

OCONEE COUNTY PLANNING COMMISSION

January 19, 2021

Regular Meeting

7:00 P.M. Oconee County Courthouse

MEMBERS PRESENT: Brad Tucker, Chuck Hunt, Karen Hilyard, Brian Fosen, Penny Mills, Nathan Byrd, Steven Strickland, Mike Floyd, Scott Green

MEMBERS ABSENT: Gavin Jordan

STAFF PRESENT: Guy Herring – Director, Planning & Code Enforcement, Grace Tuschak – Senior Planner, Kyle Stephens – Planner, Monica Davis - Planner

PRESS PRESENT:

OTHERS PRESENT: Lee Becker

CALL TO ORDER: Chairman Tucker called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES: meeting: December 2020. Motion by Penny Mills to adopt minutes as written; Second by Steven Strickland. The vote was unanimous to adopt the minutes.

OLD BUSINESS:

None.

NEW BUSINESS:

Item #1. Rezone #P20-0210; Deferred Tax, LLC; R-1 (Single Family Residential District), B-1 PUD (General Business Planned Unit Development), and B-2 (Highway Business District) to B-2 (Highway Business District); ±46.87 acres; located at Mars Hill Road, Oconee Connector, Georgia Highway 316, and Virgil Langford Road; Commercial.

Guy Herring presented the staff report with staff recommending approval subject to 20 conditions.

Chairman Tucker called for comments from the owner or agent for the owner.

Kevin Letch, Sembler Company, spoke in favor of the request. Mr. Letch stated that the project has been in process since 2019 and the US Army Corps of Engineers provided a 404 permit for wetland & stream impact earlier this month. EPD has issued a water quality certificate and 401 permit is in process. Mr. Letch discussed the site topography, streams on the property, the proposed uses, phasing, access points, traffic improvements, and staff conditions regarding access points.

Abdul Amer, A & R Engineering, spoke in favor of the request and stated that the company conducted queuing modeling in response to conditions recommended by staff. Mr. Amer stated that the signal is warranted for the entrance along Oconee Connector, and, with coordinated signals, should not slow down traffic Oconee Connector. Mr. Amer stated that they are recommending a reduction in entrances in Phase I down to 3 driveways, and that the entrances meet GDOT requirements and county

ordinances, and that a roundabout at Hollow Creek Lane is not feasible because there is not enough ROW to allow for required truck turning radius.

Mr. Letch discussed the environmental studies that were conducted and the permitting required for state waters and described the 3 wetland areas on site, one of which is to be preserved and the remainder are to be offset through purchased mitigation credits. Mr. Letch also discussed grading plans, the stormwater drainage system, locations of discharge, pedestrian access, required buffers and screening, that the permitting process for phase I, and the requested amendments to staff conditions.

Chairman Tucker called for those in favor or against the proposal to speak.

Vicki Souttar spoke against the request, and requested that the planning commission recommend denial because of environmental impacts to the stream on site. Ms. Souttar stated that the EPD buffer variance has not been approved and that the conservation corridor should be preserved.

Jennifer Walker, 1201 DaAndra Drive, spoke against the request and stated that she and her neighbors have created the Mars Hill for Responsible Development group. Ms. Walker stated that the project is a regional development with widespread impacts, summarized a petition and statements from Oconee County citizens as follows: increased traffic, congestion, concerns about the the submitted traffic study and the five proposed entrances proposed along Mars Hill Road, the GDOT flyover project at Oconee Connector and 316, the scale of the development on the property, the lack of greenspace and pedestrian access, potential for Bond Crossing to become a cut through for traffic to Mars Hill Road.

Eleanor Cotton, 1101 Nona Drive, Friends of Barber Creek, spoke against the request and stated concerns about the impacts to Barber Creek and that the project was inconstant with the development goals of the county, and that the applicant has been unwilling to change development plans in response to citizen concerns.

Robert Gatliff, 1250 DaAndra Drive, spoke against the request and stated concerns about the impact on water quality and on the community overall, and that the neighborhood has been used as a cut through in the past.

