

RZN-24-1

Rezoning Application

Status: Active

Submitted On: 1/3/2024

Primary Location

Owner

Applicant

 Kevin Forbes 912-667-4210 forbes.k@tandh.com 50 Park of Commerce
Way

Savannah , GA 31405

Staff Review

 Planning Board Meeting Date*

02/13/2024

 Board of Commissioner Meeting Date*

03/05/2024

 Notification Letter Description *

the amendment of a Planned Development.

 Map #*

466D

 Parcel #*

1,6,9,11,10,4,16,15,5,17,1B,3,14,7,8,12,13,1C

 Staff Description Georgia Militia District*

9

 Commissioner District*

2nd

 Public Notification Letters Mailed

01/15/2024

 Board of Commissioner Ads

02/21/2024

🔒 Planning Board Ads

01/17/2024

🔒 Request Approved or Denied

—

🔒 Letter & ZMA Mailed

—

Applicant Information

Who is applying for the rezoning request?*

Property Owner

Applicant / Agent Name*

T&T Exley Properties/Thomas and
Hutton Engineering Co.

Applicant Email Address*

tomexley2@gmail.com;
forbes.k@tandh.com

Applicant Phone Number*

912-658-1625

Applicant Mailing Address*

996 Old Augusta Rd

Applicant City*

Rincon

Applicant State & Zip Code*

GA 31326

Rezoning Information

Present Zoning of Property*

PD (Planned Development)

Proposed Zoning of Property*

PD (Planned Development)

Map & Parcel *

0466D011, 0466D009, 0466D006,
0466D001

Road Name*

Highway 21

Proposed Road Access* ?

New access road to come off Hwy 21

Total Acres *

1051

Acres to be Rezoned*

1051

Lot Characteristics *

Mostly wooded with some wetland areas.

Water Connection *

Public Water System

Name of Supplier*

Effingham County

Sewer Connection

Public Sewer System

Name of Supplier*

Effingham County

Justification for Rezoning Amendment *

An industrial zoning designation would match the adjacent property designation of GITC which would allow warehouse or similar development in a common location.

List the zoning of the other property in the vicinity of the property you wish to rezone:

North*

Residential/Agricultural

South*

Industrial

East*

Industrial/Hwy 21

West*

Railroad

Describe the current use of the property you wish to rezone.*

Property is undeveloped and part of the Exley Tract North & South PD-MU Development. Property consists mostly of woods.

Does the property you wish to rezone have a reasonable economic use as it is currently zoned?*

Yes, highway commercial and 1,350 residential units.

Describe the use that you propose to make of the land after rezoning.*

Property will be used for industrial development. Buildings such as warehouses or manufacturing, ancillary truck trailer, and uses described in the Exley Tract North & South PD-MU Development Text dated 01-03-2024.

Describe the uses of the other property in the vicinity of the property you wish to rezone?*

Property to the north is residential and west is currently CSX railroad. Property to the south is industrial and east is Highway 21.

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?*

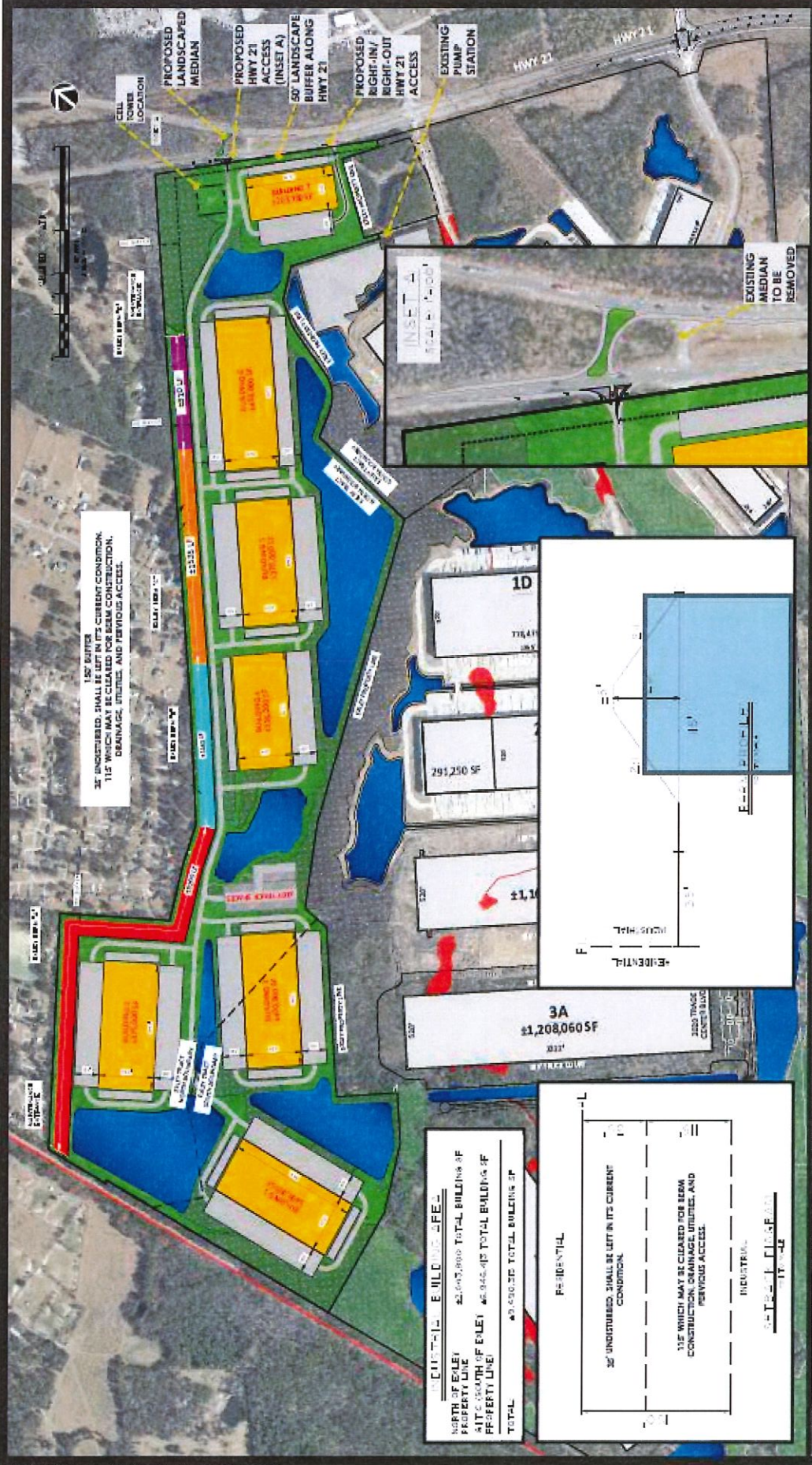
This zoning will allow additional warehouses to be located adjacent to existing warehouses to the south. Proposed use will provide a better visual buffer to the north than the high density residential that is currently approved.

Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

No.

Digital Signature*

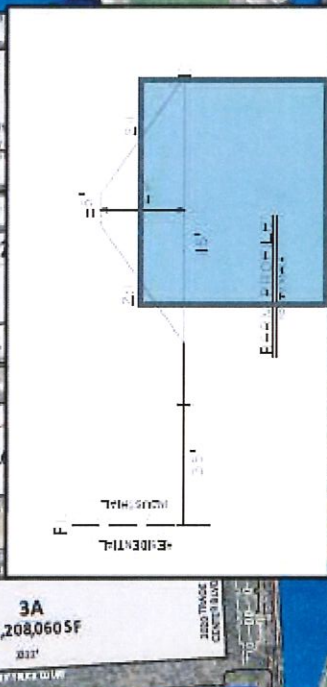
 Kevin Forbes
Jan 3, 2024



15' BUFFER SHALL BE LEFT IN ITS CURRENT CONDITION, 115' WHICH MAY BE CLEARED FOR BERM CONSTRUCTION, DRAINAGE, UTILITIES, AND PREVIOUS ACCESS.

