

**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 R1 (Single Family Residential) to B1 (General Business District) pursuant to an application for rezoning of property owned by R&C Development Enterprises, LLC submitted on October 18, 2022.

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 Carter Engineering Consultants, Inc on October 18, 2022, requesting a rezone of a ±0.50-acre tract of land located at 1351 Stonebridge Parkway in, Oconee County, Georgia, (tax parcel no B-06AA-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 R1 (Single Family Residential) to B1 (General 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 February 20, 2023, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on March 7, 2023.

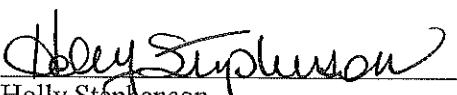
ADOPTED AND APPROVED, this 7th of March, 2023.

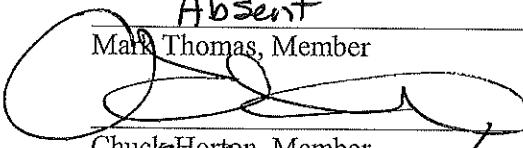
OCONEE COUNTY BOARD OF COMMISSIONERS

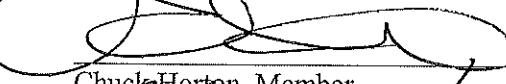
BY:

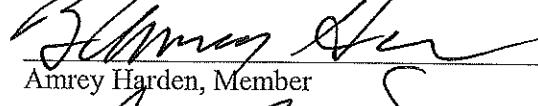

John Daniell, Chairman

ATTEST:


Holly Stephenson
Clerk, Board of Commissioners


Absent
Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

EXHIBIT "A" TO REZONE NO P22-0263

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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. The owner at their own expense shall construct the improvements required by the County for public water and public waste services for the subject property shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. 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. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.

TAX MAP



EXHIBIT "A" TO REZONE NO P22-0263

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Legal Description**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATE IN THE 221ST GEORGIA MILITIA DISTRICT, OCONEE COUNTY, GEORGIA AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AT A #4 REBAR FOUND ALONG THE SOUTHERLY RIGHT-OF-WAY MARGIN OF GEORGIA HIGHWAY 207 (AKA HOG MOUNTAIN ROAD)(80' R/W) AND HAVING A GEORGIA STATE PLANE COORDINATE VALUE OF (N: 1,411,457.27', E: 2,518,559.98', NAD 83, WEST ZONE) AND BEING THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING AS THUS ESTABLISHED AND DEPARTING THE SAID SOUTHERLY RIGHT-OF-WAY MARGIN OF GEORGIA HIGHWAY 207 SOUTH 41 DEGREES 55 MINUTES 37 SECONDS EAST A DISTANCE OF 24.06 FEET TO A #4 REBAR FOUND; THENCE ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 176.07 FEET AND A RADIUS OF 999.65 FEET AND BEING SUB-TENDED BY A CHORD BEARING SOUTH 47 DEGREES 18 MINUTES 13 SECONDS EAST A CHORD DISTANCE OF 175.85 FEET TO A #4 REBAR FOUND; THENCE SOUTH 52 DEGREES 06 MINUTES 18 SECONDS EAST A DISTANCE OF 58.06 FEET TO A POINT; THENCE SOUTH 52 DEGREES 06 MINUTES 18 SECONDS EAST A DISTANCE OF 50.01 FEET TO A POINT; THENCE SOUTH 46 DEGREES 22 MINUTES 02 SECONDS WEST A DISTANCE OF 70.76 FEET TO A POINT; THENCE NORTH 52 DEGREES 02 MINUTES 53 SECONDS WEST A DISTANCE OF 312.51 FEET TO A #4 REBAR FOUND ALONG THE SOUTHERLY RIGHT-OF-WAY MARGIN OF GEORGIA HIGHWAY 207 (AKA HOG MOUNTAIN ROAD)(80' R/W); THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY MARGIN OF GEORGIA HIGHWAY 207 NORTH 48 DEGREES 08 MINUTES 29 SECONDS EAST A DISTANCE 89.73 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL BEING 0.526 ACRES (22,917 SQFT).

