

Staff Report

Subject: Rezoning (Second District)
Author: Chelsie Fernald, Senior Planner
Department: Development Services
Meeting Date: May 21, 2024
Item Description: **Bryant Ligon** as agent for **T & T 9G, LLC** requests to **rezone** +/- 288.36 acres from **AR-1 & I-1** to **PD-R** to allow for residential development. Located on Midland Road. **[Map# 396 Parcel# 62 & 62A]**

Summary Recommendation

Staff has reviewed the application and recommends **approval** of the request to **rezone** +/- 288.36 acres from **AR-1 & I-1** to **PD-R** to allow for residential development.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts.
- At the May 2, 2023, Board of Commissioners meeting, this applicant was denied for a rezoning to R-3 & R-5 at the same parcel with a total unit number of 549.
- The applicant is returning to request to rezone to Planned Development - Residential (PD-R) for Single Family Detached Residential with a lower density of a maximum of 465 units.
- The applicant is proposing two single family detached lot sizes:
 - Detached Single Family Dwelling – 50' X 120' (this is consistent with the R-5 zoning district)
 - Detached Single Family Dwelling – 37' X 120'
- The parcels are currently surrounded by residentially zoned parcels, with AR-1 zoning to the north and west, AR-2 zoning to the east, and R-1 and AR-1 zoning to the south/southeast.
- The parcel does have significant wetlands and floodplain that run parallel in the center of parcel 396-62. The Planned Development text incorporates these areas in their open space requirements, but per the text no more than 50% of the required common open space shall be unbuildable land.
- At the Planning Board meeting on April 9, 2024, Mr. Peter Higgins made a motion to deny the rezoning. Mr. Brad Smith second the motion and it carried unanimously.
- Mr. Dave Burns explained that his reason for denial was because townhomes up to this point have not been approved on County Maintained Roads, only State routes.
- This rezoning is consistent with Future Land Use Map (FLUM), the parcels are projected as Agricultural/Residential.

Alternatives

1. **Approve** the request to **rezone** +/- 288.36 acres from **AR-1 & I-1** to **PD** to allow for residential development with the following conditions:
 - A Preliminary Plat shall be approved by the Effingham County Board of Commissioners.
 - 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.
 - All wetland impacts must be approved and permitted by USACE.
 - A Traffic Impact Assessment shall be submitted during the development plan review process.

2. Deny the request to **rezone** +/- 288.36 acres from **AR-1 & I-1** to **PD** to allow for residential development.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:

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