

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

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification AR (Agricultural Residential District) to B-2 (Highway Business District) pursuant to an application for rezoning of property owned by DT Sanders submitted on May 20, 2019.

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 Darrell Baker on May 20, 2019, requesting rezoning of a ±2.741 acre tract of land located at the intersection of Mars Hill Road and Barber Creek Drive in the 221st G.M.D., Oconee County, Georgia, (tax parcel no. B-04A-001), 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 classification AR (Agricultural Residential District) to B-2 (Highway Business District) for the purpose as set forth in “Exhibit A” attached hereto.

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

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

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

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

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on July 15, 2019, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 6, 2019.

ADOPTED AND APPROVED, this 6th day of August, 2019.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell, Chairman

Mark Thomas, Member

Chuck Horton, Member

William E. Wilkes, Member

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.
2. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County's review of Owner's development plans pursuant to the County's ordinances and regulations. No development permit shall be issued until Owner has agreed to such improvements and dedication.
3. All site lighting shall consist solely of full cutoff luminaires as defined in the Unified Development Code.
4. The total building square footage of the project shall not exceed 20,000 square feet.
5. The following uses, allowed by right in the B-1 zoning district, shall not be allowed on the subject property:

TABLE OF DISALLOWED USES	
Group Day Care Home	Bed-and-Breakfast Inns
Day Care Center	General Automotive Repair
Automotive Oil Change and Lubrication Shops	Car Washes
Electronic and Precision Equipment Repair and Maintenance	Funeral Homes and Funeral Services
Automobile Commercial Parking Lots and Garages	Automotive Parts, Accessories, and Tire Stores
Taxidermists	Archery or Shooting Ranges
Amusement and Theme Parks, Fairgrounds	Outdoor Power Equipment Store
Batting Cages	Beer and Wine Stores
Convenience Food Stores with Fuel Pumps	Gasoline Stations with Convenience Stores, no repairs
Gasoline Stations, Full Service	Restaurants, Limited-Service, including Fast Food and Take Out, with drive-through windows
Cigar and Tobacco Stores, including "Vape and Electronic Cigarette Stores	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Interurban Bus Transportation and Bus Stations	Assisted Living Facility
Personal Care Homes, Group	Personal Care Home, Congregate
Show Arenas for Horses	Event Venues
Private Schools: Kindergarten, Elementary and Secondary	Private Schools: Junior Colleges
Private Schools: Colleges and Universities	Private Schools: Religious Exempt Nonpublic Post-Secondary Institutions

TAX MAP



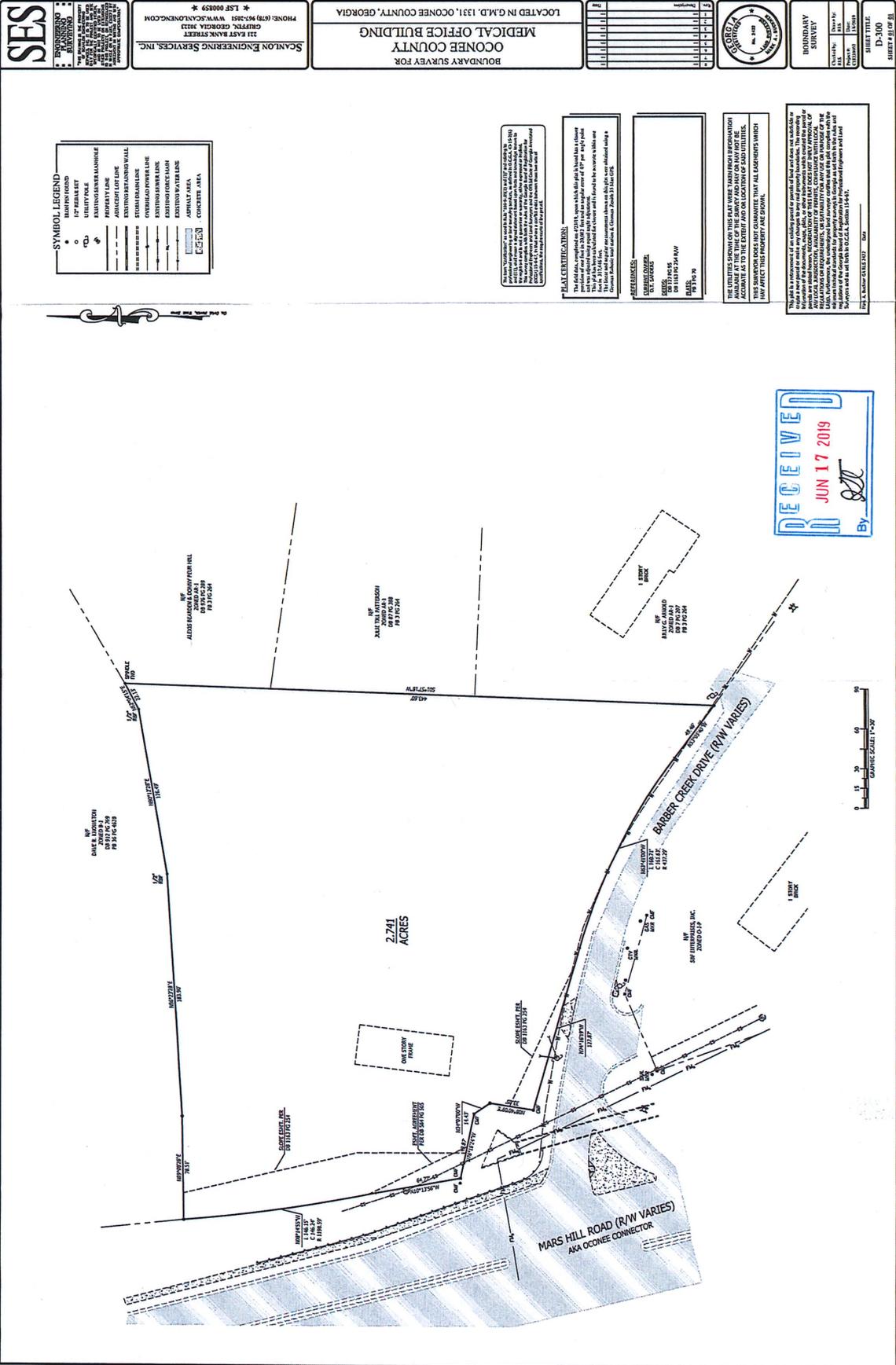
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in GMD 1331, Oconee County, Georgia, and being more particularly described as follows:

BEGINNING at a concrete monument found at the intersection of the easterly right-of-way of Mars Hill Road (aka Oconee Connector - R/W Varies) and the northerly right-of-way of Barber Creek Road (R/W Varies); thence along the easterly right-of-way of Mars Hill Road North $10^{\circ}13'56''$ West, a distance of 64.77 feet to a point; thence continuing along said right-of-way 146.24 feet along a curve to the right, said curve having a chord of North $08^{\circ}14'55''$ West 146.15 feet and a radius of 1198.59 feet to a point; thence leaving said right-of-way North $89^{\circ}08'28''$ East, a distance of 78.51 feet to a point; thence North $86^{\circ}23'28''$ East, a distance of 183.90 feet to a 1/2 inch rebar found; thence North $80^{\circ}12'28''$ East, a distance of 126.49 feet to a 1/2 inch rebar found; thence North $62^{\circ}04'15''$ East, a distance of 22.13 feet to a spindle found; thence South $01^{\circ}57'18''$ West, a distance of 443.60 feet to a point on the northerly right-of-way of Barber Creek Drive (R/W Varies); thence along said right-of-way the following calls: North $53^{\circ}05'40''$ West, a distance of 49.46 feet to a point; thence 161.63 feet along a curve to the left, said curve having a chord of North $63^{\circ}41'00''$ West 160.71 feet and a radius of 437.29 feet to a point; thence North $74^{\circ}16'19''$ West, a distance of 127.87 feet to a concrete monument found; thence North $08^{\circ}40'09''$ East, a distance of 33.05 feet to a point; thence North $34^{\circ}07'00''$ West, a distance of 14.43 feet to a concrete monument found; thence North $78^{\circ}18'24''$ West, a distance of 49.87 feet to a concrete monument found, being the POINT OF BEGINNING.

Said tract contains 2.741 acres of land.

