

**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 revise the conditions for a previously approved special use case #7787 zoning classification AG (Agricultural District) pursuant to an application for special use of property owned by Carter Engineering Consultants submitted on May 15, 2023.

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 on May 15, 2023, request for revision to conditions for previously approved special use case #7787 of a ±74.41-acre tract of land located at 2201 Ruth Jackson Road in Oconee County, Georgia, (tax parcel no B-02-012BC), 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 change in conditions for the property described on the attached "Exhibit A" is hereby changed 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

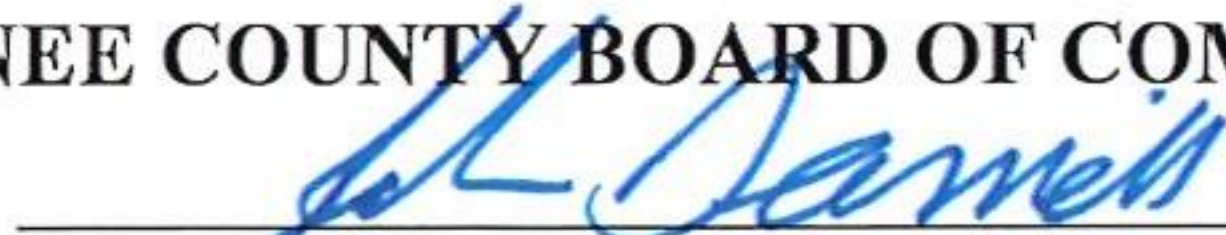
SECTION 4. Effective Date. This Ordinance shall take effect this date.


Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on July 17, 2023, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 1, 2023.

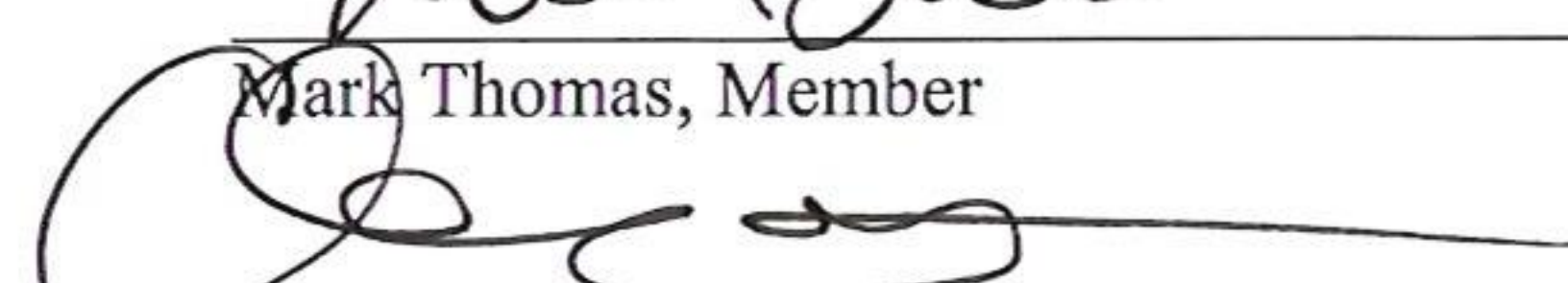
ADOPTED AND APPROVED, this 1st of August, 2023.

