

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 classifications A-1 (Agricultural) to B-2 (Highway Business) pursuant to an application for rezoning of property owned by Ralph Len Dolvin submitted on July 24, 2015.

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 Williams & Associates, Land Planners P.C. on July 24, 2015 requesting rezoning a ±2.68 acre tract of land located on the west side of US Hwy 441 and the south side of New High Shoals Road in the 241st G.M.D., Oconee County, Georgia, (Portion of TP# B-7-4), 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 A-1 (Agricultural) to B-2 (Highway Business) for the purpose of 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 same on September 21, 2015, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on October 13, 2015.

ADOPTED AND APPROVED, this 13th day of October, 2015.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: Melvin Davis
G. Melvin Davis, Chairman

Jim Luke
Jim Luke, Member

John Daniell
John Daniell, Member

W. E. "Bubber" Wilkes
W. E. "Bubber" Wilkes, Member

Mark Saxon
Mark Saxon, Member

ATTEST:

Jane Greathouse
Jane Greathouse
Clerk, Board of Commissioners

EXHIBIT "A" TO REZONE #6744

CONDITIONS

This Zoning Amendment shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. The development shall be connected to the Oconee County water system and sewer system at the developer's expense in a manner approved by the Oconee County Utility Department and the Oconee County Public Works Department. This condition shall not apply to lot 5, as illustrated on the rezone concept plan.
2. Developer shall construct center left turn lanes at the project entrance in accordance with the Unified Development Code and as required by the Public Works Department and GDOT.
3. Development structures shall meet or exceed the architectural standards as indicated on the concept plan, narrative, representative architectural sketches and other documents submitted with the zoning application and attached hereto, paying special attention to the materials and design elements shown in the representative photos.
4. The total building floor area of the development [B-2 Portion] shall not exceed 21,600 Sf.
5. The following principal land uses allowed in the B-2 zoning district under Table 2.1 of the Unified Development Code shall be excluded from the development:

Outdoor Power Equipment Stores	Boat Dealers
Truck Stops	Motorcycle Dealers
Tattoo Parlors	All Other Motor Vehicle Dealers
Pet Boarding Kennel	Recreational Vehicle Parks
Funeral Homes & Funeral Services	Bed & Breakfast Inns
New Car Dealers	Cemeteries and Mausoleums
Recreational Vehicle Dealers	Outdoor Storage
Used Car Dealers	Private Schools: Kindergarten, Elementary and Secondary
<i>All land uses listed under the following NAICS categories:</i>	
Automotive Repair & Maintenance (NAICS 8111)	Transit & Ground Transportation (NAICS 485)
Other Repair & Maintenance (NAICS 8111)	Pipeline Transportation Company Office (NAICS 486)
Health Related Services (NAICS 6216)	Scenic & Sightseeing Transportation (NAICS 487)
Churches or Other Places of Worship (NAICS 8131)	Support Activities for Passenger Transportation (NAICS 488)
Truck Transportation (NAICS 484)	

6. Developer shall include a 6 foot tall fence within required buffers adjacent to residentially zoned properties.

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NARRATIVE

441 South Business Park

A Mixed Use Commercial Subdivision
Southwest Corner of the intersection of US Highway 441 and New High Shoals Road
0 New High Shoals Road, Watkinsville, Georgia
A-1 to B-2 – 2.68 Acres – Tax Parcel #807-004
Rezoning Submittal – July 27, 2015

Narrative

Bypass Business Park is a proposed mixed use commercial subdivision to be located on a 9.7890 acre tract and developed by Halloran Masonry. Mr. Ralph Len Dolvin is the current property owner. Mr. Jim Belger with Nichols Land & Investment Company will act as the primary contact person for the owner. Williams & Associates has been engaged by the developer to act as agent in the preparation of the necessary rezoning documentation associated with this request.

The Site

The subject parcel of the rezoning currently exists as a total of 9.7890 acres. The 2.68 acre B-2 portion of the project fronts on New High Shoals Road for approximately 364 LF. and US Hwy. 441 for approximately 390 LF. The parcel is predominantly wooded with mixture of pines and hardwoods. The topography drops gently from southeast to the northwest, to an existing roadside swale. Existing zoning and land uses surrounding the parcel are as follows: to the north – New High Shoals Road; to the east – US Hwy. 441; to the south – one (1) A-1 zoned tract with an existing commercial business (Thomas Orchard Inc.); to the west – (3) R-1 zoned lots with existing residences. The Future Development Map 2030 identifies the site with a Future Character Area designation of Community Village.

