



Bulloch County Departmental Review

Agenda Item:	3	Meeting Date:	March 4, 2008
Application #:	RZ2008-003	Application Type:	Rezoning
Request:	Sumner & Sumner Properties, LLC submitted an application requesting a rezone from AG-5 to R-3 (multi-family dwellings) on 22.79 acres out of a 33.76 acre parcel. The intent is to build multi-family dwellings to be sold off individually. The property is located on Burkhalter Road just off Highway 80 East. Mr. Charles J. Maxwell is acting as agent.		
P&Z Recommendation:	Vote was 3-3. No recommendation.		

Applicant:	Sumner & Sumner Properties, LLC	Acres in Request:	22.79
Location:	Burkhalter Road	Existing Lots:	1
Map #:	122 000069B 000	Requested Lots:	22
Development Name:	Burkhalter Subdivision	Current Zoning:	AG-5
Future Land Use:	Residential Development	Requested Zoning:	R-3
Directions to Property:	Highway 80 East and Burkhalter Road on the right. Across from David's Depot.		

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: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for residential development.

Existing Land Use Pattern: There are primarily residential, commercial, and agricultural uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be inconsistent with the zoning patterns in the nearby area.

Neighborhood Character: There is evidence that the proposed change in use will not injure or detract from existing neighborhoods.

Zoning Density Analysis						
Current Density	.2 units per acre		Future Land Use Map Density (gross)			
			Farmland Preservation	0.2 units per acre		
Proposed Density	1.799 units per acre		Rural Development	1.0 units per acre		
			Residential Development	2.0 units per acre		
Density Alternative Analysis						
Zoning	Gross Density: 22.8 acres ¹	Net Density: 12.2 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		5	2	3	
R-80	0.544 units per acre		12	7	7	
R-40	1.089 units per acre		25	13	15	
R-25	1.742 units per acre		40	21	23	

¹ Gross density calculates total acreage less the estimated land needed for public dedication.

² Net density calculates total acreage less areas which cannot be developed due to environmental constraints (wetlands) and the estimated land needed for public dedication.

Negative Impact: Residential development is encouraged in this area of the County according to the Future Land Use Plan.

FISCAL/ECONOMIC IMPACT

Property Values: Values for adjacent properties may be enhanced by the proposed development provided aesthetic restrictions are placed in private deed covenant, and, if enforcement of County land use and property maintenance regulations is applied. However, failure to enforce any property standards is likely to result in stagnant or lower property values.

Neutral Impact: There is not enough information about the development to determine economic or fiscal impact with precise accuracy.

SCHOOL IMPACT

Student Enrollment Created by New Development: A minimum of 3 new students in the Southeast Bulloch High School District.

Slightly Negative Impact: The Brooklet feeder system is already at or over capacity.



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WATER / SEWER IMPACT

Water System: A privately-owned, public system meeting state EPD standards will be required.

Sewerage: On-site disposal is proposed. Septic tank installation approval as required by the County Health Department.

Neutral Impact: The presence of hydric soils may pose limitations for septic tanks.

SOLID WASTE IMPACT

Nearest Existing Solid Waste and Recycling Centers: Pretoria Recycling Center.

Waste Generation Estimate (4 tons per household per year): 88 tons annually.

Neutral Impact: private collection services are available. No significant impact on the County's Solid Waste Management Plan or Ordinance requirements is expected.

ENVIRONMENTAL IMPACT

Wetlands and Flood Zones: Development does include wetland areas and flood zone areas. Base flood elevation will have to be determined. Also, wetland delineation will have to be approved by the Army Corp of Engineers.

Stormwater: The impervious surface ratio based on the proposed number of rooftops and paving is expected to be 10% of the total land area.

Aquifer Recharge Areas: There are no known areas affected.

Water Supply Watersheds: There are no known watersheds affected.

River Corridors: There are no known corridors affected.

Air: This project is not expected to create an air pollution nuisance.

Soils: The property consists of a number of different types soils, some of which are suitable and other which are not suitable for development. The less suitable soils appear to be on the western portion of the property.

Historic or Archeological Resources: There are no known resources affected.

Resources of Regional or Statewide Importance: There are no known resources affected.

Neutral Impact: This property may be unsuitable for more intensive development.

TRAFFIC AND ROAD INFRASTRUCTURE IMPACT

ITE Trip Generation Rate: 9.75 per household or 214.5 trip ends per day.

