

**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 zoning classification B-2 (Highway Business District) pursuant to an application for rezoning of property owned by Kerry H. Barwick & Ken D. Hill submitted on January 16, 2024.

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 Barak Zukerman on January 16, 2024, requesting a rezone of a ±23.51-acre tract of land located at 7760 Macon Hwy in, Oconee County, Georgia, (tax parcel no. B-06-029A), 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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.

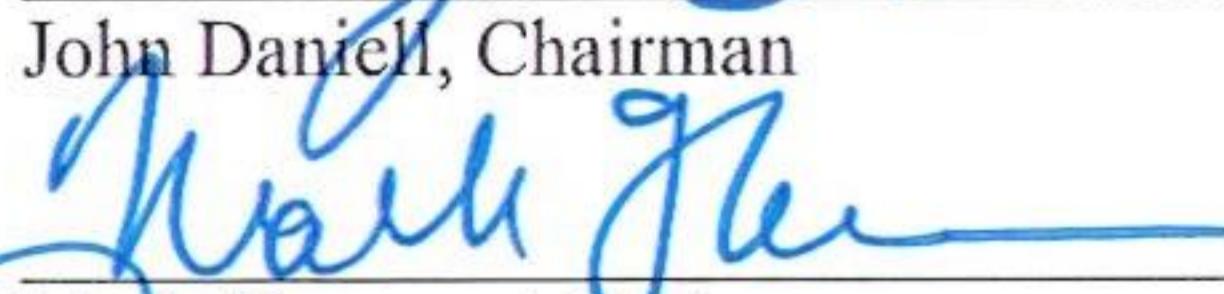
Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on June 17, 2024, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on July 9, 2024.

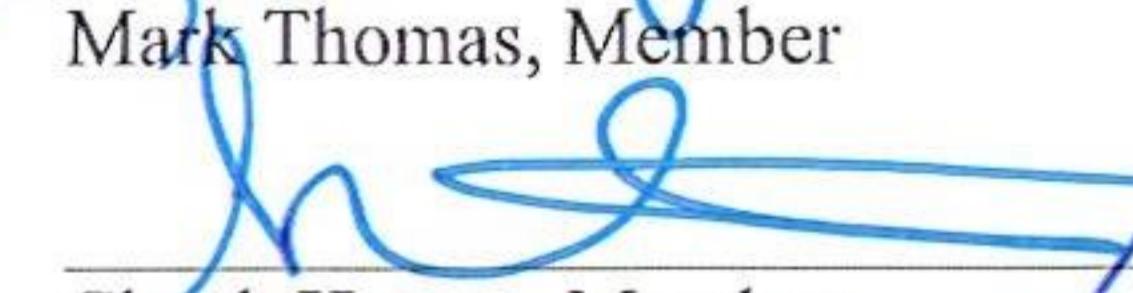
ADOPTED AND APPROVED, this 9th of July, 2024.

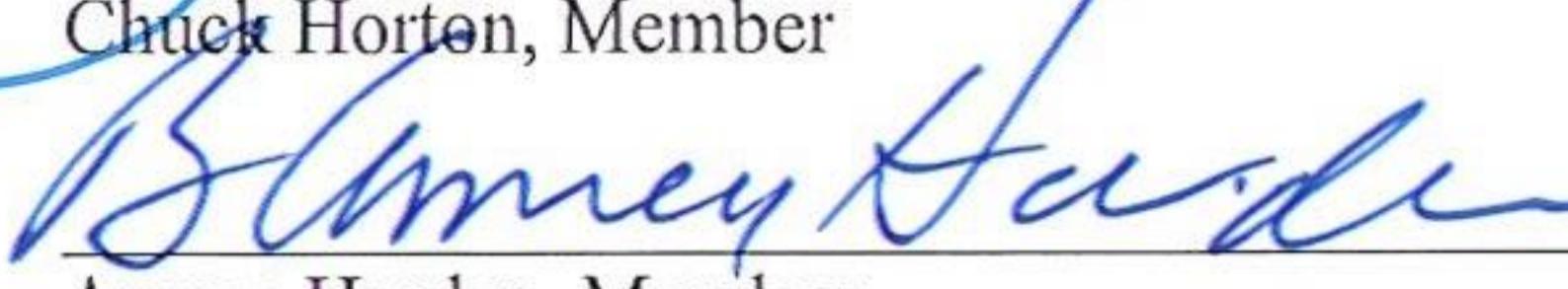
OCONEE COUNTY BOARD OF COMMISSIONERS

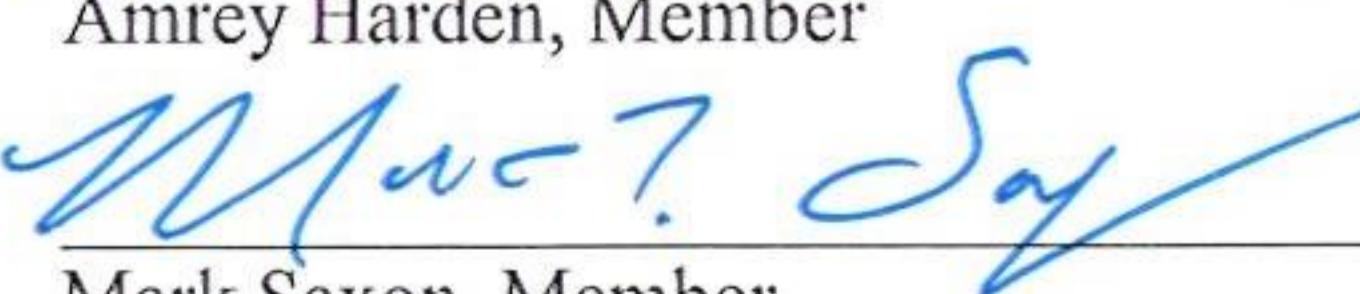
BY:


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 P24-0014

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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.
4. The development shall be limited to 68,000 square feet of building area until a second entrance is obtained to meet the requirement for two fire apparatus access roads unless all buildings up to 124,000 square feet are equipped throughout with approved automatic sprinkler systems.
5. Interparcel access stub outs and an easement to the north along the entrance drive shall be shown on the preliminary/ final plat and site development plans. The northern interparcel access will be constructed with a temporary cul-de-sac meeting the requirements of section 1008.02. The private access drive shall allow Interparcel legal/ platted access to parcel(s) to the north of the rezoning area through to the GDOT right of way to the south of the rezoning area.
6. All proposed buildings shall have a facade of predominately brick, stone or glass (80%). Accent materials are allowed as indicated in UDC Section 306.03.
7. The following uses shall be excluded:
 - Dollar Stores
 - Variety Stores (Five and Dime)
 - Massage Therapy Establishment
 - Car, motorcycle, recreational vehicle and boat dealers
 - Pawnshop
 - Cigar and Tobacco Stores, including "Vape" Shops and Electronic Cigarette Stores
 - Tattoo Parlors
 - Used Merchandise Stores

