

**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 A-1 (Agricultural District) and B-2 (Highway Business District) to B-2 (Highway Business District) pursuant to an application for rezoning of property owned by William B. Jones submitted on January 14, 2019.

**ENACTMENT CLAUSE**

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by JPC Design and Construction, LLC on January 14, 2019, requesting rezoning of a ±32.079-acre tract of land located at the southwest corner of the intersection of US Highway 78 and Mars Hill Road in the 240<sup>th</sup> G.M.D., Oconee County, Georgia, (tax parcel nos. B-02-046, B-02-046A, B-02-046B, B-02-046C, and B-02-061), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Unified Development Code of Oconee County, Georgia" as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning classification for the property described on the attached "Exhibit A" is hereby changed from A-1 (Agricultural District) and B-2 (Highway Business District) to B-2 (Highway Business District) for the purpose as set forth in "Exhibit A" attached hereto.

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

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

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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

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

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on March 18, 2019. Said zoning petition was tabled by the Oconee County Board of Commissioners at its regularly scheduled meeting on April 2, 2019, and a Public Hearing for said zoning petition was held by the same at its regular meeting on May 7, 2019.

ADOPTED AND APPROVED, this 7th day of May, 2019.



ATTEST:

Kathy Hayes  
Kathy Hayes  
Clerk, Board of Commissioners

**OCONEE COUNTY BOARD OF COMMISSIONERS**

BY:

John Daniell, Chairman

Mark Thomas, Member

Chuck Horton, Member

William E. Wilkes, Member

Mark Saxon, Member

# EXHIBIT "A" TO REZONE #7702

Page 1 of 7

## CONDITIONS

This Zoning Amendment shall be subject to the following conditions, which shall be fulfilled by the owner/developer at their expense:

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. At least 80 percent of exterior wall surfaces of all buildings and structures are to be designed to incorporate one or more of the following finish materials: brick veneer, stone veneer; natural wood siding or cement-board siding (such as hardy-plank). The remaining 20 percent of each wall may be stucco. Metal siding on any building is strictly prohibited.
3. Gas station canopy support columns shall be entirely covered in brick and/or stone.
4. Any allowed freestanding signs shall only be permitted as ground (monument) signs and shall not exceed twenty feet in height. Pole signs are prohibited.
5. Illuminated and LED signage shall comply with Article 7 of the UDC.
6. All vegetative screening, landscaping, and buffers shall meet the design standards as set forth in Article 8 of the Unified Development Code, except that all required landscape strips shall contain one tree per 25 lineal feet of landscape strip. Said trees shall be a mixture of evergreen and deciduous trees, and of species that will attain a normal height at maturity of more than 40 feet.
7. The developer shall eliminate Site Driveway 3 (depicted in Figure 5 of the traffic impact analysis submitted on 01/31/2019 and attached hereto) and install an internal connection via Site Driveway 2 (depicted in Figure 5 of the traffic impact analysis submitted on 01/31/2019) for access to Phase 1 of the development.
8. All site lighting shall consist solely of full cutoff luminaires as defined in the Unified Development Code.
9. Parking lot lighting structures shall not exceed twenty feet in height.
10. Service areas and dumpsters shall be visually screened from public view by a six-foot masonry wall with façade materials matching the exterior of the principal structure with black painted metal/steel enclosure doors. Enclosure doors made of wood or chain link are prohibited.
11. The following uses, allowed by right in B-2 zoning district, shall not be allowed on the subject property:

*(see next page)*



**EXHIBIT "A" TO REZONE #7702**

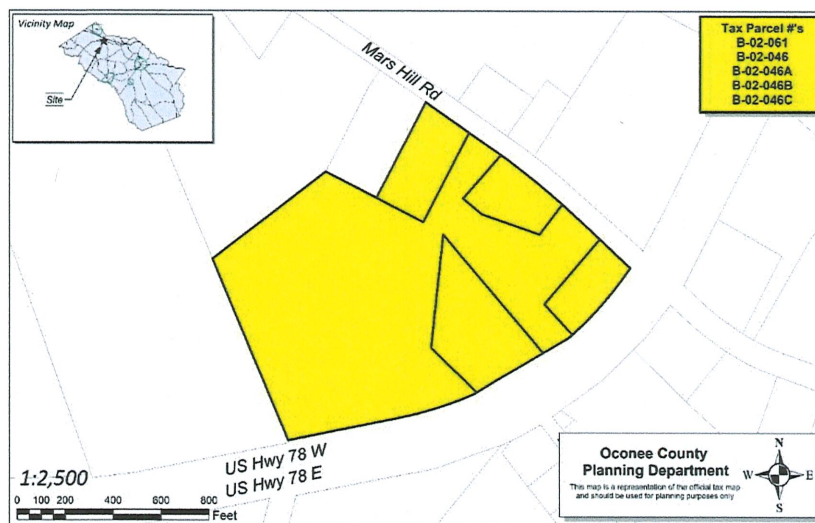
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<b>TABLE OF DISALLOWED USES</b>	
RV (Recreational Vehicle) Parks	Pawnshop or Loan Brokers, other than Mortgage Loan Brokers
Automotive Repair and Maintenance, except Car Washes	Car Washes
Automotive Parts, Accessories, and Tire Stores	Family Planning Centers
General Automotive Repair	Automotive Transmission Repair
Automotive Exhaust System Repair	Automotive Body, Paint and Interior Repair and Maintenance
Automotive Glass Replacement Shops	Automotive Oil Change and Lubrication Shops
Tractor and Other Farm Equipment Repairs and Maintenance	Home and Garden Equipment Repair and Maintenance
Home Appliance Repair and Maintenance	Automobile Commercial Parking Lots and Garages
Passenger Car Rental and Leasing	Truck, Utility Trailer and RV (Recreational Vehicle) Rental and Leasing
General Equipment and Tool Rental Centers	Construction, Transportation, Mining and Forestry Machinery and Equipment Rental and Leasing
Construction Contractors, Builders and Developers, with outdoor storage	Adult Entertainment
Taxidermists	Radio and Television Broadcasting Stations
Used Car Dealers	Archery or Shooting Ranges
Motorcycle Dealers	New Car Dealers
All Other Motor Vehicle Dealers	Recreational Vehicle Dealers
Lumber Yards	Boat Dealers
Truck Stops and Other Gasoline Stations	Auction Houses
General Freight Trucking, Local	School and Employee Bus Transportation
General Freight Trucking, Long-Distance	Motion Picture Theaters (except Drive-Ins)
Community Food and Housing, and Emergency and Other Relief Services	Motion Picture Theaters, Drive-In
Taxi and Limousine Service	Shuttle Services, Vanpools and Other Ground Passenger Transportation
Charter Bus Industry	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Scenic and Sightseeing Transportation	Outpatient Mental Health and Substance Abuse Centers
Specialized Freight (except Used Goods) Trucking, Local	General Medical and Surgical Hospitals
Private Schools: Junior Colleges	Private Schools: Colleges and Universities
Private Schools: Kindergarten, Elementary and Secondary	Private Schools: Religious

