

necessary right-of-way, relocation of utilities, railroad crossing improvements, and construction costs for the paving of the section mentioned above.

At the Planning Commission meeting, the applicant's attorney spoke in favor of the request and offered an amendment to Condition #2: Prior to operation of a business on parcel 0145B 094A, the owner/developer shall provide paved access to a paved public street. In the event a developer/owner is required to use Old Bemiss Road as its primary point of ingress/egress, the road shall be paved by the owner/developer to the nearest paved street, and the property owner/developer will also be responsible for the design, any acquisition of necessary right-of-way, relocation of utilities, railroad crossing improvements, and construction costs for the paving of the section mentioned above. In the event paved ingress/egress runs through parcel 0145B 094B to provide access directly onto Bemiss Knights Academy Road as contemplated, the owner/developer shall have no obligation to improve Old Bemiss Road. It may be used as a construction entrance while the access road to the south is being paved and after business operations commence, ingress/egress may continue over Old Bemiss Road as a secondary access point.

Commissioner Smith asked whether there was an issue with increased commercial traffic crossing the railroad tracks. Mr. Dillard answered the way it is right now, it would be unacceptable, which is why staff recommended the conditions. Commissioner Smith asked to verify that the applicant did not suggest driving through the neighborhood to access the commercial property. Mr. Dillard responded that the applicant is proposing a new road extending to the south. Chairman Slaughter asked if that was Caroline Circle where it intersects. Mr. Dillard responded, yes sir. Commissioner Smith asked whether that would eliminate the railroad tracks as a factor. Director of Engineering Services, Chad McLeod, responded that it would not remove the railroad tracks. Mr. McLeod stated that the applicant does not intend to use the crossing as a secondary access point, but also does not want to permanently close it off privately. Commissioner Wisenbaker asked who Blackwater Development was and Mr. Dillard responded that Blackwater is a local utility contractor.

REZ-2026-12 McBurrough, 4909 Bemiss Rd., ~2.4ac, R-21 & R-1 to C-G, County Utilities

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject properties from R-21 (Medium Density Residential) and R-1 (Low Density Residential) zoning to C-G (General Commercial) zoning to develop a child care learning facility. Mr. Dillard stated the adjoining properties are currently owned and operated as religious facilities, parsonages, or single-family homes, while new developments just beyond are zoned for higher density residential and commercial. Mr. Dillard stated there are no wetlands on the property. Mr. Dillard presented a proposed layout for the child care learning center to the Commission. The TRC recommends approval of the request for C-G zoning with the following condition:

1. No Alcohol Package Stores, Clubs, Lodges, Meeting or Event Facilities shall be allowed.

The Planning Commission recommended approval with the one condition. Commissioner Wisenbaker asked to verify that the proposed use was a learning center. Mr. Dillard responded, yes sir. Commissioner Smith asked whether the only entrance to the property would require traveling south on Bemiss Road. Mr. Dillard responded, yes sir.