

**SPECIAL USE APPROVAL
OCONEE COUNTY, GEORGIA**

TITLE

A Resolution granting Special Use Approval, as provided by the Unified Development Code of Oconee County, Georgia, pursuant to Article 12, Division I et seq.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for a change in conditions of approval for Special Use no. P20-0155, submitted by Nations Church, on July 28, 2020 requesting Special Use Approval on a ±8.18 acre tract of land located at 8780 Macon Highway in the 221st G.M.D., Oconee County, Georgia, tax parcel no. C-03-014A, on property owned by the Living Faith-NKA Church of the Nations, the Board of Commissioners of Oconee County does hereby grant following:

SECTION 1. A Resolution granting Special Use Approval for the property described above and on the attached Exhibit A is hereby granted to remove condition no. three of conditional use permit no. 4524 in order to allow for a daycare facility on the property.

Said Special Use Approval 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 Resolution be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Resolution.

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 Resolution shall take effect this date.

Said Special Use Approval application was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on September 21, 2020, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on October 6, 2020.

ADOPTED AND APPROVED, this 6th day of October, 2020.



OCONEE COUNTY BOARD OF COMMISSIONERS

BY:

John Daniell
John Daniell, Chairman

Mark Thomas
Mark Thomas, Member

Chuck Horton
Chuck Horton, Member

Vacant
Vacant, Member

Mark Saxon
Mark Saxon, Member

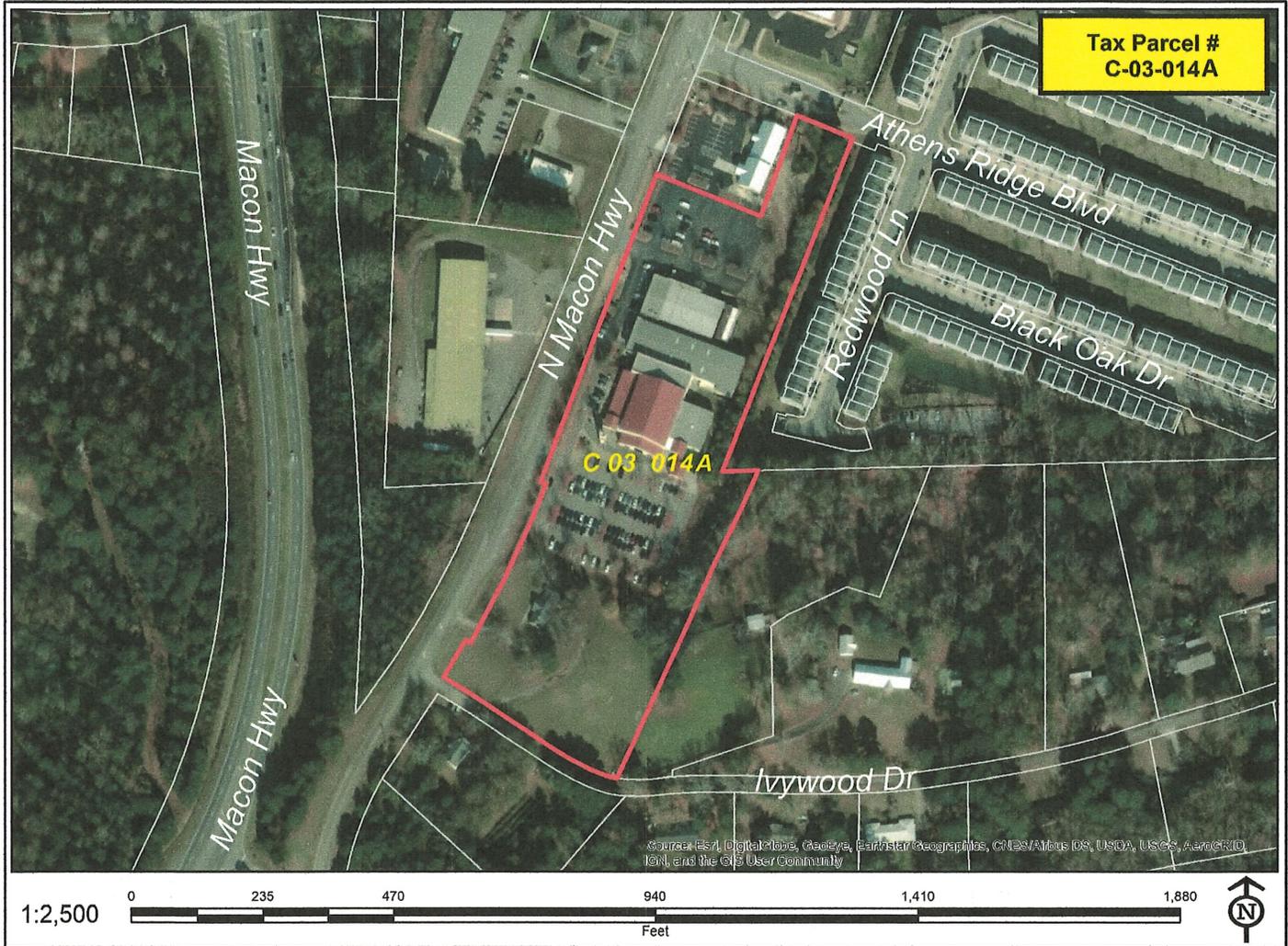
ATTEST:

Kathy Hayes
Kathy Hayes
Clerk, Board of Commissioners

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

TAX MAP



LEGAL DESCRIPTION

The subject site is identified by Oconee County as Assessor's Parcel Number: C03-014A. A legal description for the 4.179 acres is as follows. We were not provided with a legal description for the original 4.871 acres.

and assigns, the following described property, to-wit:

All that tract or parcel of land, together with all improvements thereon, containing 4.179 acres, more or less, situate, lying and being on the easterly side of Georgia Highway 15 (U.S. Highway 441) and on the northerly side of Ivywood Drive, in the 221st S.M.D., Oconee County, Georgia, being more particularly described on a plat thereof entitled "Survey for Living Faith Fellowship, Inc." by Glen Doms, Surveyor, dated September 25, 1990, recorded in Plat Book 17, page 300, in the Office of Clerk of Superior Court of Oconee County, Georgia, which plat is hereby incorporated into this description by reference and made a part hereof; being more particularly described, according to said plat, as follows:

BEGINNING at an iron pin at the northeasterly intersection of Georgia Highway 15 and Ivywood Drive; running thence along the easterly side of Georgia Highway 15 the following courses and distances: a chord measurement of north 32 degrees 02 minutes 06 seconds east 81.75 feet to a concrete right-of-way marker, south 55 degrees 46 minutes 00 seconds east 10.07 feet to a concrete right-of-way marker, a chord measurement of north 26 degrees 24 minutes 47 seconds east 299.03 feet to an iron pin, north 21 degrees 26 minutes 39 seconds east 17.48 feet to a concrete right-of-way marker, north 75 degrees 26 minutes 06 seconds west 9.92 feet to a concrete right-of-way marker, and north 25 degrees 27 minutes 05 seconds east 11.30 feet to an iron pin; running thence along the boundary of lands of Living Faith Fellowship, Inc. north 89 degrees 06 minutes 21 seconds east 393.42 feet to a mill spindle; running thence along the boundary of lands now or formerly of Robert Brown south 24 degrees 53 minutes 16 seconds west 613.86 feet to an iron pin on the northerly side of Ivywood Drive; running thence along the edge of the pavement of Ivywood Drive, which forms the boundary of said property, the following courses and distances: a chord measurement of north 69 degrees 22 minutes 36 seconds west 86.54 feet to an iron pin, a chord measurement of north 57 degrees 51 minutes 15 seconds west 68.45 feet to an iron pin, and north 56 degrees 19 minutes 46 seconds west 220.32 feet to the beginning iron pin.

This being the same property conveyed to Earl D. Harris and Jean W. Harris in two Warranty Deeds, one from Earl D. Harris dated July 8, 1983, recorded in Deed Book 55, pages 179-180; and the second from Barbara H. Burroughs dated July 8, 1983, recorded in Deed Book 55, pages 181-182, in said Clerk's Office. Reference is also made to a Deed to Earl D. Harris and Jean W. Harris from J. Swanton Ivy, Sr. dated July 5, 1983, recorded in Deed Book 55, page 180, in said Clerk's Office.

Said property is subject to an Easement to Southern Bell Telephone and Telegraph Company dated March 23, 1988, recorded in Deed Book 99, pages 788-790, said Clerk's Office, and as shown on said plat.

