

**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 B2 (Highway Business District) to OIP (Office Industrial Professional District) pursuant to an application for rezoning of property owned by Epps Bridge Parkway, LLC submitted on September 19, 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 September 19, 2022, requesting a rezone of a ±8.78-acre tract of land located at 1083 Parkway Boulevard in, Oconee County, Georgia, (tax parcel no C-01Z-007), 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 B2 (Highway Business District) to OIP (Office Industrial 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Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.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 November 14, 2022, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on December 6, 2022.

ADOPTED AND APPROVED, this 6th of December, 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 P22-0231

Page 1 of 11

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 P22-0231

Page 3 of 11

Tax Map

Rezone # P22-0231 - Epps Bridge Parkway, LLC

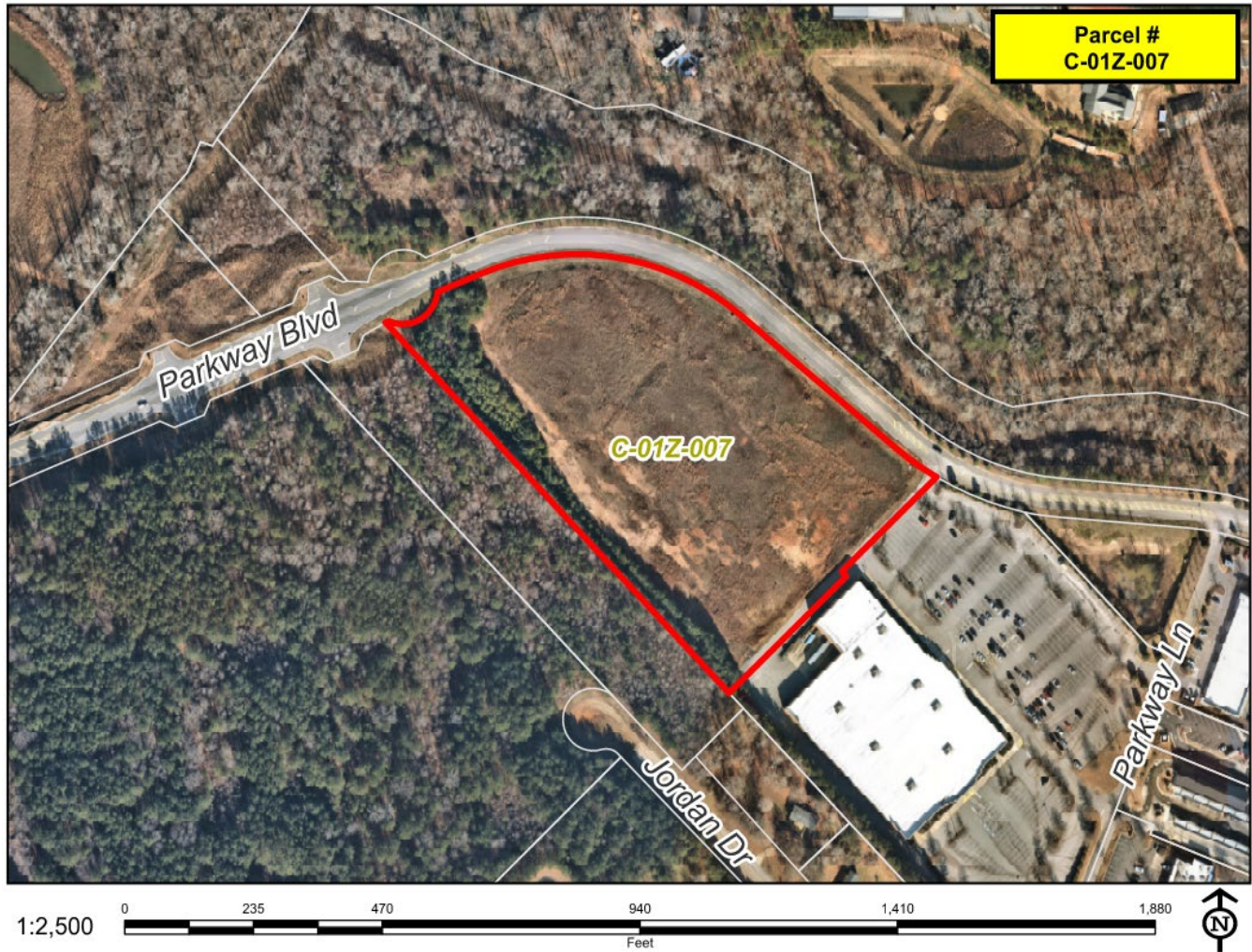


EXHIBIT “A” TO REZONE NO P22-0231

Page 3 of 11

LEGAL DESCRIPTION

LEGAL DESCRIPTION

All that tract or parcel of land, together with all improvements thereon, containing 8.78 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 a PK Nail in the drive at the northwest corner of Kohl's, with a Georgia West Zone State Plane Coordinate of N=1427824.326, E=2515961.398, said point being the TRUE POINT OF BEGINNING; thence along a line South 46 degrees 07 minutes 49 seconds West, 239.40 feet to a PK Nail; thence continuing along a line South 43 degrees 52 minutes 17 seconds East, 11.65 feet to a PK Nail; thence along a line South 46 degrees 07 minutes 43 seconds West, 296.63 feet to a point; thence along a line North 43 degrees 52 minutes 49 seconds West, 904.43 feet to a point; thence along Right of Way of Parkway Boulevard North 60 degrees 58 minutes 03 seconds East, 4.69 feet to a point; thence along Right of Way of Parkway Boulevard along a curve North 60 degrees 55 minutes 03 seconds with a chord length of 104.72 feet, an arch length of 121.75 feet, and a radius of 65.00 feet to a point; thence