PLAT



NARRATIVE

TLC Plaza, LLC is a proposed commercial development located on 2.741 acres at the intersection of Mars Hill Road and Barber Creek Drive. The project fronts on Mars Hill Road for approximately 243.5 lf on Barber Creek Drive for approximately 338.04 lf on the property currently exists one residential lot with a decaying house that hasn't been occupied in over 20 years. The topography drops rapidly from back to front towards Mars Hill Road. Across the entire frontage of the property a stream classified as a State Water exists with an undisturbed 25' buffer on each side of the stream as shown on the engineered concept plan. Existing zoning and land uses surrounding the parcel are as follows: to the North B-1; the B-1 parcel to the North is not developed and being marketed as commercial. The O-I-P to the South is a professional office park. The three lots to the east zoned AR are residential lots. The AR lot to the west is residential being marketed as potential commercial and the two B-2 are not developed and being marketed as commercial. To the east are 3 lots zoned AR (Concept Plan shows a 50' buffer as required by Code) and to the West, across Mars Hill are 3 tracts – one zoned AR and Mars Hill overlay and the other two zoned B-2. The lots to the North, South, and West are also in the Mars Hill overlay as well as subject property. The Future Development Map identifies the site primarily with a Future Character Area designation of Regional Center and Conservation corridor.

The Development:

The project is to be developed with professional / medical offices and general commercial uses. The first building to be built is a two story building with a 5,000 sf footprint with professional medical and dental offices on the second floor. TLC Dental, Currently located on Hawthorne in Athens will occupy 3500sf with an adjacent 1500 professional space to be leased. The Petitioners show a future building on the site to be constructed at a later date. Parking for both buildings will be built with the first phase. The development will be owned by TLC Plaza, LLC. The project will be constructed with curb and gutter parking and sidewalks. All utilities will be underground. Extensive landscaping including buffers and shade trees will be installed across the development. The storm water management facility improvements are currently delineated in the concept plan.

Buildings:

The Phase 1 project will consist of a single two-story building with a 5,000 sf footprint, having a total sf of 10,000 sf. The first floor will be used for storage and parking for the Petitioner and the second floor will contain a 3,500 sf dental office and a 1,500 sf professional/ medical office for Lease. The building will be constructed with concrete foundation, wood structure with steel structural supports, exterior facades and accents to be, but not limited to, cultured stone, cement fiber board and batten siding. The roof is anticipated to be a gabled structure clad with metal roofing. See attached representative architectural elevations. Phase II will be built at a future time and will be submitted for review at that time. The cost for phase I site work and buildings shell and interior construction is anticipated to cost \$1,362,000.

Water Supply:

Water supply will be provided by Oconee County Utility Department. An existing municipal 8 inch water main located on Barber Creek Drive will provide water service to the Site.

A single metered potable water service with BFP shall be provided for each building.

A single metered irrigation water service with BFP shall be provided for each building.

A fire main with DCCA BFP will be provided to serve the Site.

A water availability letter from Oconee County Utility Department is included with this rezoning request.

Potable Water Demand:

¹ 100 GDP/Chair + 20 GPD/Employee = 1,800 GPD/Bldg.

15 Chairs/Bldg.

15 Employees/Bldg.

Total Water Capacity Required = 1,800 GPD/Bldg. X 2 Bldg. = 3,600 GPD

¹ (Table JT-1-Manual For On-Site Sewage Management Systems)

Sewage Disposal:

Sewage Disposal will be provided by Oconee County Utility Department. An existing municipal 8 inch gravity sewer main located on the east side of Mars Hill Road will provide sanitary sewer service to the Site.

A gravity sewer service will be extended to this Site and will serve two buildings.

A sewer availability letter from Oconee County Utility Department is included with this rezoning request.

Sewer Demand:

¹ 100 GDP/Chair + 20 GPD/Employee = 1,800 GPD/Bldg.

15 Chairs/Bldg.

15 Employees/Bldg.

Total Sewer Capacity Required = 1,800 GPD/Bldg. X 2 Bldg. = 3,600 GPD

¹ (Table JT-1-Manual For On-Site Sewage Management Systems)

Surface Water Drainage:

Stormwater runoff from the Site shall be collected by storm structures and attenuated in an on-site Stormwater Management Facility. A Stormwater Impact Study will be completed for the Site that will include hydrology calculations, water quality calculations, stormwater basin maps, and BMP calculations. The Site and Stormwater Management Facility will be designed to comply with Oconee County's UDC.

Site Access:

The Site will be provided ingress/egress by a proposed asphalt paved drive-way from Barber Creek Drive.

Traffic:

Projected traffic is estimated based on Owner's historical patient data as shown on the spreadsheet below. The Total Trips to Site Per Day is estimated based on the number of dentist chairs, hygiene chairs, employees, and miscellaneous trips to the Site per day.

Trips/Day:

Total Trips/Day is 290/Bldg. X 2 Bldg. = 580 Trips/Day

Phase I
Oconee County 5,000 SF M08 -
Barber Creek Drive

Days of Operation	Hours in Operation	# Employees	Total Employee Trips/Day	#Dentist Chairs	#Dentist Chair Visits/Hr.	Total Dentist Chair Patients/Day	Total Dentist Chair Trips/Day	#Hygiene Chairs	#Hygiene Chair Visits/Hr.	Total Hygiene Chair Patients/Day	Total Hygiene Chair Trips/Day	Miscellaneous Trips/Hr.	Total Miscellaneous Trips/Day	Total Trips To Site Per Day
Monday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Tuesday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Wednesday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Thursday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Friday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290

Because the estimated Total Trips to Site Per Day is significantly less than 1,000 ADT, a detailed traffic study is not warranted.

Landscaping & Buffers:

Landscape strips, buffers, parking lot tree plantings, and street tree plantings will be installed in accordance with the Oconee County UDC. Details shall be provided during Site development plan approval. Maintenance of all landscapes areas will be performed by a professional landscape maintenance company.

Utilities:

No utility relocations are anticipated as a result of this project. All new utilities are proposed to be underground. Proposed utilities to serve the Site are municipal potable water & sanitary sewer, power, telephone, cable TV, and internet.

Sidewalks:

Concrete sidewalks will provide pedestrian access for the developed Site. Sidewalks will be installed after building construction, curb & gutter, and utilities are installed.

Public & Semi-Public Areas:

Not applicable for this Project

Outdoor Lighting:

Wall pack lighting will be installed on the building for safety and security. Safety and security lighting will be provided for parking areas. Box type fixtures on metal poles with lights aimed inward and downward toward the parking area will be installed for the parking areas.

Garbage Collection:

Garbage collection will be handled by a private contract service.

Schools:

Impact to schools will be positive by generating an increased positive net tax base without generating more students.

Schedule:

With this May 20, 2019 submittal, the Petitioners plan to complete the zoning process on the subject property in August of 2019. The preliminary site plan and Site Development Plans for the development will be submitted for approval by the end of August, 2019. Construction on the project infrastructure will commence immediately upon approval of these plans. Construction will require 6-7 months to complete, depending on weather. It is anticipated the total buildout of Phase I of the project should be completed by March-April of 2020.

Development Valuation:

Proposed estimated total value of Phase I of the project at Completion: \$2,400,000.

REPRESENTATIVE RENDERINGS





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

REZONE CASE #: 7827

DATE: July 2, 2019

STAFF REPORT BY: Grace B. Tuschak, Planner

APPLICANT NAME: Darrell Baker

PROPERTY OWNER: D.T. Sanders

LOCATION: 1021 Barber Creek Drive

PARCEL SIZE: ± 2.741 acres

EXISTING ZONING: AR (Agricultural Residential)

EXISTING LAND USE: Single Family Residential/Vacant



FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Regional Center and Conservation Corridor

ACTION REQUESTED: Rezone from AR (Agricultural Residential) to B-1 (General Business)

REQUEST SUMMARY: The property owner is petitioning for a zoning change from AR to B-1 in order to allow for construction of two medical/professional office buildings

STAFF RECOMMENDATION: Staff recommends conditional approval of the present request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: July 15, 2019

BOARD OF COMMISSIONERS: August 6, 2019

ATTACHMENTS:

- Application
- Narrative
- Zoning Impact Analysis
- Representative Photos
- Aerial Imagery
- Zoning Map
- Future Development Map
- Plat of Survey
- Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The subject parcel was rezoned on April 1, 1969, to AR-1 (Agricultural Residential One Acre)

SITE VISIT DESCRIPTION

- The site contains a vacant single family residence that is in disrepair and the remainder of the site is wooded

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Undeveloped/wooded	B-1 PUD (General Business/Planned Unit Development)
SOUTH	Office Park (Barber Creek Corporate Park)	OIP (Office Institutional Professional)
EAST	Single Family Residential	AR (Agricultural Residential)
WEST	Vacant Single Family Residential	B-1 (General Business) AR (Agricultural Residential)

PROPOSED PROJECT DESCRIPTION

The applicant proposes to develop the subject site with two medical/professional office buildings, as follows:

- Each building is proposed to house 5,000 sf of medical/office space and a 5,000 sf basement for storage, for a total of 10,000 sf each
- Phase I is proposed to include the construction of the first building and all required parking for the project, to be completed by March or April of 2020. The office of TLC Dental (currently located on Hawthorne Street in Athens) is proposed to occupy 3,500 sf of the building, with the remaining 1,500 sf to be available for lease as professional office space.
- Phase II is proposed to include the construction of the second office building, to be completed at a future date; tenants are to be determined.
- Construction materials for phase one are proposed to be concrete, wood, and steel, with exterior façade/accent material to include cultured stone, cement fiber board, and batten siding. The roof is proposed to be metal and gabled.
- Stormwater is proposed to be conveyed via storm structures to an on-site stormwater management facility. Final design of stormwater structures is to be completed following a stormwater impact study.
- Sidewalks and curb and gutter are proposed throughout the development and along Barber Creek Drive and Mars Hill Road.
- Extensive landscaping is proposed throughout the development.
- The estimated value of phase one of the project is \$2,400,000.

