

**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 rezone case #P21-0054 zoning classification OBP (Office-Business Park District) pursuant to an application for rezoning of property owned by Rhino Mini-Storage, LLC submitted on July 17, 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 Frank Pittman on July 17, 2023, requesting a rezone of a ±8.37-acre tract of land located at 1052 Moreland Heights Road in, Oconee County, Georgia, (tax parcel no. B-06-030C), 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 September 18, 2023, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on October 3, 2023.

ADOPTED AND APPROVED, this 3<sup>rd</sup> of October, 2023.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY: John Daniell

John Daniell, Chairman

Mark Thomas

Mark Thomas, Member

Chuck Horton

Chuck Horton, Member

Amrey Harden

Amrey Harden, Member

Mark Saxon

Mark Saxon, Member

ATTEST:

Holly Stephenson  
Holly Stephenson  
Clerk, Board of Commissioners

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### **CONDITIONS**

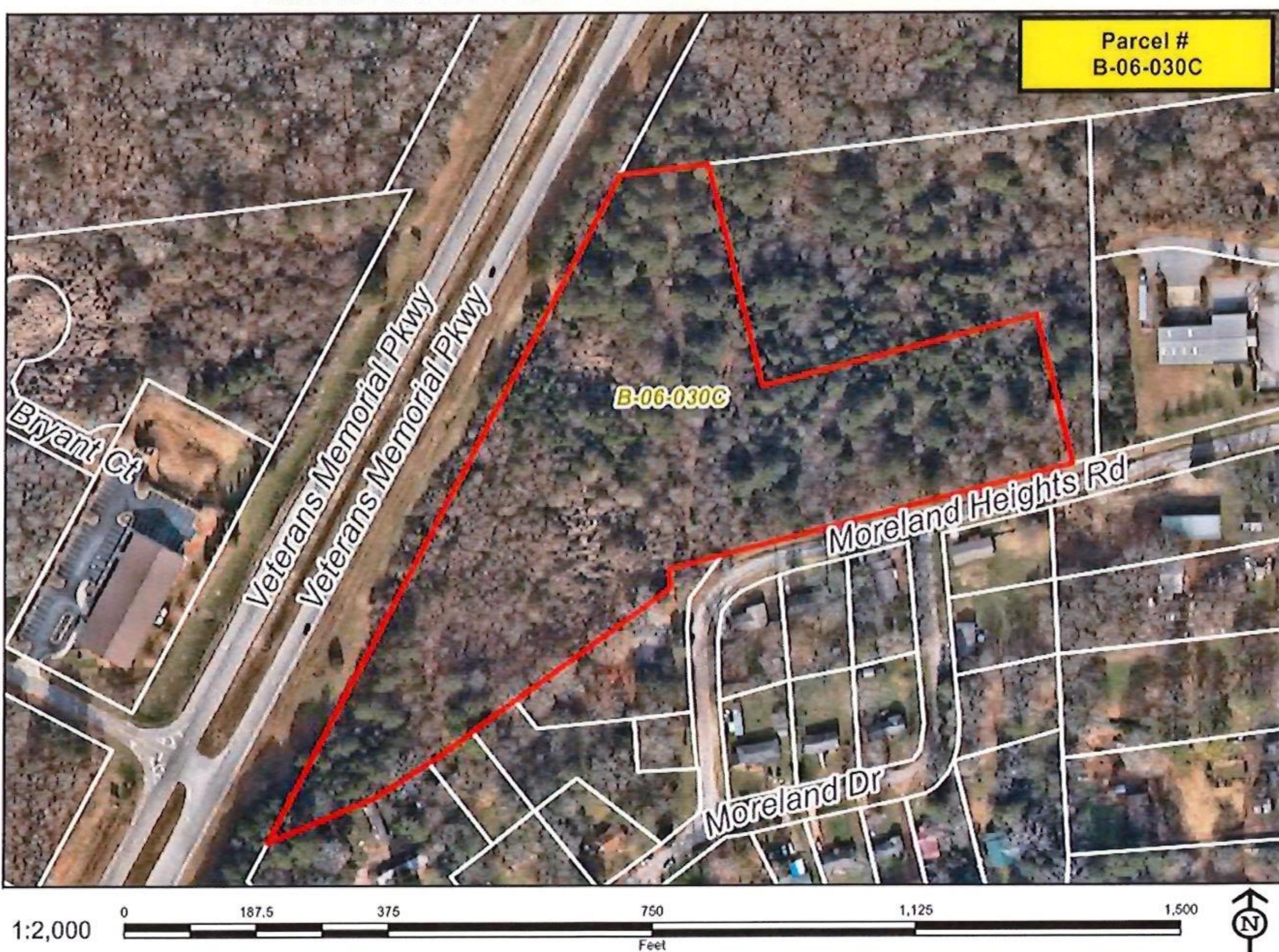
1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not 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.
4. Prior to issuance of a Certificate of Occupancy for any building on the site, Developer shall convey to Oconee County sufficient right-of-way and construct improvements as may be required to bring Moreland Heights Road up to applicable standards of the Oconee County Unified Development Code with geometry as well as base and pavement thickness meeting minor collector standards of structural and geometric equivalent, as approved by the Oconee County Public Works Director. Such road improvements shall be shown on the Site Development Plans submitted for the project.
5. All structures shall be brick or stone on all sides.
6. The total building square footage shall not exceed 164,300 square feet.

