

## Staff Report

**Subject:** Rezoning (Fifth District)  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** August 6, 2024

**Item Description:** Neil McKenzie as agent for Carson Company Unlimited, LLC requests to rezone +/- 25.77 acres from AR-1 to PD to allow for mixed-use development. Located at 1369 Ebenezer Road. [Map# 460 Parcel# 48]

### Summary Recommendation

Staff has reviewed the application and recommends **approval** of the rezone +/- 25.77 acres from AR-1 to PD to allow for mixed-use 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.
- The applicant is requesting to rezone to PD-MU (Planned Development – Mixed Use) for a development that includes multi-family and commercial.
- Per the Effingham County Code of Ordinance, the PD-MU does not require a minimum acreage for development, the proposed development has a total acreage of 25.77 acres.
- A DRI is not required for this development as it does not exceed the threshold required for the review.
- The proposed PD-MU characterizes the multi-family portion of the PD as the following:
  - Single family detached dwellings
  - Single family attached (townhomes) dwellings
  - Duplexes and two-family dwellings
  - Mobile Homes and Apartment Complexes Prohibited.
- The proposed commercial portion of the PD is characterized as follows:
  - All permitted uses listed in the County's B-2 General Commercial District
  - Gas Station
  - Self-Storage Facilities; Mini-Storage Facilities
- The proposed accessory portion of the PD is characterized as follows:
  - Recreation
  - Open Space
- Per the Effingham County Planned Development Ordinance, no more than 50% of the required common open space shall be unbuildable land. The proposed PD-MU development has a total of 7 acres of common open space, with 2.27 acres being unbuildable. This is less than the 50%.
- A Preliminary Plat for the Multi-Family portion of the PD-MU would have to be approved by the Board of Commissioners and a Site Plan for the Commercial portion of the PD-MU will have to be approved by the Board of Commissioners as well.
- This rezoning is consistent with the Future Land Use Map (FLUM) as this area is within a Development Node Character Area.
- At the July 9, 2024, Planning Board meeting, Mr. Peter Higgins motioned for denial, which carried 3-0, with Mr. Ryan Thompson abstaining from voting.
- Chairman Dave Burns stated that his decision to vote against the proposal was due to concerns about the area's proximity to historical sites in the county and the proposal density being excessive for the area.

### Alternatives

**1. Approve** the requests rezone +/- 25.77 acres from AR-1 to PD to allow for mixed-use development with the following conditions:

- A Preliminary Plat for the Multi-Family portion of the PD-MU shall be approved by the Board of Commissioners.
- All amenities in current phases of the multi-family portion shall be completed prior to the approval of any subsequent phases.
- A Site Plan for the Commercial portion of the PD-MU shall be approved by the Board of Commissioners

**2. Deny** the requests **rezone** +/- 25.77 acres from **AR-1 to PD** to allow for mixed-use development.

**Recommended Alternative: 1**

**Other Alternatives: 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