

**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 AG (Agricultural District) & R-3 MPD (Multi-Family Residential Master Planned Development) to OIP (Office Institutional Professional District) pursuant to an application for rezoning of property owned by The New Magnolia of Oconee, LLC submitted on April 18, 2022.

**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 Pittman Engineering on April 18, 2022, requesting a rezone of a ±24.07-acre tract of land located at 1541 & 1641 Virgil Langford Road in the 1331<sup>st</sup> G.M.D., Oconee County, Georgia, (tax parcel nos. C-01AE-001OSC, C-01AE-001, C-01AE-001OSB, C-01AE-002, C-01AE-001OSA, & C-01-038A), 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 classification AG (Agricultural District) & R-3 MPD (Multi-Family Residential Master Planned Development) to OIP (Office Institutional Professional 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

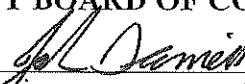
**SECTION 4.** Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on July 18, 2022, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on August 2, 2022.

ADOPTED AND APPROVED, this 2<sup>nd</sup> day of August, 2022.

**OCONEE COUNTY BOARD OF COMMISSIONERS**

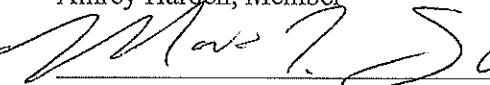
BY:

  
John Daniell, Chairman

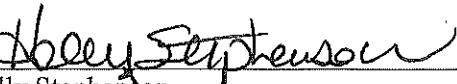
  
Mark Thomas, Member

  
Chuck Horton, Member

  
Amrey Harden, Member

  
Mark Saxon, Member

ATTEST:

  
Holly Stephenson  
Clerk, Board of Commissioners

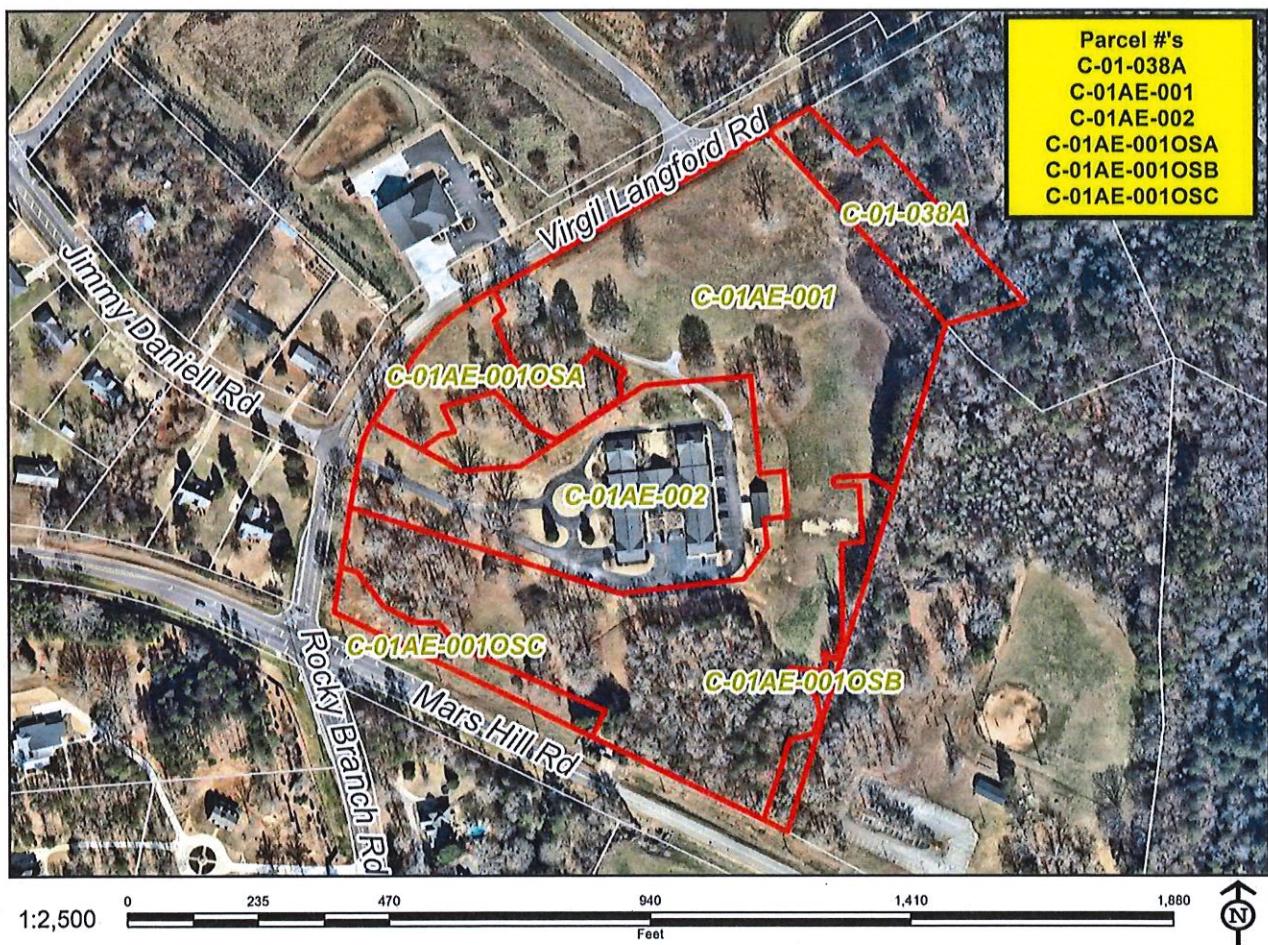
# EXHIBIT "A" TO REZONE NO P22-0089

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## CONDITIONS

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner at their own expense shall construct the improvements required by the County for public water and public waste services for the subject property shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County's review of Owner's development plans pursuant to the County's ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. In lieu of the required landscape strips, a ten-foot wide structural buffer meeting the standards of UDC Sec 808.04.b shall be installed along Mars Hill Road and Virgil Langford Road. Said buffers shall be installed outside of all existing utility easements.

## TAX MAP



# EXHIBIT "A" TO REZONE NO P22-0089

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## LEGAL DESCRIPTION

### Tract 1

Beginning at a point on the north side of Mars Hill Road just East of the intersection with Virgil Langford Road being POINT OF BEGINNING; thence along a line North 27 degrees 45 minutes 09 seconds West, 72.09 feet to a point; thence along a line North 09 degrees 01 minutes 57 seconds East, 246.60 feet to a point; thence along a curve with a radius of 143.71 feet, a chord of South 22 degrees 32 minutes 14 seconds West, arc length of 58.88 feet to a point; thence long a line North 33 degrees 25 minutes 48 seconds East, 112.69 feet to a point; thence along a curve with an arc of 178.70 feet, radius of 339.83 feet, chord of North 46 degrees 57 minutes 03 seconds East, Chord length of 176.65 to a point; thence along a line North 60 degrees 30 minutes 04 seconds East, 147.63 feet to a point; thence along a line North 60 degrees 33 minutes 04 seconds East, 463.42 feet to a point; thence along a line South 42 degrees 58 minutes 09 seconds East, 469.04 feet to a point; thence along a line South 17 degrees 57 minutes 45 seconds West, 950.15 feet to a point; thence along a line North 64 degrees 31 minutes 02 seconds West, 861.24 feet to POINT OF BEGINNING.

Said tract being shown on Subdivision Plat for Magnolia Estates Inc by ABE Consulting Inc, dated 5-2-2017 and recorded in plat book 2017 page 92, Office of the Clerk of Superior Court of Oconee County.

### Tract 2

All that lot or parcel of land situate, lying and being on the southeasterly side of Virgil Langford Road, county unpaved road, in the 1331<sup>st</sup> District, G.M. Oconee County, Georgia; being particularly described on a plat entitled "Plot Plan for Denise E. and David A. Wooten" by Kenneth Sims, Surveyor, dated January 24, 1983, recorded in Plat Book 9, page 14, Office of the Clerk of Superior Court of Oconee County; and being more particularly described according to said plat as follows:

Beginning at an iron pin on the southeasterly side of Virgil Langford Road (40-foot-right-of-way) at a point 5,660.6 feet westerly of the Epps Bridge Road, as measured along the southeasterly side of Virgil Langford Road; running then along land now or formerly of James Everett, South 42 degrees 19 minutes East 100.0 feet to an iron pin; thence North 47 degrees 58 minutes East 75.0 feet to an iron pin; thence South 42 degrees 03 minutes East 410.6 feet to an iron pin; thence South 47 degrees 58 minutes West 100.00 feet to an iron pin; running thence along land now or formerly of Mars Hill Baptist Church and land now or formerly of Mayer, North 42 degrees 02 minutes West 515.7 feet to an iron pin on the southeasterly side of Virgil Langford Road; running thence along said road, North 59 degrees 49 minutes East 25.0 feet to the beginning iron pin.

