



Franklin County Communique to the Planning Board

REQUEST FOR REZONING 15-REZ-03

Penders Loop and US 1 Highway – Heavy Industrial to Highway Business

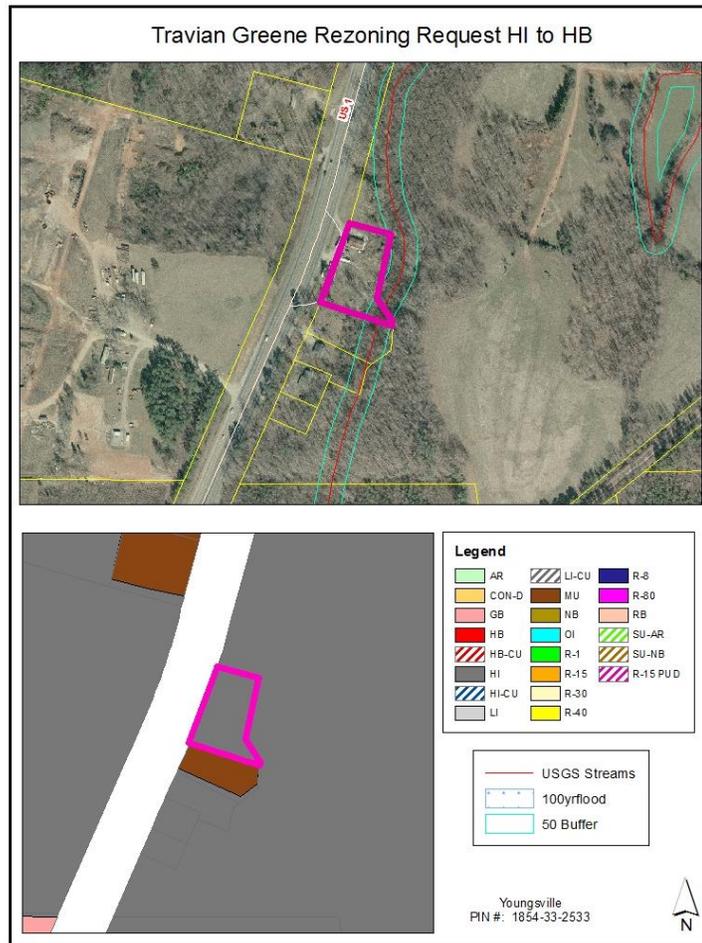
PETITIONER(S):

Name of Petitioner: Travian Green
Address: 13 Penders Loop
CityStateZip: Franklinton, NC 27525

OWNER(S):

Name of Owner: Stanley Pender
Address: 1842 Long Mill Road
CityStateZip: Youngsville, NC 27596

LOCATION:



ATTACHMENTS:

Rezoning Application
Map

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Stanley Pender	1854-33-2533	Heavy Industrial	1.6 acres
TOTAL			1.6 acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	Heavy Industrial	Auto Repair
North	Heavy Industrial	Vacant
South	Mixed Use	Residential
East	Heavy Industrial	Vacant
West	Heavy Industrial	Recycling Center

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: Travian Greene is requesting to rezone 1.6 acres on Penders Loop and US 1 Highway in the Youngsville Township from Heavy Industrial (HI) to Highway Business (HB).

PLANNING & ZONING

Land Use Plan: The Future Land Use plan indicates that this property is intended for Heavy Industrial

Zone Map Change Analysis: Travian Greene is requesting to rezone 1.6 acres on Penders Loop and US 1 Highway in the Youngsville Township from Heavy Industrial (HI) to Highway Business (HB).

The petitioner states that his towing and auto repair business, which he has been running at this location for five years, is growing. This rezoning would allow for better use of the land and possibly permit the expansion of services.

The property directly to the south of this parcel was rezoned from HI to Mixed Use (MU) in 2007.

Staff recommends that the Board use the provided rezoning checklist as a part of the decision making process. Board members are encouraged and required by general statute to consider all allowable uses under the district rather than only the proposed use as presented. In accordance with Section 26-8 (E) of the Unified Development Ordinance staff has sent mailed notices to the adjacent property owners.