NARRATIVE



August 8, 2020

To Whom It May Concern:

Nations Church is requesting that item #3 in our conditional use permit (*No weekday daycare or school use is to be allowed on the subject property*) be removed from conditional use permit 4524 and rezone 4523. This is for the purpose of our church starting a daycare in our existing facilities.

As a church, part of our mission is to provide resources that meet the needs of our community. The market research we have done clearly suggests there is an increasing need for more quality daycare options for families that are safe and meet the highest standards of excellence for children in our area. (We are also aware that this demand will likely increase even more as schools and families continue to navigate the pandemic.)

I assure you we will do everything required to make sure this daycare is a tremendous asset to the residents of Oconee County and beyond including due diligence with our facilities, hiring qualified day care professionals, and providing quality programming and care for every child.

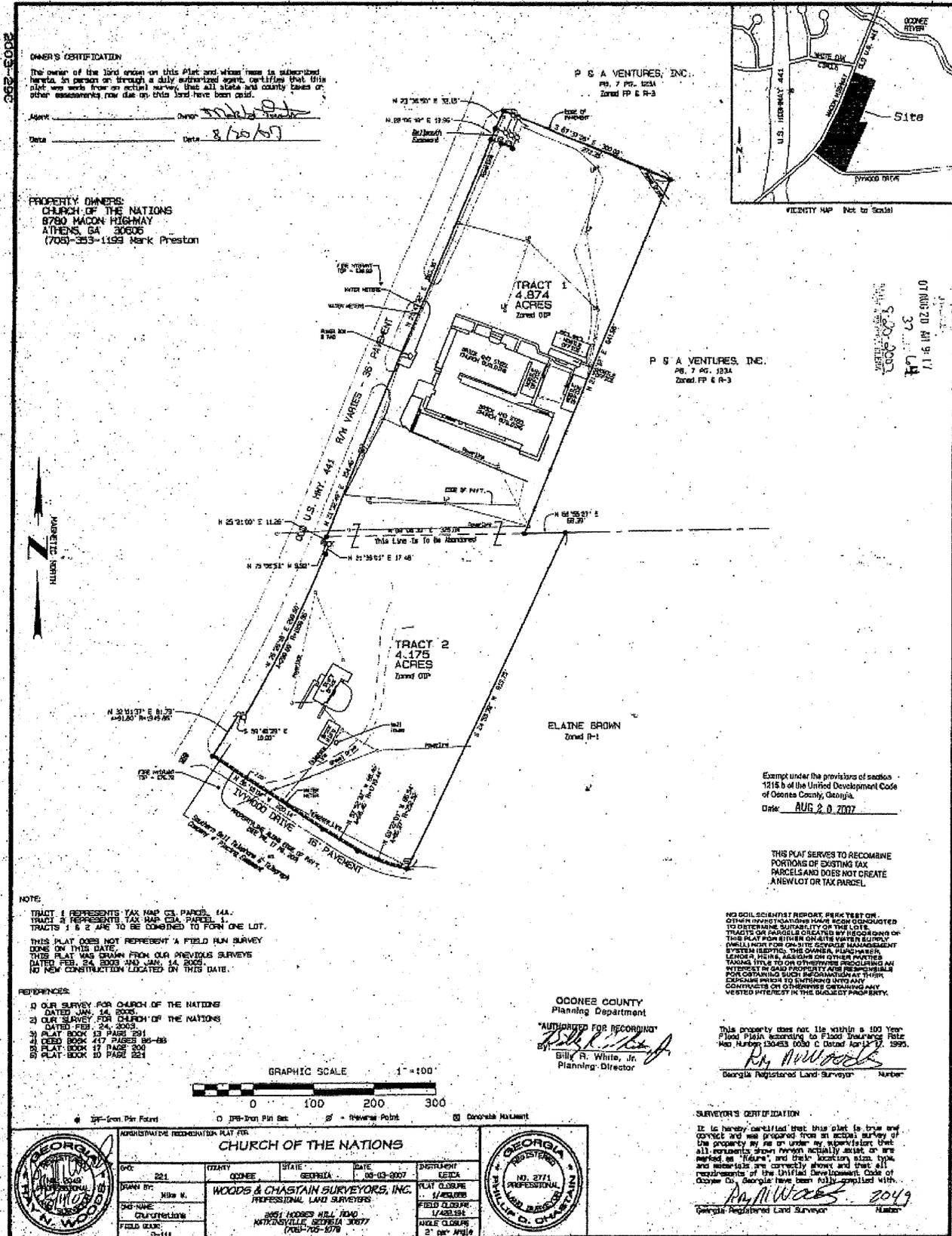
Thank you for your consideration to help us become an even greater asset to our county.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mike Holt'.

Mike Holt, Senior Pastor

PLAT





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

SPECIAL USE CASE #: P20-0155

DATE: September 2, 2020

STAFF REPORT BY: Grace Tuschak, Senior Planner
Monica Davis, Planner

APPLICANT NAME: Nations Church

PROPERTY OWNER: Living Faith-NKA Church of the Nations

LOCATION: 8780 Macon Highway

PARCEL SIZE: ±8.18 acres

EXISTING ZONING: OIP (Office Institutional Professional District)

EXISTING LAND USE: Community-Scale Church

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Community Village

ACTION REQUESTED: The applicant is requesting to remove condition #3 from the previously approved conditional use permit (#4524) in order to allow a daycare facility on the property. This request is accompanied by rezone modification #P20-0154 to remove the same condition from the previously approved rezone.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

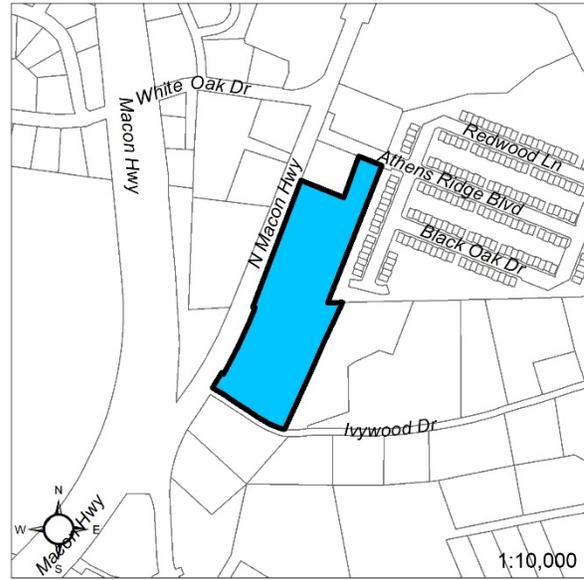
DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: September 21, 2020

BOARD OF COMMISSIONERS: October 6, 2020

ATTACHMENTS:

- Application
- Narrative
- Zoning Impact Analysis
- Aerial Imagery
- Zoning Map
- Future Development Map
- Plat of Survey
- Narrative (2005)
- Staff Report (2005)
- Signed Resolution for CUP #4524 (2005)
- Concept Plan (2005)



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- Rezone #4523 and conditional use permit #4524 were approved on 07/05/2005 to allow for a community-scale church

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Mixed commercial, office, vacant	B-2 (Highway Business District) OIP (Office Institutional Professional)
SOUTH	Single family residential	R-1 (Single Family Residential District)
EAST	Single family residential	R-1 (Single Family Residential District) and R-3 (Multi-Family Residential District)
WEST	Commercial/warehouse	B-2 (Highway Business District)

PROPOSED SPECIAL USE

- The applicant proposes to renovate approximately 3,800 square feet of the existing building for use as a daycare facility
- The applicant is requesting that condition #3 of conditional use permit #4524 (below) be removed in order to allow a daycare on the property:
 - *No weekday daycare or school use is to be allowed on the subject property.*

PROPOSED TRAFFIC PROJECTIONS

- 184 additional average daily trips (ADT), including 45 AM peak hour and 46 PM peak hour trips are projected should this special use modification request be approved (10th Edition ITE Trip Generation Manual)

PUBLIC FACILITIES

Water:

- The property is currently served by Oconee County Water

Sewer:

- The property is currently served by Oconee County sewer

Roads:

- The property has two existing entrances located along North Macon Highway, no new access is proposed

ENVIRONMENTAL

- No jurisdictional wetlands, 100-year flood plain, or state waters are known to exist on the site.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No Comments

OCONEE COUNTY FIRE DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR SPECIAL USE CONSIDERATION” AS SET FORTH IN SECTION 1207.02 OF THE OCONEE COUNTY UNIFIED DEVELOPMENT CODE.

A. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

The primary use of the property is to remain a community-scale church. The OIP zoning district is intended to “provide an area for... social, fraternal, political, civic, and community organizations” and is “designed for institutional uses such as hospitals, nursing homes, convalescent centers, institutional planned developments and clinics” (Unified Development Code Sec. 205.08). As defined in UDC Sec. 318.01.a.4, a community-scale church contains “regular weekday school, childcare or daycare” and the present request is to remove the zoning condition preventing this compatible secondary use from being carried out on the property. Staff holds that the proposed daycare facility is consistent with the stated purpose of the proposed zoning district.

