

**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 AR-1 (Agricultural-Residential One Acre) to B-1 (General Business) pursuant to an application for rezoning of property owned by Flo E. Wilkes submitted on January 6, 2014.

**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 January 6, 2014 requesting rezoning of a ±7.77 acre tract of land located on the east side of Mars Hill Road and the south side of Tarpley Lane in the 221<sup>st</sup> G.M.D., Oconee County, Georgia, (TP# B-4-37), 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 AR-1 (Agricultural-Residential One Acre) to B-1 (General 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.

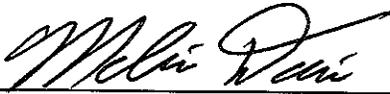
SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

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

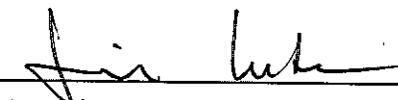
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held on same on February 17, 2014, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on March 4, 2014.

ADOPTED AND APPROVED, this 4<sup>th</sup> day of March, 2014.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY: 

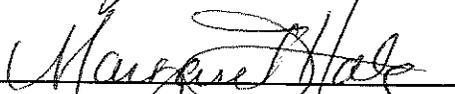
G. Melvin Davis, Chairman



Jim Luke, Member



John Daniell, Member

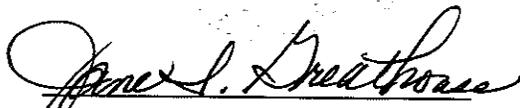


Margaret S. Hale, Member



Mark Saxon, Member

ATTEST:



Jane Greathouse  
Clerk, Board of Commissioners

EXHIBIT "A" TO ZONING AMENDMENT # 6475

CONDITIONS

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

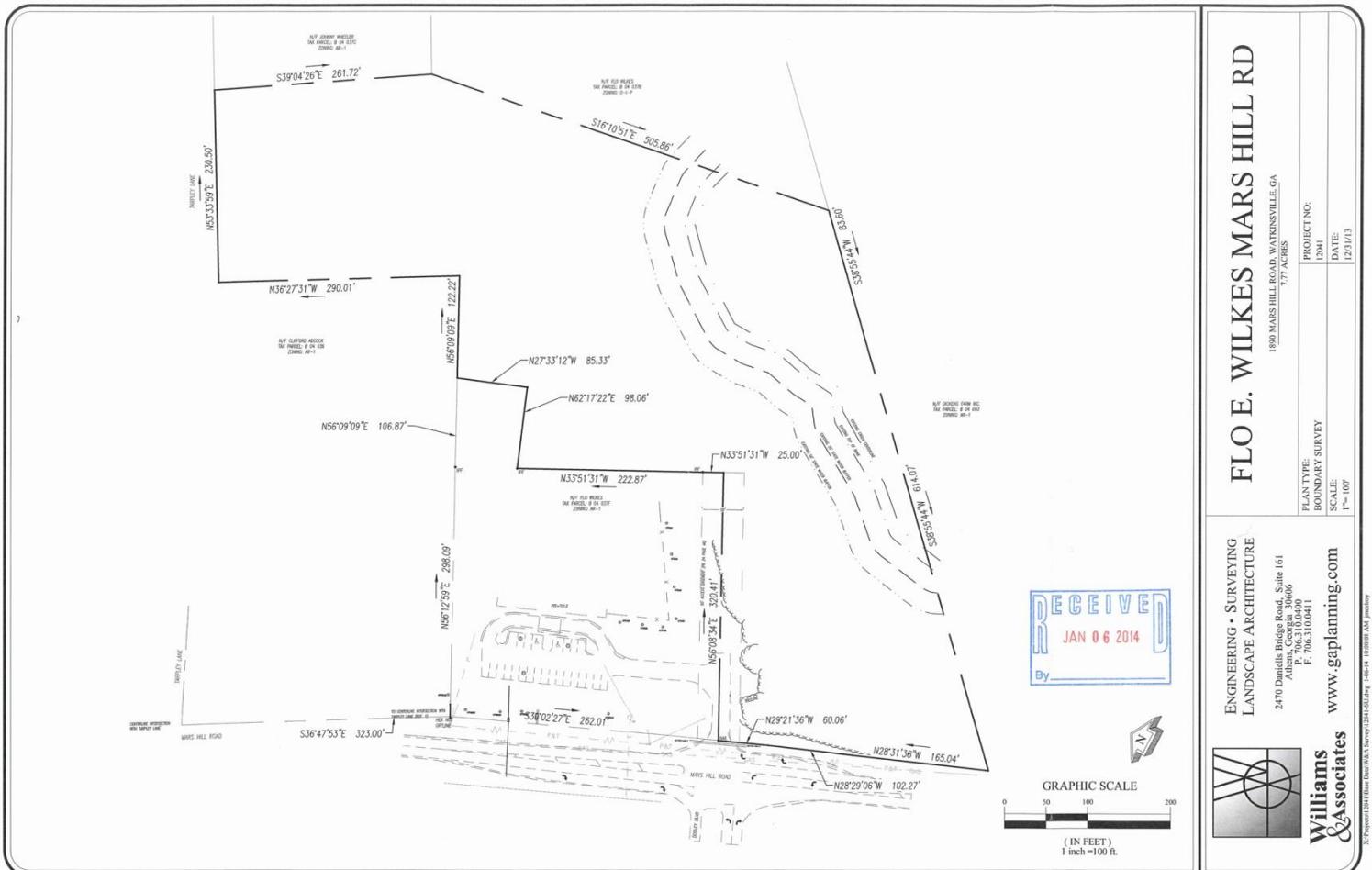
- 1. The development shall be connected to the Oconee County water system at the developer's expense in a manner approved by the Oconee County Utility Department and the Oconee County Public Works Department.
2. If project is developed prior to GDOT construction of the Mars Hill Road - Phase 1 project, developer shall be responsible for all required improvements within the Mars Hill Road right-of-way as required by the Unified Development Code, which includes an extended deceleration lane and a repainting of existing hatching to accommodate a central left turn lane.
3. Developer shall provide access to Tax Parcel B 04 037B. All future plans and plats for the subject property shall include an access easement extended from the termination of the existing private access drive and easement to Tax Parcel B 04 037B, as required in Condition #3 of Rezone #944.
4. 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.
5. The total building floor area of the development shall not exceed 11,500 Sf.