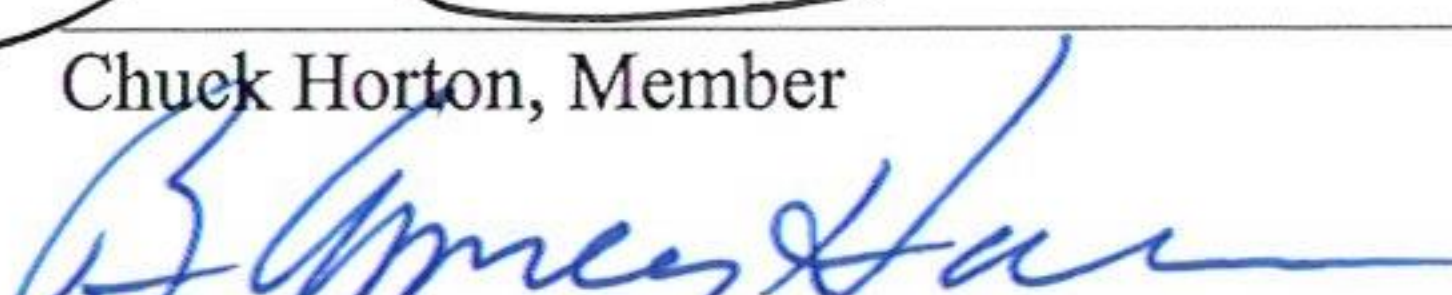
OCONEE COUNTY BOARD OF COMMISSIONERS

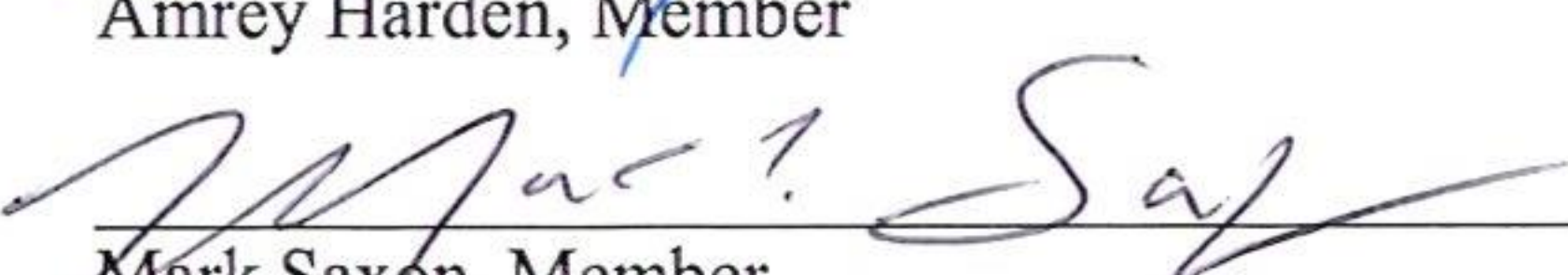
BY: _____


John Daniell, Chairman



Mark Thomas, Member


Chuck Horton, Member


Amrey Harden, Member


Mark Saxon, Member

ATTEST:


Holly Stephenson

Clerk, Board of Commissioners

EXHIBIT “A” TO REZONE NO P23-0116

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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 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.