PROPERTY LINE	TOTAL BUILDING SF
PROPERTY LINE OF EXLEY	42,607,800
PROPERTY LINE OF EXLEY	46,944,415
TOTAL	89,552,215

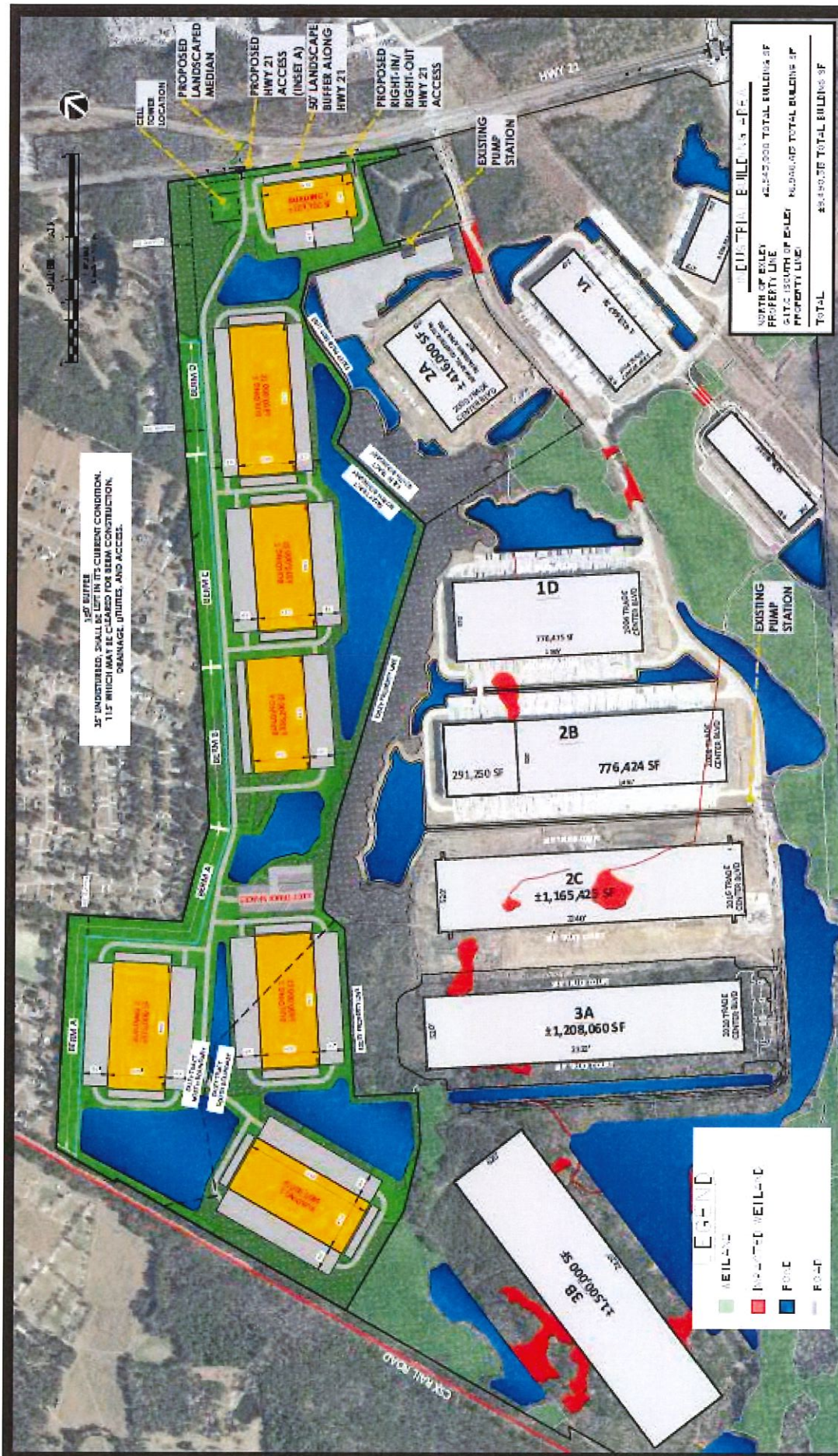
PROPERTY LINE	TOTAL BUILDING SF
PROPERTY LINE OF EXLEY	42,607,800
PROPERTY LINE OF EXLEY	46,944,415
TOTAL	89,552,215



INDUSTRIAL SETBACK & BERM EXHIBIT C
EXLEY NORTH
 EFFINGHAM COUNTY / GA

THOMAS HUTTON
 20 PARK OF COMMERCE WAY
 SAVANNAH, GA 31104 • 912.354.3300
 www.thomashutton.com

December 29, 2023



150' BUFFER
 35' UNDISTURBED, SHALL BE LEFT IN ITS CURRENT CONDITION.
 115' WHICH MAY BE CLEARED FOR BERM CONSTRUCTION,
 DRAINAGE DITCHES, AND ACCESS.

CITY OF EFFINGHAM - F-1	42,442,000	TOTAL BUILDING SF
NORTH OF BULE	42,442,000	TOTAL BUILDING SF
PROPERTY LINE	42,442,000	TOTAL BUILDING SF
SITE SOUTH OF BULE	42,442,000	TOTAL BUILDING SF
PROPERTY LINE	42,442,000	TOTAL BUILDING SF
TOTAL	42,442,000	TOTAL BUILDING SF