# EXHIBIT "A" TO REZONE #7702

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## TAX MAP

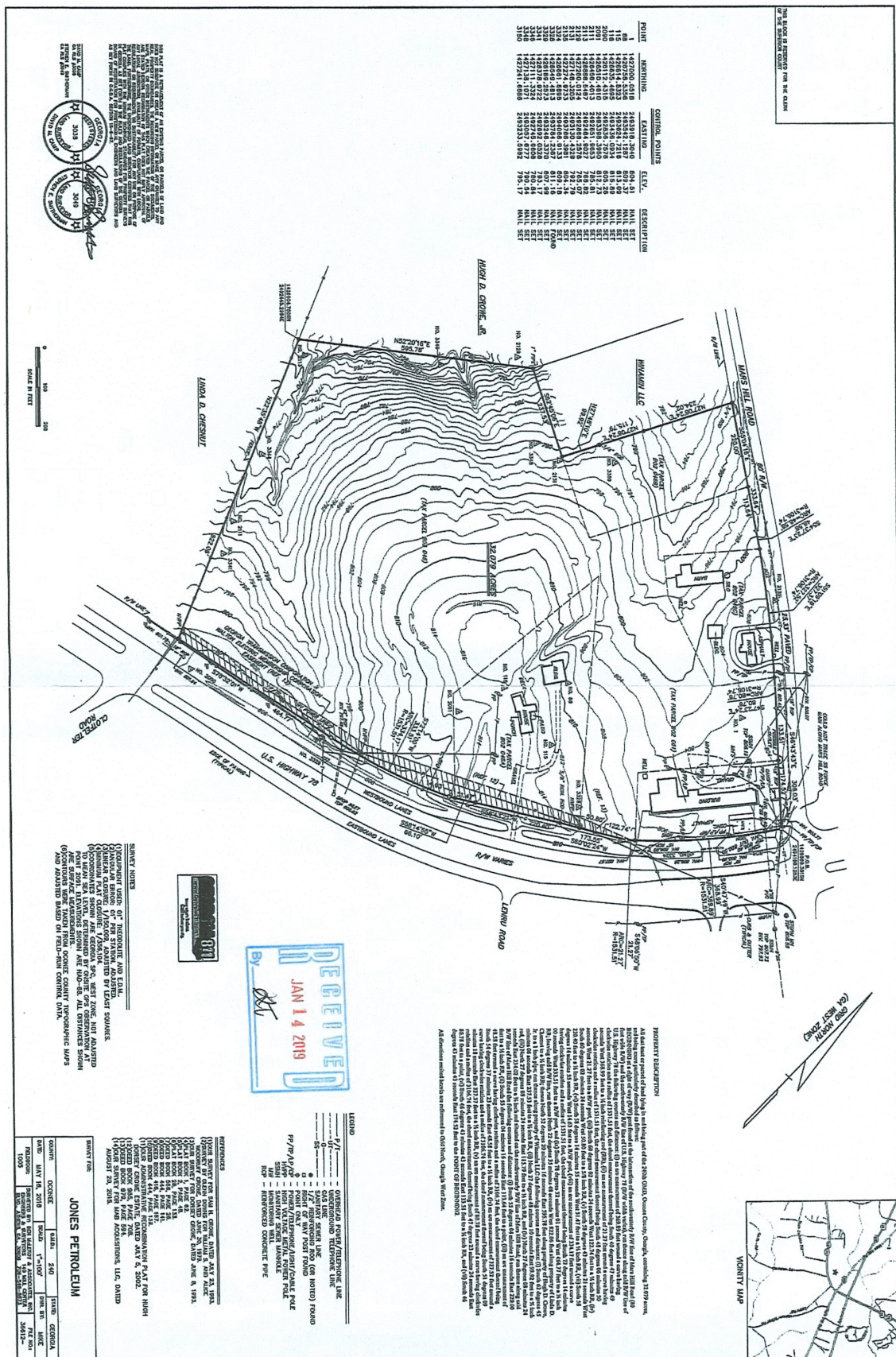


## LEGAL DESCRIPTION

All that tract or parcel of land lying in and being part of the 240<sup>th</sup> GMD, Oconee County, Georgia, containing 32.079 acres, and being more particularly described as follows: BEGINNING at a right of way (R/W) post found at the intersection of the southwesterly R/W line of Mars Hill Road (80 foot wide R/W) and the northwesterly R/W line of U.S. Highway 78 (R/W width varies), run thence along said R/W line of U.S. Highway 78 the following courses and distances: (i) an arc measurement of 369.89 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 40 degrees 47 minutes 49 seconds West 368.99 feet to a ½ inch reinforcing rod (RR), (ii) an arc measurement of 21.27 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 48 degrees 06 minutes 50 seconds West 21.27 feet to a R/W post, (iii) South 60 degrees 02 minutes 24 seconds West 122.74 feet to a ½ inch RR, (iv) South 60 degrees 02 minutes 24 seconds West 50.80 feet to a 5/8 inch RR, (v) South 58 degrees 43 minutes 21 seconds West 220.40 feet to a ½ inch RR, (vi) South 58 degrees 14 minutes 55 seconds West 51.47 feet to a ½ inch RR, (vii) South 58 degrees 14 minutes 55 seconds West 14.63 feet to a R/W post, (viii) an arc measurement of 334.17 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 72 degrees 14 minutes 00 seconds West 333.51 feet to a R/W post, and (ix) South 78 degrees 32 minutes 01 second West 464.77 feet to a ½ inch RR; leaving said R/W line, run thence North 22 degrees 35 minutes 48 seconds West 822.06 feet along property of Linda D. Chesnut to a ½ inch RR; thence North 52 degrees 20 minutes 16 seconds East 595.78 feet along property of Hugh D. Crowe, Jr. to a 1 inch pipe; run thence along property of Winamin LLC the following courses and distances: (i) South 62 degrees 45 minutes 06 seconds East 237.53 feet to a ½ inch RR, (ii) North 27 degrees 48 minutes 10 seconds East 99.92 feet to a ¾ inch rod, (iii) North 27 degrees 08 minutes 24 seconds East 115.79 feet to a ½ inch RR, and (iv) North 27 degrees 08 minutes 24 seconds East 234.02 feet to a ¾ inch rod situated on the southwesterly R/W line of Mars Hill Road; run thence along said R/W line of Mars Hill Road the following courses and distances: (i) South 55 degrees 04 minutes 16 seconds East 220.00 feet to a ½ inch RR, (ii) South 55 degrees 04 minutes 16 seconds East 113.64 feet to a point, (iii) an arc measurement of 48.58 feet around a curve having clockwise rotation and a radius of 3106.74 feet, the chord measurement thereof being South 54 degrees 37 minutes 23 seconds East 48.58 feet to a ½ inch RR, (iv) an arc measurement of 327.52 feet around a curve having clockwise rotation and a radius of 3106.74 feet, the chord measurement thereof being South 51 degrees 09 minutes 18 seconds East 327.37 feet to a ½ inch RR, (v) an arc measurement of 80.78 feet around a curve having clockwise rotation and a radius of 3106.74 feet, the chord measurement thereof being South 47 degrees 23 minutes 24 seconds East 80.78 feet to a point, (vi) South 46 degrees 43 minutes 43 seconds East 133.51 feet to a ½ inch RR, and (vii) South 46 degrees 43 minutes 43 seconds East 174.52 feet to the POINT OF BEGINNING.

All directions recited herein are referenced to Grid North, Georgia West Zone.









# EXHIBIT "A" TO REZONE #7702

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## NARRATIVE

Please accept this Zoning Narrative on behalf of JPC Design and Construction, LLC. We are requesting rezoning from A-1 and B-2 to B-2 on 32.079 acres located at the southwest intersection of US Hwy. 78 and Mars Hill Road. The properties current use is mixed, with a commercial retail center with a convenience store and gas at the intersection, single family residential, and agricultural. Adjacent zoning to the property is A-1, B-1, and B-2. Adjacent land uses are agricultural and single family residential. Property across US Hwy. 78 are a mix of commercial and single family residential zoning and land uses.

We are asking for the entire 32.079 acres to be rezoned to B-2 for a commercial retail development. Including 11 outparcels and approximately 12 buildings. Included in our application is a concept plan. The plan has a big box retail anchor store (68,000 sq ft) with adjacent retail stores and outparcels (2 at 12,000 sq ft each). There is a future hotel site (50,400 sq ft and 200 rooms), commercial office and institutional outparcel (5,000 sq ft), and commercial retail/fast food outparcels along Hwy 78 (five total at 3,000 to 3,500 sq ft each). There is an existing 12,100 sf existing store at the intersection of Hwy 78 and Mars Hill Road that will be demolished to make way for a new 10,000 sf +/- building. This new store will include a convenience store with 7,200 sf. and a Burger King with 2,800 sf. There will be 10 fueling MPD's with 20 fueling positions. The convenience store and Burger King site will have a total of 101 parking spaces (this includes the fueling positions), and a drive thru lane for the Burger King. This new store will significantly upgrade the existing store there now.

The total square footage of the commercial retail is 173,400 square feet (or 132,000 square feet and a 200 room hotel site).

Phase 1 of the development will include the corner lot with convenience store and Burger King. This is slated for completion in 2019. Phase 2 of the development will include all other outparcels and will have a buildout of 2020-2022. All outparcel building values are proposed and estimated as follows as shown on the Concept Plan:

Outparcel 1, office and institutional: \$2,000,000

Outparcel 2, Retail/Restaurant: \$1,500,000

Outparcel 3, Retail/Restaurant: \$1,200,000

Outparcel 4, Retail/Restaurant: \$1,200,000

Outparcel 5, Retail/Restaurant: \$900,000

Outparcel 6, Retail/Restaurant: 1,100,000

Outparcel 7, Convenience Store/Fast Food: \$2,950,000

Outparcel 8, Office/Retail: \$2,500,000

Outparcel 9, Office/Retail: \$2,500,000

Outparcel 10, Hotel: \$7,500,000

Outparcel 11, Big Box/Retail: \$15,000,000

Total Estimated Building Value: \$38,350,000

There will be three entrances on Mars Hill Road, and two right in/right out on US Hwy 78. There is an existing traffic signal at the intersection of US 78 and Mars Hill Road. Existing estimated traffic counts on US Hwy 78/SR 10 (Monroe Hwy) according to A&R Engineering traffic study are: 20,400 vehicles per day west of Trotters Walk and 18,100 vehicles per day northeast of University Pkwy. On Mars Hill Rd. there are 4,920 vehicles per day.

Proposed trip generation for the entire project, which has a minimum 4 year build out, is 19,939 total trips arriving and departing from the site. Note that new external trip generation with reductions for mixed use and pass by trips is less at 11,835 total. Applicant would also note that Phase 1 of the development will only include the fast food with drive through and super convenience market/gas station component, which only adds 7,671 total trips. A complete traffic study has been completed by A&R Engineering, Inc. and is included in this application.

The project will have curb and gutter and sidewalks where Oconee County requires them. Also, buffers adjacent to residential property will be provided per the Oconee County Unified Development Code. Buffers to all side and rear property lines that are 1 or 2 family residential will have a 50' Buffer. Per Table 8.1 in Section 806. Buffers: Where Required. Landscaping will meet or exceed Oconee County standards. There are currently no professional Landscape plans for the entire project, but landscape renderings will be provided by JPC Design and Construction.

There should be no impact to the school system since this request is commercial in nature. Water is available along Mars Hill Road, and sewer is available at the intersection of US Hwy 78 and Mars Hill Rd. Oconee County Water and Sewer has provided a letter to that effect. Estimated gallons of water per day is as follows: Convenience store/Burger King 1,333 GPD, Hotel 2,833 GPD, Big Box Retail 2,500 GPD, 8 outparcels 1,166 GPD, or a total of 19,994 GPD.

All other utilities which will serve the building are: electric, gas, phone/internet, and garbage pickup. Storm water drainage will conform to Oconee County Ordinances. Likely an above ground master storm water detention pond will be constructed to the rear of the site that will serve the entire property, since topography lends itself to that. Site engineering is underway, but final design is not complete.

The building facades will consist of masonry materials, Block, Brick, Stone, Glass, and Metal framing. Gas canopies will have column masonry matching the building. Signage will be internally lit. Example building and signage renderings will be available upon request by staff. Colors and imagery will conform to County standards.

Jones Petroleum, Inc. and CSI, Inc. will own and operate the initial convenience store and Burger King at the intersection of Hwy 78 and Mars Hill Road in the Phase 1 of the project. Both companies are owned by Mr. William B. Jones. All grounds and open space areas will be maintained by the owner and/or commercial HOA. Remaining outparcels in Phase 2 of the project are TBD as far as future ownership.

Finally, the total estimated value of the project at completion is \$ 75 million.

We thank you for your consideration in this matter.



EXHIBIT "A" TO REZONE #7702

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REPRESENTATIVE PHOTOGRAPHS







# OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

☒ Rezoning from: A-1 & B-2 to B-2

☐ Change in Conditions of Approval for Case # : \_\_\_\_\_

☐ Special Use Approval for: \_\_\_\_\_ in the \_\_\_\_\_ Zoning District

## Applicant

Name: JPC Design and Construction LLC

Address: 264 Alabama Blvd.  
(No P.O. Boxes)

P.O. Box 710

Jackson, Georgia 30233

Telephone: 770-775-2386

## Property Owner

Name: William B. Jones

Address: 264 Alabama Blvd.  
(No P.O. Boxes)

Jackson, Georgia 30233

Telephone: 770-775-2386

Applicant is (check one): ☐ the Property Owner ☒ Not the Property Owner (attach Property Owner's Authorization)

Applicant's Certification: I hereby certify that the information contained in and attached to this application is true and correct.