EXHIBIT "A" TO REZONE NO P23-0116

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TAX MAP

Special Use # P23-0116 - Prince Avenue Baptist Church

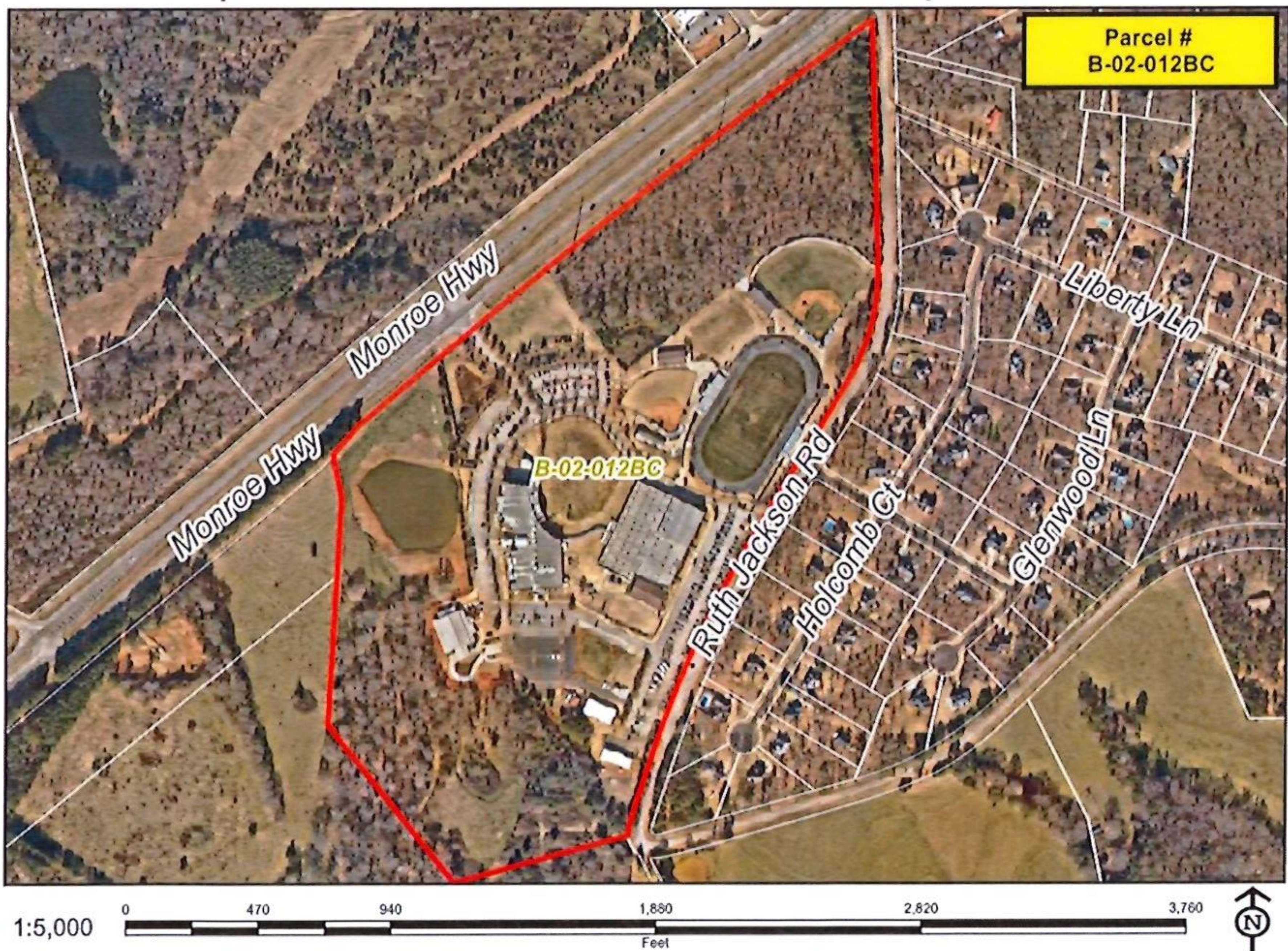


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LEGAL DESCRIPTION

LEGAL DESCRIPTION

Commencing at the found ½" reinforcing rod at the U.S. Highway 78 intersection with right of way of Ruth Jackson Road;

Thence S 01°37'14" E, a distance of 755.51' to a found ½" reinforcing rod;

Thence S 01°34'58" E, a distance of 103.79' to a found ½" reinforcing rod;

Thence S 14°56'41" W, a distance of 462.89' along an arc having a radius of 811.50' and length of 469.41' to a found ½" reinforcing rod;

Thence S 31°32'21" W, a distance of 537.17' to a found ½" reinforcing rod;

Thence S 24°50'57" W, a distance of 947.99' along an arc having a radius of 4,067.00' and length of 950.15' to a found ½" reinforcing rod;

Thence S 18°06'27" W, a distance of 213.92' to a found ½" reinforcing rod;

Thence S 03°46'21" W, a distance of 49.85' along an arc having a radius of 100.00' and length of 50.38' to a found ½" reinforcing rod;

Thence S 74°47'37" W, a distance of 640.34' to a found ½" reinforcing rod;

Thence N 39°03'46" W, a distance of 718.20' to a found ½" reinforcing set;

Thence N 03°07'55" E, a distance of 800.26' to a found ½" square rod; Thence

LEGAL DESCRIPTION

N 10°36'38" W, a distance of 155.39' to found ½" reinforcing rod; Thence N 41°08'06" E, a distance of 140.28' to a found right of way marker; Thence N 49°52'49" E, a distance of 359.71' to a found ½" reinforcing rod; Thence N 50°30'10" E, a distance of 7.50' to a set ½" reinforcing rod;

Thence N 50°24'50" E, a distance of 492.14' along an arc having a radius of 22,798.30' and length of 492.15' to a found ½" reinforcing rod;

Thence N 52°30'35" E, a distance of 1445.89' to a found right of way post; said rod being the POINT OF BEGINNING.