LEGEND	
Well Catchment Area	Well Catchment Area
Pond	Pond
Footprint	Footprint

INDUSTRIAL BUILDING SQUARE FEET PLAN EXHIBIT B
EXLEY NORTH
 EFFINGHAM COUNTY / GA
 December 29, 2023



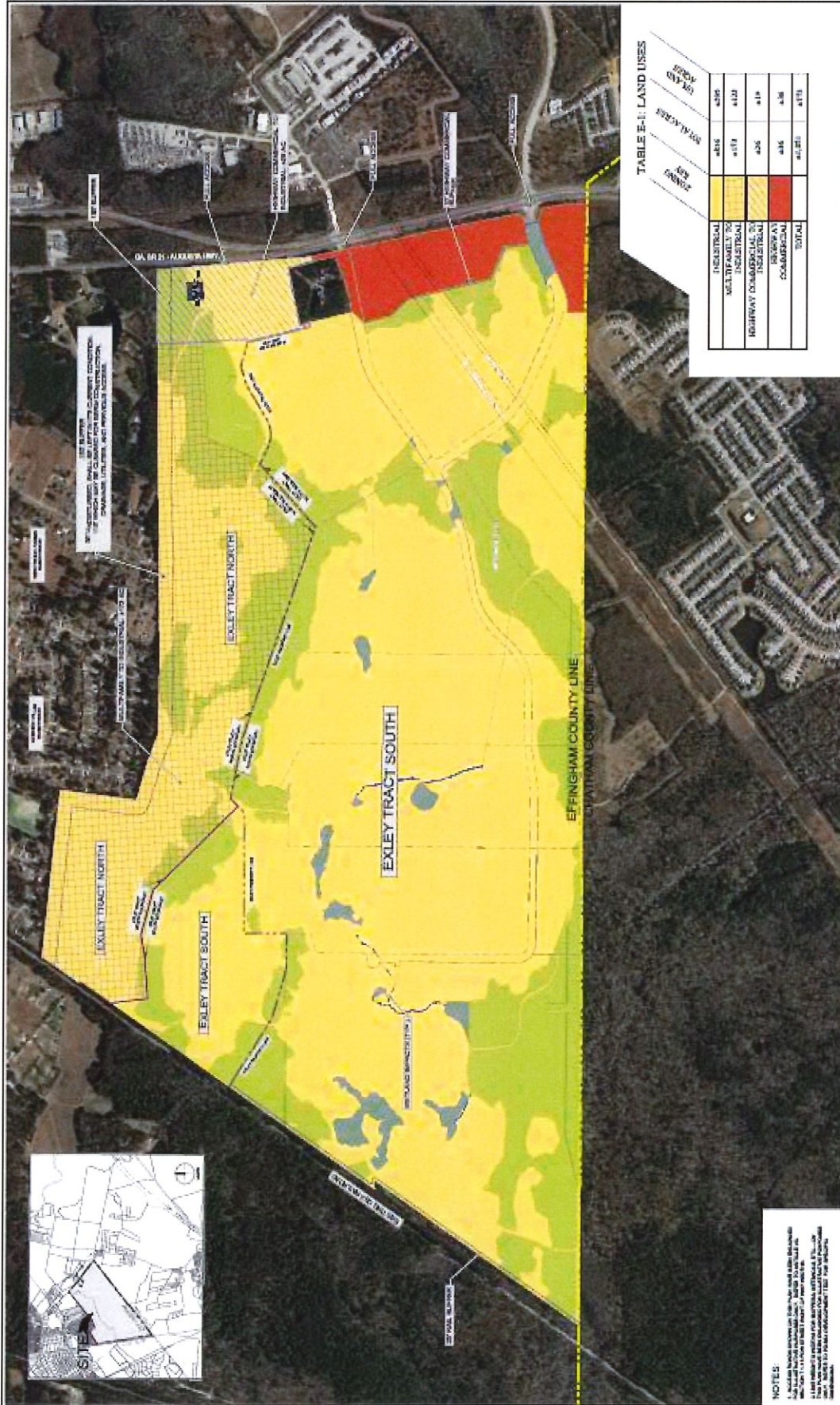


TABLE E-1: LAND USES

	2008	2010	2012	2014	2016	2018	2020
INDUSTRIAL	0	0	0	0	0	0	0
MULTIFAMILY HOUSING	0	0	0	0	0	0	0
RESIDENTIAL	0	0	0	0	0	0	0
COMMERCIAL	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0

NOTES:
 1. This map is a conceptual land use plan and is not intended to be used as a legal document.
 2. The land use designations on this map are subject to change without notice.
 3. The land use designations on this map are not intended to be used as a legal document.
 4. The land use designations on this map are not intended to be used as a legal document.

EXLEY TRACT NORTH & SOUTH

Highway 31, Effingham County|Chatham County, Georgia

PLANNED DEVELOPMENT DISTRICT - MIXED USE - DISTRICT EXHIBIT

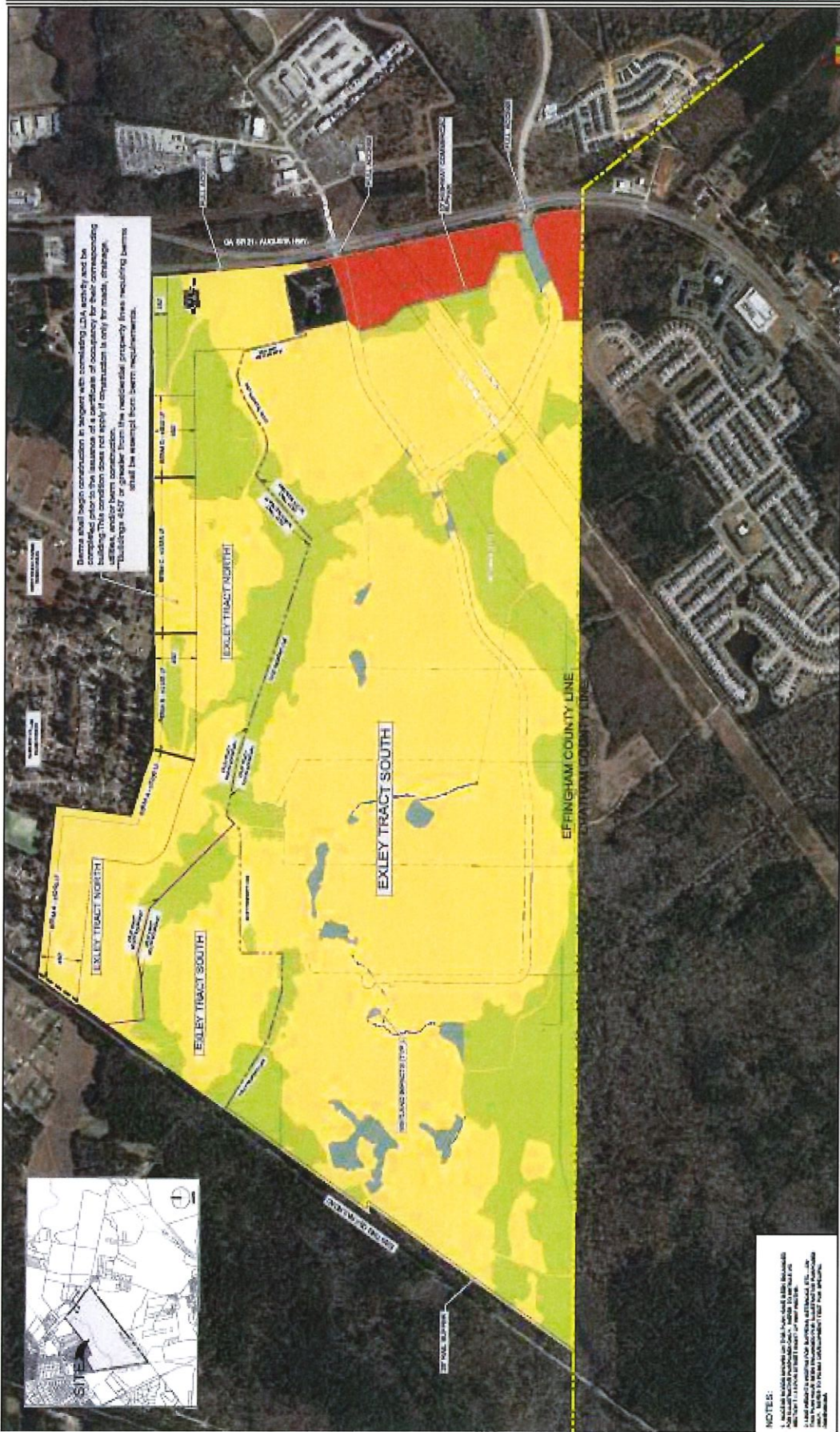
Thomas & Hilborn Engineering Co.

Konantz & Land Consultants

April 11, 2018
 Modified: December 24, 2020

EXHIBIT A





Disturbance activity restrictions are shown in yellow. Disturbance activity is restricted in yellow areas. Disturbance activity is not restricted in green areas. This condition does not constitute an approval for any construction, utility, or other activity. Disturbance activity restrictions are shown in yellow areas. Disturbance activity is restricted in yellow areas. Disturbance activity is not restricted in green areas. This condition does not constitute an approval for any construction, utility, or other activity. Disturbance activity restrictions are shown in yellow areas. Disturbance activity is restricted in yellow areas. Disturbance activity is not restricted in green areas. This condition does not constitute an approval for any construction, utility, or other activity.

EXLEY TRACT NORTH & SOUTH

Highway 21, Effingham County, Chatham County, Georgia

LAND DISTURBANCE ACTIVITY RESTRICTION- EXHIBIT E

NOTES:
 1. This map is prepared in accordance with the Georgia Surveying Code, Chapter 47, Title 47, Code of Georgia Annotated.
 2. This map is prepared in accordance with the Georgia Surveying Code, Chapter 47, Title 47, Code of Georgia Annotated.
 3. This map is prepared in accordance with the Georgia Surveying Code, Chapter 47, Title 47, Code of Georgia Annotated.
 4. This map is prepared in accordance with the Georgia Surveying Code, Chapter 47, Title 47, Code of Georgia Annotated.
 5. This map is prepared in accordance with the Georgia Surveying Code, Chapter 47, Title 47, Code of Georgia Annotated.

Prepared by:
 Thomas & Hutton Engineering Co.
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: (404) 525-1100
 Fax: (404) 525-1101
 Email: thomas@thomashutton.com

DATE: 11/11/2008
 DRAWN BY: J. HARRIS

EXHIBIT E

458228249
 PARCEL ID:
86239 P6229-279
P2022000040

Tom E. Carney
 ATTORNEY AT LAW
 5000 PARKWAY DRIVE, SUITE 300
 FARMINGDALE, GEORGIA 30134
 (404) 352-1100
 FAX (404) 352-1111

THIS SPACE RESERVED FOR THE COUNTY RECORDS CLERK.