along Right of Way of Parkway Boulevard along a line North 67 degrees 46 minutes 11 seconds East, 83.98 feet to a point; thence along Right of Way of Parkway Boulevard along a curve South 81 degrees 19 minutes 32 seconds East with a chord length of 480.74 feet, an arc length of 504.87 feet, and a radius of 468.00 feet to a point; thence along Right of Way of Parkway Boulevard along a line South 50 degrees 25 minutes 17 seconds East, 364.27 feet to a point; thence along Right of Way of Parkway Boulevard along a curve South 55 degrees 23 minutes 36 seconds East with a chord length of 92.22 feet, an arc length of 92.34 feet, and a radius of 532.00 feet to the TRUE POINT OF BEGINNING.

Said tract being the same as Tract on a Topographic Survey for Piedmont Healthcare Encompass Health Rehabilitation Hospital of Athens LLC by Baseline Surveying and Engineering INC. dated 08.26.2022.

EXHIBIT “A” TO REZONE NO P22-0231

Page 4 of 11

NARRATIVE

PIEDMONT HEALTHCARE ENCOMPASS HEALTH REHABILITATION HOSPITAL OF ATHENS

REZONE SUBMITTED 09/19/2022

GENERAL DATA

Property Address: 1083 Parkway Boulevard
Parcel: C 01Z 007
Owner: Epps Bridge Parkway LLC
Existing Zoning: B2
Proposed Zoning: OIP
Existing Use: undeveloped
Proposed Use: Rehabilitation Hospital (Specialty Hospital)
Property Area: 8.78 acres

ADJACENT LAND USES AND ZONING

North – Parkway Boulevard then undeveloped B2 property
West – undeveloped R2 property
South – the same undeveloped R2 property and Kohl's (B2)
East – Kohl's (B2)

OWNERSHIP TYPE

The parcel will be fee simple ownership with 1 proposed building for a rehabilitation hospital. The project will be owned by Encompass Health which is a FOR-PROFIT, publicly-traded entity.

SITE NARRATIVE

The property is 8.78 acres and is currently zoned B2 and undeveloped. The property owner is Epps Bridge Parkway LLC. The parcel was pad graded in 2005 for future development when the Kohl's complex was developed. The property fronts along Parkway Boulevard which is a public county owned roadway. This portion of the roadway was constructed by and paid for by the current property owner and dedicated to the county. The owner is seeking to rezone the property from B2 to OIP to develop a rehabilitation hospital.