EXHIBIT "A" TO REZONE NO P23-0116

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 012BC

Prince Avenue Christian School

Change in conditions to Special Use Permit #7787
2131 Ruth Jackson Road
Oconee County, Georgia

Project Narrative
May 15, 2023
(Revised May 26, 2023 and June 1, 2023)

GENERAL DATA

Existing Zoning	AG (Agricultural District)
Proposed Zoning	AG (Agricultural District) with Special Use
Adjacent Zoning:	North: B-2 (Business District) South: AG (Agricultural District) East: AR-1 (Agricultural Residential District) West: AG (Agricultural District)
Existing Use:	Christian Church and School
Proposed Use:	Christian Church and School
Total Land Area	74.416 Acres
Total New Parking	300 Parking Spaces
Total Building	0.86 Acres (30,000 s.f.)

SITE NARRATIVE

Prince Avenue Baptist Church, located at 2131 Ruth Jackson Road, seeks a change in conditions for special use permit #7787. The change includes Special Use Approval for a competition gymnasium and associated parking.

Construction of the project is intended to take place as funds are available.

Carter Engineering Consultants, Inc. has been engaged by the owner to act as their agent in the preparation and provision of any necessary documents associated with the request of this Special Use Permit.

PROJECT DESCRIPTION

The Special Use Concept Plan that accompanies this narrative helps to illustrate the spatial relationships of the site and helps to distinguish existing elements from proposed elements. The proposed competition gym is placed in a strategic location to better serve the Church and School members.

Vehicular access will be provided through the existing School and Church Campus curb cuts. There are no new access points proposed with this development.

SITE

The topography of the site slopes from the East to the West with its receiving waters at an unnamed tributary to Barber Creek. There are no areas on or within the site that would cause environmental concern.

ZONING

The current zoning is AG (Agricultural District)
The proposed zoning is AG (Agricultural District) with Special Use Approval



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EXHIBIT "A" TO REZONE NO P23-0116

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 012BC

Properties adjacent to the site are zoned as follows:

North: B-2 (Business District)

South: AG (Agricultural District)

East: AR-1 (Agricultural Residential District)

West: AG (Agricultural District)

PROPOSED USE

The proposed use of the church and school campus will remain the same. It will be used as a Christian Church and School at a Community Scale.

ACCESS

Vehicular access will be provided through the existing School and Church Campus curb cuts. There are no new access points proposed with this development.

TRAFFIC IMPACT

As a result of this development, there will be no increase in traffic on the adjoining roadways. The subject property is currently utilized as an area for use by Church and School members and staff. The proposed facilities will not bring in more people but rather help to mitigate certain events and programs that the Church and School currently handles.

A Trip Generation Analysis for the existing traffic has been prepared for the site by referencing the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition). The ITE is the industry standard source for providing and analyzing trip generation for various land uses. In summary, the analysis does not find any adverse impacts associated with the traffic generated by this development and the adjacent properties, streets, and intersections.

LAND USE	ITE CODE	ADT 2-WAY	AM PEAK HOUR		
			AM Hour	IN	OUT
CHURCH/SCHOOL CAMPUS	560	1694	636	318	318

WATER SUPPLY

Oconee County currently serves the subject property.

Existing water lines and water taps will be utilized to serve these proposed facilities. There is no increase in water and sewer demands. The proposed buildings will simply relocate specific church and school uses from within the existing buildings.

SEWAGE DISPOSAL

Sewage disposal is currently served by the Oconee County Public Utilities Department. There is no increase in sewer demand as a result of the gymnasium addition. The school currently utilizes a gymnasium on campus inside the main school building which will be relocated to the new gymnasium. The estimated GPD for the new gymnasium is 32,000 based on 20 gallons per person.

GARBAGE COLLECTION

Garbage collection is currently handled by a private contract service.

