

Sumter City-County Planning Commission

June 27, 2012

RZ-12-02, 791 Legette St. (County)

I. THE REQUEST

Applicant: Debbie A. Quick

Status of the Applicant: Property Owner at 791 Legette St.

Request: Rezone from Residential to Professional Office:
Parcel 203-11-03-006, +/- 0.48 acres

Location: Legette St., off Alice Dr. near Broad St.

Present Use/Zoning: Parcel 203-11-03-006 - Vacant Residential / R-15

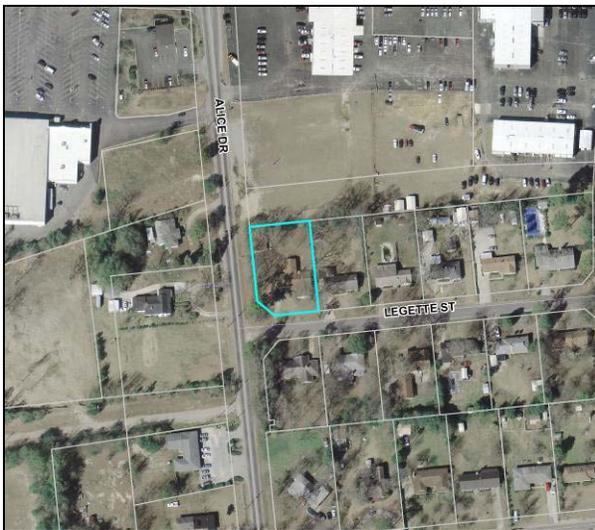
Tax Map Reference: TMS# 203-11-03-006

Adjacent Property Land Use and Zoning:
North – Commercial / GC
South – Residential / R-15
East – Alice Dr., Commercial & Residential / GC & R-15
West – Robert Dinkins Rd., Commercial & Residential / GC & R-15

II. BACKGROUND

Below left : The parcel proposed for rezoning in this case outlined in blue.

Below right : Current zoning of the immediate area.



Background



Above: 791 Legette St.



Above: View of Alice Drive from 791 Legette St.



Above: View of 791 Legette St. from across Alice Drive

Both this parcel and the adjacent parcel to the north went through a rezoning request process in 2011. The adjacent property is owned by Mar-Gin Properties Inc., which comprises several car dealerships in Sumter including Jones Chevrolet. The adjacent parcel was approved for rezoning to General Commercial (GC) by County Council in June 2011(RZ-11-05). At that time, staff and Planning Commission both recommended approval of the request for rezoning the parcel at 791 Legette St. (RZ-11-03), but County Council denied the request because of opposition from some residents of the neighborhood.



Above: View of adjacent vacant parcel from Alice Drive, taken in 2011 as part of rezoning request RZ-11-03. This parcel was rezoned to GC at that time.

Below: View of adjacent parcel from Alice Drive, taken in June 2012 as part of this current rezoning request. Since being rezoned last year there is now a produce stand at the adjacent site. The house on the right is on property in question for rezoning.



The parcel proposed for rezoning is a +/- 0.48 acre tract located at 791 Legette St., TMS#203-11-03-006, and is currently zoned Residential (R-15). The property is owned by Debbie and David Quick. This property has a home constructed on it. However, because of the recent widening of Alice Drive, and also because this property is immediately adjacent to active commercial use, the property owner wishes to rezone to Professional Office (PO) in order to use utilize this property more effectively. A photo **Below** shows the present home on the corner of Alice Drive and Legette Street. Access and parking constraints are the most significant limiting factors to consider in rezoning this parcel to a commercial use. Right in / right out access to Alice Drive is recommended for both of these parcels for safety considerations. The applicant may require variances from the Board of Zoning Appeals (BZA) concerning parking and access, before site development can take place.

Right: The area to the right of the existing house at 791 Legette Street would benefit from an evergreen screen in order to be converted to Professional Office use, as a buffer between this location and the residence immediately adjacent to this address. It appears that there is space to plant such a screen.



The obstacles to rezoning this parcel, from a planning perspective, are as follows:

- The parcel has residential uses on two sides – to the East and South of the parcel is a residential neighborhood. (**Below Left:** House next door to the East of property, and **Below Right:** House across the street from 791 Legette.) Several of the residents of this neighborhood opposed the rezoning request in 2011.