PROPOSED TRAFFIC PROJECTIONS

- Based on historical data from TLC Dental, the proposed development is projected to have the following weekday traffic impacts in Phase I:

Employees	Employee trips per day	# Dentist chairs	Total Dentist Chair Patients/Hour	Total Dentist Chair Trips/Day	# Hygiene chairs	# Hygiene chair visits/day	Total hygiene chairs trips/day	Miscellaneous trips/day	Total daily trips
15	60	7	4.4	35	8	8	128	21	290

- At full buildout, weekday ADT is projected to double, for a total of 580 ADT.

PUBLIC FACILITIES

Water:

- The Oconee County Water Resources Department has indicated in a water and sewer availability letter dated 03/05/2019 that potable water is available for the project.

Sewer:

- The Oconee County Water Resources Department has indicated in a water and sewer availability letter dated 03/02/2019 that sufficient sewer treatment capacity is currently available for the project.

Roads:

- Access is proposed via a paved asphalt driveway along Barber Creek Drive

ENVIRONMENTAL

- A perennial stream runs across the property near the western property line and is classified as state protected waters. Said stream will be subject to the restrictions of UDC Article 9, including a 25-foot undisturbed buffer as shown on the concept plan.
- No 100-year flood plains or jurisdiction wetlands exist on the property.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No comments

OCONEE COUNTY FIRE DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Provide a 20' utility easement along the frontage of Barber Creek Road. Also, provide an easement for the proposed water meters.

GEORGIA DEPARTMENT OF TRANSPORTATION

- The developer will need to coordinate with Georgia Department of Transportation as it appears that they have an outfall that goes in to our drainage system.

STAFF ANALYSIS

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

A. How does the current request compare to the existing uses and zoning of nearby properties?

Lots surrounding the subject site are primarily zoned OIP, B-1, and AR and are primarily in commercial use or vacant. Staff holds that the current request is consistent with the primarily commercial use and zoning of nearby properties.

B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?

The subject site is currently zoned AR and a single family residence located on the site has been vacant for many years. Given the surrounding commercial development and ongoing transition from single family residential to commercial use, it is reasonable to believe that the subject property's value may be limited by the current zoning category.

C. To what extent does the destruction of the property values of the individual property owner promote the health, safety, or general welfare of the public with consideration to:

i. Population density and effect on community facilities such as streets, schools, water, and sewer?

County officials have indicated that existing county water capacity, sewer treatment capacity, and emergency services should be adequate for the proposed development. The current request should not have any significant impact on local population densities and should have a positive impact on local schools by adding to the tax base without contributing any additional students.

ii. **Environmental impact?**

Known environmental areas on the site will be subject to UDC Article 9 requirements; staff does not anticipate any significant adverse environmental impacts.

iii. **Effect on adjoining property values?**

The current request is in keeping with adjacent properties' uses and zoning, and with the ongoing commercialization of the surrounding area. New commercial development should not impair vicinal property values.

D. What is the relative gain to the public in maintaining the current zoning category, as compared to the hardship imposed upon the current property owner?

Should the present request be denied, the subject site could not be used for any purpose other than single family residential or limited agricultural uses. Conversely, by maintaining the current zoning restrictions, usage of nearby County roads and demands for County services such as water, sewer, fire suppression, and emergency services would not be additionally burdened by new commercial development. Staff holds that the relative gain to the public in maintaining the current zoning category is minimal.

E. What is the length of time that the property has been vacant as currently zoned, considered in the context of land development in the area of the vicinity of the property?

The single family residence on the property has been vacant for many years, while properties in the general vicinity have been steadily developing for commercial purposes since the early 2000s. These commercial properties include the Barber Creek Corporate Park, directly to the south of the subject property, and the Quik Trip convenience store and Marriott hotel located at Mars Hill Road and Oconee Connector.

F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?

The B-1 zoning district is intended for those business activities providing goods and services for local citizens of Oconee County and surrounding areas. The proposed use would provide medical and other professional services to the local community and beyond; staff holds that the current request is consistent with the stated purpose of the B-1 zoning district.

G. How does this request conform with or diverge from established land use patterns?

Staff believes that the present request conforms to established land use patterns and is consistent with ongoing commercial development in the vicinity of the subject property. The Comprehensive Plan encourages this transition of land use from agricultural and low-density residential uses to commercial uses through the designation of this area as a Regional Center (see below).

H. How does this request conform with or diverge from the Future Land Use Map or the goals and objectives of the Comprehensive Plan?

The 2040 Future Land Use Map designates the majority of the subject property with the character area "Regional Center." The 2040 Comprehensive Plan describes the Regional Center as an area intended for a broad range of regional-serving commercial uses and includes "regional medical and professional offices" as suitable primary land uses. The 2040 Comprehensive Plan lists B-1 as an appropriate zoning district for the character area, and staff believes that the proposed development conforms to the Future Land Use Map and the goals and objectives set of the Comprehensive Plan.

I. What is the availability of adequate sites for the proposed use in districts that permit such use?

Other vacant sites currently exist in the general vicinity. However, as a result of existing conditional zoning, it is unlikely that other properties exist that would permit the project to be developed as proposed.

J. Is the site suitable for the proposed use relative to the requirements set forth in the Unified Development Code (off-street parking, setbacks, buffer zones, open space, etc.)?

Staff believes that the site is suitable for the proposed use relative to the requirements set forth in the UDC.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

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

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County's review of Owner's development plans pursuant to the County's ordinances and regulations. No development permit shall be issued until Owner has agreed to such improvements and dedication.
3. All site lighting shall consist solely of full cutoff luminaires as defined in the Unified Development Code.
4. The total building square footage of the project shall not exceed 20,000 square feet.
5. The following uses, allowed by right in the B-1 zoning district, shall not be allowed on the subject property:

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Taxidermists	Archery or Shooting Ranges
Amusement and Theme Parks, Fairgrounds	Outdoor Power Equipment Store
Batting Cages	Beer and Wine Stores
Convenience Food Stores with Fuel Pumps	Gasoline Stations with Convenience Stores, no repairs
Gasoline Stations, Full Service	Restaurants, Limited-Service, including Fast Food and Take Out, with drive-through windows
Cigar and Tobacco Stores, including "Vape and Electronic Cigarette Stores	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Interurban Bus Transportation and Bus Stations	Assisted Living Facility
Personal Care Homes, Group	Personal Care Home, Congregate
Show Arenas for Horses	Event Venues
Private Schools: Kindergarten, Elementary and Secondary	Private Schools: Junior Colleges
Private Schools: Colleges and Universities	Private Schools: Religious Exempt Nonpublic Post-Secondary Institutions



OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action: AR / MARS HILL OVERLAY

- Rezoning from: AR / Mars Hill Overlay to B-1 Change in Conditions of Approval for Case # : _____
- Special Use Approval for: _____ in the _____ Zoning District

Applicant

Name: Darrell Baker, TLC Plaza, LLC
 Address: 900 Westpark Drive
(No P.O. Boxes)
Suite 300
Peachtree City, GA 30269
 Telephone: 404.977.2470

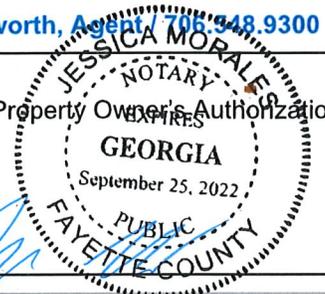
Property Owner

Name: D T Sanders
 Address: 280 Merlin Place
(No P.O. Boxes)
Athens, GA 30606
 Telephone: Grant Whitworth, Agent 706.548.9300

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: _____ Date: 6/21/19 Notarized: _____



Property

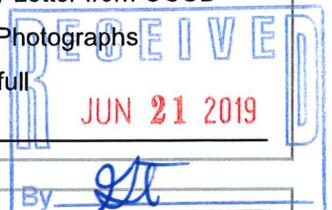
Location: 1021 Barber Creek Drive
(Physical Description)
Bogart, GA 30622
 Tax Parcel Number: B 04A 001
 Size (Acres): 2.741 Current Zoning: AR / Mars Hill Overlay
 Future Development Map—Character Area Designation: Regional Center and Conservation Corridor

