

Board of County Commissioners

Agenda Request

Date of Meeting: July 19, 2010

Date Submitted: July 2, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Lindsay Stevens, Assistant County Administrator
Somerset Strickland, Planner

Subject: Application for Site Plan SP10-03
Lucy Ward, Owner/Hydra Engineering, LLC, Agent

Statement of Issue:

This agenda item provides the Board with an Application for Site Plan to request approval to construct a child care facility.

Background:

This application requests approval to construct a commercial child care facility on a parcel containing a total of 2.0+/- acres, located on the north side of Shadeville Road, immediately west of Hale's Small Engine (Attachment 1).

This item was continued from the June 7, 2010, Board of County Commissioners Meeting. The Application for Change of Zoning from RR-5 to Restricted C-2 was approved by the Board on June 7, 2010.

Technical Review Committee (TRC):

On March 18, 2010, the request was reviewed by the Technical Review Committee. The Agent was notified that a copy of the current deed, the Northwest Florida Water Management Districts Environmental Resource Permit (ERP) and additional copies of the site plan were required to complete the file. These items were submitted by the required deadline.

Planning Commission:

On May 10, 2010, the request was considered by the Planning Commission. Two concerned citizens spoke, who live in the general vicinity of the Subject Property. The concerns expressed included: traffic volume of Shadeville Road, the current speed limit on this segment of Shadeville Road, the need for additional daycare facilities, the number of vacant commercial buildings currently located in the County and encroachments of commercial uses within a residential area.

The Planning Commission expressed concerns for the current speed limit on Shadeville Road, in this location and recommended that the Board should consider lowering the speed limit in this area and in front of other daycare facilities on County Roads for safety purposes. At the Planning Commission's request, staff prepared a separate Agenda Item to the Board regarding the recommendation from the Planning Commission to consider reducing the speed limit in front of daycares that access from County roadways. This item was considered by the Board on June 7, 2010. The Planning Commission voted 5-2 to recommend approval.

Subsequently, the Board directed staff to coordinate with the Wakulla County Community Traffic Safety Team (CTST) to investigate the feasibility of reducing the speed limit in certain areas fronting daycare facilities. The CTST determined that this was a feasible option and will be presenting recommendations regarding reduced speed limits, among other traffic safety recommendations at a Board meeting in the near future.

Analysis:
Comprehensive Plan:

The Future Land Use Map (FLUM) designation for the property is Urban 2. The Urban 2 land use allows for 8 dwelling units per acre of land, with connection to central sewer and water service. For nonresidential uses within the Urban 2 land use, Floor Area Ratio (FAR) shall not exceed 0.5 with connection to central sewer and water service (Attachment 2).

Policy 1.2.6(4)(e) states "*Proposed non-residential land uses may be permitted if the proposed use is not harmful or inconsistent with surrounding land uses*" while subsection (f) further requires that "*Proposed non-residential land uses shall be consistent with the FLUM and the existing and proposed character and nature of the area. Compatibility will be determined through staff review and the public hearing process before the local planning agency and County Commission.*"

Taking into consideration the existing uses (detailed further in this Agenda Request) which currently occur adjacent to the Subject Property, the request to rezone to commercial complies with the policies set forth by the Comprehensive Plan for non-residential development.

The C-2 zoning district is a permitted zoning district within the Urban 2 land use designation.

Land Development Code:

The current zoning district is Restricted C-2 (General Commercial). The C-2 zoning district allows for various commercial business activities, including retail stores, professional offices and child care centers. Principle uses include: professional offices, shopping centers and retail stores that do not allow the sale of gas or alcohol, churches and schools. (Attachment 3).

Site Conditions:

The FEMA flood zone designation for the property is "C". Zone "C" is an area of minimal flooding, and usually does not require flood insurance by mortgage lenders.

Water service will be provided to the Subject Property by the City of Sopchoppy and sanitary sewer will be provided by Wakulla County.

Staff completed a site visit on April 16, 2010 (Attachment 4). Currently, the site is vacant and no environmentally sensitive features are known to exist on site.

Adjacent Parcels:

Parcels adjoining the Subject Property include the following zoning districts: RR-5 (Rural Residential), C-2 (General Commercial) and PUD (Planned Unit Development) (Attachment 5).

The RR-5 zoning district exists to the north and west of the Subject Property and currently contains the New Life Christian Fellowship Church, which was recently purchased by Wakulla County and will become a new Community Center.

Immediately east of the Subject Property is the C-2 zoning district. This parcel contains Hale's Small Engine Shop, which received approval by the Board of County Commissioners for Change of Zoning in 2001.

On the south side of Shadeville Road is the PUD zoning district. This PUD encompasses the Highwoods Place Phase 2 subdivision. The standards contained within this PUD allow for the installation of mobile homes.

Compatibility:

The requested use of a child care facility is allowed by the Restricted C-2 zoning district and is generally considered to be consistent with

present and proposed future uses of the surrounding properties. The New Life Christian Fellowship performed child care services on its property. The County recently purchased the New Life Christian Fellowship property, and has converted this site into a new Community Center which is anticipated to provide activities and events for citizens of all ages in the community, including children.

