

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to rezone from zoning classification AR (Agricultural Residential District) to OIP (Office Institutional Professional District) pursuant to an application for rezoning of property owned by PHGA Properties, LLC submitted on July 25 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 Frank Pittman on July 25, 2022, requesting a rezone of a ±3.84-acre tract of land located at 1030 Welbrook Road, Oconee County, Georgia, (tax parcel no. C-02-078), 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 AR (Agricultural Residential District) 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 October 17, 2022, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on November 1, 2022.

ADOPTED AND APPROVED, this 1st day of November, 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

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.

EXHIBIT "A" TO REZONE NO P22-0177

Page 2 of 9

TAX MAP

Rezone P22-0177 - Westminster Presbyterian Homes, Inc.



EXHIBIT "A" TO REZONE NO P22-0177

Page 3 of 9

LEGAL DESCRIPTION

All that tract or parcel of land, together with all improvements thereon, containing 3.843 acres, more or less, lying and being in the 221th District, G.M., Oconee County, Georgia, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the easterly margin of right-of-way of Welbrook Road and the northerly margin of right-of-way of Hog Mountain Road, said point being the TRUE POINT OF BEGINNING; thence along the right-of-way of Welbrook Road North 06 degrees 29 minutes 09 seconds West, 435.97 feet to an iron pin; thence continuing along the right-of-way of Welbrook Road 27.71 feet along an arc of a curve to the left, said curve having a radius of 442.52 feet, a chord bearing of North 15 degrees 28 minutes 42 seconds West, and a chord distance of 27.70 feet to an iron pin; thence leaving said right-of-way North 62 degrees 01 minutes 45 seconds East, 332.35 feet to an iron pin; thence South 14 degrees 00 minutes 15 seconds East, 509.18 feet to a point on the northerly margin of right-of-way of Hog Mountain Road; thence continuing along the right-of-way of Hog Mountain Road South 71 degrees 19 minutes 28 seconds West, 380.12 feet to the TRUE POINT OF BEGINNING.

Said tract being the same as Tract 1 on an Administrative Subdivision Plat for Westminster Presbyterian Homes, Inc. by Williams & Associates dated 10.08.2016.

NARRATIVE

GENERAL DATA

Property Address: 1030 Welbrook Road Parcel: C02 078

Owner: PHGA Properties LLC Existing

Zoning: AR Proposed Zoning: OIP

Existing Use: undeveloped – former residential Proposed Use: Medical Office

Property Area: 3.84 acres

ADJACENT LAND USES AND ZONING

North – CCRC (OIP)

West – Welbrook Road – Across Welbrook Road is Government Farmland (AR)

South – Hog Mountain Road – Across Hog Mountain Road is undeveloped B2 property East – Undeveloped AR and B2 property

OWNERSHIP TYPE

The parcel will be fee simple ownership with up to 2 buildings on the parcel.

SITE NARRATIVE

The property is 3.84 acres and is currently zoned AR and undeveloped. The property owner is PHGA Properties LLC. The owner is seeking to rezone the property from AR to OIP to developed a medical office complex.

SITE DESCRIPTION

The property is located at 1030 Welbrook Road. The Character Area for the property and its surrounding properties is identified as 'Civic Center' according to the Oconee Future Development Map.

The property is comprised of 3.84 acres, mostly open with wooded areas. The property slopes from the north to the southwest corner of the property.

NARRATIVE**PROPOSED USE**

The proposed use of the property is medical office. The proposed development consists of up to 28,000 sf. of medical office. The project could consist of up to two buildings totaling a maximum of 28,000 sf. The concept plan shows two buildings, but the number of buildings could be one or two without exceeding this maximum square footage. It is anticipated that the building or buildings would back up to Welbrook Road with parking to the east of the buildings (per the concept plan). Buildings will consist of a structure with a front of brick and/or stone (authentic or manufactured) and cementitious lap and shingle siding and trim with pitched roof and some architectural features. Though the concept plan does not show a dropoff, the building(s) could have a front dropoff at the entrance on the eastern side of the building(s) as shown on representative architecture.

ACCESS

Access will also consist of a driveway connection to Hog Mountain Road as illustrated on the rezone concept plan.

TRAFFIC IMPACT

Per the Institute of Transportation Engineers, Trip Generation, 11th 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 is as follows.

Trip Description	ADT	Peak Hour AM	Peak Hour PM
Medical Office (ITE Use 720)	988	77.8	96.9

WATER SUPPLY

Water will be provided by Oconee County Water Resources. An 8" watermain exists along the frontage of the property in the right-of-way of Hog Mountain Road. A capacity letter has been obtained from Oconee County Water Resources and is provided with this request.