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 0128C

UTILITIES

No utility relocations are anticipated at this time. Any connections made to the proposed buildings will be done on site, and if possible, utilities will be located underground. There is a sanitary main that serves the church and school campus located at the entrance off of Highway 78. The sewer line is shown on the rezone concept plan.

STORMWATER CONTROLS

There is a new stormwater management pond that will be constructed at the southwest corner of the property. This pond will manage runoff from the proposed competition gym and new parking. Post development run-off will be maintained in accordance with Oconee County and State of Georgia standards.

IMPACT TO SCHOOL SYSTEM

There will be no adverse effects to the school system.

BUFFERS

There are no environmental areas or corridors located on this site, therefore there are no environment buffers required and/or needed. There is a 15' buffer required on the south and west property line where abutting the Power Family Land Partnership, LLP. There is an established buffer along this property line which will be maintained.

PROJECT IDENTITY

Project signage, if any, will be provided and applied for under a separate permit. All signs will be installed according to the Oconee County UDC.

COMMON AREAS

There are no common areas proposed for this site.

AMENITIES/RECREATIONAL AREAS

There are no recreational areas proposed for this site.

PUBLIC & SEMI-PUBLIC AREAS

No additional easements, Rights-of-Way, or other public and/or semi-public areas are proposed.

OWNERSHIP

The project is privately owned.

ESTIMATED VALUE

The estimated value of the proposed building addition is approximately \$8,000,000.

SIDEWALKS / CURB AND GUTTER

The Church and School Campus currently includes sidewalks throughout the parking and building areas. The new gymnasium will include new sidewalks around the building at each entrance. There are no public sidewalks required.

DEVELOPMENT SCHEDULE

The development will begin as soon as funds are available and all permits obtained. It is assumed this project will begin construction in the Fall of 2023 and take 12 months to complete.

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 012BC

CONSTRUCTION/FAÇADE MATERIALS & REPRESENTATIVE ARCHITECTURE IMAGES

The building exteriors shown below are representative only. The exterior of all new structures will be in substantial conformance with the existing church and school campus. The exteriors will primarily be masonry exterior composed of brick, architectural block, and EFIS to mimic the look of the rest of the campus for the proposed buildings.



Existing School Exterior

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 012BC



Existing Field House Exterior



Existing Field House Exterior

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NARRATIVE

Project Narrative

Tax Parcel No. B 02 0128C

ZONING IMPACT ANALYSIS

- A. Will the proposed special use be consistent with the stated purposed of the zoning district in which it will be located?
Yes. The property is currently zoned AG. The surrounding property was approved for use as a community-scale church. The use is not changing.
- B. Is the proposed special use compatible with the goals, objectives, purpose, and intent of the Community Agenda?
Yes. The proposed special use request is for the expansion of a local church and school that serves the surrounding community. The expansion will allow the church and school to serve the community better which is compatible with the Future Land Use Plan designation of 'Suburban Neighborhood'.
- C. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?
No. Development of this project is for an already existing church and school property. There is no expectation of this development impeding the normal and orderly development of the surrounding properties which are predominately agricultural and residential.
- D. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?
Yes. Prince Avenue Baptist Church has been a local church for the surrounding area for many years.
- E. Is or will the type of street providing access to the use be adequate to serve the proposed special use?
Yes. Access to the project site is within the Church's property. The project is not anticipated to increase traffic volume.
- 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?
Yes, access into and out of the property will meet or exceed County, State and Federal Requirements.
- 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?
Yes. Existing utilities are adequate to support the proposed Special Use and the school system will not be impacted negatively by this request. Demand for fire/police protection will not be altered from the current use of the property.
- 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, or odor?
Yes. All areas will be screened and hidden from view of pedestrians by means of landscaping in accordance with the latest Oconee County Development Code at the time of site development submittals. Parking areas shall be screened from view per the UDC requirements.
- I. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?
Yes. The hours of operation for the Church and School will remain unchanged and will have no adverse effect on other properties in the area.

