

**OCONEE COUNTY PLANNING COMMISSION**

Monday, June 16, 2008

Regular Meeting

7:00 p.m. Oconee County Courthouse

**MEMBERS PRESENT:** Dan Arnold, Karl Berg, Mike Floyd, Bruce MacPherson, Penny Mills, Bill Ramsey, George Rodrigues, and Bill Yarbrough.

**STAFF PRESENT:** Brad Callender-Planner, Krista Gridley-Planner, Jason Gantt-Planner, Karla Hulsey-Clerk and Sandy Thursby-Public Works.

**OTHERS PRESENT:** Ken Beall, Jeff Carter, Jerry Peck, William White, Jon Williams, Blake Giles-Oconee Enterprise and other citizens.

The regular meeting was called to order by Chairman Dan Arnold at 7:00 p.m.

**OLD BUSINESS**

**Item #1: Approval of minutes – 05/19/08 meeting.** The minutes of the 05/19/08 meeting were approved as submitted.

**Item #2: Rezone # 5712, Virgil Langford Road, LLC, B-2 to O-B-P, ±1.494 Acres, SR 316 and Langford Drive, warehouse.** Brad Callender presented the staff report (attached) into public record which proposed 10 conditions if the rezone was recommended for approval. Brad stated staff has addressed the concerns made by the Planning Commission during the May meeting, and staff recommends striking conditions #6 and #7 and added two new conditions, #9 and #10.

Dan Arnold explained a public hearing had already been held on this item during the May Planning Commission meeting. He asked Jon Williams of Williams and Associates if he had anything to add. Jon said the applicant agreed to staff's conditions and felt the request satisfied the intent of the ordinance.

Bill Yarbrough stated he had the same concerns voiced at the previous Planning Commission meeting. He said this proposal did not fit in the requested zoning category. Jon said this is a case of trying to place a round peg into a square hole. He said he had met with BR White and Brad Callender recently and everyone agreed this was the best way to submit the request. Brad Callender said the UDC does not clearly define enclosed mini-storage warehouses. Jon Williams said the proposed plan fits the warehouse designation better than the mini-warehouse category. Bill Yarbrough said the architectural pictures of the big brick building were not attractive. He asked staff if they were comfortable with the warehouse designation and Brad stated it is the best way to orchestrate getting a request for an enclosed mini-storage warehouse before the board.

Motion: Mike Floyd to recommend approval of the rezone subject to the 10 conditions listed in the staff report, striking conditions #6 and #7, and adding two new conditions to read as follows:

9. Storage bays shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, boats, small engines or electrical equipment, or to conduct similar repair activities; conduct garage sales or retail sales of any kind; rehearsing or practicing utilizing musical instruments; conversion to an apartment or dwelling unit; or to conduct any other commercial or industrial activities on site.

10. All property stored on site shall be entirely within enclosed buildings. Storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals is prohibited.

Second – Karl Berg. Vote 6-1 in favor of motion. (In favor of motion – Karl Berg, Mike Floyd, Bruce MacPherson, Penny Mills, Tom Leach and George Rodrigues. Against the motion – Bill Yarbrough.)

## **NEW BUSINESS**

*Dan Arnold recused himself from Item #1 and Item #2 and left the meeting.*

**Item #1: Rezone #5728, P & A Ventures, LLC, B-2 & M-H to B-2, ±9.29 Acres, Old Macon Highway, shopping center.** Krista Gridley presented the staff report (attached) into public record which proposed 5 conditions if the rezone was recommended for approval.

Jeff Carter of Carter Engineering Consultants represented the applicant. He explained the proposed project will be similar to in appearance to Manders Crossing and meets the intent of the development ordinance. He said the developers agreed to staff's conditions.

Public Hearing: No one chose to speak on this item.

Bruce MacPherson said the proposed plan fit the character of the area and would serve the adjacent townhomes planned nearby. He added the pictures submitted of the representative architecture were unimaginative and he was not impressed with references to Manders Crossing. Jeff Carter explained the exterior would be brick, stone and glass. George Rodrigues asked how soon construction would start on the development. Jeff Carter said construction would not start until permits were obtained. George was concerned the lot would be cleared and then left vacant indefinitely. He thinks there are already too many unfinished sites in the county that look scruffy. Jeff explained nothing would be cleared until the permits were drawn. Tom Leach had concerns about the traffic and the flood plain designation on the back of the property. Jeff Carter stated the flood plain area would not be disturbed. He also said traffic studies have been done and if a turn lane needed to be added, the developer would do so. Mike Floyd had concerns about the possibility of ground pollution from the the old manufacturing site across the river in Clarke County. Jeff Carter stated if the rezone is approved, additional soil testing

will be done. Tom Leach asked how many mobile home septic tanks were left on the adjacent site currently being developed for townhomes. Brad Callender explained the mobile home park had utilized a waste treatment pond instead of septic tanks, and the pond has since been removed.

Motion: Tom Leach to recommend denial of the rezone. Second – Penny Mills. Vote 4-2 in favor of motion. (In favor of motion – Mike Floyd, George Rodrigues, Penny Mills, and Tom Leach. Against the motion – Karl Berg and Bruce MacPherson.)

*Dan Arnold recused himself from the discussion and votes on this item.*

**Item #2: Rezone #5729, Aman, Asif, R-1 to B-1, ±1.881 Acres, SR 316 and Julian Drive, gasoline station with a convenience market.** Brad Callender presented the staff report (attached) into public record which proposed 9 conditions if the rezone was recommended for approval.

Ken Beall of Beall and Company represented the applicant. He agreed to staff's conditions.

Public Hearing: Shep Shepherd, a nearby resident, said this proposal is not a good fit for the neighborhood. He said the existing businesses in the area (Twin Ponds and Athens Church of Christ) are good neighbors. Mr. Shepherd had concerns about traffic, noise, and quality of life.

Karl Berg said SR 316 is the most appropriate place for a convenience store. George Rodrigues pointed out there is not a traffic light at the intersection of SR 316 and Julian Drive. Bruce MacPherson said this is a dangerous intersection due to the hill located on SR 316 near Highway 78. Karl Berg said a gas station may not be the best fit for this tract and asked if the buffers could be increased. Ken stated the site was not large enough to comply with the buffer requirements.

Motion: Mike Floyd to recommend denial of the rezone. Second – George Rodrigues. Vote 6-0 in favor of motion.

*Dan Arnold recused himself from the discussion and votes on this item.*

**Item #3: Adjourn.** With no further business, Karl Berg moved to adjourn and George Rodrigues seconded the motion. With a unanimous vote, the meeting was adjourned at 7:45 p.m.

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OCONEE COUNTY PLANNING COMMISSION CHAIRMAN

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DATE

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OCONEE COUNTY PLANNING COMMISSION SECRETARY

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DATE