# EXHIBIT "A" TO REZONE NO P22-0089

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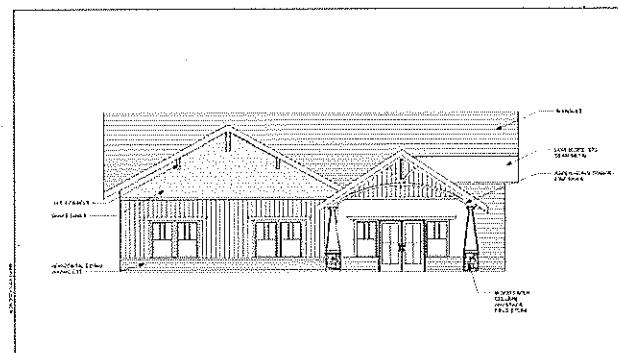
## NARRATIVE

<p><b>MAGNOLIA ESTATES ASSISTED LIVING COMMUNITY</b> REZONE SUBMITTED 04/18/2022 REVISED 05/10/2022</p>		<p>Sewage disposal will be provided by Oconee County Water Resources. A sewer main exists through the development currently. Estimated sewer usage is 36,100 gpd.</p>
<p><b>GENERAL DATA</b></p> <p>Property Address: 1641 VIRGIL LANGFORD ROAD &amp; 1541 VIRGIL LANGFORD ROAD Parcels: CO1AE0010SC, CO1AE0011, CO1AE0010SB, CO1AE002, CO1AE0010SA, CO1098A Owner: THE NEW MAGNOLIA OF OCONEE, LLC Existing Zoning: R-3 MPD &amp; AG Proposed Zoning: OIP Existing Use: ASSISTED LIVING FACILITY AND UNDEVELOPED Proposed Use: ASSISTED LIVING COMMUNITY Property Area: 20.24 acres Rezone Area: 20.24 acres</p>		
<p><b>ADJACENT LAND USES AND ZONING</b></p> <p>North – UNDEVELOPED AG PROPERTY AND VIRGIL LANGFORD ROAD – ACROSS VLR IS OCONEE FIRESTATION ZONED B2 West – VIRGIL LANGFORD ROAD – ACROSS VLR IS RESIDENTIAL PROPERTY ZONED AG AND R-1 South – MARS HILL ROAD – ACROSS MARS HILL ROAD IS RESIDENTIAL PROPERTY ZONED AG AND AR-1 East – MARS HILL BAPTIST CHURCH BALL FIELD ZONED AG</p>		
<p><b>OWNERSHIP TYPE</b></p> <p>The development will be fee simple ownership.</p>		
<p><b>SITE NARRATIVE</b></p> <p>The property is 24.07 acres and is currently zoned R-3 MPD and AG and has an existing assisted living facility onsite. The property owner is The New Magnolia of Oconee, LLC. The existing MPD is approved to allow for an additional 48 independent units currently shown as quadplexes and duplexes, a clubhouse, and a continuing care building. The owner is seeking to rezone the property from AG &amp; R-3 MPD to OIP to clear up the old MPD zoning and to modify the approved plan to allow for standalone independent cottages instead of the quadplexes and duplexes. The proposed plan would be to allow for up to 78 standalone independent cottages consisting of up to 182 bedrooms and a clubhouse to surround the existing Assisted Living building.</p>		
<p><b>SITE DESCRIPTION</b></p> <p>The property is located at 1641 and 1541 Virgil Langford Road. The Character Area for the property and its surrounding properties is identified as 'Regional Center' according to the Oconee Future Development Map.</p>		
<p>The property consists of 6 total tracts. The existing approved complex is 5 tracts with the newly added AG tract being the sixth.</p>		
<p><b>PROPOSED USE</b></p> <p>Assisted Living Facility – The existing Assisted Living Facility building is a single-story building consisting of 49 beds. The existing approval is for an additional 48 independent units built in mostly quadplexes with a few duplexes. The proposed change would be the addition of up to 78 cottage style independent units consisting of up to 182 additional beds instead of the quadplexes and duplexes and a clubhouse. The proposed zoning plan shows 52 2-bedroom cottages and 26 3-bedroom cottages. The cottage mix could change based on demand with the maximum bedrooms from cottages at 182. The community will meet the GA State definition of Assisted Living Community. Predominant exterior materials will be the combination of a brick or stone water table with cementitious plank siding, shingle siding, or board and batten siding, with low-maintenance composite trim and ornamentalings. See attached representative architecture of the proposed structures. The parking lot for the assisted living facility and clubhouse is existing. The cottages will all have one-car garages. Cottage sizes will range from 1300 sf to 2000 sf.</p>		
<p><b>AMENITIES/CLUBHOUSE</b></p> <p>The project has an amenity area located next to the clubhouse that will consist of amenities such as pickleball, tennis, putting greens, etc.</p>		
<p>The clubhouse will also be set up to provide a telemed room for doctor telemed appointments for residents.</p>		
<p><b>COMMON AREA/OPEN SPACE</b></p> <p>All property outside the individual units will be considered open space for the community. This includes all grassed areas as well as amenities, parking, etc. Maintenance of all open space and common areas will be the responsibility of the property owner and/or their property management team.</p>		
<p>Sidewalks will also be installed throughout the development as well as along the public road frontage for the enjoyment and use of the residents.</p>		
<p><b>ACCESS</b></p> <p>Access will be via the existing entrance on Virgil Langford Road.</p>		
<p><b>TRAFFIC IMPACT</b></p> <p>Per the Institute of Transportation Engineers, Trip Generation, 10<sup>th</sup> Edition [ITE Manual], the proposed development does not generate the 1,000 trips per day that is required to trigger a Traffic Impact Analysis. Trip Generation Data is as follows:</p>		
<p><b>Daily Trips</b></p> <p>Assisted Living (ITE Use 254) (231 beds) = 2.6 ADT per bed = 601 ADT</p>		
<p><b>Peak Hour Trips</b></p> <p>Assisted Living Peak AM = 44 Peak Hour Trips Assisted living Peak PM = 60 Peak Hour Trips</p>		
<p><b>WATER SUPPLY</b></p> <p>Water will be provided by Oconee County Water Resources. An 8" watermain exists in the right-of-way of Virgil Langford Road. Estimated water usage is 36,100 gpd.</p>		
<p><b>SEWAGE DISPOSAL</b></p>		

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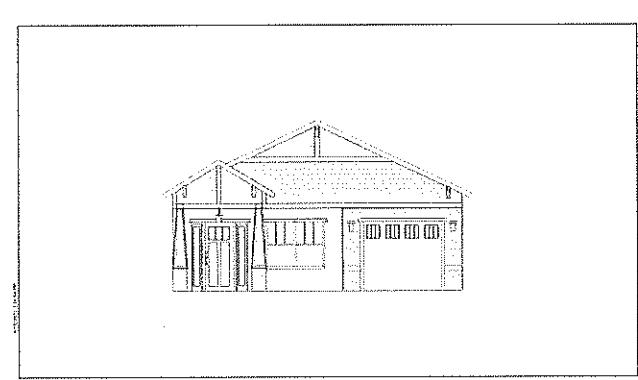
## ARCHITECTURAL IMAGES



Stegenga + PARTNERS  
A Construction Studio  
www.stegenga.com 404.256.1124

## MAGNOLIA ESTATES

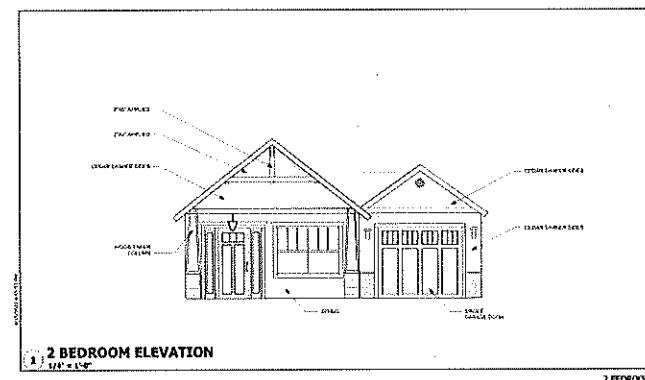
CLARENCE  
ELEVATION  
8852



Stopenga & PARTNERS  
A Protectionist Firm  
www.stopenga.com 800.544.4444

## MAGNOLIA ESTATES

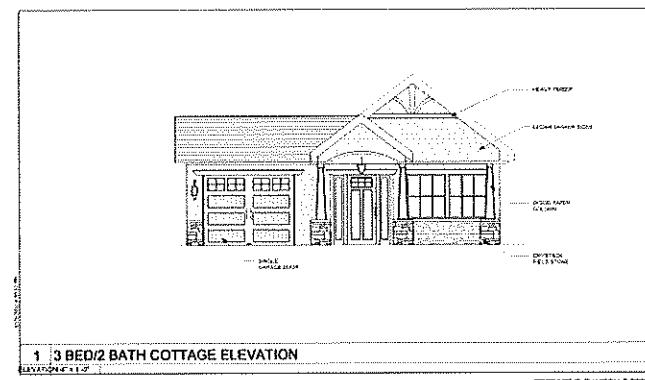
7 BEDROOM - DESIGN #2  
A165  
641122



Stegenga + PARTNERS  
A Professional Service  
www.stegenga.com 800.227.7070

## MAGNOLIA ESTATES

104147  
ELEVATION



**1 | 3 BED/2 BATH COTTAGE ELEVATION**

## MAGNOLIA ESTATES

**COTTAGE ELEVATION-3 BED /  
ESTATE ELEVATION**

**EXHIBIT "A" TO REZONE NO P22-0089**

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PLAT

**EXHIBIT "A" TO REZONE NO P22-0089**

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—DENOTES IRON PIN SET

James H. Everett

1.00  
ACRE

Mars Hill Baptist Church

BENCH MARK  
NAIL IN 18" PIN  
ELEV. = 100.0 -

A PLOT PLAN FOR  
DENISE E. &  
DAVID A. WOOTEN  
LOCATED IN G.M.D. 1331,  
OCONEE COUNTY, GEORGIA  
SURVEYED BY  
SIMS SURVEYING CO.

