DEPARTMENT OF PUBLIC DEVELOPMENT

Planning Division

RZ-16-16 Staff Report

Planning Commission Public Hearing:	**November 17, 2016**	**6:00pm**
Board of Commissioners Public Hearing:	**December 19, 2016**	**6:00pm**

The following report constitutes the assessment and evaluation by Planning Division staff on the above mentioned request.

Applicant:	Hemant Parikh
Property Owner:	Mita Parikh
Requested Zoning:	R3 (Multi-family Residential)
Existing Zoning:	A2 (Agricultural Rural Farm District)
Proposed Use:	Residential
Existing Use:	Agricultural / Vacant
Property Location:	Hwy 124; North of Gum Springs Road Intersection
Zoning Map and Parcel:	Map 105, Parcel 007A and 007A1 (recently combined)
Acreage to be Rezoned:	10 acres
Future Land Use:	Master-Planned Mixed Use
Character Area Designation:	Urban
Board of Commissioners District:	3 (Commissioner Ralph Richardson, Jr.)
Zoning of Surrounding Property:	North: A2 South: HRC and R1 (across Hwy 124) East: A2 and NRC West: HRC
Land Uses of Surrounding Property:	North: Single-family Residence South: Undeveloped Commercial and Single-family Residence (across Hwy 124) East: Undeveloped Residential and Single-family Residence West: Undeveloped Commercial

Overview of the Request: The applicant is requesting a rezone from A2 to R3 with the intent to use the property as an "Active Adult/55 or Over Community."

Utilities & Infrastructure

Transportation: The property gains access to GA Hwy 124 with 100 +/- feet of right-of-way.

Water & Sewerage: The property has access to Jackson County Water and Jackson County Sewer is available within 1,500 feet.

Wetlands/Watershed Areas: The property is located within the Athens Middle Oconee River Watershed. The property is not located within a groundwater recharge area. According to the National Wetlands Inventory, there are not wetlands on the property. The property is not located within a flood plain.

MS4 Urbanized Area: The property is not located within Jackson County's MS4 Urbanized Area.

Traffic Study: The Traffic Study has been submitted for review. One intersection will be impacted by this development directly: the intersection of Hwy 124 and Gum Springs Church Road. This intersection currently is rated a C at AM peak hour and B at PM peak hour. The traffic study discusses several upgrades to the intersection that will increase the efficiency of the intersection.

Campaign Contributions & Gifts: The applicant and owner has submitted the required affidavit and disclosed no contributions were given to any commissioner over the last 2 years.

Proffered Conditions: None specified.

Sphere of Influence Comments: This project is not within any city sphere of influence.

Property Development History: The property has not been rezoned since the inception of zoning. The property did undergo a successful map amendment recently. The Jackson County Board of Commissioners approved the map amendment application, MA-16-04, on September 19, 2016, changing the Character Area Designation map from "Suburban" to "Urban" and the Future Land Use map from "Commercial" to "Master-Planned Mixed Use".

Comments from Reviewing Agencies:

Georgia DOT: GDOT will have to review and approve all new driveways and/or roadways accessing Hwy 124. See additional information under the Traffic Study information above. See email attached following this staff report.
Road Department: Off-site improvements might be required at the time of development.
Providing Water and Sewage Authority: Letter received from Jackson County Water and Sewer Authority on May 18, 2016.

Rezoning Analysis: This analysis is based upon the "Standards for Rezoning Consideration" as set forth in Section 1205(e) of the *Jackson County Unified Development Code.*

The proposed used is consistent with the stated purpose of the proposed zoning district. The area is a being developed as a multi-family residential development. The proposed development would fit into the area as it is slowly developing. The proposed use will not adversely affect the existing use or usability of adjacent property. However, to assure that this does not occur, pedestrian connectivity to the neighboring commercial parcels must be available as a requirement of the Jackson County Unified Development Code. The proposed use as shown on the concept plan and described in the letter of intent meet the goals, objectives, purpose and intent of the Comprehensive Plan. The property as currently zoned A2 and there isn't a reason the current property can't be used for agricultural purposes.

The addition of the multi-family residential development will increase the use of the existing public facilities such as the roadways, public water, and public sewer. Per the letter from the Jackson County Water and Sewer Authority there is both a water line and sewer line within 1,500 feet from the

property. Lines will be required to be run to serve this development. The increased usage of the roadway system will add additional strain to the already stressed traffic at the intersection of Hwy 124 and Gum Springs Church Road. Due to the proposed type of development (55 and older), the residents will be traveling outside of peak hours, increasing traffic at non-peak times. The development shall also only have one entrance.

