~~April 18, 2006 CPC~~
May 24, 2006 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0225

Torsten Peterson Trustee

Bermuda Magisterial District
North line of Bermuda Hundred Road

REQUEST: Rezoning from Agricultural (A) and Light Industrial (I-1) to Community Business (C-3).

PROPOSED LAND USE:

Commercial uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITION ON PAGE 2.

STAFF RECOMMENDATION

Recommend denial for the following reasons:

A. The proposed zoning and land uses do not conform to the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial use.

B. The Plan suggests the request property, located at the Route 10/I-295 Interchange, should be reserved for industrial and other employment generating uses to optimize economic development opportunities.

C. The proposed Community Business (C-3) uses are not limited to those uses which are supportive of, accessory to, and incorporated into the design of the surrounding industrial developments.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

(STAFF/CPC) The public water system shall be used. (U)

GENERAL INFORMATION

Location:

North line of Bermuda Hundred Road, east of Kingston Avenue. Tax IDs 820-652-1338 and 2728 (Sheet 27).

Existing Zoning:

A and I-1

Size:

4.3 acres

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North and West – I-1 with Conditional Use Planned Development; Industrial or vacant
South – R-15 with Conditional Use Planned Development and C-3; Commercial or vacant
East - A; Vacant

UTILITIES

Public Water System:

There is an existing twelve (12) inch water line that terminates at the intersection of Bermuda Hundred Road with Kingston Avenue, approximately 575 feet west of this site. In addition, there is an existing twelve (12) inch water line extending along a portion of an un-named access road that terminates approximately 300 feet south of this site. Use of the public water system is intended and has been proffered (Proffered Condition). Connection will be required to the water line(s) that meet the flow needs of this site.

Public Wastewater System:

There is an existing eight (8) inch wastewater collector line extending along the north side of Bermuda Hundred Road, adjacent to this site. Use of the public wastewater system is required by County Code.

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the east to Route 10 and then to Johnson Creek. There are no known on- or off-site or erosion problems and none are anticipated once the property is developed. It should be noted that the culverts under Route 10 may not be adequate to handle runoff from the development; therefore, on-site detention may be required.

PUBLIC FACILITIES

Fire Service:

The Rivers Bend Fire Station, Company Number 18, currently provides fire protection and emergency medical service (EMS). This request will have minimal impact fire and EMS.

When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

Transportation:

The property (4.3 acres) is currently zoned Agricultural (A) and Light Industrial (I-1). The applicant is requesting rezoning to Community Business (C-3). This request will not limit development to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on shopping center trip rates, development could generate approximately 3,930 average daily trips. These vehicles will be initially distributed along Bermuda Hundred Road and Kingston Avenue to East Hundred Road (Route 10), which had a 2003 traffic count of 42,766 vehicles per day (VPD). The capacity of the six-lane section of Route 10 between I-295 and Old Bermuda Hundred Road/Meadowville Road is acceptable (Level of Service C) for the volume of traffic it carries. No road improvements in this part of the county are included in the Six-Year Improvement Plan. However, the county plans to use bond money to provide improvements along Route 10 from Interstate 95 to Ware Bottom Spring Road, including replacement of the bridge over the Seaboard Coastline Railroad. Construction of these improvements is anticipated to begin in summer of 2010.

Development must adhere to the Development Standards Manual in the Zoning Ordinance, relative to access and internal circulation (Division 5). At time of site plan review, specific recommendations may be provided regarding access and internal site circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial uses. The Plan suggests the request property, located at the Route 10/I-295 Interchange, should be reserved for industrial and other employment generating uses to optimize economic development opportunities. The Plan notes that Interstate 295 provides these properties with access to national and international markets through the interstate, port and air transportation systems. The Plan further notes that properties located at this major interchange have the best potential for industrial and other employment generating development.

The Plan suggests that limited commercial uses may be appropriate in areas suggested for industrial and employment generating uses if such commercial uses are supporting of, accessory to, and incorporated into the design of larger industrial and other employment generating developments. In addition, the Plan provides that piecemeal, strip commercial development that serves smaller markets should be discouraged in the area.

Area Development Trends:

Properties to the north and west are zoned Light Industrial (I-1) with Conditional use Planned Development and are occupied by industrial uses within the Rivers Bend Industrial Park or are vacant. Properties to the east are zoned Agricultural (A) and Light Industrial (I-1) with Conditional Use Planned Development and are vacant. Properties to the south are zoned Residential (R-15) with Conditional Use Planned Development and Community Business (C-3) and are occupied by commercial use or are vacant. The Consolidated Eastern Area Plan suggests that this area should be reserved for industrial and other employment generating uses to optimize economic development opportunities.

Zoning History:

On January 27, 1999, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning of a 2.3 acre portion of the request property to Light Industrial (I-1) with Conditional Use Planned Development to permit light industrial uses and a hotel (Case 99SN0154). Although the hotel site did not meet the restrictions for such use in Light Industrial (I-1) Districts, the proposed hotel would serve surrounding industrial uses and was located in an area experiencing industrial development.

Development Standards:

Currently, the property lies within an Emerging Growth District Area. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. The Zoning Ordinance specifically addresses access, landscaping, setbacks, parking, signs, buffers, utilities and screening for developments within these areas. Any new development on the property must comply with these requirements.