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TAX MAP

Rezone # P24-0014 - Barak Zukerman

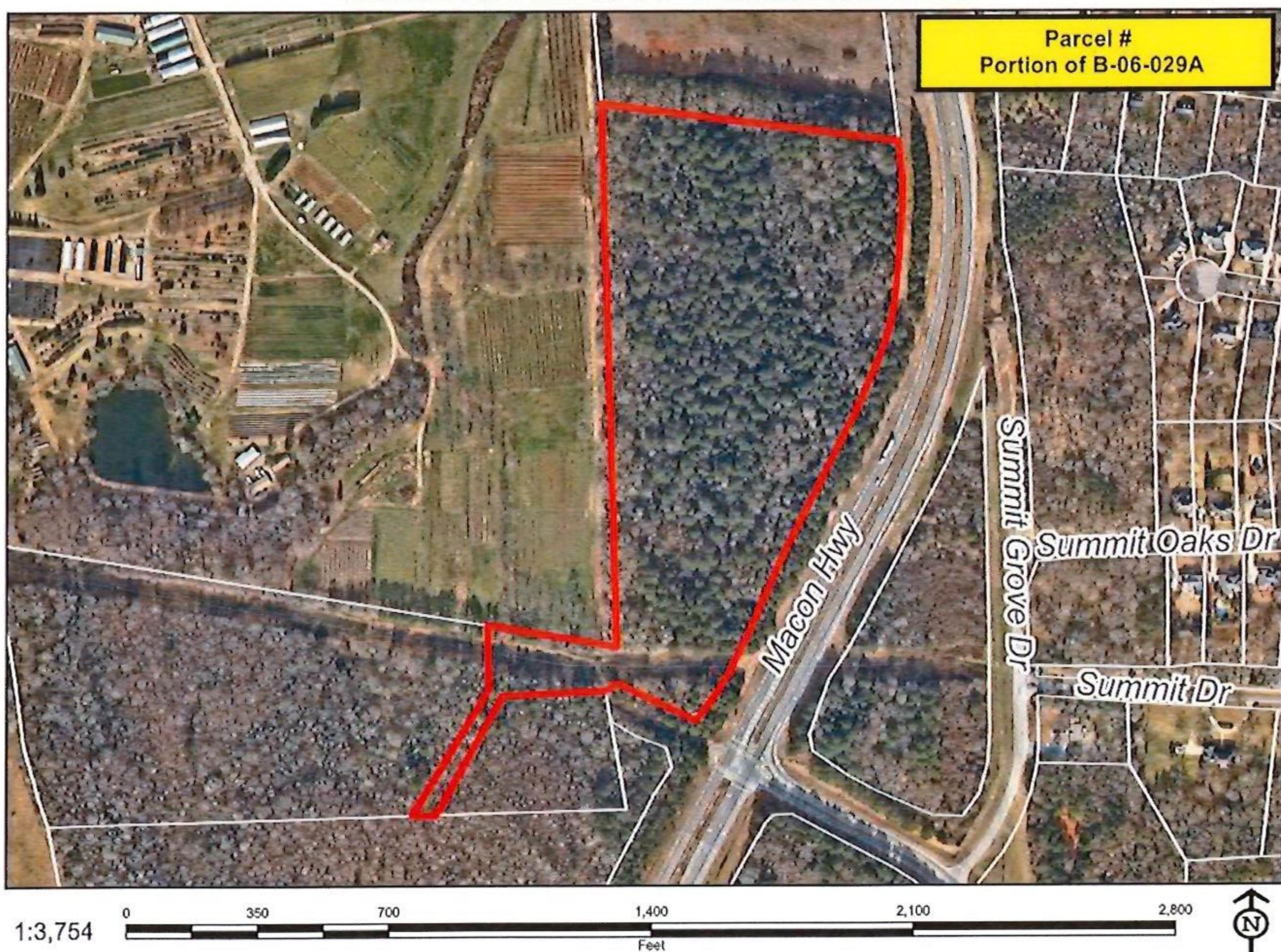


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LEGAL DESCRIPTION

Legal Description of Rezone Area

All that tract or parcel of land lying and being in the 221st G.M.D., Oconee County, Georgia, and being more particularly described as follows:

Beginning at a point on the western right-of-way line of Watkinsville Bypass (R/W Varies) adjacent to the intersection with Watkinsville Bypass (R/W Varies) and U.S. Hwy. 441/ 129 (R/W Varies), that point being the TRUE POINT OF BEGINNING (T.P.O.B.), Thence, N 62 degrees 01 minutes 41 seconds W for a distance of 235.2 feet to a point, Thence, S 63 degrees 24 minutes 45 seconds W for a distance of 27. feet to a point, Thence, S 78 degrees 47 minutes 22 seconds W for a distance of 215.0 feet to a point, Thence S 27 degrees 35 minutes 07 seconds W for a distance of 330.9 feet to a point, Thence S 83 degrees 15 minutes 00 seconds W for a distance of 60.6 feet to a point, Thence N 27 degrees 35 minutes 07 seconds E for a distance of 365.0 feet to a point, Thence N 01 degrees 09 minutes 10 seconds W for a distance of 159.0 feet to a point, Thence S 80 degrees 34 minutes 31 seconds E for a distance of 250.0 to a point, Thence, N 00 degrees 58 minutes 48 seconds W for a distance of 1459.7 feet to a point, Thence, S 83 degrees 53 minutes 39 seconds E for a distance of 800.3 feet to a point on the eastern right-of-way line of Watkinsville Bypass, (R/W Width Varies) Thence continuing along said right-of-way, S 05 degrees 05 minutes 40 seconds E for a distance of 0.8 feet to a concrete monument, Thence, S 05 degrees 51 minutes 10 seconds E for a distance of 217.5 feet to a concrete monument, Thence, S 05 degrees 21 minutes 43 seconds W for a distance of 270.4 feet to a concrete monument, Thence, S 21 degrees 09 minutes 14 seconds W for a distance of 370.9 feet to a concrete monument, Thence S 28 degrees 52 minutes 54 seconds W a distance of 429.0 feet to concrete monument, Thence, S 26 degrees 40 minutes 31 seconds W for a distance of 407.2 feet to a point , that point being the TRUE POINT OF BEGINNING (T.P.O.B.)

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NARRATIVE

NARRATIVE

NORTHWEST SIDE INTERSECTION OF VETERANS PARKWAY (HWY 441) AND SR15

Application For Rezone

Introduction:

Property Address: 7760 Macon Highway, Watkinsville, Parcel B 06 029A,

Landowner: Kerry H Barwick and Ken D Hill

Existing Zoning: AR

Proposed Zoning: B2

Proposed Use: Commercial development Center to include multiple uses such as Medical Office (urgent care, professional office, dental), QSR with drive-thru, Retail Shops, Gym/Fitness, Sit Down Restaurants, and Automotive Retail service and Repair.

Area: 23.67 Acres

REZONE NARRATIVE

Cideco Development application requests a rezoning from AR to B2 for the construction of Watkinsville Exchange, a commercial development with multiple outparcels on the property with each outparcel conforming to the zoning. The property is currently an undeveloped, unused agricultural tract.

Watkinsville Exchange's proposed uses will provide a variety of commercial, retail, restaurant, and service-oriented users that will complement the area and provide more food and service options to the community.

The specific users will provide their standard site plan and elevations based on corporate requirements on the property with the understanding that the concept plan will be the template for all future plans.

The project is proposed on a portion of parcel B 06 029A (42.79 Acres, 7760 Macon Highway, Watkinsville). The total acreage for the project is 23.67 acres. The project parcels sit on the Northwest corner of US 441 (South Veterans Parkway) and SR 15 (Macon/Greensboro Highway).

The site plan shows the general footprint of the proposed buildings. Site access will be provided at the existing traffic signal at US 441 and US 15 with the understanding that future access will be provided across properties North and West.

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NARRATIVE

Parcels in the surrounding area are zoned as follows:

South: O-B-P and B-2

North: Parcels along US 441 are zoned as B-2 and OIP

East: OIP, along with a parcel containing a business office complex zoned AR on the NE corner of the US 441/GA 15 intersection.

West: AR (Government Exempt)

The property for which rezoning is requested is currently undeveloped.