Use

Current Use: Residential
 Proposed Use: Office / Commercial / Dental Office

Attachments (check all that apply)

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



For Oconee County Staff Use Only

Application Date Received: _____ Date Accepted: _____
 DRI Transmitted to RDC Date: _____ N/A
 Date Submitted: _____ Findings Complete
 Posted: _____ Ad: _____ Ad: _____
 Application Withdrawn Date: _____

Action **APPLICATION NUMBER** 7827
Planning Commission Date: _____
 Approval With Conditions Denial
Board of Commissioners Date: _____
 Approved With Conditions Denied

TLC Plaza, LLC
A Commercial Development
1021 Barber Creek Drive
Bogart, GA 30622
AR to B-1 -2,741 Acres
Tax Parcel B 04 A 001
Rezone Submittal: May 20, 2019



Narrative:

TLC Plaza, LLC is a proposed commercial development located on 2.741 acres at the intersection of Mars Hill Road and Barber Creek Drive. The project fronts on Mars Hill Road for approximately 243.5 lf on Barber Creek Drive for approximately 338.04 lf on the property currently exists one residential lot with a decaying house that hasn't been occupied in over 20 years. The topography drops rapidly from back to front towards Mars Hill Road. Across the entire frontage of the property a stream classified as a State Water exists with an undisturbed 25' buffer on each side of the stream as shown on the engineered concept plan. Existing zoning and land uses surrounding the parcel are as follows: to the North B-1; the B-1 parcel to the North is not developed and being marketed as commercial. The O-I-P to the South is a professional office park. The three lots to the east zoned AR are residential lots. The AR lot to the west is residential being marketed as potential commercial and the two B-2 are not developed and being marketed as commercial. To the east are 3 lots zoned AR (Concept Plan shows a 50' buffer as required by Code) and to the West, across Mars Hill are 3 tracts – one zoned AR and Mars Hill overlay and the other two zoned B-2. The lots to the North, South, and West are also in the Mars Hill overlay as well as subject property. The Future Development Map identifies the site primarily with a Future Character Area designation of Regional Center and Conservation corridor.

The Development:

The project is to be developed with professional / medical offices and general commercial uses. The first building to be built is a two story building with a 5,000 sf footprint with professional medical and dental offices on the second floor. TLC Dental, Currently located on Hawthorne in Athens will occupy 3500sf with an adjacent 1500 professional space to be leased. The Petitioners show a future building on the site to be constructed at a later date. Parking for both buildings will be built with the first phase. The development will be owned by TLC Plaza, LLC. The project will be constructed with

curb and gutter parking and sidewalks. All utilities will be underground. Extensive landscaping including buffers and shade trees will be installed across the development. The storm water management facility improvements are currently delineated in the concept plan.

Buildings:

The Phase 1 project will consist of a single two-story building with a 5,000 sf footprint, having a total sf of 10,000 sf. The first floor will be used for storage and parking for the Petitioner and the second floor will contain a 3,500 sf dental office and a 1,500 sf professional/ medical office for Lease. The building will be constructed with concrete foundation, wood structure with steel structural supports, exterior facades and accents to be, but not limited to, cultured stone, cement fiber board and batten siding. The roof is anticipated to be a gabled structure clad with metal roofing. See attached representative architectural elevations. Phase II will be built at a future time and will be submitted for review at that time. The cost for phase I site work and buildings shell and interior construction is anticipated to cost \$1,362,000.

Water Supply:

Water supply will be provided by Oconee County Utility Department. An existing municipal 8 inch water main located on Barber Creek Drive will provide water service to the Site.

A single metered potable water service with BFP shall be provided for each building.

A single metered irrigation water service with BFP shall be provided for each building.

A fire main with DCCA BFP will be provided to serve the Site.

A water availability letter from Oconee County Utility Department is included with this rezoning request.

Potable Water Demand:

¹ 100 GDP/Chair + 20 GPD/Employee = 1,800 GPD/Bldg.

15 Chairs/Bldg.

15 Employees/Bldg.

Total Water Capacity Required = 1,800 GPD/Bldg. X 2 Bldg. = 3,600 GPD

¹ (Table JT-1-Manual For On-Site Sewage Management Systems)

Sewage Disposal:

Sewage Disposal will be provided by Oconee County Utility Department. An existing municipal 8 inch gravity sewer main located on the east side of Mars Hill Road will provide sanitary sewer service to the Site.

A gravity sewer service will be extended to this Site and will serve two buildings.

A sewer availability letter from Oconee County Utility Department is included with this rezoning request.

Sewer Demand:

¹ 100 GDP/Chair + 20 GPD/Employee = 1,800 GPD/Bldg.

15 Chairs/Bldg.

15 Employees/Bldg.

Total Sewer Capacity Required = 1,800 GPD/Bldg. X 2 Bldg. = 3,600 GPD

¹ (Table JT-1-Manual For On-Site Sewage Management Systems)

Surface Water Drainage:

Stormwater runoff from the Site shall be collected by storm structures and attenuated in an on-site Stormwater Management Facility. A Stormwater Impact Study will be completed for the Site that will include hydrology calculations, water quality calculations, stormwater basin maps, and BMP calculations. The Site and Stormwater Management Facility will be designed to comply with Oconee County's UDC.

Site Access:

The Site will be provided ingress/egress by a proposed asphalt paved drive-way from Barber Creek Drive.

Traffic:

Projected traffic is estimated based on Owner's historical patient data as shown on the spreadsheet below. The Total Trips to Site Per Day is estimated based on the number of dentist chairs, hygiene chairs, employees, and miscellaneous trips to the Site per day.

Trips/Day:

Total Trips/Day is 290/Bldg. X 2 Bldg. = 580 Trips/Day

Phase 1
Oconee County 5,000 SF MOB -
Barber Creek Drive

Days of Operation	Hours in Operation	# Employees	Total Employee Trips/Day	#Dentist Chairs	#Dentist Chair Visits/Hr.	Total Dentist Chair Patients/Day	Total Dentist Chair Trips/Day	#Hygiene Chairs	#Hygiene Chair Visits/Hr.	Total Hygiene Chair Patients/Day	Total Hygiene Chair Trips/Day	Miscellaneous Trips/Hr.	Total Miscellaneous Trips/Day	Total Trips To Site Per Day
Monday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Tuesday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Wednesday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Thursday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290
Friday	8	15	60	7	4.4	35	70	8	8	64	128	2	32	290

Because the estimated Total Trips to Site Per Day is significantly less than 1,000 ADT, a detailed traffic study is not warranted.

Landscaping & Buffers:

Landscape strips, buffers, parking lot tree plantings, and street tree plantings will be installed in accordance with the Oconee County UDC. Details shall be provided during Site development plan approval. Maintenance of all landscapes areas will be performed by a professional landscape maintenance company.

Utilities:

No utility relocations are anticipated as a result of this project. All new utilities are proposed to be underground. Proposed utilities to serve the Site are municipal potable water & sanitary sewer, power, telephone, cable TV, and internet.

Sidewalks:

Concrete sidewalks will provide pedestrian access for the developed Site. Sidewalks will be installed after building construction, curb & gutter, and utilities are installed.

Public & Semi-Public Areas:

Not applicable for this Project

Outdoor Lighting:

Wall pack lighting will be installed on the building for safety and security. Safety and security lighting will be provided for parking areas. Box type fixtures on metal poles with lights aimed inward and downward toward the parking area will be installed for the parking areas.

Garbage Collection:

Garbage collection will be handled by a private contract service.

Schools:

Impact to schools will be positive by generating an increased positive net tax base without generating more students.

Schedule:

With this May 20, 2019 submittal, the Petitioners plan to complete the zoning process on the subject property in August of 2019. The preliminary site plan and Site Development Plans for the development will be submitted for approval by the end of August, 2019. Construction on the project infrastructure will commence immediately upon approval of these plans. Construction will require 6-7 months to complete, depending on weather. It is anticipated the total buildout of Phase I of the project should be completed by March-April of 2020.

Development Valuation:

Proposed estimated total value of Phase I of the project at Completion: \$2,400,000.



Zoning Impact Analysis
Standards for Rezone Consideration
(TLC Plaza, LLC)

A. Considered the Proposed use and existing uses and zoning of nearby property:

The proposed use and zoning is appropriate given the site's location along a major commercial retail corridor such as Mars Hill Road. The property is currently zoned AR and Mars Hill overlay has an old home in disrepair on the property that has been vacant over 20 years. Existing uses and zoning in the immediate vicinity reflect the commercial use and zoning proposed for this rezoning request. Existing uses and zoning in the immediate area are a mixture of residential, retail, office and commercial service oriented businesses. Adjacent properties possess zoning classifications of AR, O-I-P, B-1 and B-2. The proposed rezoning from AR to B-1 is specifically for professional offices and uses allowed in the B-1 zoning designation.