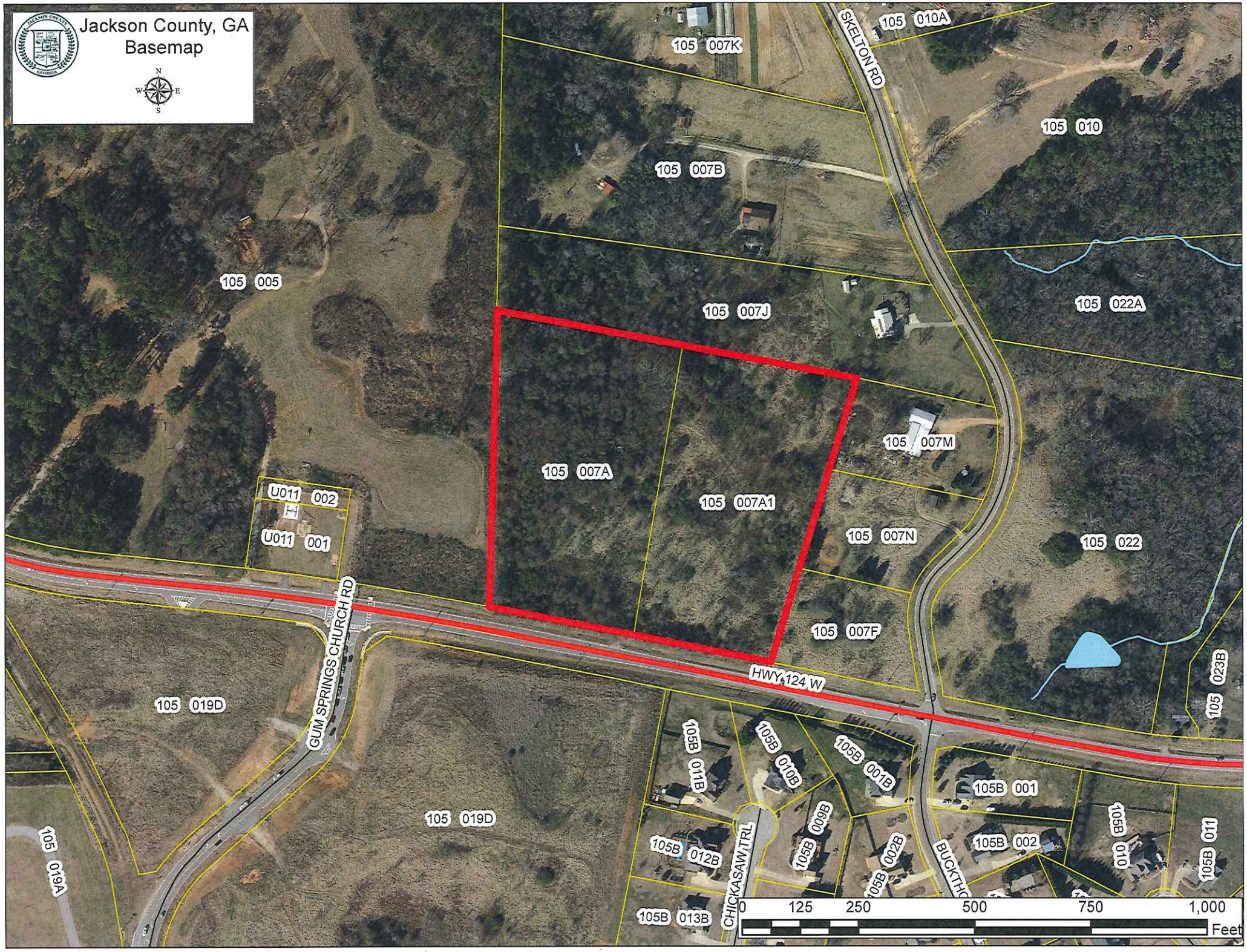
The proposed development lies within the West Jackson Overlay District and will require that at the time of development all additional rules and regulations be met. A minimum of 20% shall be dedicated to open space and amenity areas. Also, as part of the concept plan provided the access for this site will be shared between this proposed development and the adjacent proposed development. To meet the requirements of the West Jackson Overlay District and the Jackson County Unified Development Code a shared access will allow for proper traffic control to both sites.

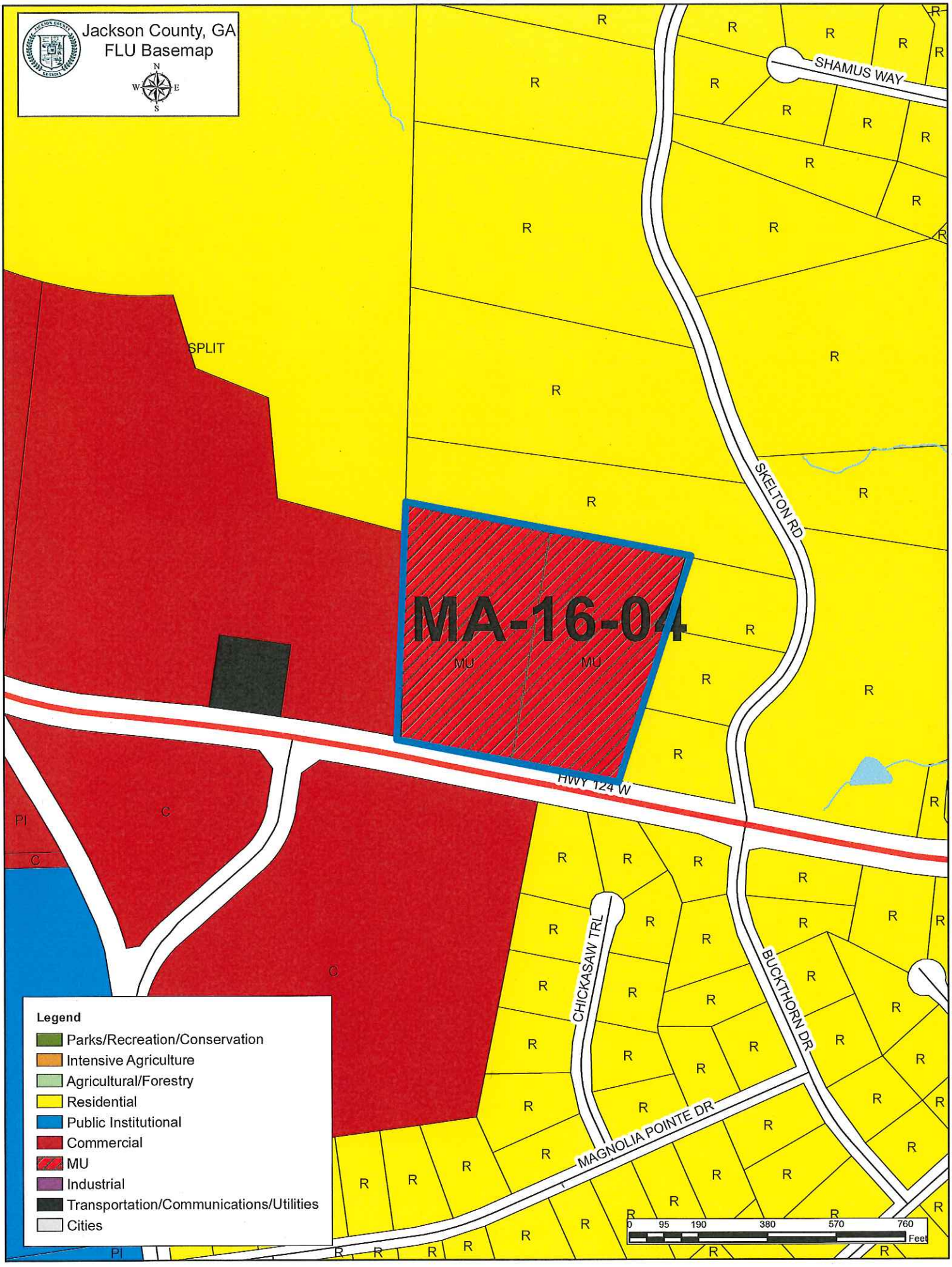
General Notes: *(such notes are for reference and are not to be considered exclusive of all Jackson County Development Standards that will apply)*:

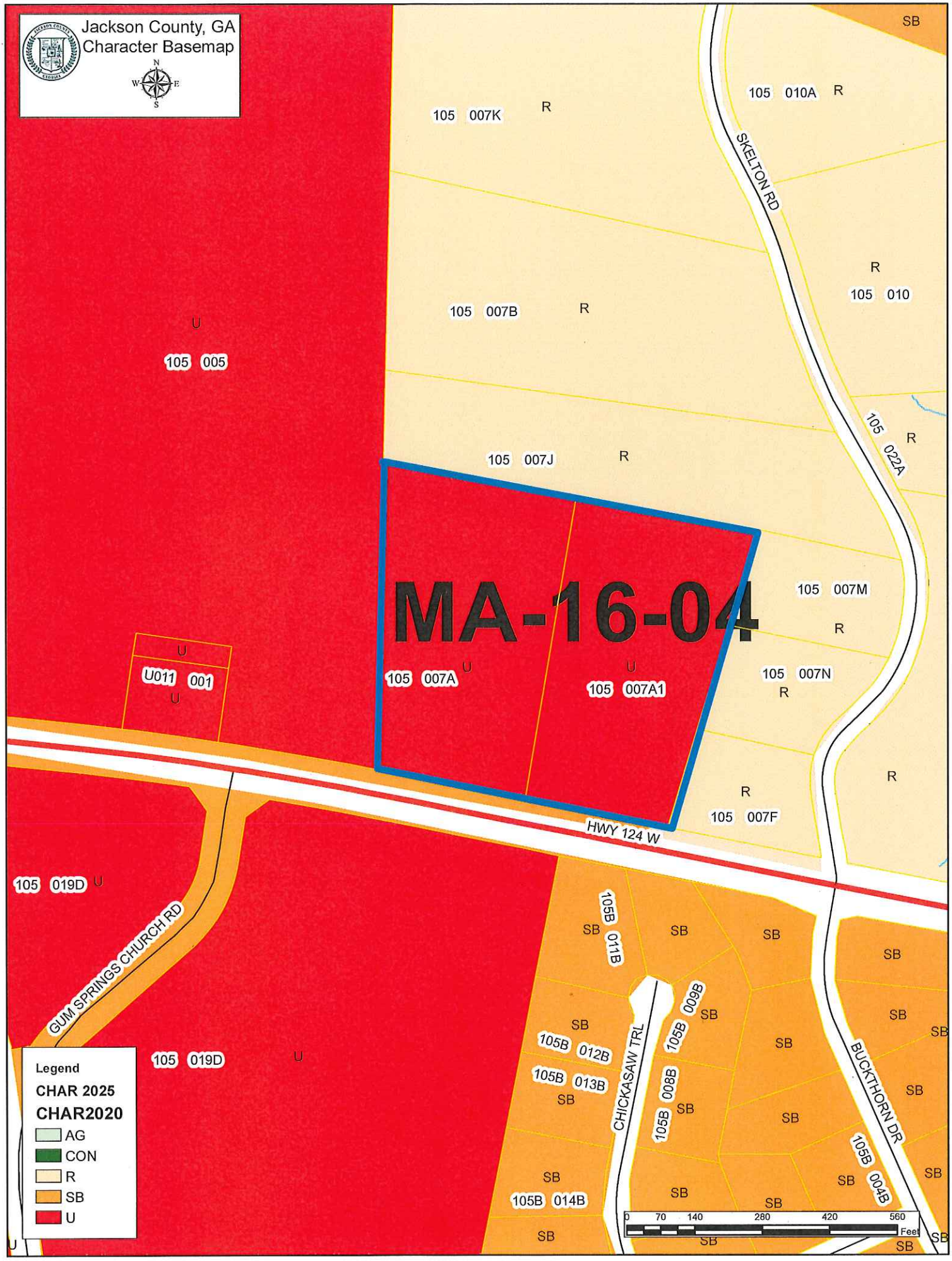
- Development Plans must be submitted and approved prior to gaining any building permits for the site.
- All new driveways and/or roadways must be approved by GDOT.
- The project must comply with the West Jackson Overlay as required by the Jackson County Unified Development Code.