EXHIBIT "A" TO REZONE NO P22-0263

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NARRATIVE**



Stonebridge Parkway
Request for Rezone
October 2022

**Request for Rezone
For
Stonebridge Parkway**
Stonebridge Parkway
Watkinsville, Ga
(Portion of Parcel No. 06AA001)

Prepared By:
Carter Engineering Consultants
3651 Mars Hill Rd.
Suite 2000
Watkinsville, Ga 30677

Prepared For:
Barrs Industry LLC
1791 Hog Mountain Road, Suite 200
Watkinsville, Ga 30677

October 2022
Revised December 2022



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Narrative



Stonebridge Parkway
Request for Rezone
October 2022

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NARRATIVE



Stonebridge Parkway
Request for Rezone
October 2022

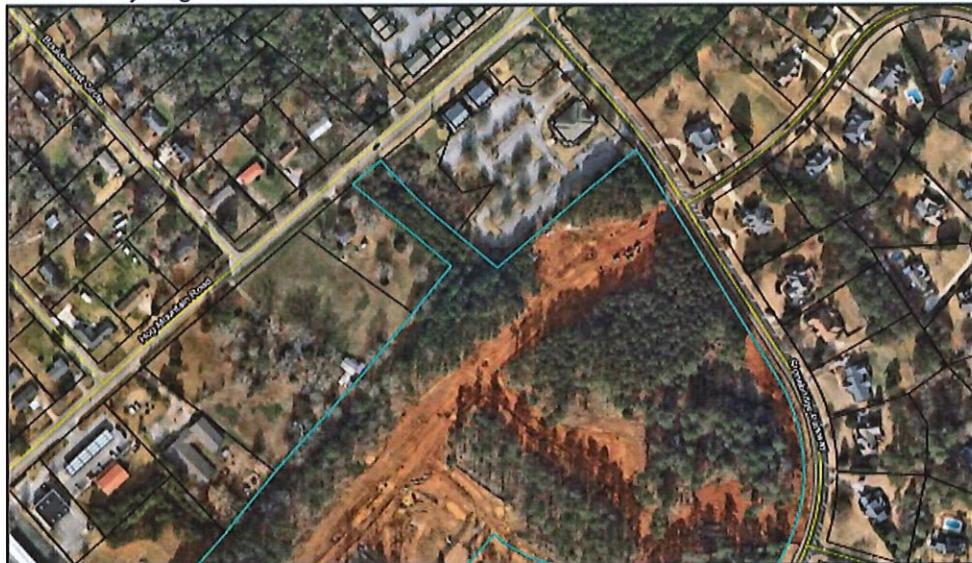
Introduction

The property referenced as Tax Parcel No. B 06AA001 is currently owned by R&C Development Enterprises, LLC. Barrs Industries, LLC has a contract to purchase a 0.5-acre portion of the property – pending approval of this rezone request. This property is currently zoned R-1 (Single Family Residential District), and the owner would like to rezone the 0.5-acre property to B-1 (General Business District). Carter Engineering Consultants is aiding the developer, Barrs Industries, LLC, in the rezoning and designing the property for the commercial business use. A new rezone request has been submitted for approval.

The Site

The site is located off of Hog Mountain Road and Stonebridge Parkway in Oconee County, Georgia. The subject property is comprised of 22.96 total acres, of which 0.5-acres will be subdivided from the property and included in the phase II development for an existing business park. The property is currently zoned R-1 and the lower portion is being developed for a residential neighborhood.

Three properties directly border the subject subdivided portion. The property is bordered by Parcel No. B 06K 010E (zoned B-1/commercial land use) to the east. The property is bordered by Parcel No. B 06K 010D (zoned B-1/commercial land use) to the east. Last, the property is bordered by Parcel No. B 06 009B (zoned B-1/commercial land use) to the west. The property is bordered by Hog Mountain Road to the North.



Oconee County Parcel Map

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NARRITIVE



Stonebridge Parkway
Request for Rezone
October 2022

The Development

The developer currently owns the two properties that border the subject site to the east. Barr Industries, LLC is planning to include the subject property in the overall commercial development. The subject property would be used for stormwater purposes of the proposed commercial development.