The Development

The B-2 portion of the project is to be developed primarily for general commercial and retail uses. A drug store and general commercial building are shown conceptually on the rezoning plan. Halloran Masonry, a construction contractor, plans to construct and maintain ownership of a new corporate office to be located on Lot 5 of the O-B-P portion of the development. The B-2 lots are to be developed for sale to individual purchasers interested in locating some type of B-2 use business appropriate for this type of development. Easements will be provided for vehicular circulation (ingress and egress), as well as for the installation of public utilities. All lots will be constructed with curb & gutter parking and sidewalks. All utilities will be underground. Extensive landscaping, including buffers and shade trees, will be installed throughout the development. The overall project is proposed to be constructed in multiple phases, with Lot 5, the private access drive, a portion of the required infrastructure and the storm water management facility improvements comprising Phase 1. Additional phases will be employed for the development of the remaining lots.

B-2 listed uses not to be allowed in this project

- *Any item listed in automotive repair and maintenance
- *Any item listed in other repair and maintenance
- *Any item listed in health related services
- *Any item listed in churches or other places of worship
- *Any item listed in transportation, communications and utilities
- *outdoor power equipment stores
- *tattoo parlors
- *funeral homes and funeral services
- *recreational vehicle dealers
- *boat dealers
- *all other motor vehicle dealers
- *bed-and-breakfast inns
- *outdoor storage
- *private schools: kindergarten, elementary and secondary
- *accessory uses customary to a golf course
- *accessory golf driving range to a golf course
- *truck stops
- *pet boarding kennel
- *new car dealers
- *used car dealers
- *motorcycle dealers
- *recreational vehicle parks
- *cemeteries and mausoleums

Buildings

The B-2 portion of the project will have multiple buildings with various floor areas, totaling 21,600 square feet and anticipated to be built in multiple phases. Buildings will be wood or steel construction, with exterior facades and accents including, but not limited to: architectural brick, stone, simulated or cultured stone, cast stone, cement fiber board plank siding, board and batten siding, shingle siding, stucco and cedar plank or shingle siding. The office space roofs are to be gabled structures or parapet surrounded flat roof systems. Roofing material to include asphalt shingles and/or metal. See attached representative architecture.

Water Supply

A 10" water main currently exists in the right-of-way of New High Shoals Road. A watermain extension is proposed for the development. Multiple services and meters will be installed off of the extension to meet the domestic water demand. Additional meters will be installed for irrigation purposes.

Probable Water Demand

Drug Store: 10,400 sf. x 5.75 gpd/100sf. =	598 GPD
Commercial/Retail: 11,200 sf. x 5.75 gpd/100sf. =	644 GPD
Office/Warehouse: 53,800 sf. x 5.75 gpd/100sf. =	3,094 GPD
Total Capacity Required	4,336 GPD AVG. Total

Sewage Disposal

For the development of the B-2 lots in the subdivision, sanitary sewer is proposed. Sewage disposal will be via Oconee County Public Utilities. A public sewer line extension will be required, extending from an existing sewer manhole positioned in an easement located adjacent to the right-of-way of Bishop Farms Parkway. Estimated demands have been submitted to the Oconee County Public Utilities Department and a sewer availability letter accompanies this rezoning request.

Probable Sewer Demand

Drug Store: 10,400 sf. x 5 gpd/100sf. =	520 GPD
Commercial/Retail: 11,200 sf. x 5 gpd/100sf. =	560 GPD
Office/Warehouse: 53,800 sf. x 5 gpd/100sf. =	2,690 GPD
Total Capacity Required	3,770 GPD AVG. Total

Surface Water Drainage

Concrete curb & gutter, corrugated pipe, and grassed & natural waterways will be employed to collect and divert storm water to a proposed shared storm water management facility. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50 year events. The proposed storm water management facility will be designed to achieve the required capacity and volume based on hydrological analysis to be performed and submitted with the Phase 1 site development plans. Stormwater management will be in compliance with the Oconee County UDC.

Access

Access will be via a single private access drive from New High Shoals Road. It is anticipated that access will require improvements to New High Shoals Road and those improvements will be shown accompanying the Phase 1 site development plans. Cross access easements will be provided internally throughout the development for vehicular circulation.

Traffic

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, *Trip Generation*, 9th Edition.