Signature: [Signature] Date: 1/29/19 Notarized: [Signature]



## Property

Location: Southwest intersection of US Hwy 78 and Mars Hill Rd.  
(Physical Description)

Tax Parcel Number: "see prop. owner Authorization"

Size (Acres): 32.079 Current Zoning: A-1 & B-2

Future Development Map—Character Area Designation: Technology Gateway

## Use

Current Use: commercial, agricultural/residential

Proposed Use: commercial

## Attachments (check all that apply)

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



For Oconee County Staff Use Only

Application Date Received: 1/31/19 Date Accepted: 2/5/19  
DRI Transmitted to RDC ☐ Date: \_\_\_\_\_ ☐ N/A  
Date Submitted: \_\_\_\_\_ ☐ Findings Complete  
Posted: \_\_\_\_\_ Ad: \_\_\_\_\_ Ad: \_\_\_\_\_  
Application Withdrawn ☐ Date: \_\_\_\_\_

APPLICATION NUMBER                       
Planning Commission Date: 3/18/19  
☐ Approval ☐ With Conditions ☐ Denial  
Board of Commissioners Date: 4/2/19  
☐ Approved ☐ With Conditions ☐ Denied

**JPC Design and Construction, LLC**

**264 Alabama Boulevard**

**P.O. 710**

**Jackson, Georgia 30233**

2/26/19

Mr. Gabriel Quintas, Assistant Director

Oconee County Planning and Code Enforcement Department

1291 Greensboro Highway

Watkinsville, Georgia 30677

RE: Zoning Narrative for JPC Design and Construction LLC, 32.079 acres at US Hwy. 78 and Mars Hill Road, Oconee County, Georgia. Tax Parcel numbers: B 02 061, B 02 046, B 02 046A, B 02 046B, B 02 046C.

Mr. Quintas,

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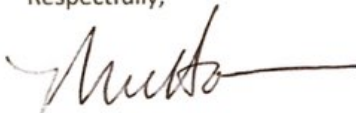
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Finally, the total estimated value of the project at completion is \$ 75 million.

We thank you for your consideration in this matter.

Respectfully,

A handwritten signature in dark ink, appearing to read 'Mike Horne', with a long horizontal flourish extending to the right.

Mike Horne, Project Manager

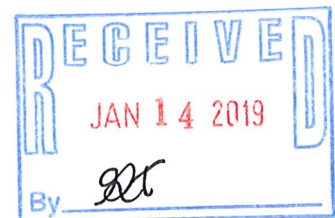
JPC Design and Construction, LLC

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All directions recited herein are referenced to Grid North, Georgia West Zone.





**JPC Design and Construction, LLC**

**264 Alabama Blvd.**

**P.O. 710**

**Jackson, Georgia 30233**

1/3/19

Mr. Gabriel Quintas, Planner

Oconee County Planning and Code Enforcement Dept.

1291 Greensboro Hwy.

Watkinsville, Georgia 30677

RE: Zoning Impact Analysis for JPC Design and Construction LLC, for 32.079 acres at US Hwy. 78 and Mars Hill Road, Oconee County, Georgia.

Mr. Quintas,

In consideration of rezoning for 32.079 acres located at the corner of US Hwy. 78 and Mars Hill Rd., we ask that you consider these factors:

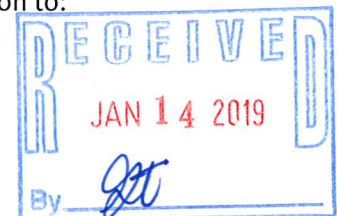
- A. What are the existing uses and zoning of the property.

The existing uses and zoning of the property are mixed. The corner of the property is zoned B-2 with an existing convenience store and gas station with a retail strip center attached. This portion of the site is 1.5 acres. The remainder of the property is zoned A-1 and is agriculture and single family in nature. There are 4 parcels with two single family houses. The total remaining area is 30.579 acres.

- B. The extent of which property values are diminished by the particular zoning restrictions of the current zoning.

The current zoning of A-1 restricts the uses and diminishes the value of the property. The Land Use Plan for the property is Technology Gateway. US 78 is a four lane highway, and we feel that a commercial zoning is a more appropriate use, and there is existing commercial zoning at our corner.

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





1. Population density and effect on community facilities such as streets, schools, water and sewer:
2. Environmental impact;
3. Effect on adjoining property values.

US 78 is a major four lane highway. There is a traffic signal at the intersection of Mars Hill Rd and US 78 as well. There should be no impact on schools as this rezoning request is commercial in nature. Water and sewer capacity will be available in the near future as well.

There will be minimal environmental impacts on the property. We will adhere to all Oconee County development policy and State policy in regards to storm water retention and runoff, erosion and sediment control, landscaping both temporary and permanent, and the like.

There should be a positive effect on adjoining properties, all of which are in the Technology Gateway Land Use category. Values should increase due to the proposed commercial zoning.

- D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

The gain to the public will be needed commercial and retail to the area, which will include an upgrade of the existing convenience store located at the intersection, as well as a big box commercial store, fast food, offices, and a hotel site. Hardship on the individual property owner is that commercial uses are not allowed in the current A-1 zoning classification. Initially, upgrade of the existing store will require a larger parcel of land than is currently zoned B-2 as well.

- E. Length of time the property has been vacant as zoned, considered in the context of the land development in the area in the vicinity of the property.

According to tax records the retail store was built in 1959. The two homes on the property were built in 1956 and 1972. The remainder of the property has been agriculture use. In the vicinity of the property there is a Racetrac Convenience store, the Oconee State Bank, Mars Hill Animal Hospital, and Homstead Hospice. All of which are commercial in zoning and use.

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

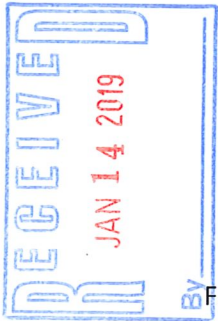
B-2 zoning is requested, this allows retail commercial proposed in the concept plan.

- G. Conformity with or divergence from established land use patterns.

The Land use for the area is Gateway Technology. Compatible Secondary Land Uses for this area are Commercial retail and services that support the business and employment base in the area. Public water and sewer are available, and transportation routes are adequate for employee and business traffic.

- H. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Community Agenda.

The site conforms with the Future Development Map which is Gateway Technology Use.



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

There are adequate sites along US 78. However this site is located at an intersection with a traffic signal, which is ideal. Water and sewer are also at the intersection of our property.

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

The site has adequate acreage and displays adequate parking, setbacks, buffer zones, and open spaces. We will conform to the Oconee County Zoning and Development ordinances when designing and submitting building construction and site development plans.

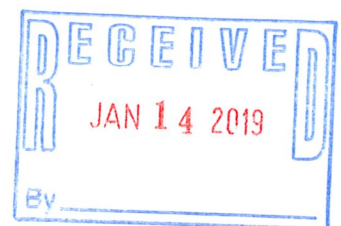
Your consideration in this proposal is greatly appreciated.

Respectfully,

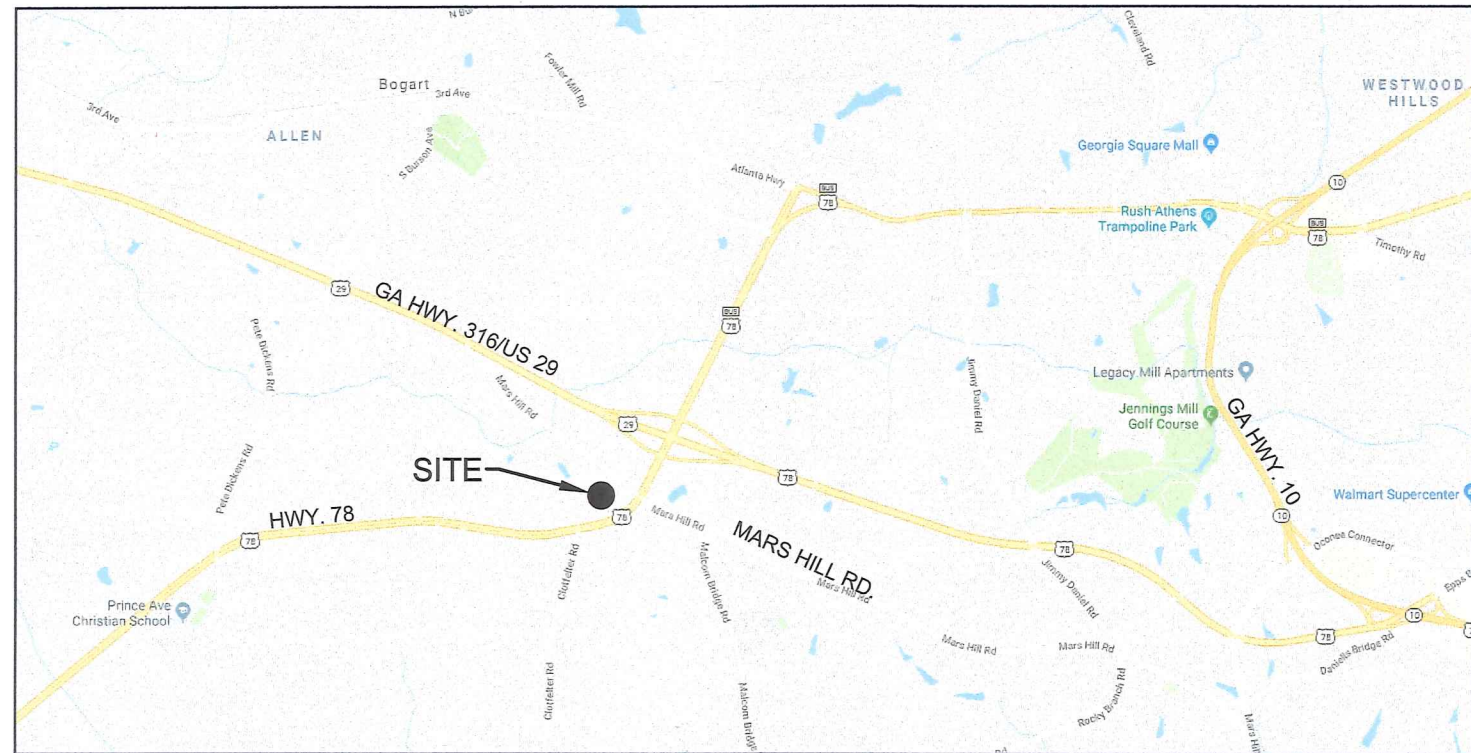


Mike Horne, Project Manager

JPC Design and Construction, LLC







#### DEVELOPMENT DATA:

**CURRENT OWNER:** WILLIAM B. JONES  
264 ALABAMA BLVD.  
JACKSON, GA 30233

**DEVELOPER/ APPLICANT:** JPC DESIGN AND CONSTRUCTION, LLC  
P.O. BOX 710  
JACKSON, GA 30233

**AREA:** 30.079 ACRES

**TAX PARCELS:** B02 061 - ZONED B-2  
B02 048 - ZONED A-1  
B02 048A - ZONED A-1  
B02 048B - ZONED A-1  
B02 048C - ZONED A-1