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TAX MAP

Rezone # P23-0157 - RHINO MINI STORAGE LLC



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### LEGAL DESCRIPTION

#### LEGAL DESCRIPTION

All that tract or parcel of land, together with all improvements thereon, containing 8.37 acres, more or less, lying and being in the 221st District, G.M., Oconee County, Georgia, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the westerly margin of right-of-way of US Highway 441 and the northerly margin of right-of-way of Moreland Heights Drive, thence along the right-of-way of Moreland Heights Road South 75 degrees 53 minutes 51 seconds West, 334.81 feet to an iron pin; thence continuing along the right-of-way of Moreland Heights Road South 75 degrees 53 minutes 18 seconds West, 35.78 feet to an iron pin, being the TRUE POINT OF BEGINNING; thence continuing along the right-of-way of Moreland Heights Drive South 75 degrees 53 minutes 18 seconds West, 593.23 feet to an iron pin; thence continuing along the right-of-way of Moreland Heights Drive South 05 degrees 32 minutes 36 seconds East, 26.78 feet to an iron pin; thence continuing along the right-of-way of Moreland Heights Drive South 54 degrees 41 minutes 22 seconds West, 35.13 feet to an iron pin; thence leaving said right-of-way South 54 degrees 17 minutes 51 seconds West, 287.91 feet to an iron pin; thence South 53 degrees 19 minutes 01 seconds West, 75.39 feet to an iron pin; thence South 57 degrees 12 minutes 16 seconds West, 114.45 feet to an iron pin; thence South 67 degrees 33 minutes 56 seconds West, 166.40 feet to a concrete monument on the easterly right-of-way of the Watkinsville Bypass/US Highway 441; thence along said right-of-way North 27 degrees 58 minutes 04 seconds East, 1065.71 feet to a concrete monument; thence leaving said right-of-way North 83 degrees 19 minutes 07 seconds East, 43.80 feet to an iron pin; thence North 83 degrees 19 minutes 07 seconds East, 82.84 feet to an iron pin; thence South 14 degrees 10 minutes 27 seconds East, 323.32 feet to an iron pin; thence North 75 degrees 49 minutes 33 seconds East, 400.00 feet to an iron pin; thence South 14 degrees 10 minutes 27 seconds East, 216.90 feet to the TRUE POINT OF BEGINNING.

Said tract being the same as Tract 1 on an administrative subdivision plat for Rhino Mini Storage, LLC. by Baseline Engineering & Surveying, Inc. dated 01.26.2021.

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### NARRATIVE

#### 1052 MORELAND HEIGHTS ROAD REZONE SUBMITTED 07/17/2023

#### GENERAL DATA

Property Address: 1052 Moreland Heights Road  
Parcel: B-06-030C  
Owner: Rhino Mini-Storage LLC  
Existing Zoning: OIP  
Proposed Zoning: OIP  
Existing Use: undeveloped  
Existing Use Allowed: Assisted Living Facility and General Office  
Proposed Use: Assisted Living Facility and General Office (modified plan)  
Property Area: 8.37 acres

#### ADJACENT LAND USES AND ZONING

North – Office Zoned AR (Oconee County owned) and mini storage zoned OBP  
West – Watkinsville Bypass / US Hwy. 441  
South – Moreland Heights Road and Residential lots zoned M-H as part of Moreland Heights Subdivision  
East –mini-self storage, zoned OBP

#### OWNERSHIP TYPE

The development will be privately owned with the office units available for condo ownership. The assisted living facility will be private pay.

#### REZONE REQUEST NARRATIVE

The property is 8.37 acres and is currently zoned OIP and undeveloped. The property owner is Rhino Mini-Storage LLC. The owner is seeking to modify the currently approved rezone plan to allow for up to three office buildings with multi-tenant units that could be used for contractor office, general office, etc. The proposed office maximum square footage is 23,400 sf which is slightly greater than the currently approved 20,000 sf. The assisted living portion of the property remains unchanged from the previously approved plan

#### SITE DESCRIPTION

The property is located along Moreland Heights Road, west of the intersection of Moreland Heights Road and Hwy 441 business. The site backs up to the Watkinsville Bypass/Us Hwy. 441. The Character Area for the property and its surrounding properties is identified as 'Civic Center' according to the Oconee Future Development Map.