CERTIFICATE OF OWNERSHIP

THE COUNTY OF EFFINGHAM, GEORGIA, HAS BEEN ADVISED BY THE RECORDS CLERK OF THE COUNTY OF EFFINGHAM, GEORGIA, THAT THE PARCEL IDENTIFIED IN THE SUBDIVISION MAP IS THE PROPERTY OF THE OWNER OF THE PARCEL IDENTIFIED IN THE SUBDIVISION MAP.

Tom E. Carney
 ATTORNEY AT LAW
 5000 PARKWAY DRIVE, SUITE 300
 FARMINGDALE, GEORGIA 30134
 (404) 352-1100
 FAX (404) 352-1111

3/25/2022
 EFFINGHAM COUNTY REGISTRAR

SURVEYOR'S CERTIFICATION

I, THE UNDERSIGNED, A LICENSED SURVEYOR IN THE STATE OF GEORGIA, HAVE BEEN ADVISED BY THE RECORDS CLERK OF THE COUNTY OF EFFINGHAM, GEORGIA, THAT THE PARCEL IDENTIFIED IN THE SUBDIVISION MAP IS THE PROPERTY OF THE OWNER OF THE PARCEL IDENTIFIED IN THE SUBDIVISION MAP.

Tom E. Carney
 ATTORNEY AT LAW
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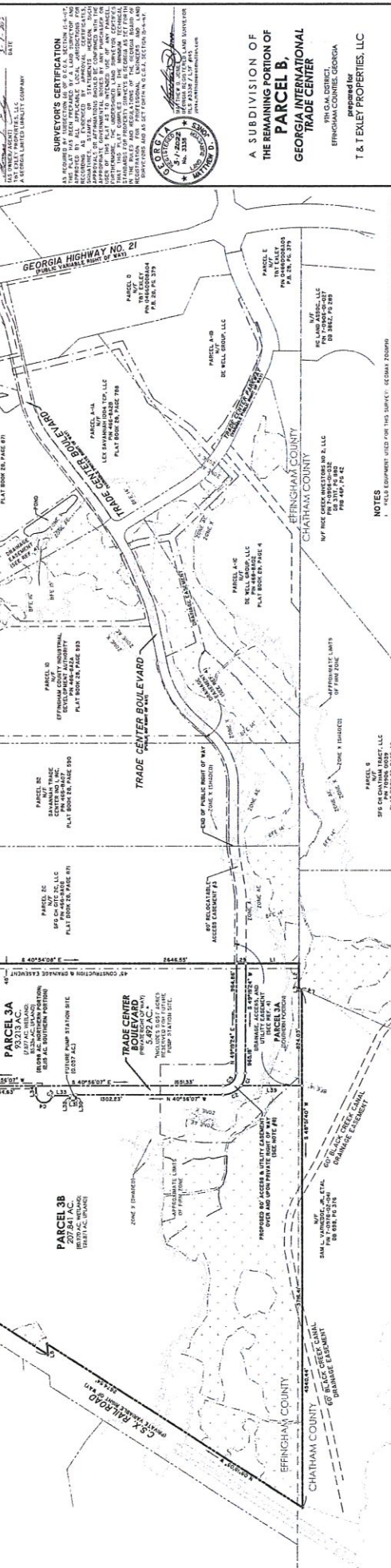
CERTIFICATE OF OWNERSHIP

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Tom E. Carney
 ATTORNEY AT LAW
 5000 PARKWAY DRIVE, SUITE 300
 FARMINGDALE, GEORGIA 30134
 (404) 352-1100
 FAX (404) 352-1111

NOTES

1. THE SUBDIVISION MAP WAS PREPARED BY THE SURVEYOR, GEORGE THOMAS, AND IS SUBJECT TO THE LOCAL DATA RECORDS WHICH MAY BE FILED WITH THE COUNTY CLERK'S OFFICE.
2. ALL DIMENSIONS SHOWN ARE IN FEET AND INCHES UNLESS OTHERWISE INDICATED.
3. THIS MAP IS BASED ON A PLAN OF THE SURVEY, PLAT NO. 2022000040, FILED WITH THE COUNTY CLERK'S OFFICE.
4. THE SURVEY AND DIMENSIONS ARE BASED ON THE PUBLIC SURVEY SYSTEM, EAST OF THE RANGE LINE, WHICH IS BASED ON THE NATIONAL BENCH MARK AT THE INTERSECTION OF THE RANGE LINE AND THE CENTER LINE OF THE RANGE.
5. THE SURVEY AND DIMENSIONS ARE BASED ON THE PUBLIC SURVEY SYSTEM, EAST OF THE RANGE LINE, WHICH IS BASED ON THE NATIONAL BENCH MARK AT THE INTERSECTION OF THE RANGE LINE AND THE CENTER LINE OF THE RANGE.
6. THE SURVEY AND DIMENSIONS ARE BASED ON THE PUBLIC SURVEY SYSTEM, EAST OF THE RANGE LINE, WHICH IS BASED ON THE NATIONAL BENCH MARK AT THE INTERSECTION OF THE RANGE LINE AND THE CENTER LINE OF THE RANGE.



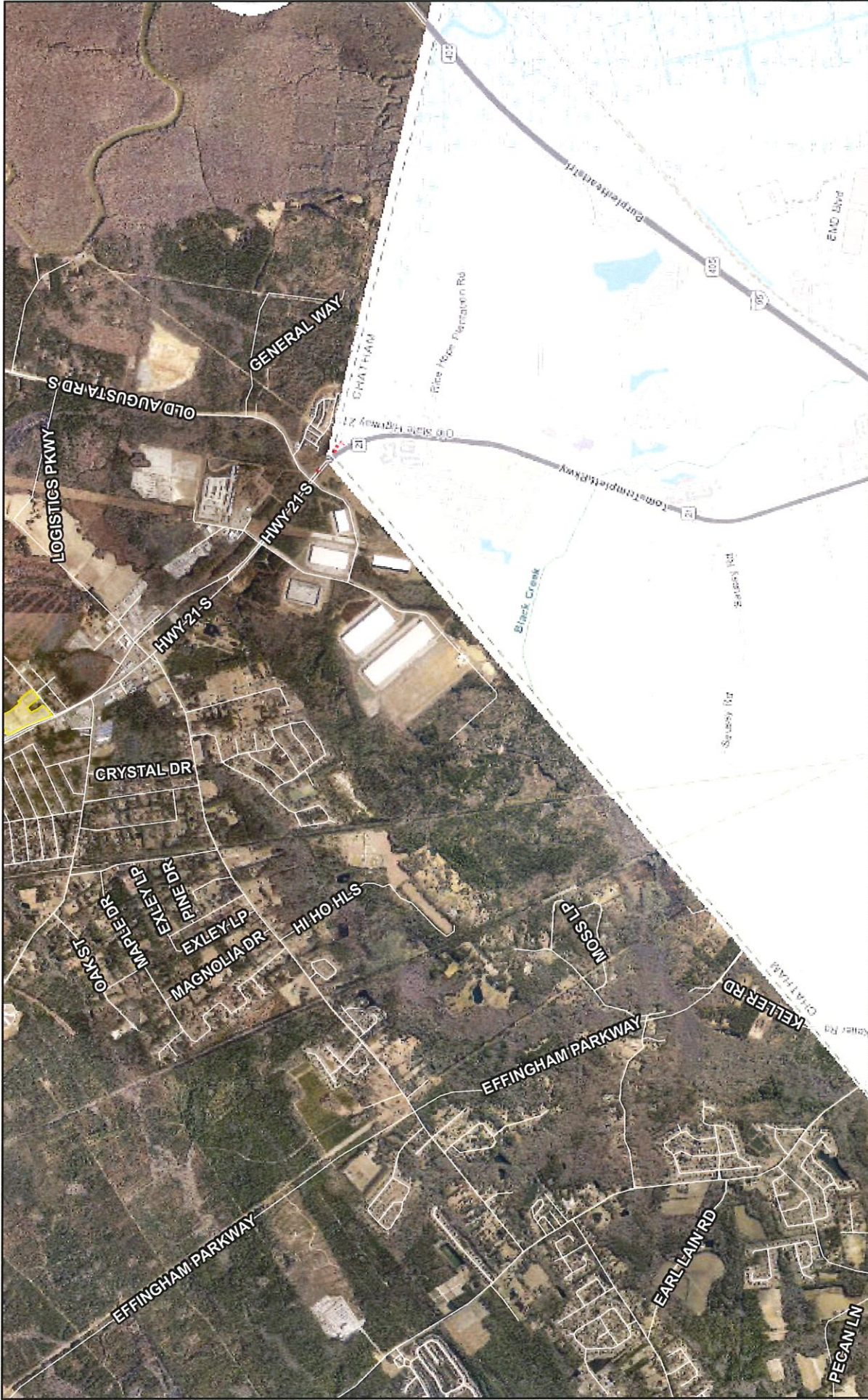
PARCEL NO.	AREA (AC. ±)	OWNER
1	100	T. & TEXLEY PROPERTIES, LLC
2	100	T. & TEXLEY PROPERTIES, LLC
3	100	T. & TEXLEY PROPERTIES, LLC
4	100	T. & TEXLEY PROPERTIES, LLC
5	100	T. & TEXLEY PROPERTIES, LLC
6	100	T. & TEXLEY PROPERTIES, LLC
7	100	T. & TEXLEY PROPERTIES, LLC
8	100	T. & TEXLEY PROPERTIES, LLC