B. Is the proposed special use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?

The subject property lies within the Community Village and Suburban Neighborhood Character Area (2040 Future Development Map). The 2018 Comprehensive Plan lists “semi-public and institutional uses” as a compatible secondary land use for the both of these Character areas. A community-scale church is considered to be compatible with both of these character areas and a daycare facility is a standard component of a community-scale church (2018 Comp. Plan p.36, 46, UDC Sec. 318.01.a.4). Staff holds that the present request is compatible with the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan.

C. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?

Nearby properties are primarily mixed commercial and residential. The proposed addition of a daycare facility on the property should not impede the normal and orderly development of surrounding property for uses predominate in the area.

D. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?

A desirable pattern of development for this area is considered to be residential with mixed commercial and institutional uses according to the Comprehensive Plan (as outlined above). Staff holds that the proposed daycare facility is an expected component of a community-scale church and is consistent with a desirable pattern of development for the locality.

E. Is or will the type of street providing access to the use be adequate to serve the proposed special use?

The community church use was approved in 2005 and the addition of a daycare facility is not anticipated to generate significant traffic impacts above and beyond those of the existing church.

F. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

The two existing driveways providing access to the church should be sufficient for traffic and pedestrian safety, traffic flow, and emergency vehicle access.

G. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

County sewer and water service already serves the existing church and a small increase in use of these services is anticipated should the present request be approved. No impacts on local schools and minimal impact on police and fire protection services is expected. Staff holds that public facilities should be adequate to serve the modified special use.

H. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, and odor?

No adverse effects are anticipated from the addition of a daycare facility on the property, existing screening and protections on the subject property should be sufficient to protect other properties in the area.

I. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

The hours and manner of operation typically associated with daycare facilities should not have any adverse effects on other properties in the area.

J. Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

No new buildings or other structures are proposed on the subject property.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of the present special use request subject to the following conditions to be fulfilled at the owner/developer's 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.



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

- Rezoning from: _____ to _____ Change in Conditions of Approval for Case #: CUP # 4524 REZONE #4523
- Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: Nations Church
 Address: 8780 Macon Highway
(No P.O. Boxes)
Athens, GA 30606

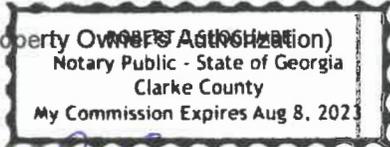
Telephone: 706-353-1199

Email: _____

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: 8/6/20 Notarized: [Signature]



Property

Location: 8780 Macon Highway
(Physical Description)
Athens, GA 30606

Tax Parcel Number: C03 014A

Size (Acres): 8.18 Current Zoning: O-I-P

Future Development Map—Character Area Designation: Community Village

Use

Current Use: Community Scale Church

Proposed Use: Community Scale Church

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: _____



NATIONS CHURCH

July 28, 2020

To Whom It May Concern,

Nations Church is requesting that item #3 in our conditional use permit (*No weekday daycare or school use is to be allowed on the subject property*) is removed for the purpose of our church starting a daycare in our existing facilities.

As a church, part of our mission is to provide resources that meet the needs of our community. The market research we have done clearly suggests there is an increasing need for more quality daycare options for families that are safe and meet the highest standards of excellence for children in our area. (We are also aware that this demand will likely increase even more as schools and families continue to navigate the pandemic.)

I assure you we will do everything required to make sure this daycare is a tremendous asset to the residents of Oconee County and beyond including due diligence with our facilities, hiring qualified day care professionals, and providing quality programming and care for every child.

Thank you for your consideration to help us become an even greater asset to our county.

Sincerely,

Mike Holt, Senior Pastor
Nations Church

**ZONING IMPACT ANALYSIS
FOR SPECIAL USE APPLICATION
NATIONS CHURCH
8780 Macon Highway
Athens, GA 30606**

- 1. Is the proposed special use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?**

Yes, we feel the proposed special use is compatible with the Comprehensive Plan.

- 2. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?**

No, the surrounding property is comprised of both commercial and residential use. Our church adding a daycare will be consistent with the overall use of the surrounding area.

- 3. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?**

Yes, our desire to provide this service to the community is consistent with the pattern of development surrounding our church. In fact, many of the businesses that are in close proximity to the church cater to families with young children and young professionals.

- 4. Is or will the type of street providing access to the use be adequate to serve the proposed special use?**

Yes, both our street we are located on and our church entrances will be more than sufficient to serve the proposed use of a daycare.

5. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

Yes, access into and out of our property will be more than adequate to provide for traffic and pedestrian safety. Our church's Sunday attendance and yearly events already far surpass the number of vehicles who would be on our property for the daycare—including drop off and pick up as well as staff vehicles. Emergency vehicles will have no issue with access to the property.

6. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

Yes, all of these measures will be adequate to serve the special use.

7. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?

With the intended use being a daycare, there will be no adverse effects that should be of concern to surrounding properties such as noise, light, glare, or odor. Our church parking lot is also surrounded by a good barrier of trees.

8. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

Our hours of operation, from approximately 8am-6pm will have no adverse effects on other properties in the area. There are neighboring businesses surrounding us with similar, or even later, hours of operation.

Special Use # P20-0155 - Church of the Nations

Tax Parcel #
C-03-014



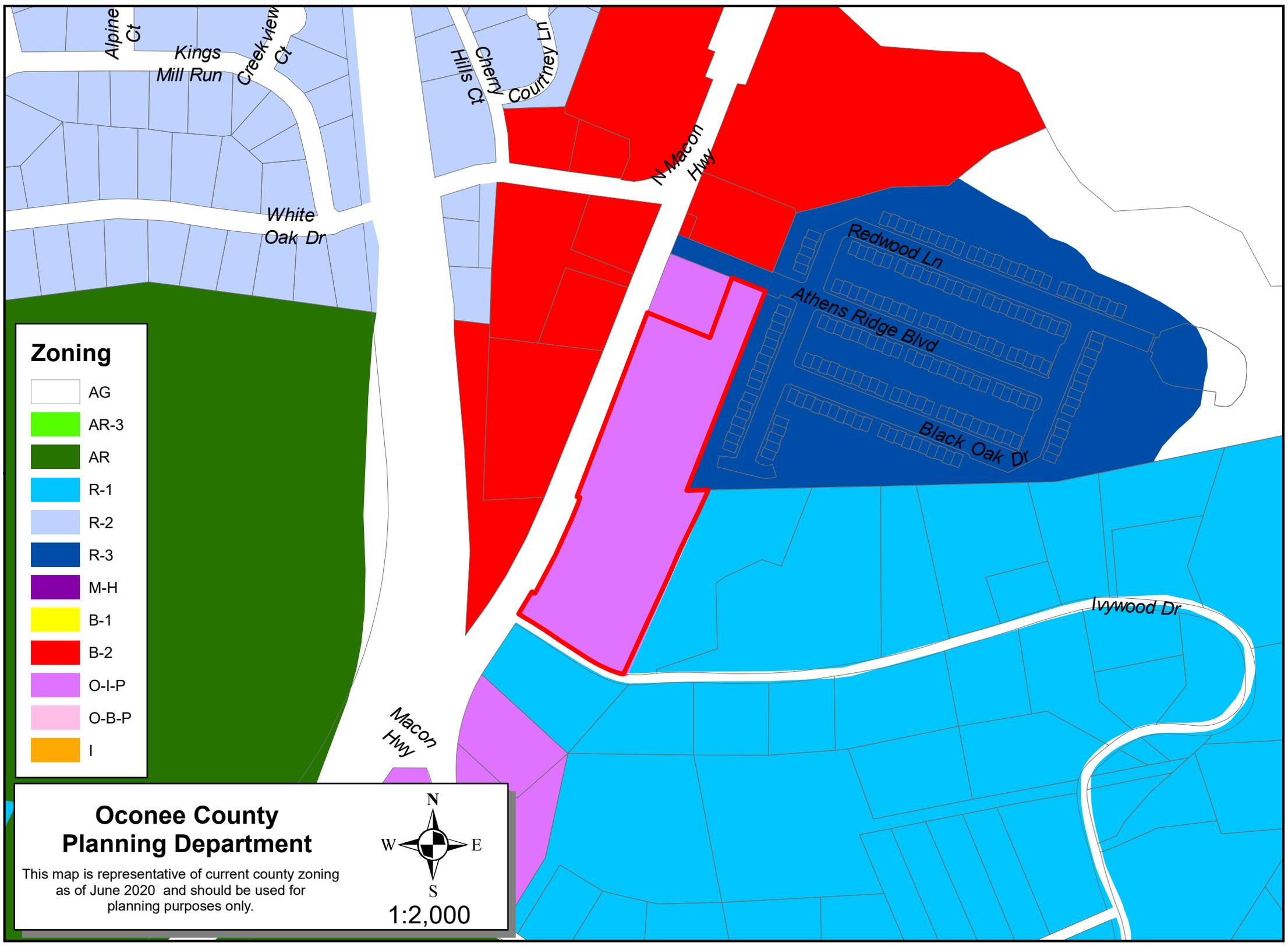
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