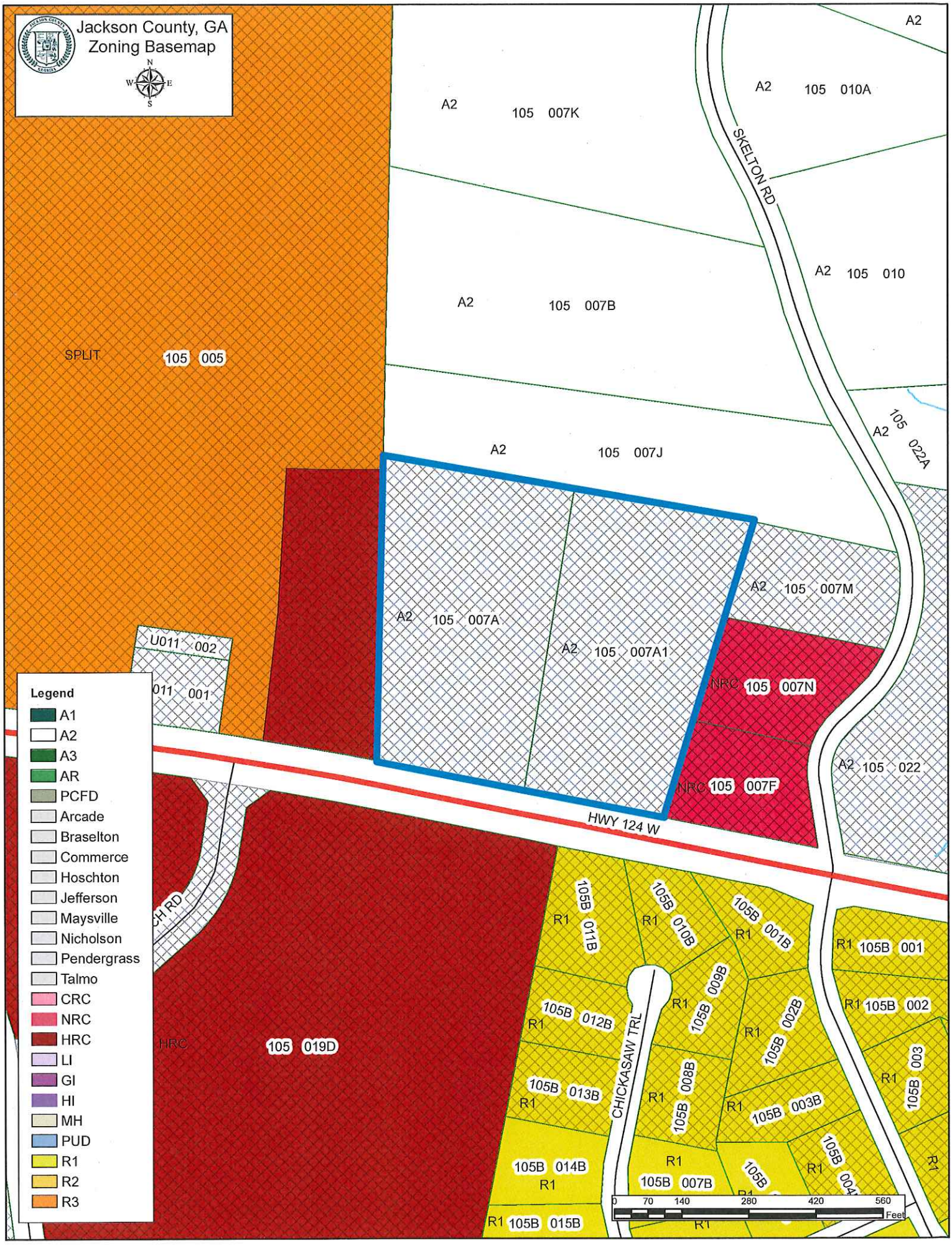
Planning Staff Recommendation: Staff has review the application as presented and Planning Staff recommends that the Planning Commission recommend ***approval*** with 2 conditions:

(1) 25 feet of right-of-way to be dedicated to Jackson County as required by the Jackson County West Jackson Overlay.
(2) Homes shall be constructed with a combination of stucco, brick, natural stone and concrete siding. No vinyl siding permitted.


Jackson County, GA
Basemap
N
W
E
S
105 007K
SKELTON RD
105 010A
105 010
105 007B
105 005
105 007J
105 022A
105 007M
105 007A
105 007A1
U011 002
U011 001
105 007N
105 022
105 007F
HWY 124 W
GUM SPRINGS CHURCH RD
105 019D
105B 011B
105B 010B
105B 001B
105B 001
105B 009B
105B 012B
CHICKASAW TRL
105B 002B
105B 002
105B 010
105B 011
105B 013B
105 019A
105 023B
0 125 250 500 750 1,000
Feet


Jackson County, GA
FLU Basemap
N
W
E
S
SHAMUS WAY
SKELTON RD
SPLIT
MA-16-04
MU
MU
HWY 124 W
CHICKASAW TRL
BUCKTHORN DR
MAGNOLIA POINTE DR
R
C
PI
Legend
Parks/Recreation/Conservation
Intensive Agriculture
Agricultural/Forestry
Residential
Public Institutional
Commercial
MU
Industrial
Transportation/Communications/Utilities
Cities
0 95 190 380 570 760
Feet


