

## Staff Report

**Subject:** 2<sup>nd</sup> Reading – Zoning Map Amendment  
**Author:** Chelsie Fernald, Senior Planner  
**Department:** Development Services  
**Meeting Date:** July 2, 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.
- At the June 18, 2024, Board of Commissioners meeting, Commissioner Roger Burdette made a motion to approve the rezoning with the following added conditions:
  - No CO's until the roundabout is complete
  - No CO's until the parkway is complete
  - Adding a 2<sup>nd</sup> culvert under Midland Road
  - No more than 465 total units
  - No CO's until emergency access is acquired
  - The subdivision entrance width shall be 14 feet
  - The FEMA Flood Study shall be completed before the preliminary plat is approved

## 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.
- No CO's until the roundabout is complete
- No CO's until the parkway is complete
- Adding a 2<sup>nd</sup> culvert under Midland Road
- No more than 465 total units
- No CO's until emergency access is acquired
- The subdivision entrance width shall be 14 feet
- The FEMA Flood Study shall be completed before the preliminary plat is approved

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

**Recommended Alternative: 1**

**Other Alternatives: 2**

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Zoning Map Amendment