THOMAS & HUTTON
 50 Park of Commerce Way
 Savannah, GA 31405 - 771.233.1300
 www.thomasandhutton.com

DESIGN: 02/20/22
 DATE: 03/25/22

SCALE: 1" = 400 FEET

EXLEY TRACT



1/14/2024

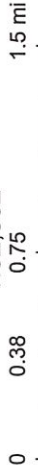
Roads

Tax Parcel Labels

Municipal Boundaries Efn_fin_cache

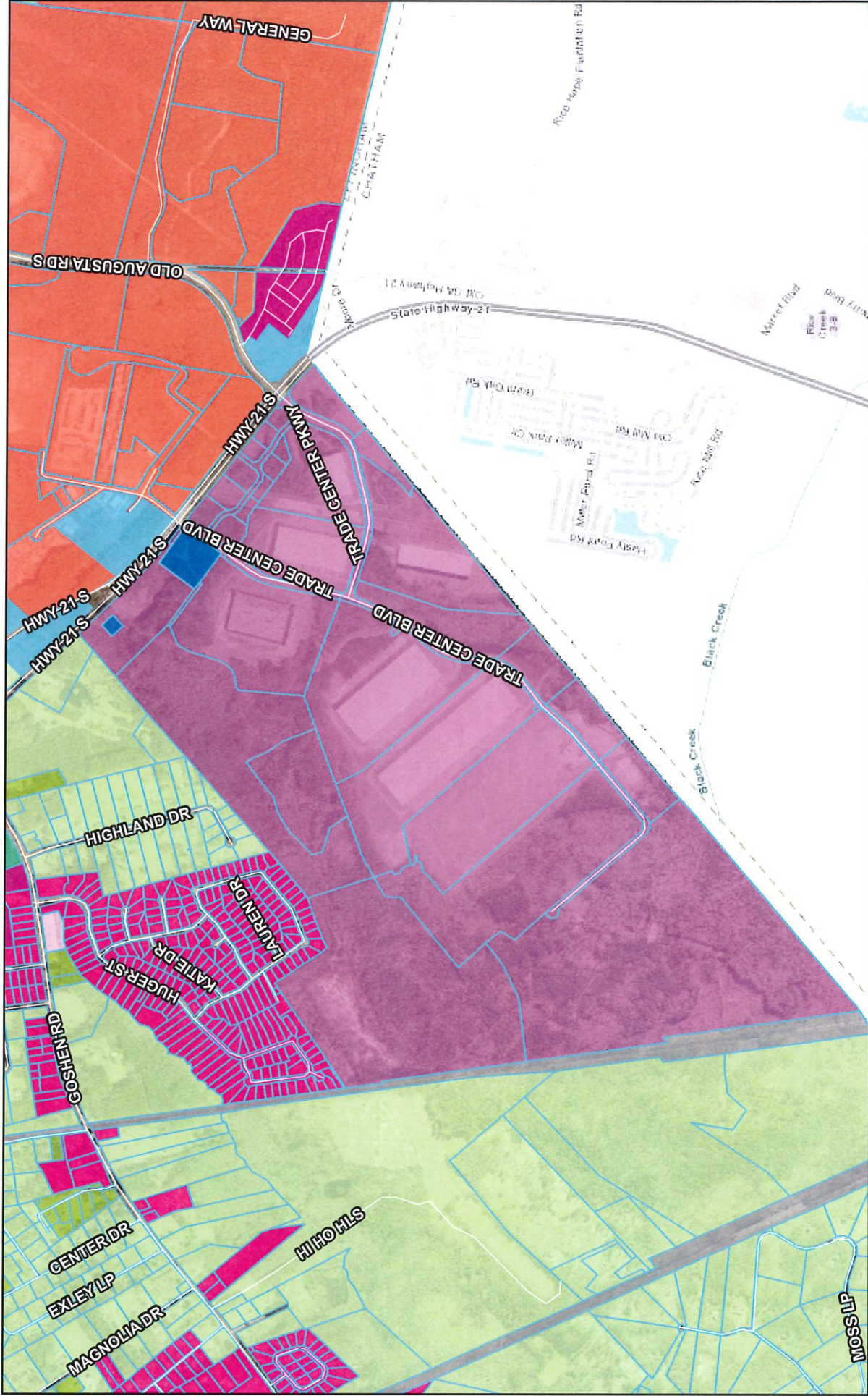
- Red: Band_1
- Green: Band_2
- Blue: Band_3

1:52,362



Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, EPA, USDA

EXLEY TRACT



1/3/2024

1:26,181

Roads

Tax Parcels

Tax Parcel Labels

Effingham County Zoning

Efn_fin_cache

Scale

0 0.17 0.35 0.7 mi

0 0.3 0.6 1.2 Km

■ I-1
■ B-1
■ R-1
■ AR-1
■ B-2
■ R-2
■ AR-2
■ B-3
■ R-3
■ Other
■ Red: Band_1
■ Green: Band_2
■ Blue: Band_3

Effingham County BOC, Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METINASA, EPA, USDA

EXLEY TRACT NORTH & SOUTH

PD-MU DEVELOPMENT TEXT

~~09-06-23~~

01-03-2024

PREPARED FOR:

T&T EXLEY PROPERTIES, LLC

SLC ACQUISITIONS, LLC

CHESTERFIELD, LLC

PREPARED BY:

THOMAS & HUTTON ENGINEERING CO.

EXCEPT FOR THE INCREASE IN INDUSTRIAL GROSS DENSITY AND REMOVAL OF BUFFERS AND SETBACKS BETWEEN EXLEY TRACT NORTH AND EXLEY TRACT SOUTH, APPROVAL OF THE CHANGES REQUESTED IN THIS TEXT AMENDMENT SHALL ONLY CHANGE CONDITIONS AFFECTING THE PROPERTY IN EXLEY TRACT NORTH

Documents submitted for Approval:

1. Development Text – Initially Approved June 11, 2008, Modified May 8, 2018 and further Modified July 20, 2021, the only change being the Removal from the PDMU of future Old Augusta Road connector to Effingham Parkway as a condition, "...releasing the developer from the proposed right of way reservation; map and parcel 466-multiple, located in the 2nd commissioner district...". Approval of this Document dated ~~09-06-23~~01-03-2024 with Exhibits is requested.
2. Exley Tract North & South Planned Development District– Mixed Use District Exhibit, (formerly Exhibit II dated June 11, 2008, Modified as Exhibit I May 8, 2018, Modified July 20, 2021), further modified ~~August 23, 2023~~ December 29, 2023, and attached as Exhibit A hereto and further described in Paragraph 7a below.
3. Industrial Building Square Feet Plan Exhibit B dated ~~August 23~~ December 29, 2023 attached hereto and further described in Paragraph 7b below.
4. Industrial Setback & Berm Exhibit C dated ~~August 23~~ December 29, 2023, attached hereto and further described in Paragraph 7c below.
5. The Stormwater Management Local Design Manual for Exley Tract North & South, (formerly Exhibit III) Exhibit D attached hereto and further described in Paragraph 7d below.