1:2,500



Feet





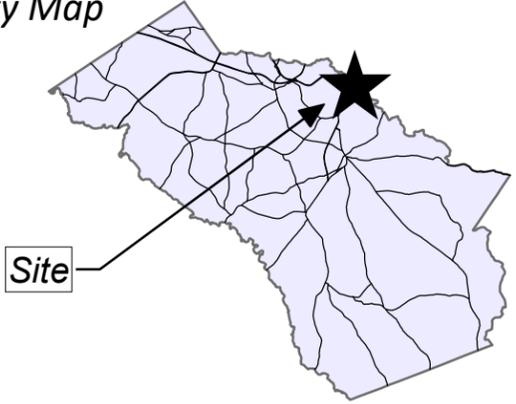
Zoning	
	AG
	AR-3
	AR
	R-1
	R-2
	R-3
	M-H
	B-1
	B-2
	O-I-P
	O-B-P
	I

**Oconee County
Planning Department**

This map is representative of current county zoning as of June 2020 and should be used for planning purposes only.

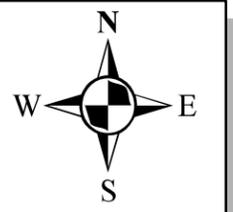

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Vicinity Map



Site

Oconee County Planning Department

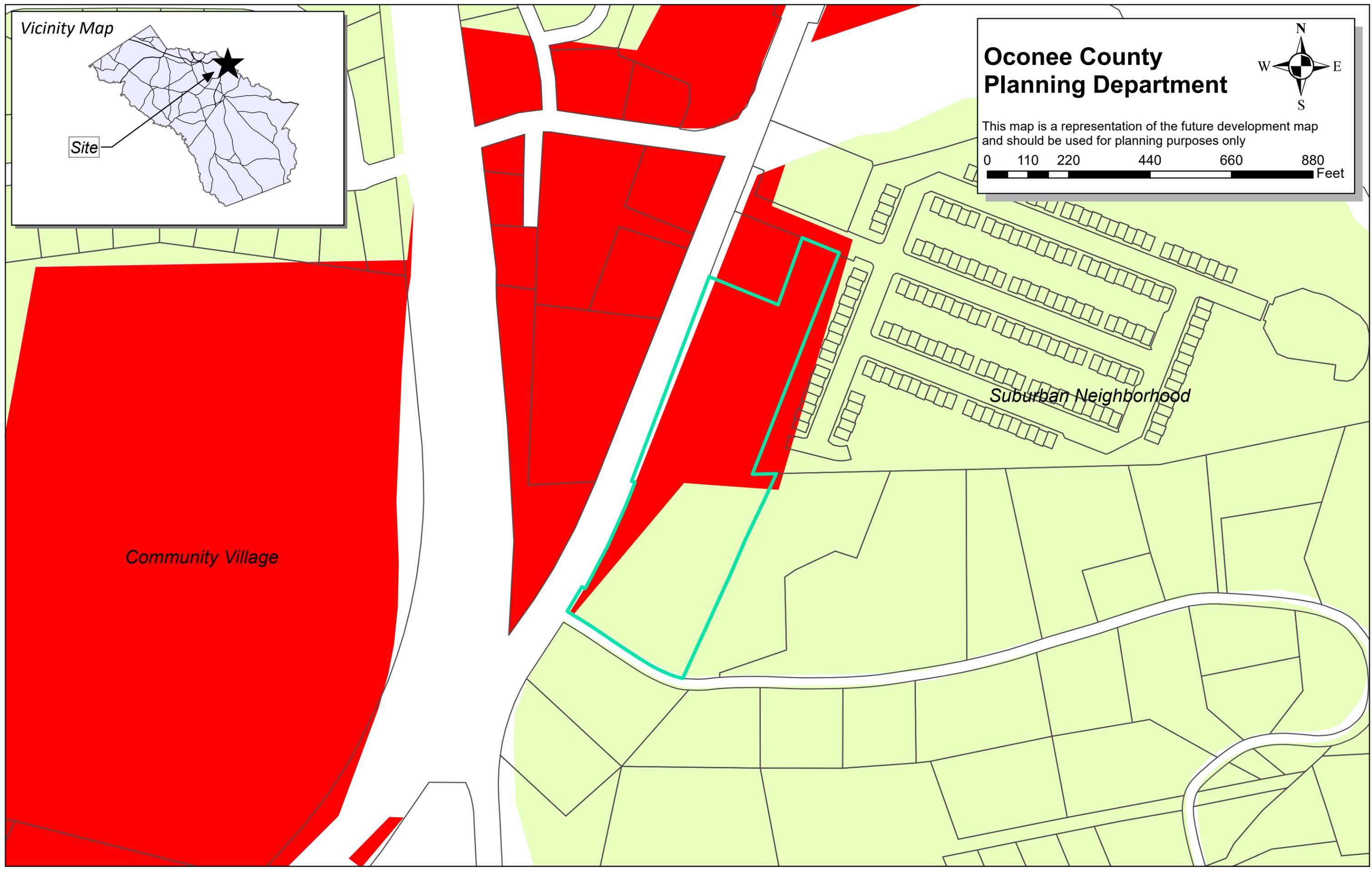


This map is a representation of the future development map and should be used for planning purposes only



Community Village

Suburban Neighborhood



2003-293

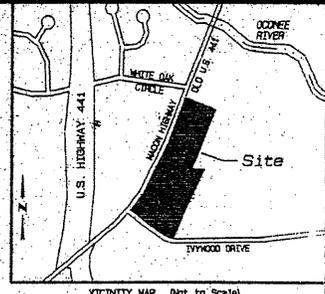
OWNER'S CERTIFICATION

The owner of the land shown on this Plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state and county taxes or other assessments now due on this land have been paid.

Agent: [Signature]
Date: 8/20/07

PROPERTY OWNERS:
CHURCH OF THE NATIONS
8780 MACON HIGHWAY
ATHENS, GA 30606
(706)-353-1199 Mark Preston

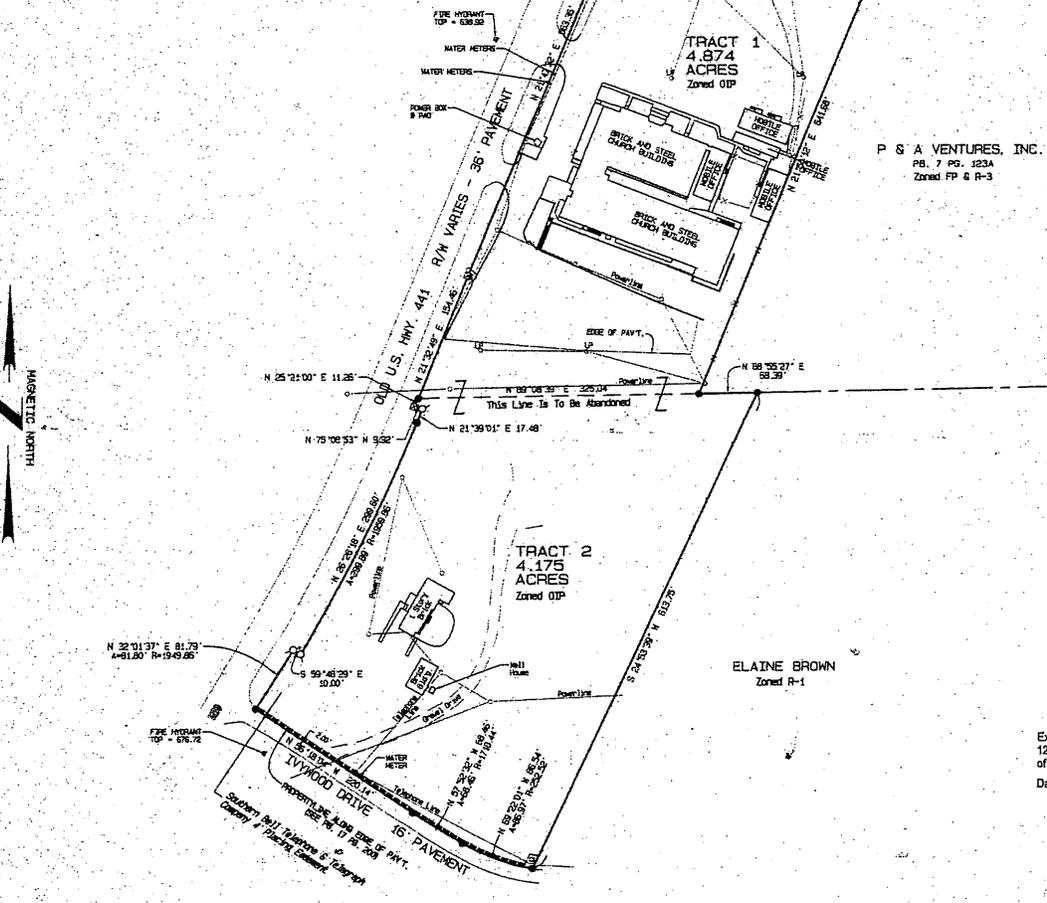
P & A VENTURES, INC.
PB. 7 PG. 1224
Zoned FP & R-3