The estimated value of the project at completion is \$4,000,000.

The proposed development is planned to start construction in April 2023 be completed by June 2024.

Maintenance of the development common areas will be completed by a separate owner's association.

Access

Access to the site will be through the commercial development to the east. A 1-foot no access buffer will be added to the northern property line.

Buffers / Setbacks

The proposed plat for the 0.5-acre property does not show any drainage easements within the property boundary. There is a sanitary easement at the southern portion of the property boundary.

According to the Oconee County Code of Ordinances, the building setbacks for a property zoned R-1 are defined as: front building setback = 30 feet, side building setbacks = 10 feet, and rear building setback = 40 feet.

Traffic

The proposed property will be combined with a commercial development and therefore is not expected to have any adverse effects on traffic within the area. The addition of this property to the development site will result in no additional trips.

Water Supply

The existing commercial development to the east has an existing water supply through the Oconee County Utility Department.

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NARRATIVE



Stonebridge Parkway
Request for Rezone
October 2022

Sewage Disposal

The existing commercial development to the east has an existing sewer system through the Oconee County Utility Department.

Utilities

The proposed development is already equipped with access to electricity, telephone and data lines.

Solid Waste

Garbage collection will be by private contract through the use of a trash can on the property.

Schools

The proposed rezone of the property will provide no additional residences within the Oconee County School District.

Type of Ownership

The project will be privately owned.

Landscaping

This proposed property will be added to the existing development. All landscaping will match the look and feel of the existing neighboring development. A landscaped buffer will remain on the west side of the property. Example photos of the neighboring development are shown below:

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NARRITIVE

ARCHITECTURAL IMAGES



Stonebridge Parkway
Request for Rezone
October 2022

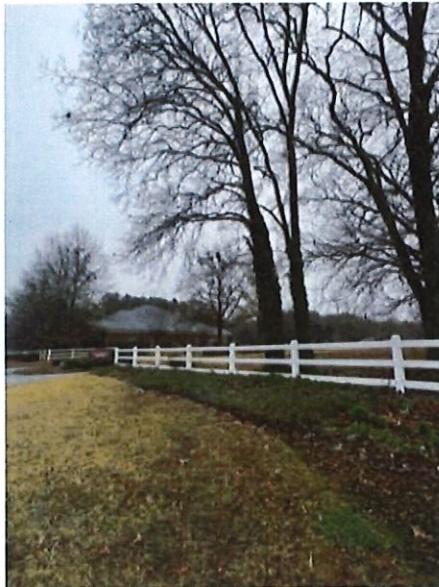


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PLAT

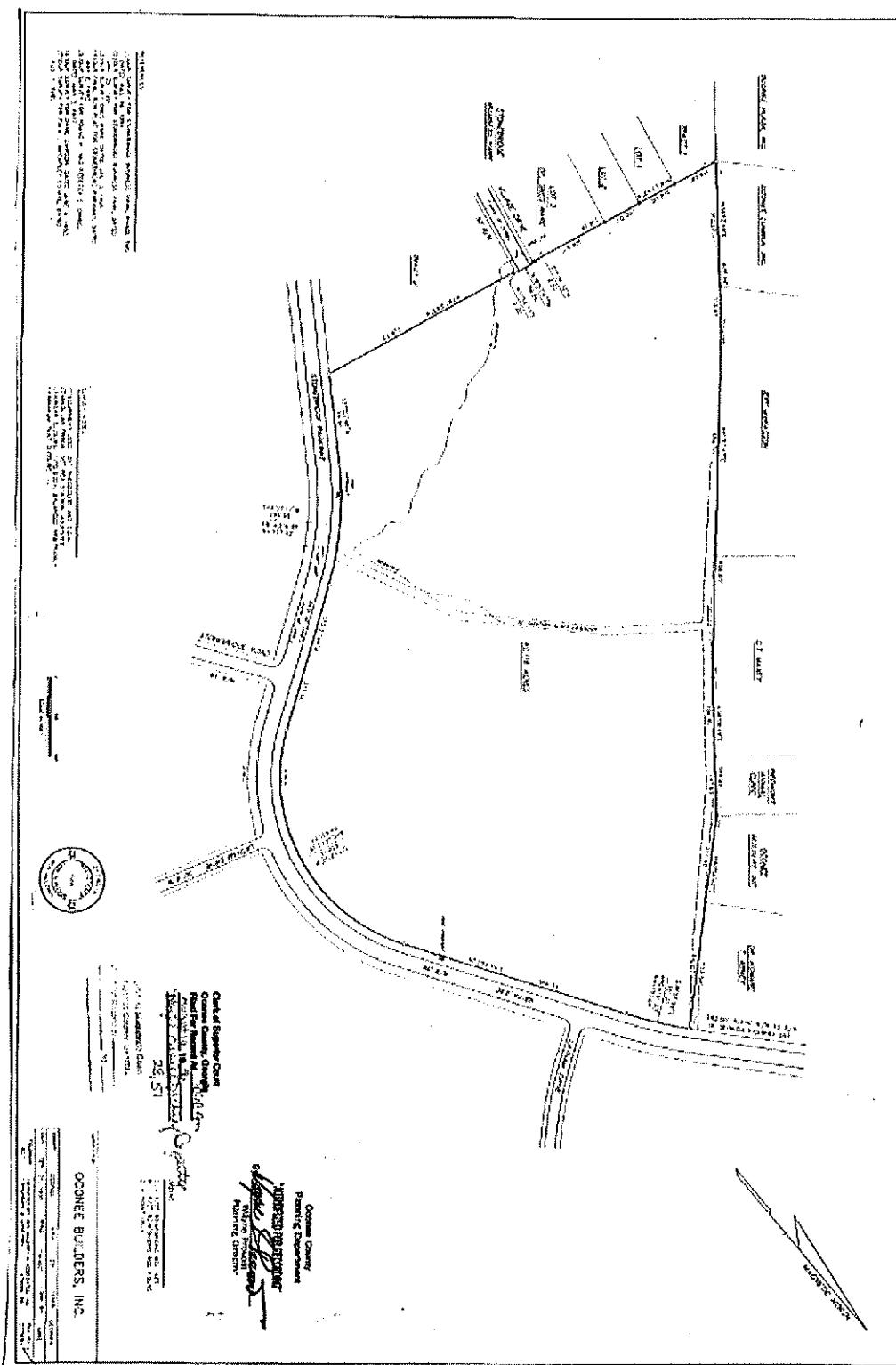
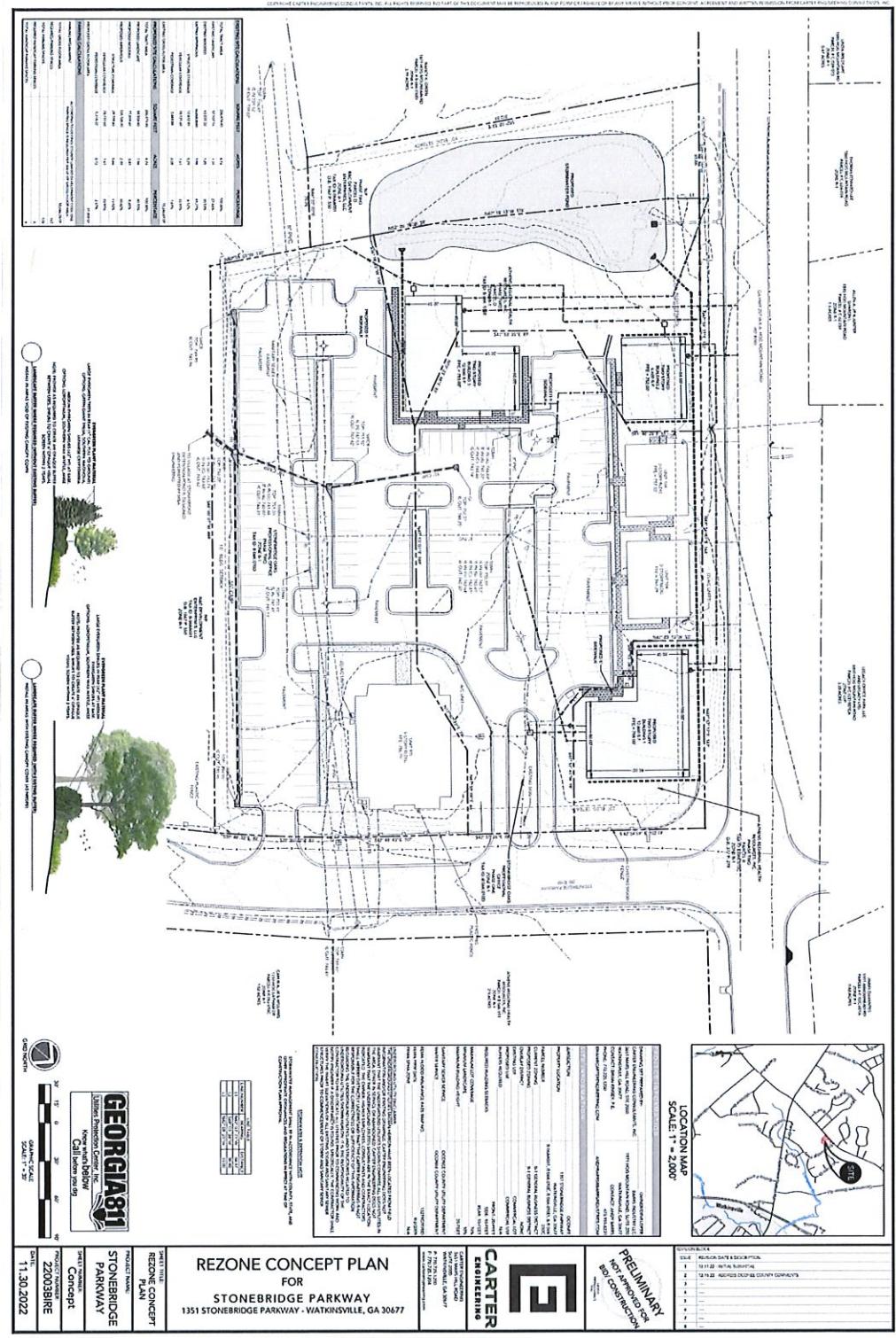


