



Bulloch County Departmental Review

Agenda Item:	1	Meeting Date:	January 08,2009
Application #:	RZ2008-079	Application Type:	Rezoning
Request:	Kenneth Feldman submitted an application requesting a rezone from AG-5 to R-40 (residential 40,000 square feet). The intent is to divide the property into 61 parcels for a residential subdivision. The property consists of 79.55 acres and is located on Highway 24 and Macedonia Road. Don Marsh is acting as agent.		

Applicant:	Kenneth M. Feldman	Acres in Request:	79.55
Location:	Macedonia Road	Existing Lots:	1
Map #:	133 000039 000	Requested Lots:	61
Development Name:		Current Zoning:	AG-5
Future Land Use:	Farmland Preservation	Requested Zoning:	R-40
Directions to Property:	Take Hwy 24 to Macedonia Church Road, property will be on left at intersection.		

Rezone Standards	Yes	No	Comment
(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?		X	
(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?		X	
(3) Are there substantial reasons why the property cannot or should not be used as currently zoned?		X	
(4) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, EMS, sheriff or fire protection?		X	
(5) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?		X	
(6) Will the use be consistent with the purpose and intent of the proposed zoning district?	X		
(7) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan?		X	
(8) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?	X		



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LAND USE PLANNING IMPACT						
Future Land Use Map	<ul style="list-style-type: none"> The Comprehensive Plan indicates that the property is in a Farmland Preservation Area and would be appropriate for residential development at a planned density of 0.2 unit p/ac. There are no changing conditions not anticipated by the Comprehensive Plan. 					
Existing Land Use Pattern	<ul style="list-style-type: none"> Very low density residential and agricultural uses at adjacent and nearby properties; most parcels are in excess of five acres. Neighborhood commercial uses consisting of convenience stores located at US 24 and Clito Road are proximate to the site. 					
Zoning Patterns and Consistency	<ul style="list-style-type: none"> The proposed change appears to be inconsistent with the existing land use and zoning patterns in the nearby area. The surrounding land area is predominantly zoned AG-5, except for the convenience stores located less than one-mile of project. 					
Neighborhood Character	<ul style="list-style-type: none"> There is no architectural design or neighborhood amenity details offered for the project, so neighborhood character cannot be defined. The adjacent area is rural with no adjacent planned neighborhoods. There is no evidence that the proposed change in use would necessarily injure or detract existing neighborhoods. 					
Proposed Density or Intensity	<ul style="list-style-type: none"> 61 single-family lots proposed. Net Density: 0.863 dwelling units per acre. 					
Planned Density Analysis	<ul style="list-style-type: none"> <u>Current Zoning:</u> AG-5 Zoning District; Gross density 0.2 du's per ac. <u>Farmland-Preservation Area:</u> Gross density of 0.2 du's p/ac. <u>Rural Development Area (Current):</u> Gross density of 1.0 du's p/ac. <u>Municipal Development Areas:</u> Gross density of 2.0 du's p/ac. 					
Zoning Density Alternatives Analysis	Zoning	Gross Density: 79.6 acres ¹	Net Density: 70.7 acres ²	Estimated Lot Yield: Max. Gross Density	Estimated Lot Yield: Max. Net Density	Net Lot Yield With 10% Density Bonus
	AG-5	0.2 units per acre	0.2 units per acre	16	14	16
	R-80	0.544 units per acre	0.544 units per acre	43	38	42
	R-40	1.089 units per acre	1.089 units per acre	87	77	85
	R-25	1.742 units per acre	1.742 units per acre	139	123	135
Negative Impact: A Farmland Preservation Area density of 0.2, but not greater than 0.544, du's p/ac. is encouraged in this area of the county by the Future Land Use Plan.						

(1) Gross Density calculates total acreage less the estimated land needed for public dedication.

(2) Net Density calculates total acreage less the estimated land needed for public dedication or areas which cannot be developed due to environmental constraints (5.73 acres – .57 acres for roads).



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WATER / SEWER INFRASTRUCTURE IMPACT	
Water System	<ul style="list-style-type: none"> No municipal services are available. A privately-owned, public system is proposed meeting state EPD standards will be required.
Sewerage	<ul style="list-style-type: none"> No municipal services available. Health Department approval will be required for individual septic tank systems.
Neutral Impact: The proposed water and wastewater systems or alternatives must be approved by the EPD and the county health department.	