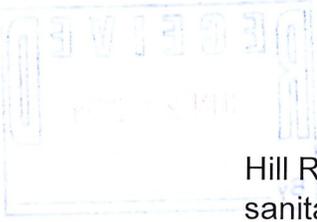
B. Consider the extent to which property values are diminished by the particular zoning restrictions of the current zoning:

The existing AR zoning classification for the property does negatively affect the property value as the classification does not authorize the uses contemplated by the future development map on the goals and objectives of the Oconee County Comprehensive Plan. The property must be rezoned in order to allow the development of dental, medical, and professional offices or other uses contemplated by the aforementioned Oconee County plans. Once the property is rezoned and redeveloped, then the property value will be significantly greater and value will be reflected in the increase to the county tax rolls.

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

1. *Population density and effect on community facilities such as streets, schools, water and sewer.*

A state highway (Mars Hill Road) and a local road (Barber Creek Drive) currently serve the site and the general area will experience minimum impact. A 12" water main currently runs along Mars Hill Road and an 8" water runs along Barber Creek Drive. Proposed development will tie in water along Barber Creek Drive. An 8" sanitary sewer line runs along the ROW on Mars



Hill Road with a man hole in the ROW. The proposed development will tie into sanitary sewer in this area. Utility service letters from OCUD are attached to the submittal package as required. Impact to schools will be positive by generating increased tax base without generating more students. There will be favorable initial and ongoing economic impact on the county as a result of the development.

2. *Environmental Impact:*

Potential increase in storm water runoff will be mitigated through the use of a storm water management facility to be designed in compliance with Oconee County ordinances. Water quality concerns will be mitigated through the use of filtration devices, infiltration structures, and water quality monitoring. Enhanced “best management practices” will be employed to address soil erosion and sediment control concerns.

3. *Effect on adjoining property value:*

There will be no negative affect on adjoining property values. The area is developing in a commercial and service-oriented pattern and the proposed development project will be available as a regional-serving use. The specific use and design of this project will increase adjacent property values and it will be developed in a manner consistent with the Oconee County Comprehensive Plan and will clean up a currently blighted site.

D. Consider the relative gain to the public, as compared to the hardship imposed upon the individual land owner:

The petitioner recognizes no gain to the public if this rezoning request is denied. The hardship imposed on the property owner under the current AR zoning would be the inability to develop the property for commercial or retail uses or other uses contemplated by the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan. There is no relative gain for the property to remain under its current zoning configuration compared to the proposed zoning configuration.

E. Consider the length of time the property has been vacant as zoned, considered in the context of land development in the area and vicinity of the property:

The property has been vacant as zoned for over 20 years. All other properties in the vicinity of Barber Creek Drive and along Mars Hill Road have rezoned to OIP,

B-1 and B-2, or are being marketed as potential commercial as consistent with the County land use plan.

F. Consider the consistency of the proposed use with the stated purpose of the zoning district that is being requested:

The B-1 General Business District is intended for those business activities providing goods and services for local citizens of Oconee County and surrounding areas. The proposed project is consistent with the purpose of the zoning district being requested because the natural land use of the development is local-serving. The project will serve those individuals living and working in the area as well as those individuals traveling along the Mars Hill Road commercial corridor.

G. Consider the conformity with or divergence from any established land use patterns:

The development patterns in the area reflect the commercial use and intent of the purposed development. Established land use patterns in regards to approved zonings and actual developments for commercial and retail use exist along the Mars Hill Road corridor.

H. Consider the conformity with or divergence from the Future Development Map on or the goals and objectives of the Oconee County Comprehensive Plan:

The Future Development Map illustrates the property as Regional Center. The Regional Center designation embraces the eastern portion of Hwy 316, leading into Athens, Clarke County. The area is characterized by regional serving retail, commercial services, office complexes for medical and corporate offices, hotels, restaurants, and entertainment facilities. Primary land use specifically include medical, dental, and professional spaces. Recognizing the Future Development Map as a guide, and that the Regional Center character area development guidelines allows B-1 uses, then the rezoning of this property to B-1 is consistent with the Future Development Map and is in keeping with the goals and objectives of the Oconee County Comprehensive Plan.

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

Currently there are smaller land tracts for the desired development. Immediate sites are larger tracts and subdividing is not desired by user land owners. The less intrusive use of this development in the B-1 zoning makes this site unique and best suited for the petitioner. The grade of the site and the State Water that

runs across the front of the site, provide desired natural buffers that lend to the architectural and civil nature of the design characteristics that other sites don't provide.

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

This site is suitable for the proposed use relative to the requirements set forth in the Oconee County UDC.

NO.	DATE	DESCRIPTION	BY	CHKD.
1	6/21/19	Per county comments		
2	6/21/19	Per county comments		



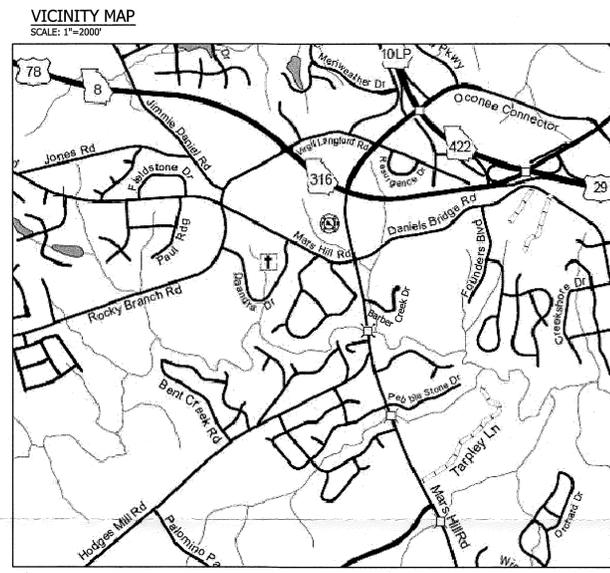
**REZONE
CONCEPT PLAN**

Checked by: RES
Drawn by: RES
Project #: C13239007
Date: 5/6/2019

**SHEET TITLE
C-01
SHEET # 01 OF 01**

SYMBOL LEGEND

- IRON PIN FOUND
- 1/2" REBAR SET
- UTILITY POLE
- EXISTING SEWER MANHOLE
- PROPERTY LINE
- - - ADJACENT LOT LINE
- - - EXISTING RETAINING WALL
- - - STORM DRAIN LINE
- - - OVERHEAD POWER LINE
- - - EXISTING SEWER LINE
- - - EXISTING WATER LINE
- ▨ ASPHALT AREA
- ▩ CONCRETE AREA