Chris Herring, 1291 DaAndra Drive, spoke against the request and discussed the current traffic congestion in the local road network, stated that nearby intersections are already dangerous and that he is concerned about rezoning from R-1 to B-2 of parcel C-01-045D because it currently abuts AG zoning, and asked whether the applicant has considered currently vacant sites at Epps Bridge.

Dan McGee, 1120 Loch Lomond Circle, spoke against the request and stated that existing traffic conditions are not reflected in the submitted application materials, that roundabouts should be feasible along Mars Hill Road and stated concerns about environmental impacts referenced in the regional commission report.

Chairman Tucker closed the Public Comment period.

The Planning Commission discussed its concerns/comments including but not limited to: traffic flow, other properties in the county that have already been zoned for retail, whether GDOT would approve a traffic light on Oconee Connector, whether traffic studies have been conducted to measure the impact on streets connecting to Mars Hill Road, email responses that were received from citizens, how vehicles would be offloaded to the car dealership, whether the freestanding signs would be digital signs, timeline

for construction of Phase II, how Publix is involved in the project, prospective hotels for the site, width of the buffer between the project and AG zoning, amount of open space proposed/maximizing of site coverage, site topography, fast food restaurants along Mars Hill Road, size of existing roundabout on Mars Hill road, what happens if EPD were to deny the 404 permit, the status and timeline of the GDOT project at Oconee Connector and GA 316 and impact of the new interchange on the proposed project entrance on Oconee Connector, difficulty of synchronizing signals on County right of way with signals on GDOT right of way, whether a signal is warranted at the entrance on Oconee Connector, required upgrades to Oconee Connector and Mars Hill Road if the entrance on Oconee Connector is limited access, upgrades to Mars Hill Road required to bring it up to UDC standards, effect of roundabouts in staff condition on the function of Mars Hill Road.

There being no further questions or comments from the commission, a motion was in order.

Motion to deny by Brian Fosen with conditions recommended by staff except, second by Mike Floyd. Voting in favor of the motion: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Item #2. Rezone #P20-0199; Kenneth Wilbanks; AG (Agricultural District) to AR (Agricultural Residential District); ±2.00 acres; located at 2751 New High Shoals Road; Residential.

Guy Herring presented the staff report with staff recommending approval subject to 1 condition.

Chairman Tucker called for comments from the owner or agent for the owner.

Ken Wilbanks, owner, 2751 New High Shoals Road spoke in favor of the request and stated that the subdivision is requested in order to settle the estate of his late mother.

Chairman Tucker called for those in favor or against the proposal to speak and there was no public comment.

Chairman Tucker closed the Public Comment period.

The Planning Commission had no discussion.

There being no further questions or comments from the commission, a motion was in order.

Motion to approve by Steven Strickland with conditions recommended by staff, second by Scott Green. Voting in favor of the motion: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Item 3: Rezone #P20-0219; Michael Doster; AG (Agricultural District) to AR (Agricultural Residential District); ±4.47 acres; located at 1101 Old Barnett Shoals Road; Residential.

Guy Herring presented the staff report with staff recommending approval subject to 1 condition.

Chairman Tucker called for comments from the owner or agent for the owner.

Michael Doster, owner, 1131 Old Barnett Shoals Road, spoke in favor of the request and stated that they would like to split the property to allow his children to live on the property.

Chairman Tucker called for those in favor or against the proposal to speak.

Chairman Tucker closed the Public Comment period.

The Planning Commission had no discussion.

There being no further questions or comments from the commission, a motion was in order.

Motion to approve by Nathan Byrd with conditions recommended by staff, second by Steven Strickland. Voting in favor of the motion: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Item 4 and 5: Rezone #P20-0235; JenHill LLC; AG (Agricultural District) to B-2 (Highway Business District); ±20.23 acres; located at 4060 Mars Hill Road; Commercial.

Special Use #P20-0236; JenHill LLC; mini-warehouses/self-storage; ±14.60 acres; located at 4060 Mars Hill Road; Commercial.

Guy Herring presented the staff report with staff recommending approval subject to 7 conditions (rezone P20-0235) and 5 conditions (special use P20-0236).

