

BRYAN COUNTY PLANNING & ZONING COMMISSION

Public Hearing Date: December 6, 2018

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| REGARDING THE APPLICATION OF: Raymond Pittman, on behalf of Scott Stanford, for a rezoning application, for a 126 acre parcel, PID# 063 001, off of Oak Level Road in unincorporated Bryan County, Georgia, currently zoned A-5. | Staff Report by Sara Farr-Newman Dated: November 19, 2018 |
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I. Application Summary

Requested Action: Public hearing and consideration of a rezoning application for Raymond Pittman on behalf of Scott Stanford, which proposes to rezone the 126 acres parcel located off Oak Level Road , PID# 063 001, for 171 residential lots from an A-5 to an R-1.

Representative: RAY PITTMAN

Applicant: SCOTT STANFORD
PO BOX 741
RICHMOND HILL, GA 31324

Owner: SCOTT STAFFORD
175 CEDAR STREET
RICHMOND HILL, GA 31324

Applicable Regulations:

- The State of Georgia, Title 36. Local Government Provisions Applicable to Counties and Municipal Corporations, Chapter 67. Zoning Proposal Review Procedures, Georgia Code O.C.G.A. 36-67
- Bryan County Zoning Ordinance, Chapter 12, Article VI, Amendments, Sec. 610. Standards Governing the Exercise of Zoning Power & Sec. 612. Provisional Zoning

II. General Information

1. Application: A rezoning application was placed by Raymond Pittman, on behalf of the property owner, Scott Stanford 175 Cedar Street, Richmond Hill, GA 31324, on November 1, 2018. After reviewing the application, the Administrator certified the application as being generally complete on November 9, 2018.

2. Notice: Public notice for this application was as follows:

A. Legal notice was published in the Bryan County News on November 22, 2018.

B. Notice was sent to Surrounding Land Owners on November 19, 2018.

C. The site was posted for Public Hearing on November 19, 2018.

D. The Agenda and notice of the Hearing was posted at the County Courthouse and the County's website on November 29, 2018.

3. Any disclosures (i.e. conflicts of interest, site visits or ex parte communications)?

4. Background:

The property is located off Oak Level Road. It is a portion of the parcel with PID # 063 001. The property will be used as Phase IV of the Woodland Trail Subdivision. Phases I, II, and III were previously rezoned from A-5 to R-1 (Z#151-14 and Z#145-12). The applicant is requesting approval to rezone to R-1 with a plan to create 171 residential lots. This request was sent to the Coastal Regional Commission for DRI consideration on November 6th, as it exceeds the Development of Regional Impact (DRI) threshold established by the Department of Community Affairs. As of the date of this report, the findings from that review are still pending.

The nearby intersection of Oak Level Road and GA 144 has a range of 419 to 598 peak hour traffic counts. Surrounding properties are mainly A-5 and R-1, including the adjacent three phases of the neighborhood, which are R-1 as well. A turn lane is planned along Oak Level Road.

5. Exhibits: The following Exhibits are attached hereto as referenced. All application documents were received at the Bryan County Planning office on August 6, 2018, unless otherwise noted.

"A" Exhibits- Application:

A-1 Rezone Application Z#200-18

A-2 Preliminary Site Plan

A-3 Property Plat

“B” Exhibits- Agency Comments:

No comments received as of date of report.

“C” Exhibits- Bryan County Supplements

C-1 Vicinity Map

C-2 Current Zoning Map

C-3 Comprehensive Plan South Bryan Character Area Map

“D” Exhibits- Public Comment:

No Public Comments Received.

Section 610. - Standards governing the exercise of zoning power ("standards").

(a) In considering any zoning map reclassifications, the following standards shall be considered, as they may be relevant to the application, by the planning director, planning commission and county commission. Such considerations shall be based on the most intensive uses and maximum density permitted in the requested reclassification, unless limitations to be attached to the zoning action are requested by the applicant.

(i) Whether the proposed reclassification is in conformance with the comprehensive plan;

► **Staff comment:** The comprehensive plan character area map of South Bryan County shows that the area is designated Low Density Suburban Characteristics. R-1 is listed as one of the zoning categories that could be allowed in this district.

(ii) Whether the proposed reclassification improves the overall zoning scheme and helps carry out the purposes of this ordinance.

► **Staff comment:** The rezoning would be compatible with the zoning scheme in the area and be consistent with the ordinance and comprehensive plan. This is the fourth phase of an existing development, so the zoning is compatible and consistent with the comprehensive plan.

(iii) Whether the proposed reclassification is compatible with or would negatively impact the overall character and land use pattern or a particular piece of property or neighborhood within one mile of the subject lot;

► **Staff comment:** The area is continuing to become residential, so the proposed use of R-1 would be compatible with the neighborhoods and property located within one mile.