Estimated water usage is 4,000 gpd.

SEWAGE DISPOSAL

Sewage disposal will be provided by Oconee County Water Resources. There is an existing 8" sanitary sewer main that runs along the eastern property line of this property. A capacity letter has been obtained by Oconee County Water Resources and is provided with this request. Estimated sewer usage is 4,000 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.

NARRATIVE

UTILITIES

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

STORMWATER MANAGEMENT AND DRAINAGE

There will be a Stormwater Management Facility constructed onsite to manage the stormwater runoff from the development to meet the Oconee County stormwater ordinance. To convey stormwater to the pond, curb and gutter along with RCP, CMP, or HDPE stormpipe will be utilized. The stormwater management facility will be at the low point of the property, estimated to be at the southwest corner of the property.

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 October 2022 then site development plans will be created and permitted to begin construction in mid 2023. The project will be built in phases determined by the need for each building.

BUFFERS

A 25' buffer is required along the adjacent AR property line to the east. A companion variance is being requested to reduce this buffer to 0'. All other buffers and screening, per OC-UDC requirements, will be met during site development.

SIGNAGE

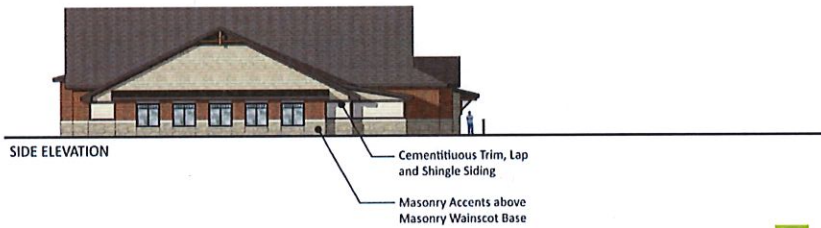
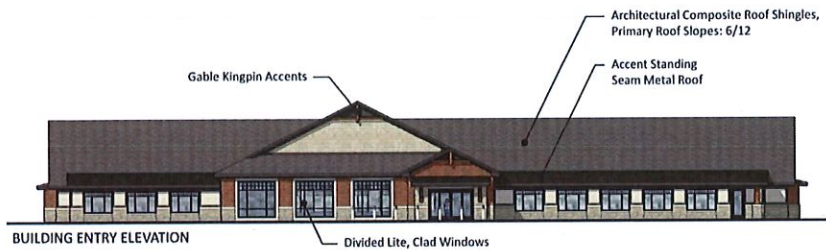
The project will have signage that will meet the Oconee County UDC and be permitted through the sign permit process.

ESTIMATED VALUE OF PROJECT

The complete buildout of the project is estimated to be \$7-8 Million.

COMPANION VARIANCE - A companion special exception variance has been requested to reduce the 25' buffer adjacent to AR property to 0'.

