



AGENDA ITEM ANALYSIS

Project/Issue Name: 22-11 An Ordinance of the City Council Approving Amendment of the Zoning Code and Official Map by Changing the Classification of Approximately 29.39 Acres, Located at the 2500 Block of South State Highway MM, from General Commercial (C-2) and Agricultural (AG) to Iron Grain District Planned Development District (PDD).

Submitted By: Karen Haynes, Assistant BUILDS Administrator

Date: February 22, 2022

Issue Statement

Magers Republic No. 3C, LLC and Iron Grain District, LLC have applied to change the Zoning Classification of approximately **(29.39) acres** of property located at the 2500 Block of South State Highway MM from General Commercial (C-2) and Agricultural (AG) to Iron Grain District Planned Development District (PDD).

Discussion and/or Analysis

The property subject to this Rezoning Application is comprised of approximately **(29.39) acres** of land located at the northeast intersection of State Highway MM and East Sawyer Road. The property is currently vacant and utilized as farmland; a residential structure was recently demolished on one parcel of the subject property.

Applicant's Proposal

The Applicant is proposing the Rezoning of this property to a Planned Development District (PDD) to allow for a mixed-use commercial and residential development consisting of (5) main areas of development. The developer intends to Final Plat these areas into separate parcels as the parcels are developed; additional adjustments could be made through the City's Subdivision Review Process. The Development Plan also contains new water, sanitary sewer, and stormwater systems to support the development.

The Planned Development District (PDD) allows for additional flexibility as development occurs; this flexibility includes minor alignment and adjustments in development areas through the Administrative Review Process once the construction of all infrastructure is complete and the Final Plat has been approved. All development will adhere to the specific requirements of the Approved Development Plan; aspects of the zoning code not specifically included in the Approved Development Plan will require compliance with code requirements at the date of actual development.



Specifically, the Applicant's proposal includes the following elements:

- **General Requirements:**
 - All lots will comply with the setback, density, and permitted use requirements of the effective zoning district, unless specifically addressed in the Approved Development Plan and/or as outlined below:
- **PDD Specifics:**
 - Parking: 85% of required parking, as specified in the Zoning Ordinance at the date of development
 - Residential Density: Multi-Family Residential Density (R-3) up to 25 units/acre
- **Area 1: General Commercial (C-2)/Multi-Family Residential (R-3)**
 - Total Area: 5.9 acres
- **Area 2: Multi-Family Residential (R-3)**
 - Total Area: 8.9 acres
- **Area 3: General Commercial (C-2)**
 - Total Area: 6.4 acres
- **Area 4: General Commercial (C-2)/Multi-Family Residential (R-3)**
 - Total Area: 9 acres
- **Area 5: General Commercial (C-2)**
 - Total Area: 4.2 acres

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

Consistency with the Planned Development District (PDD) Ordinance

The purpose of the Planned Development Regulations is to allow for mixed-use, unconventional, or innovative arrangements of land and public facilities, which would be difficult to develop under the conventional land use and development regulations of the City.

Planned Unit Developments must demonstrate substantial congruence with each of the following conditions in order to be considered eligible for approval:

- The proposed Development Plan shall involve a mixture or variation of land uses or densities.
 - The Iron Grain PDD is a commercial and residential mixed-use development.
- The proposed Development Plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
 - The Iron Grain PDD Development Plan includes provisions for municipal water and sewer services, a plan for stormwater management, and the construction of internal access to support multiple areas of development within the overall Development Plan.
- The proposed Development Plan shall involve design elements that promote the City of Republic's Comprehensive Plan and other adopted plans of the City.



- The City of Republic's Comprehensive and Land Use Plans promote the expansion of commercial and residential development at locations supported by the City's water, sanitary sewer, and transportation networks; the Iron Grain Development can be adequately supported by the City's existing capacities for water, sewer, and transportation.
- The proposed Development Plan shall involve design elements intended to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public improvements.
 - The Iron Grain Development Plan includes the construction of internal access between multiple uses and connections to Olde Brookline Avenue (City Street), East Sawyer Road (City Street), and State Highway MM (Primary Arterial), utilizing the existing deeded access on the State Highway.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and commercial development through proactive rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses.**

The 2021 Comprehensive Plan and Land Use Plan identifies Land Use Goals and Objectives relating to development, as follows:

- **Goal:** Support market conditions to develop a greater variety of residential and commercial options
 - **Objective:** Support opportunities to create new destination-style commercial development
 - **Objective:** Support a variety of housing developments and styles to ensure a range of options are available
- **Goal:** Support new development that is well-connected to the existing community
 - **Objective:** Encourage development that improves and expands upon existing infrastructure
 - **Objective:** Promote development aligning with current adopted plans of the City
 - **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development
 - **Objective:** Allow for mixed-use development (commercial, residential) at highly visible vacant properties
- **Goal:** Pursue partnerships to support new development
 - **Objective:** Leverage current and planned infrastructure expansions and improvements