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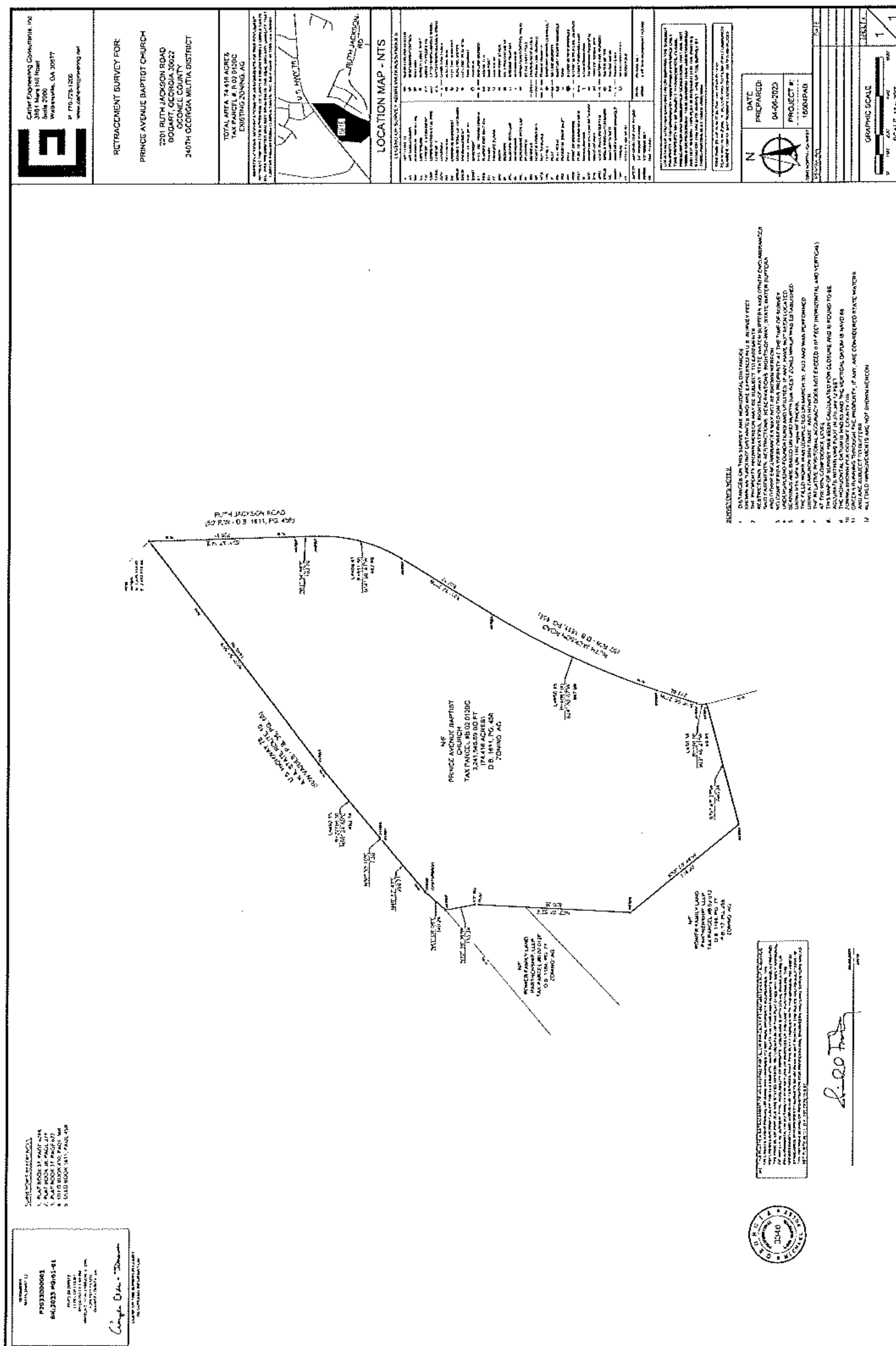
NARRATIVE

Project Narrative

Tax Parcel No. B 02 012BC

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- 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?
Yes. The height, size, and location of all improvements will be relatively similar to the height, size, and location of other buildings in the area.