ARCHITECTURAL IMAGES



PLAT

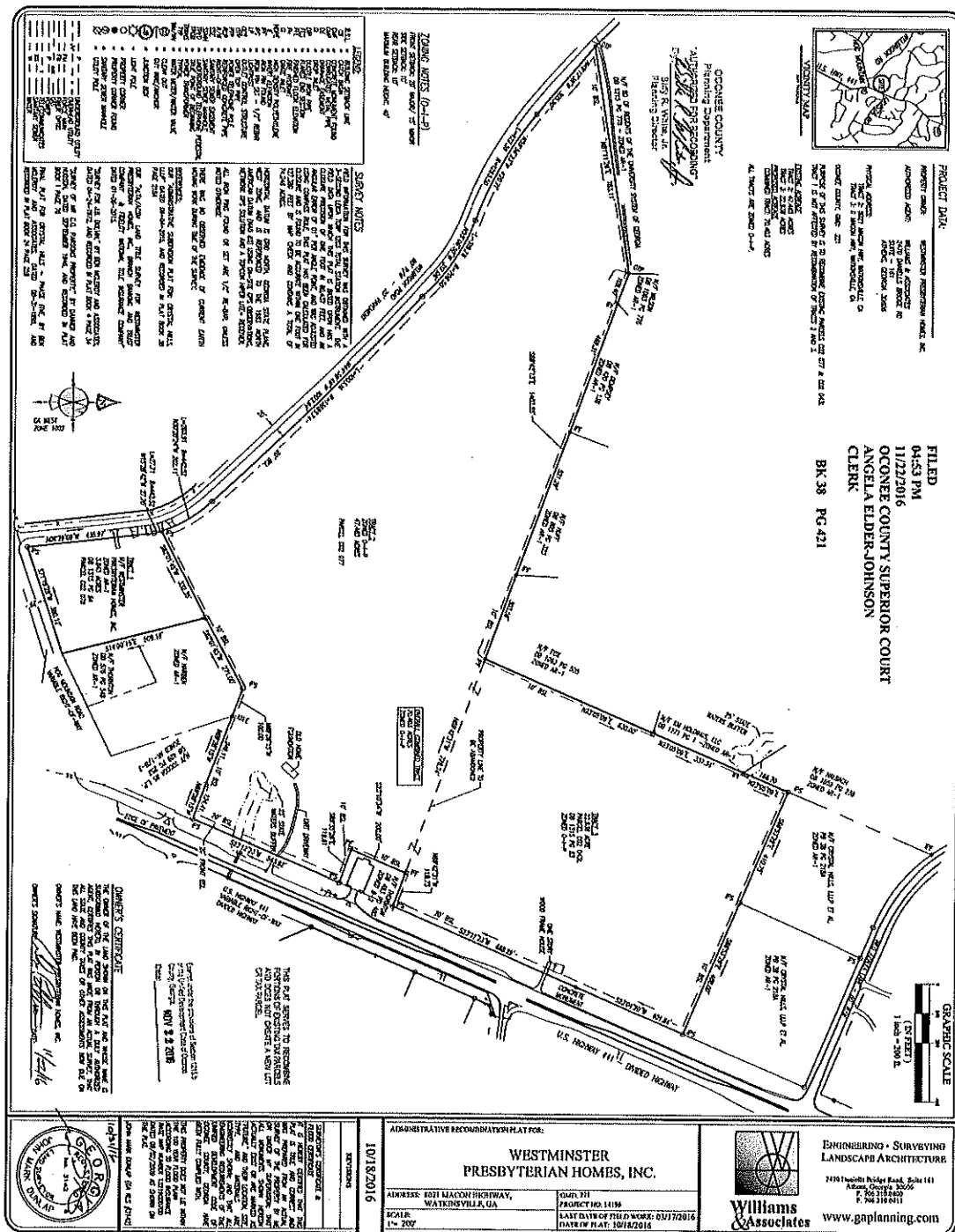
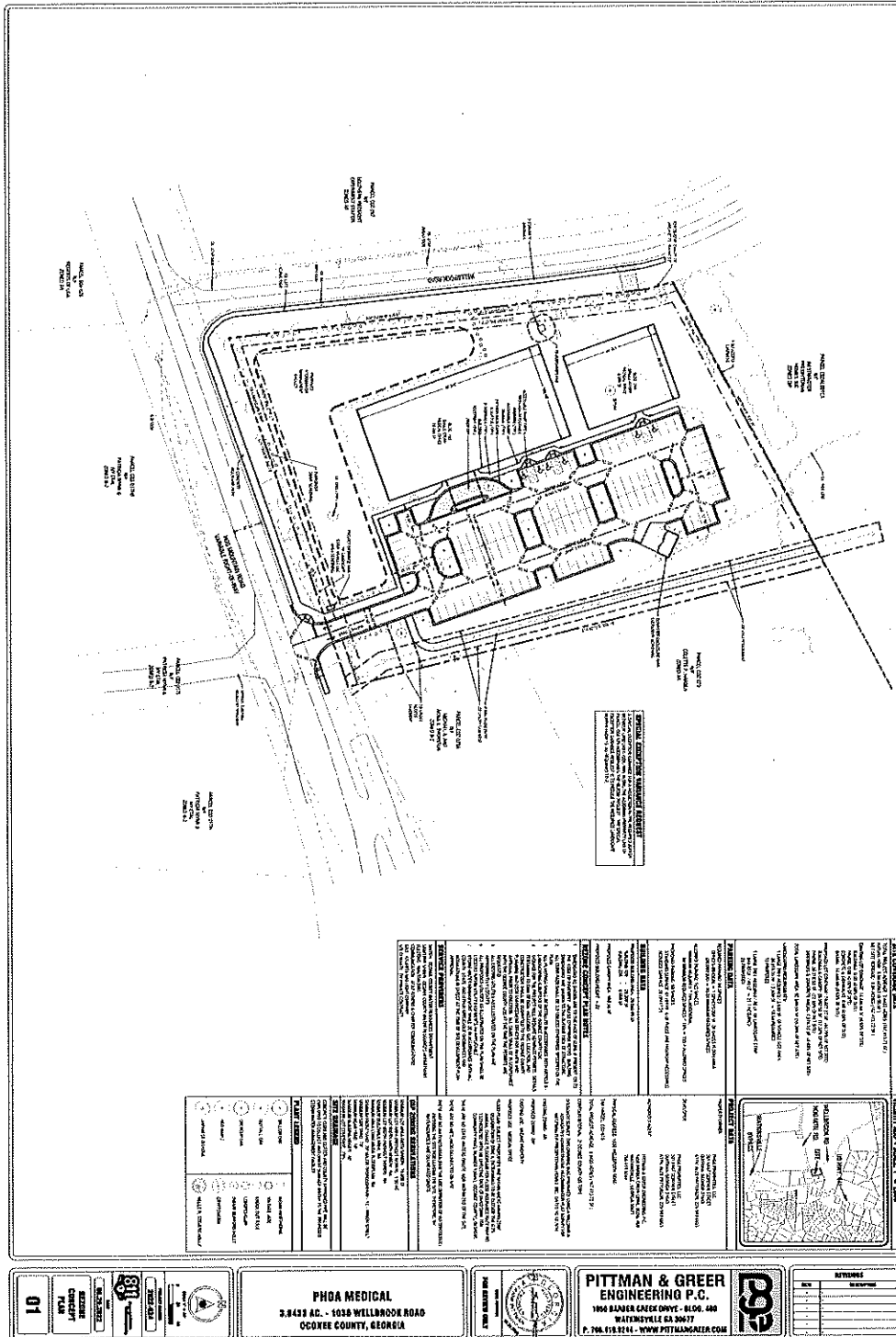