Land Use (ITE Code)	Intensity	Unit	Trip Generation				A.M. Peak Hour			P.M. Peak Hour		
			ADT	2-Way	Enter	Exit	2-Way	Enter	Exit	2-Way	Enter	Exit
Business Park (770)	53.8	1,000SF GFA	1287	66	66	12	78	22	63	84		
Specialty Retail Center (826)	11.2	1,000SF GFA	496					21	27	48		
Pharmacy/Drugstore with Drive-Through Window (881)	10.4	1,000SF GFA	1,008	19	17	36	52	52	103			
Net New Primary Trips			2,791	85	29	114	95	141	236			

Schools

Impact to schools will be positive by generating an increased positive net tax base without generating more students. There will be favorable initial and ongoing ripple economic impact on the county as a result of this development.

Schedule

The petitioners plan to complete the zoning efforts on the subject property in October 2015. The Preliminary Site Plan and Site Development Plans for the development will be submitted for approval in January 2016. Construction improvements of Phase 1 will commence upon approval of those plans, possibly near the end of 2016. The Phase 1 infrastructure and building construction will require a minimum of 4-6 months to complete. The sewer extension and remaining lots and will be developed on a lot by lot basis as demand necessitates.

Maintenance of Common Areas

There are common areas currently proposed for this development. The future owner(s) of the lots and buildings will be responsible for all maintenance. The developer will organize the use of all common areas and private access drive and develop a maintenance plan in regards to the paving, landscaping, storm water management facility and other associated common areas prior to the subdivision of the lots and provide to Oconee County at the time of lot platting.

Landscaping and Buffers

Street trees, parking lot buffers, and parking lot tree plantings will be installed in accordance with the Oconee County UDC. A buffer is shown along the adjacent property lines to the south and west, as required by OC-UDC Section 806. This buffer will be designed with details provided during the Phase 1 site development plans approval stage of the project. This required buffer is shown 25' off of the existing 20' AT&T easement, which creates an area that will be left as additional buffer on the other side of the easement, adjacent to the property line. This additional buffer area is variable in width, but up to 17.5' at its widest point. This area is to remain in its natural vegetative state. Any additional required buffers will be illustrated on site development plans or as directed by Oconee County.

Utilities

An existing underground AT&T cable with 20' easement is shown traversing the property. No utility relocations are anticipated at this time, however, existing utilities located onsite that do require relocation during the project construction shall be per the direction of the utility provider. All new utilities are proposed to be underground. Proposed utilities to serve the facility are power, gas, water, sewer, telephone, cable TV & internet access.

Garbage Collection

Garbage collection will be handled by private contract service.

Sidewalks

Concrete sidewalks will be constructed to service the project and provide customer access and circulation. Sidewalks will be installed during building construction and completion of all underground utility service installation.

Public & Semi-public Areas

Access and drainage easements will be dedicated to Oconee County. Easements for water, sewer, power, gas, telephone, cable TV & internet access will be dedicated as required for specific utility construction.

Outdoor Lighting

Ornamental or box type light fixtures on metal poles will be installed to illuminate the development for safety and security. Lighting will be oriented inward and downward within the proposed development. A lighting plan will be submitted to the Oconee Planning Department illustrating lighting templates and proposed fixtures. This plan will be reviewed during the site development plans approval stage of the project.

Development Valuation

Proposed estimated total value of the project at completion: \$8,000,000.00

441 South Business Park



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LEGAL DESCRIPTION

All that tract, or parcel of land, lying and being in Oconee County, Georgia, G.M.D. 241, containing 2.68 acres, more or less, and being more particularly described as:

Beginning at a concrete monument at the intersection of the southerly margin of the variable right-of-way of New High Shoals road and the westerly margin of the variable right-of-way of Highway 441, said point being the TRUE POINT OF BEGINNING; thence along the right-of-way of Highway 441 South 27 degrees 24 minutes 49 seconds East, 233.41 feet to a concrete monument; thence 155.94 feet along an arc of a curve to the right, said curve having a radius of 3149.04 feet, a chord bearing of South 00 degrees 24 minutes 42 seconds West, and a chord distance of 155.92 feet to a point; thence leaving said right-of-way North 87 degrees 08 minutes 20 seconds West, 131.59 feet to a point; thence South 02 degrees 51 minutes 40 seconds West, 19.36 feet to a point; thence North 87 degrees 08 minutes 20 seconds West, 67.51 feet to a point; thence South 76 degrees 51 minutes 26 seconds West, 175.03 feet to a point; thence 250.13 feet along an arc of a curve to the left, said curve having a radius of 700.00 feet, a chord bearing of North 13 degrees 24 minutes 07 seconds West, and a chord distance of 248.80 feet to a point on the southerly margin of right-of-way of New High Shoals Road; thence along said right-of-way North 62 degrees 05 minutes 51 seconds East, 363.89 feet to the TRUE POINT OF BEGINNING.

TAX MAP