SCALE: 1": 40' JAN. 24, 1983



I certify that this plot is correct and a true representation of the conditions on the property.

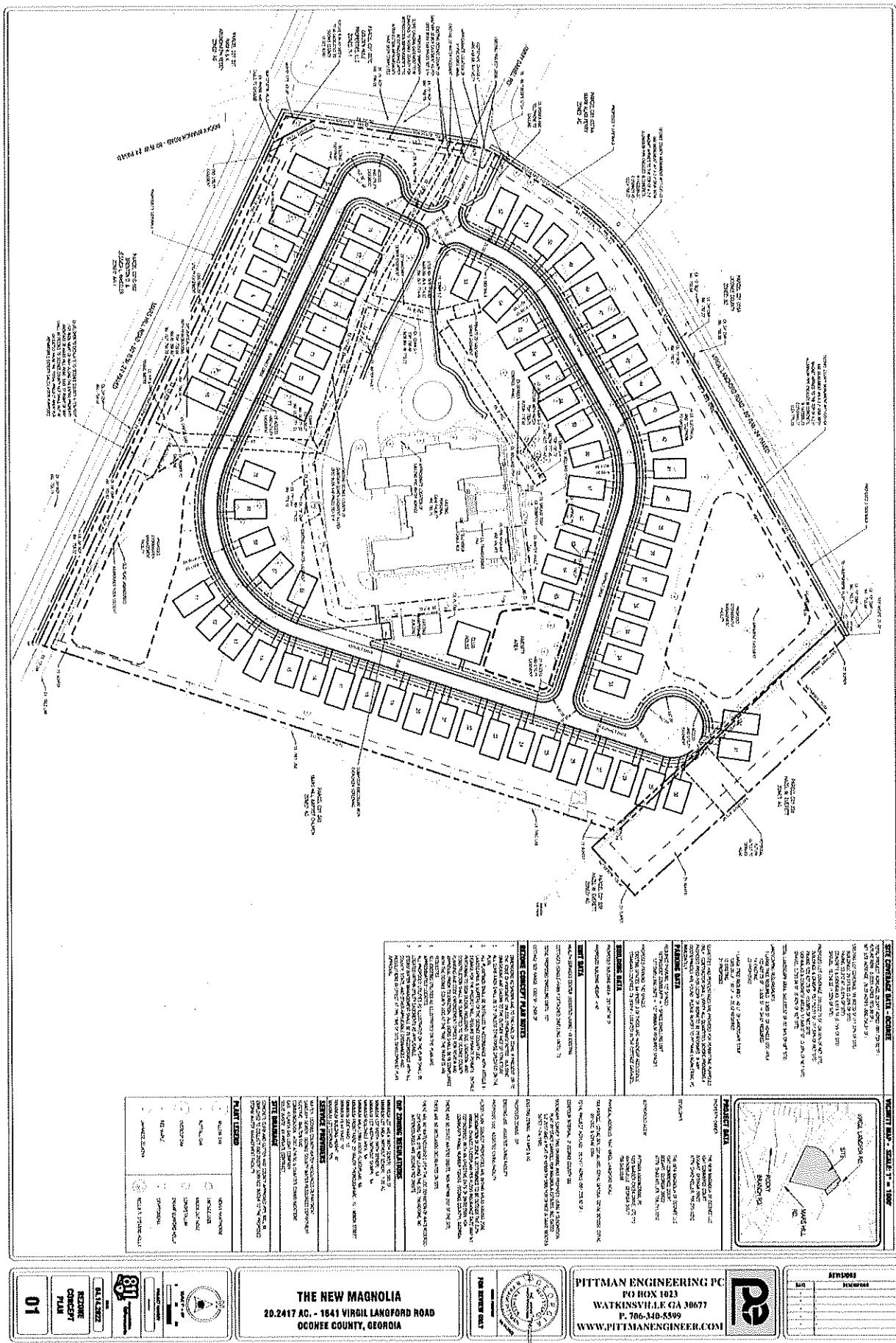
Kenneth G. Ellis  
GEORGIA REGISTERED SURVEYOR NO. 1673

Mark of Superior Court  
Orange County, California  
Not for Record in Orange  
V. A. W. 26 19-3  
Floyd W. Smith, attorney

**EXHIBIT "A" TO REZONE NO P22-0089**

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## CONCEPT PLAN





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

**REZONE CASE #:** P22-0089

**DATE:** July 8, 2022

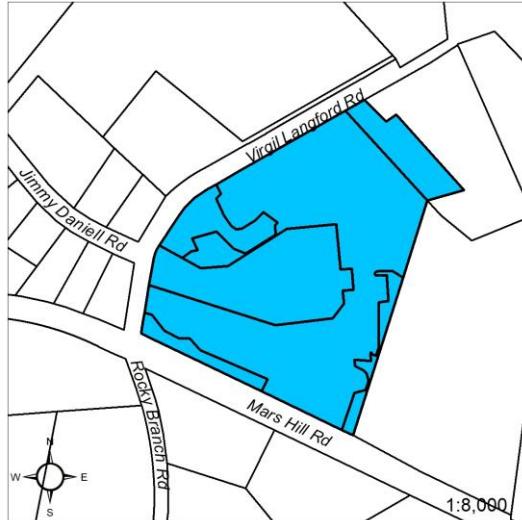
**STAFF REPORT BY:** Grace Tuschak, Senior Planner  
Monica Davis, Planner

**APPLICANT NAME:** Pittman Engineering

**PROPERTY OWNER:** The New Magnolia of Ocnee, LLC

**LOCATION:** 1541 & 1641 Virgil Langford Road;  
C-01AE-001OSC, C-01AE-001, C-01AE-  
001OSB, C-01AE-002, C-01AE-001OSA, &  
C-01-038A

**PARCEL SIZE:** ±24.07 acres



**EXISTING ZONING:** R-3 MPD (Multi-Family Residential Master Planned Development) & AG (Agricultural District)

**EXISTING LAND USE:** Assisted living facility and undeveloped

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

**ACTION REQUESTED:** Rezone the property from R-3 MPD and AG to OIP (Office Institutional Professional District) in order to modify the plan for expansion of an existing assisted living facility.

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

**DATE OF SCHEDULED HEARINGS**

**PLANNING COMMISSION:** July 18, 2022

**BOARD OF COMMISSIONERS:** August 2, 2022

**ATTACHMENTS:**

- Application
- Narrative
- Architectural Renderings
- Zoning Impact Analysis
- Aerial Imagery
- Zoning Map
- Future Development Map
- Plat of Survey
- Previously Approved Concept Plan (Rezone #3117)
- Concept Plan

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

### **HISTORY**

- The assisted living facility was constructed on parcel C -01AE-002 in 1997 and currently has 49 units
- Parcels C-01AE-001OSC, C-01AE-001, C-01AE-001OSB, C-01AE-002, and C-01AE-001OSA were rezoned from OIP to R-3 MPD on 08/05/2003 in order to expand the existing assisted living facility with additional dwelling units and amenities
- Parcel C-01-038A has been zoned AG since the original adoption of the zoning map in 1968

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

	<b>EXISTING LAND USES</b>	<b>EXISTING ZONING</b>
<b>NORTH</b>	Fire station Car dealership	B-2 (Highway Business District)
<b>SOUTH</b>	Single-family residential/church	AR (Agricultural Residential District)
<b>EAST</b>	Church	AG (Agricultural District)
<b>WEST</b>	Single-family residential	R-1 (Single-Family Residential District) and AG

### **PROPOSED DEVELOPMENT**

- The previous rezone approved a total of 48 independent living units with a mixture of quadruplexes and duplex cottages. The applicant proposes to modify the previous rezone as follows:
  - In lieu of the 48 approved units, construct 78 cottage-style independent living units with up to 182 additional bedrooms
    - Approximately 1300-2,000 square feet each
    - 52 cottages with 2 bedrooms and 26 cottages with 3 bedrooms
    - Each cottage would have a one-car garage
    - Exterior materials would be a combination of a brick or stone water table with cementitious plank siding, or board and batten siding, with composite trim and ornamental (see architectural images)
  - Clubhouse with communal space including telemed room
  - Amenity Area with amenities such as pickleball, tennis, putting greens
- Construction would begin at the end of 2022 and the project would be built in a single phase
- The projected project valuation is \$10 million

### **PROPOSED TRAFFIC PROJECTIONS**

- An additional 601 ADT (average daily trips) are estimated with 44 AM peak hours and 60 PM peak hours (Trip Generation Manual, 10<sup>th</sup> Edition). The new projected ADT is higher than the previous ADT estimated for rezone #3117, which was 410 ADT.

