
REZONING CASE 2019-02

TO: PLANNING COMMISSION
FROM: PLANNING AND DEVELOPMENT
DATE: MONDAY, DECEMBER 2, 2019
APPLICANT: ROBERT LEROY DENTON
REQUEST: TMS # - 584-09-01-005 - REQUEST TO REZONE APPROXIMATELY 0.21 ACRES FROM R-15/MARINA OVERLAY DISTRICT TO B-1/MARINA OVERLAY DISTRICT

Staff Summary:

The Applicant is the current owner of the Tega Cay Marina and was a key stakeholder in development of the Marina Overlay District. Mr. Denton has been slowly buying some of the residential properties adjacent to the Marina with the goal of a master plan redevelopment consistent with the policies and uses outlined in the Marina Overlay and the Update to the 2025 Comprehensive Plan. The Future Land Use Plan in the Update calls for the Marina area to be rezoned to a Neighborhood Mixed Use District. Neighborhood scale commercial and professional uses along with various forms of residential buildings and types will be established as by-right uses.

Mr. Denton currently lives at 28001 Marina Drive with the base zoning of R-15. Ultimately this property will become a part of the Neighborhood Mixed Use District and will be included in Mr. Denton's redevelopment plan. He is now buying 28002 which also has a base zoning of R-15 and this property will also be included in the future redevelopment. Currently, Mr. Denton plans to use this property as the administrative offices for the Marina. In order to do so, the base residential zoning must be changed to B-1 to permit this commercial use until the Council approves the Future Land Use Plan in the Comprehensive Plan Update and establishes the Neighborhood Mixed Use Zoning District.

Staff believes that the Annexation and Rezoning is appropriate because 1) it is compatible with and serves to implement the recommendations in the 2025 Comprehensive Plan Update; 2) the site is in an area already constrained as to the allowable commercial uses by the Marina Overlay District Standards.

Potential Benefits:

1. The proposed rezoning will assist the city in meeting goals outlined in the 2025 Comprehensive Plan Update.

Potential Concerns: There are no potential concerns.

Staff Recommendation: APPROVAL based on the information prepared by staff outlined in this Planning Commission Report.

1. *Is there a need for the proposed amendment?*

Based on the staff analysis and findings for the planning commission report, the staff has recognized a positive benefit for the rezoning of the site as it will implement the strategies outlined in the Land use Element of the 2025 Comprehensive Plan Update.

2. *What is the impact of the proposed zoning amendment on the site and surrounding properties?*

There are no negative impacts on the adjacent properties since the commercial and professional uses permitted under a B-1 classification are constrained by the Marina Overlay District. In addition, the administrative uses intended are not intensive nor will it lead to additional traffic impacts.

3. *What is the relationship of this request to the official land use development plan?*

As discussed previously, the rezoning of this property will assist in the redevelopment of this area to Neighborhood Mixed use. Therefore, this request **IS CONSISTENT** with the Updated 2025 Future Land Use Plan.

4. *Is there vacant land currently classified for similar development in the vicinity; and/or are there any special circumstances that may make a substantial part of such vacant land unavailable for development?*

NOT APPLICABLE

5. *Are the uses permitted by the proposed change appropriate in the area concerned?*

The uses permitted under the proposed rezoning **IS APPROPRIATE** for the area due to its location within the existing Marina Overlay District.

6. *Are the existing public-school facilities adequate and available or can they be provided to serve the needs of the development likely to take place as a result of such change?*

NOT APPLICABLE.

7. *Are the existing road systems adequate to serve the proposed development or can they be provided to support the demands likely to take place as a result of such change? This may include (but is not limited to) such indicators as: traffic counts, road design and capacity, site plan design, trips generated by the proposed land use, etc.:*

As stated previously, the rezoning of this property to permit professional services such as an administrative office will not cause additional traffic impacts.

8. *Are the existing public facilities adequate to serve the proposed development or can they be provided to support the demands likely to take place as a result of such change? This may include (but is not limited to) such indicators as: availability of public water and sewer, whether the proposed change is in accordance with any existing or proposed plans for providing public water and sewer, and does the any existing storm drainage system have capacity to accommodate the proposed use:*

NOT APPLICABLE.

9. What soils exist on the site, and are any of them considered Hydric (wetlands) or Prime?

NOT APPLICABLE.

10. Have floodplains been identified on the site?

NOT APPLICABLE.

11. Have any historical sites/ endangered species/ abandoned cemeteries located on the site or in the general vicinity been identified?

THERE ARE NO apparent historical sites, endangered species or abandoned cemeteries onsite.