Jackson County, GA
Character Basemap
MA-16-04
105 007K
R
105 010A
R
SKELTON RD
105 007B
R
105 010
R
105 005
U
105 007J
R
105 022A
R
105 007M
R
105 007A
U
105 007A1
U
105 007N
R
U011 001
U
U
105 007F
R
R
HWY 124 W
105 019D
U
GUM SPRINGS CHURCH RD
105B 011B
SB
105B 009B
105B 012B
105B 013B
105B 008B
CHICKASAW TRL
BUCKTHORN DR
105B 004B
105B 014B
105 019D
U
Legend
CHAR 2025
CHAR2020
AG
CON
R
SB
U
0 70 140 280 420 560
Feet



Jackson County, GA
Zoning Basemap
N
W
E
S
A2
A2 105 007K
A2 105 010A
SKELTON RD
A2 105 010
A2 105 007B
SPLIT 105 005
A2 105 022A
A2 105 007J
A2 105 007M
A2 105 007A
A2 105 007A1
U011 002
011 001
NRC 105 007N
A2 105 022
NRC 105 007F
HWY 124 W
CH RD
R1 105B 011B
R1 105B 010B
R1 105B 001B
R1 105B 001
R1 105B 009B
R1 105B 002
R1 105B 012B
R1 105B 002B
HRC 105 019D
CHICKASAW TRL
R1 105B 003
R1 105B 008B
R1 105B 013B
R1 105B 003B
R1 105B 014B
R1 105B 007B
R1 105B 015B
0 70 140 280 420 560
Feet
Legend
A1
A2
A3
AR
PCFD
Arcade
Braselton
Commerce
Hoschton
Jefferson
Maysville
Nicholson
Pendergrass
Talmo
CRC
NRC
HRC
LI
GI
HI
MH
PUD
R1
R2
R3

REZONING APPLICATION

JACKSON COUNTY PLANNING DIVISION
67 Athens Street Jefferson, Georgia 30549
706-367-5908

Date Received: 10/3/16 Fee Received: $525.00 Case No.: RZ-16-16

Note to Applicant: All applications must be typed or *CLEARLY LEGIBLE* and all entries must be completed on all the required application forms. If you are uncertain to the applicability of an item, contact the Public Development.

Name of Applicant Hemant Parikh
Mailing Address 4255 Treadstone Court Suwanee, Ga 30024
Telephone 770-448-5867 Cell 404-569-4129 E-Mail parikhhemant@gmail.com
Property Owner(s) Mita Parikh
Mailing Address 4255 Treadstone Court Suwanee, Ga 30024
Telephone 770-271-5317 Cell 404-569-4064 E-Mail mitaparikh@gmail.com
Contact Person Matt Sullins
Mailing Address 1380 Ivywood Dr. Athens, GA 30606
Telephone 678-687-6219 Cell

Address/Location of Property GA Hwy 124
Tax Map No. 105 Tax Parcel No(s). 007A | 007A1 Total Acreage: 10AC
Present Zoning District(s): A2 Proposed Zoning District: R-3
Current Character Area Urban
Current Future Land Use Designation Urban

TAX COMMISSIONER'S OFFICE USE ONLY

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned certifies that all Jackson County taxes billed to date for the parcel listed below have been verified as paid current to the Tax Commissioner of Jackson County, Georgia and confirmed by the signature below. In no case shall an application or re-application for zoning action be processed without such property verification.

PARCEL I.D. NUMBER: 105 (Map) - 007A & 007A1 (Parcel)

Name Kristi Ingram Title Sr. Property Clerk Date 10-3-16

County of Jackson
Public Development Department
67 Athens St.
Jefferson, GA 30549

Letter of Intent – Rezone: Hwy 124W, Map: 105, Parcel(s): 007A & 007A1, Jackson County, GA

To Whom It May Concern:

Hemant Parikh is submitting this Letter of Intent for the subjected property to be Rezone.

The Property located on GA Hwy 124 W, North of Gum Springs Rd. intersection identified as parcels lying in the 248th District, Lot 3-4 in Plat Book 24, page 65 is an approximate ten-acre vacant lot; the property has approximately .12 miles of highway frontage from Gum Springs Road North. The property is currently zoned under Agriculture-A2 and is requested to be rezoned to R-3.

The intent of this Rezone for the subject property is to allow for the establishment of an "Active Adult/55 or Over" Community. Currently, there is not an active adult community that is serving the Jackson County area in which the growth of 55 and over adults is growing. It is projected by the United States Census Bureau that there will be 92.2 million adults living in the United States age 55 or older in the next decade. This statistic indicates the demand is large and growing for "Active Adult" Communities. Our development proposal has been surveyed amongst the demographics and has received a positive/ enthusiastic response regarding the development of an "Active Adult" Community here in Jackson County.

The project's inspiration is based off "Shantiniketan" located at: 999 David Walker Drive Tavares, FL. The property's design will include 15-20 quadplex with units ranging from 1,400 SF to 1,800 SF. In addition to, the community will have the appropriate amenities and facilities to accommodate the development's occupancy and needs.