VICINITY MAP (Not to Scale)

07 AUG 20 AM 9:17
37
8/20/07
P & A VENTURES, INC.

P & A VENTURES, INC.
PB. 7 PG. 1224
Zoned FP & R-3



ELAINE BROWN
Zoned R-1

Exempt under the provisions of section 1215.b of the Unified Development Code of Oconee County, Georgia.
Date: AUG 20 2007

THIS PLAT SERVES TO RECOMBINE PORTIONS OF EXISTING TAX PARCELS AND DOES NOT CREATE A NEW LOT OR TAX PARCEL.

NO SOIL SCIENTIST REPORT, PEAK TEST OR OTHER INVESTIGATIONS HAVE BEEN CONDUCTED TO DETERMINE SUITABILITY OF THE LOT. TRACTS ON PARCELS CREATED BY RECORDING OF THIS PLAT FOR EITHER ON-SITE WATER SUPPLY (WELL) OR FOR ON-SITE SEWAGE MANAGEMENT SYSTEM (SEPTIC), THE OWNER, PURCHASER, LENDER, HEIRS, ASSIGNEE OR OTHER PARTIES TAKING TITLE TO OR OTHERWISE PURCHASING AN INTEREST IN SAID PROPERTY ARE RESPONSIBLE FOR OBTAINING SUCH INFORMATION AT THEIR EXPENSE PRIOR TO ENTERING INTO ANY CONTRACTS OR OTHERWISE OBTAINING ANY VESTED INTEREST IN THE SUBJECT PROPERTY.

This property does not lie within a 100 Year Flood Plain according to Flood Insurance Rate Map Number 130433 0030 C Dated April 17, 1995.
[Signature]
Georgia Registered Land Surveyor Number

NOTE:

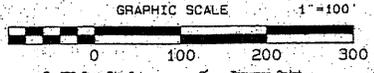
TRACT 1 REPRESENTS TAX MAP C3, PARCEL 14A.
TRACT 2 REPRESENTS TAX MAP C3A, PARCEL 1.
TRACTS 1 & 2 ARE TO BE COMBINED TO FORM ONE LOT.
THIS PLAT DOES NOT REPRESENT A FIELD RUN SURVEY DONE ON THIS DATE.
THIS PLAT WAS DRAWN FROM OUR PREVIOUS SURVEYS DATED FEB. 24, 2003 AND JAN. 14, 2005.
NO NEW CONSTRUCTION LOCATED ON THIS DATE.

REFERENCES:

- 1) OUR SURVEY FOR CHURCH OF THE NATIONS DATED JAN. 14, 2005.
- 2) OUR SURVEY FOR CHURCH OF THE NATIONS DATED FEB. 24, 2003.
- 3) PLAT BOOK 13 PAGE 291
- 4) DEED BOOK 417 PAGES 86-89
- 5) PLAT BOOK 17 PAGE 200
- 6) PLAT BOOK 10 PAGE 221

OCONEE COUNTY
Planning Department

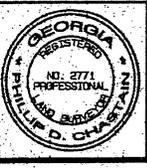
"AUTHORIZED FOR RECORDING"
[Signature]
Billy R. White, Jr.
Planning Director



● IFF-Iron Pin Found ○ IFS-Iron Pin Set ⊗ - Traverse Point ⊠ Concrete Monument



ADMINISTRATIVE RECOMBINATION PLAT FOR					
CHURCH OF THE NATIONS					
PG#	221	COUNTY	OCONEE	STATE	GEORGIA
DATE	08-03-2007		INSTRUMENT	LEICIA	
FROM BY:	Mika H. WOODS & CHASTAIN SURVEYORS, INC. PROFESSIONAL LAND SURVEYORS.				
DIG NAME:	Church of the Nations				
FIELD BOOK:	B-141				
PLAT CLOSEURE	1/428,688				
FIELD CLOSEURE	1/422,194				
ANGLE CLOSEURE	2" 00" Angle				



SURVEYOR'S CERTIFICATION

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision and that all monuments shown herein actually exist or are marked as 'future' and their location, size, type, and materials are correctly shown and that all requirements of the Unified Development Code of Oconee Co., Georgia have been fully complied with.

[Signature] 2049
Georgia Registered Land Surveyor Number

Narrative Statement

Renovations & Expansion for
Church of the Nations Assembly of God
8780 North Macon Highway
Athens, Georgia 30606
May 19, 2005

Project Description

The Site:

The rezone with conditional use permit is being requested on two tracts. The tracts have a total area of 9.05 acres and are represented on a plat for Church of the Nations by Woods & Chastain Surveyors, Inc., and are located on the eastern side of Old U.S. Highway 441 approximately 0.25 miles south of the boundary between Oconee and Clarke County.

The slope of the property varies from five to ten percent, having elevations ranging from ± 598 to ± 674 . The majority of the site drains to the right-of-way of Old U.S. Highway 441 and follows an existing ditch to McNutt Creek.

The project site will be accessed via a paved two-way driveway located on Old U.S. Highway 441. A deceleration lane and acceleration taper will be included on the drive.

Zoning Request Justification:

The two tracts involved in this proposal are currently zoned B-2 and R-1. We request that the zoning of these properties be changed to OIP with conditional use. Due to the low impact of the church on the neighboring properties it is reasonable to expect that this type of development is suitable and appropriate for this site.

Adjacent Land Uses & Zoning:

North: Old Macon Highway right-of-way and properties zoned B-2.

South: Ivywood Drive right-of-way and properties zoned R-1.

East: Arbor Glen Mobile Home Park, an area zoned M-H.

West: Old Macon Highway right-of-way and properties zoned B-2 and AR-1.

Development Intent:

It is the intent of the owner to proceed with a building addition and renovation of the existing church facility in a three-phase project. The existing church buildings are comprised of 34,369 square feet of space that currently house the sanctuary, classrooms, and gymnasium. The first phase of the project will consist of the construction of a new 26,408 square foot building addition which includes a new sanctuary space, additional classrooms, grading, paving, and utilities as shown on the site plans. Phase two will transform the existing gymnasium into additional classrooms and a children's church space. The third and final phase will complete the master plan by converting the existing sanctuary into a new gymnasium and fellowship hall.

RECEIVED

MAY 23 2005

Building:

The proposed buildings will be built in accordance with the attached architectural plans. The building face will be enhanced with brick, glass, and other similar materials. An elevation and architectural rendering have been provided to illustrate the expected finished building.

Water Supply:

The water distribution extension will consist off removing the existing separate meters and installing one master meter for the property. The service will consist of a new connection to the existing water main on Old U.S. Highway 441. Fire service will also be extended to the property with the addition of two fire hydrants.

Sewage Disposal:

Currently, sanitary sewage from the existing buildings is collected and drains to an existing oxidation pond located in the adjacent mobile home park. The project will include the design of a septic system that will accommodate the sewage generated by the existing buildings, as well as from the proposed expansion. The average daily sewage flow is 1,330 gallons per day for a maximum week.

Surface Water Drainage:

Currently storm drainage flows through an existing swale to the right-of-way of Old U.S. Highway 441. The proposed project will include the construction of an underground detention basin sized to serve the area disturbed by the proposed building expansion.

Buffer and Required Plantings:

It is the intent of the church to comply with the requirements of the Oconee County Zoning Regulations on the areas of the site where possible. We would like to request that the buffer requirements in the areas of the site between the existing church building and the adjacent mobile home park be waived in accordance with Section 606.4 of the Zoning Regulations.