SITE DESCRIPTION

The property is located at 1083 Parkway Boulevard. The Character Area for the property and its surrounding properties is identified as 'Regional Center' according to the Oconee Future Development Map.

The property is comprised of 8.78 acres of pad graded open field with installed utilities. The property slopes from the west to the east of the property and is piped to the joint stormwater pond on the adjacent tract.

PROPOSED USE

The proposed use of the property is for a rehabilitation hospital for Encompass Health with an estimated 120 employees and 80 rehabilitation beds. Encompass Health owns the nation's largest network of Rehabilitation Hospitals. The proposed development consists of a rehab hospital up to 80,000 sf. The project could be constructed in 2 phases with a total rehab bed count of up to 80 beds. The building

EXHIBIT “A” TO REZONE NO P22-0231

Page 5 of 11

NARRATIVE

will consist of a structure faced with a mixture of brick and/or stone (authentic or manufactured) and/or stucco with some metal and/or glass features (see representative architecture) and some architectural features. The building is intended to have a front dropoff area. Rehabilitation services offers, per the Encompass Health website are as follows:

- Amputation
- Arthritis
- Balance
- Brain Injury
- Cardiac Care
- Congenital Deformity
- Diabetes
- Hip Fracture
- Joint Replacement
- Multiple Trauma
- Neurological Disorders
- Oncology
- Other Functional Declining Conditions
- Other Programs and Conditions
- Pain Management
- Parkinson’s Disease
- Spasticity Management
- Spinal Cord Injury
- Wound Care

ACCESS

Access will also consist of up to 2 interconnections with the existing Kohl’s tract and up to 2 entrances from Parkway Boulevard as illustrated on the rezone concept plan.

TRAFFIC IMPACT

Encompass Health Rehabilitation Hospitals provide services that are unique from any one Land Use Code from the Institute of Transportation Engineers, Trip Generation, 11th Edition (ITE Manual). Though these facilities are somewhat similar to LUC 610 (Hospital), LUC 620 (Nursing Home), and LUC 630 (Clinic), none of these directly reflect the operations and characteristics of Encompass Health Rehabilitation Hospitals. Traffic Engineers from Kimley-Horn have collected and studied data from multiple other Encompass facilities to develop trip generation rates applicable to this use. This hospital does not meet the threshold to require a Traffic Impact Analysis per Oconee County requirements.

EXHIBIT “A” TO REZONE NO P22-0231

Page 6 of 11

NARRATIVE

Table 2: Trip Generation Study

Site	Size	Time Period	Trip Generation					
			Rate	Total	In		Out	
Encompass Health Rehabilitation Centers	80 beds	Daily ¹	8.78	702	50%	351	50%	351
		AM Peak Hour ²	0.79	63	73%	46	27%	17
		PM Peak Hour ²	0.71	56	33%	18	67%	38

Notes:

¹ Daily vehicle trip rate developed assuming PM peak hour trips comprise of nine percent (9%) of daily traffic

² Vehicle trip rates and directional splits per the trip generation study performed for Encompass Health Rehabilitation Centers

WATER SUPPLY

Water will be provided by Oconee County Water Resources. A watermain exists along the frontage of the property in the right-of-way of Parkway Boulevard. A capacity letter has been requested from Oconee County Water Resources and is provided with this request. Estimated water usage is 36,000 gpd.

SEWAGE DISPOSAL

Sewage disposal will be provided by Oconee County Water Resources. There is an existing 8” sanitary sewer main that runs through the property. A capacity letter has been obtained by Oconee County Water Resources and is provided with this request. Estimated sewer usage is 36,000 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.

UTILITIES

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

STORMWATER MANAGEMENT AND DRAINAGE

There is an existing stormwater management facility on the adjacent tract that was designed and constructed to manage the stormwater from this tract. There is existing stormwater infrastructure installed in this parcel to convey water to the existing facility. Curb and gutter along with RCP, CMP, or HDPE stormpipe will be utilized for additional conveyance.

