Staff Report

Subject:	Rezone (First District)
Author:	Teresa Concannon, AICP, Planning Manager
Department:	Development Services
Meeting Date:	May 2, 2023
Item Description:	**3 Byrds Development, LLC** requests to **rezone** 39.46 acres from **AR-1** to **R-3** to allow

for a 213-unit multi-family residential development. Located on Hwy 30. **[Map# 352 Parcel# 18]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 39.46 acres from **AR-1** to **R-3** to allow for a 213-unit multi-family residential development on Hwy 30.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. The R-3 multi-family zoning district allows up to 9 dwelling units per acre, and requires at least 15% of net usable area as common outdoor open space.

- There is a proposed 20' buffer around the perimeter

- The concept plan for the proposed 213-unit townhome development includes covered picnic shelters, a playground, a dog park, and walking trails. There is a proposed 20' buffer around the perimeter of the property. The frontage on Hwy 30 (1.2ac) is proposed for a community site.

- Gross density is 213 units/38.31ac = 5.6 unit/acre. At least 5.5 acres of common open space is required.

- The applicant proposes to extend lines ~1000' to connect to existing water and sewer at Windfield.

- Adjacent residential development is AR-1 and AR-2; high density single family development nearby on Zittrouer Road and Hwy 30 is zoned R-6 and PD (.15ac lots).

- At the February 13 pre-application meeting, staff provided input on requirements for open space, block length, access management, and utilities.

- At the March 14, 2023 Planning Board meeting, Mr. Ryan Thompson made a motion for approval, with conditions:
  1. A Sketch Plan must be approved before site development plans are submitted.
  2. Future use of the above-referenced property being rezoned shall meet R-3 zoning district requirements.
  3. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
  4. All wetland impacts must be approved and permitted by USACE
  5. Site development plans must comply with the Effingham County Water Resources Protection Ordinance, the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention.**
  6. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements, and the entrance shall meet the requirements of the **Access Management and Encroachment Regulations for Effingham County Roads** (rev. 2022).

- The motion was seconded by Mr. Alan Zipperer, and carried 3-1, with Mr. Brad Smith voting against.

- On April 4, the applicant requested postponement to the May 2 meeting.

Alternatives

1. Approve the request to **rezone** 39.46 acres from **AR-1** to **R-3**, with the following conditions:
1. A Sketch Plan must be approved before site development plans are submitted.
2. Future use of the above-referenced property being rezoned shall meet R-3 zoning district requirements.
3. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
4. All wetland impacts must be approved and permitted by USACE
5. Site development plans must comply with the Effingham County Water Resources Protection Ordinance, the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention.**

6. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements, and the entrance shall meet the requirements of the **Access Management and Encroachment Regulations for Effingham County Roads** (rev. 2022).

2. Deny the request to **rezone** 39.46 acres from **AR-1** to **R-3.**

Recommended Alternative: 1   **Other Alternatives: 2**

Department Review: Development Services   **FUNDING:** N/A

Attachments:
1. Rezoning application and checklist   4. Deed
2. Ownership certificate/authorization   5. Aerial photograph
3. Plat