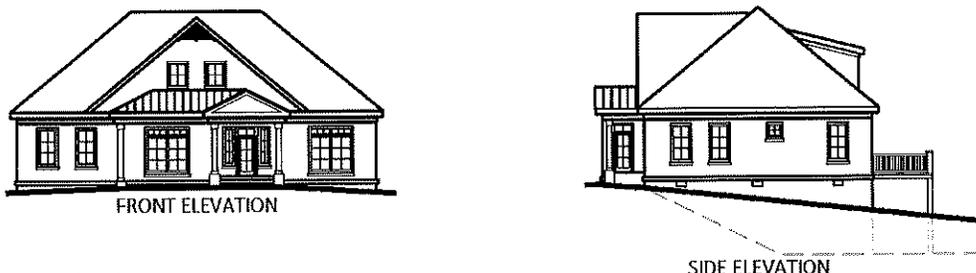
RETAIL BUILDING ELEVATIONS (B-1 PORTION OF SITE)

SCALE: NTS



OFFICE BUILDING ELEVATIONS (OIP PORTION OF SITE)

SCALE: NTS



Proposed Architectural Style

ACCESS, TRAFFIC, AND PARKING

1170 Mars Hill Road is proposing a new main entrance that will connect with Mars Hill Road and provide a deceleration lane. All paved drives within the development will remain private, with the Owner responsible for maintenance, up-keep and repairs.

Parking is proposed to occur in two separate lots within the site and will be adjacent to primary and ancillary buildings. The parking lot design includes concrete curb and gutter, asphalt with striping, and concrete sidewalks.

While very difficult to quantify or measure, this development would not be expected to contribute to any meaningful or noticeable increase in traffic since it represents a small fraction of the existing traffic already present on Mars Hill Road. The development of this site as proposed does not increase traffic conditions beyond what would be typical and expected for uses of this type and scale. There will be little to no impact on the county school system.

Traffic generated by the proposed development is illustrated in the following Table. Note that, for the purposes of the Change in Conditions / Rezone Modification submittal, the table represents traffic generated at full build-out of the site which is anticipated to occur incrementally over the course of many years. Detailed construction documents shall be submitted for permitting for each building/phase of the overall plan, at which point a site-specific trip generation analysis will be produced for review by the Oconee County Public Works Department.

TRIP GENERATION (Based on ITE Trip Generator Manual, 9th Ed.)

Proposed Use: Office Park

Land Use Code: 750

Total Units of 1,000 sf (KSF²): 18.6

Mars Hill Road: 45 mph

Proposed Use: Specialty Retail

Land Use Code: 826

Total Units of 1,000 sf (KSF²): 5.5

Mars Hill Road: 45 mph

PROJECTED TRIP GENERATION BASED ON KSF² (UNITS OF 1,000 SF)

Description / ITE Code	Units	ITE Vehicle Trip Generation Rates (peak hours are for peak hour of adjacent street traffic unless highlighted)								Expected Units	Total Generated Trips		
		Weekday	AM	PM	Pass-By	AM In	AM Out	PM In	PM Out		Daily	AM Hour	PM Hour
Office Park 750	KSF ²	11.42	1.71	1.48		89%	11%	14%	86%	18.6	212	32	28
Furniture Store 826	KSF ²	44.32	6.84	2.71		48%	52%	44%	56%	5.5	244	38	15

UTILITY SERVICES

The proposed development will require domestic water, fire protection, and sanitary sewer services in addition to electricity, natural gas, television and internet service. Dry utility services (electric, cable, internet, etc.) will be coordinated with the individual service providers. All utilities shall be underground.

The subject site is to be served by OCPUD water service and septic drain field systems. There is no sanitary sewer available in the immediate vicinity. A septic permit from the Oconee County Health Officer will be required for each building prior to the issuance of any building permit. In some instances, depending on the use of the building, a common septic tank and drain field may be shared between two buildings. In no event shall a septic tank or drain field be located within 100 feet of an existing well as per EPD regulations.)