SOLID WASTE IMPACT	
Nearest Existing Solid Waste Services or Facilities	<ul style="list-style-type: none"> Private curbside collection services are available. Public Convenience Center (Ogeechee): 2.5 Miles
MSW or Other Waste Generation Estimate (four tons per household per year)	<ul style="list-style-type: none"> 244 tons annually based upon proposed project build out. 1% increase in aggregate household MSW tonnage.
Neutral Impact: No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected. Additional manpower will not be required.	

SCHOOL IMPACT	
Expected Student Enrollment Impact Upon County Public Schools	<ul style="list-style-type: none"> 7.3 new students based upon proposed project build-out.
Nearest BOE Facilities and Enrollment	<ul style="list-style-type: none"> Enrollment at Mill Creek Elementary: 567 in 2005; 424 in 2007. Enrollment at Langston Chapel Middle: 692 in 2005; 672 in 2007. Enrollment at Statesboro HS: 1,561 in 2005; 1,595 in 2007.
Neutral Impact: The Statesboro feeder system is already at or over capacity.	

FISCAL AND ECONOMIC IMPACT	
Cost-Benefit Analysis	<ul style="list-style-type: none"> Using the Atlanta Federal Reserve Bank Impact Tool to measure cost analysis, assuming individual unit sales of \$175,000 there will be a net additional cost of \$1,630 per household annually to provide general governmental and education services.
Local Jobs/Housing Balance	<ul style="list-style-type: none"> Many future residents are likely to commute 15-30 minutes (or more) by car to get to work.
Public Amenities Offered by Project	<ul style="list-style-type: none"> None.
Property Values	<ul style="list-style-type: none"> Adjacent properties may or may not be enhanced by the proposed development provided aesthetics restrictions are placed in private deed covenants, and, if enforcement of County land use and property maintenance regulations is applied. Failure to enforce any property standards is likely result in stagnant or lower property values.
New Jobs Created	<ul style="list-style-type: none"> Temporary or permanent construction jobs may be created or maintained.
Negative Impact: There will be no significant impact on the economy. The cost of public services will exceed the revenue generated by the new development. Studies have shown that residential development costs more than other types of development to provide public services.	



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ENVIRONMENTAL IMPACT	
Use of Green Building Techniques	<ul style="list-style-type: none"> Expected to provide conventional energy and water; no recycling during or after construction.
Wetlands and Flood Zones	<ul style="list-style-type: none"> Wetland areas within development appear on the northeastern boundary. A portion of a flood zone is proximate to the northern tip of the property. Wetlands mitigation and base flood elevation may be necessary before final development approval.
Stormwater	<ul style="list-style-type: none"> Located in the Ogeechee River Drainage Basin along Spring Creek. Impervious surface ratio estimate: 10% (based on the proposed number of rooftops and paved driveways using a standard of 3,000 square feet per unit and 24' foot wide roadways).
Aquifer Recharge Areas	<ul style="list-style-type: none"> Does not appear to be proximate to an aquifer recharge area. Recharge areas are not likely to be affected by storm water run-off if proper mitigation measures are in place.
Water Supply Watersheds	<ul style="list-style-type: none"> No impact or relevance.
River Corridors	<ul style="list-style-type: none"> No impact or relevance.
Air Quality	<ul style="list-style-type: none"> No impact or relevance.
Analysis of Predominant Soils	<ul style="list-style-type: none"> Combinations of loamy sand soils exist on the site including Dothan, Pelham, Lakeland, Fuquay, Tifton, Carnegie and Rutledge-Portsmouth Alluvial. All these soils have moderate development limitations and drain poorly due to high water tables and some susceptibility to flooding.
Historic or Archeological Resources	<ul style="list-style-type: none"> No impact or relevance.
Topography	<ul style="list-style-type: none"> No impact or relevance.
Resources of Regional or Statewide Importance	<ul style="list-style-type: none"> No impact or relevance.
<p>Neutral Impact: This property may be only marginally suitable for the proposed development at this density due to hydrology, suggesting that project density should be limited.</p>	