### **PUBLIC FACILITIES**

#### **Water:**

- The project is proposed to utilize County water services
- The Water Resources Department has indicated in a letter dated 05/13/2022 that potable water is available at this location

#### **Sewer:**

- The project is proposed to utilize County sewer services
- The Water Resources Department has indicated in a letter dated 05/13/2022 that wastewater treatment capacity is available for the project at the Calls Creek Treatment Facility

#### **Roads:**

- The existing entrance on Virgil Langford Road would provide access to the additional units

## **ENVIRONMENTAL**

- No 100-year flood plan, jurisdictional wetlands, or state waters are known to exist on the site

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

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

- No comments

### **OCONEE COUNTY FIRE DEPARTMENT**

- No comments

### **OCONEE COUNTY WATER RESOURCES DEPARTMENT**

- All at the owner's expense, the owner shall construct the improvements required by the County for public water and public wastewater services for the subject property and convey the same to the County, free of all liens. Said improvements shall include all on-site improvements and off-site improvements as required by the County to provide service to the subject property.

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## **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR REZONING CONSIDERATION" AS SET FORTH IN SECTION 1207.01 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

**A. Whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property.**

Nearby lots are predominantly zoned AG, B-2, R-1, or AR. Primary land uses in the area are a mixture of residential, commercial, and civic/institutional uses. Staff holds that the proposed development is suitable view of the existing nearby development and zoning.

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

The property has a reasonable economic use for an assisted living community as currently zoned.

**C. The extent to which the zoning proposal promotes the health, safety, morals or general welfare of the public with consideration to:**

**i. Population density and effect on community facilities such as streets, schools, water, and sewer;**

The current request proposes 30 additional units over the previously approved rezone and a proportionate increase in demand for water and wastewater treatment are anticipated. Increased traffic generation is also anticipated, with 191 additional ADT over the previously approved rezone.

**ii. Environmental impact;**

No environmentally sensitive areas are known to exist on the site.

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

The proposed development is in keeping with surrounding uses and is not anticipated to affect the existing use, usability, and/or value of adjoining property. Buffers would be required as shown on the concept plan adjacent to Mars Hill Baptist Church and adjacent residential property.

**D. The length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property.**

The subject property is not currently vacant; however the previously approved units have not been developed since the previous rezone was approved in 2003. Several surrounding properties have developed since 2003, including Mercedes Benz of Athens car dealership (2018) and Oconee County Fire Station 8 (2018).

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

The purpose of the OIP zoning district is to “provide an area for business and professional offices” and for “institutional uses such as hospitals, nursing homes, convalescent centers, institutional planned developments and clinics ([Unified Development Code Sec. 205.08](#)). Staff holds that the requested expansion of the assisted living community is consistent with the stated purpose of the proposed zoning district.

**F. Whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

The proposed use is already permitted by the existing zoning; the present request is to expand the zoning boundary and the approved concept plan. Staff holds that these conditions give supporting grounds for approval of the zoning proposal.

**G. Conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan.**

The subject property lies within the Regional Center Character Area as shown on the [2040 Character Areas Map](#). The 2018 Comprehensive Plan describes this “multi-use” Character Area as containing “regional-serving retail and commercial services, office complexes for medical and corporate offices, hotels, restaurants and entertainment facilities, higher-density residential planned developments, and single-family detached subdivisions” ([2018 Comprehensive Plan p. 63](#)). The Comprehensive Plan supports OIP zoning and senior housing as a secondary land use in this Character Area ([2018 Comprehensive Plan p. 63](#)). Staff holds that the proposed assisted living development is in conformity with the Future Development Map and the goals and objectives of the Oconee County Comprehensive Plan.

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

It is likely that other OIP-zoned properties exist in the county that would permit the requested assisted living use. However, due to the prevalence of conditional zoning, it is unlikely that other sites exist that would allow the proposed development as submitted without requiring a rezone modification.

## **STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS**

**Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of this request subject to the following conditions to be fulfilled at the expense of the owner/developer:**

1. Development design and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The owner at their own expense shall construct the improvements required by the County for public water and public waste services for the subject property shall convey same to the County, free of all liens. Said improvements shall include all on-site improvements and such off-site improvements as are required by the County to provide service to subject property.
3. At its expense, Owner shall make all right of way improvements and shall dedicate all rights of way which are required by the County after the County’s review of Owner’s development plans pursuant to the County’s ordinances and regulations. All such improvements shall be shown on the preliminary site plan and site development plans for the project and no development permit shall be issued until Owner has agreed to such improvements and dedication.
4. In lieu of the required landscape strips, a ten-foot wide structural buffer meeting the standards of UDC Sec 808.04.b shall be installed along Mars Hill Road and Virgil Langford Road. Said buffers shall be installed outside of all existing utility easements.



## OCONEE COUNTY ZONING CHANGE APPLICATION

Requested Action:

Rezoning from: R3 MPD/AG to OIP       Change in Conditions of Approval for Case # \_\_\_\_\_

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

**Applicant**

Name: Frank Pittman, Pittman Engineerin  
 Address: 1050 Barber Creek Drive  
Bldg 400  
(No P O Boxes)  
Watkinsville GA 30677

Telephone: 706-340-5599

Email: fpittman@pittmanengineer.com

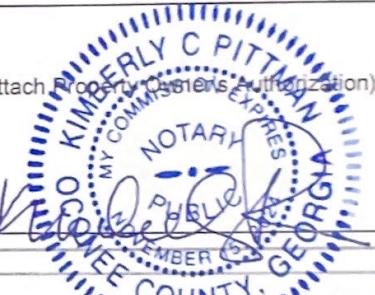
Applicant is (check one):  the Property Owner  Not the Property Owner (attach Property Owner's Authorization)

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

Signature: Frank Pittman

Date: 5/14/2022 Notarized: Notary Public

Telephone: 706-215-0252



**Property**

Location: 1541 & 1641 Virgil Langford Road  
(Physical Description)

Tax Parcel Number: C01AE00105C, C01AE001, C01AE00105B, C01AE002, C01AE00105A, C01038A

Size (Acres): 20.24 Current Zoning: R3 MPD/AG

Future Development Map—Character Area Designation: REGIONAL CENTER

**Use**

Current Use: ASSISTED LIVING FACILITY

Proposed Use: ASSISTED LIVING COMMUNITY

**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: \_\_\_\_\_ Date Accepted: \_\_\_\_\_  
 DRI Transmitted to RDC  Date: \_\_\_\_\_  N/A  
 Date Submitted: \_\_\_\_\_  Findings Complete  
 Posted: \_\_\_\_\_ Ad: \_\_\_\_\_ Ad: \_\_\_\_\_  
 Application Withdrawn  Date: \_\_\_\_\_

**APPLICATION NUMBER** \_\_\_\_\_  
**Action** Planning Commission Date: \_\_\_\_\_  
 Approval  With Conditions  Denial  
 Board of Commissioners Date: \_\_\_\_\_  
 Approved  With Conditions  Denied

**MAGNOLIA ESTATES ASSISTED LIVING COMMUNITY**  
**REZONE SUBMITTED 04/18/2022 REVISED 05/10/2022**

**GENERAL DATA**

Property Address: 1641 VIRGIL LANGFORD ROAD & 1541 VIRGIL LANGFORD ROAD  
Parcels: C01AE001OSC, C01AE001, C01AE001OSB, C01AE002, C01AE001OSA, C01038A  
Owner: THE NEW MAGNOLIA OF OCONEE, LLC  
Existing Zoning: R-3 MPD & AG  
Proposed Zoning: OIP  
Existing Use: ASSISTED LIVING FACILITY AND UNDEVELOPED  
Proposed Use: ASSISTED LIVING COMMUNITY  
Property Area: 20.24 acres  
Rezone Area: 20.24 acres

**ADJACENT LAND USES AND ZONING**

North – UNDEVELOPED AG PROPERTY AND VIRGIL LANGFORD ROAD – ACROSS VLR IS OCONEE FIRESTATION ZONED B2  
West – VIRGIL LANGFORD ROAD – ACROSS VLR IS RESIDENTIAL PROPERTY ZONED AG AND R-1  
South – MARS HILL ROAD – ACROSS MARS HILL ROAD IS RESIDENTIAL PROPERTY ZONED AG AND AR-1  
East – MARS HILL BAPTIST CHURCH BALL FIELD ZONED AG

**OWNERSHIP TYPE**

The development will be fee simple ownership.

**SITE NARRATIVE**

The property is 24.07 acres and is currently zoned R-3 MPD and AG and has an existing assisted living facility onsite. The property owner is The New Magnolia of Oconee, LLC. The existing MPD is approved to allow for an additional 48 independent units currently shown as quadplexes and duplexes, a clubhouse, and a continuing care building. The owner is seeking to rezone the property from AG & R-3 MPD to OIP to clear up the old MPD zoning and to modify the approved plan to allow for standalone independent cottages instead of the quadplexes and duplexes. The proposed plan would be to allow for up to 78 standalone independent cottages consisting of up 182 bedrooms and a clubhouse to surround the existing Assisted Living building.

**SITE DESCRIPTION**

The property is located at 1641 and 1541 Virgil Langford Road. The Character Area for the property and its surrounding properties is identified as 'Regional Center' according to the Oconee Future Development Map.

The property consists of 6 total tracts. The existing approved complex is 5 tracts with the newly added AG tract being the sixth.

**PROPOSED USE**

Assisted Living Facility – The existing Assisted Living Facility building is a single-story building consisting of 49 beds. The existing approval is for an additional 48 independent units built in mostly quadplexes

with a few duplexes. The proposed change would be the addition of up to 78 cottage style independent units consisting of up to 182 additional beds instead of the quadplexes and duplexes and a clubhouse. The proposed zoning plan shows 52 2-bedroom cottages and 26 3-bedroom cottages. The cottage mix could change based on demand with the maximum bedrooms from cottages at 182. The community will meet the GA State definition of Assisted Living Community. Predominant exterior materials will be the combination of a brick or stone water table with cementitious plank siding, shingle siding, or board and batten siding, with low-maintenance composite trim and ornamentations. See attached representative architecture of the proposed structures. The parking lot for the assisted living facility and clubhouse is existing. The cottages will all have one-car garages. Cottage sizes will range from 1300 sf to 2000 sf.