6. Exley Tract North & South Land Disturbing Activity Restriction Exhibit E dated ~~August 23~~ December 29, 2023 attached hereto and further described in Paragraph 7e below.

7. Description of Exhibits:
 - a) Exhibit A is described in Paragraph 2 above.
 - b) Exhibit B is an illustration of the location of proposed warehouse buildings north of the Exley Property Line and the actual location of the existing warehouse buildings south of the Exley Property Line which, when combined, may be a maximum of 9,500,000 square feet of warehouses plus 630,000 square feet of commercial. Provided a change does not result in an encroachment into the 150 -foot Buffer, the location, orientation, size and shape of each building and stormwater detention facilities may be altered by the Developer.
 - c) Exhibit- C is an illustration of where sections of Berms A, B & C will be built in relation to the warehouses, plus a diagram and a profile of the Berms; and
 - d) Exhibit D is the Stormwater Management Local Design Manual for Exley Tract North & South previously approved in 2008, 2018 and 2021 and still applicable to the Exley Tract North & South PD-MU.
 - e) Exhibit E shows the 450 feet wide area, "conditional buffer", in which no land disturbing activity may occur unless the applicable Berm A, ~~Berm B~~, Berm C, or Berm D is also being constructed simultaneously. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction.

The provisions of this PD-MU Development Text describing Maximum Industrial Building square feet, Buffers, Setbacks and Berms are submitted jointly and inseparably for Approval by the Effingham County Board of Commissioners, in accordance with the Effingham County Zoning Ordinance. The Exhibits described in Paragraph 7b and Paragraph 7c above shall establish the maximum development and building setbacks with respect to Exley Tract North and South, and the building location, orientation, size and shape on Exley Tract North are for illustration purposes only. Development Plans will be submitted for Approval as required by the Effingham County Development ordinances.

This project is being developed in phases according to the schedule included in Section K of this document. The Exhibits are submitted at a

scale of one inch equals 300 feet to provide for a comprehensive view of the project on a manageable paper size.

A. General Description

Project Name: Exley Tract North & South
 PIN #: 466D-1, 466D-6, 466D-9, 466D-11, 466D-10, 466D-4, 466D-16, 466D-15, 466D-5, 466D-17, 466D-1B, 466D-3, 466D-14, 466D-7, 466D-8, 466D-12, 466D-13, 466D-1C
 Size: ±1,051 Acres
 Location: Highway 21
 Current Zoning: PD – MU
 Proposed Zoning: PD - MU
 Developer: T & T Exley Properties LLC, SFG CH Master Devco LLC, SFG CH GTC Master Devco LLC, Effingham County Industrial Development Authority, SFG CH GTC 1A LLC, DE Well Group LLC, LEX Savannah 1004 TCP LLC, BBK GA Trade Center LLC, Savannah Trade Center Ind II LLC, SFG CH GTC 3A LLC, SFG CH GTC 3B LLC

Exley Tract North & South is a PD–MU consisting of Industrial, and Commercial developments and associated infrastructure. The property consists of approximately 1,051 acres, located on Highway 21 at the Effingham/Chatham County line.

B. Present Ownership and Property Location

The undeveloped property in the PDMU is currently owned by T&T Exley Properties, LLC, SFG CH Master Devco LLC, SFG CH GTC 1A LLC and the Effingham County Industrial Development Authority.

The above said tract or parcel of land known as Exley Tract North & South is bounded on the north by Goshen Villa Subdivision, Westwood Farms Subdivision, David Howes, Elizabeth R Huger, Alice Hurst; (additional property owners north of the said tract or parcel can be found in Section VII); on the south by lands of SFG CH Chatham Tract, LLC, SFG CH Chatham Tract II, LLC, Rice Creek Investors No. 7, LLC, Rice Creek Investors No 2, LLC, R.C. Land Associates, LLC, Rice Creek Homeowners Association of Port Wentworth, Inc, and Sam L. Varnedoe, et.al.; on the east by lands of Verizon Wireless, and Highway 21, and on the west by CSX rail road, said tract or parcel of land containing 1,051 acres more or less.

C. Proposed Land Uses and Development Standards

The following are the districts and permitted uses that are included within this project. These districts are established to control the uses allowed within this development.

Industrial Districts

Industrial uses shall be consistent with the uses outlined in this document identified in the Effingham County Zoning Ordinance I-1 District with the exception of an increased square footage allowed for warehousing.

1. Assembly or fabrication of **previously manufactured** parts, including but not limited to the following:
 - a) Apparel and other textiles products;
 - b) Electronic and other electric equipment, electric generator, and distribution equipment;
 - c) Fabric samples;
 - d) Furniture and fixtures;
 - e) Industrial machinery and equipment;
 - f) Instruments and related products;
 - g) Lumber and wood products, **excluding** the processing of material for the production of paper and allied products;
 - h) Metal products;
 - i) Plastic and rubber products;
 - j) Transportation equipment.
2. Boat sales.
3. Duplicated
4. Automotive sales and repairs.
5. Automotive storage, **excluding** junk yards.
6. Florist – retail and wholesale.
7. Manufacturing (**light**) of, including but not limited to the following:
 - a) Bakery products;
 - b) Beverages, including alcoholic beverages;
 - c) Communication equipment;
 - d) Computer and office equipment;
 - e) Electrical lighting and wiring equipment;
 - f) Electronic equipment;

- g) Fabricated metals, **excluding** use of blast furnaces and drop forges;
 - h) Grain mill products;
 - i) Audio and visual equipment;
 - j) Appliances;
 - k) Ice;
 - l) Meat products, **excluding** slaughtering, dressing, and rendering;
 - m) Medical instruments and supplies;
 - n) Pharmaceutical products.
8. Offices.
 9. Printing and publishing.
 10. Provided the recycling process is conducted inside a building, except for unprocessed material which may be stored outside not more than 25 feet high, Recycling centers are allowed in Exley Tract North.
 11. Repair of any goods, equipment, and vehicles of which the manufacture, assembly or sales are permitted in this district.
 12. Research facilities.
 13. Vocational schools.
 14. Utility operations centers.
 15. Warehousing less than 2,000,000 square feet per building.
 16. Ready-mix concrete facilities **shall not be allowed in Exley Tract North.**
 17. Railroad side-tracks, spurs and appurtenance **shall not be allowed in Exley Tract North.**
 18. Rail Spur – a sidetrack off of a mainline accessing industrial buildings for the purpose of loading and unloading goods **shall not be allowed in Exley Tract North.**
 19. Trailer storage.
 20. **Container stacking is not permitted in Exley Tract North.**

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Highway Commercial

Commercial uses shall be consistent with the uses identified in the Effingham County Zoning Ordinance Highway Commercial District (B-3), as amended in this document as Land Use Highway Commercial.

Common Space

Common Space shall include stormwater control measures (including, but not limited to, lagoons, swales, dry detention, infiltration areas, etc.), natural areas, lands to be donated, project buffers and/or setbacks, Public and private easements, and rights-of-way (excluding internal vehicular road rights-of-way). Common space shall be required to be a minimum of 10 percent of the Gross Acreage within land uses.

Green Space

Green Space shall include wetlands and Common Space as defined above. The percentage of property in Green Space may be reduced based on permits to fill wetlands, however the percentage of Common Space cannot be reduced lower than the percentages described under the Common Space definition above.

Property owner's association and covenants shall be created for the Industrial park or a management company shall be designated to maintain common areas.

Site Development within this project will also be governed by the Effingham County Subdivision Regulations, as amended by this document and by restrictive covenants developed by T&T Exley Properties, LLC, SLG Acquisitions, and Chesterfield LLC and/or Successors for the Industrial and Commercial areas in Exley Tract South. The restrictive covenants for Exley Tract North shall be exclusively developed by T&T Exley Properties and/or Successors.

Provisions for the development standards are summarized in Table C-1.