OPEN SPACE AND RECREATION IMPACT	
Nearest Public Recreation Facilities	<ul style="list-style-type: none"> The nearest public recreation facilities are located at Mill Creek Park 7 miles from project. No private recreation facilities have been proposed by the applicant at this time.
Level of Service (national standard: 6.5 acres of parkland per 1,000 pop.)	<ul style="list-style-type: none"> Bulloch County currently has 300 acres of parkland, or 4.76 acres per 1,000
Level of Service Impact Created by the Development:	<ul style="list-style-type: none"> -1.13 acre deficiency.
Open Space	<ul style="list-style-type: none"> Reserved, on-site open space has not been determined or offered
<p>Negative Impact: There will be no convenient access public open space or recreation facilities. The project density will increase the LOS deficiency county-wide for parkland by 0.35%.</p>	



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TRAFFIC AND TRANSPORTATION SYSTEM IMPACT	
Level of Service Standard and Impact for Access Road	<ul style="list-style-type: none"> • <u>Bulloch County Transportation Plan</u>: LOS A (free flow) on US 24; no rating for Macedonia Road. • Traffic study would be required to determine impact.
Est. Trip Generation Rate - ITE Standards	<ul style="list-style-type: none"> • 595-610 trips-ends per day.
2007 Average Daily Trips at Nearest GDOT Traffic Count Stations	<ul style="list-style-type: none"> • Station 0272 at US 24 2.0 miles due east of project, the traffic count is 1490 ADT. • Station 0267 at Mill Creek Park, 7.0 miles due west of project, the traffic count is 6270 ADT. • Station 0236 on Old River Road, midway between US 301 and US 24, 3.0 miles due north of the project, the traffic count is 290 ADT
Accessibility and Connectivity to Neighborhoods and Community Services	<ul style="list-style-type: none"> • Development is dependent on car traffic. • Not within one-mile of any general retail or employment centers, parks facilities or other community centers. • No pedestrian or bike facilities proposed.
Parking	<ul style="list-style-type: none"> • On-site parking is permitted pursuant to the zoning code for residential districts. • There is no known provision for street parking that has been submitted by the applicant. The parking standard for residential dwellings is 2 spaces per dwelling.
Road Classification for Access Road(s): Macendonia Road and US 24	<ul style="list-style-type: none"> • <u>GDOT</u>: US 24: Rural Arterial; Macedonia Road: Rural Local. • <u>Bulloch County Transportation Plan</u>: US 24: Arterial; Macedonia Road: Local.
Condition of Access Road(s) and Nearby Facilities	<ul style="list-style-type: none"> • Macedonia Road (county maintained): Soil cement base and asphalt overlay rated in good condition; not likely to be programmed for resurfacing earlier than 2013. • Bridges: No nearby bridges likely to be adversely affected by increased traffic.
Intersection Capacity	<ul style="list-style-type: none"> • Access evaluation and traffic study required. • A second entrance to the development should be provided if over 50 lots are approved.
Drainage Analysis:	<ul style="list-style-type: none"> • Development is located in the Ogeechee River Drainage Basin adjacent to Spring Creek Branch. • Currently all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. • The access way/driveways to the site should have proper roadside drainage measures installed. • The proposed development will increase the impervious surface ratio and result in higher run-off. Proper stormwater management measures will have to be installed to minimize potential flooding and pollution and pollution effects.
Negative Impact: It is likely that this project will create increased congestion and potential traffic conflicts at this density. While Macedonia Church Road does have condition capacity, it cannot be determined without a traffic study what traffic safety mitigation measures are necessary.	



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PUBLIC SAFETY IMPACT			
Public Safety Unit	Facility Distance; Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (County Sheriff)	<ul style="list-style-type: none"> 7 miles 10 minutes depending on patrolling patterns 	<ul style="list-style-type: none"> -0.093 man power deficiency based on national standard 0.6 field deputies per 1,000 population. County has 33 sworn officers for road patrols. The LOS required currently is 38. 	<ul style="list-style-type: none"> Shift of 3 deputies cover 684 square miles.
Fire	<ul style="list-style-type: none"> Clito (Volunteer); 5.5 miles, 18 minutes. 	<ul style="list-style-type: none"> ISO Rating 9 	<ul style="list-style-type: none"> Fire hydrants required by ordinance. Water system capacity may not meet NFPA standards.
EMS-Rescue (County)	<ul style="list-style-type: none"> 8 miles, 11 minutes response time 	<ul style="list-style-type: none"> (-0.154) EMT / Paramedic per 1,000 population 	<ul style="list-style-type: none"> 8 miles, 11 minutes response time
Georgia State Patrol	<ul style="list-style-type: none"> 12.5 miles, 17 minutes depending on patrolling patterns 	<ul style="list-style-type: none"> NA 	<ul style="list-style-type: none"> Post #45 located south of Statesboro on US 301
<p>Negative Impact: Response time for law enforcement and EMS is marginal. The Sheriff's Department and EMS Rescue capabilities are already exceeding capacity.</p>			