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 December 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 beds.

EXHIBIT “A” TO REZONE NO P22-0231

Page 7 of 11

NARRATIVE

BUFFERS

A 25' buffer is shown along the adjacent R2 property line to the west, as required by OC-UDC Section 806. The buffer 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.

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 \$30-40 Million.

REPRESENTATIVE ARCHITECTURE



EXHIBIT “A” TO REZONE NO P22-0231

Page 8 of 11

NARRATIVE



EXHIBIT “A” TO REZONE NO P22-0231

Page 9 of 11

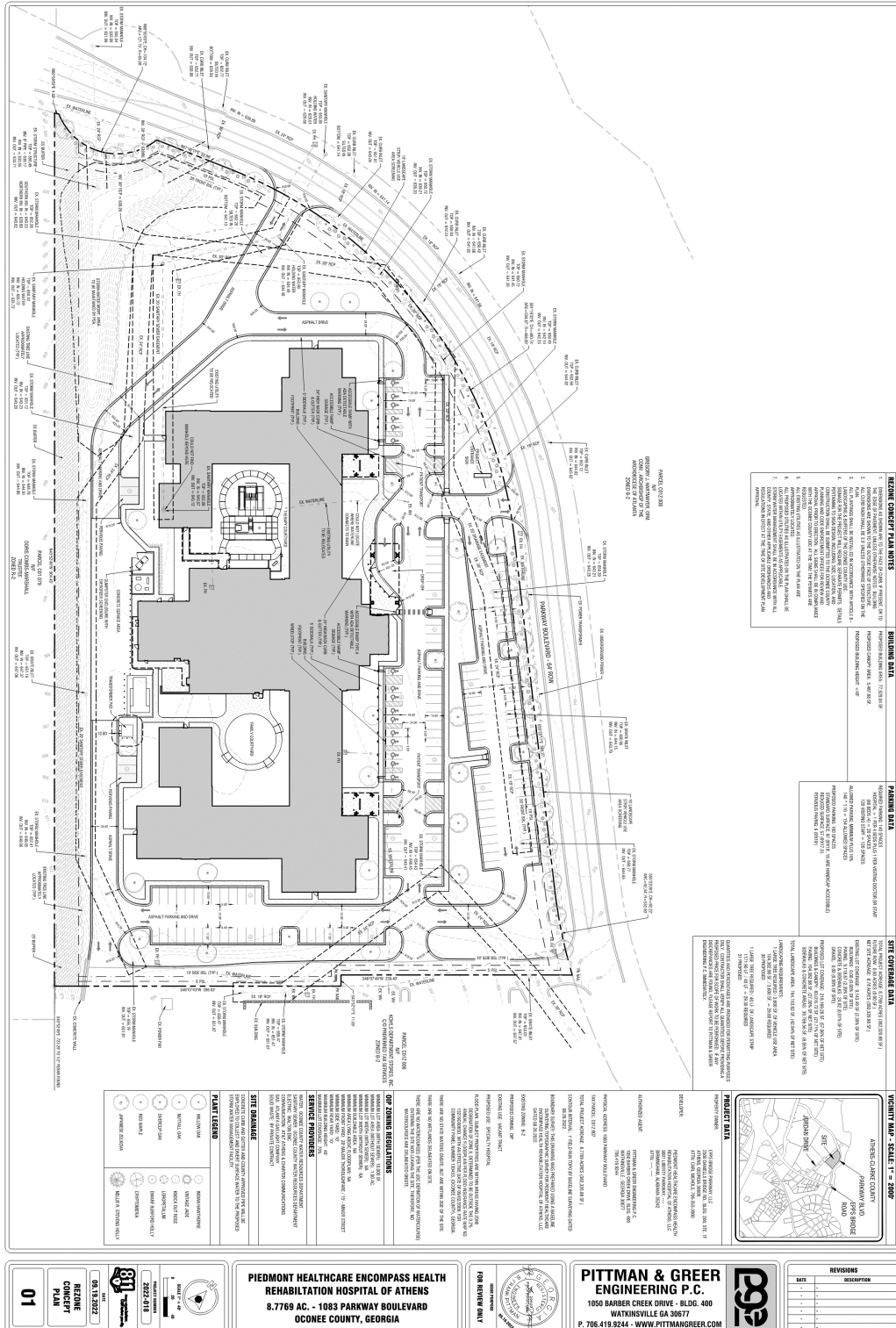
ARCHITECTURAL IMAGES



EXHIBIT "A" TO REZONE NO P22-0231

Page 11 of 11

CONCEPT PLAN





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

REZONE CASE #: P22-0231

DATE: November 2, 2022

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

APPLICANT NAME: Frank Pittman

PROPERTY OWNER: Epps Bridge Parkway, LLC

LOCATION: 1083 Parkway Boulevard;
C01Z-007

PARCEL SIZE: ±8.78 acres

EXISTING ZONING: B-2 (Highway Business District)

EXISTING LAND USE: Undeveloped land

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



ACTION REQUESTED: Rezone the property from B-2 to OIP (Office Institutional Professional District) in order to develop a rehabilitation hospital.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: November 14, 2022

BOARD OF COMMISSIONERS: December 6, 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 is zoned B-2.
- The parcel was graded in 2005 for future development and has since remained vacant.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Vacant lot	B-2 (Highway Business District)
SOUTH	Vacant lot	R-2 (Two Family Residential District)
EAST	Commercial shopping center	B-2 (Highway Business District)
WEST	Vacant lot	B-2 (Highway Business District)

PROPOSED DEVELOPMENT

- The proposed use is for an up to 80,000 SF rehabilitation hospital. The development could be constructed in two phases with a total rehab bed count of up to 80 beds.
- The applicant submitted architectural drawings showing a mixture of brick, stone, or stucco front, with some metal and/or glass architectural features.
- Construction would begin in mid-2023 and the project would be built in phases determined by the need for beds.
- The projected project valuation is \$30-40 million.

PROPOSED TRAFFIC PROJECTIONS

- An additional 702 ADT (average daily trips) are estimated with 63 AM peak hours and 56 PM peak hours (Trip Generation Manual, 11th 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 36,000 gpd is available at this location. The letter noted that all costs associated with the water connection will be the responsibility of the Developer/Owner.