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Table C-1: Development Standards				
	Multi-Family	Community Recreational	Industrial	Highway Commercial
Lot Size				
Width**	N/A	N/A	N/A	N/A
Depth (Minimum)	N/A	N/A	N/A	N/A
Height (Maximum)	N/A	N/A	75'*** 56'****	75'***
Setbacks (Minimum)				
Front	N/A	N/A	25'	35'
Side	N/A	N/A	See note below*	See note below*
Rear	N/A	N/A	10'	10'
Gross Density	N/A	N/A	9,500,000 square feet	630,000 square feet

- * Distance between buildings shall be as required by Effingham County adopted building codes and available fire flow.
- ** Lot Widths are measured at the front setback line.
- *** Building height shall be allowed to be a maximum of 75 feet if adequate fire flows and fire equipment are available to the site. This stipulation only applies to the Exley Tract South.
- **** Building height shall be allowed to be a maximum of 56 feet if adequate fire flows and fire equipment are available to the site; this stipulation only applies to the Exley Tract North.

Additional Conditions:

- 1- Buildings and other impervious areas in this project shall not be held to maximum lot coverage on a lot-by-lot basis. The project will be held to the open space and setback standards as outlined in this document.

- 2- The industrial portion of the Exley Tract South property shall not be used for a short line railroad switchyard without at least a 300-foot vegetated buffer to the nearest residential developed property.
- 3- No railroad spur loading area shall be closer than 200 feet to a residential property line.
- 4- During construction and prior to the applicable section of Berm A, Berm B or Berm C being completed, construction activity shall be allowed Monday through Saturday provided it does not begin earlier than 7:00am nor end later than the earlier to occur of sundown or 7:30pm each day.
- 5- As shown on Exhibit E, ~~no land disturbing activity may be conducted and no building, driveway, parking area, or other impervious surface may be installed in the "conditional buffer" closer than 450 feet of the Exley Tract North and South northern property line unless the applicable section of the 25 feet tall Berm is **constructed simultaneously with the land disturbing activity and building or other construction.** Berms shall begin construction in tangent with correlating land disturbance activity and be completed prior to the issuance of a Certificate of Occupancy for their corresponding building. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction. The applicable Berm shall be completed prior to Effingham County issuing a Certificate of Occupancy for a building or Effingham County allowing for any other disturbed areas to be used for non-construction activities within the 450 feet.~~

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4-Buffers:

Based on the anticipated use of the land along the existing power and gas easements that bisect this project Effingham County shall impose no buffers to those easement boundaries. Effingham County shall impose a 50-foot buffer adjacent to highway 21 (to be landscaped in compliance with the Chamber of Commerce Gateway Program or approved by the zoning administrator if the program is not yet in place), a 10 foot buffer between the Industrial and commercial use and the communication tower property, and a 20 foot buffer between the Highway Commercial and Industrial Uses within this project.

In addition, Effingham County shall impose a 150 feet Buffer adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors, which shall be used for:

- A. a 35 feet wide **UNDISTURBED Buffer** section along the Exley Tract North and South northern property line adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors, which shall be left in its current condition and hereafter undisturbed and free of all utilities;
- B. a 115 feet wide section along the southern line of the 35 feet **UNDISTURBED Buffer** where the Buffer is adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors that may be cleared and used for each of the following; (1) a 25 feet tall (minimum height) Berm which will be landscaped and irrigated (see Exhibit C dated ~~August 23~~ December 29, 2023 berm design plus description in Section D 1 below) in order to sustain the vegetation installed thereon, (2) drainage, including installation of drainage structures, ponds and ditches, (3) installation of security fencing and (4) providing such limited pervious access as may be necessary to construct and maintain the Berm, drainage and fencing; and
- C. a ~~30-150~~ feet wide **Buffer** section along the Exley Tract North and South northern property line adjacent to Alice Huger Hurst and/or successors, which shall be left in its current condition and hereafter undisturbed except for drainage and the repair of the existing fencing or its replacement. This condition does not apply if construction is only for roads, drainage, utilities, and/or berm construction.;

- D. Except for the four (4) conditions listed in B above, no vertical building, concrete, asphalt or other impervious paving may be placed inside the 150 feet Buffer.
- E. There shall be no **Buffer** along the CSX railroad property.
- F. Except for the 35 feet **UNDISTURBED Buffer section described above**, the perimeter buffers may include the use of berms, fencing, plantings or a combination of these methods as determined by the Developer, subject to approval by County Manager or designee.
- G. In the event a railroad sidetrack is installed in Exley Tract South within the 25-foot buffer adjacent to the Railroad the 25-foot buffer shall be placed east of the new sideline. Railroad and road crossings across this buffer to access sidelines shall be considered an allowed use within the buffer.
- H. All tree plantings shall be in accordance with the Effingham County buffer ordinance.
- I. There shall be a "conditional buffer" of 450 feet as shown on Exhibit E and as described above.

5-Setbacks:

- A. Except as described in paragraph 4-Buffers, Setbacks will apply to the perimeter of the property based on Table C-1 above and the use approved for this project.
- B. The setback line for buildings and impervious surfaces adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors shall be 150 feet subject to the conditions described in paragraph 4-Buffers.

6-Berms:

T&T Exley Properties, LLC or their successors in title acknowledge and agree that each party shall construct a **berm**, as required by the Terms of this Text, having a minimum height of 25' in the areas indicated on the Industrial Setback & Berm Exhibit C dated ~~August 23~~December 29, 2023. Each party shall be responsible for constructing and maintaining the required berms in accordance with the Industrial Building Square Feet Plan Exhibit B and the Industrial Setback and Berm Exhibit C, dated ~~August 23~~December 29, 2023, as it corresponds to its respective property. Without limiting the foregoing, Berm A shall be installed and completed in connection with any Buildings constructed in the area of Buildings 2 or 3, Berm B shall be installed and completed in connection with any Buildings constructed in the area of Building 4 and Berm C shall be installed and completed in connection with any Buildings constructed in the area of Buildings 5, and Berm D shall be installed and completed in connection with any Buildings constructed in the area of Building-~~or~~ 6. **Said Berms shall be constructed simultaneously with the land disturbing activity and building or other construction.** No berm shall be installed for any building, driveway, parking area, or other impervious surface that is not closer than 450 feet to the northern property line. The berms, when constructed, shall be compacted to a minimum of 25' in height with a minimum 2:1 side slope, stabilized with vegetative cover and irrigation, and otherwise completed in accordance with the berm specifications as shown in Exhibit C dated ~~August 23~~December 29, 2023. The berm, landscaping and irrigation shall be completed in phases, substantially depicted as Berm A, Berm B ~~and~~ Berm C, and Berm D on the Industrial Setback and Berm Exhibit C, in each case on or before the issuance by Effingham County of the certificate of occupancy with respect to the corresponding building, so that each completed building is screened from the neighboring residential properties to the north that share a common property line with the Exley Tract North and South northern property line adjacent to Goshen Villa, Goshen Hills and Westwood Farms Subdivisions and property owned by David Howes and/or successors and Elizabeth R. Huger and/or successors. ~~No Berm shall be required along the Northern Property Line on Property approved for Highway Commercial Use.~~

D. Except for Sections E and F below which are included for Approval in the amended text described in Paragraph 1 above, each of the Sections

below are Exceptions that were Requested and Previously Approved by the Effingham County Commission in 2008, 2018 and 2021

The information included in this Development Text shall govern the Zoning and Subdivision regulations for this project. In the event of any conflict this document shall govern. (See Section C for additional conditions)

Due to the nature of this development, the applicant shall reserve the right to negotiate shared parking facilities between similar uses. The benefits of reducing parking areas include:

- minimizing stormwater runoff from parking areas, thus reducing potential water quality impacts;
- Varying time periods of use;

Provided changes to the street layout, individual building location, size and shape as shown on Exhibit C do not encroach into the 150 feet Buffer, they shall be made at the sole choice of the Developer.

Article VII. Section 7.1.13 – Street right-of-way widths.