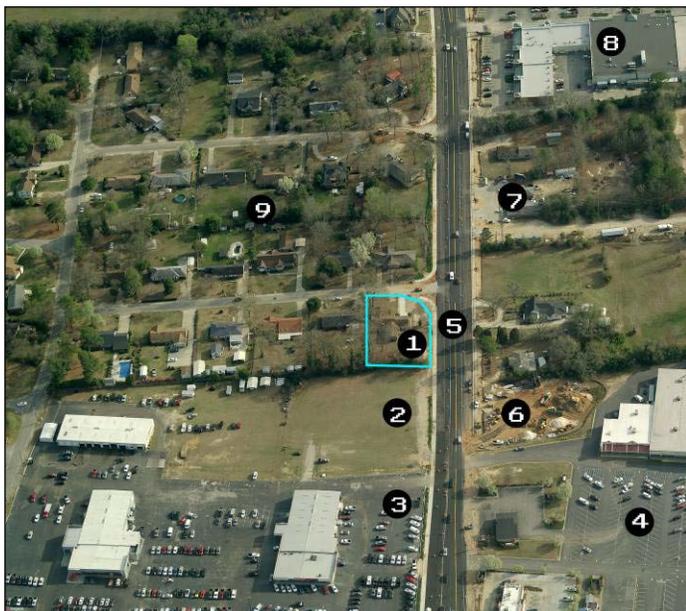
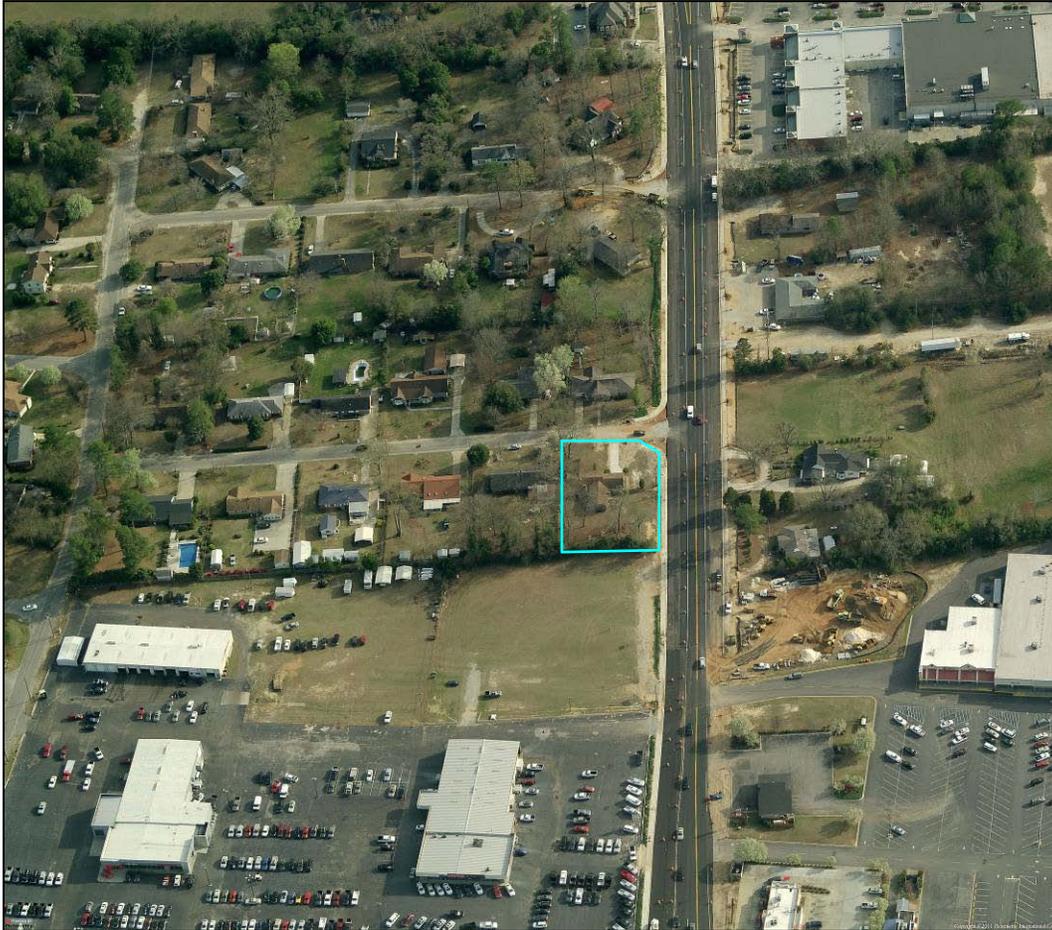


- Access and parking would be constraints to most uses in the PO district, and may require significant alteration of the site in order to accommodate these needs.