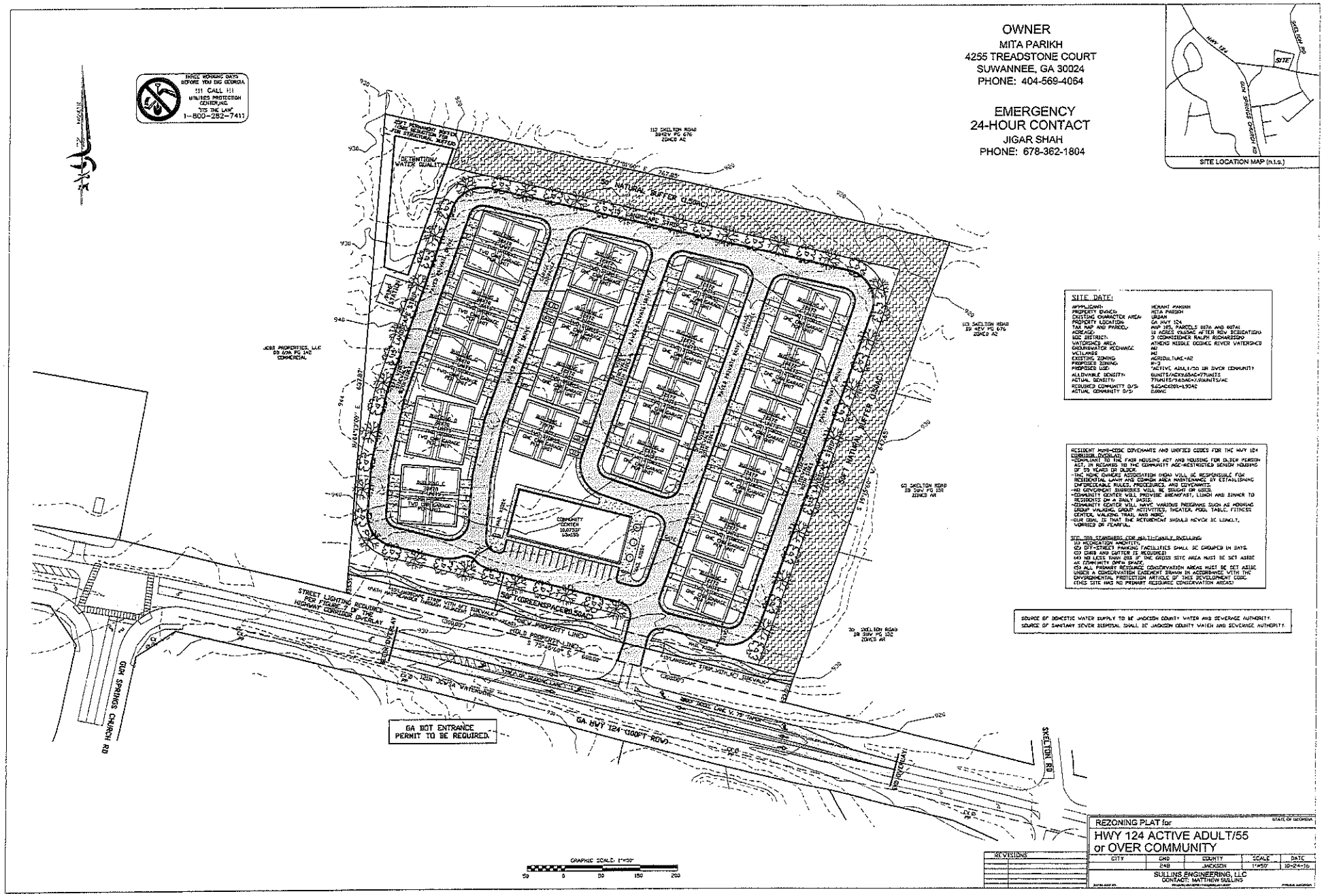
Furthermore, the developers & design team intends to work closely with the local authorities to ensure the resident muni-code covenants and unified development codes for the Hwy 124 Corridor Overlay are integrated. Additionally, the following will also be standardized and monitored:

- Compliant to the Fair Housing Act and Housing for Older Person Act, in regards to the community age-restricted senior housing of 55 years or older.
- The Home Owners Association (HOA) will be responsible for residential lawn and common area maintenance by establishing enforceable rules, procedures, and covenants.
- No government subsidies will be sought or used.
- Community center will provide Breakfast, Lunch and Dinner to the residents on daily basis.
- Community center will have various programs such as Morning group walking, group activities, Theater, Pool table, Fitness Center, Walking trail and more.
- Our goal is that the retirement should never be lonely, worried or fearful.

Please contact Hemant Parikh at 404-569-4129 or Jigar Shah at 678-362-1804 for further information.