LEGAL DESCRIPTION

All the tract of parcel of land, containing 7.77 acres, more or less, situate, lying and being on the northeasterly side of the State Route 53 (a/k/a Mars Hill Road) and on the southeasterly side of Tarpley Lane, in the 221st GMD, Oconee County, Georgia; being more particularly described as follows:

BEGINNING at a point at the centerline intersection of Mars Hill Road and Tarpley Lane; THENCE along a line, south 36 degrees 47 minutes 53 seconds east 323.00 feet to a point; THENCE along the boundary of lands now or formerly of Wilkes, south 30 degrees 02 minutes 27 seconds east 262.01 feet to a point; this point being the POINT OF BEGINNING. THENCE north 56 degrees 08 minutes 34 seconds east 320.41 feet to a point; THENCE north 33 degrees 51 minutes 31 seconds west 25.00 feet to a point; THENCE north 33 degrees 51 minutes 31 seconds west 222.87 feet to a point; THENCE north 62 degrees 17 minutes 22 seconds east 98.06 feet to a point; THENCE north 27 degrees 33 minutes 12 seconds west 85.33 feet to a point; THENCE along the boundary of lands now or formerly of Adcock north 56 degrees 09 minutes 09 seconds east 122.22 feet to an iron pin; THENCE north 36 degrees 27 minutes 31 seconds west 290.01 feet to an iron pin on the southeasterly side of Tarpley Lane; THENCE along Tarpley Lane north 53 degrees 33 minutes 59 seconds east 230.50 feet to an iron pin; THENCE along the boundary of lands now or formerly of Wheeler south 39 degrees 04 minutes 26 seconds east 261.72 feet to an iron pin; THENCE along the boundary of lands now or formerly of Anthony south 16 degrees 10 minutes 51 seconds east 505.86 feet to an iron pin; THENCE along the boundary lands now or formerly of Dickens south 38 degrees 55 minutes 44 seconds west 83.60 feet to an iron pin; THENCE south 38 degrees 55 minutes 44 seconds west 614.07 feet to an iron pin on the northeasterly side of Mars Hill Road; THENCE along Mars Hill Road the following courses and distances: north 28 degrees 31 minutes 36 seconds west 165.04 feet to a point; THENCE north 28 degrees 29 minutes 06 seconds west 102.27 feet to a point; THENCE north 29 degrees 21 minutes 36 seconds west 60.06 feet to the BEGINNING POINT.

PROPERTY SURVEY



REZONE NARRATIVE

**Mars Hill Garden Center**  
 A Nursery / Garden Center Development  
 1890 Mars Hill Rd  
 Watkinsville, Georgia  
**AR-1 to B-1**  
**7.77 –Tax Parcel # B-04-037**  
 January 21, 2014

**Narrative**

1890 Mars Hill Road is currently undeveloped and located on a 7.77 acre tract and will be developed by Flo Wilkes and Chad Forehand. The property will be used for a nursery/garden center. Flo Wilkes is the current property owner. Flo Wilkes and Chad Forehand will act as the primary contacts for the development. Williams & Associates has been engaged by Flo Wilkes to act as the agent in the preparation of the necessary rezone documentation associated with this request.