**EXISTING BLDG:** ±12,100 SF CONVENIENCE STORE AND RETAIL SHOPS ON PARCEL B02 061 (TO BE REMOVED)

**PROPOSED ZONING:** B-2 - HIGHWAY BUSINESS (ALL PARCELS)

**IMPERVIOUS AREA:** 13.6 ACRES OF PARKING/DRIVEWAYS  
4.0 ACRES OF BUILDINGS/SIDEWALKS  
17.6 ACRES TOTAL = 55% OF TOTAL SITE AREA

**DEVELOPMENT SCHEDULE:** PHASE 1 - TO BE CONSTRUCTED 2019-2020 UPON ZONING APPROVAL  
PHASE 2 - 2020 THROUGH 2023  
ROADWAY IMPROVEMENTS SHOWN ON MARS HILL ROAD AND HWY. 78 ARE TO BE CONSTRUCTED DURING PHASE 2 DEVELOPMENT

**PUBLIC WATER AND SANITARY SEWER TO BE PROVIDED BY** OCONEE COUNTY UTILITY DEPT.

**BOUNDARY AND TOPOGRAPHIC SURVEY BY:** BEN McELROY & ASSOCIATES, INC.  
140 MILL CENTER BLVD.  
ATHENS, GA 30606  
SOURCE OF TOPOGRAPHIC DATA IS GROUND-RUN FIELD SURVEY.

STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH COUNTY, STATE, AND AOTHR APPROPRIATE ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION PLAN APPROVAL.

Parcel	Area (Acres)	Proposed Use	Building Area (S.F.)
Parcel 1	2.00	Office/Institutional	5,000
Parcel 2	1.22	Retail/Quick-Serve Restaurant	3,000
Parcel 3	1.47	Retail/Quick-Serve Restaurant	3,000
Parcel 4	1.86	Retail/Quick-Serve Restaurant	3,500
Parcel 5	1.94	Retail/Quick-Serve Restaurant	3,500
Parcel 6	1.60	Retail/Quick-Serve Restaurant	3,000
Parcel 7	2.58	Convenience Store/Fast Food - 10 mpd's	10,000
Parcel 8	1.63	Office/Retail	12,000
Parcel 9	1.55	Office/Retail	12,000
Parcel 10	3.58	4-Story Hotel (200 Rooms)	50,400
Parcel 11	12.63	Big Box / Retail	68,000
TOTAL			173,400

TOTAL PROPERTY AREA:  
32.079 ACRES

50' INCOMPATIBLE ZONING BUFFER (AGAINST A-1 WITH RESIDENTIAL COMPONENT)

15' INCOMPATIBLE ZONING BUFFER (AGAINST A-1 WITH NO RESIDENTIAL COMPONENT)

MONROE HWY./U.S. HIGHWAY 78/GA HWY. 10

CARTEY LLC  
1537 DANIELLS BRIDGE ROAD  
ATHENS GA 30606  
ZONED A1

SHEILA L. HUNTER SMALL ET AL  
2581 MONROE HWY  
BOGART GA 30622  
ZONED A1

H.D. & ROSA L. CROWE  
4171 MARS HILL ROAD  
BOGART GA 30622  
ZONED A1

MICHELLE DERAMUS & EADES  
DAVID C.  
1541 LENRU RD.  
BOGART GA 30622  
ZONED A1

LENRU PARK PARTNERS, LLC  
6310 PEAKE ROAD  
MACON GA 31210  
ZONED B-1

N/F MICHELE P. STANCIL  
693 COLLIER COMMONS CIR NW  
ATLANTA GA 30318-1736  
ZONED B2

N/F OCONEE STATE BANK  
PO BOX 205  
WATKINSVILLE GA 30677  
ZONED B1

MOUNTAINPRIZE, INC  
P.O. BOX 2437  
SMYRNA GA 30081  
ZONED B2

VEHICLE USE AREA SCREENING AND LANDSCAPE STRIPS REQUIRED BETWEEN PARKING/DRIVEWAY AREAS AND ALL RIGHTS-OF-WAY

VEHICLE USE AREA SCREENING AND LANDSCAPE STRIPS REQUIRED BETWEEN PARKING AREAS AND ALL RIGHTS-OF-WAY

N/F SAM H. GREEN OAKS CROWE  
C/O KENNETH ORKIN  
4865 OLDE TOWNE PARKWAY  
SUITE 100  
MARIETTA GA 30068  
ZONED I

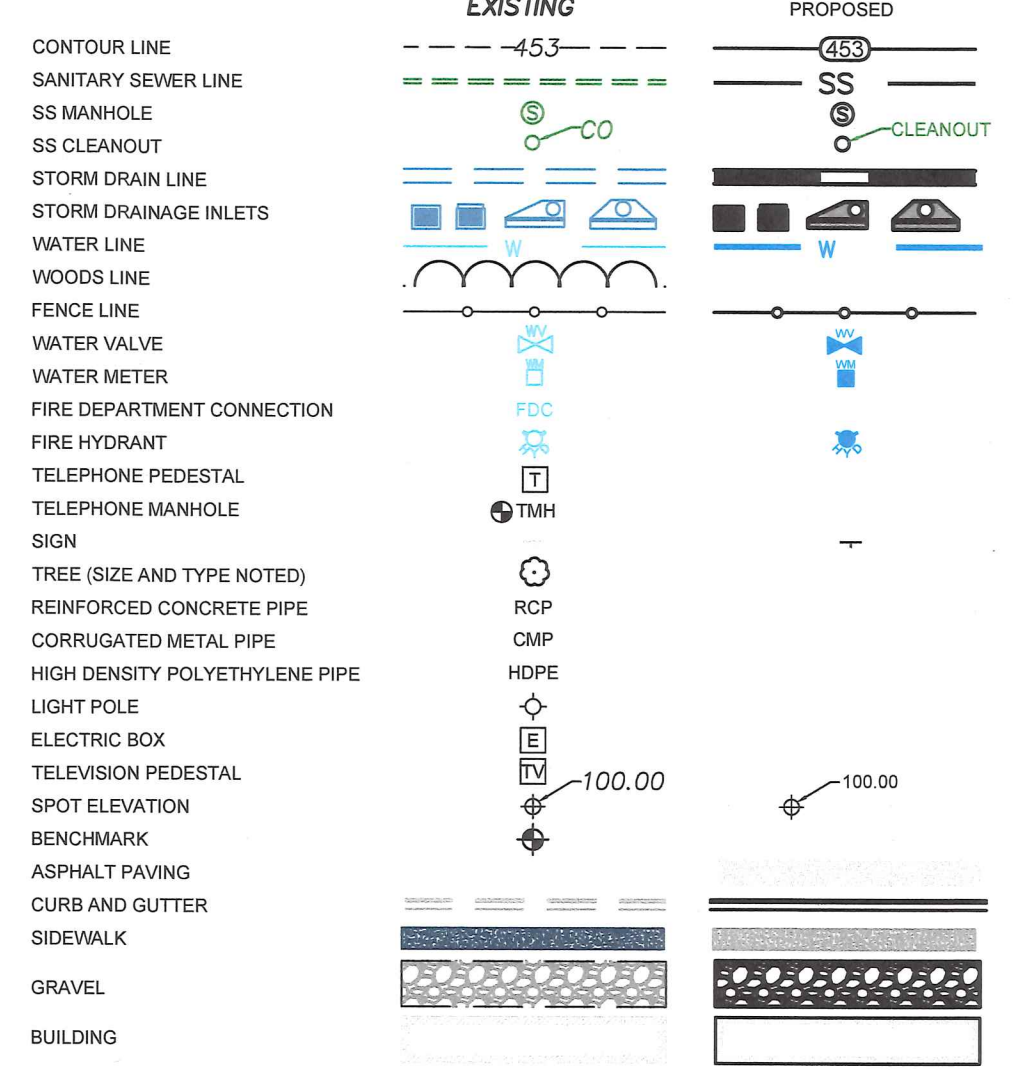
SOUTHEASTERN PVC PIPE  
MFG, INC ET AL  
4865 OLDE TOWN PKWY  
STE 100  
MARIETTA GA 30068  
ZONED A1

SOUTHEASTERN PVC PIPE  
MFG, INC ET AL  
4865 OLDE TOWN PKWY  
STE 100  
MARIETTA GA 30068  
ZONED A1

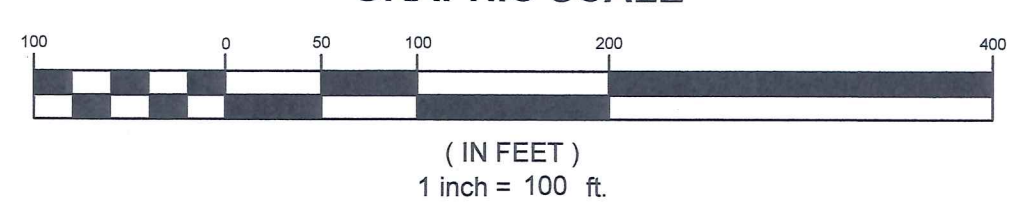
PATRICK THOMPSON  
4241 MARS HILL ROAD  
BOGART GA 30622  
ZONED O-B-P

SOUTHEASTERN PVC PIPE  
MFG, INC ET AL  
4865 OLDE TOWN PKWY  
STE 100  
MARIETTA GA 30068  
ZONED I

#### LEGEND



#### GRAPHIC SCALE





THIS BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT

CONTROL POINTS				
POINT	NORTHING	EASTING	ELEV.	DESCRIPTION
1	1427000.0518	2493918.3040	804.51	NAIL SET
88	1426758.5356	2493542.1207	809.37	NAIL SET
115	1426814.5323	2493624.7218	813.09	NAIL SET
118	1426835.4695	2493436.0934	815.89	NAIL SET
2080	1426112.4315	2492836.7576	805.26	NAIL SET
2091	1426510.4610	2493398.3960	812.73	NAIL SET
2111	1426456.4013	2492651.9653	785.81	NAIL SET
2113	1426886.5487	2492484.8027	788.82	NAIL SET
2129	1427260.0124	2492888.2578	765.07	NAIL SET
2131	1427148.3205	2493130.4329	792.79	NAIL SET
2135	1427274.9733	2493766.3981	804.34	NAIL SET
3324	1426661.5896	2494066.9133	809.18	NAIL SET
3328	1426549.4813	2493784.2367	811.16	NAIL FOUND
3329	1426189.2573	2493248.3370	807.99	NAIL SET
3341	1426378.9722	2492692.0526	793.17	NAIL SET
3346	1427111.3324	2492745.9608	760.84	NAIL SET
3348	1427138.1071	2493057.6777	790.54	NAIL SET
3150	1427241.6886	2493233.5982	795.17	NAIL SET

HUGH D. CROWE, JR.