The proposed uses (retail / office) will require domestic water and fire protection. The estimated water demands for the full build-out of the site is shown below:

Water: 105 Workers at 30 GPD / per worker (w/ kitchen) = 3,150 GPD

Maximum Day Demand: 2.2 GPM x 1.5 = 3.3 GPM

Peak Hour Demand: 3.3 GPM x 2.5 = 8.2 GPM

See Water Availability letter dated 11/27/18 as provided by OCPUD. An existing 16" DIP water line is located on the southern side of Mars Hill Road and within the Mars Hill Road R/W. The petitioner proposes to extend a water line from this existing line into the development in order to provide adequate water needs and fire protection.

Solid Waste will be collected onsite and disposed of by a private licensed contract service provider. Trash receptacles (dumpsters) are to be provided in two separate locations as shown on the Rezone Modification Concept Plan. Fencing and landscape screening will be installed around the receptacle in order to minimize any objectionable visual impact.

STORMWATER DRAINAGE

Stormwater management shall comply with all local, state, and federal regulations in effect at time of construction plan approval. Throughout the site, stormwater shall be collected in swales or in drains and pipes and directed to the proposed stormwater detention and water quality treatment basin. The site topography directs runoff to the northwest and drains into an existing pond at the northwestern boundary. A stormwater management facility is proposed to treat water quality and mitigate increased runoff peak flows prior to releasing to downstream properties. All maintenance shall be the responsibility of the Owner.

Post development run-off shall be maintained at or below pre-development rates for the 2, 5, 10, 25 and 100-year storms. The storm drain system and structures will be designed during the engineering phases of the project.

BUFFERS

Buffers will be installed around the exterior boundary of the project where commercial and residential uses meet and will be, at a minimum, in accordance with the previously approved site plan that accompanied Rezone Nos. 1813 & 1814. As much as practical, existing vegetation shall remain within these buffers. Evergreen plant material and/or fencing with berms will be installed as appropriate within the buffer to provide adequate screening of adjacent properties.

State waters exist on-site (around the existing pond) and all appropriate buffers will be adhered to. See the Rezone Modification Concept Plan for specific information concerning buffer locations.

PROJECT IDENTITY

Project signage to be applied for under separate permit. All signs to be installed according to Article 7 of the Oconee County UDC Code.

BUILDINGS

Each building will be owned individually with specific floor plans and details left to the Owner. External details such as architectural style, colors, etc. will be consistent with that approved previously and in conformance with the building materials required in the Mars Hill Overlay District and further dictated by the Condominium Declarations in order to achieve cohesiveness throughout the development. Six buildings are proposed under this request. Building placement and the square footage of each is set forth on the Concept Plan.

Estimated Value of the Project at Completion: \$4,500,000.00 (excludes land value, building furnishings, etc.)

Flooring Store Building Value: +/- \$1,000,000
Five (5) Office Buildings Value: +/- \$2,000,000

LAND DEDICATED FOR PUBLIC USE

Easements for utilities and waterlines will be granted to those various utilities as needed.

OPEN SPACE

There are no provisions for public open space. Open space will be owned and maintained by the Condominium Association.

PROJECT SCHEDULE

The retail portion (which includes the flooring store building, stormwater detention, septic drain fields and related improvements) within the B-1 zoning and a portion of the OIP zoning will be built as soon as all approvals and appropriate permits have been received (see approximate limits of the phase line on Rezone Modification Concept Plan) meaning construction of the retail portion will begin as soon as possible.

Full build-out of the site (i.e. construction of the remaining proposed office buildings and related improvements within the OIP portion) is anticipated to occur incrementally over the course of many years. Construction of the office buildings could begin as soon as 2020 or so, as market conditions will dictate potential start dates. The construction of individual office buildings will begin upon the approval of the site construction plans permits issued for the building(s).

OUTDOOR LIGHTING

For security reasons, pole-mounted lighting will be provided in the parking areas. All fixtures shall be full cutoff and fully shielded to minimize the impact to surrounding properties. Lighting fixtures mounted on the buildings will illuminate doors and passageways.

SIGNS

The project sign will be designed as per the requirements as set forth in the Oconee County Sign Ordinance.

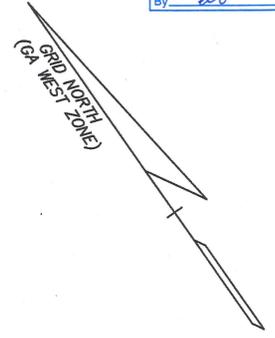
OWNERSHIP

It is the intent of the petitioner to develop this parcel under Condominium Ownership with standards set forth in Condominium Declarations.