GENERAL NOTES

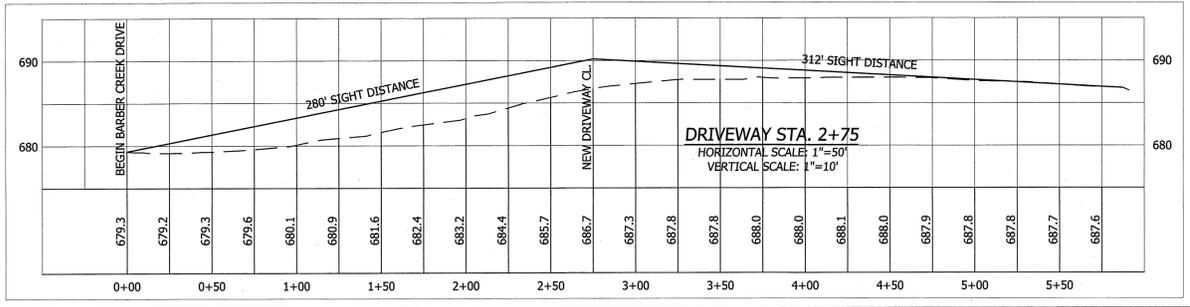
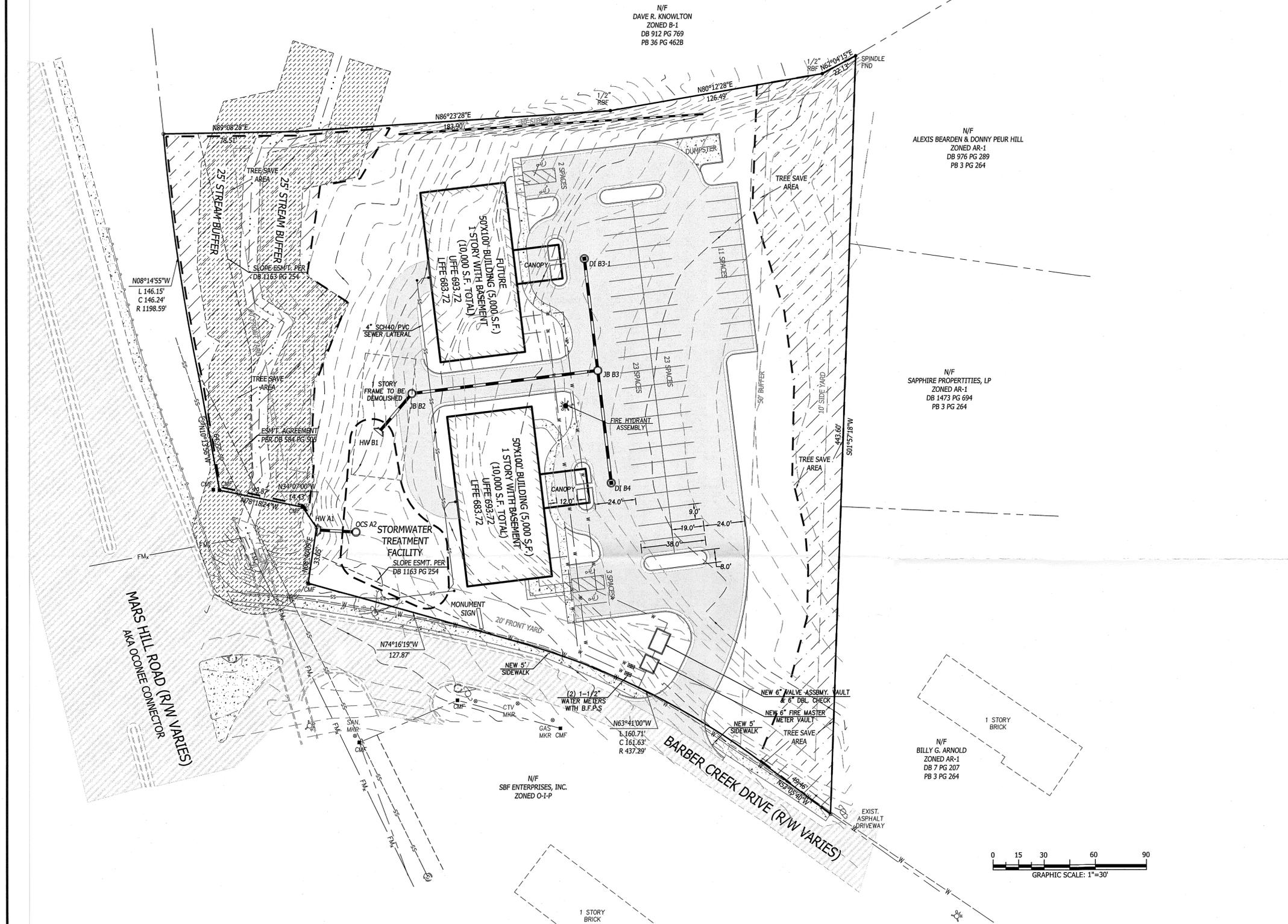
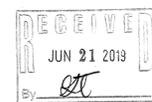
- OWNER:**
D. T. SANDERS
280 MERLIN PLACE
ATHENS, GA. 30606
DEVELOPER:
RANDOLPH WILLIAMSON
900 WESTPARK DR. SUITE 300
PEACHTREE CITY, GA 30269
PHONE: (770) 632-4000
24 HR. CONTACT: DARRELL BAKER
PHONE: (404) 977-2470
EMAIL: dbaker@rvcre.net
- ENGINEER:**
SCANLON ENGINEERING SERVICES, INC
221 E. BANK STREET
GRIFFIN, GA 30223
CONTACT: MICHAEL J. SCANLON, P.E. (ENGINEER OF RECORD)
PHONE: 678-967-2051
- BOUNDARY/TOPOGRAPHIC INFORMATION FROM SURVEY BY SCANLON ENGINEERING SERVICES, INC.**
- SITE DATA:**
SITE AREA: 2.741 ACRES
PARCEL ID# B 04A 001

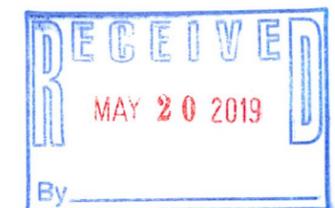
THIS PROPERTY IS LOCATED WITHIN THE MARS HILL OVERLAY DISTRICT.

EXISTING USE: RESIDENTIAL. EXISTING STRUCTURE IS ABANDONED FRAME HOUSE
PROPOSED USE: MEDICAL OFFICE BUILDING

CURRENT ZONING: AR, MARS HILL OVERLAY
PROPOSED ZONING: B-1 (General Business District)

SETBACKS:
MIN. FRONT YARD: 40' (MAJOR STREET)
MIN. FRONT YARD: 20' (MINOR STREET)
MIN. SIDE YARD: 10'
MIN. REAR YARD: 10'
50' LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL
- AS PER FIRM PANEL MAP NUMBER 13219C0065D, DATED SEPT. 2, 2009, THIS SITE DOES NOT LIE IN A FLOOD HAZARD AREA.
- CONTRACTOR SHALL VERIFY LOCATION, SIZE, MATERIAL, ETC. OF EXISTING UTILITIES. EXISTING UTILITY LOCATIONS SHOWN ARE GENERALLY SCHEMATIC IN NATURE AND MAY NOT ACCURATELY REFLECT THE SIZE AND LOCATION OF EACH PARTICULAR UTILITY. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ACTUAL FIELD LOCATION AND PROTECTION AND REPAIRS OF EXISTING FACILITIES, WHETHER SHOWN OR NOT. DIFFERENCES IN HORIZONTAL OR VERTICAL LOCATIONS OF EXISTING UTILITIES SHALL NOT BE BASIS FOR ADDITIONAL COMPENSATION TO THE CONTRACTOR.
- WATER SERVICE PROVIDED BY OCONEE COUNTY WATER AND SEWER DEPT. (BUILDINGS TO BE FIRE SPRINKLED)
- SEWER SERVICE PROVIDED BY OCONEE COUNTY WATER AND SEWER DEPT.
- PARKING SPACES REQUIRED: 1 SPACE/2,00 SF BUILDING (2 X 5,000)/200-50
PARKING PROVIDED: 51 SPACES (INCL 4 H/C)
- STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE AND OTHER APPROPRIATE ORDINANCE AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.