Proposed Road Construction in Development: Public roads meeting county standards are proposed for the development.

Parking: 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.

GDOT Road Classification for Access Road: Burkhalter Road is a rural major collector.

Bulloch Transportation Plan Classification for Access Road: Burkhalter Road is a major collector route.

Condition of Access Road: Burkhalter Road is a county maintained paved road that is currently in good condition, but substandard for the level of current development.

Drainage: The development is located in the Black Creek Drainage Basin. 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. Proper stormwater management measures will have to be installed to minimize potential flooding and pollution and pollution effects.



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Negative Impact: The rezone request, in consideration of the scale of the development, would affect road infrastructure, traffic safety and drainage. Stormwater management controls are recommended should any development be approved. A traffic study would need to be conducted to determine additional mitigation measures if any higher density is approved.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.

Neutral Impact: These services would not be severely impacted.

LAW ENFORCEMENT IMPACT

Agency: Bulloch County Sheriff's Department

Level of Service Standard (national: 0.6 per 1,000 population): Bulloch County has 33 sworn officers for road patrols. The LOS would be 37.

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Law Enforcement (Sheriff)	5.5 miles, 7 minutes depending on patrolling patterns	(-.033) field deputies per 1,000 population	Shift of 3 covers 684 square miles
Georgia State Patrol	7 miles, 9 minutes depending on patrolling patterns	NA	Post #45 located south of Statesboro on US 301

Neutral Impact: The Sheriff's Department's capabilities are already exceeding capacity.

EMS AND FIRE SERVICE IMPACT

Public Safety Unit	Facility Distance / Response Time	LOS Impact or Deficiency	Intangibles
Fire (Statesboro Fire Department)	5 miles, 7 minutes response time	ISO Rating 3	City of Statesboro would need to be called as first responder or in event of a haz mat spill.
EMS-Rescue (County)	5 miles, 7 minutes response time	(-0.1) EMT / Paramedic per 1,000 population	

Neutral Impact: Response times for law enforcement, fire and EMS are adequate. Fire hydrants would be required by ordinance, but water system capacity may or may not meet NFPA standards.

RECREATION-OPEN SPACE IMPACT

Recreation Facilities: The nearest public recreation facilities are located at Brooklet Park. No private recreation facilities have been proposed by the applicant at this time.

Level of Service (national: 6.5 acres of parkland per 1,000 pop.): Bulloch County currently has 300 acres of parkland.

Level of Service Impact Created by the Development: (-.36) acres.

Open Space: Reserved, on-site open space has not been determined or offered.



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Neutral Impact: No significant impact will be created by the development.

SUMMARY OF FINDINGS – FINAL STAFF RECOMMENDATION

Impact Summary			
Impact Factor	Positive	Negative	Neutral
Land Use Planning		X	
Fiscal-Economic			X
Schools		X	
Water-Sewer			X
Solid Waste			X
Environmental			X
Traffic and Roads		X	
Emergency Management			X
Law Enforcement			X
EMS-Fire			X
Recreation			X
Total	0	3	8
Local Impact Findings	Project could have a neutral impact with a lower zoning density and mitigation measures.		
Regional Impact Findings	Not applicable.		

The subject property does not appear suitable for the development at the proposed density. The property is likely to provide a reasonable economic use as currently zoned.

Staff recommends approval of the request based on the proposed site plan with the following conditions:

General Conditions

- 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 plans and programs.
- 2) All dwelling units shall consist of traditional site built construction meeting state building codes. Manufactured housing shall be prohibited.



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- 3) 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 Burkhalter Road.
- 4) 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) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line.
- 6) 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 Burkhalter Road.

Condition(s) Prior to Sketch Plan Submission

- 7) 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 Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits) which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:
 - a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions after and project build-out.**
 - b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**
 - c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer.

Condition(s) for Preliminary Plat Submission

- 8) The developer shall submit an engineering plan at the time of preliminary plat submission to demonstrate that adequate storm water management practices or structures shall be installed to control on-site and off-site run-off and sediment.

Planning and Zoning Recommendation

Motion:	Approve the request with conditions
Vote:	3-3 vote. No recommendation is made to the BOC.
Issues:	Stormwater drainage & traffic
Opposition:	2 people spoke in opposition.



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Staff Reminder

- 1) Base flood elevation must be determined.
- 2) Wetland delineation must be approved by the Army Corp of Engineers.

Participants

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