The property is mostly wooded and slopes from the center out in all directions.

#### PROPOSED USE

The proposed use of the property is a multi-use commercial development consisting of an assisted living facility and up to three office buildings to be used for contractor offices and general office uses. The buildings could have roll up doors and even small loading docks for loading/unloading. These would not

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### **NARRATIVE**

be for tractor-trailer trucks but for commercial trucks associated with the office businesses. The components and their characteristics are as follows:

- Assisted Living Facility – This component of the project remains unchanged from the currently approved plan. The Assisted Living Facility building is a single-story building composed of four separate pods which will accommodate, in total, 100 units. The proposed architectural design theme is a traditional style and will feature pitched shingled roofs, shed dormers, wide overhanging eaves, wood or masonry columns, and divided light windows/doors. Predominant exterior materials will be the combination of a brick water table with cementitious plank siding and some shingle siding accents, with low-maintenance composite trim and ornamentations. See attached representative architecture photographs of the proposed structures.
- General Office – The proposed development consists of up to 23,400 sf. of office space in up to three buildings. These units could be available for general office space, contractor offices with some rear roll up doors, service type businesses, or other types of businesses that would be appropriate for a small strip center. This component will consist of structures with brick and/or stone (authentic or manufactured) and/or stucco.

### **ACCESS**

Access will be via shared driveways along Moreland Heights Road.

### **TRAFFIC IMPACT**

Per the Institute of Transportation Engineers, Trip Generation, 11<sup>th</sup> Edition (ITE Manual), the proposed development does not generate the 1,000 trips per day that is required to trigger a Traffic Impact Analysis. Trip Generation rates are as follows:

Average Daily Trips = 515 ADT total

Office (23,400 sf) = 254 ADT

Assisted Living (100 beds) = 260 ADT

Peak Hour Trips = 60 trips total

Office (23,400 sf) = 36 trips

Assisted Living (100 beds) = 24 trips

### **WATER SUPPLY**

Water will be provided by Oconee County Water Resources. An 8" watermain exists in the right-of-way of Moreland Heights Drive. A capacity letter has been obtained from Oconee County Water Resources and is provided with this request.

Estimated water usage is 18,540 gpd.

### **SEWAGE DISPOSAL**

Sewage disposal will be provided by Oconee County Water Resources. A sewer main will be extended from Hwy. 441 Business into the development to serve the components of the development. A capacity letter has been obtained from Oconee County Water Resources and is provided with this request. Estimated sewer usage is 18,540 gpd.

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### **NARRATIVE**

#### **GARBAGE COLLECTION**

Garbage collection will be handled by private contractor via dumpsters. Dumpsters will be shielded from view per the Oconee County UDC requirements.

#### **UTILITIES**

Electricity and Data will be provided by power/data providers in the area.

#### **STORMWATER MANAGEMENT AND DRAINAGE**

There will be a Stormwater Management Pond constructed onsite to manage the stormwater runoff from the development to meet Oconee County stormwater ordinance. To convey stormwater to the pond, curb and gutter along with RCP, CMP, or HDPE stormpipe.

#### **IMPACT TO SCHOOL SYSTEM**

There will be a positive impact to the school system from this development as it will generate tax dollars from taxes without adding to the number of children in the school system.

#### **PROJECT SCHEDULE**

Once zoning is approved in approximately November 2023 then site development plans will be created and permitted to begin construction in early 2024. The project will be built in multiple phases as demand dictates.

#### **BUFFERS**

Buffers are shown along the adjacent property lines to the north and south, as required by OC-UDC Section 806. Please see the Rezone Concept Plan for specific buffer locations and widths. The buffers will be designed with details provided during the site development plans approval stage of the project. All other buffers and screening, per OC- UDC requirements, will be met during site development.

#### **SIGNAGE**

The project will have signage that will meet the Oconee County UDC and be permitted through the sign permit process.

#### **ESTIMATED VALUE OF PROJECT**

The complete buildout of the project is estimated to be \$30 Million.

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PLAT





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

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**REZONE CASE #:** P23-0157

**DATE:** September 6, 2023

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

**APPLICANT NAME:** Pittman & Greer Engineering

**PROPERTY OWNER:** Rhino Mini Storage, LLC

**LOCATION:** 1052 Moreland Heights Road, south of the intersection of veterans Memorial Parkway and Macon Highway; B 06 030C

**PARCEL SIZE:** ±8.37 acres



**EXISTING ZONING:** OIP (Office-Institutional Professional)

**EXISTING LAND USE:** Undeveloped

**FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Civic Center

**ACTION REQUESTED:** Modify the previously approved rezoning to allow for change in configuration of the office component and increase the maximum allowed office area from 20,000 SF to 23,400 SF.