EXHIBIT "A" TO REZONE NO P22-0177

Page 9 of 9

CONCEPT PLAN



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CONCEPT PLAN

10/1/2011

PHOA MEDICAL

3,433 AC. - 1036 WELLBROOK ROAD

OCCOKEE COUNTY, GEORGIA

PITTMAN & GREER

ENGINEERING P.C.

1906 SANDER CREEK DRIVE - BLDG. 400

WATKINSVILLE, GA 30677

P. 706.615.9214 - WWW.PITTMANGREER.COM

10/1/2011

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10/1/2011

PHOA MEDICAL



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

REZONE CASE #: P22-0177

DATE: October 5, 2022

STAFF REPORT BY: Guy Herring (Director of Planning and Code Enforcement)

APPLICANT NAME: Frank Pittman

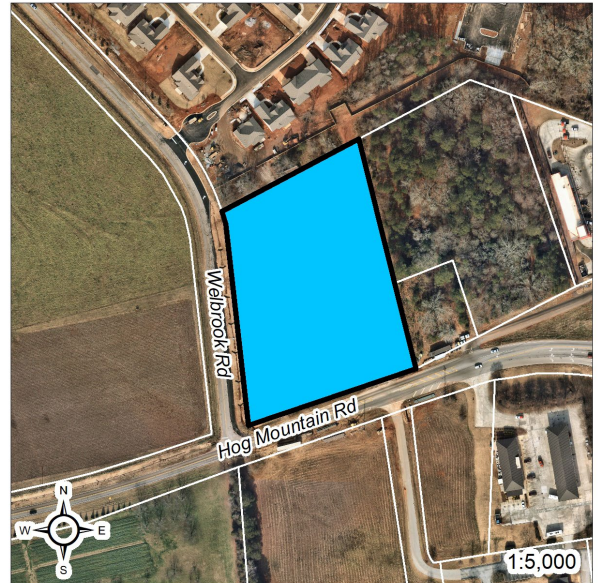
PROPERTY OWNER: PHGA Properties, LLC

LOCATION: 1030 Welbrook Road;
C-02-078

PARCEL SIZE: ±3.84 acres

EXISTING ZONING: AR (Agricultural Residential District)

EXISTING LAND USE: Undeveloped land



FUTURE DEVELOPMENT MAP CHARACTER AREA DESIGNATION: Civic Center

ACTION REQUESTED: Rezone the property from AR to OIP (Office Institutional Professional District) in order to develop a medical office complex

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: October 17, 2022

BOARD OF COMMISSIONERS: November 1, 2022

ATTACHMENTS:

- Application
- Narrative
- Architectural Renderings
- Zoning Impact Analysis
- Legal Description
- Plat of Survey
- Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- The property is currently undeveloped land that was formerly a residential use. The residential buildings were demolished in 2018. The C-02-078 property is currently zoned AR and is undeveloped.
- Westminster Presbyterian Homes, Inc. purchased the property in 2016. In 2021, PHGA Properties, LLC purchased the property.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Single and multi-family residential	OIP (Office Institutional Professional District)
SOUTH	Vacant lot, commercial	B-2 (Highway Business District)
EAST	Vacant lots	AR (Agricultural Residential District) and B-2 (Highway Business District)
WEST	Farmland	AR (Agricultural Residential District)

PROPOSED DEVELOPMENT

- The proposed use is for a 28,000 SF for medical office use. The development could include up to two buildings with a total maximum of 28,000 SF.
- The buildings are anticipated to be on the western side of the parcel with a parking lot on the eastern side of the parcel.
- The applicant submitted architectural drawings showing a brick or stone front, cementitious lap and shingle siding, and trim with a pitched roof.
- Construction would begin in mid 2023 and the project would be built in a phases determined by the needs of each building.
- The projected project valuation is \$7-8 million.

PROPOSED TRAFFIC PROJECTIONS

- An additional 974 ADT (average daily trips) are estimated with 77.8 AM peak hours and 96.9 PM peak hours (Trip Generation Manual, 10th Edition). Per the manual, the proposed development does not meet the 1,000 ADT threshold that is required to trigger a traffic impact analysis.

PUBLIC FACILITIES

Water:

- The project is proposed to utilize County water services
- The Water Resources Department has indicated in a letter that potable water in the amount of approximately 4,000 gpd is available at this location.

Sewer:

- The project is proposed to utilize County sewer services
- The Water Resources Department has indicated in a letter that wastewater treatment capacity in the amount of 4,000 gpd is available for this location.

Roads:

- The proposed driveway on Hog Mountain Road will provide access to the site.

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

- Per Section 1014.04 of the UDC, a deceleration lane would be required on the Hog Mountain Road entrance based on an ADT greater than 500.

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.
-

TRANSPORTATION CONSULTANT

- 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.

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 AR, B-2, or OIP. Primary land uses in the area are a mixture of residential, farmland, and commercial 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 farming or single-family residential uses as currently zoned. However, the smaller parcel size is less suitable for farming, and the parcel is located near commercial properties making it less compatible for single-family residential use.
- 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 1 to 2 buildings at a maximum of 28,000 SF to be utilized as a medical office complex. The development will cause an increase in demand for water and wastewater treatment, and the required capacity has been confirmed by the Water Resources Department. Increased traffic generation is also anticipated, with 974 additional ADT over the current undeveloped parcel. There are no anticipated impacts on the school system.
 - ii. Environmental impact;**
No environmentally sensitive areas are known to exist on the site. Stormwater management will be conducted on the site according to Oconee County ordinances.
 - 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 are required between the subject parcel and the adjacent AR lot directly to the east in the form of a 15-foot landscape buffer. The concept plan notes that the applicant is also requesting a Special Exception Variance request to reduce this required landscape buffer from 15 feet to 0 feet. As the adjacent parcel is vacant with no current uses as the existing house is abandoned and the Comprehensive Plan Character Area Map shows the subject parcel and the adjacent parcels toward Hwy 441 as being in the Civic Center Character Area

which supports non-residential development and as the 20 foot sewer easement runs along the shared property line, staff does not object to the proposed reduction in the landscape buffer.

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

The subject property is currently vacant/undeveloped land and has been so since 2018. There are several nearby B-2 properties across Hog Mountain Road and along South Macon Highway. To the north there is a 63.34 acre OIP parcel that is the Presbyterian Village development.

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 development of the medical office complex 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 of a medical office complex is not an allowable principal use in AR districts. Rezoning the subject parcel to OIP for allow for medical office use fits the surrounding land patterns. 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 Civic Center Character Area as shown on the 2040 Character Areas Map. The 2018 Comprehensive Plan describes this “multi-use” Character Area as containing “a relatively high-intensity mix of businesses, retail shopping, offices, sports and recreational complexes, public schools, a college campus, and other public and semi-public uses (such as the Oconee Civic Center, libraries, and museums) that create a multi-dimensional environment with 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. 58).

The Comprehensive Plan supports OIP zoning and commercial establishments that offer services to residents as a primary land use in this Character Area (2018 Comprehensive Plan p. 58). Staff holds that the proposed medical office 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 medical office center use. However, OIP use for the subject parcel aligns with the surrounding land patterns.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of 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.