Sincerely,

Hemant Parikh


OWNER
MITA PARIKH
4255 TREADSTONE COURT
SUWANNEE, GA 30024
PHONE: 404-569-4064
EMERGENCY
24-HOUR CONTACT
JIGAR SHAH
PHONE: 678-362-1804
SITE LOCATION MAP (n.t.s.)
HWY. 124
SKELTON RD
SITE
GUM SPRINGS CHURCH RD
THREE WORKING DAYS BEFORE YOU DIG GEORGIA
811 CALL 811
UTILITIES PROTECTION CENTER, INC.
811 OR TOLL FREE
1-800-282-7411
SITE DATA
APPLICANT: HEMANT PAREKH
PROPERTY OWNER: MITA PARIKH
EXISTING CHARACTER AREA: URBAN
PROPERTY LOCATION: GA. HWY 124
TAX MAP AND PARCEL: MAP 165, PARCELS 027A AND 027AI
ACREAGE: 18 ACRES +/-(GMC AFTER ROW DEDICATION)
BOC DISTRICT: 3 COMMISSIONER RALPH RICHARDSON
WATERSHED AREA: ATHENS MIDDLE OCONEE RIVER WATERSHED
GROUNDWATER RECHARGE: NO
WETLANDS: NO
EXISTING ZONING: AGRICULTURE-A2
PROPOSED ZONING: R-2
PROPOSED USE: "ACTIVE ADULT/55 OR OVER COMMUNITY"
ALLOWABLE DENSITY: 6UNITS/ACRE*18.47UNITS
ACTUAL DENSITY: 77UNITS/18.47ACRES=4.17UNITS/AC
REQUIRED COMMUNITY O/S: 5.6GAC@30%-1.9GAC
ACTUAL COMMUNITY O/S: 2.0AC
RESIDENT MANAGEMENT COVENANTS AND UNIFIED CODES FOR THE HWY 124 CORRIDOR OVERLAY
-COMPLIANT TO THE FAIR HOUSING ACT AND HOUSING FOR OLDER PERSON ACT, IN REGARDS TO THE COMMUNITY AGE-RESTRICTED SENIOR HOUSING OF 55 YEARS OR OLDER.
-THE HOME OWNERS ASSOCIATION (HOA) WILL BE RESPONSIBLE FOR RESIDENTIAL LAWN AND COMMON AREA MAINTENANCE BY ESTABLISHING ENFORCEABLE RULES, PROCEDURES, AND COVENANTS.
-NO GOVERNMENT SUBSIDIES WILL BE SOUGHT OR USED.
-COMMUNITY CENTER WILL PROVIDE BREAKFAST, LUNCH AND DINNER TO RESIDENTS ON A DAILY BASIS.
-COMMUNITY CENTER WILL HAVE VARIOUS PROGRAMS SUCH AS MORNING GROUP WALKING, GROUP ACTIVITIES, THEATER, POOL TABLE, FITNESS CENTER, WALKING TRAIL AND MORE.
-OUR GOAL IS THAT THE RETIREMENT SHOULD NEVER BE LONELY, WORRIED OR PAINFUL.
SITE DEVELOPMENT STANDARDS FOR MULTI-FAMILY DWELLING
(a) RECREATION AMENITY;
(b) OFF-STREET PARKING FACILITIES SHALL BE GROUPED IN BAYS.
(c) CURB AND GUTTER IS REQUIRED.
(d) NO LESS THAN 20% OF THE GROSS SITE AREA MUST BE SET ASIDE AS COMMUNITY OPEN SPACE.
(e) ALL PRIMARY RESOURCE CONSERVATION AREAS MUST BE SET ASIDE UNDER A CONSERVATION EASEMENT DRAWN IN ACCORDANCE WITH THE ENVIRONMENTAL PROTECTION ARTICLE OF THIS DEVELOPMENT CODE.
(THIS SITE HAS NO PRIMARY RESOURCE CONSERVATION AREAS)
SOURCE OF DOMESTIC WATER SUPPLY TO BE JACKSON COUNTY WATER AND SEWERAGE AUTHORITY.
SOURCE OF SANITARY SEWER DISPOSAL SHALL BE JACKSON COUNTY WATER AND SEWERAGE AUTHORITY.
50' NATURAL BUFFER (TYP.)
30' LANDSCAPE STRIP (TYP.)
30' GREENSPACE (TYP.)
SOLID PROPERTY LINES
DETENTION/WATER QUALITY
JOBE PROPERTIES, LLC DB 6014 PG 242 COMMERCIAL
113 SKELTON ROAD DB 4874 PG 676 ZONED A2
93 SKELTON ROAD DB 5184 PG 150 ZONED AR
30 SKELTON ROAD DB 5184 PG 152 ZONED AR
STREET LIGHTING PER ARTICLE 7 THE HIGHWAY CORRIDOR OVERLAY
GA DOT ENTRANCE PERMIT TO BE REQUIRED.
GA. HWY 124 (100FT ROW)
SKELTON RD
GRAPHIC SCALE: 1"=50'
50 0 50 150 200
REVISIONS
REZONING PLAT for
HWY 124 ACTIVE ADULT/55 or OVER COMMUNITY
STATE OF GEORGIA
CITY | GMD 2148 | COUNTY JACKSON | SCALE 1"=50' | DATE 10-24-16
SULLINS ENGINEERING, LLC
CONTACT: MATTHEW SULLINS

MAP 105 PARCELS 007 AND 007A1
PLAT BOOK 24 PAGE 65

** LEGEND **

PF = IRON PIN FOUND
IPS = IRON PIN SET
CMF = CONCRETE MONUMENT FOUND
R/W = RIGHT OF WAY
BL = BUILDING LINE
LBL = LAND LOT LINE
LL = LAND LOT
N/F = NOW OR FORMERLY
NTS = NOT TO SCALE
CL = CENTER LINE
BM = BENCH MARK
TBM = TEMPORARY BENCH MARK
PC = POINT OF CURVATURE
PI = POINT OF INTERSECTION
PT = POINT OF TANGENCY
R = RADIUS
CH = CHORD
IE = INVERT ELEVATION
-T- = TELEPHONE LINE
-W- = WATER LINE
-G- = GAS LINE
-S- = SEWER LINE
-P- = POWER LINE
RH = RAIN HOLE
SSE = SANITARY SEWER EASEMENT
DE = DRAINAGE EASEMENT
CE = CONSTRUCTION EASEMENT
CB = CATCH BASIN
JB = JUNCTION BOX
DI = DROP INLET
HW = HEAD WALL
FH = FIRE HYDRANT
RCP = REINFORCED CONCRETE PIPE

GENERAL NOTES

1) The field data upon which this plat is based has a precision of one foot in 31,327 feet and an angular error of 01" per angle point and was adjusted using least squares.