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Parking facilities, sidewalks, and other facilities will be properly illuminated for the safety of pedestrians, vehicles, and nighttime activities. A lighting plan and details will be submitted to the Planning Department illustrating lighting templates for any proposed fixtures for review and verification of compliance with this provision prior to construction. There will be no additional lighting for recreational purposes on this site.

Garbage Pickup:

Garbage pickup will be provided on an individual basis by private contract services. Individual cans will be used and stored out of view from the public right-of-way.

Signs:

An existing sign is currently located on the site and no signs are currently proposed. Should the owner request a new sign we will take steps to obtain the necessary permits through the Oconee County Planning Department.

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Parking and Traffic Impact:

Parking will be constructed prior to or in conjunction with the first phase of the proposed development. Square footages and parking ratios will comply with the Oconee County Zoning Regulations.

The traffic impact of the proposed church expansion will occur during non-peak hours on Wednesday nights and on Sundays. The estimated number of trips for an average Sunday will be 1,075 vehicle trips. A deceleration lane will be included to reduce the traffic impact of the new entrance.

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MAY 23 2005



Oconee County, Georgia
Department of Planning and Economic Development

STAFF REPORT – CONDITIONAL USE PERMIT
CASE #: 4524

DATE: June 10, 2005

STAFF REPORT BY: Sandy Thursby, Planner

APPLICANT NAME: R. W. Allen & Assoc., Inc.

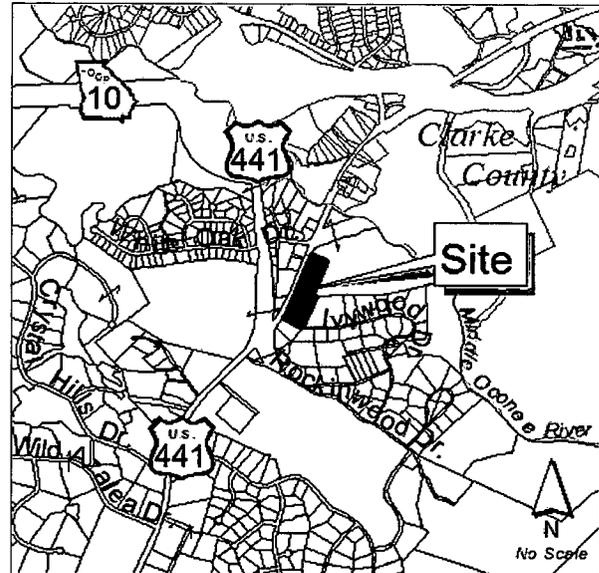
PROPERTY OWNER: Church Of The Nations

LOCATION: 8780 Macon Hwy

PARCEL SIZE: ±9.05 Acres

EXISTING ZONING: B-2 (Highway Business) & R-1 (Single-Family Residential)

EXISTING LAND USE: Community scale church facility, gymnasium and associated parking areas, and a single family residence



CONDITIONAL USE REQUESTED: Section 1215 – Conditional Use #1 - expansion of a community-scale or neighborhood church.

REQUEST SUMMARY: The owners are petitioning for a Conditional Use Permit (CUP) in order to expand existing church facilities on a tract of ±9.05 acres on the northeastern corner of Old Macon Hwy and Ivywood Drive. This request is accompanied by Rezone #4523.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: June 20, 2005

BOARD OF COMMISSIONERS: July 5, 2005

STAFF SUMMARY:

- Refer to background summary and other departmental requirements outlined in the Staff Report prepared for Rezone #4523

ATTACHMENTS:

Application
 Narrative
 Architectural Sketches
 Site Review
 Tax Map
 Plat
 Concept Plan

STAFF RECOMMENDATION: Staff recommends approval subject to conditions.

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR CONDITIONAL USE CONSIDERATION" AS SET FORTH IN SECTION 1707.5 OF THE OCONEE COUNTY ZONING ORDINANCE.

1. **Will the proposed Conditional Use be consistent with the stated purpose of the zoning district in which it will be located?** The current B-2 zoning on a portion of the site does not allow churches as permissible or conditional uses. An expansion to the existing facilities would not be allowed under the current zoning, which is the basis for this CUP request.
2. **Is the proposed Conditional use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?** Yes. This request is compatible with the goals, objectives, purpose and intent of the Comprehensive Plan. The 2022 Future Land Use Map designates this property as "Public/Institutional", which recommends uses such as churches and private schools. The church has been at been located on the subject property for a number of years which likely influenced the designation of "Public/Institutional" for this site.
3. **Will the establishment of the Conditional Use impede the normal and orderly development of surrounding property for uses predominate in the area?** No. This request will not impede development in this vicinity of the county.
4. **Is the location and character of the proposed Conditional use consistent with a desirable pattern of development for the locality in general?** Yes. The church has been located on the site for some time and does not negatively affect recent development trends.
5. **Is or will the type of street providing access to the use be adequate to serve the proposed Conditional use?** Yes. Old Macon Hwy will continue to adequately provide access for the church facility and proposed expansion.
6. **Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?** Yes. Access should be adequate considering the site has one existing access from Old Macon Hwy with one additional access point proposed from Old Macon Hwy to accommodate the church expansion.
7. **Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the Conditional use?** Yes, existing public facilities should continue to provide adequate service to the site.
8. **Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects on other properties in the area?** Yes. No adverse effects to other properties in the area can be identified with the expansion of the church facility on this site.
9. **Will hours and manner of operation of the Conditional use have no adverse effects on other properties in the area?** Yes. No adverse effects to other properties in the area can be identified with this CUP request.
10. **Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?** Yes. The church has existed and operated for a number of years. The church and adjoining residential neighborhoods have co-existed without negative impacts, as typically seen throughout Oconee County with residential neighborhoods and churches located adjacent to each other. Staff cannot identify any negative impacts to neighboring properties from an expansion of the existing church facilities.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision making criteria and standards outlined in the development codes of Oconee County, staff recommends **approval subject to the following conditions to be fulfilled by the developer at his/her expense:**

1. The development must be connected to the Oconee County water system at the developer's expense in a manner approved by Oconee County Public Works and Utility Departments.
2. All driveways and parking lots shall be lighted, landscaped, and screened from public view in accordance with Article X of the Oconee County Zoning Regulations.
3. No weekday daycare or school use is to be allowed on the subject property.
4. At a minimum, the developer shall comply with storm water management regulations in effect at the time of construction plan approval.
5. Development shall meet or exceed the architectural standards and amenities as indicated on the concept plan, representative architectural sketches and other documents submitted with the zoning application and attached hereto.
6. Regardless of any indications to the contrary which may be perceived from the concept plan, narrative or other documents, all required landscaping, planted buffers and storm water detention facilities shall comply with all provisions of the Oconee County Zoning Ordinance and Land Subdivision Regulations.

**CONDITIONAL USE PERMIT
OCONEE COUNTY, GEORGIA
TITLE**

A resolution granting a conditional use permit, as provided by the Zoning Regulations of Oconee County, Georgia, pursuant to Article XVII.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for a Conditional Use Permit submitted by R.W. Allen and Associates, Inc. on May 18, 2005, requesting a Conditional Use Permit on a +/- 9.05 acre tract of land located at 8780 Macon Highway in the 221st District, G.M., Oconee County, Georgia, (tax parcel # C-03-014A & C-03A-001), on property owned by Church of the Nations, the Board of Commissioners of Oconee County does hereby enact the following:

SECTION 1. A Resolution granting a Conditional Use Permit for the property described on the attached Exhibit A is hereby granted for the purpose of dividing property into three tracts on an unpaved county road.

Said Conditional Use Permit 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 Resolution be severable and should any portion be held invalid, such invalidity shall not affect any other portion of this Resolution.

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

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

Said Conditional Use Permit Application was submitted to the Oconee County Planning Commission and a Public Hearing was duly held on same on June 20, 2005, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on July 5, 2005.