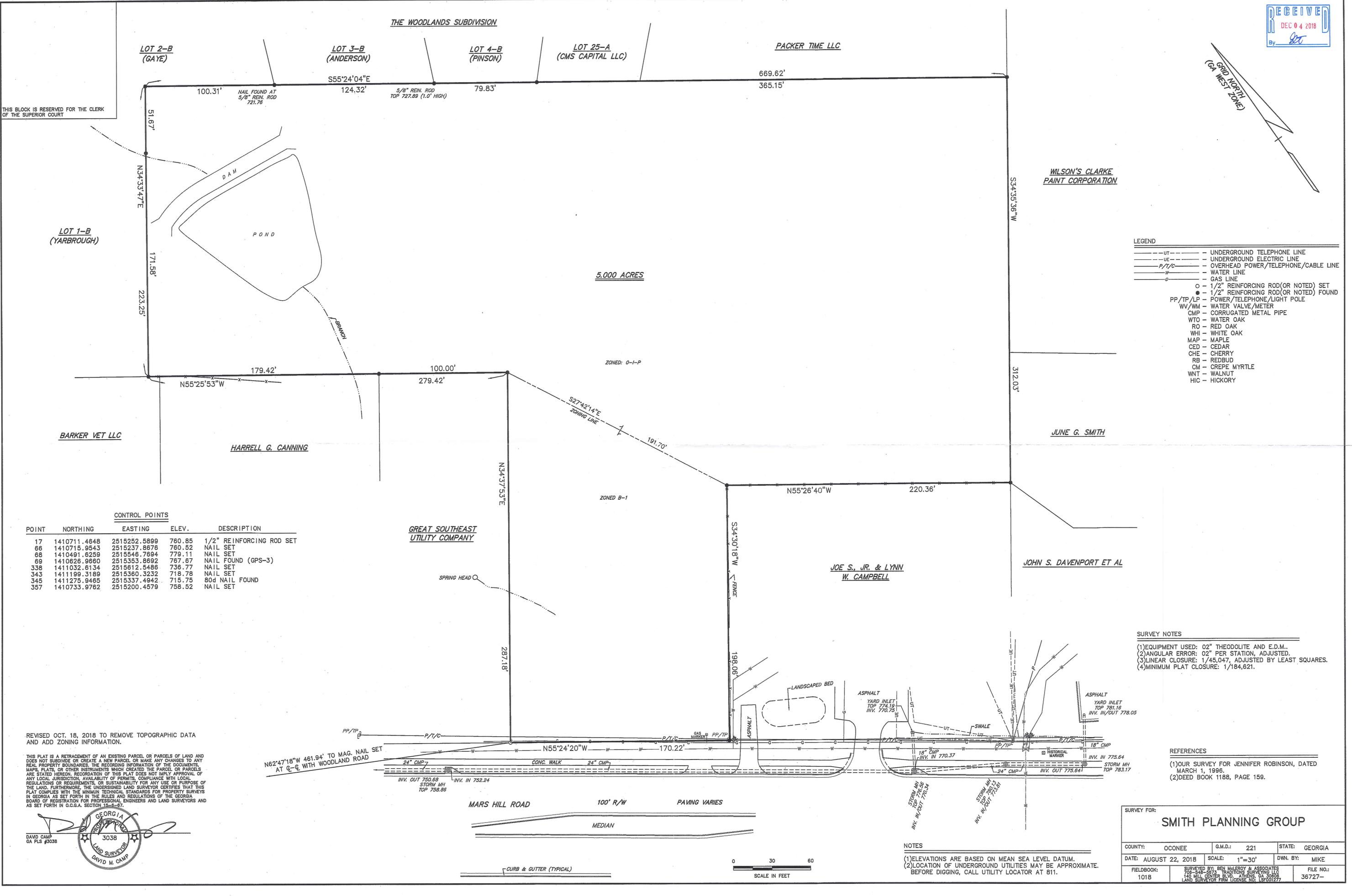
PROPOSED DEVELOPMENT STANDARDS

Development standards will be those as set forth in the Oconee County Zoning Ordinance and Subdivision Regulations. Where proposed development standards (i.e., as set forth in the proposed Condominium Declarations) exceed the county minimum standards, the more restrictive standards will apply.

