

Staff Report

Subject: Rezoning (First District)
Author: Teresa Concannon, AICP, Planning Manager
Department: Development Services
Meeting Date: October 18, 2022
Item Description: **3 Byrds Development, LLC** requests to **rezone** 39.46 acres from **AR-1** to **R-3** to allow for a multi-family residential development. Located on Hwy 30. **[Map# 352 Parcel# 18]**

Summary Recommendation

Staff has reviewed the application, and recommends **denial** of the request to **rezone** 39.46 acres from **AR-1** to **R-3** to allow for a 355-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.
- The concept plan for the proposed 355-unit townhome/apartment development includes a clubhouse, playgrounds, common areas, and a proposed 20' buffer around the perimeter. Specific acreage for common open space are not specified on the concept plan.
- The applicant proposes to extend lines ~1000' to connect to existing water and sewer at Windfield.
- The proposed development is inconsistent with neighboring development types, which are low to medium density residential developments. Residential lot sizes in the area range from 6,600 sf (R-6 & PD) to multi-acre AR properties. The concept plan does not include lot size information.
- There are two R-3 zoned properties within two miles. One has an approved sketch plan (141 units on 16.95 ac=8.3 units per acre), and is situated next to the S. Effingham Middle and High School complex. The other is church-owned, with no approved development plan.
- The proposed multifamily development is not connected to pedestrian facilities, or retail/service facilities. High density residential development is more suitable in an urban activity center, where pedestrian facilities, transit, and retail/commercial services are available to support residents.
- If rezoning is approved, staff will meet with the applicant to discuss infrastructure design & ownership. The sketch plan should include connectivity with adjacent parcels, as well as internal street block lengths that meet ordinance requirements. In addition, a Traffic Impact Assessment will be required.
- At the May 16 Planning Board meeting, Ryan Thompson made a motion to **deny** the request to **rezone** 39.46 acres from **AR-1** to **R-3**. The motion was seconded by Brad Smith, and carried unanimously.
- On May 31, the applicant requested to postpone the application until the September 6 Board meeting. On August 12, the applicant requested a second postponement. The Board approved postponement to October 18.

Alternatives

1. Approve request to **rezone** 39.46 acres from **AR-1** to **R-3** to allow for a multi-family residential development, with the following conditions:

1. Future use of the above-referenced property being rezoned shall meet the requirements of the R-3 zoning district, and meet all requirements of Appendix B – Subdivision Regulations
2. A Sketch Plan must be submitted for approval before site development plans are submitted.
3. Owner must obtain a Timber Permit from Development Services prior to removal of trees.
4. Site development plans must comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
5. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements.

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

Recommended Alternative: 2

Department Review: Development Services

Attachments:

1. Rezoning application and checklist
2. Ownership certificate/authorization

Other Alternatives: 1

FUNDING: N/A

3. Plat
4. Aerial photograph
5. Deed