ADOPTED AND APPROVED, this 5th day of July, 2005.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: Melvin Shaw
Chairman

Jim Luke
Member

Kenneth A. Kow
Member

Margaret Hill
Member

[Signature]
Member

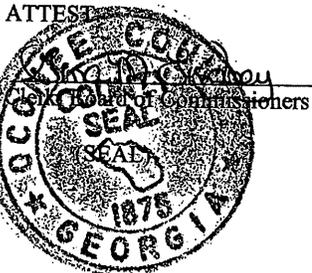


EXHIBIT "A" TO CONDITIONAL USE PERMIT # 4524

Page 1 of 4

CONDITIONS

This Conditional Use Permit Amendment shall be subject to the following conditions which shall be fulfilled by the Developer at its expense:

1. The development must be connected to the Oconee County water system at the developer's expense in a manner approved by Oconee County Public Works and Utility Departments.
2. All driveways and parking lots shall be lighted, landscaped, and screened from public view in accordance with Article X of the Oconee County Zoning Regulations.
3. No weekday daycare or school use is to be allowed on the subject property.
4. At a minimum, the developer shall comply with storm water management regulations in effect at the time of construction plan approval.
5. Development shall meet or exceed the architectural standards and amenities as indicated on the concept plan, representative architectural sketches and other documents submitted with the zoning application and attached hereto.
6. Regardless of any indications to the contrary which may be perceived from the concept plan, narrative or other documents, all required landscaping, planted buffers and storm water detention facilities shall comply with all provisions of the Oconee County Zoning Ordinance and Land Subdivision Regulations.
7. The existing driveway from Ivywood Drive shall serve the existing residential use only. No interconnection shall be allowed with the church lot.

LEGAL DESCRIPTION

WOODS AND CHASTAIN SURVEYORS, INC.

125 Smithonta Road
Winterville, Ga. 30683
706-742-8396
706-742-5373
woods@chastain.com

LEGAL DESCRIPTION FOR PROPERTY OF CHURCH OF THE NATIONS,
8780 Macon Highway, Athens Ga. 30606

Commencing at the Point of Beginning; thence North 21 degrees 32'49" East, a distance of 154.46 feet; thence North 21 degrees 47'32" East, a distance of 583.35 feet; thence North 22 degrees 08'19" East, a distance of 19.89 feet; thence North 23 degrees 38'50" East, a distance of 32.15 feet; thence South 87 degrees 37'28" East, a distance of 17.87 feet; thence South 87 degrees 37'28" East, a distance of 10.00 feet; thence South 87 degrees 37'28" East, a distance of 272.35 feet; thence South 21 degrees 50'12" West, a distance of 841.88 feet; thence North 88 degrees 55'27" East a distance of 68.39 feet; thence South 24 degrees 53'39" West a distance of 813.75 feet to the beginning of a curve convex to the North having a radius of 252.52 feet and a central angle of 19 degrees 44'00" and being subtended by a chord which bears North 89 degrees 22'01" West 88.54 feet; thence westerly and northwesterly along said curve, a distance of 88.87 feet to a point of cusp on a curve, from which the radius point bears North 57 degrees 52'32" East; thence northwesterly a distance of 68.46 feet along the arc of said curve convex to the northeast having a radius of 1,718.44 feet and a central angle of 2 degrees 16'17"; thence North 56 degrees 18'04" West, a distance of 220.14 feet; thence North 32 degrees 01'37" East, along the curve concave a distance of 81.79 feet, having a radius of 1849.85 feet; thence South 59 degrees 48'29" East a distance of 10.00 feet; thence from the beginning of a chord which bears North 28 degrees 28'18" East having a distance of 289.80 feet, along the curve concave a distance of 289.89 feet, having a radius of 1,959.88 feet; thence North 21 degrees 39'01" East, a distance of 17.48 feet; thence North 75 degrees 08'53" West a distance of 0.82 feet; thence North 25 degrees 21'00" East, a distance of 11.28 feet to the point of the beginning. Containing 9.048 Acres more or less.

NARRATIVE

Narrative Statement

Renovations & Expansion for
Church of the Nations Assembly of God
8780 North Macon Highway
Athens, Georgia 30606
May 19, 2005

Project Description

The Site:
The rezoned with conditional use permit is being requested on two tracts. The tracts have a total area of 5.05 acres and are represented on a plat for Church of the Nations by Woods & Chastain Surveyors, Inc. and are located on the eastern side of Old U.S. Highway 441 approximately 0.25 miles south of the boundary between Oconee and Clarke County.

The slope of the property varies from five to ten percent, having elevations ranging from ±598 to ±674. The majority of the site drains to the right-of-way of Old U.S. Highway 441 and follows an existing ditch to McNutt Creek.

The project site will be accessed via a paved two-way driveway located on Old U.S. Highway 441. A deceleration lane and acceleration taper will be included on the drive.

Zoning Request Justification:
The two tracts involved in this proposal are currently zoned B-2 and R-1. We request that the zoning of these properties be changed to OIP with conditional use. Due to the low impact of the church on the neighboring properties it is reasonable to expect that this type of development is suitable and appropriate for this site.

Adjacent Land Uses & Zoning:
North: Old Macon Highway right-of-way and properties zoned B-2.
South: Ivywood Drive right-of-way and properties zoned R-1.
East: Arbor Glen Mobile Home Park, an area zoned M-H.
West: Old Macon Highway right-of-way and properties zoned B-2 and AR-1.

Development Intent:
It is the intent of the owner to proceed with a building addition and renovation of the existing church facility in a three-phase project. The existing church buildings are comprised of 34,369 square feet of space that currently house the sanctuary, classrooms, and gymnasium. The first phase of the project will consist of the construction of a new 26,408 square foot building addition which includes a new sanctuary space, additional classrooms, grading, paving, and utilities as shown on the site plans. Phase two will transform the existing gymnasium into additional classrooms and a children's church space. The third and final phase will complete the master plan by converting the existing sanctuary into a new gymnasium and fellowship hall.

Building:
The proposed buildings will be built in accordance with the attached architectural plans. The building face will be enhanced with brick, glass, and other similar materials. An elevation and architectural rendering have been provided to illustrate the expected finished building.

Water Supply:
The water distribution extension will consist of removing the existing separate meters and installing one master meter for the property. The service will consist of a new connection to the existing water main on Old U.S. Highway 441. Fire service will also be extended to the property with the addition of two fire hydrants.

Sewage Disposal:
Currently, sanitary sewage from the existing buildings is collected and drains to an existing oxidation pond located in the adjacent mobile home park. The project will include the design of a septic system that will accommodate the sewage generated by the existing buildings, as well as from the proposed expansion. The average daily sewage flow is 1,330 gallons per day for a maximum week.

Surface Water Drainage:
Currently storm drainage flows through an existing swale to the right-of-way of Old U.S. Highway 441. The proposed project will include the construction of an underground detention basin sized to serve the area disturbed by the proposed building expansion.

Buffer and Required Plantings:
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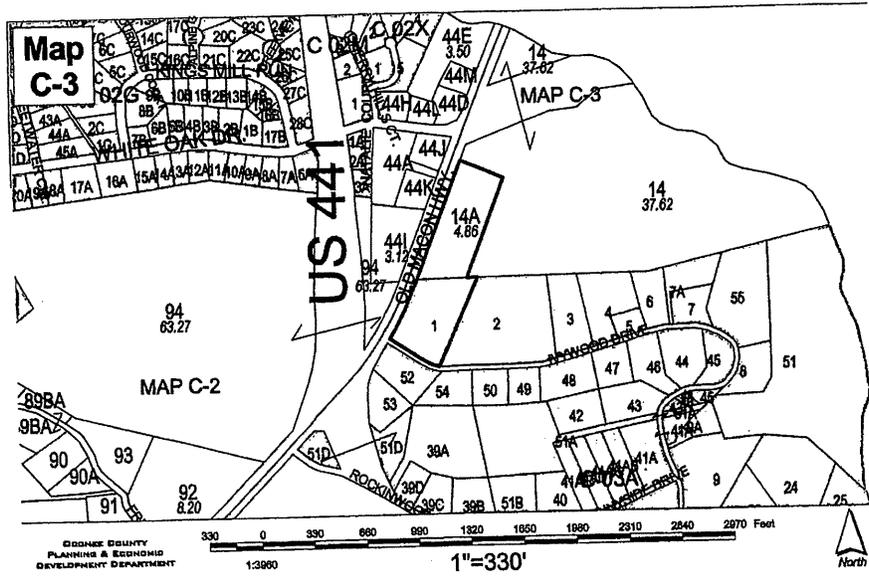
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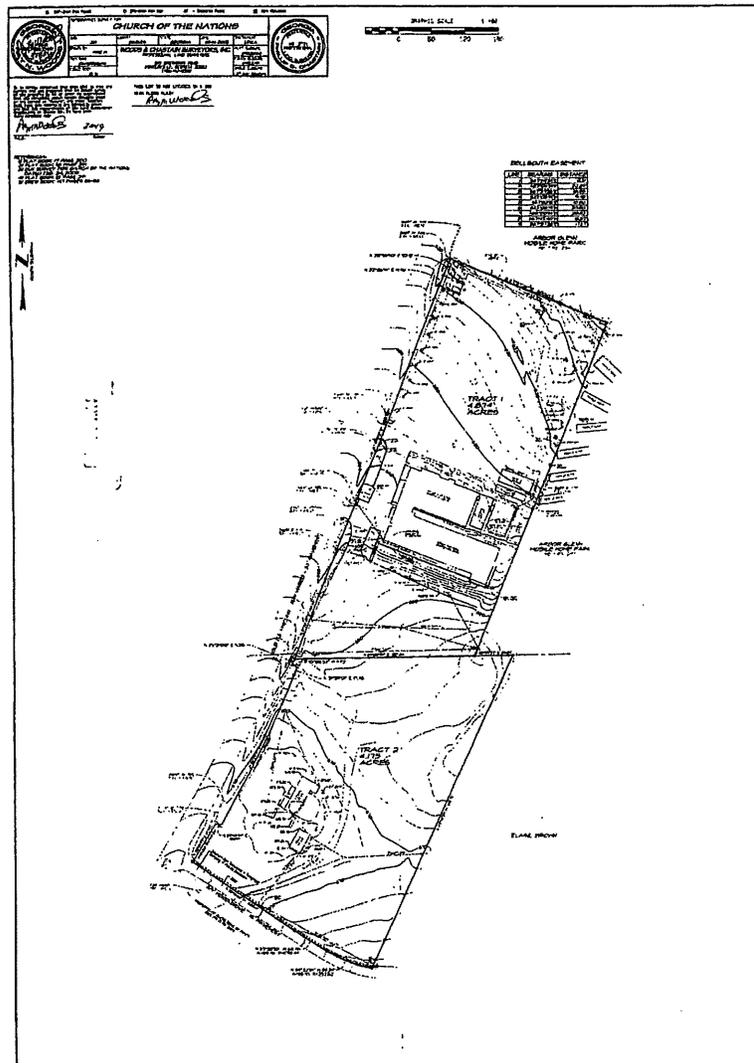
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LOCATION MAP