Chairman Tucker called for comments from the owner or agent for the owner.

Frank Pittman, agent for the owner, spoke in favor of the request and outlined the proposed uses and requested that the condition requiring brick or stone building façades be removed and buildings be allowed to follow UDC guidelines.

Chairman Tucker called for those in favor or against the proposal to speak.

Reed Jackson, 1080 Moss Creek Drive, developer of the project, spoke in favor of the development.

Tara Merritt, 1740 Sydney's Pass, spoke against the request, requested more information about the types of businesses that are proposed, and spoke in favor of the condition recommended by staff concerning building materials.

Dan McGee, 1120 Loch Lomond Drive, spoke against the request, stated that the county has enough car washes and self-storage facilities in the county, that this would not be in keeping with the Innovation Corridor, and stated concerns about bodies of water on the site.

Frank Pittman responded to the public comment and stated that self-storage would be both interior- and exterior-access facilities, office/warehouse tenants would likely be service oriented businesses requiring storage, the request is for B-2 which is in keeping with the Future Land Use Map, that no wetlands or environmental buffers are proposed to be disturbed, and showed the location of various uses on the site.

Chairman Tucker closed the Public Comment period.

The Planning Commission discussed the following concerns including but not limited to: the existing zoning of surrounding property, whether boat/RV washing will take place on the property, the possibility of a second access on Monroe Highway, the staff condition concerning façade materials.

There being no further questions or comments from the commission, a motion was in order.

A motion to approve rezone P20-0235 with conditions recommended by staff by Scott Green. Second by Chuck Hunt. Voting in favor: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Motion to approve special use P20-0236 with conditions by Scott Green. Second by Brian Fosen. Voting in favor: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Item #6: Rezone #P20-0238; Cat Creek Development Company et al; OIP (Office Institutional Professional District) to OIP (Office Institutional Professional District) with modifications to rezone #7282; ±14.88 acres; located at 2881 Monroe Highway; Senior Living community.

Guy Herring presented the staff report with staff recommending approval subject to 5 conditions.

Chairman Tucker called for comments from the owner or agent for the owner.

Robert Massey, owner of some of the subject parcels, spoke in favor of the request and stated that they have seen an increase in the need for independent senior living and a decrease in demand for office space and they would like to expand the senior living community to include the remainder of the property that is not yet developed.

Chairman Tucker called for those in favor or against the proposal to speak and there was no public comment.

Chairman Tucker closed the Public Comment period.

The Planning Commission discussed its concerns including but not limited to: whether the property is connected to county water and sewer, whether the existing offices would remain or be converted to living units, parking on the site.

There being no further questions or comments from the commission, a motion was in order.

Motion to approve with conditions recommended by staff by Karen Hilyard. Second by Brian Fosen. Voting in favor: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passes unanimously.

Item #7: Special Use Modification #P20-0239; Athens Church of Christ, Inc; ±6.16 acres; located at 3720 Mars Hill Road; Church.

Guy Herring presented the staff report with staff recommending approval subject to 1 condition.

Chairman Tucker called for comments from the owner or agent for the owner.

Ken Beall, agent for the owner, spoke in favor of the request and stated that a 60-foot access easement has been incorporated into the plan to provide access to the residential property.

Chairman Tucker called for those in favor or against the proposal to speak and there was no public comment.

Chairman Tucker closed the Public Comment period.

There being no further questions or comments from the commission, a motion was in order.

A motion to approve with conditions recommended by staff by Steven Strickland. Second by Mike Floyd. Voting in favor: Brian Fosen, Mike Floyd, Nathan Byrd, Scott Green, Chuck Hunt, Penny Mills, Karen Hilyard, Steven Strickland. Motion passed unanimously.

Adjourn. With no further business, on motion by Steven Strickland and second by Scott Green, the Planning Commission adjourned at 9:10p.m.



OCONEE COUNTY PLANNING COMMISSION CHAIRMAN

2/15/21
DATE



OCONEE COUNTY PLANING COMMISSION SECRETARY

2/17/21
DATE