LINDA D. CHESNUT

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLETES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-87.

DAVID M. CAMP  
GA RLS #5038  
STEPHEN E. SMITHERMAN  
GA RLS #5049



0 100 200  
SCALE IN FEET

#### SURVEY NOTES

- (1)EQUIPMENT USED: 01" THEODOLITE AND E.D.M.,
- (2)ANGULAR ERROR: 01" PER STATION, ADJUSTED.
- (3)LINEAR CLOSURE: 1/150,000, ADJUSTED BY LEAST SQUARES.
- (4)MINIMUM PLAT CLOSURE: 1/358,104.
- (5)COORDINATES SHOWN ARE GEORGIA SPC, WEST ZONE, NOT ADJUSTED TO MEAN SEA LEVEL, DETERMINED BY ONSITE GPS OBSERVATION AT POINT 2091. ELEVATIONS SHOWN ARE NAD-88. ALL DISTANCES SHOWN ARE SURFACE MEASUREMENTS.
- (6)CONTOURS WERE TAKEN FROM OCONEE COUNTY TOPOGRAPHIC MAPS AND ADJUSTED BASED ON FIELD-RUN CONTROL DATA.

#### PROPERTY DESCRIPTION

All that tract or parcel of land lying in and being part of the 240th GMD, Oconee County, Georgia, containing 32.079 acres, and being more particularly described as follows:  
BEGINNING at a right of way (R/W) post found at the intersection of the southwesterly R/W line of Mars Hill Road (80 foot wide R/W) and the northwesterly R/W line of U.S. Highway 78 (R/W width varies), run thence along said R/W line of U.S. Highway 78 the following courses and distances: (i) an arc measurement of 369.89 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 48 degrees 47 minutes 49 seconds West 368.99 feet to a 1/2 inch reinforcing rod (RR), (ii) an arc measurement of 21.27 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 48 degrees 06 minutes 50 seconds West 21.27 feet to a R/W post, (iii) South 60 degrees 02 minutes 24 seconds West 122.74 feet to a 1/2 inch RR, (iv) South 60 degrees 02 minutes 24 seconds West 50.80 feet to a 5/8 inch RR, (v) South 58 degrees 43 minutes 21 seconds West 220.40 feet to a 1/2 inch RR, (vi) South 58 degrees 14 minutes 55 seconds West 51.47 feet to a 1/2 inch RR, (vii) South 58 degrees 14 minutes 55 seconds West 14.63 feet to a R/W post, (viii) an arc measurement of 334.17 feet around a curve having clockwise rotation and a radius of 1531.51 feet, the chord measurement thereof being South 72 degrees 14 minutes 00 seconds West 333.51 feet to a R/W post, and (ix) South 78 degrees 32 minutes 01 second West 464.77 feet to a 1/2 inch RR, leaving said R/W line, run thence North 22 degrees 35 minutes 48 seconds West 822.06 feet along property of Linda D. Chesnut to a 1/2 inch RR; thence North 52 degrees 20 minutes 16 seconds East 595.78 feet along property of Hugh D. Crowe, Jr. to a 1 inch pipe; run thence along property of Winamin LLC the following courses and distances: (i) South 62 degrees 45 minutes 06 seconds East 237.53 feet to a 1/2 inch RR, (ii) North 27 degrees 48 minutes 10 seconds East 99.92 feet to a 1/2 inch RR, leaving said R/W line, run thence North 22 degrees 35 minutes 48 seconds West 822.06 feet along property of Linda D. Chesnut to a 1/2 inch RR, (iii) North 27 degrees 08 minutes 24 seconds East 115.79 feet to a 1/2 inch RR, and (iv) North 27 degrees 08 minutes 24 seconds East 234.02 feet to a 1/2 inch RR, leaving said R/W line of Mars Hill Road, the chord measurement thereof being South 54 degrees 37 minutes 23 seconds East 48.58 feet to a 1/2 inch RR, (v) an arc measurement of 327.52 feet around a curve having clockwise rotation and a radius of 3106.74 feet, the chord measurement thereof being South 51 degrees 09 minutes 18 seconds East 327.37 feet to a 1/2 inch RR, (vi) an arc measurement of 80.78 feet around a curve having clockwise rotation and a radius of 3106.74 feet, the chord measurement thereof being South 47 degrees 23 minutes 24 seconds East 80.78 feet to a point, (vii) South 46 degrees 43 minutes 43 seconds East 133.51 feet to a 1/2 inch RR, and (viii) South 46 degrees 43 minutes 43 seconds East 174.52 feet to the POINT OF BEGINNING.

All directions recited herein are referenced to Grid North, Georgia West Zone.

#### LEGEND

P/T	OVERHEAD POWER/TELEPHONE LINE
UT	UNDERGROUND TELEPHONE LINE
G	GAS LINE
SS	SANITARY SEWER LINE
●	1/2" REINFORCING ROD (OR NOTED) FOUND
□	RIGHT OF WAY POST FOUND
○	POINT ONLY
PP/TP/LP/CP	POWER/TELEPHONE/LIGHT/CABLE POLE
HVPP	HIGH VOLTAGE METAL POWER POLE
SSMH	SANITARY SEWER MANHOLE
MW	MONITORING WELL
RCP	REINFORCED CONCRETE PIPE

#### REFERENCES

- (1)OUR SURVEY FOR SAM H. CROWE, DATED JULY 23, 1993.
- (2)SURVEY BY GLENN DOWNS FOR WILLIAM S. AND ALICE WOODRUFF CROWE, DATED JUNE 30, 1978.
- (3)OUR SURVEY FOR DORSEY CROWE, DATED JUNE 8, 1993.
- (4)PLAT BOOK 1, PAGE 62.
- (5)PLAT BOOK 2, PAGE 48.
- (6)PLAT BOOK 28, PAGE 133.
- (7)DEED BOOK 566, PAGE 26.
- (8)DEED BOOK 444, PAGE 141.
- (9)DEED BOOK 416, PAGE 167.
- (10)DEED BOOK 444, PAGE 139.
- (11)OUR ADMINISTRATIVE RECOMBINATION PLAT FOR HUGH DORSEY CROWE ESTATE, DATED JULY 5, 2002.
- (12)DEED BOOK 985, PAGE 708.
- (13)DEED BOOK 979, PAGE 594.
- (14)OUR SURVEY FOR MAB ACQUISITIONS, LLC, DATED AUGUST 20, 2015.

#### SURVEY FOR:

JONES PETROLEUM

COUNTY:	OCONEE	G.M.D.:	240	STATE:	GEORGIA
DATE:	MAY 16, 2018	SCALE:	1"=100'	DWN. BY:	MIKE
FIELDBOOK:	1005	SURVEYED BY:	BEN McLEROY & ASSOCIATES, INC. ENGINEERS & SURVEYORS 140 MILL CENTER BLVD., ATHENS, GA, 30606 706-548-5873	FILE NO.:	36612-





JPC Design and Construction - Jones Petroleum Travel Center-Lithia Springs  
Exterior Progression - Exterior - October 31 2018 - Photo 5 - 35





JPC Design and Construction - Jones Petroleum Travel Center-Lithia Springs  
Exterior Progression - Exterior - October 31 2018 - Photo 5 - 25





RECEIVED  
JAN 31 2019  
By *[Signature]*





Example Parking Area Screening









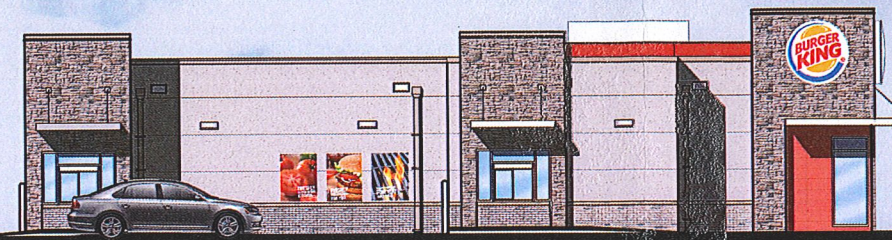
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JAN 31 2019  
By *alt*



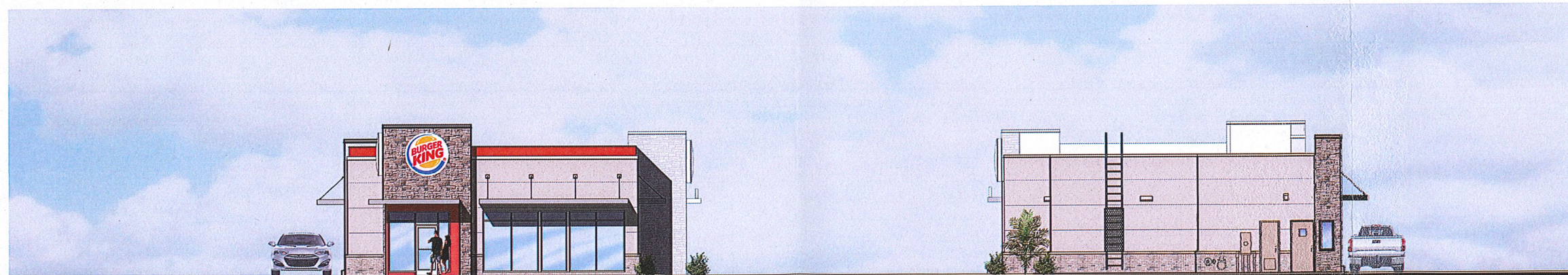
RECEIVED  
FEB 05 2019  
By *ett*



MAIN ENTRANCE ELEVATION



DRIVE-THRU ELEVATION



FRONT ELEVATION

REAR ELEVATION





COPELAND ARCHITECTURE

JONES TRAVEL CENTER  
HOGANSVILLE, GEORGIA

RECEIVED  
FEB 05 2019  
By *[signature]*





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

**REZONE CASE #:** 7702

**DATE:** February 25, 2019

**STAFF REPORT BY:** Guy Herring, Director  
Gabriel Quintas, Assistant Director  
Grace B. Tuschak, Planner

**APPLICANT NAME:** JPC Designs, LLC

**PROPERTY OWNER:** William B. Jones

**LOCATION:** Southwest corner of the intersection of US Highway 78 and Mars Hill Road

**PARCEL SIZE:** ± 32.079

**EXISTING ZONING:** A-1 (Agricultural District) and B-2 (Highway Business District)

**EXISTING LAND USE:** Undeveloped agricultural land, single-family residential, retail establishments, and gas station

**FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION:** Technology Gateway

**ACTION REQUESTED:** Rezone from A-1 and B-2 to B-2

**REQUEST SUMMARY:** The property owner is petitioning for a zoning change from A-1 and B-2 to B-2 for five contiguous parcels in order to allow for a commercial development as reflected on the attached concept plan.