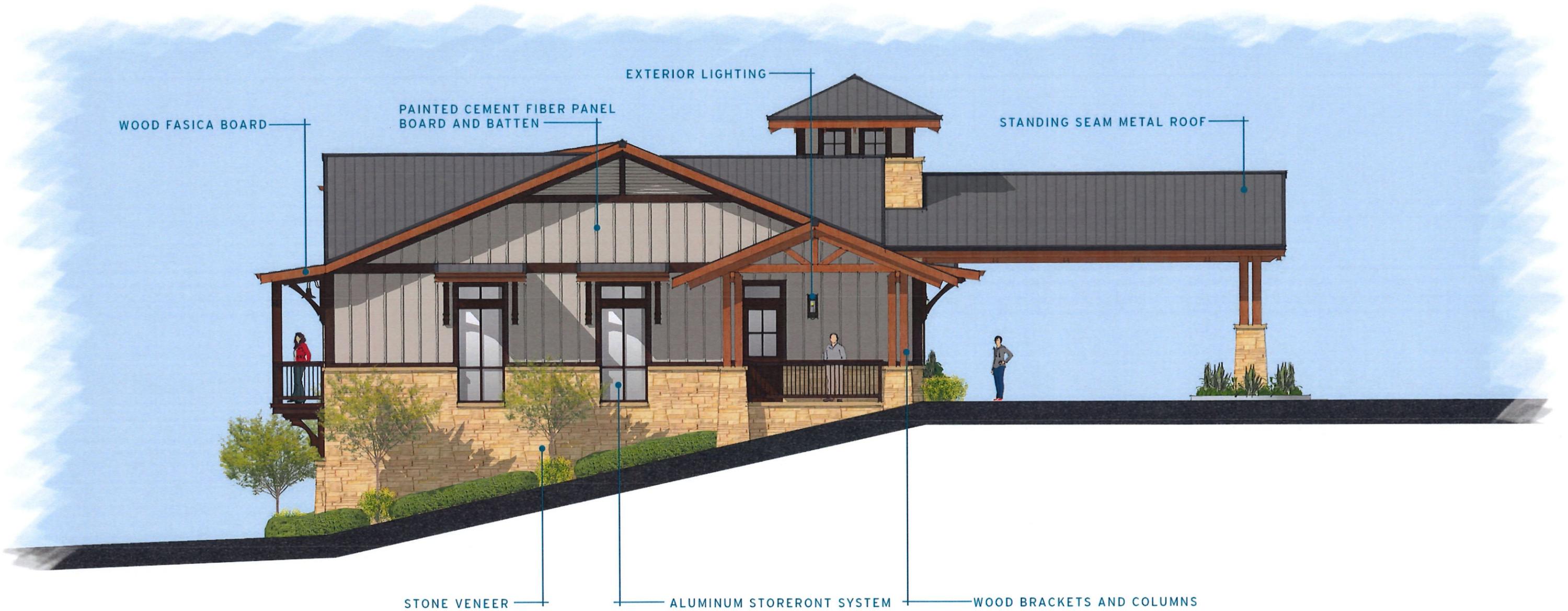












TLC PLAZA LLC - PHASE I

WATKINSVILLE | GEORGIA

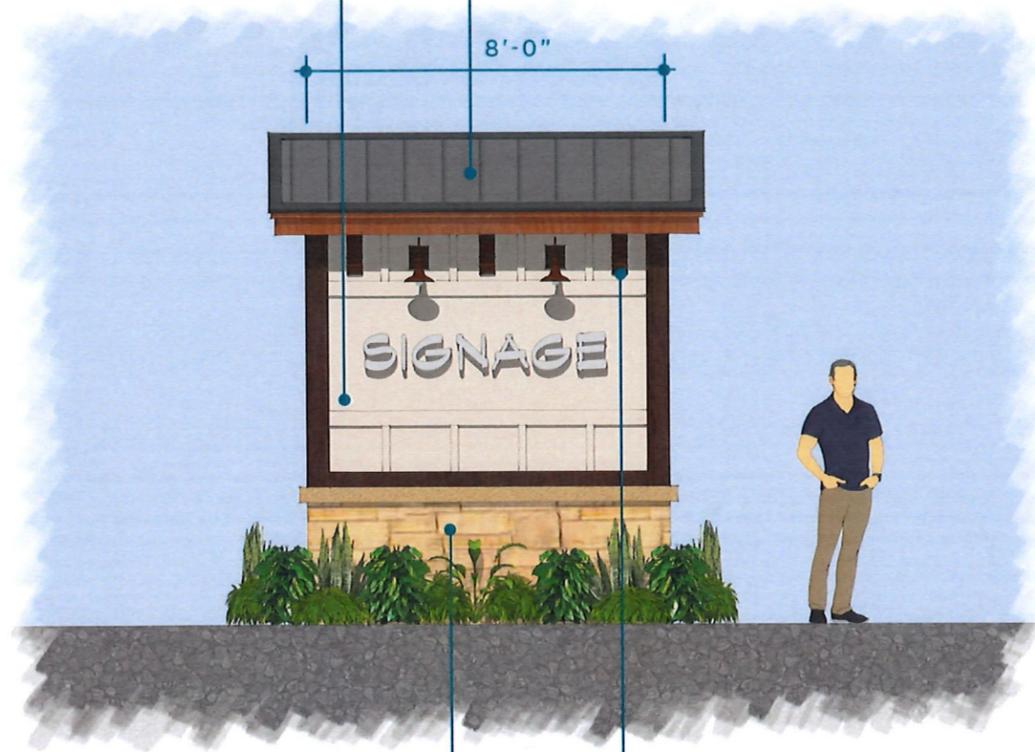
SIDE ELEVATION

15 MAY 2019
1/8" = 1' - 0"

PAINTED CEMENT FIBER PANEL
BOARD AND BATTEN

STANDING SEAM METAL ROOF

8'-0"



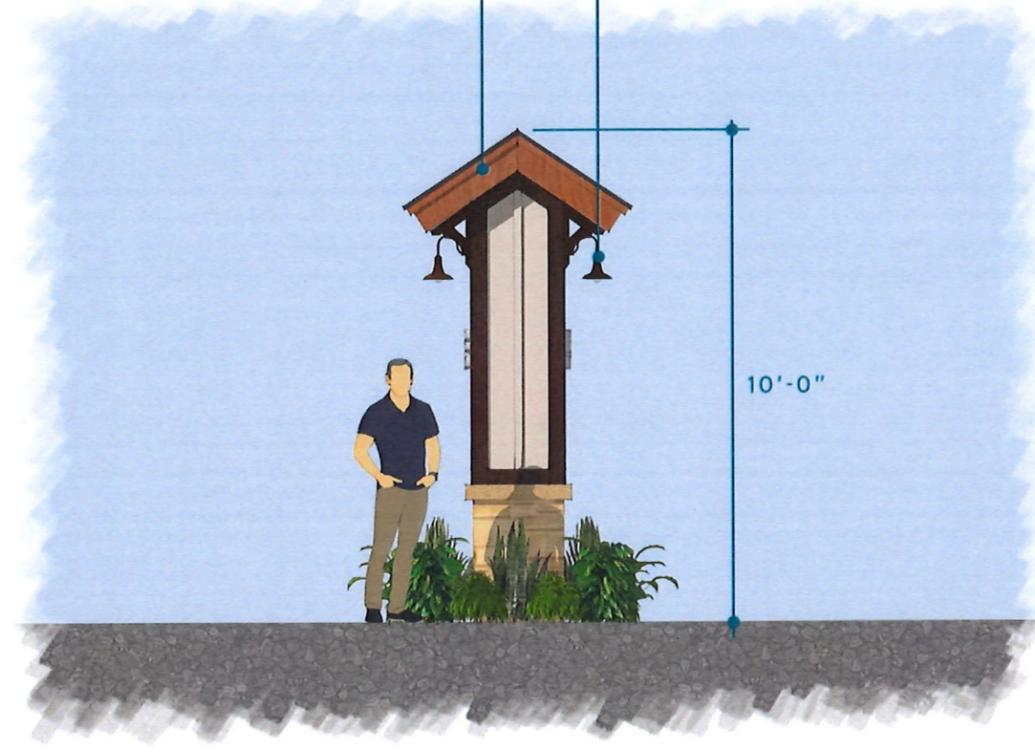
STONE VENEER

WOOD BRACKETS

WOOD FASICA BOARD

EXTERIOR LIGHTING

10'-0"

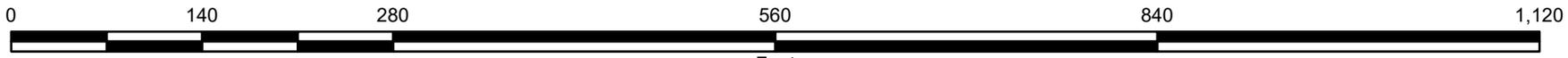


Rezone #7827 - DT Sanders

**Tax Parcel #
B-04A-001**



1:1,500



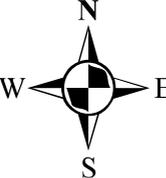
Feet



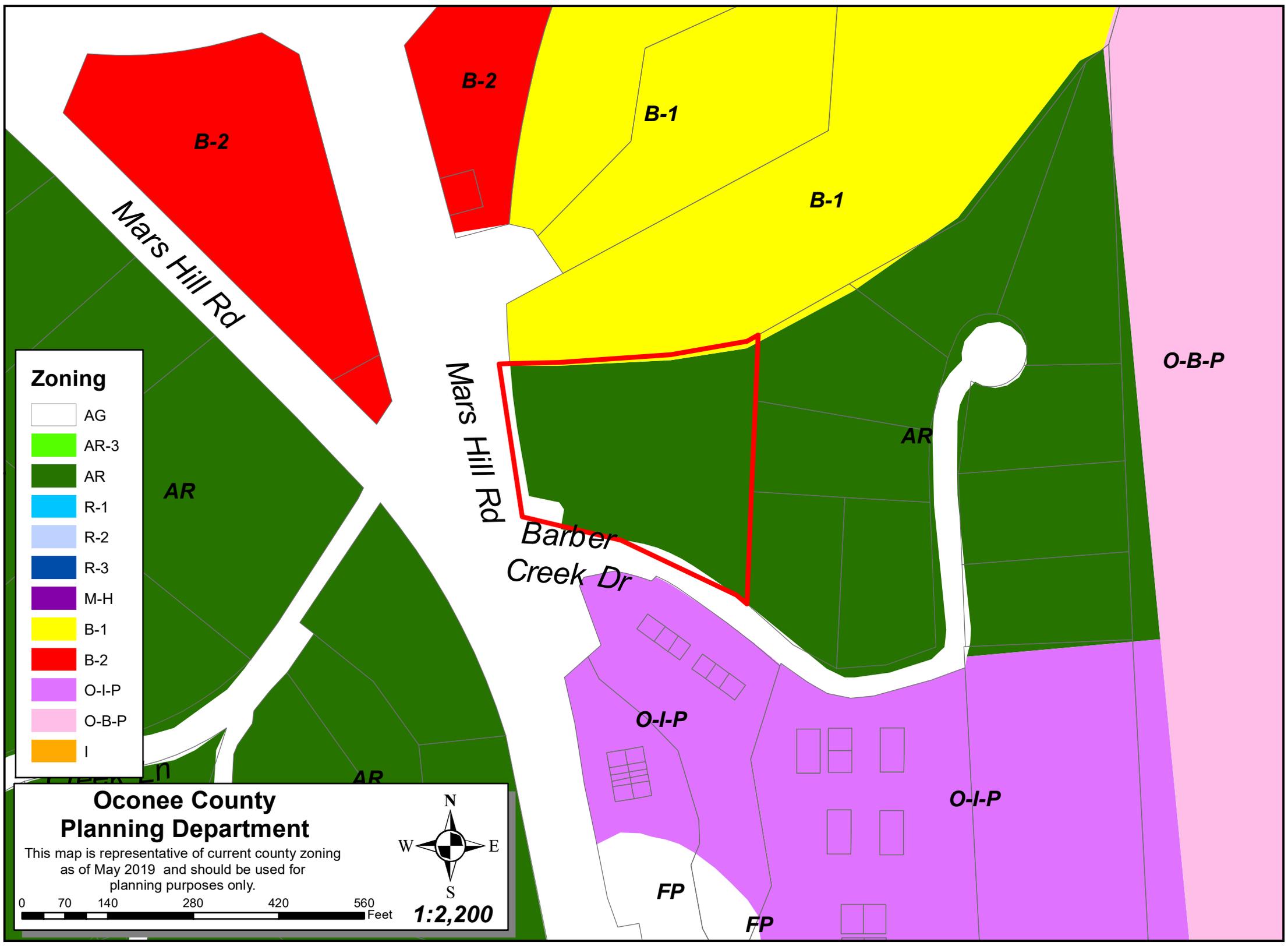
Zoning	
	AG
	AR-3
	AR
	R-1
	R-2
	R-3
	M-H
	B-1
	B-2
	O-I-P
	O-B-P
	I