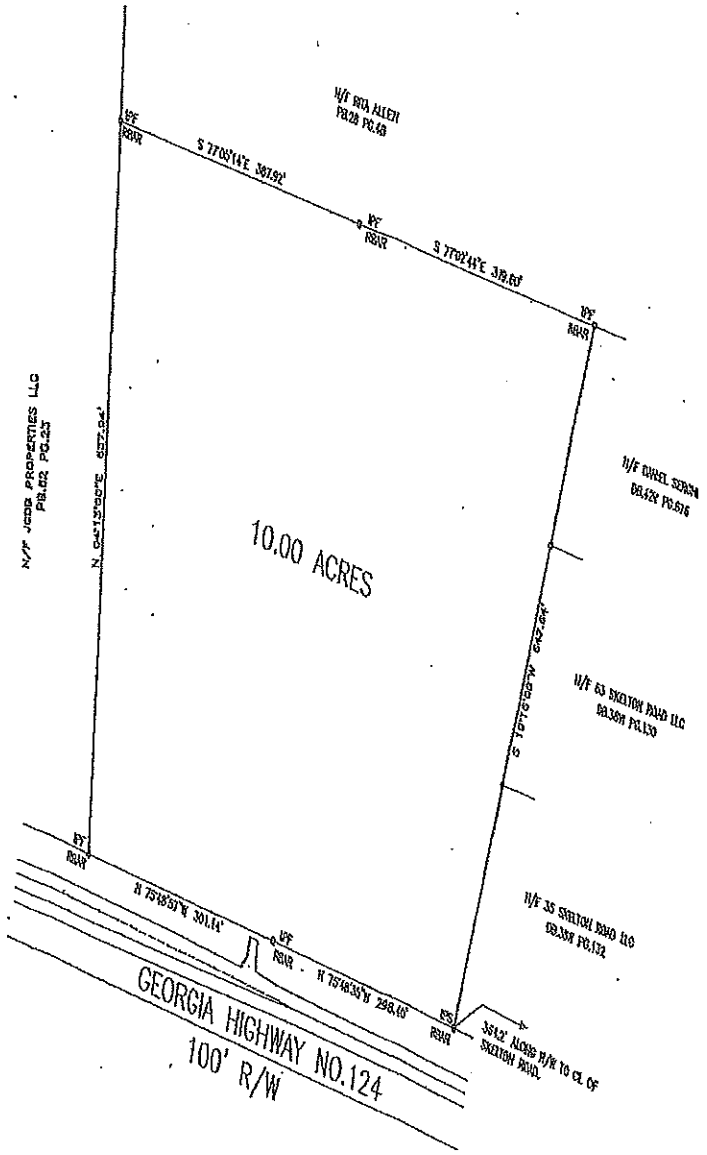
2) This plat has been calculated for closure and has an accuracy of one foot in 741,351 feet.

3) Field equipment used for this survey was a Topcon GPT2005.

4) All easements, restrictions, or exceptions to title are shown based on information supplied to INGRAM, LORD AND ASSOCIATES. No Certification as to the completeness or accuracy of any matters of title is made by INGRAM, LORD AND ASSOCIATES.

5) Underground utilities shown on this plat were taken from field observation and from plats by others, the exact location of all utilities should be verified by the respective utility company. INGRAM, LORD AND ASSOCIATES assumes no liability as to the exact location of any underground utility. For verification contact the utilities Protection Center Inc. 1-800-282-7411.

6) This survey is a correct representation of the land platted and has been platted in conformity with the minimum standards of Georgia Law. It does not intend to indicate ownership of any parcel or easement, this information should be verified by an attorney licensed by the state of Georgia.



Plat Doc: PLAT
Recorded 07/18/2016 04:23PM 23PM
Carrie W. Thomas
Clerk Superior Court, JACKSON County, Ga. KSON County, Ga.
Bk 00076 Pg 0303

Approved For Recording
7/12/16
Jackson County, Georgia
Department of Public Development
Planning Division

BOUNDARY SURVEY FOR:
MITA PARIKH
10.00 ACRES
GMD NO.248
JACKSON COUNTY, GEORGIA
SCALE: 1"=100'
DATE: FIELD AND DRAWING 7-07-2016 116

GEORGIA REGISTERED No. 2641 LAND SURVEYOR BARRY D. LORD

* The survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and is set forth in the Georgia Plat Act O.C.G.A. 15-6-67.*

7-07-16

100 0 100 200 300
GRAPHIC SCALE - FEET

INGRAM, LORD & ASSOCIATES
LAND SURVEYING AND PLANNING
437 SAM BROWN BLVD.
COMMERCE, GEORGIA 30529
706-335-9069

IL2935 IL2935

JCWSA
WATER & SEWERAGE AUTHORITY

Board Members

Chairman
Dave Ehrhardt, P.E.

Vice Chairman
Shade Storey

Member
Pat Bell

Member
David Lathem

Member
Joe Hicks

May 18, 2016

Gina Roy
Director
Jackson County Public Development
67 Athens Street
Jefferson, Georgia 30549

Re: Parcel Numbers 1005007A and 1005007A1, Hwy 124W

Dear Ms. Roy

The referenced Parcel's 105007A and 105007A1 (listed ownership being Hemant Parikh) on Hwy 124W, in Jackson County Georgia have public water and sewer available within 1,500 feet provided by the Jackson County Water and Sewerage Authority.

Project approval will consider the amount of water required and current capacity available at the time of development. All commercial/industrial projects with a water demand of 6000 GPD or more and residential projects with a water demand of 15,000 GPD or more require JCWSA Board approval. Request for board approval must be in the form of a Preliminary Application. The JCWSA Board reserves the right to approve or deny any Preliminary Application based on its compliance with the applicable rules, regulations, and master plan, as well as the availability of the requested capacity.

The Authority makes no representation regarding meeting the developer/owner's design requirements. Fire flow and static pressure are the developer's responsibility to obtain and evaluate. If the proposed project is approved, the developer will be required to meet the public water and sewerage system requirements of the Jackson County Unified Development Code and the JCWSA Standards.

Sincerely Yours,

Joey P. Leslie, RLS PE
Authority Engineer

cc: file
Jeremy Coutu

1 11:54AM