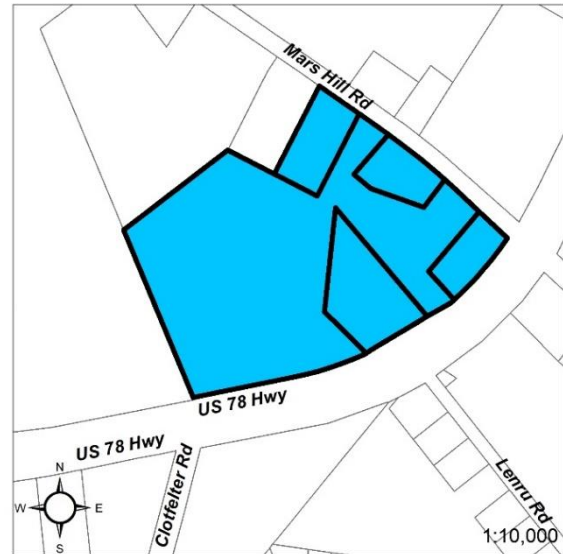
**STAFF RECOMMENDATION:** Staff recommends conditional approval of the present request.

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** March 18, 2019

**BOARD OF COMMISSIONERS:** April 2, 2019

**ATTACHMENTS:** Application  
Zoning Impact Analysis  
Narrative  
Site Review  
Aerial Photo  
Tax Map  
Plat of Survey  
Concept Plan  
Representative Photos  
Figure 5 from Traffic Study Submitted 1/31/2019





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

### **HISTORY**

- Tax parcel no. B-02-46, B-02-046A, B-02-046B, B-02-046C have been zoned A-1 since the original adoption of the zoning map in 1968.
- Tax parcel no. B-02-061 have been zoned B-2 since the original adoption of the zoning map in 1968.
- A retail building and gas station were constructed on the B-2 zoned parcel in 1959.
- The majority of the subject site has been used for hay production for the past 20 years.
- The two single-family residences on the subject property were built in 1956 and 1972.

### **SITE VISIT DESCRIPTION**

- Three businesses are currently in operation on the B-2 zoned portion of the site: a convenience store and gas station with fueling stations, a florist, and a beauty salon.
- Two single-family residences and various outbuildings currently exist on the A-1 zoned portion of the site.
- The subject site is mainly open pastureland, with a heavily wooded area along the northern property line.

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

	EXISTING LAND USES	EXISTING ZONING
<b>NORTH</b>	Single-family residences on wooded tracts	A-1 (Agricultural District)
<b>SOUTH</b>	Single-family residences Retail establishments Undeveloped pastureland	A-1 (Agricultural District) B-1 (General Business District)
<b>EAST</b>	Single-family residences Undeveloped pastureland	A-1 (Agricultural District) I (Industrial District)
<b>WEST</b>	Undeveloped pastureland	A-1 (Agricultural District)

### **PROPOSED PROJECT DESCRIPTION**

The applicant proposes to convert the entirety of the subject site into a commercial development with a total of 173,400 square feet of retail, office, hotel, and restaurant space.

- Phase I of the development is proposed to include the following, to be completed in 2019:
  - Demolition of the existing retail building and gas station
  - Construction of a 7,200 sq. ft. convenience store, a gas station with 20 fueling positions, and a 2,800 sq. ft. Burger King with a drive through lane
- Phase II is proposed to include construction of the following, to be completed by 2022:
  - One 68,000 sq. ft. big box anchor store
  - Two 12,000 sq. ft. retail stores
  - One 5,000 sq. ft. commercial office and institutional building
  - One 50,400 sq. ft. hotel with 200-rooms
  - Five retail/commercial fast food restaurants, 3000-3500 sq. ft. each
- The total estimated value of the project at completion is \$75,000,000
- The applicant intends to own and operate the convenience store, gas station, and Burger King proposed for Phase I. Future ownership of outparcels proposed for Phase II is yet to be determined.

### **PROPOSED TRAFFIC PROJECTIONS**

According to a traffic impact study conducted by A&R Engineering, Inc., the proposed development is projected to have the following traffic impacts:

- 19,939 ADT; 1474 A.M. and 1762 P.M. peak hour trips.
- With daily pass-by trip reductions factored: 11,835 ADT; 920 A.M. and 974 P.M. peak hour trips.
- Source: ITE Trip Generation Manual, 10<sup>th</sup> Edition; ITE Land Uses: 310-Hotel, 710- General Office Building, 820 - Shopping Center, 850 – Supermarket, 933 – Fast Food Restaurant without Drive-Through Window, 934 –Fast-Food Restaurant with Drive-Through Window, and 960 – Super Convenience Market/Gas Station.
- Staff notes that the applicant, in a later submission dated 02/27/19, amended the present rezone request to decrease the total square footage of the proposed development. However, estimated traffic counts shown above do not reflect this change to the request.



## **PUBLIC FACILITIES**

### **Water:**

- The Oconee County Water Resources Department has indicated in a water and sewer availability letter dated 01/22/2019 that sufficient potable water is available to serve the proposed development.

### **Sewer:**

- The Oconee County Water Resources Department has indicated in a water and sewer availability letter dated 01/22/2019 that wastewater treatment/sewer collection and transmission capacity is currently available for the proposed development.

### **Roads:**

- The existing retail building and gas station on tax parcel no. B-02-061 are currently accessed from US Highway 78 and from Mars Hill Road.
- Parcel no. B-02-046A and parcel no. B-02-046 are currently accessed from US Highway 78.
- Parcel no. B-02-046C and B-02-046B are currently accessed from Mars Hill Road.
- Three entrances are proposed on Mars Hill Road and two right in/right out entrances on US Highway 78. One entrance (site entrance 3) is requested by OC Public Works Department to be removed.
- The proposed development will require deceleration lanes at each entrance in compliance with UDC Article 10.

## **ENVIRONMENTAL**

- No state waters or jurisdictional wetlands are located on the site.
- No 100-year flood plains are located on the site.

## **COMMENTS FROM OTHER DEPARTMENTS & AGENCIES**

### **GEORGIA DEPARTMENT OF TRANSPORTATION**

- This rezone request will require GDOT coordination. We will provide more specific and in-depth comments when the layout is submitted to us for review.

### **OCONEE COUNTY PUBLIC WORKS DEPARTMENT**

- Public Works recommends eliminating Site Driveway 3 due to its close proximity to the intersection of Mars Hill Road and US 78/SR 10/Monroe Highway. An internal connection should be made to Site Driveway 2 for access. Public Works recommends implementation of the other improvements proposed in the Traffic Impact Study.
- The consultant submitted a right turn analysis (contained in the Traffic Study) which concluded that a right turn lane was not warranted. Even though the study showed that right turn lanes are not warranted, deceleration lanes and acceleration tapers are required per the UDC.

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

Lots surrounding the subject site are primarily zoned A-1, B-2, and I. The existing uses surrounding the subject site are primarily agricultural and single-family residential, with the exception of several properties in commercial use to the south of the subject property, including a bank and several small retail establishments. Additional compatible uses exist in the general vicinity of the subject property, including a convenience store and gas station, veterinary hospital, and numerous other commercial properties along US Hwy 78 and GA SR 316. Staff believes that the present request is compatible with the vicinal pattern of transitioning land use from low-density residential and agricultural uses to commercial use.



- B. To what extent are property values diminished by the particular zoning restrictions of the current zoning category?**  
The majority of the subject site is currently zoned agricultural and is being used for its intended purpose. However, given the location of the property at a commercial node, it is reasonable to believe that it would be more valuable as a commercial property than an agricultural property.
- C. To what extent does the destruction of the property values of the individual property owner promote the health, safety, or general welfare of the public with consideration to:**
- i. Population density and effect on community facilities such as streets, schools, water and sewer?**  
County officials have indicated that existing county water capacity, sewer treatment capacity, and emergency services should be adequate for the proposed development. The current request should not have any significant impact on the local school district and local population densities should not be adversely impacted.
  - ii. Environmental impact?**  
No known environmental areas exist on the site; staff does not anticipate any significant adverse environmental impacts.
  - iii. Effect on adjoining property values?**  
Incompatible land use buffers required by the UDC should be sufficient to protect adjoining properties from any adverse effects of the proposed development. The current request is in keeping with the ongoing commercialization of the general vicinity surrounding the subject property; therefore, new commercial development should not impair vicinal property values.
- D. What is the relative gain to the public in maintaining the current zoning category, as compared to the hardship imposed upon the current property owner?**  
Should the present request be denied, the portions of the subject site zoned A-1 could not be developed for commercial purposes, and the scale of the development would have to be restricted to the 1.5-acre parcel that is currently zoned B-2. Conversely, by maintaining the current zoning restrictions, usage of nearby County roads and demands for County services such as water, sewer, fire suppression, and emergency services would not be additionally burdened by new commercial development.
- E. What is the length of time that the property has been vacant as currently zoned, considered in the context of land development in the area of the vicinity of the property?**  
The subject property is not currently vacant and appears to be actively used for agricultural, residential, and commercial uses. Therefore this question is not applicable.
- F. Is the proposed use consistent with the stated purpose of the zoning district that is being requested?**  
The B-2 (Highway Business District) is intended to serve those business activities generally oriented to the highways. Convenience stores with fuel pumps, commercial offices, and retail uses are common in this district and staff believes that the proposed development is consistent with the stated purpose of the zoning district.
- G. How does this request conform with or diverge from established land use patterns?**  
The proposed development is consistent with transitioning land use in the vicinity of the subject property. Commercial and industrial uses continue to advance from the commercial node at GA-SR 316 and US-Hwy 78, and limited development has occurred at Mars Hill Road and US Hwy 78 over the last several decades. To the south of the subject property across US Hwy 78, a commercial bank was constructed in 1983, a small retail building was constructed in 2006, and a convenience store with fuel pumps were constructed in 2012. The Comprehensive Plan encourages this transition of land use from low intensity residential and agricultural uses to commercial and industrial uses through the designation of this area as a Technology Gateway Character Area (see below). Furthermore, it is reasonable to believe that the surrounding area could experience substantial commercial, professional, and/or industrial growth at some point in the future due the location of the subject property near the intersection of two arterial roadways.
- H. How does this request conform with or diverge from the Future Land Use Map or the goals and objectives of the Comprehensive Plan?**  
The 2040 Future Development Map designates the subject tracts with the character area “Technology



Gateway.” The 2040 Comprehensive Plan describes this character area as an area intended for professional office buildings, research facilities, and light industrial development. The 2040 Comprehensive Plan also states that in the Technology Gateway Area, “retail and residential uses are appropriate secondary uses that complement these employment centers... Redevelopment of low-density residential uses to employment-based uses are anticipated as the area develops.” Staff believes that this request conforms to the Future Land Use Map and the goals and objectives set forth for the Technology Gateway character area.