The table shown below replaces the requirements of section 7.1.13:

Curb & Gutter Streets:

	Street Classification	Pavement Width	Right-of-Way Width
(a)	Local Street		
	2-lane	22'	50'
	2-lane with parking (1-side)	31'	50'
	2-lane with parking (2-sides)	40'	60'
(b)	Collector Street		
	2-lane	24'	60'
	2-lane with left turn	36'	60'
	2-lane Blvd. Section	12' lanes 8' median	60'
	4-lane Blvd. Section	24' of lanes (2 @ 12' each) 8' median	80'
(c)	Arterial Street	N/A	N/A

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Roadside Swale:

	Street Classification	Pavement Width	Shoulder Width	Ditch	Right-of-Way Width
(a)	Local Street				
	2-lane	22'	4'	12'	60'
(b)	Collector Street				
	2-lane	24'	6'	16'	80'
	4-lane	48'			104'
(c)	Arterial Street	N/A			N/A

Restatement of approved PD–MU Waiver of the Water Resources Protection Ordinance

Section 3. Waivers to Stormwater Management Requirements:

All of the conditions listed in section 3 of the Water Resource Protection Ordinance are waived on the sole basis of section 3.1b. This section allows for the County or its Agent to waive the requirements of the Water Resource Protection Ordinance and the Stormwater Management Local Design Manual and replace them with alternative minimum requirements for on-site management of stormwater discharges.

The Stormwater Management Local Design Management Design Manual for Exley Tract North and South (formerly approved in 2008, 2018 and 2021 as Exhibit III) is included as Exhibit D in this PD Zoning application package as the alternate minimum requirements for on-site management of stormwater discharges. This document takes precedent over Effingham County's current Water Resource Protection Ordinance and Stormwater Management Local Design Management Design Manual. In event of a conflict between any of the documents the governing document shall be in the following order: governing – Stormwater Management Local Design Management Design Manual for Exley Tract North and South, 2nd – Water Resource Protection Ordinance and 3rd – Stormwater Management Local Design Manual.

E. Percentage of Land Uses

Table E-1 indicates acreages of land uses planned for Exley Tract North and South.

TABLE E-1: LAND USES					
	TOTAL ACRES (+/-)	UPLAND ACRES (+/-) Wetland Impacts	COMMON SPACE ACRES (+/-)	TOTAL GREEN SPACE ACRES (+/-)	PERCENT OF TOTAL ACRES IN GREEN SPACE (+/-) *
Industrial	989 <u>1,015</u>	718 <u>737</u>	99 <u>102</u> (10%)	370 <u>380</u>	37%
Multi-family	N/A	N/A	N/A	N/A	N/A
Highway Commercial	62 <u>36</u>	55 <u>36</u>	64 ** (10%)	134 **	21 <u>10</u> **
Future Highway 21 Connector	N/A	N/A	N/A	N/A	N/A
Total	1,051	773	10 <u>65</u>	38 <u>43</u>	<u>37</u> <u>6</u> %

* Values are based on current planning and may vary based on Green Space definition as outlined in Section C.

** Common space and green space is currently assumed to be 10% of total acreage until site development plans for these areas are proposed. The 10% assumption is to anticipate appropriate detention and/or drainage infrastructure areas.

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F. Proposed Maximum Units and Building Square Footage

Table F-1 summarizes the maximum building square footage and project gross density are listed at the bottom of the table.

TABLE F-1: Maximum Units and Building Square Footage	
Land Use	Units or Building Square Footage
Multi-family	N/A
Highway Commercial	630,000 sf
Industrial	9,500,000 sf

G. Proposed Dedication of Public Use

Streets and Utility Easements:

All streets and utility easements will be presented to the Effingham County Board of Commissioners for acceptance as public streets and easements or dedicated to the Property Owners Association. Acceptance of street dedications shall be at the discretion of the Effingham County Board of Commissioners.

H. Open Space, Courts, Walks, and Common Areas

Wetlands

US Army Corps of Engineers Jurisdictional Wetlands will be owned by the developer until presented to Effingham County for dedication or dedicated to the Property Owners Association. If presented to Effingham County, acceptance of these dedications shall be at the discretion of the Effingham County Board of Commissioners. No machine clearing, or logging shall be allowed in the preserved wetland portion of the property without the expressed written approval of the zoning administrator.

Lakes

Lakes will be located throughout Exley Tract to manage stormwater runoff for both quantity and quality. The lakes will be designed to aid in attenuating the design storm events to pre-development flow rates. Lakes shall be owned and maintained by the developer until such time as these facilities are dedicated to the Property Owners Association or Effingham

County. Acceptance of these dedications shall be at the discretion of the Effingham County Board of Commissioners.

I. Utilities

Water and sewer will be provided by Effingham County. These utilities within this development will be installed by the developer and dedicated to Effingham County upon acceptance by the Board of Commissioners or designee.

Stormwater management will be handled through a series of detention ponds. These ponds shall be designed based on the Stormwater Management Local Design Manual included as Exhibit D to this application. All plans will be reviewed and approved by the Effingham County Engineer prior to construction.

J. Access, Parking, Signs and Buffers

Access to the site will be from Highway 21. Improvements required to provide access to the project will be designed, permitted, and constructed by the Developer.

A tenant/property owner identification sign shall be located at the entrance of the industrial park. The sign shall be in place no later than the occupancy of the last available parcel.

As mentioned in section D, shared parking is anticipated among the uses in order to decrease the amount of unproductive surface parking needed. These shared parking arrangements will be presented in conjunction with subsequent development plans.

Any lighting used for this development will be designed in a manner to avoid any negative impacts to adjacent properties. All pole lighting shall be shielded, downward facing, no taller than the nearest building and maximum height of 35 feet.

Buffers for the project are shown on Exhibit B, Exhibit C, Exhibit E and further described in Section C of this document.

K. Development Schedule

Based on historical sales in surrounding areas, it is anticipated this project will be built out in approximately 8 years for Industrial and 10 years for

commercial. This schedule is based on current market conditions and may vary over time.

L. Installation of Improvements

The developer of any parcel within this PD–MU shall be responsible for improvements (excluding any utilities specifically agreed to be installed by Effingham County) required to develop the parcel consistent with this application. This requirement shall be met as market conditions warrant and are not set to a specific timetable.

THIS REVISED PLANNED DEVELOPMENT TEXT INCLUDING EXHIBITS is hereby Approved this ___ day of _____, 202____ by the Board of Commissioners, Effingham County, Georgia.

Wesley Corbitt
Chairman,
Effingham County Commission

Stephanie D. Johnson
Clerk
Effingham County

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X

DISAPPROVAL _____

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

- Yes No ? 1. Is this proposal inconsistent with the county’s master plan?
- Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?
- Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?
- Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?
- Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?
- Yes No ? 7. Are nearby residents opposed to the proposed zoning change?
- Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

(a) B.S.

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL PEH

DISAPPROVAL _____

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from PD to PD zoning.

Yes No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

P.H.

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

Yes No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

D.B.

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL

DISAPPROVAL

Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.– (Map # 446D Parcel # 6,9,11)** from **PD** to **PD** zoning.

Yes No ? 1. Is this proposal inconsistent with the county’s master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

Yes No ? 5. Does the proposed change constitute “spot zoning” which would permit a use which would be unsuitable, considering the existing use and development of adjacent and nearby property?

Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

A.Z.

EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

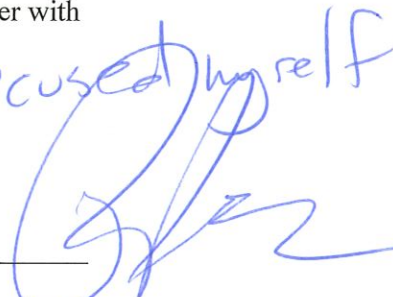
After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL _____

DISAPPROVAL _____

I recused myself


Of the rezoning request by applicant **Kevin Forbes as agent for T&T Exley Properties/ Thomas and Hutton Engineering Co.- (Map # 446D Parcel # 6,9,11)** from PD to PD zoning.

Yes No ? 1. Is this proposal inconsistent with the county's master plan?

Yes No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

Yes No ? 3. Could traffic created by the proposed use, or other uses permissible under the zoning sought, traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?

Yes No ? 4. Does the property which is proposed to be rezoned have a have a reasonable economic use under existing zoning?

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Yes No ? 6. Would the proposed change in zoning adversely affect existing use or usability of adjacent or nearby property?

Yes No ? 7. Are nearby residents opposed to the proposed zoning change?

Yes No ? 8. Do other conditions affect the property so as to support a decision against the proposal?

R.T.