Variance:

As part of this rezoning, Cideco is seeking three variances. The first variance is for a reduction in the rear landscape buffer (AG to B2) from 25ft to 10ft on a portion of the property that may need additional room for road access. The second variance is for a parcel located at parcel 15. The request is that this one tenant in the rear of the property be allowed reduced parking of up to 50% because their parking needs are not as large as the minimum required. The third variance is to request an increase in the maximum allowed lots on a private access drive.

Adjacent properties:

Regarding adjacent property uses, the uses are as follows:

South: Lumpkin Branch Park (office / industrial park) with healthcare and gymnastics with businesses in the park and Quiktrip (coming soon) which was recently rezoned from AG to B2

North: Undeveloped B-2 piece BankSouth Bank and RaceTrac gas station

East: newly opened Oconee County government annex and a single story, office complex

West: Agricultural use (Government- UGA horticulture research farm).

Development Details:

Cideco intends to meet all required buffer and setback requirements as outlined in the Oconee County Unified Development Code, along with the proper landscape setbacks for all sides of the proposed site plan other than the requested variance. The project will consist of up to sixteen (16) lots with typically one building per lot. These users that we are considering and/or are working with include: QSR's with drive thru, auto parts store, oil change and auto repair, bank, sit down family restaurant, medical and dental offices, daycare, furniture store, pet/kennel, gym, indoor sports complex, and retail shops. Please note that we intend to bring users that conform to the B-2 zoning. Most of the buildings will be between 2,000 and 6,000 sq.ft. with only a few larger anchor tenants like a 42,000 sq.ft. indoor sports complex. We will not exceed the 174,500 square feet shown and we will stagger the uses and building sizes so that the large buildings are in the back. As a long-term plan, this will allow increased growth in the area with

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NARRATIVE

an initial investment of \$12,000,000. The estimated value of the project at completion will be much greater as each new building is added. The project will fill under-served service needs in the community.

Cideco plans to develop the western (rear) portion of parcel B 06 029A (approximately 19.28 acres) at a future time. Undeveloped land will remain after the construction of the B2 property, but Cideco has no identifiable plan for further use or development in the foreseeable future.

Traffic Impact:

Overall traffic impact was studied and provided. The analysis shows that per Oconee County requirements, we will meet a Level of Service 'C' at our Western side of the intersection as required by code. The newly created private road will serve as a main access point to each of our parcels as well as connect to the parcel north and south with a reciprocal easement agreement.

Architecture:

Watkinsville Exchange intends to adapt to Oconee County building codes by adopting brick, stone, and stucco elements in its buildings. Building architecture will be fitting to the area and use retailer prototypical buildings. (See photos for reference). A development monument sign for retailers and restaurants signage will be located at the intersection of US15 and US441.

Access:

Cideco has had several preliminary meetings with GDOT regarding access and will use the newly built fourth side to the current 3-sided traffic control signal at the intersection of US 441 and GA 15 which will be completed by QuikTrip. QuikTrip is required to provide appropriate access to the Watkinsville Exchange project and the entire parcel, per QuikTrip's land contract. If additional upgrades to the signal are required, Cideco plans to meet all GDOT requirements for signal timing, proper lane assignment at the intersection, and traffic circulation through the lot based on the proposed site plan and any additional DOT requirements.

There will be future access for Watkinsville Exchange to Hog Mountain Road and US 441 via the undeveloped parcel to the north once it is developed. Watkinsville Exchange interior roads will be stubbed at the north property line for future access tie-in with the northern parcel.

Pedestrian access will be provided through sidewalks across the common area access road so that it will be easy to walk from one to the other.

Water and Sewer Capacity:

Cideco has retained a Utility Relocation specialist consultant, who has had preliminary conversations with Oconee County utilities regarding our Water and Sewer impacts. Cideco plans to utilize public services. Currently, Cideco is not exploring a septic system. Cideco is submitting a Water and Sewer Capacity Letter as part of its applications, and estimates using

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NARRATIVE

approximately 260,000 gallons of water per day and 217,500 gallons of sewer per day when the entire property is completed.

Sewer: There is a manhole with an 8" sewer line at the NW corner of 441 and SR15 running north along 441 which Cideco would tie into our location on the NE corner of the intersection.

Water: There is an 8" water main on the South side of 441 that QuikTrip will be extend across/under 441 which Cideco will tie into.

Stormwater Drainage:

Cideco proposes onsite, above-ground detention for the site and, in preliminary planning, has determined an area to the southwest of the site to be the most viable location. This detention will meet all local, state, and federal requirements for runoff, storm calculations, and water quality.

School System:

Cideco's proposed site plan will not have any impact on the Oconee County School System.

Landscaping:

Cideco plans to adopt a landscape plan that includes trees and shrubs in the frontage on US 441, rear landscape buffer, along access interior roads, in and around the buildings and parking lot islands per County Code. The plan calls for over 7 acres of landscaping which is more than 30% of the re-zone area while the requirement is only 20%. Part of the goal was to create a common area between the users with an emphasis on the area surrounding the traffic circle.

Schedule:

If passed, Cideco anticipates starting construction by first quarter of 2025.

Conclusion:

In summary, Cideco Dev proposes a commercial development, Watkinsville Exchange, which necessitates the rezone request. Cideco Dev contends that the proposed use is of similar nature and fits in harmony with current adjacent uses in the area, as well as the Oconee County Future Land Use Plan of 2040, which identifies the parcel as being in a Civic Center zone. Cideco believes its plan is an effective use of undeveloped land under the Future Land Use Plan and its presence will provide a mix of uses that will a multi-dimensional environment of, retail, food, medical and other uses to the citizens and businesses nearby while not causing a negative impact to traffic or traffic concerns in the area.

Cideco Development is excited about this project.

