

## Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** September 3, 2024

**Item Description:** **Robert L. McCorkle, III**, as agent for **MS2 Farms, LLC**, requests to **rezone** +/- 188.2 out of 259.33 acres from **AR-1 to B-3 & LI** to allow for commercial and industrial uses. Located on BlueJay Road. [Map# 415 Parcel# 30]

### Summary Recommendation

Staff has reviewed the application and recommends **approval** of the requests to **rezone** +/- 188.2 out of 259.33 acres from **AR-1 to B-3 & LI** to allow for commercial and industrial uses.

### 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.
- The applicant requests to rezone 188.2 out of 259.33 acres to B-3 and Light Industrial (LI) for commercial and industrial uses.
- Based on the concept plan provided and the proposed use, a Developments of Regional Impact (DRI) review was completed.
- The proposed development requests to rezone 13.99 acres along the Effingham Parkway to B-3, 13.92 acres along Bluejay Road to remain AR-1, and 57.21 acres to the south to remain AR-1.
- Due to Effingham Parkway bifurcating the parcel, the applicant is requesting that the 51.80 acres to the east be zoned LI.
- The rezoning is consistent with the Future Land Use Map (FLUM), as these parcels are projected to be industrial.
- This application was completed and accepted on June 21, 2024, prior to the commencement of the moratorium.
- At the August 13, 2024, Planning Board meeting, Mr. Ryan Thompson motioned for approval with staff recommendations and the following added conditions:
  1. The physical closure of the portion of Otis Seckinger Roadway shall take place but not prior to the following:
    - a. Effingham Parkway is complete and operational (in the event this item is not completed by September 1, 2025, the applicant shall be allowed to proceed with the physical closing).
    - b. The area for the new cul-de-sac is deeded to Effingham County (in the form of R/W or easement to be determined by Effingham County).
  2. No certificates of occupancy shall be issued on the properties associated with this zoning application until such time as items #1.a and #1.b above are completed.

### Alternatives

**1. Approve** the requests to **rezone** +/- 188.2 out of 259.33 acres from **AR-1 to B-3 & LI** to allow for commercial and industrial uses with the following conditions:

- A Site Plan shall be approved by the Effingham County Board of Commissioners.
- Buffers shall adhere to the Effingham County Code of Ordinances, *Article III, Section 3.4 Buffers*.
- USACE must approve and permit all wetland impacts, and the Approved Jurisdictional Determination must be submitted during the site development plan review process.
- 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.
- The physical closure of the portion of Otis Seckinger Roadway shall take place but not prior to the following:

*Effingham Parkway is complete and operational (in the event this item is not completed by September 1, 2025, the applicant shall be allowed to proceed with the physical closing).*

*The area for the new cul-de-sac is deeded to Effingham County (in the form of R/W or easement to be determined by Effingham County).*

- No certificates of occupancy shall be issued on the properties associated with this zoning application until such time as items above are completed.

**2. Deny** the requests **rezone** +/- 188.2 out of 259.33 acres from **AR-1 to B-3 & LI** to allow for commercial and industrial uses.

**Recommended Alternative: 1**

**Other Alternative: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Rezoning application and checklist  
4. Ownership certificate/authorization

2. Plat  
3. Deed  
5. Aerial photograph