(iv)The adequacy of public facilities and services intended to serve the lot proposed to be reclassified, including, but not limited to, roads, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, wastewater treatment, and solid waste services;

► **Staff comment:** Sewer and water have already been extended along Oak Level Road to accommodate the Woodland Trail development. There is an existing fire station less than 3 miles from this phase and a turning lane will be installed on Oak Level Road per the traffic study recommendation. There will be additional students generated due to this development, but the applicant indicated the buildout year will coincide with the projected opening of the new high school and elementary school.

(v)Whether the proposed reclassification will adversely affect a known archaeological, historical, cultural or environmental resource, such as water or air quality, ground water recharge areas, drainage, soil erosion and sedimentation and flooding;

► **Staff comment:** There are wetlands located on the property. These wetlands have been delineated and the site plan included indicates they will not be included in lots or building envelopes. The applicant indicated that the property is in an X flood zone; however, there is an AE zone close by, so they will need to verify this does not encroach on the property.

(vi)Whether the proposed reclassification will adversely affect the existing uses or usability of adjacent or nearby lots or the preservation of the integrity of a [any] adjacent neighborhoods;

► **Staff comment:** The surrounding area is a mix of residential types and open land/silviculture. The reclassification will not impact these uses.

(vii)Whether the proposed reclassification could adversely affect market values of nearby lots;

► **Staff comment:** No adverse effect anticipated.

(viii)Whether the proposed reclassification would require an increase in existing levels of public services, including, but not limited to, schools, parks and recreational facilities, storm water drainage systems, water supplies, wastewater treatment, solid waste services, roads or police and fire protection beyond the existing ability of the county or board of education to provide;

► **Staff comment:** The new phase will lead to an increase in public services. The water and sewer will be provided by Bryan County. There is a fire station nearby, as well. The schools should be able to accommodate the additional students with the construction of the future high school and elementary school. A traffic study was completed that recommended another entrance and a deceleration lane,

which the applicant will comply with. Staff will further monitor the traffic impacts of the project through the development process to ensure any additional impacts on nearby intersections are mitigated to the extent possible.

(ix) Whether there are other existing or changing conditions affecting the use and development of the lot proposed to be reclassified which give supporting grounds for either approval or disapproval of the proposed reclassification;

► **Staff comment:** None to our knowledge.

(x) The existing uses and zoning of nearby lots;

► **Staff comment:** Surrounding land uses include residential subdivisions and large lot residential or silviculture.

(xi) The extent to which the value of the lot proposed to be reclassified is diminished by its existing zoning restrictions;

► **Staff comment:** The lot will be more valuable when rezoned to an R-1 zoning.

(xii) The extent that any diminished property value of the lot proposed to be reclassified resulting from its existing zoning restrictions promotes the health, safety, morals or general welfare of the public;

► **Staff comment:** Not applicable.

(xiii) The relative gain to the public, as compared to the hardship imposed upon petitioner, by the existing zoning restrictions;

► **Staff comment:** Not applicable.

(xiv) The suitability of the lot proposed to be reclassified for its current and proposed zoned purposes;

► **Staff comment:** The R-1 rezoning is in keeping with the surrounding development and increasing growth of the area. This phase is also appropriate as an extension of the existing neighborhood.

(xv) The length of time the lot proposed to be reclassified has been nonincome producing as zoned;

► **Staff comment:** The lot has been undeveloped for over thirty years other than silviculture.

(xvi) Whether the proposed reclassification would create an isolated district unrelated to adjacent and nearby districts;

► **Staff comment:** The rezoning would not create an isolated district. There are several nearby residential suburbs, including phases one through three of the neighborhood immediately adjacent to this site.

(xvii) Whether there are substantial reasons why the lot cannot be used in accordance with this existing zoning classification;

► **Staff comment:** The lot could be utilized for the potential zoning, although the requested zoning is not out of character for the surrounding areas.

(xviii) Applications for a zoning map reclassification which do not contain specific site plans carry a rebuttable presumption that such rezoning shall adversely affect the zoning scheme

► **Staff comment:** Site plans provided.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning to R-1, subject to a DRI finding that the project is in the best interest of the region.

IV. Recommendation

Recommendation: The Commission may recommend that the application be granted as requested, or it may recommend approval of the application requested subject to conditions, or it may recommend that the amendment be denied.

The Commission may continue the hearing for additional information from the applicant, additional public input or for deliberation.

► **Motion Regarding Compliance with Comprehensive Plan:** Having considered the evidence in the record, upon motion by Commissioner _____, second by Commissioner _____, and by vote of __ to __, the Commission hereby finds the proposed application is/is not in accordance with the Comprehensive Plan.

If found in accordance with the Plan, the Commission may recommend the application be granted as requested, or it may recommend approval of the application requested subject to provisions, or it may recommend that the application be denied.

► **Motion Regarding Recommendation:** Having considered the evidence in the record, upon motion by Commissioner _____, second by Commissioner _____, and by vote of __ to __, the Commission hereby recommends approval as proposed/approval with provisions/denial of the proposed PUD application.

Recommended Conditions of Approval:

1. The developer will comply with the recommendations of the Traffic Impact and Access Study for the installation of an Oak Level Road turning lane and second entrance to the subdivision.