- I. What is the availability of adequate sites for the proposed use in districts that permit such use?**  
There are several other large vacant sites zoned B-2 along US Hwy 78. However, due to the prevalence of existing conditional zoning, it is unlikely that other properties exist in the county that would permit such use as proposed.
- J. Is the site suitable for the proposed use relative to the requirements set forth in the Unified Development Code (off-street parking, setbacks, buffer zones, open space, etc.)?**  
The concept plan appears to be compliant with the requirements set forth in the UDC. Staff believes that the site is suitable for the proposed use relative to the requirements set forth in the UDC.

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## **STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS**

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

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. At least 80 percent of exterior wall surfaces of all buildings and structures are to be designed to incorporate one or more of the following finish materials: brick veneer, stone veneer; natural wood siding or cement-board siding (such as hardy-plank). The remaining 20 percent of each wall may be stucco. Metal siding on any building is strictly prohibited.
3. Gas station canopy support columns shall be entirely covered in brick and/or stone.
4. Any allowed freestanding signs shall only be permitted as ground (monument) signs and shall not exceed twenty feet in height. Pole signs are prohibited.
5. Illuminated and LED signage is prohibited.
6. All vegetative screening, landscaping, and buffers shall meet the design standards as set forth in Article 8 of the Unified Development Code, except that all required landscape strips shall contain one tree per 25 lineal feet of landscape strip. Said trees shall be a mixture of evergreen and deciduous trees, and of species that will attain a normal height at maturity of more than 40 feet.
7. The developer shall eliminate Site Driveway 3 (depicted in Figure 5 of the traffic impact analysis submitted on 01/31/2019 and attached hereto) and install an internal connection via Site Driveway 2 (depicted in Figure 5 of the traffic impact analysis submitted on 01/31/2019) for access to Phase 1 of the development.
8. All site lighting shall consist solely of full cutoff luminaires as defined in the Unified Development Code.
9. Parking lot lighting structures shall not exceed twenty feet in height.
10. Service areas and dumpsters shall be visually screened from public view by a six-foot masonry wall with façade materials matching the exterior of the principal structure with black painted metal/steel enclosure doors. Enclosure doors made of wood or chain link are prohibited.
11. The following uses, allowed by right in B-2 zoning district, shall not be allowed on the subject property:

*(see next page)*

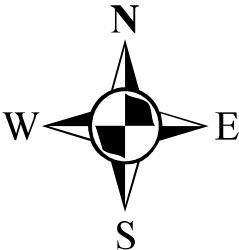
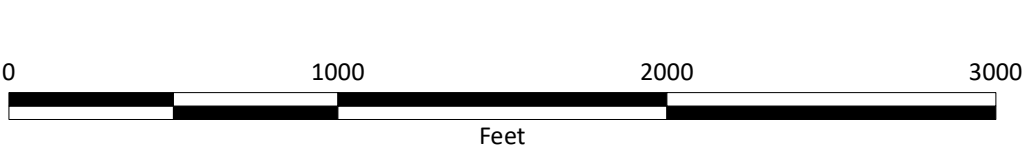
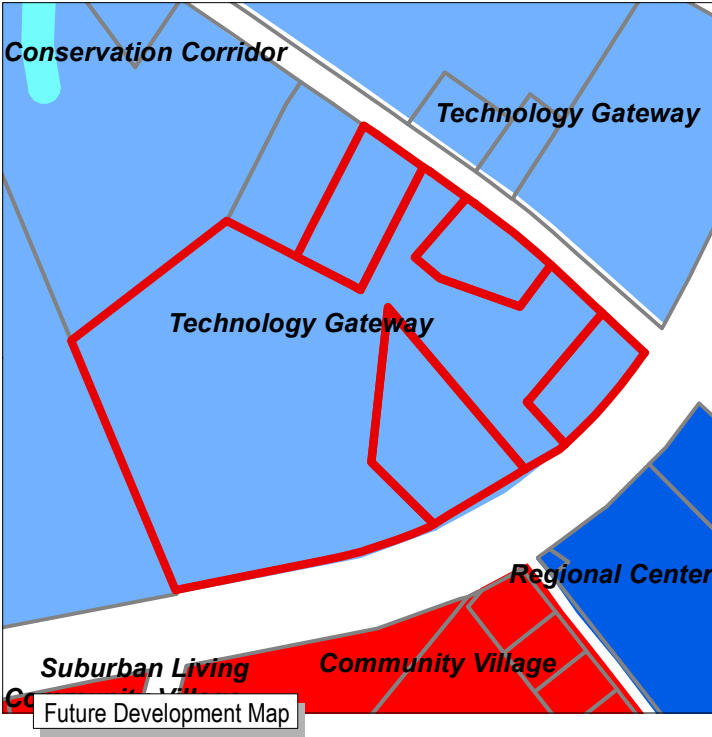
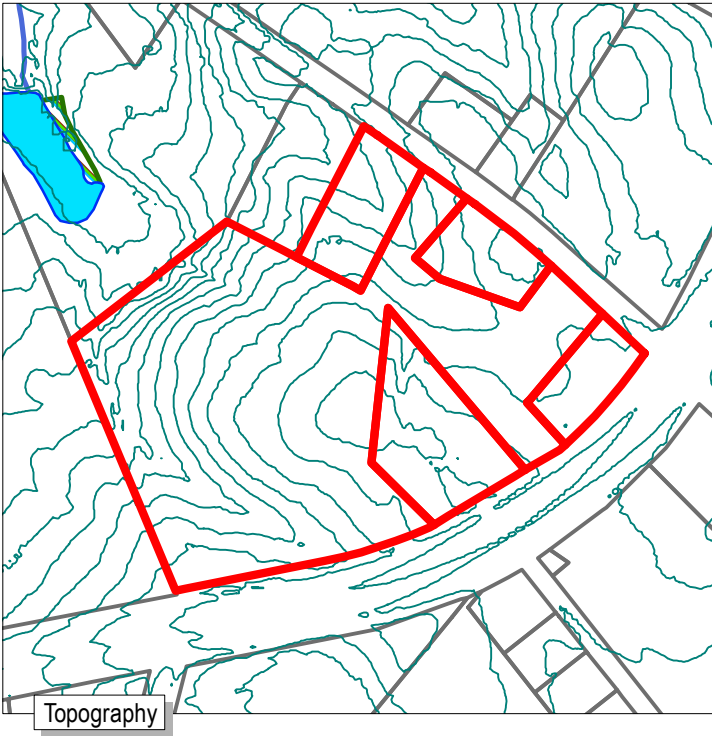
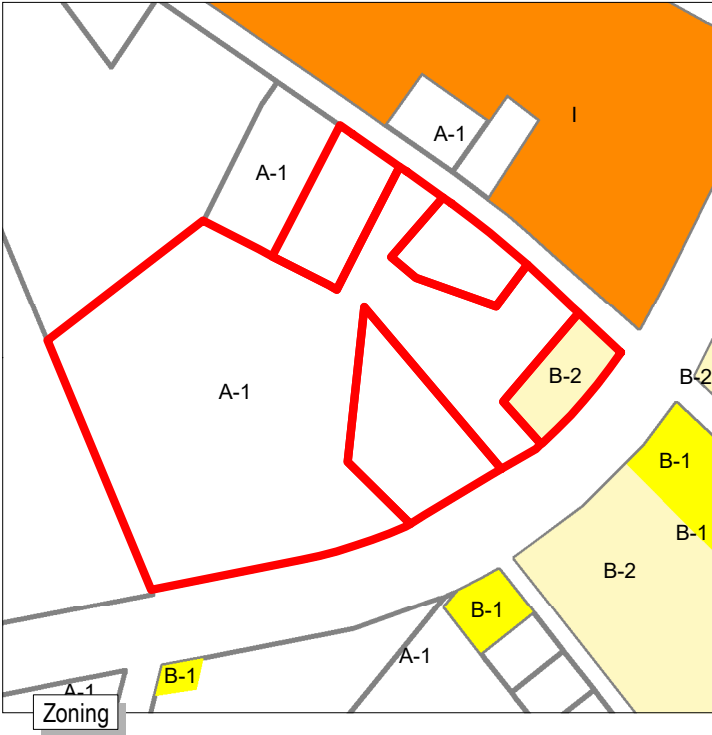
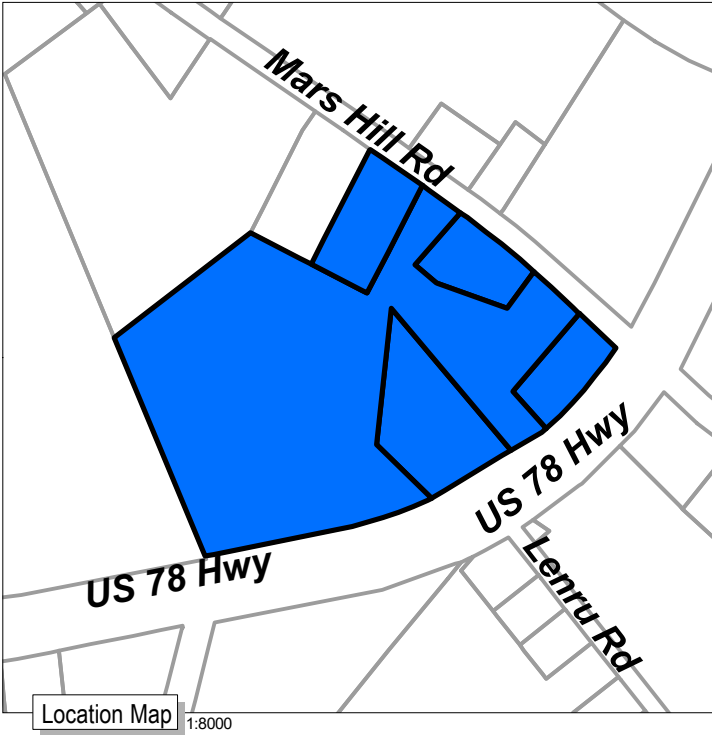