PLAT



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

REZONE CASE #: P23-0116

DATE: June 28, 2023

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

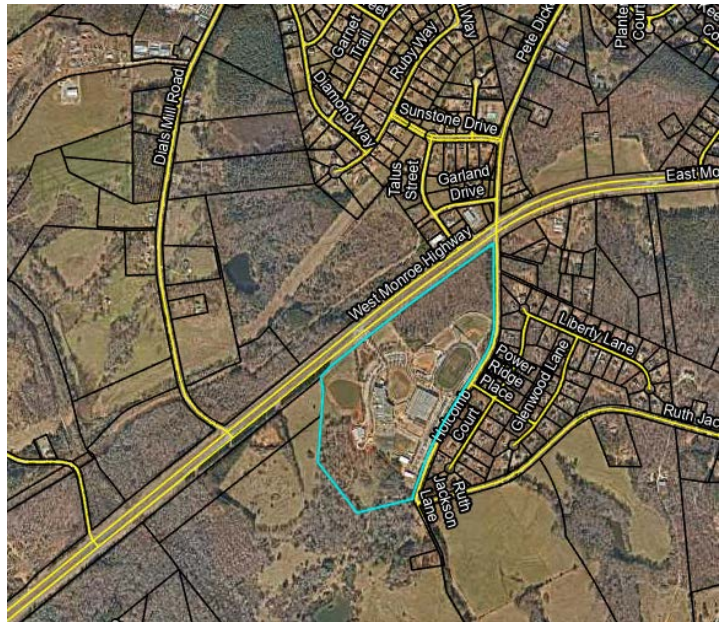
APPLICANT NAME: Carter Engineering
Consultants

PROPERTY OWNER: Prince Avenue Baptist
Church

LOCATION: 2201 Ruth Jackson Road (B-02-
012BC)

PARCEL SIZE: ±74.41 acres

EXISTING ZONING: AG (Agricultural District)



2040 CHARACTER AREAS MAP: Suburban Neighborhood

EXISTING LAND USE: School and church campus

ACTION REQUESTED: Change in conditions of prior approval of Special Use #7787 to construct a gymnasium and associated parking.

REQUEST SUMMARY: The applicant is requesting a change in conditions of previously approved with Special Use #7787 to construct a gymnasium and associated parking.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: July 17, 2023

BOARD OF COMMISSIONERS: August 1, 2023

ATTACHMENTS: Application
Narrative
Special Use Impact Analysis
Plats of Survey
Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The applicant is seeking a change in conditions of special use case #7787 to modify the existing concept plan to allow for a competition gymnasium and associated parking.
- The subject property is zoned AG. Parcel B-02-012BC has been owned by the current owner since 1998. The tract is currently used for the church and school campus.
- The previous resolutions approved under case #7787 allowed expansion of the church and school campus limited to 16,000 SF for a fellowship hall and 8,000 SF for a maintenance building. The proposed change in conditions is to allow additional construction of a 30,000 SF gymnasium and associated parking as a further expansion of the campus.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Commercial	B-2 (Highway Business District)
SOUTH	Commercial offices	AR (Agricultural Residential District), AG (Agricultural District)
EAST	Residential and agricultural	AR (Agricultural Residential District), AG (Agricultural District)
WEST	Agricultural	AG (Agricultural District), B-2 (Highway Business District)

PROPOSED PROJECT DESCRIPTION

- The applicant is requesting a change in conditions to construct a gymnasium and associated parking on the subject property.
- The proposed development includes one proposed competition gymnasium and associated parking on the subject property.
 - Gymnasium – 30,000 SF
- The applicant's estimated value of the proposed improvements for the project is \$8,000,000.

TRAFFIC PROJECTIONS

- There is an estimated 1,694 ADT (average daily trips) to be expected for the entire campus use (Trip Generation Manual, 11th Edition). The applicant did not include a specific traffic impact for the proposed gymnasium as they stated that the proposed gymnasium will not bring in any additional people but instead supplement current events and programs.
- There is no previous resolution for this property for traffic projection comparison.

PUBLIC FACILITIES

Water:

- The project is proposed to utilize County water services.
- The Water Resources Department has indicated in a letter that potable water is available at this location.