#### **AMENITIES/CLUBHOUSE**

The project has an amenity area located next to the clubhouse that will consist of amenities such as pickleball, tennis, putting greens, etc.

The clubhouse will also be set up to provide a telemed room for doctor telemed appointments for residents.

#### **COMMON AREA/OPEN SPACE**

All property outside the individual units will be considered open space for the community. This includes all grassed areas as well as amenities, parking, etc. Maintenance of all open space and common areas will be the responsibility of the property owner and/or their property management team.

Sidewalks will also be installed throughout the development as well as along the public road frontage for the enjoyment and use of the residents.

#### **ACCESS**

Access will be via the existing entrance on Virgil Langford Road.

#### **TRAFFIC IMPACT**

Per the Institute of Transportation Engineers, Trip Generation, 10<sup>th</sup> Edition (ITE Manual), the proposed development does not generate the 1,000 trips per day that is required to trigger a Traffic Impact Analysis. Trip Generation Data is as follows:

##### Daily Trips

Assisted Living (ITE Use 254) (231 beds) = 2.6 ADT per bed = 601 ADT

##### Peak Hour Trips

Assisted Living Peak AM = 44 Peak Hour Trips

Assisted living Peak PM = 60 Peak Hour Trips

#### **WATER SUPPLY**

Water will be provided by Oconee County Water Resources. An 8" watermain exists in the right-of-way of Virgil Langford Road. Estimated water usage is 36,100 gpd.

#### **SEWAGE DISPOSAL**

Sewage disposal will be provided by Oconee County Water Resources. A sewer main exists through the development currently. Estimated sewer usage is 36,100 gpd.

### **GARBAGE COLLECTION**

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

### **UTILITIES**

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

### **STORMWATER MANAGEMENT AND DRAINAGE**

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

### **IMPACT TO SCHOOL SYSTEM**

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

### **PROJECT SCHEDULE**

Once zoning is approved in approximately August 2022 then site development plans will be created and permitted to begin construction the end of 2022. The project will be built in a single phase.

### **BUFFERS/LANDSCAPING/FENCING**

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

The project will be heavily landscaped with a heavy screening along Mars Hill Road. The project will also have a 6 foot tall ornamental fence along Mars Hill Road and Virgil Langford Road with a privacy fence along the north and eastern boundaries. Upon completion, the owner reserves the right to gate the community at their discretion.

### **SIGNAGE**

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

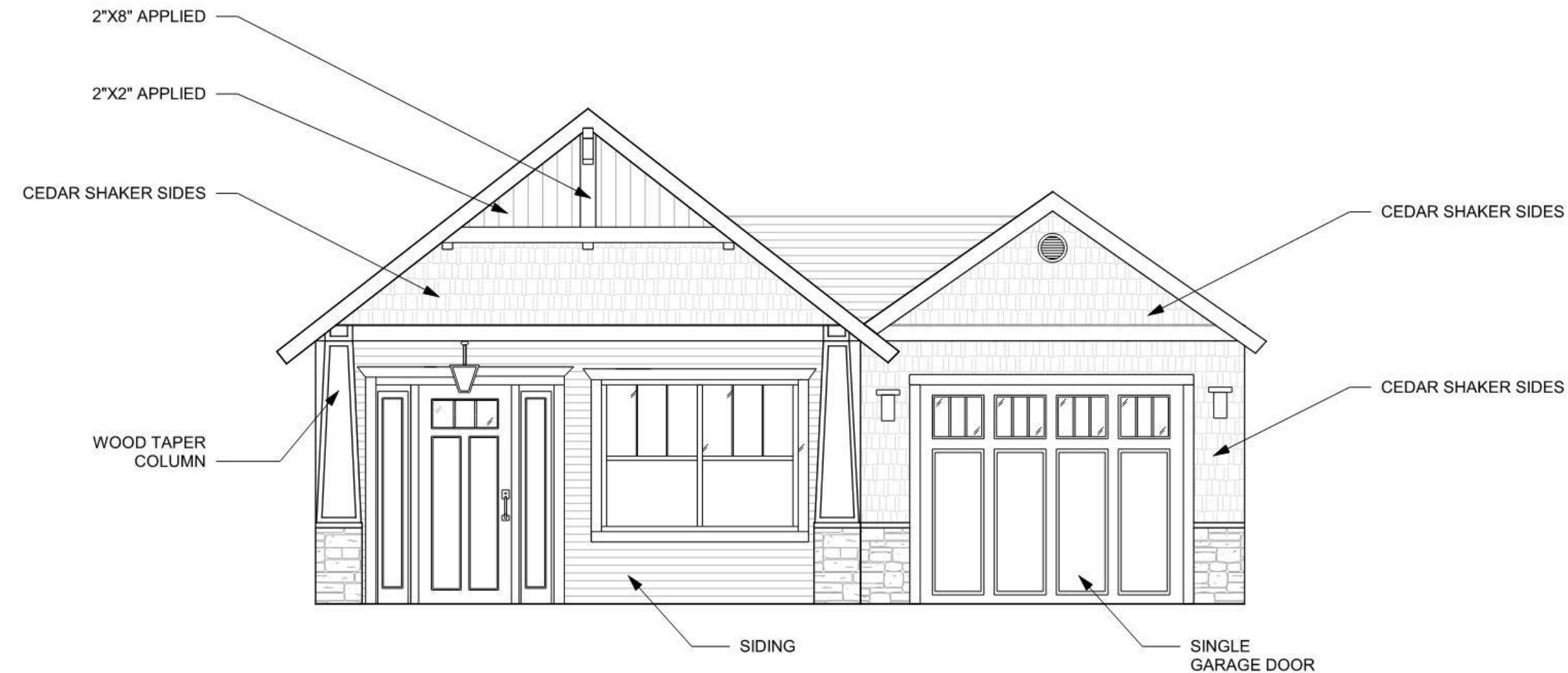
### **ESTIMATED VALUE OF PROJECT**

The complete buildout of the project is estimated to be \$10 Million.

### **REPRESENTATIVE ARCHITECTURE**

4/15/2022 5:03:19 PM





1

## 2 BEDROOM ELEVATION

1/4" = 1'-0"

4/15/2022 3:18:54 PM



**Stegenga + PARTNERS**  
A Professional Studio  
snp-studio.com



678.319.0091

SCALE: 1/4" = 1'-0"

# MAGNOLIA ESTATES

2 BEDROOM - DESIGN #2  
A105  
04/15/22

4/15/2022 4:30:12 PM



1 | 3 BED/2 BATH COTTAGE ELEVATION

-ELEVATION 1/4" = 1'-0"

## **ZONING IMPACT ANALYSIS**

Rezone Consideration Standards

Magnolia Estates Assisted Living Community

**A. Consider whether the zoning proposal will permit a use that is suitable in view of the existing uses, development, and zoning of nearby property:**

The proposed use and zoning is suitable given the site's location. The property is currently zoned R3 MPD and AG with an existing Assisted Living Facility onsite. Existing uses and zonings in the immediate vicinity are a mixture of residential, retail, office, and commercial service oriented uses.

**B. Consider whether the property to be rezoned has a reasonable economic use as currently zoned:**

Under the existing R3 MPD zoning classification, the property does not have a reasonable economic use as currently zoned. Assisted Living is approved under the R3 MPD classification; however, the property must be rezoned in order to allow the development of an assisted living facility to be modified from the outdated former plan.

**C. Consider the extent to which the zoning proposal 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:**

Roads presently serving the site and the general area will experience minimum impact. Assisted Living Communities produce very little traffic. The project will be on County water and sewer. An existing water main exists in along Virgil Langford Road and a sewer main exists onsite. Due to the nature of the project, there will not be an increase in children in the school system. It is possible that the jobs created by the project could cause employees to move to Oconee County but that number would be negligible.

**(2) Environmental impact:**

Potential increase in storm-water runoff will be mitigated through the use of a storm water management facility to be designed in compliance with Oconee County ordinances. Enhanced "best management practices" will be employed to address soil erosion/sediment control concerns.

**(3) Effect on the existing use, usability and/or value of adjoining property:**

No negative effects are anticipated on adjoining property values. The request is a rezone to allow for an assisted living community on a site that already has an existing assisted living facility.

**D. Consider the length of time the property has been vacant as zoned, considered in the context of land development in the vicinity of the property:**

The property is not currently vacant except for the additional AG parcel. It has had a residential home on it in the past but residential development in this area is not a valid use at this time.

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

The purpose of the requested OIP zoning is consistent with the proposed use for the property and is consistent with the OC Comp Plan.

**F. Consider whether there are other existing or changing conditions or land use patterns affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:**

The development patterns in the area are for commercial developments along the 316 corridor.