**The Site**

The tract adjoins Mars Hill Road to the south for approximately 310 LF, Tarpley Ln to the north for approximately 270 LF, and is also adjacent to residential and commercial properties. The subject site is predominantly wooded with a mixture of pines and hardwoods. The topography mostly slopes from west to the eastern property boundary, where a tributary of Barber Creek is also located. The property is currently zoned AR-1. Existing zoning and land uses surrounding the site are as follows: AR-1 to the north, west, and south; and O-I-P to the northeast; with a commercial use (daycare center) to the northwest.

**The Development**

The proposed lot is to be developed as a nursery/garden center. The proposed zoning for the lot is B-1. The nursery garden center will sell products related to outdoor and landscape improvements, including, but not limited to, various types of mulch (including bark and rock, bagged and bulk), straw, topsoil, plants, irrigation materials, outdoor decorations, landscaping tools, etc. There will be indoor sales areas along with outdoor sales areas for these various materials, including mulch, straw, and plant materials. Material sold in bulk will be sold out of large bins, approximately 12' x 25' in size. Tractor trailers will be placed on site for the sale of straw mulch. Business hours will vary by season and generally follow sunrise to sunset, but open for business no earlier than 7 am and no later than 8 pm. The site plan presented as the rezone concept plan represents the maximum development proposed for this property through this zoning action. However, the petitioner will likely begin operations in a smaller facility, which would initially mean a smaller main structure (approximately 1,000 – 2,000 sf), less parking, less impervious area, and a reduced impact to the site. The development could then grow, if justified by demand, and expand to the maximum plan submitted with this application.

**Buildings**

The total floor area for the nursery/garden center on the lot is estimated to be 11,500 sf, which includes greenhouse area. The main building will be wood or steel construction. Excluding the greenhouses, the building façade will be predominately siding with masonry (stone, cultured stone, brick, etc.) water table and accents on three sides visible from the road. See attached representative architecture sheet.

**Water Supply**

A 12" water main currently exists in the right-of-way of Mars Hill Rd.

**Probable Water Demand**

PWD = Nursery/Garden Center: 5 employees x (30 gpd) = 150 gpd

Peak Water Demand =

150 gpd/12 hr./day = 12.5 gal/hr. = 0.21 gpm

0.21 gpm x 4(peaking factor) = 0.84 gpm peak

**Sewage Disposal**

Sewage disposal from the proposed facilities will be handled via a private septic system to be installed on the property. Soils tests will be performed prior to site development permitting to determine the availability of suitable soils for the appropriate septic system. Preliminary research of soils found on the site indicates that adequate area and suitable soils are available for installation of a septic tank and drain field. Sizing, layout, and location will be permitted by the Oconee County Health Department.

**Surface Water Drainage**

Storm water on the lot will be handled via a storm water management facility located on the lot. Proposed concrete curb & gutter, drainage swales, and storm water pipe and structures will be employed to collect and divert storm-water to the proposed storm water management area. Post development run-off will be maintained at predevelopment rates for 2, 5, 10, 25, and 50 year events. The proposed storm-water management area will be designed to achieve the required capacity and volume based on hydrological analysis to be performed and submitted with site improvement construction plans. Storm-water management will be in compliance with the Oconee County UDC.

**Access**

Access to the lot will be via an existing entrance along Mars Hill Road that is located in a shared access easement with the adjoining property, also owned by Flo E. Wilkes. The Georgia Department of Transportation has plans to improve Mars Hill Road along the frontage of the property as part of a larger highway improvement project. These improvements include widening the road from two lanes to four lanes with a raised median. There will be a median cut at this existing entrance, along with a left turn lane

and a decel lane for this property. The driveway cut will be widened to accommodate an additional turn lane exiting the two properties sharing the access easement. Improvements within the GDOT ROW will be made by the DOT. The existing driveway will then be updated within the site. The driveway on the rezone concept plan represents these improvements. A review by GDOT has confirmed that no additional changes to this intersection will be required as a result of the construction of the nursery and garden at this location.

**Traffic**

The project is estimated to generate the following traffic volumes based on rates developed by the Institute of Transportation Engineers (ITE).

Nursery (Garden Center) (817):

|     |                     |
|-----|---------------------|
| 415 | Average Daily Trips |
| 15  | AM Peak Hour        |
| 44  | PM Peak Hour        |

No additional improvements outside of those associated with the GDOT improvements are required for this development.

**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 by March 2014. The Preliminary Site Plan and Site Development Plans for the development will be submitted for approval by June 2014. Construction of the project infrastructure will commence immediately upon approval of these plans. The infrastructure and building construction will require a minimum of 6-12 months to complete. It is anticipated that, at least, an initial build-out of a condensed version of the project should be completed between January 2015 and September 2015.

