

## Staff Report

**Subject:** Rezoning (Second District)  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** April 5, 2022  
**Item Description:** **Jerome S. Konter** as Agent for **JGH Commercial, LLC** requests to **rezone** 18.67 acres from **PD (commercial)** to **PD (residential)** to allow for 206-unit multi-family residential development. Located on Hodgeville Road. **Map# 416 Parcel# 20D**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to rezone 18.67 acres from **PD (commercial)** to **PD (residential)** to allow for multi-family residential development, with conditions.

### 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 has determined that market conditions favor multifamily residential rental development over commercial development at this location, and requests a change in permitted land use for this parcel.
- Pursuant to section 5.15.2.2 (Planned Development), any substantial change (such as land use, acreage, and project intent) is treated as a proposed amendment to the zoning ordinance, and must be approved by the Board of Commissioners.
- At the July 21, 2021 pre-application meeting, staff provided input on requirements for open space, amenities, resident parking, common element maintenance, and a traffic study to identify necessary improvements for Hodgeville Road.
- A PD amendment/rezoning application was submitted for the December Planning Board meeting agenda. Staff requested revisions to clarify the PD amendment. The current version of the PD document proposes a multifamily development with up to 206 units in 25 buildings (12 buildings with 2-bedroom units, and 13 buildings with 3-bedroom units), which represents a gross density of 11 units per acre, and a net density of 15 units per acre. 174 units are shown on attached concept plan, which represents a gross density of 9.3 units per acre, and a net density of 12.7 units per acre. This project will be served by county water and sewer.
- The development will include parking in front of the buildings and five 6-unit garage buildings. 1.5 parking spaces are required per multifamily unit ( $174 \text{ units} \times 1.5 = 261 \text{ spaces}$ ); 375 total spaces are proposed. 206 units would require at least 309 parking spaces.
- At the February 14 Planning Board meeting, Alan Zipperer made a motion to **deny** the request to rezone 18.67 acres from **PD (commercial)** to **PD (residential)**, with the following conditions:
  1. A Sketch Plan must be approved by the Board of Commissioners before site development plans are submitted.
  2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
  3. All wetland impacts must be approved and permitted by USACE.
  4. A traffic study must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements.
- The motion was seconded by Brad Smith, and carried unanimously.
- On March 1, the applicant requested to postpone the public hearing to the April 5 Board meeting.

### Alternatives

1. **Approve** the request to rezone 18.67 acres from **PD (commercial)** to **PD residential)**, with the following conditions:
  1. A Sketch Plan must be approved by the Board of Commissioners before site development plans are submitted.

2. Site development plans shall comply with the Effingham County Water Resources Protection Ordinance and the Stormwater Management Local Design Manual.
3. All wetland impacts must be approved and permitted by USACE.
4. A traffic study must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements.

**2. Deny** request to rezone 18.67 acres from **PD (commercial)** to **PD (residential)**.

**Recommended Alternative:** 1

**Other Alternatives:** 2

**Department Review:** Development Services

**FUNDING:** N/A

- Attachments:**
1. Rezoning application and checklist
  2. Ownership certificate
  3. Plat

4. Deed
5. Aerial photograph