**G. Consider the conformity with or divergence from the Future Development Map or the goals and objectives of the Oconee County Comprehensive Plan:**

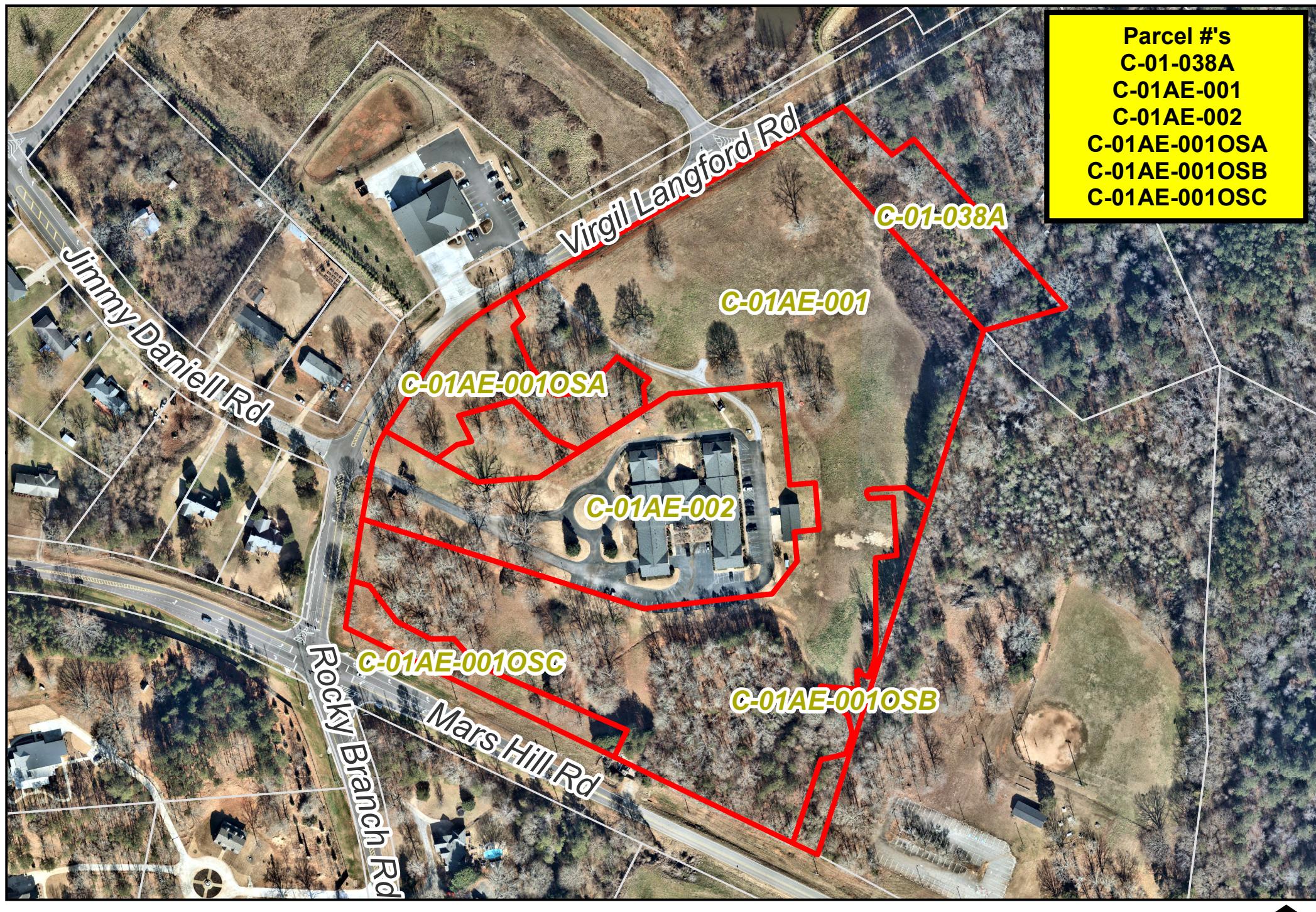
The Character Areas Map illustrates the property as Regional Center. The Regional Center Character Area embraces the eastern portion of SR 316 and is characterized by regional-serving retail and commercial services, office complexes for medical and corporate offices, hotels, restaurants and entertainment facilities, higher-density residential planned developments and single family subdivisions. Senior housing is listed as a compatible secondary land use in this area.

Recognizing the Character Areas Map as a guide, and that the Regional Center Character Area development guidelines allow for senior housing, then the OIP zoning and Assisted Facility Living is consistent with the Character Areas Map and is in keeping with the goals and objectives of the Oconee County Comprehensive Plan.

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

Currently there are no sites available with the unique character and location of the subject property in the vicinity. There are no sites that are currently zoned OIP that allow assisted living in the immediate area. There are sites currently zoned OIP in the county and immediate area, but the lots are smaller and not suitable for this type of development. This parcel also already has the first phase of this development in existence.

# Rezone # P22-0089 - The New Magnolia of Oconee LLC



**B-1**

AG

**B-2**

*Jones Rd*

## Zoning

AG
AR-3
AR
R-1
R-2
R-3
M-H
B-1
B-2
O-I-P
O-B-P
I

R-1

Virgil Langford Rd

*Mars Hill Rd*

TAG

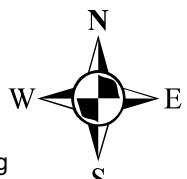
R

R-1

# Oconee County Planning Department

This map is representative of current county zoning as of April 2022 and should be used for planning purposes only.

1:2,000



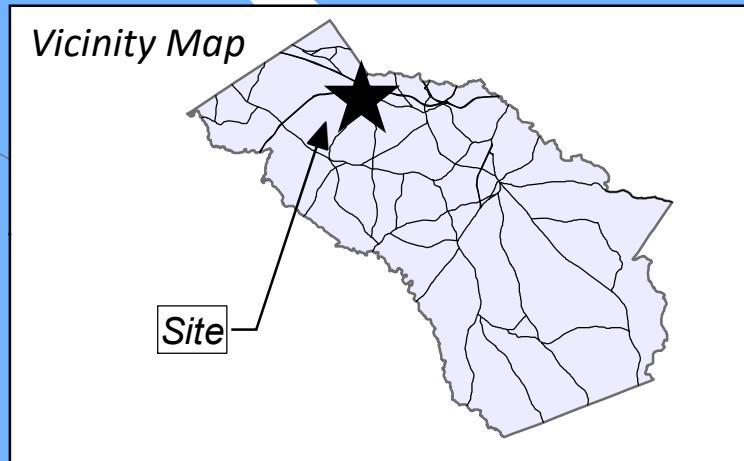
GA HWY  
316 W

SA HWY 316 E

**B-1**

AG

Daandra Dr



## Oconee County Planning Department

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

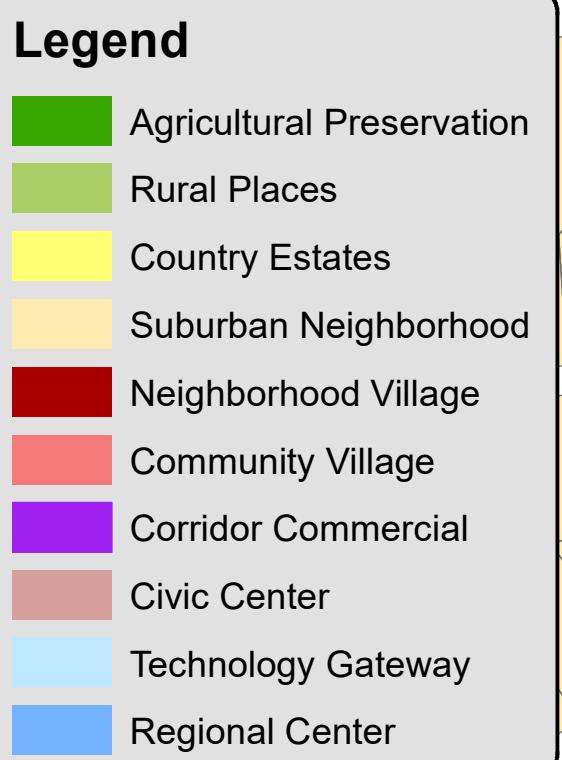
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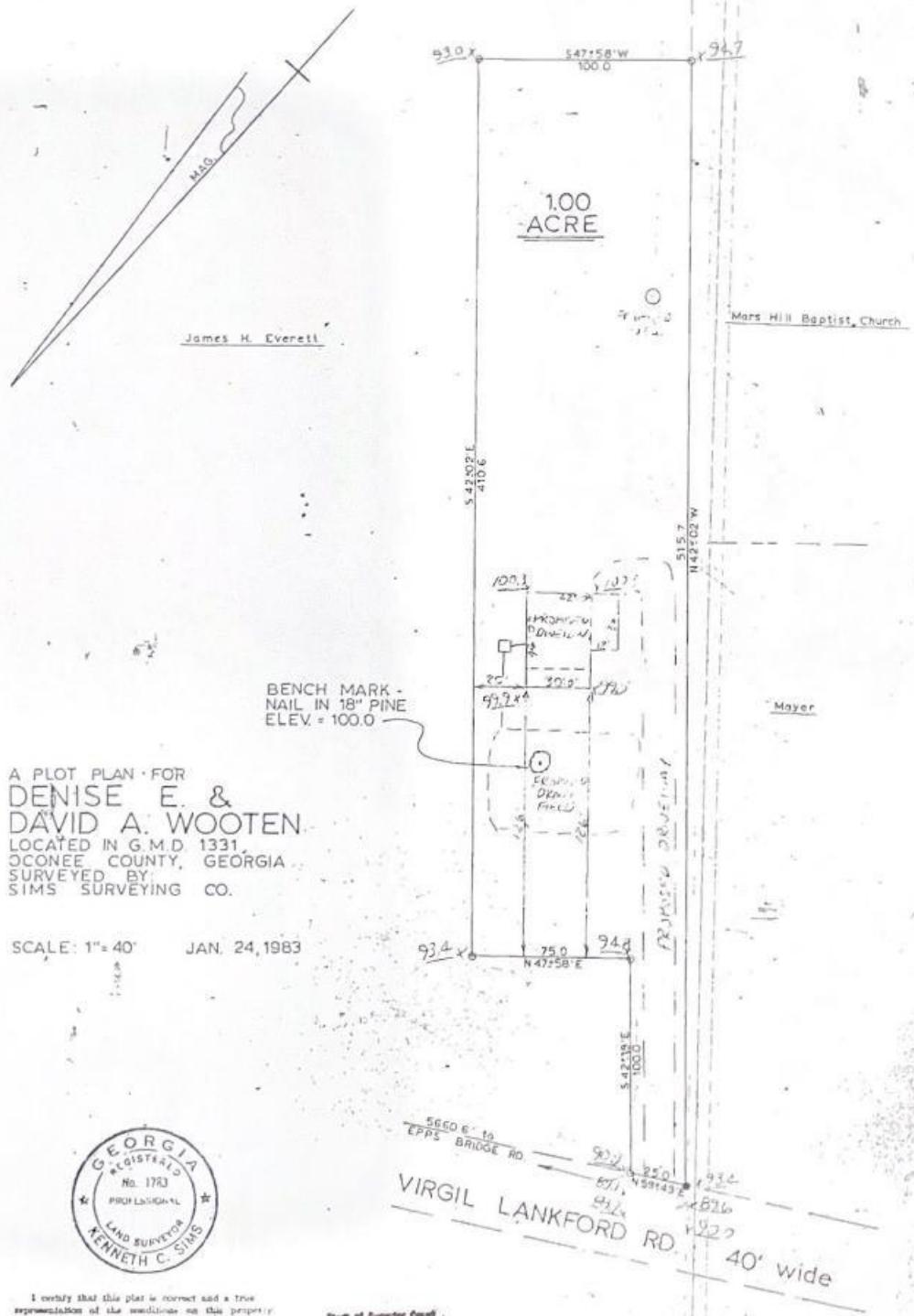
### Suburban Neighborhood