RECEIVED
DEC 04 2018
By: *[Signature]*



THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT



5.000 ACRES

ZONED: 0-1-P

ZONED: B-1

POINT	NORTHING	EASTING	ELEV.	DESCRIPTION
17	1410711.4648	2515252.5899	760.85	1/2" REINFORCING ROD SET
66	1410715.9543	2515237.8676	760.52	NAIL SET
68	1410491.6259	2515546.7694	779.11	NAIL SET
69	1410626.9660	2515353.8692	767.87	NAIL FOUND (GPS-3)
338	1411032.6134	2515612.5486	736.77	NAIL SET
343	1411199.3189	2515360.3232	718.78	NAIL SET
345	1411275.9465	2515337.4942	715.75	80d NAIL FOUND
357	1410733.9762	2515200.4579	758.52	NAIL SET

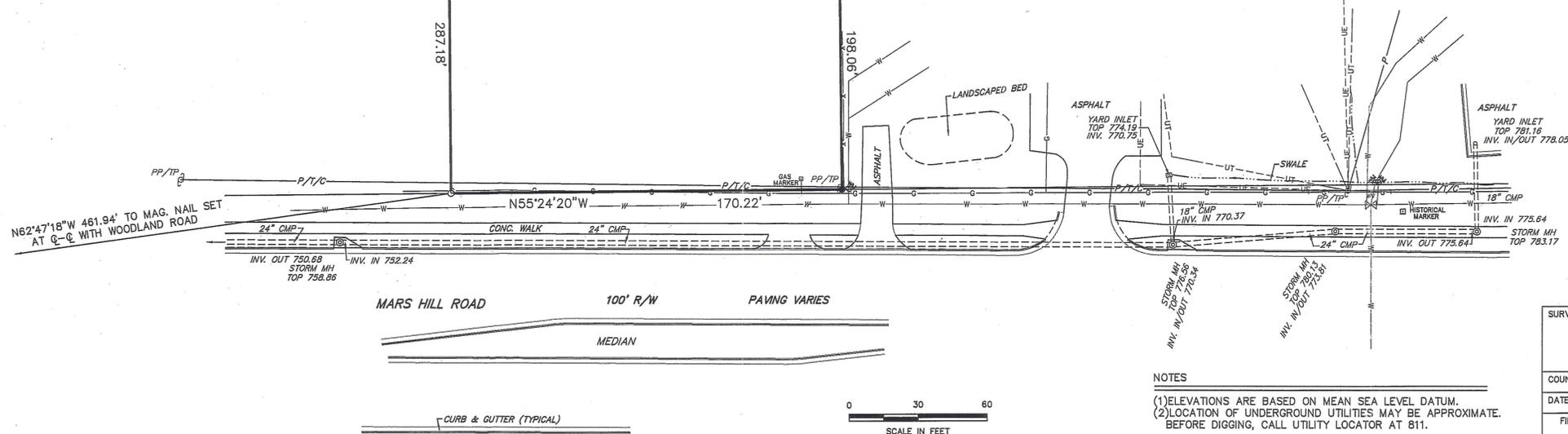
- LEGEND
- UT--- UNDERGROUND TELEPHONE LINE
 - UE--- UNDERGROUND ELECTRIC LINE
 - P/T/C--- OVERHEAD POWER/TELEPHONE/CABLE LINE
 - W--- WATER LINE
 - G--- GAS LINE
 - 1/2" REINFORCING ROD (OR NOTED) SET
 - 1/2" REINFORCING ROD (OR NOTED) FOUND
 - PP/TP/LP POWER/TELEPHONE/LIGHT POLE
 - WV/WM WATER VALVE/METER
 - CMP CORRUGATED METAL PIPE
 - WTO WATER TOWER
 - RO RED OAK
 - WHI WHITE OAK
 - MAP MAPLE
 - CED CEDAR
 - CHE CHERRY
 - RB REDBUD
 - CM CREPE MYRTLE
 - WNT WALNUT
 - HIC HICKORY

- SURVEY NOTES
- (1) EQUIPMENT USED: 02" THEODOLITE AND E.D.M..
 - (2) ANGULAR ERROR: 02" PER STATION, ADJUSTED.
 - (3) LINEAR CLOSURE: 1/45,047, ADJUSTED BY LEAST SQUARES.
 - (4) MINIMUM PLAT CLOSURE: 1/184,621.

