

Commissioner Orenstein asked if most of the noise is band related, not crowd noise? Mrs. Dukes responded correct. Commissioner Orenstein stated it seems like it is an issue with not following the noise ordinance by 10:00 p.m. Mrs. Dukes responded the bands or music is turned off by 10:00 p.m. unless an extension has been requested which would come through her office. Commissioner Orenstein asked if the complaints received regarding the noise were prior to 10:00 pm? Mrs. Dukes responded yes. Commissioner Griner made a motion to approve the rezoning request with the four conditions, Commissioner Orenstein second. Commissioners Orenstein, Wisenbaker and Griner voted in favor of the request, Commissioner Evans and Vice Chairman Marshall opposed. Motion carried.

**REZ-2024-02 Byrd Property, 3715 & 3725 Byrd Rd., E-A to R-1, ~7.5ac, Well & Septic**

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from E-A (Estate Agricultural) zoning to R-1 (Low Density Residential) zoning with approximately 7.5 acres. Mr. Dillard stated the applicant would like to subdivide the property into conforming lots for individual residences. Mr. Dillard stated this is within the agricultural-character area, with wetlands in the southwest corner of the property. The applicant is reserving 0.08 acres for potential right-of-way for any widening or paving of Byrd Road. The Planning Commission recommended approval and the TRC had no technical objections, noting that the unique shape of the property, coupled with the requirements for individual well and septic systems, naturally limits the overall development. No one spoke against this request. Mr. Tripp Talley, 113 Fairway Drive, spoke in favor of this request. Mr. Talley stated he was available to answer any questions and he believes the layout with the setbacks fits this property. There were no rebuttal remarks made in support or opposition of this request. Vice Chairman Marshall made a motion to approve the request as presented, Commissioner Orenstein second. All voted in favor, no one opposed. No one opposed. Motion carried

Chairman Slaughter stated if there were no objections, staff would like to add an item to the agenda, the Hospital Authority Revenue Certificates. There being no objections, Chairman Slaughter asked that the item be added as agenda item 6F.

**REZ-2024-03 Southern Gardens, 4609 Bemiss Rd. 5ac, C-G to P-D, County Utilities**

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from C-G (General Commercial) zoning to P-D (Planned Development) zoning in order to develop a sixty unit apartment complex with amenities. Mr. Dillard stated this is within the corridor overlay, urban service area and neighborhood activity center character area. P-D zoning is recommended to allow for a mixture of housing types and there are no wetlands on the property. Mr. Dillard presented the original site plan and noted the applicant has since revised the site plan due to opposition's feedback at the Planning Commission. The revised layout shows relocating the one-story community building along the western property line adjacent to the Glen Laurel subdivision and increased the onsite parking to two spaces per unit. The Planning Commission recommended approval and the TRC found no technical objections. Commissioner Orenstein asked regarding the property immediately to the north, there's no unoccupied property there now, it's the car wash? Mr. Dillard responded there are duplexes on the western portion of the northern property and the car wash and then a parcel adjacent to the car wash that could be developed and it is C-H. Commissioner Orenstein asked if anyone has contacted our office regarding development of those two properties? Mr. Dillard answered no. Commissioner Wisenbaker asked if the pond on the property was a retention pond? Mr. Dillard responded yes. Vice Chairman Marshall asked if the buffer area that is specified, if that area would include trees? Mr. Dillard responded yes, a thirty foot landscape