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ARCHITECTURAL RENDERINGS



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ARCHITECTURAL RENDERINGS



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ARCHITECTURAL RENDERINGS



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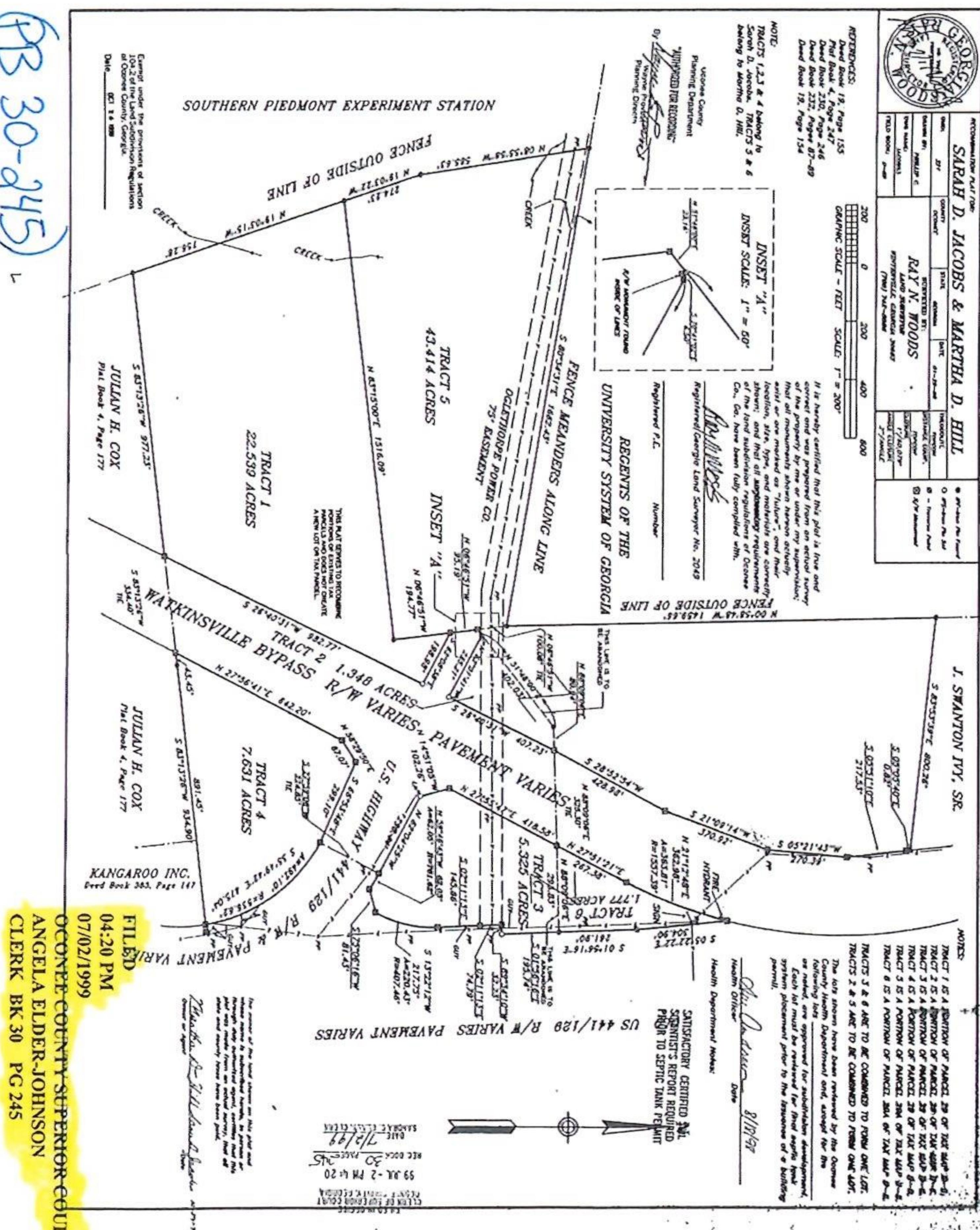
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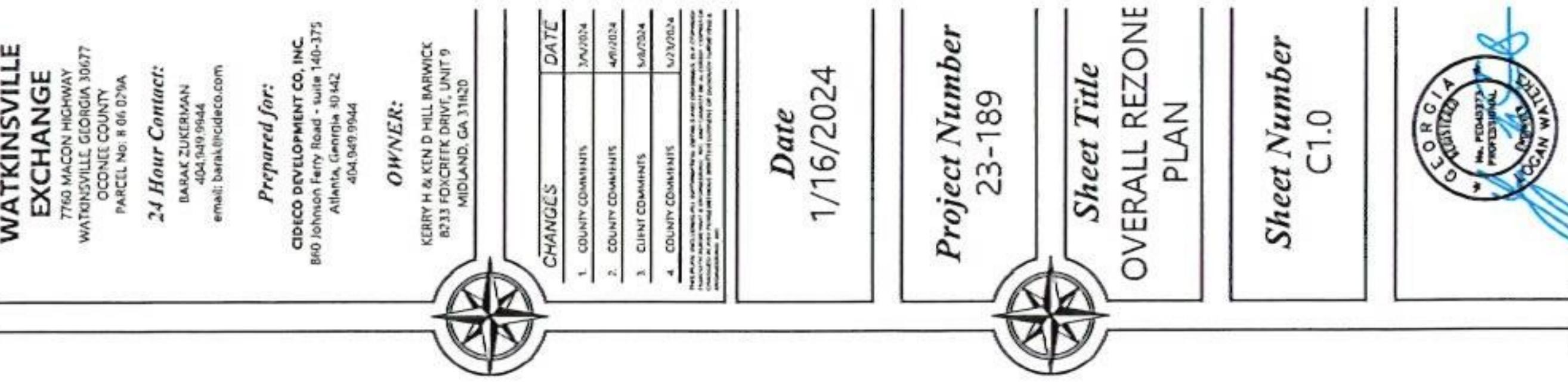
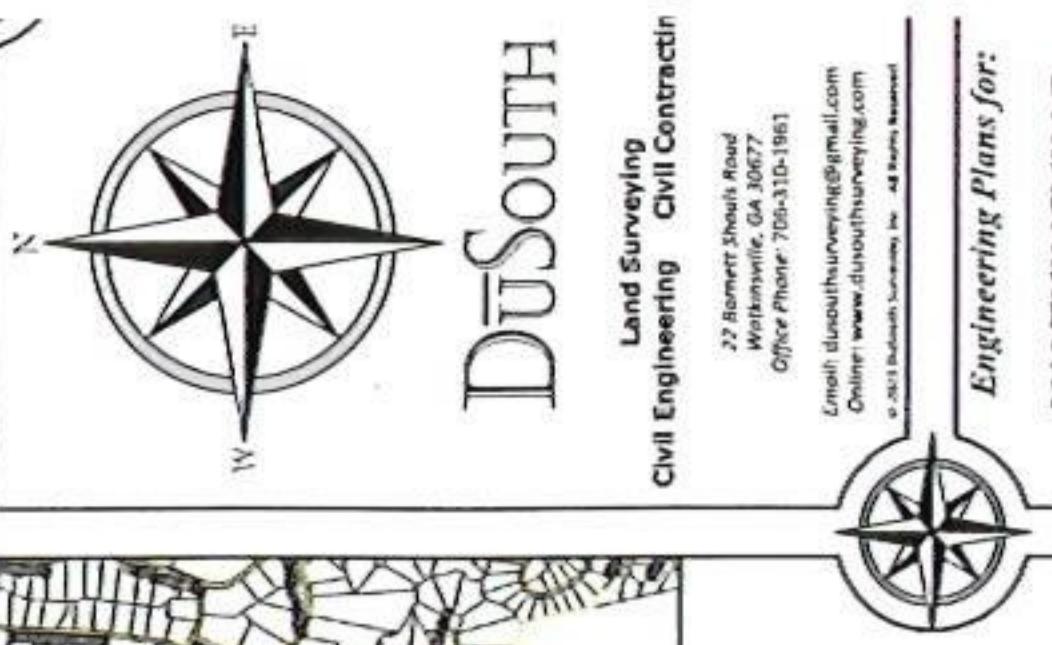
PLAT

LP

11

BB 30-245





Project Summary

ZONING DATA		DEVELOPMENT DATA	
ZONING	AR	MIN. LOT SIZE	10,000 SF
ADJACENT ZONING	AR, B2	MIN. LOT WIDTH	100'
PROPOSED ZONING	B2	BUILDING SETBACKS	FRONT - 20' (MAJOR) 15' (MINOR) SIDE - 10' REAR - 10'
PROPOSED USE	COMMERCIAL/RETAIL	MAX. BLDG. HEIGHT	55'-0"
CURRENT USE	UNDEVELOPED	MAX. LOT COVERAGE	80%
		PROP. IMP. COVERAGE	60%
		LANDSCAPING	3.2%
		ZONING BUFFER(S)	15' ADJACENT TO AGRICULTURAL
		COMMON AREA REQ.	NA
		PRIVATE STREET WIDTH	40'
		SCENIC	VARIES