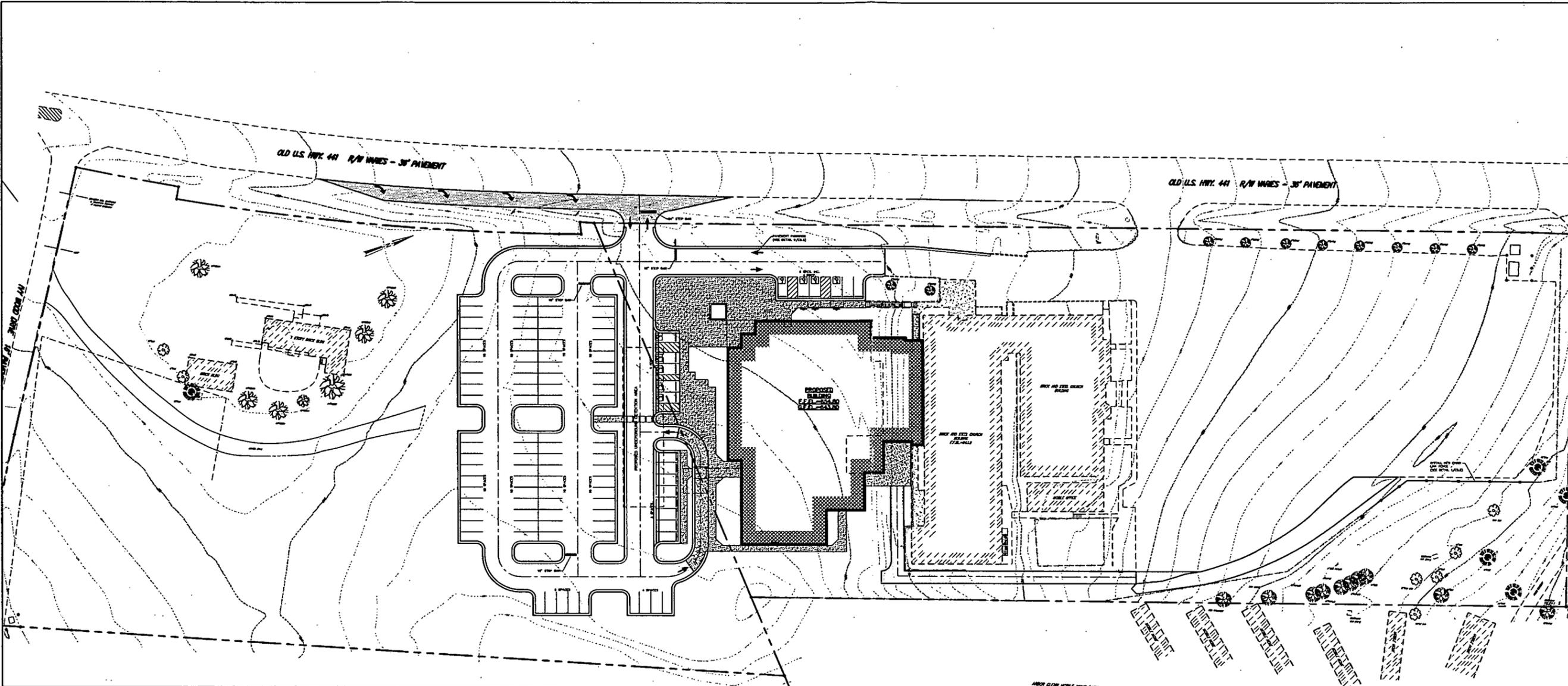


PLAT



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LEGEND:

	EXISTING	PROPOSED
SPOT ELEVATION	x 100.0	+ 100.00
100 YR. FLOOD PLAIN ELEVATION	- - - - -	196±
WETLANDS BOUNDARY	- - - - -	- - - - -
CONTOUR	- - - - -	- - - - -
SANITARY SEWER	SS	SS
STORM DRAIN	SD	SD
FRENCH DRAIN	FD	FD
CLEAN-OUT	C.O.	C.O.
WATER	W	W
GAS	G	G
POWER	P	P
TELEPHONE	T	T
DITCH/SWALE	(type)	(type)
FENCE	X	X
DIRECTION OF SURFACE DRAINAGE	- - - - -	- - - - -
RIPRAP FILTER BERM	- - - - -	- - - - -

PROJECT DATA:

OWNER/DEVELOPER: CHURCH OF THE NATIONS ASSEMBLY OF GOD
 8780 NORTH MACON HIGHWAY
 ATHENS, GEORGIA 30606
 (706) 353-1189

24HR CONTACT PERSON: MARK PRESTON
 (706) 353-1189

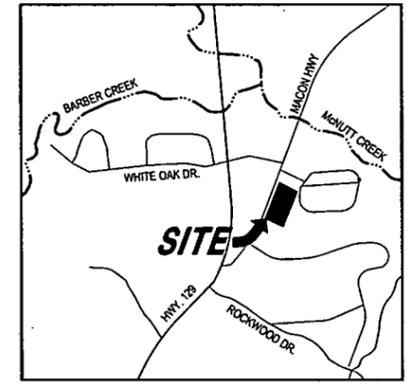
AREA OF PROPERTY: 9.05 ACRES
 ZONING: B-2; R-1
 DISTURBED AREA: 3.4 ACRES
 (AREA OF CONSTRUCTION)

TOTAL BUILDING AREA: APPROX. 22,155 S.F.

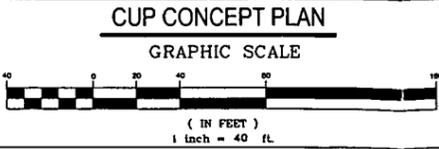
PARKING SPACES:
 REQUIRED: 175
 EXISTING: 259 SPACES (INCL 8 HDOP.)
 62 SPACES TO BE DEMOLISHED
 PROPOSED: 113 (INCL 9 HDOP SPACES)
 TOTAL: 310 SPACES (INCL 17 HDOP.)

TAX MAP NO. C003A-001 & C003-014A

TOPOGRAPHIC INFORMATION PROVIDED BY
 WOODS & CHASTAIN SURVEYORS, INC.



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 MAY 23 2005



JOHNSON LASCHNER & ASSOCIATES, P.C.
 ENGINEERS • DESIGNERS • CONSULTANTS
 LANDSCAPE ARCHITECTS
 1296 BROAD ST., AUGUSTA, GEORGIA 30901
 PHONE: (706) 724-5706
 FAX: (706) 724-3925

REV. 10/26/04
 CAD FILENAME: STUDIO_3-24x38



PROJECT NUMBER 2101

ADDITION & RENOVATION
CHURCH OF THE NATIONS
 Assembly of God
 ATHENS, GA

REVISIONS

DRAWN BY: WFL
 CHECKED BY: GSB
 ISSUE DATE: 05/05/05
 PLOT DATE:

CP.1

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