EXHIBIT "A" TO REZONE NO P22-0263

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CONCEPT PLAN





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

REZONE CASE #: P22-0263

DATE: February 8, 2023

STAFF REPORT BY: Guy Herring (Director of Planning and Code Enforcement)

APPLICANT NAME: Carter Engineering Consultants, Inc.

PROPERTY OWNER: R&C Development Enterprises, LLC

LOCATION: 1351 Stonebridge Parkway, Watkinsville, GA 30677, B-06AA-001

PARCEL SIZE: ±0.50 acres

EXISTING ZONING: R-1 (Single Family Residential District)

EXISTING LAND USE: Vacant lot

FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Civic Center

ACTION REQUESTED: Rezone the property from R-1 to B-1 in order to develop the parcel as a stormwater management facility for the adjacent commercial development.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: February 20, 2023

BOARD OF COMMISSIONERS: March 7, 2023

ATTACHMENTS:

- Application
- Narrative
- Zoning Impact Analysis
- Plat of Survey
- Concept Plan
- Warranty Deed
- Legal Description



BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The existing 22.96-acre subject parcel is zoned R-1 in accordance with the county zoning map. The applicant has a contract to purchase a 0.5-acre portion of the subject parcel.
- The applicant's request is to rezone the R-1 parcel to B-1 in order to develop the stormwater pond for the adjacent commercial property to the east.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Residential across Hog Mountain Road	R-1 (Single Family Residential District)
SOUTH	Residential land use	R-1 (Single Family Residential District)
EAST	Commercial land use	B-1 (General Business District)
WEST	Commercial land use	B-1 (General Business District)

PROPOSED DEVELOPMENT

- The proposed stormwater pond for the commercial development includes development on the one subject parcel with the proposed stormwater pond centrally located on the 0.50-acre parcel.
 - The development will include a stormwater management facility located centrally on the subject 0.5-acre portion of the property.
 - All improvements and development of the adjacent commercial property are separate from this rezoning application.
- Construction would begin in April 2023, with an estimated completed time of June 2024.
- The applicant-estimated projected project valuation for the commercial site is \$4 million.