CONCLUSION

The proposed zoning and land uses do not conform to the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial use. The Plan suggests the request property, located at the Route 10/I-295 Interchange, should be reserved for industrial and other employment generating uses to optimize economic development opportunities. In addition, the proposed Community Business (C-3) uses are not limited to those uses which are supportive of, accessory to, and incorporated into the design of larger industrial and other employment generating developments. Such uses would result in piecemeal, strip commercial development which is discouraged by the Plan given the proximity of the property to the Route 10/I-295 Interchange.

Given these considerations, denial of this request is recommended.

CASE HISTORY

Planning Commission Meeting (4/18/06):

> The applicant did not accept staff's recommendation but did accept the Planning Commission's recommendation. There was no opposition present.
>
> Mr. Wilson stated while the Plan suggests industrial use, he was of the opinion that given the proximity to the Route 10/I-295 Interchange, commercial use is appropriate.
>
> On motion of Mr. Wilson, seconded by Mr. Bass, the Commission recommended approval and acceptance of the proffered condition on page 2.
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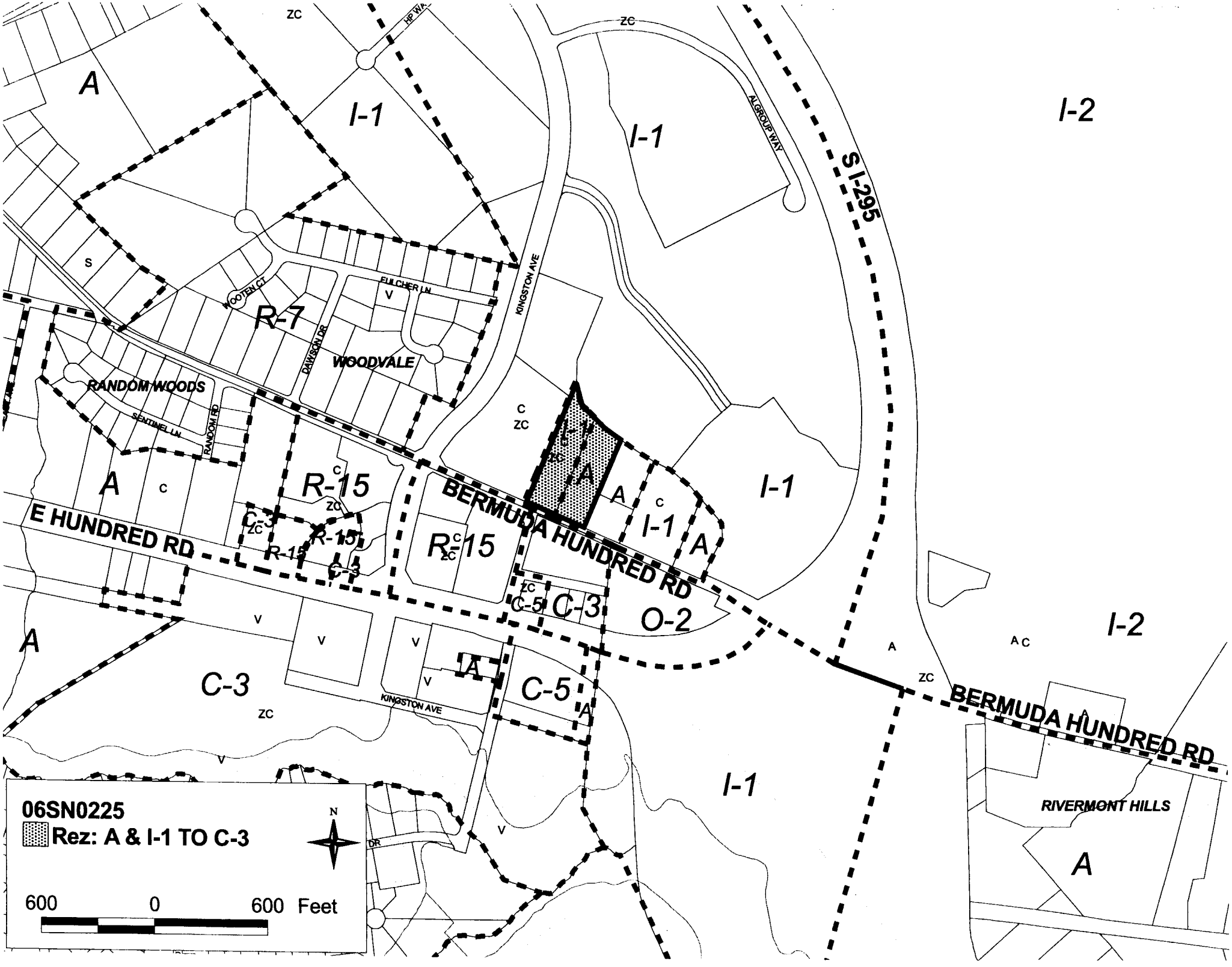
> AYES: Unanimous.

The Board of Supervisors, on Wednesday, May 24, 2006, beginning at 7:00 p.m., will take under consideration this request.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Rez: A & I-1 TO C-3
N
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A
I-1
I-2
R-7
R-15
C-3
C-5
O-2
S I-295
BERMUDA HUNDRED RD
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KINGSTON AVE
ALGROUP WAY
WOODVALE
RANDOM WOODS
RIVERMONT HILLS
FULCHER LN
WOOTEN CT
DAWSON DR
SENTINEL LN
RANDOM RD
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