

Mr. Dillard presented the case in which the applicant is requesting a change in zoning on the subject property from C-C (Crossroads Commercial) & R-1 (Low Density Residential) to C-H (Highway Commercial) zoning, in order to unify the zoning for the property to be developed with a mixture of commercial uses.

In 2004, a 3acre portion was rezoned to R-1 for development of a single-family dwelling, while the remainder of the property remained Agriculture Use (A-U) and Neighborhood Commercial (C-N), before changing to R-1 and C-C in 2006 with the adoption of the ULDC. Code Enforcement has had issues with previous owners regarding junk vehicles, illegal dumping, property maintenance, and tree removal permitting, however, the current property owners are aware and have mitigated the issues while working through the proper development processes.

The subject property is within the Urban Service Area and US 41 Corridor Overlay, and Community Activity Center and Institutional Activity Center Character Areas, which recommend C-H zoning. Primary access is off Stewart Circle, and there are existing drives and proposed easements connecting to the Val North Commercial complex. There is a large, ~5.6ac wetland area centrally located on the property, which will require additional engineering design and environmental assessment once development begins.

The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, and factors most relevant to this application, including the neighboring land uses and lot sizes, the availability of County Utilities, the potential environmental impacts, and the ability to properly apply the standards of the ULDC, and therefore recommends approval of the request for C-H zoning.

Additionally, although the TRC does not believe that conditions of approval are necessary for the following information, it should be noted for future reference: the minimum buffer area between Commercial and Residential zonings is 30 feet, which may be decreased by 50% and the buffer landscaping decreased by 25% with the installation of a 6' to 8' opaque fence.

Commissioner Willis asked if the junk cars have been removed by staff. Mr. Dillard stated they have. Chairman Miller asked if the house has been removed and if the wetlands have been or need to be isolated. Mr. Dillard stated the house has been removed and the Army Corp of Engineers would make any wetlands isolation determinations.

There being no further questions for staff, Chairman Miller opened the Public Hearing portion of the case.

Speaking in favor of the request:

- Kevin Hollis, Developer – 1525 BCT Gin Rd.