IMPACT SUMMARY				
Impact Factor	Positive	Negative	Neutral	Other
Rezoning Standards		X		
Land Use Planning		X		
Water-Sewer Infrastructure			X	
Solid Waste			X	
Schools			X	
Fiscal/Economic		X		
Environmental			X	
Open Space and Recreation		X		
Traffic/Transportation System		X		
Public Safety		X		
Total	0	6	4	0
Local Impact Findings	Project will have a negative impact without lower density and conditioned mitigation measures.			
Regional Impact Findings	Not applicable.			



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FINAL STAFF RECOMMENDATION

The subject property appears unsuitable for the proposed development at an R-40 density. However, with proposed conditions that would mitigate the effects of traffic, the environment and additional public service demands, the staff recommends that a project density compatible with an R-80 zone is acceptable.

Staff recommends denial of the R-40 request based on the proposed site plan, but recommends R-80 with the following conditions:

General Conditions:

Bonus Density can be granted for Amenities

- 1) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant:
 - a) A pedestrian sidewalk system within the development.
 - b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities a) or c).
 - b) A county maintained street light district.
 - c) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof.
 - d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a passive use recreation area (fishing, boating/dock, picnicking, etc.), conservation easement or greenspace area that is consistent with the goals and objectives of county or state land conservation or preservation programs.

Conditions to be met prior to issuance of Final Permitting as Determined by the Zoning Administrator

- 1) **Construction Standards:** All dwelling units shall consist of traditional site built construction meeting state building codes. Manufactured housing shall be prohibited.
- 2) **Buffers and Landscaping:** A permanent vegetative screening buffer shall be established along the perimeters of the development consistent with Section 407 of the zoning ordinance to minimize impact on adjoining properties and insulate road noise or impacts along, US Highway 24 and the existing Willie Mae Easton property. All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line. All subdivision entrances shall have landscaped islands. The buffers and landscaping plans shall be approved by the Zoning Administrator.
- 3) **Access Management and Lot Orientation:** To enhance access management within the subdivision, all approved residential lots and structures shall access internally to new roads built within the subdivision, with no driveway access permitted on US Highway 46 or Macedonia Church Road. A second entrance shall be required if the rezoning decision results in a lot yield of over 50 dwelling units.
- 4) **Public Road Dedication:** If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners.
- 5) **Infrastructure:** All water system lines shall be set on the back slope of the ditch where rural ditches are used; right-of-way encroachment permits will be required by the County Engineer for any water system installation work on Highway 24.
- 6) **Traffic Impact Study and Access Evaluation:** For any rezoning decision resulting in traffic generating 500 or more trips per day, **30 days prior to the submission of a sketch plan to the Planning and Zoning Commission**, the applicant, at their own expense, shall submit a Traffic Impact Study as required by the County Roads Highways and Bridges Administrative Policies (with sufficient



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narratives, maps and exhibits) which shall be performed by a certified by a qualified and registered professional engineer. Should a traffic study not be required, an access evaluation shall be required. Upon acceptance and approval by the County Engineer, the applicant shall bear the expense of installing any recommended improvements required by the study or the County Engineer.

- 7) **Stormwater Management:** If an R-40 zone is approved, **along with submission of the preliminary plat**, the developer shall submit a sufficient hydrologic analysis and engineering plan to demonstrate that adequate storm water management practices or structures are adequate to control on-site and off-site stormwater run-off and sediment.

Staff Reminder

- 1) Base flood elevation must be determined.
- 2) Wetland delineation must be approved by the Army Corp of Engineers.
- 3) Encroachment permits must be approved by the County Engineer for any work performed on a county road.

Participants

Tom Couch, County Manager; Andy Welch, County Planner; and Kirk Tatum, County Engineer; Randy Newman, Zoning Administrator.