### Regional Center



3-DE NOTES IRON PIN SET



I certify that this plan is correct and a true representation of the conditions on this property.

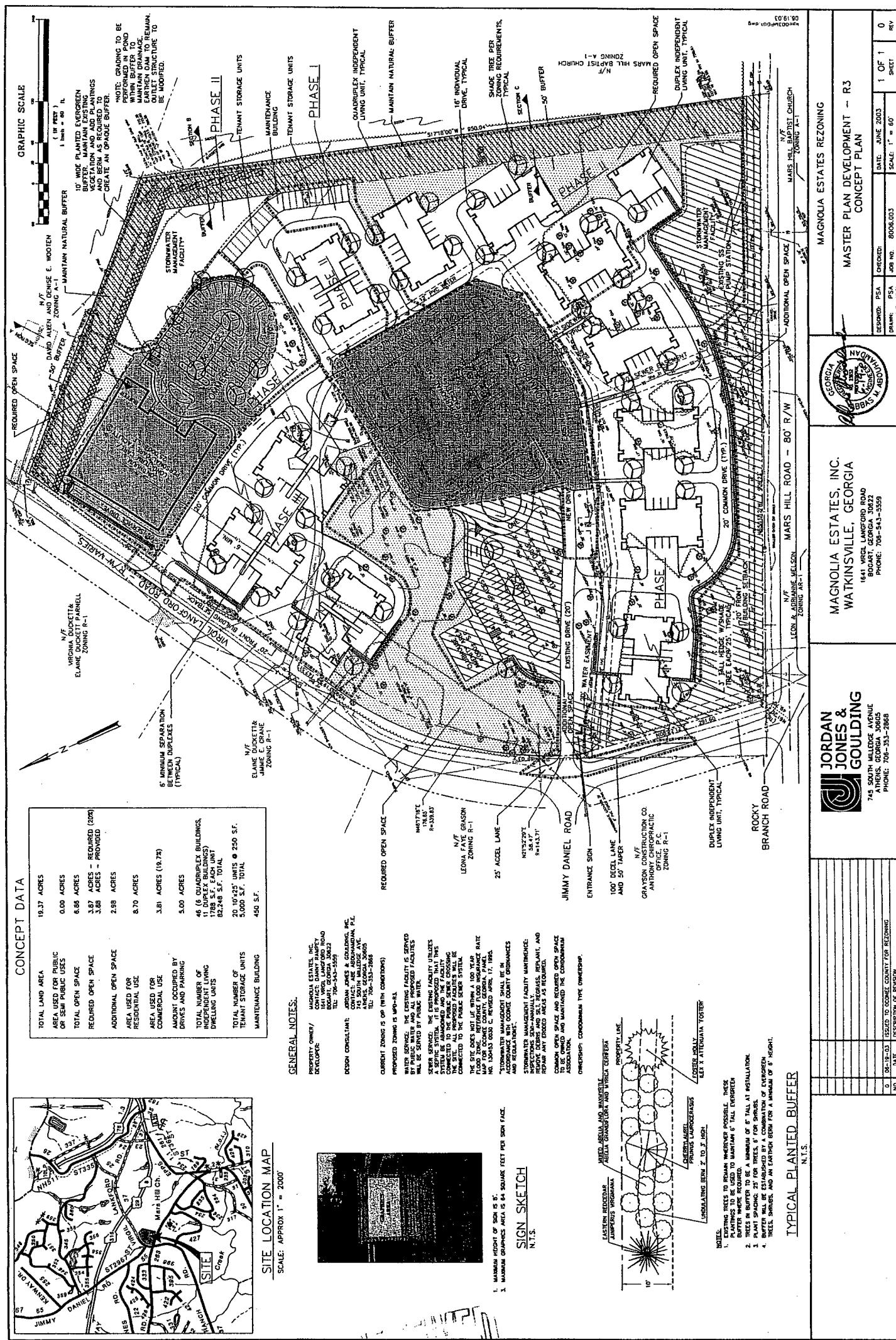
Kenneth C. Shis



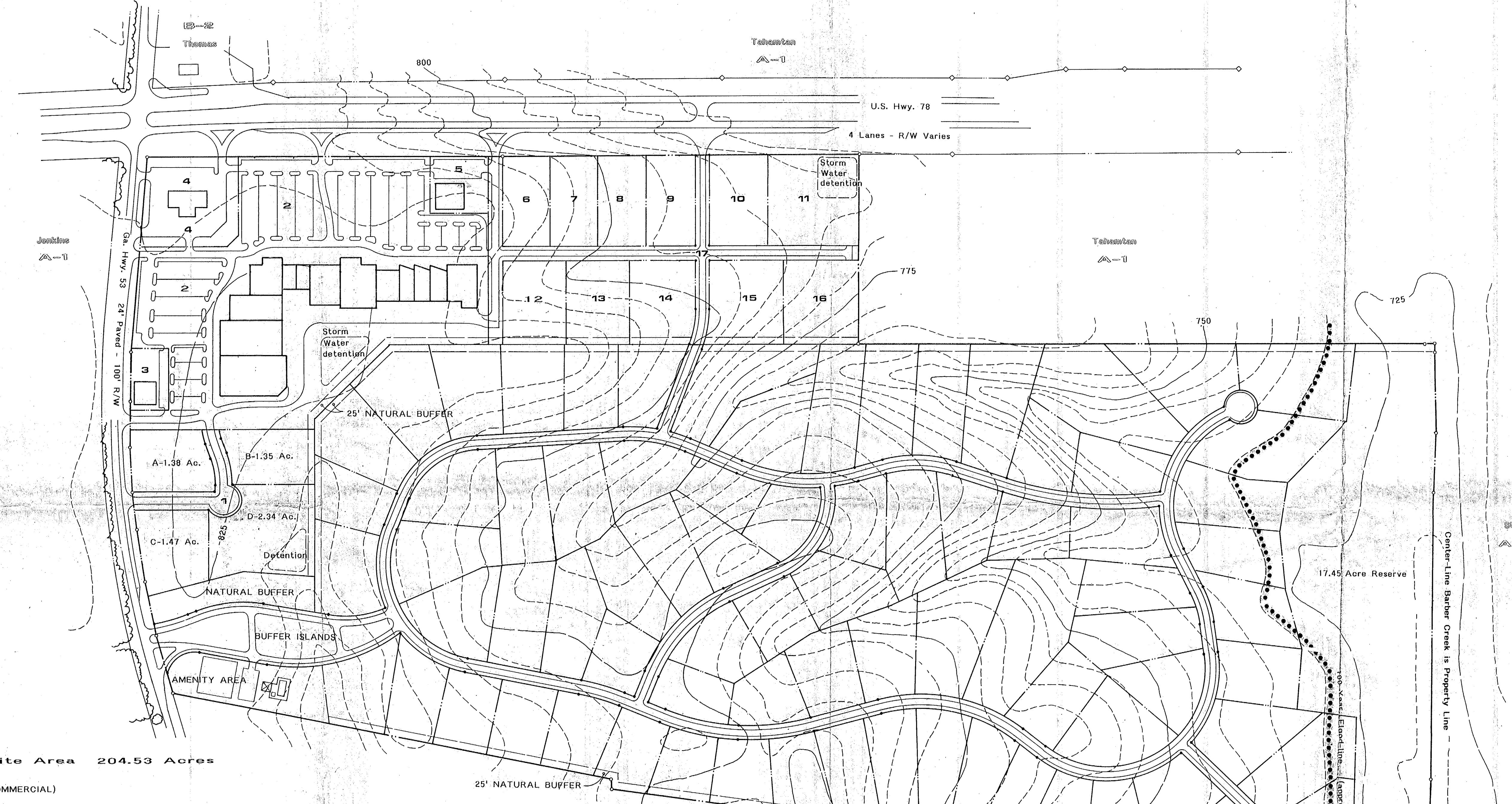
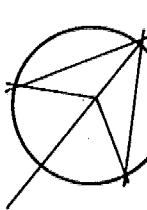
Chart of Superior Court  
Oconee County, Georgia  
Filed for Record at 9:30 AM  
VOL 26 ED 2  
Floyd W. Worthy