Public Notification:

This request has been noticed and advertised in accordance with the provisions of the Wakulla County Code. The Planning Department also posted appropriate signage on the property indicating the conditional use request. The Wakulla County Code does not require written notice to adjacent property owners for requests of this type. To date, the Planning Department has received 1 written response to the notice (Attachment 6).

The advertisement for this public hearing appeared in the Wakulla News on April 8, 2010 (Attachment 7). As previously noted, this item was continued at the Board of County Commissioners meeting on June 7, 2010 to a date and time certain: July 19, 2010.

Site Plan Review:

The proposed site plans depicts a child care facility containing 5,000 square feet of gross floor area and a total of 14,398 square feet total of impervious surface. Staff recognizes that child care facilities typically operate during the normal business hours of 7 a.m. to 6 p.m. and the child care facility is not anticipated to create adverse traffic or noise impacts during evening hours.

Lighting will be directed away from adjoining residential parcels to prevent light pollution.

An Environmental Resource Permit (ERP) from the Northwest Florida Water Management District (NFWFMD) was obtained to construct an on-site stormwater treatment facility (Attachment 8).

Applications for Transportation Concurrency Review and Stormwater Review were submitted as required by County Code (Attachment 9). These applications were transmitted to the review consultant, Kimley-Horn and Associates. The review consultant requested a revision to the stormwater model and incorporation of swale details on the grading plan. These revisions were made by the Agent, to the satisfaction of the Review Consultant.

Additionally, the Agent revised the Application for Transportation Concurrency Review based on the review consultant's concerns (Attachment 10). The original Application utilized the number of employees to calculate the number of PM peak hour trips, which the consultants did not believe was the most effective method of determining the PM peak hour trips. The Revised Application utilizes the square footage of the proposed building in the trip calculations. This method is in accordance with the latest edition of the ITE Trip Generation Manual. The revision increased the number of PM peak trip hours generated by the site, but the increased number of trips will not result in an adverse affect to the roadway system.

It should be further noted that the Application for Transportation Concurrency submitted by the Applicant indicates the proposed daycare does not generate enough peak hour trips to warrant a Traffic Study for the Subject Property, nor the construction of a turn lane into the proposed facility. Based on the Application for Transportation Concurrency, the proposed daycare will generate an additional 62 PM peak hour trips per day and will not lower the LOS (Level of Service) on this segment of Shadeville Road. The Concurrency Management System shows 1,410 PM peak hour trips per day capacity on this segment of Shadeville Road.

A turn lane analysis was also conducted for the Subject Property and depicts that a turn lane is not required for the number of peak hour trips that will be generated by this development (Attachment 11). The review consultant concurred with the results of the turn lane analysis but noted the County and CTST may want to consider the installation of a turn lane for the Subject Property.

Since the Board meeting in June, changes to the site plan design have been made. These include an increase parking spaces from 8 to 21 spaces and a by-pass lane at the facilities front entry way. These changes were approved by the review consultant.

Landscaping will be installed within the developed area of the Subject Property; while a 50 foot naturally vegetated buffer will be left undisturbed and protected during construction pursuant to the requirements of Ordinance 2007-03 (the Landscape Ordinance), along the north and west boundaries of the Subject Property.

Options:

1. Conduct the final Public Hearing and approve the Application for Site Plan SP10-03, based upon the Planning Department's recommendation, the recommendation of the Planning Commission and the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
2. Conduct the final Public Hearing and deny the Application for Site Plan SP10-03, based upon the findings of fact and conclusions of law made by the Board and any evidence submitted at the Hearing hereon.
3. Board Direction.

Recommendation:

Option #1. Staff and the Planning Commission recommend approval of Application for Site Plan SP10-03 to construct a child care facility. The proposed use of a child care facility is not anticipated to adversely impact the surrounding properties or the existing commercial and residential uses of those properties. The typical use hours for a child care facility generally occur during normal business hours and should not create adverse traffic or noise impacts during evening hours. Additionally, lighting will be directed away from adjoining residential parcels to prevent light pollution. Landscaping will be installed on the Subject Property as required. A child care facility is a compatible use for the Wakulla County Community Center, as many of the same individuals utilizing the day care facility will likely be utilizing the programs and services offered at the Community Center. The turn lane analysis performed by the Agent does not warrant the installation of a turn lane and the calculated PM peak hours trips for proposed use are minimal. Furthermore, the proposed site plan meets all applicable requirements set forth in the Comprehensive Plan and the Wakulla County Code.

Attachment(s):

1. Location Map
2. FLUE Policy 1.2.6
3. Zoning Ordinance 2010-12
4. Site Photos
5. Zoning Map
6. Citizen Letter
7. Advertisement
8. NFWFMD ERP
9. Applications for Transportation Concurrency Review and Stormwater Review
10. Revised Application for Transportation Concurrency Review
11. Turn Lane Analysis
12. Site Plan