The reasons for recommending approval to rezoning this parcel, from a planning perspective, are as follows:

- There are already significant commercially zoned areas and uses around this parcel. Adjacent commercial uses at this time include a produce stand, car sales lot, and a strip commercial center.

- There are also several vacant commercial parcels that could be developed at any time to increase commercial activity in this area significantly.



Adjacent uses:

(See diagrams left and below)

1. The Property for rezoning request
2. Adjacent property, location of produce stand, zoned GC
3. Car dealership, zoned GC
4. Shopping Plaza with TJ Maxx, Arby's, etc, zoned GC
5. Alice Drive which now consists of 5 lanes since widening
6. Vacant parcel zoned GC
7. Existing strip commercial center, zoned LC
8. Shopping Plaza with IGA, zoned GC
9. Residential Area



Above Left: Adjacent commercial center that includes IGA, etc., zoned GC
Above Right: Strip commercial center across from 791 Legette St, zoned LC

Proposed Zoning Summary

The zoning designation proposed for this parcel is Professional Office (PO). The PO district includes the following permitted and conditional (CU) uses:

Administrative Offices	Banking, Insurance, Real Estate
Medical & Dental Offices, Labs	Photographic Studios
Legal Services	Beauty & Barber Shops
Child Care, Residential Care	Rooming & Boarding Houses (CU)
Art Galleries	All Residential and Multi-family uses (CU)
Churches	Miscellaneous Personal Services (CU)
Engineering, Accounting	Massage Therapy (CU)
Research, Development, Testing Labs	Employment Agencies
Cable Services	Veterinary Services (CU)
Drug & Sundry Stores	

III. COMPATIBILITY WITH 2030 COMPREHENSIVE LAND USE PLAN

The area is within the Suburban Development (SD) Planning Area. The goal of the SD planning area is to foster mixed-use development and encourage infill. This request meets this goal and will provide a better transition between commercial and residential districts than the current situation offers.

IV. TRAFFIC REVIEW

The Traffic Count for this section of Alice Drive is Level of Service (LOS) A. The Traffic Count for Broad Street is 27,100 ADT LOS C. The Alice Drive widening project is now complete and this constrains access on to Legette St. from Alice Drive. Access is available on Robert Dinkins Road and Legette Street.

V. ENVIRONMENTAL CONSIDERATIONS

Soils in this area are Troup (TrB) and Wagram (WgB). Both of these soil types are well-drained and suitable for development.

VI. WATER AND SEWER AVAILABILITY

Public water and sewer are available.

VII. STAFF RECOMMENDATION

Rezoning this parcel from R-15 to PO will make the parcel more consistent with the adjacent commercial uses and create a more feasible use on what was formerly a residential property. The widening of Alice Drive, adjacent produce stand and car dealership, and opportunity for further commercial development in the area all combine to create a corner parcel that is not desirable as a residence. The PO zoning district is a good transitional commercial use between the adjacent GC and the residential area on Legette Street. It may be necessary for the applicant to apply for variances from the Board of Zoning Appeals (BZA) concerning parking and access, before site development can take place.

Staff recommends approval of the rezoning request.

VIII. DRAFT MOTIONS

Motion #1:

I move that the Sumter City-County Planning Commission approve RZ-12-02 to rezone +/- 0.48 acres of land from Residential (R-15) to Professional Office (PO).

Motion #2:

I move that the Sumter City-County Planning Commission deny RZ-12-02 to rezone +/- 0.48 acres of land from Residential (R-15) to Professional Office (PO).

Motion #3:

I move that the Sumter City-County Planning Commission propose an alternate motion for RZ-12-02.

IX. PLANNING COMMISSION – JUNE 27, 2011

The Sumter City-County Planning Commission at its meeting on Tuesday, June 27, 2012, voted to recommend approval for this request to rezone +/- 0.48 acres of land from Residential (R-15) to Professional Office (PO).

X. COUNTY COUNCIL – JULY 10, 2012