**Maintenance of Common Areas**

There are no common areas designated on the lot.

**Buffers**

Street trees, parking lot buffers, and parking lot tree plantings will be installed in accordance with the Oconee County UDC. Any additional required buffers will be illustrated on site development plans or as directed by Oconee County.

**Utilities**

All utilities are proposed to be underground. No existing utilities are located onsite or will need relocating. Proposed utilities to serve the facility are water, power, gas, and cable.

**Garbage Collection**

Garbage collection will be handled by private contract service.

**Sidewalks**

Concrete sidewalks will be constructed to service the project and provide pedestrian access and circulation as part of the GDOT improvements. A sidewalk will be installed connecting the site to the GDOT sidewalk.

**Public & Semi-public Areas**

If, at time of site development plan approval, any public utility and/or drainage easements are required, they will be dedicated to Oconee County. Easements for power, telephone, cable TV, and gas will be dedicated as required for specific utility construction.

**Outdoor Lighting**

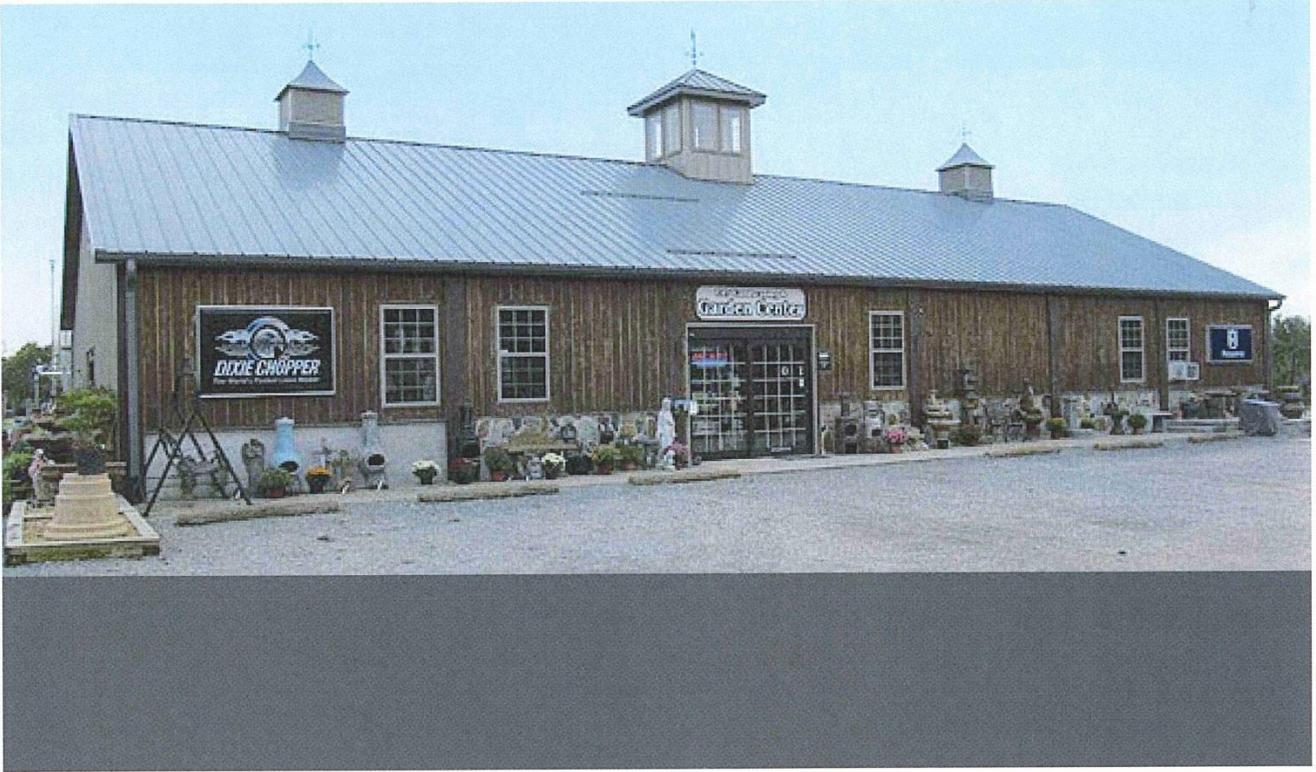
Light fixtures on metal poles will be installed to illuminate the development for safety and security. This light standard will be oriented inward, down and away from any neighboring residential areas. A lighting plan will be submitted to the Oconee Planning Department illustrating light templates and proposed fixtures. This plan will be reviewed during the site development plans approval stage of the project.

**Development Valuation**

11,500 total building square footage  
 Average price = \$150/square foot

Total Completed Project Value: \$2,000,000.00

REPRESENTATIVE PHOTOGRAPHS



TAX MAP