TABLE OF DISALLOWED USES	
RV (Recreational Vehicle) Parks	Pawnshop or Loan Brokers, other than Mortgage Loan Brokers
Automotive Repair and Maintenance, except Car Washes	Car Washes
Automotive Parts, Accessories, and Tire Stores	Family Planning Centers
General Automotive Repair	Automotive Transmission Repair
Automotive Exhaust System Repair	Automotive Body, Paint and Interior Repair and Maintenance
Automotive Glass Replacement Shops	Automotive Oil Change and Lubrication Shops
Tractor and Other Farm Equipment Repairs and Maintenance	Home and Garden Equipment Repair and Maintenance
Home Appliance Repair and Maintenance	Automobile Commercial Parking Lots and Garages
Passenger Car Rental and Leasing	Truck, Utility Trailer and RV (Recreational Vehicle) Rental and Leasing
General Equipment and Tool Rental Centers	Construction, Transportation, Mining and Forestry Machinery and Equipment Rental and Leasing
Construction Contractors, Builders and Developers, with outdoor storage	Adult Entertainment
Taxidermists	Radio and Television Broadcasting Stations
Used Car Dealers	Archery or Shooting Ranges
Motorcycle Dealers	New Car Dealers
All Other Motor Vehicle Dealers	Recreational Vehicle Dealers
Lumber Yards	Boat Dealers
Truck Stops and Other Gasoline Stations	Auction Houses
General Freight Trucking, Local	School and Employee Bus Transportation
General Freight Trucking, Long-Distance	Motion Picture Theaters (except Drive-Ins)
Community Food and Housing, and Emergency and Other Relief Services	Motion Picture Theaters, Drive-In
Taxi and Limousine Service	Shuttle Services, Vanpools and Other Ground Passenger Transportation
Charter Bus Industry	Fraternal Lodges, VFWs, Ethnic Associations and Other Civic and Social Organizations
Scenic and Sightseeing Transportation	Outpatient Mental Health and Substance Abuse Centers
Specialized Freight (except Used Goods) Trucking, Local	General Medical and Surgical Hospitals
Private Schools: Junior Colleges	Private Schools: Colleges and Universities
Private Schools: Kindergarten, Elementary and Secondary	Private Schools: Religious Exempt Nonpublic Post-Secondary Institutions



# Rezone 7702 - JPC

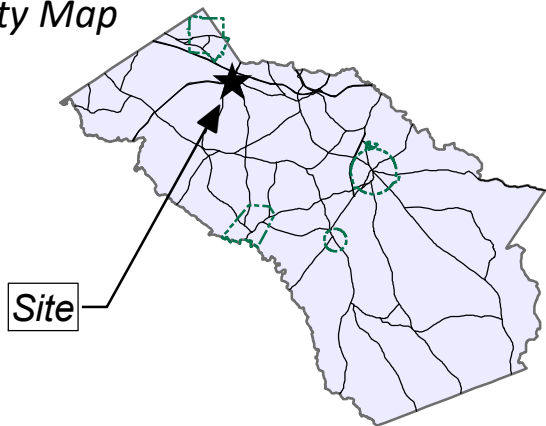
## Site Review



1:7000



Vicinity Map



Site

**Tax Parcel #'s**

**B-02-061**

**B-02-046**

**B-02-046A**

**B-02-046B**

**B-02-046C**

Mars Hill Rd

US Hwy 78 W  
US Hwy 78 E

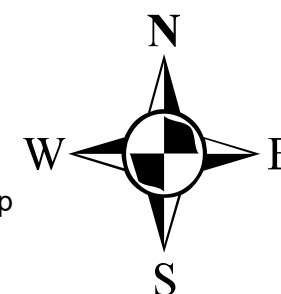
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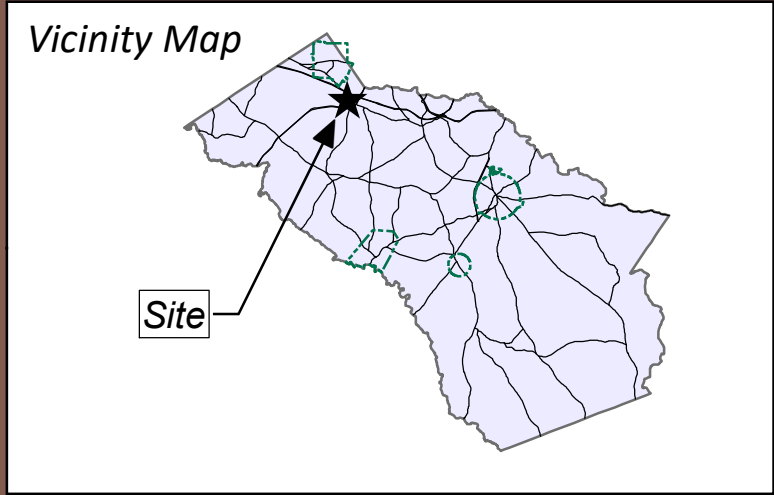
Feet

**Oconee County  
Planning Department**

This map is a representation of the official tax map  
and should be used for planning purposes only



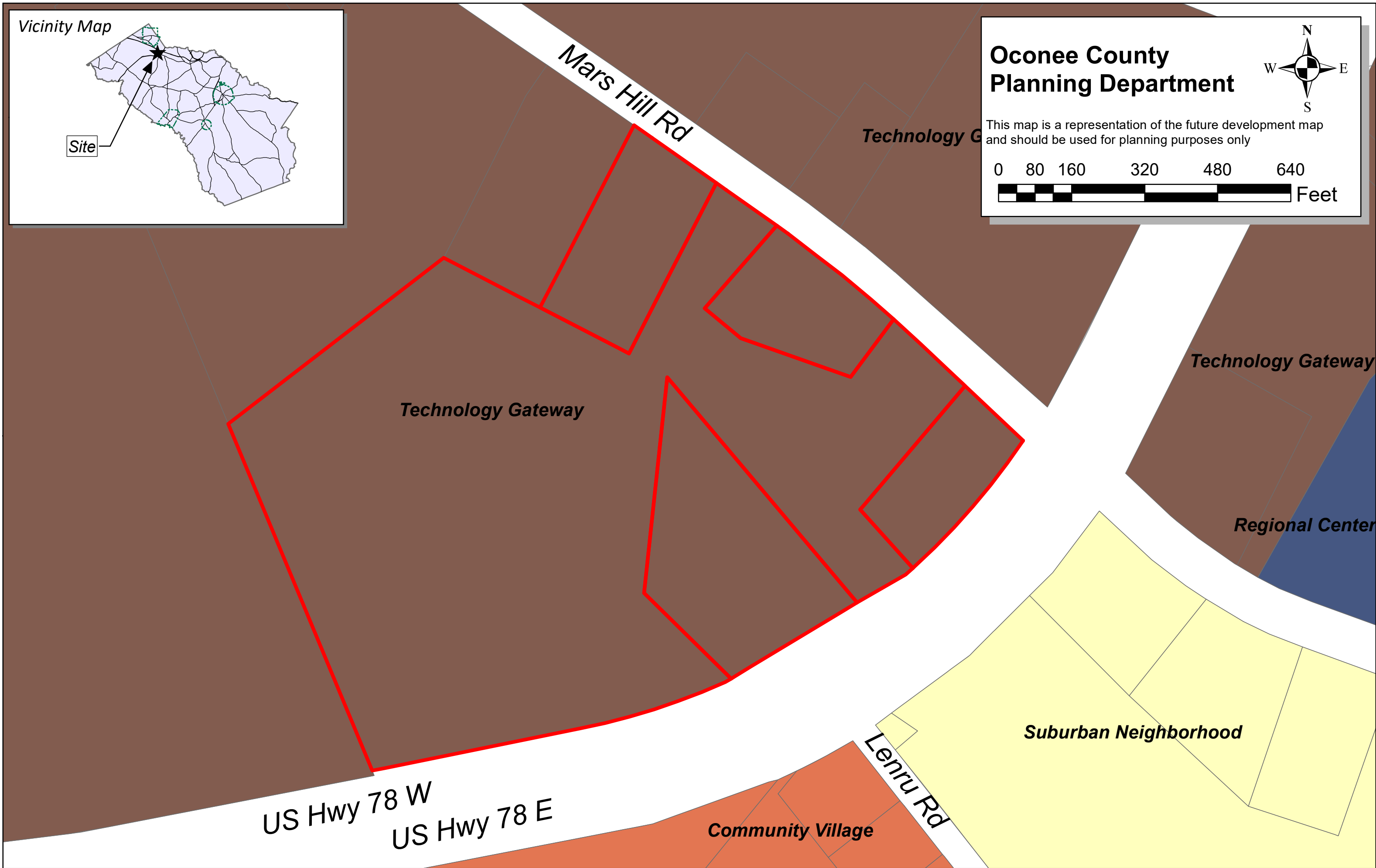




**Oconee County  
Planning Department**

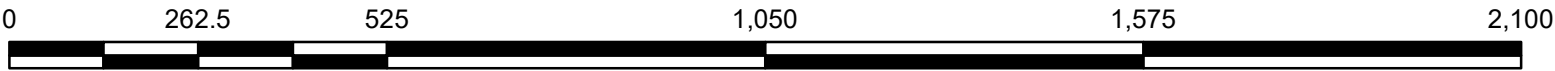
This map is a representation of the future development map and should be used for planning purposes only

0 80 160 320 480 640 Feet





Rezone 7702 Aerial View



1:3,200