**Oconee County
Planning Department**

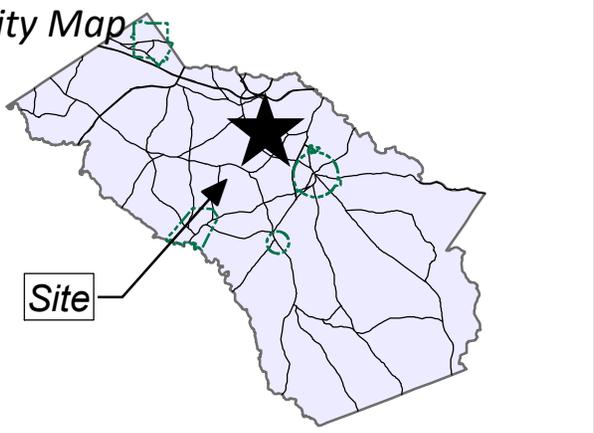
This map is representative of current county zoning as of May 2019 and should be used for planning purposes only.



0 70 140 280 420 560 Feet **1:2,200**

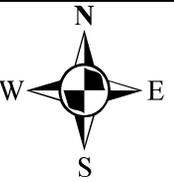


Vicinity Map



Site

Oconee County Planning Department



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

0 175 350 700 1,050 1,400 Feet

Daandra Dr

Oconee Connector

Regional Center

Mars Hill Rd

Fox Glen Dr

Barber Creek Dr

Suburban Neighborhood

Hollow Creek Ln

Neighborhood Village

River Haven Ln

Legend

-  Subject Property
-  Conservation Corridor
-  Country Crossroads
-  Corridor Commercial
-  Agricultural Preservation
-  Suburban Neighborhood
-  Rural Places
-  Country Estates
-  Traditional Neighborhood
-  Neighborhood Village
-  Community Village
-  Civic Center
-  Technology Gateway
-  Regional Center

N/F
DAVE R. KNOWLTON
ZONED B-1
DB 912 PG 769
PB 36 PG 4628

N/F
ALEXIS BEARDEN & DONNY PEUR HILL
ZONED AR-1
DB 976 PG 289
PB 3 PG 264

N/F
SAPPHIRE PROPERTIES, LP
ZONED AR-1
DB 1473 PG 694
PB 3 PG 264

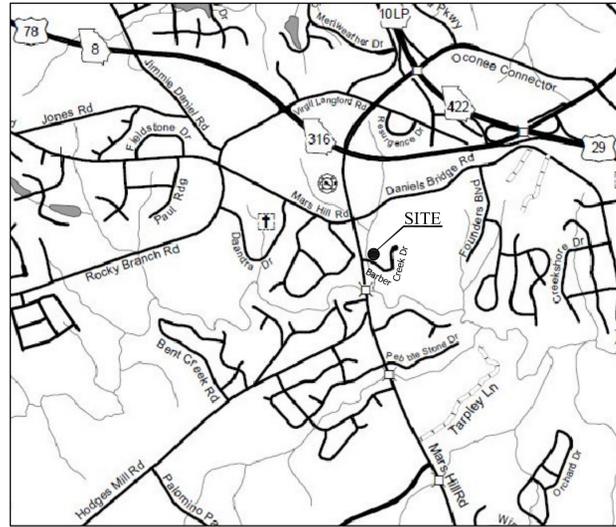
N/F
SBF ENTERPRISES, INC.
ZONED O-1-P

N/F
BILLY G. ARNOLD
ZONED AR-1
DB 7 PG 207
PB 3 PG 264

SYMBOL LEGEND

- IRON PIN FOUND
- 1/2" REBAR SET
- UTILITY POLE
- EXISTING SEWER MANHOLE
- PROPERTY LINE
- - - ADJACENT LOT LINE
- - - EXISTING RETAINING WALL
- - - STORM DRAIN LINE
- - - OVERHEAD POWER LINE
- - - EXISTING SEWER LINE
- - - EXISTING WATER LINE
- ▨ ASPHALT AREA
- ▩ CONCRETE AREA

VICINITY MAP
SCALE: 1"=200'



GENERAL NOTES

- OWNER:**
D. T. SANDERS
280 MERLIN PLACE
ATHENS, GA. 30606
- DEVELOPER:**
RANDOLPH WILLIAMSON
900 WESTPARK DR. SUITE 300
PEACHTREE CITY, GA 30269
PHONE: (770) 632-4000
24 HR. CONTACT: DARRELL BAKER
PHONE: (404) 977-2470
EMAIL: dbaker@rwcre.net
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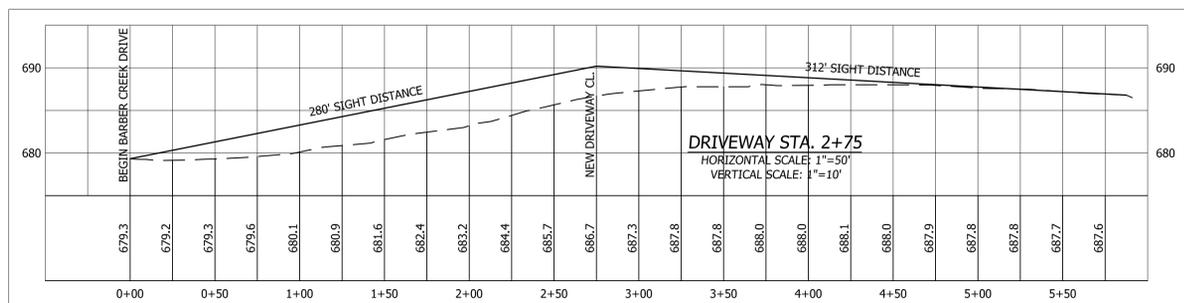
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- STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE AND OTHER APPROPRIATE ORDINANCE AND REGULATIONS IN EFFECT AT TIME OF CONSTRUCTION PLAN APPROVAL.**
- SITE IMPERVIOUS CALCULATIONS:**
SITE AREA = 2.95 ACRES

DEVELOPED SITE - IMPERVIOUS AREA = 1.148 ACRES
PERVIOUS AREA = 1.802 ACRES
% IMPERVIOUS = 1.148 / 2.95 = 38.9% IMPERVIOUS
% PERVIOUS = 1.802 / 2.95 = 61.1% PERVIOUS



SES
ENGINEERING
PLANNING
SURVEYING

SCANLON ENGINEERING SERVICES, INC.
221 EAST BANK STREET
GRIFFIN, GEORGIA 30223
PHONE: (678) 967-2051 WWW.SCANLONENG.COM

REZONE CONCEPT PLAN FOR
**OCOONEE COUNTY
MEDICAL OFFICE BUILDING**
LOCATED IN G.M.D. 1331, OCOONEE COUNTY, GEORGIA

No.	Description	Date
1	1" X 2" COUNTY COMMENTS	7/22/19
2	2" X 4" COUNTY COMMENTS	6/21/19
3	1" X 2" COUNTY COMMENTS	6/17/19



REZONE CONCEPT PLAN
Checked by: MJS
Drawn by: RES
Project #: 118239007
Date: 5/6/2019