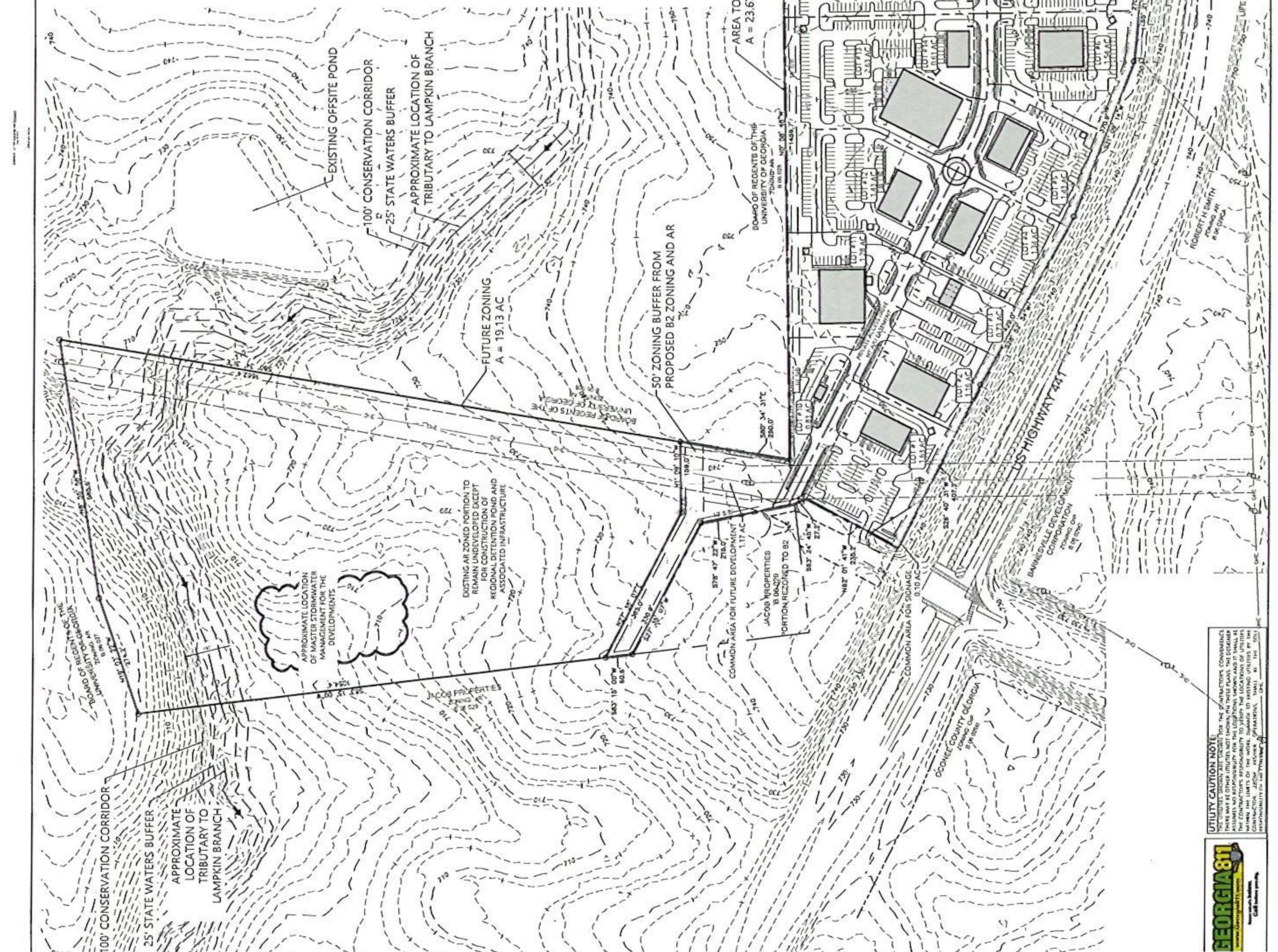
Project Summary

Project Summary	
PROPERTY DATA	
CITY/COUNTY, STATE	OCONEE COUNTY, GA
PARCEL #	B 06 020A
ADDRESS	7160 MACON HIGH WATKINSVILLE, GA 30677
ACRAGE	41.76 AC (43.5) AC (D.R. HE/ONHD)
SEWER PROVIDER	OCONEE COUNTY
WATER PROVIDER	OCONEE COUNTY
JURISDICTIONAL REVIEW	
PLANNING AND ZONING	OCONEE COUNTY
WATCH	OCONEE COUNTY
STORM	OCONEE COUNTY
TRAFFIC/INFRASTRUCTURE	DOT
FAS	GSWCC
STORMWATER	OCONEE COUNTY
ENVIRONMENTAL DATA	
FEMA FIRM PANEL	142700000005
FEMA FIRMS PANEL DATA	6/17/2012

SENSITIVE AREA: STREAM RIFLE, NO IMPACT	
RECEIVING WATER(S)	TRIBUTARY OF LAMININ BRANCH

Parcel	USE	Building Size		Spaces Per	Required	@ Peak Shared	Parking Provided	ADA Required	ADA Provided
		Size	Spaces						
Parcel 1	QSR	Drive Thru	64000	10	10000	60	60	3	3
Parcel 2	Auto Parts	Drive Thru	96000	1	96000	32	96000	74	74
Parcel 3*	Oil Change	Drive Thru	18000	1	250	12	94000	12	12
Parcel 4	QSR	Drive Thru	64000	10	10000	60	60	3	3
Parcel 5	General Merchandise	Drive Thru	44000	1	3600	20	94000	18	64
Parcel 6	Family Restaurant	Drive Thru	96000	9.5	10000	74	100000	76	76
Parcel 7	Bank	Drive Thru	40000	4	10000	16	90000	14.4	29
Parcel 8	QSR	Drive Thru	70000	10	10000	30	100000	30	30
Parcel 9	General Merchandise	Drive Thru	100000	1	10000	10	100000	10	10
Parcel 10	Coffee/Quick Eat	Drive Thru	6000	10	10000	6	100000	6	6
Parcel 11**	Kitchen/Per	Drive Thru	120000	1.5	4000	10	90000	16.2	18
Parcel 12	Medical/Dental Offices	Drive Thru	60000	1	3000	20	90000	18	63
Parcel 13	Sports Club	Membership	240000	4.5	10000	100	100000	100	127
Parcel 14	Medical/Dental Offices	Drive Thru	40000	1	3000	14	90000	12.6	13
Parcel 15***	Large Sports	(3 Story)	40250	4.5	10000	102	100000	102	64
Parcel 16	Furniture Store	(3 Story)	40250	1	10000	41	90000	36.9	43

Total Sq.Ft.	174500
Assume 72% of retail space with 3 Baye's, 720/250 + 3 [1] = 12	
Assume 2,000sf of waiting areas and 20 employees, (2,000/400) * 1.5 * ([20/2]) = 17.5 = 18	
Variance reduced due and user to end user and customer demand has been reduced due to a	





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

REZONE CASE #: P24-0014

DATE: June 6, 2024

STAFF REPORT BY: David Webb, AICP (Senior Planner)

APPLICANT NAMES: Barak Zukerman

PROPERTY OWNER(S): Kerry H. Barwick & Ken D. Hill

LOCATION: 7760 Macon Hwy.
A portion of parcel number B 06 029A

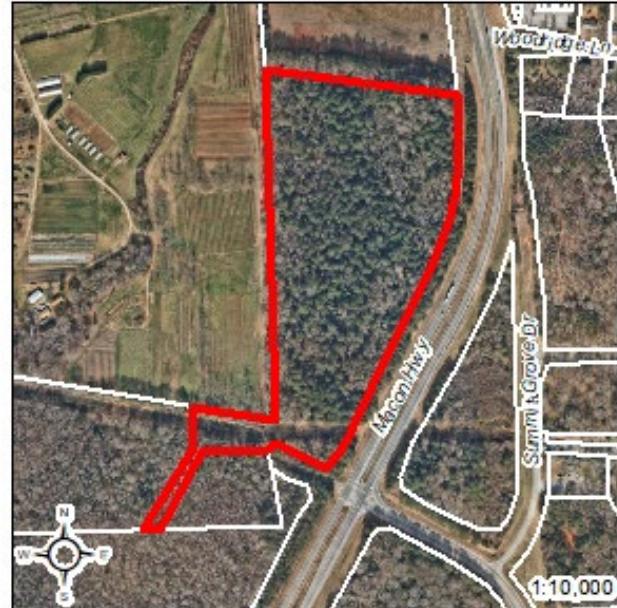
PARCEL SIZE(s): Rezoning Area = ± 23.51 acres