**STAFF RECOMMENDATION:** Staff recommends conditional approval of this request.

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** September 18, 2023

**BOARD OF COMMISSIONERS:** Ocotber 3, 2023

**ATTACHMENTS:**

- Application
- Narrative
- Architectural Renderings
- Zoning Impact Analysis
- Plat of Survey
- Concept Plan
- Water & Sewer Capacity Letter

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## **BACKGROUND INFORMATION & FINDINGS OF FACT**

### **HISTORY**

- The existing parcel was rezoned from OBP to OIP under rezone P21-0054 enacted on June 1<sup>st</sup>, 2022.
- The approved concept plan included one assisted living facility of 73,842 SF and one office building of 20,000 SF.

### **SURROUNDING LAND USE AND ZONING**

	<b>EXISTING LAND USES</b>	<b>EXISTING ZONING</b>
<b>NORTH</b>	Office and self storage facility	OIP (Office-Institutional Professional) and OBP (Office-Business Park)
<b>SOUTH</b>	Residential	M-H (Mobile Home)
<b>EAST</b>	Self storage	OBP (Office-Business Park)
<b>WEST</b>	Office and services	OBP (Office-Business Park)

### **PROPOSED DEVELOPMENT**

- The proposed development will change the office component of the approved plan to provide three buildings with a total of 23,400 SF instead of the one building with 20,000 SF as previously approved.
  - The three office buildings will include multi-tenant units that could be used for contractor office, general office, or other similar allowed uses.
  - The buildings could have roll up doors and small loading docks for loading/unloading for smaller commercial trucks associated with the office businesses.
- The assisted living component will be unchanged.
- The development will include a stormwater management facility located in the southwest corner of the property.
- Construction would begin in early 2024 in multiple phases.
- The projected project valuation is \$30 million.

### **PROPOSED TRAFFIC PROJECTIONS**

- An approximate additional 515 ADT (average daily trips) are estimated with 60 peak hour trips (Trip Generation Manual, 11<sup>th</sup> Edition).

### **PUBLIC FACILITIES**

#### **Water:**

- The project is proposed to utilize County water services. Estimated water usage is 18,540 GPD.

#### **Sewer:**

- The project is proposed to utilize County sewer services. Estimated sewer usage is 18,540 GPD.

#### **Roads:**

- Access will be via shared driveways along Moreland Heights Road.

### **ENVIRONMENTAL**

- The property contains no identified state waters, wetlands, or flood plain.

## **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.

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## **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.**

The proposed use is a modification of the existing use. Staff holds that the proposed development is 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 it is currently zoned. The proposed use is a modification of the existing use.

**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 proposed use is a modification of the previously approved use. It will have only minor additional impacts on population density and community facilities.

**ii. Environmental impact;**

No environmentally sensitive areas are known to exist on the site. Per the applicant the stormwater management will be in compliance with Oconee County ordinances.

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

The proposed use is a modification of the existing use and is not anticipated to affect the existing use, usability, and/or value of adjoining 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 has been vacant under the current zoning since it was approved on July 1, 2022.

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

The purpose of the OIP zoning district is stated as “*It is the intent of the OIP District to provide an area for business and professional offices as well as for social, fraternal, political, civic and community organizations. The district is also designed for institutional uses such as hospitals, nursing homes, convalescent centers, institutional planned developments and clinics.*” Staff holds that the requested use is consistent with the stated purpose of the proposed zoning district.

**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 use is a modification of the previously approved use. Staff holds that the proposed 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 Comprehensive Plan Character Areas Map. The Comprehensive Plan describes this Character Area as “*the center of civic activities in unincorporated Oconee County. The Character Area includes 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.*” Staff holds that the proposed commercial development is in conformity with the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan.

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

The proposed use is a modification of the existing use. Per prior zoning actions the site is appropriate for the proposed use.

**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. 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.
4. Prior to issuance of a Certificate of Occupancy for any building on the site, Developer shall convey to Oconee County sufficient right-of-way and construct improvements as may be required to bring Moreland Heights Road up to applicable standards of the Oconee County Unified Development Code with geometry as well as base and pavement thickness meeting minor collector standards of structural and geometric equivalent, as approved by the Oconee County Public Works Director. Such road improvements shall be shown on the Site Development Plans submitted for the project.
5. All structures shall be brick or stone on all sides.
6. The total building square footage shall not exceed 164,300 square feet.