Sewer:

- The project is proposed to utilize County sewer services at a rate of 32,000 gallons per day.
- The Water Resources Department has indicated in a letter that sewer is available at this location.

Roads:

- The site will be accessed from existing intersections at either U.S. Highway 78 or Ruth Jackson Road.

ENVIRONMENTAL

- No 100-Year Flood Plain, Jurisdictional Wetland areas, or state water buffers are located on the subject site.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

Water Resources Department:

- No comments

Public Works Department:

- No comments

Fire Department:

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

The purpose of the AG zoning district is to “preserve prime agricultural areas, allow mini farm estates where appropriate, and discourage the subdivision of land into suburban development which requires significant increases in public services such as schools, fire protection, transportation improvements or waste disposal” (Unified Development Code Sec. 205.01). The specific property must be developed according to the principal uses allowed in the AG zoning district. Staff notes that the requested gymnasium and associated parking is allowed in AG zoning by special use approval. Staff holds that the proposed gymnasium development is consistent with the previously approved campus plan and stated purpose of the proposed zoning district provided that the corresponding special use application is approved.

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

The subject portion of the property lies within with the Suburban Neighborhood character area, as shown on the 2040 Future Development Map. The Suburban Neighborhood character area is characterized by “single-family detached houses with some higher density housing included in a planned development or near an established nonresidential area” (Comprehensive Plan, p. 36). The Comprehensive Plan lists single-family residential subdivisions, conservation subdivisions, and master planned developments as primary land uses in the Suburban Neighborhood character area. Staff holds that the proposed special use is compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan and Future Development Map as a use that will support the existing church and school campus and align with nearby residential uses.

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

Nearby lots are predominantly zoned AR, AG, and B-2. Primary land uses in the area are a mixture of agricultural, commercial, and residential uses. The proposed gymnasium and parking should not impede the normal and orderly development of surrounding property due to the primarily agricultural, residential, and commercial mix of uses of the surrounding properties. There are landscape buffers along the south and west property lines that are maintained. Staff is of the opinion that the proposed development is suitable in view of the existing nearby development and zoning.

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

Based on the character area designation of Suburban Neighborhood (see above), a desirable pattern of development for the area would include residential uses. The proposed development aligns with the intent for this character area as it supports nearby residential uses.

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

The existing access points from U.S. Highway 78 (one entrance) and Ruth Jackson Road (three entrances) are expected to be adequate to serve the proposed use. Traffic increases are not expected to be specifically attributable to the gymnasium development per the applicant. The applicant has not provided a traffic impact analysis.

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 existing access roads into to the site, one from U.S. Highway 78 and three from Ruth Jackson Road, each with existing deceleration lanes, should be adequate to provide for traffic/pedestrian safety, accommodate the volume of traffic, and provide emergency vehicles with access into the campus. Adequate access through existing and proposed parking lot drives for appropriate fire department vehicles should be confirmed by the Fire Department prior to approval of final plans.

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?

The Water Resources department has indicated that water is available for the site. The impacts to police and fire protection services should be minor for this expansion to the existing campus. Public schools will not be impacted by this specific recreation project. Staff holds that public facilities should be adequate to serve this 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?

The existing site will be subject to Article 8 requirements for landscape buffers adjacent to all neighboring properties of lower intensity. There are existing buffers along the south and west property lines which are to be maintained.

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 associated with the proposed special use are not expected to have significant adverse impacts on nearby properties above and beyond those already associated with the existing campus. Existing facilities such as the football stadium have use after school hours. The applicant did not indicate expected hours of competition gymnasium operation in the application.

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?

The dimensions and style of the proposed competition gymnasium should not be detrimental to adjacent agricultural, residential, and commercial development. The proposed structure is to be a brick, architectural block, and EFIS building to align with the look of the rest of the campus. The proposed footprint of the gymnasium building is 30,000 SF which is smaller than both the existing school building and existing church building.

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 of the present special use request. Staff recommends it be subject to the following conditions to be fulfilled by the developer/owner 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. 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.