Compatibility with Surrounding Land Uses

The subject site is surrounded by existing agricultural, commercial, and industrial zoned properties and uses:

- North: Agricultural (AG), across James River Expressway
 - Farmland
- South: Agricultural (AG), across East Sawyer Road
 - Church
- East: General Commercial (C-2), Agricultural (AG)
 - Farr Better Plumbing Contractor Office & Warehouse, Republic Fire Station #2
- West: Eclipse Event Center Planned Development District, across State Highway MM
 - Property is vacant, under consideration for Rezoning (commercial & industrial)

The land uses permitted in the Applicant's proposal are considered to be generally compatible with the surrounding agricultural, commercial, and industrial zoned properties and uses in proximity to the subject parcel.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service: This proposed development can be served by City of Republic sanitary sewer and water service. A (15) inch gravity sanitary sewer line currently runs through the property from east to west, parallel to the floodplain, to an existing Lift Station (Brookline South Lift Station) on the west side of State Highway MM. An existing (12) inch City of Republic water main is located on the north side of East Sawyer Road that connects and loops a water main on East Sawyer to a water main running parallel to State Highway MM. The development of the subject property will require the addition of new water and gravity sewer main extensions to serve the identified areas within the development; dedications of the new water and sewer infrastructure will be completed during the Final Platting Process.

The wastewater generated by the development will flow to the relocated Brookline South Lift Station, McElhaney Lift Station, and the Shuyler Creek Lift Station before being pumped through a series of force mains to the Wastewater Treatment Facility. The City is currently working on the additional infrastructure implementation of the Wastewater Master Plan, which will include upgrades to the McElhaney Lift Station in 2022, which will increase the capacity of wastewater flowing from areas north and west of US Highway 60, to accommodate present and future development in the area.

The Water System, Lift Stations, and the Wastewater Treatment Facility have sufficient capacity to serve the proposed development at full build-out.

Transportation: The Development Plan includes the construction and upgraded commercial access point on State Highway MM, at the location of an existing deeded access point, north of Sawyer Road. Additionally, the development will access Old Brookline Avenue (City Street) and East Sawyer Road (City Street) in multiple locations. The Development Plan does not include the construction or dedication of any new City Streets.



The City is requesting vacation of a portion of Old Brookline Avenue at the north end of the proposed development. The proposed vacation will eliminate approximately (385) feet of City Street; the vacated portion of the street will be vacated to the two properties on either side, which are now under the control of two property owners whom are parties to the proposed development.

MODOT will review the upgraded commercial access drives for compliance with their design standards during the Infrastructure Review Process, which includes engineering design for streets, stormwater, water, and sewer infrastructure. MODOT will be the authority to review the final plans for the commercial drive and acceleration and deceleration lanes for the accesses on South State Highway MM.

The PDD Application included a Transportation Impact Study (TIS), stamped by an Engineer, evaluating the existing transportation impact of the development in relation to multiple existing Traffic Impact Studies (TIS) that were performed for adjacent developments and their associated improvements. The TIS, as well as the Development Plan, includes the construction of the referenced improvements required to accommodate the increase in traffic generated by this development.

Stormwater: The Development Plan contains one area designated for stormwater detention, designed to accommodate stormwater generated by the development. The stormwater detention area will be contained within the area of Floodplain; the design of the stormwater area and any improvements or construction within the limits of the Floodplain and/or Floodway will be reviewed during the Infrastructure Review Process. The detention area will be maintained by the developer.

Floodplain: The subject parcel **does** contain a **Special Flood Hazard Area (SFHA/Floodplain)**; development of the parcels will require compliance with the City's Floodplain Regulations and associated ancillary permits from the Corps of Engineers for the identified blue line stream.

Sinkholes: The subject parcel **does** contain one identified sinkhole. Development of the property will require adherence to the City's Sinkhole Ordinance.

All developments must include site design providing for sufficient emergency vehicle access as well as fire protection facilities (e.g. fire hydrants). **Additional elements of code compliance, evaluated at the time of infrastructure design, impacting the development of the subject property, include, but are not limited to, the City's Zoning Regulations, adopted Fire Code, and adopted Building Code.** The next steps in the process of development of the subject parcel, upon a favorable rezoning outcome, will be the development, review, and approval of an Infrastructure Permit for the construction of utility services and roads.

Recommended Action

Staff considers the **proposed Zoning Map Amendment (Rezoning to Planned Development District)** to be generally consistent with the **goals and objectives of the Comprehensive and Land Use Plans**, generally consistent with the **trend of development in the vicinity of the site**, generally **compatible with surrounding land uses**, and **able to be adequately served by municipal facilities**. Specifically, the proposed development can be adequately served by the City's municipal water and sanitary sewer services and the City's transportation network. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), Staff recommends the approval of this application.