PROPOSED TRAFFIC PROJECTIONS

- The proposed property is to be combined with the commercial development but only used for stormwater management purposes. As such, this rezoning is not expected to have any impact on traffic within the area.

PUBLIC FACILITIES

Water:

- The project is proposed to utilize County water services.

Sewer:

- The project is proposed to utilize County sewer services.

Roads:

- Access to the site will be through the commercial development to the east. A 1-foot no access buffer will be added to the northern property line.

ENVIRONMENTAL

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

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

GEORGIA DEPARTMENT OF TRANSPORTATION

- No comments

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. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.

Nearby lots are predominantly zoned R-1, B-1, or AG. Primary land uses in the area are a mixture of residential, commercial, and office uses. The parcels directly to the east and west of the subject parcel are compatible commercial uses. Staff is of the opinion that the proposed development is potentially suitable in view of the existing nearby development and zoning.

B. Whether the property to be rezoned has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned; however, the proposed General Business District zoning aligns with other adjacent business and office uses in the area and supports the adjacent commercial development by providing stormwater detention.

C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:

i. **Population density and effect on community facilities such as streets, schools, water, and sewer;**
The current request proposes developing a stormwater management pond to serve the adjacent commercial development. This rezoning for the stormwater management pond does not cause a proportionate increase in demand for water and wastewater treatment. Increased traffic generation is not anticipated. The proposed development and uses are commercial in nature, so no impact on schools is anticipated.

ii. **Environmental impact;**

No environmentally sensitive areas are known to exist on the site. Stormwater management must be conducted on the site according to Oconee County ordinances.

iii. **Effect on the existing use, usability and/or value of adjoining property.**

The proposed development is in keeping with surrounding uses and is not anticipated to affect the existing use, usability, and/or value of adjoining property. According to Sec. 806 – Table 8.1, a 50-foot buffer must be installed along the rear property line due to adjacent less intense zoning (R-1) to the south of the subject property.

D. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property.

The subject property is currently vacant; however commercial development has occurred in the area to the east and west along Hog Mountain Road. The proposed use fits the character of the properties in the vicinity of the subject property.

E. Consistency of the proposed use with the stated purpose of the zoning district that is being requested.

The purpose of the B-1 zoning district is to “provide an area for business and professional offices as well as for social, fraternal, political, civic and community organizations” (Unified Development Code Sec. 205.08). The specific lot must be developed according to the principal uses allowed in the B-1 zoning district. The proposed commercial development and supporting stormwater pond are allowed by right in the B-1 zoning district. Staff holds that the requested advancement of the proposed stormwater pond and commercial development is consistent with the stated purpose of the proposed zoning districts.

F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The proposed commercial use is not permitted by the existing R-1 zoning. The commercial development of the parcels to the east and west of the subject parcel does support the proposed B-1 zoning. Staff holds that these conditions give supporting grounds for approval of the zoning proposal.

G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.

The subject property lies within the Civic Center Character Area as shown on the 2040 Character Areas Map. The Comprehensive Plan describes this Character Area as containing “a relatively high-intensity mix of businesses, retail shopping, offices, sports and recreational complexes, public schools, a college campus, and other public and semi-public uses (such as the Oconee Civic Center, libraries, and museums) that create a multi-dimensional environment” (2018 Comprehensive Plan p. 58). The Comprehensive Plan supports OIP, B-1, B-1-MPD, B-2, and B-2-MPD zoning in this Character Area (2018 Comprehensive Plan p. 60). Staff notes that the proposed commercial development is in conformity with the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan for this area.

H. The availability of adequate sites for the proposed use in districts that permit such use.

The proposed use of the subject property is to construct a stormwater management pond to serve the commercial development directly to the east. As such, the proposed use of the subject property aligns with adjacent business use and provides services to the nearby commercial parcel, and it would not be feasible or practical to attempt to locate the proposed use on a different property currently zoned B-1

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 this request subject to the following conditions to be fulfilled at the expense of the owner/developer:

1. Design for site development 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. The owner at their own expense shall construct the improvements required by the County for public water and public waste services for the subject property and shall convey the same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. 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. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.