EXISTING ZONING: AR (Agricultural Residential)

EXISTING LAND USES: Vacant property

FUTURE DEVELOPMENT MAP CHARACTER AREA

DESIGNATION: Civic Center



ACTION REQUESTED: Rezoning from AR (Agricultural Residential) to B-2 (Highway Business) to develop a 16-lot commercial subdivision with a proposed 174,500 SF of commercial buildings.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: June 17, 2024

BOARD OF COMMISSIONERS: July 9, 2024

ATTACHMENTS:

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

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- A portion of the parcel, ±2.36 acres, was rezoned to B-2 on 7-11-2023 for a planned convenience store/gas station (Quik Trip).
- A site development permit is under review for the Quik Trip on a portion of the property.
- The parcel has been owned by the current owner since 2003. The tract is currently vacant.
- The property was zoned AR in the original county adoption in 1968.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Agricultural and vacant	AR (Agricultural Residential District) and B-2 (Highway Business)
SOUTH	Vacant (proposed Quik Trip)	AR (Agricultural Residential District) and B-2 (Highway Business)
EAST	Office, institutional and vacant (Across US 441)	OIP (Office Institutional Professional District) and AR (Agricultural Residential District)
WEST	Agricultural and institutional	AR (Agricultural Residential District)

PROPOSED DEVELOPMENT

- The applicant is seeking a rezoning to change the zoning from R-1 to B-2 to develop a 16-lot commercial subdivision with a proposed 174,500 SF of commercial buildings.
- The proposed uses include:
 - Quick Service Restaurants
 - Automotive Oil Change facilities
 - Large Sports Facility (up to 40,250 SF)
 - Sports Club Facility (up to 24,000 SF)
 - Pet boarding and day care
 - Medical/ Dental Offices
 - Bank
 - Family Restaurant
 - Retail- Furniture Store
 - Retail-Auto Parts
 - Retail- General Merchandise
- The applicant has submitted concurrent variances for:
 - Increasing the allowance to use a private access easement from 5 lots to 16 lots
 - Buffer reductions
 - Parking reductions on one lot

PROPOSED TRAFFIC PROJECTIONS

- A traffic impact study was prepared for the application. The revised traffic impact study is dated 5-8-2024. The total trips generated for the site within 24 hours will be 5,721 trips at full build out.
- The Georgia Department of Transportation has not provided comments on the traffic impact analysis.

PUBLIC FACILITIES

Water:

- The project is proposing 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 proposing to utilize County sewer services.

- The Water Resources Department has indicated in a letter that sanitary sewer is available at this location.

Roads:

- The applicant is proposing access to US 441 from an undeveloped fourth leg at the intersection of Macon Highway and Veterans Memorial Parkway.
- Access to US 441 and off-site transportation improvements are under the jurisdiction of the Georgia Department of Transportation.

ENVIRONMENTAL

- The Concept Plan indicates there are State Waters present on the site.
- The U.S. Fish and Wildlife Service Maps indicate the presence of wetlands on the site.
- There are no Special Flood Hazard Areas (100-year floodplain).
- The site will have to meet the requirements of Article 9: Environmental Protection.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

OCONEE COUNTY PUBLIC WORKS DEPARTMENT

- Reviewed with the following comments on 6-3-2024
 - GDOT approval will be needed for access onto HWY 441, which could include intersection improvements, decel lane, etc.
 - Concept Plan does not clearly show how the proposed lots will be accessed from HWY 441.

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- Reviewed with the following comments on 5-31-2024:
 - The owner, all at owner's expense, shall construct the improvements required by the County for public water and public wastewater services for subject property and 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.

OCONEE COUNTY FIRE CHIEF

- Reviewed with the following comments on 5-22-2024:

The recommendation is there should be two separate and approved fire apparatus access roads.

- According to the 2018 International Fire Code Appendix D:
 - D101.1 Scope.
 - Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code.
 - D103.3 Turning radius.
 - The minimum turning radius shall be determined by the fire code official.
 - SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS
 - D104.2 Buildings exceeding 62,000 square feet in area.
 - Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads.
 - Exception: Projects having a gross building area of up to 124,000 square feet (11 520 m²) that have a single approved fire apparatus access road where all buildings are equipped throughout with approved automatic sprinkler systems.
 - D104.3 Remoteness.
 - Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

There is no objection to the rezone request as long as all applicable codes and standards adopted by the Georgia Safety Fire Commissioner are met.

OCONEE BOARD OF EDUCATION

- No comments received as of 6-6-2024

GEORGIA DEPARTMENT OF TRANSPORTATION

- No comments received as of 6-6-2024

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 parcels in the area are predominantly zoned AR, OBP and OIP. Primary land uses in the area are a mixture of agricultural, residential, institutional, office, bank, and convenience stores(s). The adjacent parcels are in use as agricultural (University of Georgia Research Station) and a planned Quik Trip convenience store. Staff analysis indicates that the proposed full build-out to 174,500 SF of commercial space is suitable if a second entrance is developed.

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

The property has a reasonable economic use with the existing AR zoning; however, the uses would be affected by the limited access to US 441.

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 174,500 SF of commercial space. The development will cause an increase in traffic, demand for water and sewer but with no anticipated impacts on the school system. There is no increase in population density proposed with the development. The total vehicle trips generated for the site within 24 hours will be 5,721 trips at full build-out. GDOT has not indicated what the required improvements will have to be made to the intersection to access the development.

ii. Environmental impact;

The Concept Plan indicates there are State Waters present on the site. The U.S. Fish and Wildlife Service Maps indicate the present of wetlands on the site. There are no Special Flood Hazard Areas (100-year floodplain). The site will have to meet the requirements of Article 9: Environmental Protection. The applicant has included a proposed regional stormwater detention facility. Stormwater management must be conducted on the site in compliance with Oconee County ordinances.

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

Staff analysis indicates the rezoning will have a minimal effect on the adjoining commercial and public for their usability and value.

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 and has not been developed since the county first zoned the property in 1968. Office and business development has occurred in the area to the east and south along Veterans Memorial Parkway, to the north at the intersection of Veterans Memorial Parkway and Hog Mountain Road, and nearby areas. The nature of the Veterans Memorial Parkway corridor in this vicinity continues to be a mixture of developed and undeveloped properties, with several parcels remaining in agriculture and institutional use along with commercial and business development along Veterans Memorial Parkway and nearby Hog Mountain Road.

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

The purpose of the B-2 zoning district is to “serve those business activities generally oriented to the highways”

(Unified Development Code Sec. 205.10). The specific property must be developed according to the principal uses allowed in the B-2 zoning district. Staff finds that the proposed business development 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.

