

Staff Report

Subject: Rezone (Fifth District)
Author: Teresa Concannon, Planning Manager
Department: Development Services
Meeting Date: April 4, 2023
Item Description: **The Carson Company Unlimited, LLC** as Agent for **Cynthia Roberts et al** requests to **rezone** 26.68 acres from **AR-1** to **R-3** to allow for a multi-family residential development. Located on Old Augusta Road between Chimney Road and Caroni Drive. **Map# 476 Parcels# 71,72,78**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 26.68 acres from **AR-1** to **R-3** to allow for a multi-family 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. 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 143-unit townhome development includes a clubhouse, playground, and common areas. There is a proposed 20' buffer around the perimeter, and a 35' buffer at Old Augusta Road property boundary. Amenity area acreage is not specified on the concept plan.
- Adjacent R-3 zoned parcels have not been developed as multifamily. There is AR-1, AR-2, and R-1 residential development in the area.
- The parcels are in the Rincon service delivery area. Rincon has declined to provide service. Coastal Water and Sewerage, LLC, has indicated they have capacity to provide water and sewer services.
- Evidence of EPD approval of the additional taps, and of capacity to meet fire flow requirements, will be required during the development plan review process.
- Gross density: 143 units/26.68ac=5.4. At least 4 acres of common outdoor open space is required.
- A single entrance to Old Augusta Road is proposed.
- At the February 6 pre-application meeting, staff provided input on requirements for open space, block length, and utility requirements.
- At the March 14, 2023 Planning Board meeting, Mr. Ryan Thompson made a motion for approval with staff conditions, and added conditions #6 and #7:
 1. A Sketch Plan must be approved before site development plans are submitted.
 2. Future use of the above-referenced property being rezoned shall meet R-3 zoning district requirements.
 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, the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention.**

5. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements, and the entrance shall meet the requirements of the **Access Management and Encroachment Regulations for Effingham County Roads** (rev. 2022).
 6. A privacy fence around the development is required.
 7. A vegetative buffer of 40' is required around the development. Additional plantings are required where there is no vegetation currently in place.
- The motion was seconded by Mr. Alan Zipperer, and carried 3-1, with Mr. Brad Smith objecting.

Alternatives

1. Approve the request to **rezone** 26.68 acres from **AR-1** to **R-3**, with the following conditions:

1. A Sketch Plan must be approved before site development plans are submitted.
2. Future use of the above-referenced property being rezoned shall meet R-3 zoning district requirements.
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, the Stormwater Management Local Design Manual, and **Chapter 34 - Flood Damage Prevention**.
5. A Traffic Impact Assessment must be submitted during the development plan review process, pursuant to Effingham County Traffic Study Requirements, and the entrance shall meet the requirements of the **Access Management and Encroachment Regulations for Effingham County Roads** (rev. 2022).

2. Deny the request to **rezone** 288.36 acres from **AR-1** to **R-3**.

Recommended Alternative: 1

Department Review: Development Services

Attachments:

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

Other Alternatives: 2

FUNDING: N/A

3. Deed
4. Aerial photograph
5. Plat