



CITY of POOLER
— GEORGIA —

PLANNING & ZONING STAFF REPORT

Map Amendment for Cheval Lane

Project:	#231547
P&Z Meeting Date:	November 27, 2023
Public Hearing Date:	December 4, 2023
Applicant and Authorized Agent:	David Hornsby
Location (Address):	Cheval Lane and Merlot Lane
Parcel (PIN):	51010 01071
Existing Zoning:	C-2 (Heavy Commercial)
Zoning Action:	Map Amendment
Request:	Request to rezone the parcel located at Cheval Lane and Merlot Lane from C-2 to R-3-B (Multi-Family Residential)
Application Filed:	October 30, 2023
Legal Notice Published:	November 19, 2023
Sign Posted:	November 15, 2023
Letters Mailed:	November 15, 2023
Staff Recommendation:	Approval w/ conditions The site shall not have access from Pine Barren Road, other than any required for emergency access, except as part of any future curb cut on the extension of Cheval Lane.
Recommended Motion:	<i>"After review of the criteria, move for approval of the request subject to the zoning condition that the site shall not have access from Pine Barren Road, other than any required for emergency</i>

access, except as part of any future curb cut on the extension of Cheval Lane.”

Background:

The subject site is approximately 21 acres with access from Cheval Lane and Merlot Lane. The tract has frontage along Cheval Lane and Pine Barren Road. The site is undeveloped and is heavily wooded. The property is adjacent to the vacant Walmart-owned tract and the Lowes. The property backs up to the Bridgewater Subdivision. The subdivision’s planned “common area” provides a separation of approximately 250’ from the nearest residence to the property line of the subject site. As such, the surrounding properties are zoned C-2, R-1-A, and PUD (Morgan Family Tract).

The applicant is requesting to rezone from C-2 to R-3-B for the construction of apartments. The R-3-B District allows for a variety of uses, including single-family, two-family, and multi-family uses, such as apartments and townhomes. The maximum allowable density for the R-3-B is 16 units per acre for multi-family and townhome uses. Single-family and two-family dwellings require a minimum lot area of 10,500 and 15,000 square feet, respectively.

At least two different rezoning requests have been made in relation to this property for rezoning to a version of R-3. The City Council denied the first request in December of 2015 to rezone to R-3-C because it was considered too intense at that time. A subsequent request was made to rezone to R-3-B in March of 2016 to allow for a lesser allowable density. City Council denied the request based upon comments related to traffic, infrastructure impacts, and need for such uses within the area.

The applicant is requesting to rezone to R-3-B to build apartments. The applicant purchased the property with this intent after viewing a zoning map with an error that showed this property was zoned R-3.

The Pooler 2040 Comprehensive Plan includes this area within the Commercial character area. The FLUM designates this area as Planned Development and Residential.

Relevant Ordinances:

App. A, Art. IV, Table 4.1: Allowed Uses by Zoning District

Zoning Action Standards:

1. Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
 - *Generally, yes; the subject site is presently zoned C-2 but has been vacant and undeveloped for several years since it was created. The adjacent uses include other larger retail establishments. The site does not have direct access or significant frontage along a major*

thoroughfare. The change to a moderately intense residential district would be an appropriate zoning at this location. This would improve the pattern of uses by providing a better transition from the adjacent R-1-A zoned properties and the C-2 zoned properties. Likewise, if developed, would make the larger vacant site in front of it more attractive for development.

2. Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
 - *This request would generally not be considered spot zoning. The proposed zoning would be considered a down-zoning from C-2 allowing for less intense uses. Likewise, the change to a residential district would serve as a good transition and help buffer the adjacent R-1-A properties from the commercial development.*
3. Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
 - *It is possible that additional traffic could be created with increased residential development; however, the potential traffic impacts related to congestion, noise, and hazards, should also be considered in relation to the down-zoning of the property, whereby some impacts from traffic would be lesser in relation to the possible residential uses versus the commercial uses otherwise allowed on the property currently. The City is also presently underway in looking at upgrades to the intersection of Pine Barren Road and Pooler Parkway. The developer will have to conduct a study related to traffic impacts as part of a site plan approval.*
4. Will this request place irreversible limitations on the area as it is or on future plans for it?
 - *No, the request would be considered a down-zoning of the property. Under the current zoning, the property has remained undeveloped and not seen interest in development under C-2. If the subject site is rezoned, it would not place irreversible limitation on the area as it is. The location of this site in relation to the other, surrounding C-2 parcels is at the far rear, directly adjacent to a residentially zoned and developed property. The other C-2 tracts are either already developed or likely to see development under C-2 versus another district. The request would not limit the future ability of development under the commercial zoning or other surrounding properties.*