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 36,000 gpd is available for this location. The letter noted that all costs associated with the sewer connection will be the responsibility of the Developer/Owner.

Roads:

- The proposed driveways on Parkway Boulevard 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

- No comments

OCONEE COUNTY WATER RESOURCES DEPARTMENT

- No comments

TRANSPORTATION CONSULTANT

- No comments

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 B-2 with one adjacent R-2 lot. Primary land uses in the area are a mixture of commercial and farmland 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 business uses as currently zoned. However, the proposed OIP use for a rehabilitation hospital is a reasonable use for this parcel due to its location within 0.48 to 1.5 miles of five other locations with medical-related 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 building at a maximum of 80,000 SF to be utilized as a rehabilitation hospital. 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 702 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. A buffer is required between the subject parcel and the adjacent R-2 lot directly to the south in the form of a 25-foot 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 2005. There are several nearby B-2 properties across Parkway Boulevard and to the east of the subject property. To the south there is a 28.16-acre AG parcel that is vacant land.
- 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 rehabilitation hospital 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.**
General hospitals are an allowable principal use in B-2 districts. However, OIP better aligns with the proposed use as the OIP district is designed for institutional uses such as hospitals and clinics. Rezoning the

subject parcel to OIP to allow for hospital special 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 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). This character area supports the eastern portion of SR 316, leading into Athens-Clarke County.

The Comprehensive Plan supports regional medical and professional offices as a primary land use in this Character Area (2018 Comprehensive Plan p. 63). Staff holds that the proposed rehabilitation hospital 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 rehabilitation hospital 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.