B-2 development of the parcels to the north and south of the subject parcel supports additional development consistent with B-2 uses and standards. Staff finds 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 portion of the property lies within the Civic Center character area, as shown on the 2023 Oconee County Comprehensive Plan Character Area Maps. This 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. Typical nonresidential uses include: a shopping center anchored with a large grocery or drug store, small office complexes such as “office condominiums,” financial institutions, full-service restaurants and medical/dental clinics, gas stations, lofts above ground level office or retail, and public and institutional uses such as schools, parks, libraries, and community/civic centers. Appropriate zoning categories applicable to this Character Area for nonresidential uses in the unincorporated area are OIP (Office-Institutional-Professional), B-1 (General Business), B-1-MPD, B-2 (Highway Business), and B-2-MPD (with appropriate use and intensity limitations), depending on their location and potential impact on the surrounding area. Staff finds that the proposed rezoning is and indicated uses are compatible with the Comprehensive Plan.

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

It is likely that other B-2-zoned properties exist in the county that would permit the requested mix of commercial uses. However, the proposed B-2 uses for the subject parcel aligns with the surrounding land patterns.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of the request to rezone ± 23.51 acres to B-2 (Highway Business) 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 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.
4. The development shall be limited to 68,000 square feet of building area until a second entrance is obtained to meet the requirement for two fire apparatus access roads unless all buildings up to 124,000 square feet are equipped throughout with approved automatic sprinkler systems.
5. Interparcel access stub outs and an easement to the north along the entrance drive shall be shown on the preliminary/ final plat and site development plans. The northern interparcel access will be constructed with

a temporary cul-de-sac meeting the requirements of section 1008.02. The private access drive shall allow Interparcel legal/ platted access to parcel(s) to the north of the rezoning area through to the GDOT right of way to the south of the rezoning area.

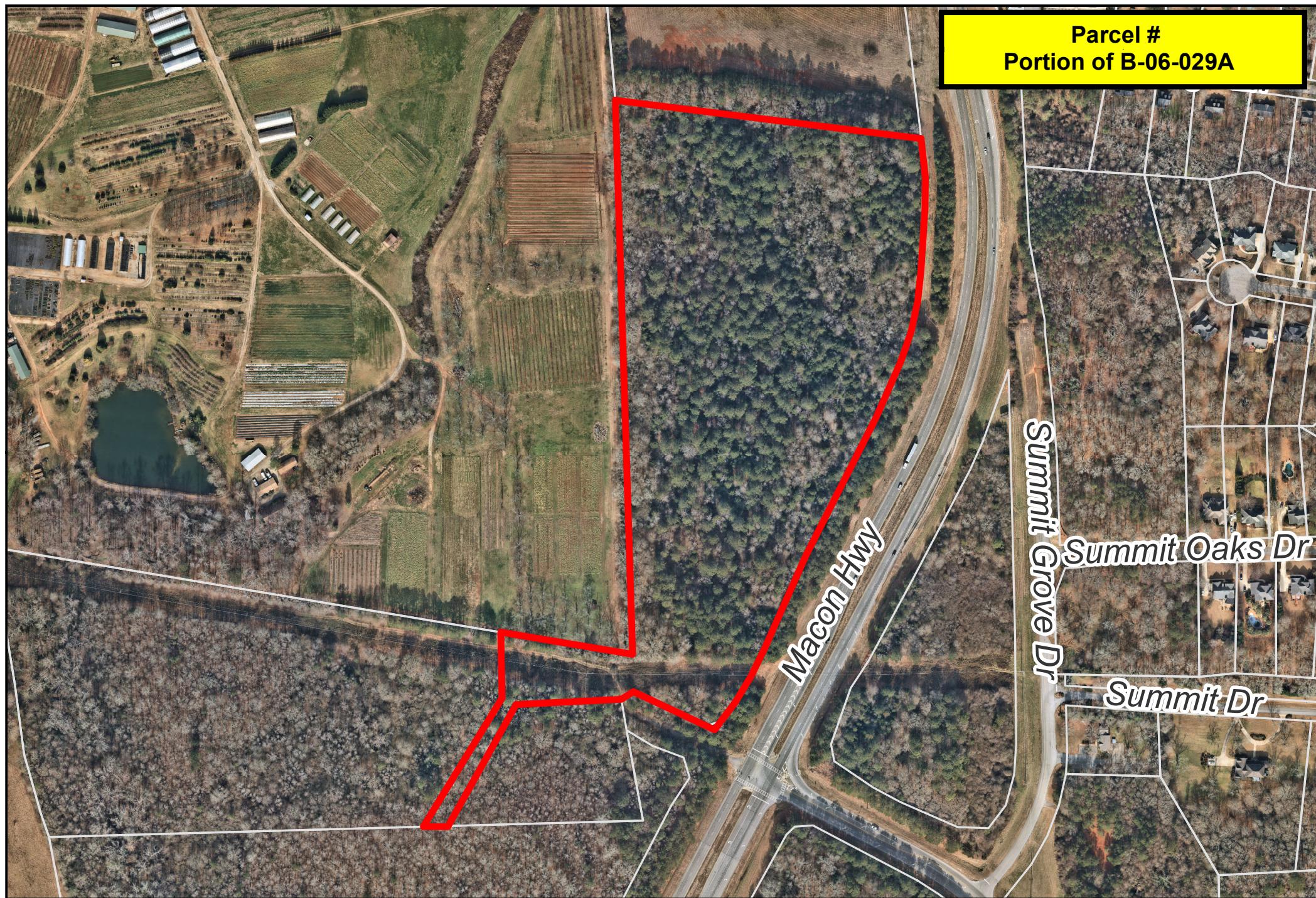
6. All proposed buildings shall have a facade of predominately brick, stone or glass (80%). Accent materials are allowed as indicated in UDC Section 306.03.
7. The following uses shall be excluded:
 - Dollar Stores
 - Variety Stores (Five and Dime)
 - Massage Therapy Establishment
 - Car, motorcycle, recreational vehicle and boat dealers
 - Pawnshop
 - Cigar and Tobacco Stores, including “Vape” Shops and Electronic Cigarette Stores
 - Tattoo Parlors
 - Used Merchandise Stores