5. Is there an imminent need for the rezoning and is the property likely to be used for the use requested?
 - *The property is likely to be utilized as requested. The City has seen growth and is anticipating further growth with the larger economic developments within the overall region, including the Port of Savannah and the Hyundai facility. The property has been undeveloped for quite some time. The larger parcel fronting this site is the vacant Walmart-owned tract. The subject site has limited visibility that would likely make it less attractive for certain types of commercial uses that typically need greater visibility. If not rezoned, the tract will likely remain undeveloped or see establishment of a less favorable commercial land use at this location.*
6. Will the proposed use substantially conflict with existing density patterns in the zone or neighborhood?
 - *Generally, no; the surrounding area has seen rezoning of properties to multi-family within PUDs. Likewise, the change to R-3-B serves to help separate the current C-2 district from the adjacent R-1-A zoning and residential subdivision.*
7. Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?
 - *Potentially, however, the number of tracts for similar type of requests are limited. There are only two tracts within this area that could likely see requests for rezoning, the vacant Walmart-owned tract and the 100+ acre tract at the SW corner of Pine Barren and Pooler Parkway. The larger tract is likely to see more requests, however, if either of these were to see requests in the future, such requests would not likely generate or accelerate adverse land use changes.*
8. Will the action adversely impact adjacent or nearby properties in terms of:
 - Environmental quality or livability resulting from the introduction of uses or activities which would create traffic, noise, odor or visual hazards or the reduction of light and air that is incompatible with the established development pattern?
 - *No, the request is considered a down-zoning and, as such, the potential impacts from the subject site should be lessened compared to those that would otherwise be allowed under the commercial zoning.*

- Property values, by rendering such properties less suitable and therefore less marketable for the type of development to which they are committed or restricted in order to promote the public welfare and protect the established development pattern?
 - *No, the request would not adversely impact the nearby properties as it relates to property values or make them less marketable.*
 - Will the action create development opportunities of such increased intensity that stormwater runoff from the site cannot be controlled within previous limits, with [which] results in adverse impacts upon existing down-stream drainage problems or potential problems?
 - *No, the request would not adversely impact the nearby properties as it relates to stormwater runoff. Any large site development proposed in the City will need to go through site plan review and approval to ensure items such as stormwater runoff are addressed on site so that down-stream drainage or off-site impacts do not occur.*
9. Will the action result in public service requirements such as provision of utilities or safety services which, because of the location or scale of the development, cannot be provided on an economic basis and therefore would create an actual burden to the public?
- *No, the proposed rezoning would not result in public service requirements that could create a burden on the public. Any potential infrastructure improvements related to this development would be the responsibility of the developer and would not place a burden on the City.*

Conclusion:

Staff finds the request complies with the required criteria for a zoning map amendment. As such, staff recommends **Approval** of the request, subject to the following condition: *the site shall not have access from Pine Barren Road, other than any required for emergency access, except as part of any future curb cut on the extension of Cheval Lane.*

Attachments:

- A. Vicinity Map
- B. Zoning Map
- C. Application and Submittal Documentation



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A great place to Live, Work and Play

Project #231547 - Cheval Lane Map Amendment from C-2 to R-3-B

11/17/2023

☐ Parcels





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Project #231547 - Cheval Lane Map Amendment from C-2 to R-3-B

11/17/2023

- Parcels
- Business/Commercial
- Industrial
- PUD
- Residential



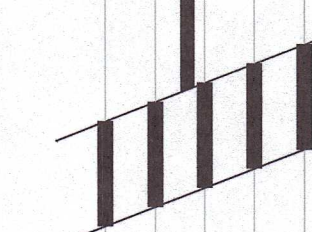


reference
PBR-
revisions

AS NOTED

21...

CONCEPTUAL SITE RENDERING
Sweetwater Apartments
Pine Barren Road
Pooler, Georgia



CS-1

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CONCEPTUAL
RENDERING
June 09, 2021

SCALE: 1:60
60' 30' 0' 60'

SITE DATA	
UNIT MIX SHOWN -	+/- 246 TOTAL UNITS
1BR =	72
2BR =	126
3BR =	48
PARKING REQUIRED (2/UNIT) -	492 SPACES
PARKING SHOWN -	520 +/- SPACES
[INCLUDES 8 GARAGES- 48 SPACES]	

Preliminary
Planning Meeting
June 09, 2021