- REFERENCES
- (1) OUR SURVEY FOR JENNIFER ROBINSON, DATED MARCH 1, 1996.
 - (2) DEED BOOK 1188, PAGE 159.

REVISED OCT. 18, 2018 TO REMOVE TOPOGRAPHIC DATA AND ADD ZONING INFORMATION.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 43-10-17.



- NOTES
- (1) ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM.
 - (2) LOCATION OF UNDERGROUND UTILITIES MAY BE APPROXIMATE. BEFORE DIGGING, CALL UTILITY LOCATOR AT 811.



SURVEY FOR: SMITH PLANNING GROUP			
COUNTY:	OCONEE	G.M.D.:	221
DATE:	AUGUST 22, 2018	SCALE:	1"=30'
FIELDBOOK:	1018	DWN. BY:	MIKE
SURVEYED BY: BEN McLERDY & ASSOCIATES 705-848-8574 TRADITIONS SURVEYING, LLC 140 MILL CENTER BLVD., ALPHARETTA, GA 30606 LAND SURVEYOR FIRM LICENSE NO: LS001277		STATE:	GEORGIA
		FILE NO.:	36727-

ZONING IMPACT ANALYSIS
ZONING CHANGE IN CONDITIONS
1170 MARS HILL ROAD

A. Existing uses and zoning of nearby property.

The request for a zoning change in conditions to develop a flooring / carpet store and office space is compatible with the existing uses and zoning of nearby properties. The site is located in proximity to a range of zoning classifications, including AR-1, R-3, B-1 and OIP. B-1 and OIP are also found on the subject site. Existing uses near the property include single family residential, multi-family residential and commercial properties (office and professional services). This request compliments the existing surrounding uses / zoning.

B. The extent to which property values are diminished by the particular zoning restrictions of the current zoning.
Property values are not diminished under the current B-1 and OIP zoning standards.

C. The extent to which the destruction of property values of the individual property owner promotes the health, safety, morals or general welfare of the public with consideration to:

1. Population density and effect on community facilities such as streets, schools, water and sewer;
The proposed development will have minimal impact on existing County services, facilities and infrastructure.

2. Environmental impact;

All local, state, and federal environmental regulations will be followed during plan development and site construction in order to prevent detrimental effects to the environment during this process. Environmentally sensitive areas exist on the site and will be protected. Increases in stormwater runoff will be mitigated with the creation of on-site detention and water quality facilities that meet the current Oconee County stormwater management standards.

3. Effect on adjoining property values.

Increase in property values to the adjoining properties is projected since the vacant property is unsightly and overgrown. The proposed use of the site will be similar to and have similar architectural quality and styles of adjacent commercial properties.

D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.
There is no relative gain to the public in maintaining the current B-1 and OIP zoning conditions of the property. The hardship on the property owner will be the inability to develop the site due to site conditions created during the widening of Mars Hill Road.

E. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
The subject property has been vacant since and prior to the approval of the rezoning to B- 1 and OIP with conditions in 2000.

F. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.
The proposed use of a flooring / carpet store is consistent with the uses allowed within the B-1 zoning, and the proposed use of Offices is consistent with the uses allowed within the OIP zoning.

G. Conformity with or divergence from established land use patterns.

Land use patterns in the area include single and multi-family residential uses, as well as office and professional services within commercial developments. This request conforms to the current development trends in this area and those immediately surrounding the site.

H. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Community Agenda.

This request compliments the uses and development strategies of the Civic Center Character Areas contained in the Comprehensive Plan and Future Land-Use Map.

I. The availability of adequate sites for the proposed use in districts that permit such use.

While there is adequate availability of undeveloped properties zoned for commercial business use, there is also adequate demand for retail and office space in the immediate vicinity.

J. The suitability of the site for the proposed use relative to the requirements set forth in this Development Code such as off-street parking, setbacks, buffer zones, and open space.

Every effort has been made to ensure that the concept plan submitted with this rezone request illustrates compliance with all applicable regulations in the Unified Development Code. A landscape buffer is required between the proposed commercial development and the adjacent residential properties.