SITE PICTURE



Rezone # P24-0014 - Barak Zukerman

Parcel #
Portion of B-06-029A

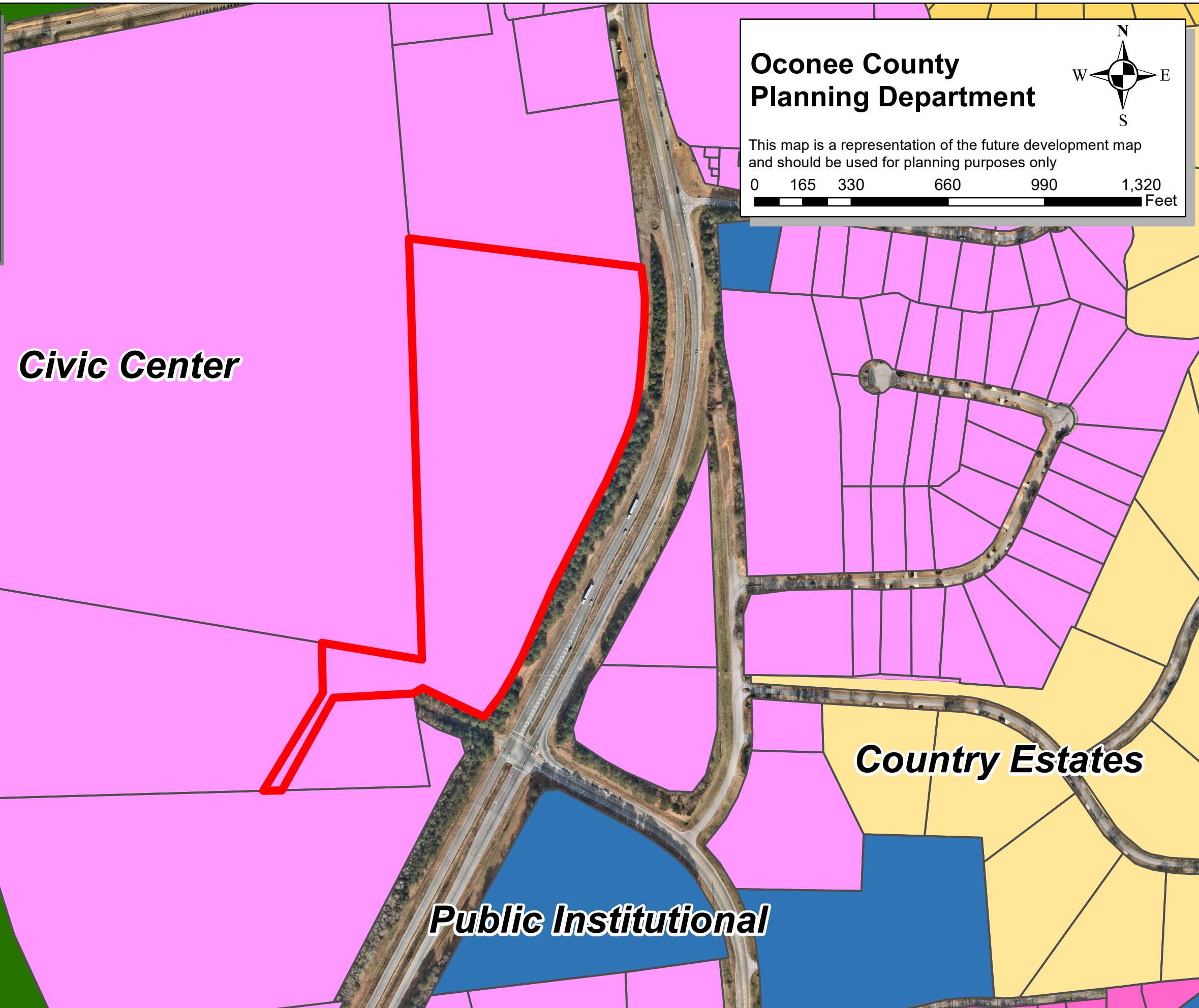
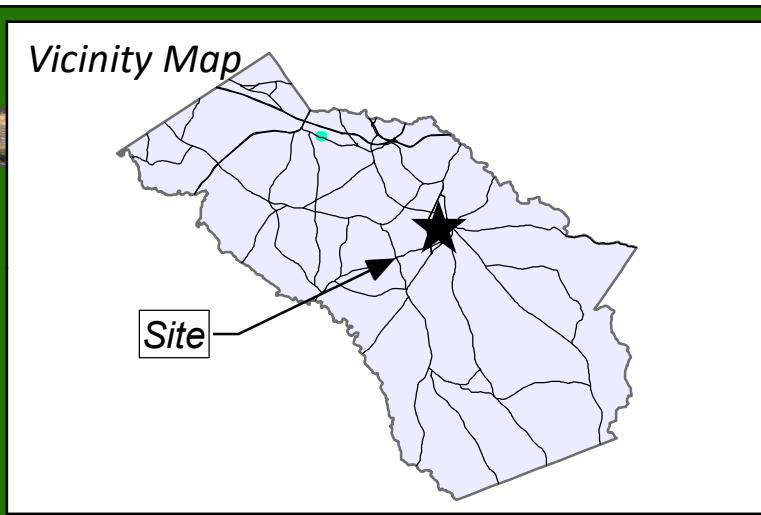


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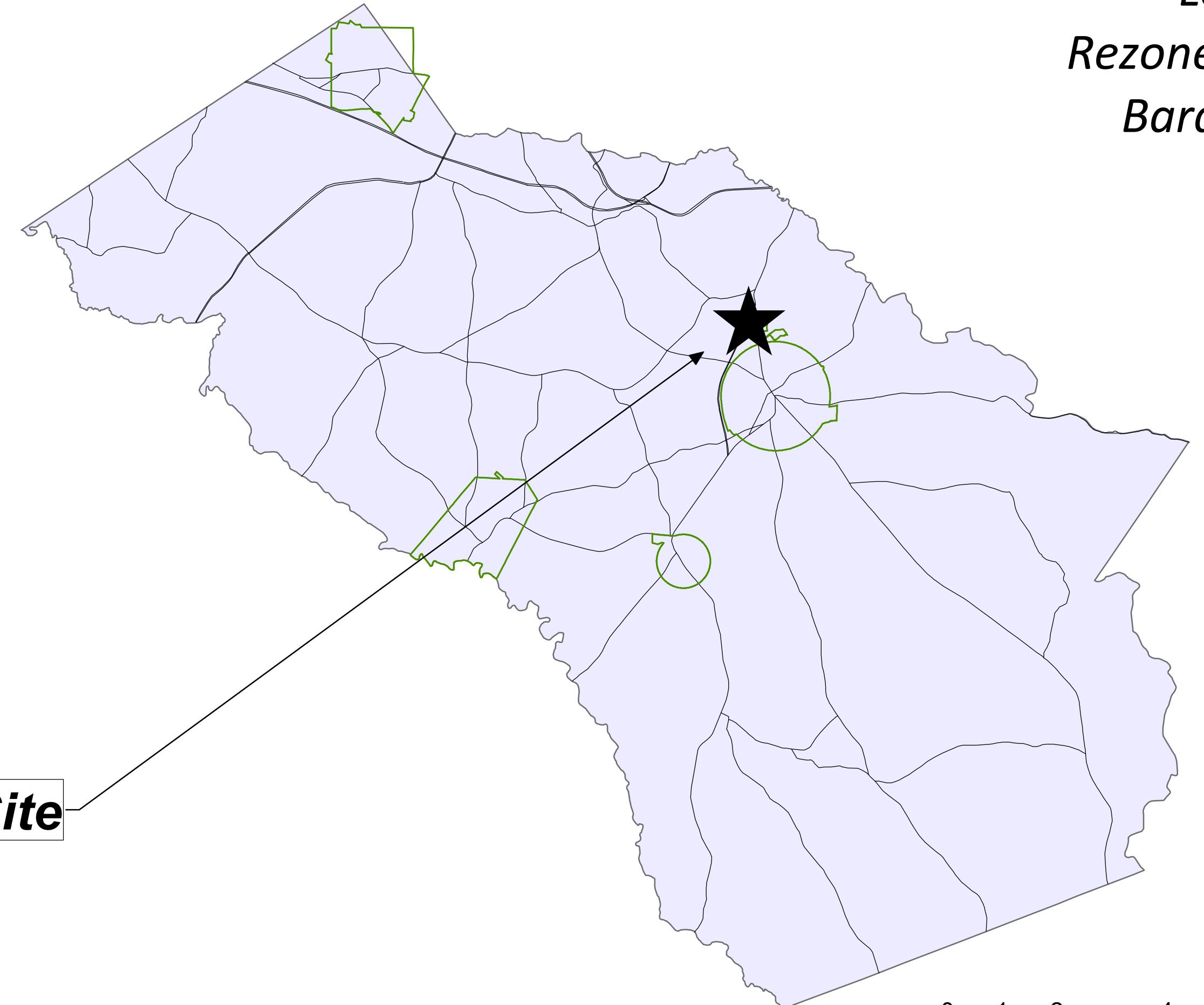
0 350 700 1,400 2,100 2,800

Feet





Location Map
Rezone # P24-0014
Barak Zukerman



1:120,000

0 1 2 4 6 8 Miles