EXHIBIT "A" TO ZONING AMENDMENT # 3117

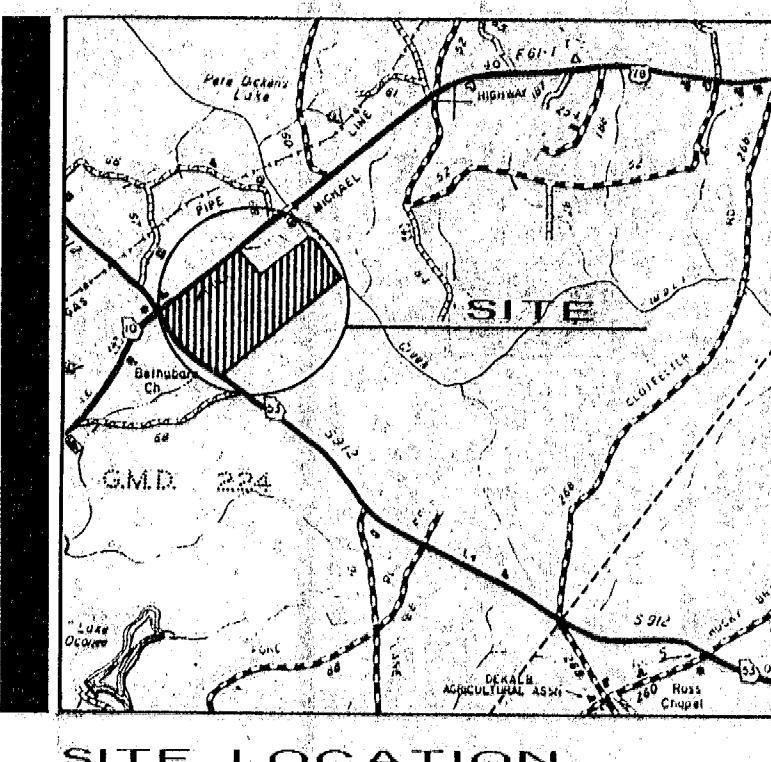
Page 5 of 5



## DEVELOPMENT PLAN



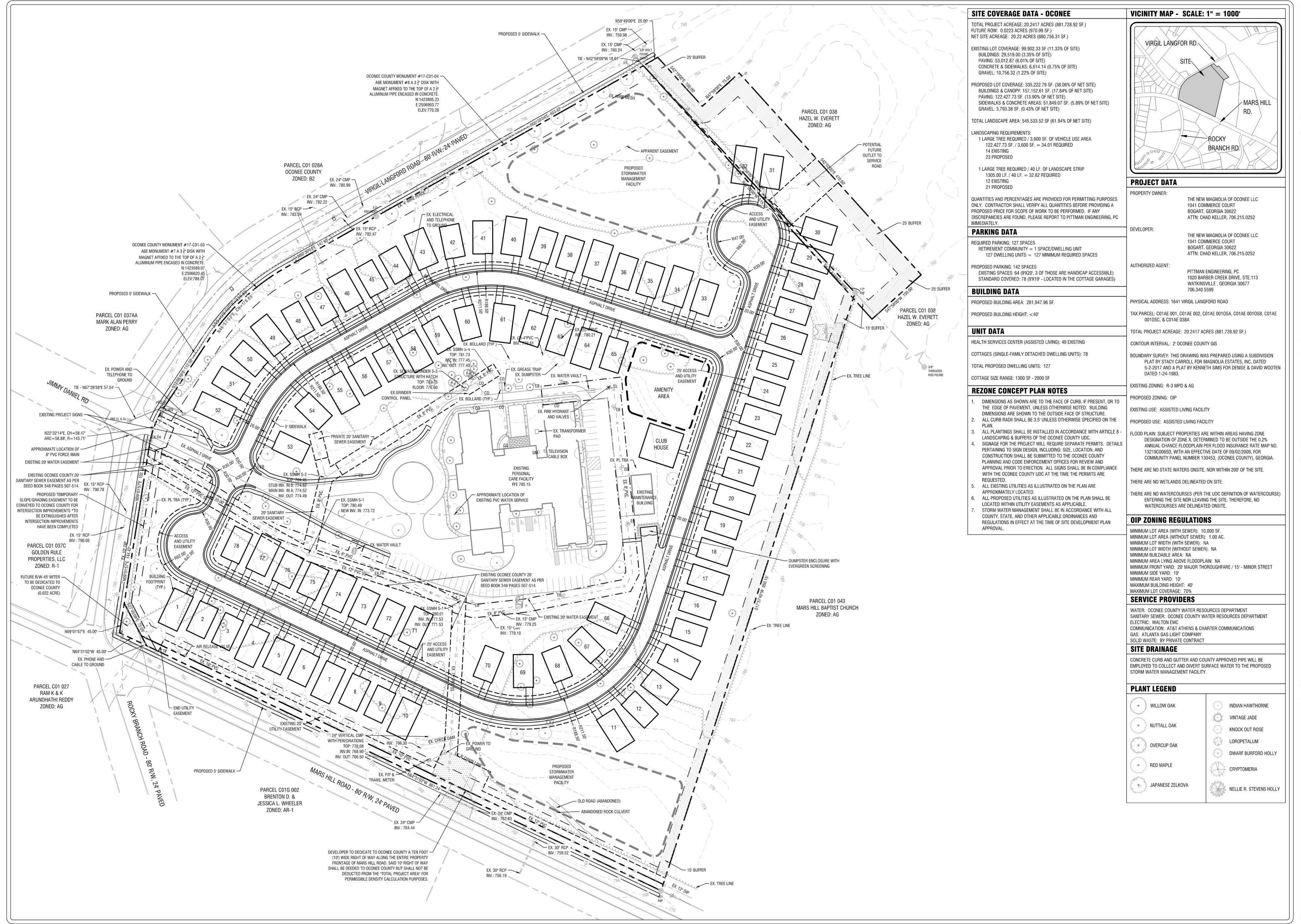
**BEALL  
GONNSEN &  
COMPANY**  
Landscape Architects - Land Planners  
555 Research Drive, Suite C  
Athens, Georgia 30605  
(404) 543-0907



PROJECT OWNER  
CONWAY C. BROUN

SINGLE

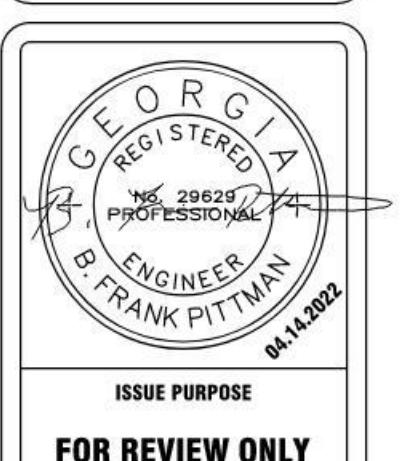
Oconee County Georgia  
The CROSSING  
ILLUSTRATIVE MASTER PLAN



REVISIONS	DESCRIPTION
DATE	DATE

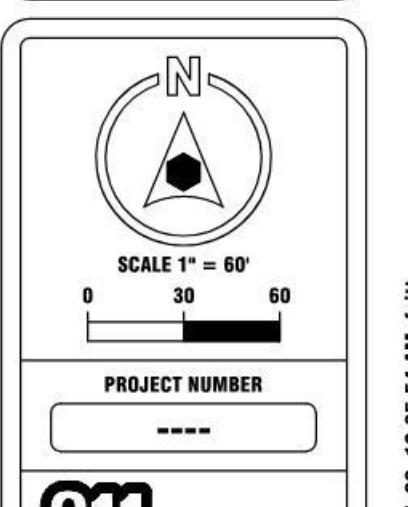
**PC**

PITTMAN ENGINEERING PC  
 PO BOX 1023  
 WATKINSVILLE GA 30677  
 P. 706-340-5599  
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ISSUE PURPOSE  
**FOR REVIEW ONLY**

**THE NEW MAGNOLIA**  
 20.2417 AC. - 1641 VIRGIL LANGFORD ROAD  
 OCONEE COUNTY, GEORGIA



DATE  
 04.14.2022

REZONE CONCEPT PLAN

01