Permitted Uses:

(HI) Heavy Industrial District Zoning

The purpose of this district is to establish and preserve areas for heavy industrial and related uses and is designed to accommodate all but the most objectionable industries; however, industries permitted by right are required to minimize their emission of smoke, dust, fumes, glare, noise and vibrations. The following standards are established for this district and designed to promote sound permanent heavy industrial development, and to protect nearby areas from undesirable aspects of industrial development: (1) outside storage must be screened from public view by opaque fencing, screening or landscaping; (2) outside storage shall be limited to the rear and side of the principal building; (3) storage of unsafe (corrosive, flammable or explosive materials) or hazardous material shall comply with any local, state or federal requirements; and (4) outside storage must be on the premises of the business. This district should be separated from residential areas whenever possible by natural or structural features such as sharp breaks in topography, strips of vegetation or traffic arteries. This district shall be located adjacent to and/or with direct access to thoroughfare roads or streets.

Abattoir / Slaughterhouse	S
Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock) except intensive livestock operations (ILO)	X
Air Conditioning Equipment Manufacturing	X
Airport Operations, Aircraft Port, Heliports	X
Ambulance Service / Rescue Squad	X
Animal Aquaculture	X
Assembly and/or Manufacturing of Emergency Community Support Vehicles	X
Assembly and Packaging Operations	X
Automobile and Truck Assembly	X
Bakeries and Food Product Preparation	X
Bedding and Carpet Manufacturing	X
Bituminous Coal & Lignite Mining	S
Bituminous Products Mixing Plant	S
Boat Works / Repair	X
Bottling Works	X
Brick, Tile and Pottery Yards (excluding extraction from Earth)	X
Building Components and Construction Materials Manufacturing	X
Bulk Grain Storage	X
Bulk Mail and Packaging	X
Cabinet / Woodworking Shop	X
Chemical Manufacturing, Household and Industrial	S
Clothing and Textile Manufacturing	X
Cold Storage Plants	X
Contractors, General Building	X
Contractors, Heavy Construction	X
Convenience Centers	C
Cosmetics Manufacturing	X

Crating Services	X
Crude Petroleum & Natural Gas	S
Dairy Processing and Distribution	X
Daycare Center and Kindergarten	C
Demolition Landfill, Public or Private	S
Distribution Centers	X
Electrical Appliance Manufacturing	X
Electrical Component Manufacturing	X
Electrical Industrial Apparatus, Assembly	X
Electrical Industrial Apparatus, Manufacturing	X
Electrical Machinery Manufacture and/or Assembly	X
Electronic Component Assembly Operations	X
Emergency Shelter	X
Emery Cloth and Sandpaper Manufacturing	X
Fabricated Metal Products	X
Farm Machinery Assembly and Repair	X
Fertilizer Manufacturing and Compounding	S
Fiber Manufacturing	X
Fire Station Operations	X
Flour and Feed Mills	X
Food and Related Production, Miscellaneous	X
Food Processing Facilities	X
Fuel Oil Sales	X
Furniture and Fixtures Assembly	X
Furniture and Wood Product Manufacturing	X
Garbage and Waste Incinerators	S
Production of Glass Products from Purchased Glass	X
Grain Mill Products	X
Hatcheries	X
Heavy Equipment Manufacturing	X
Ice Production	X
Industrial Supplies and Equipment Services	X
Inert Debris Reclamation	S
Iron, Steel, Copper, Brass and Aluminum Foundries	S
Jewelry Manufacturing	X
Laboratory Research	X
Law Enforcement Station	X
Leather and Leather Products (tanning)	X
Leather Products and Luggage Manufacturing	X
Machine Tool Manufacturing	X
Machine Welding Shops	X
Production of Manufactured Housing and	X

Wood Buildings	
Metal Fabrication Facilities	X
Manufactured of Millwork, Plywood and Veneer	X
Mining Industries	S
Monument Works	X
Motor Vehicle Assembly	X
Nonmetallic Minerals, except Fuels	S
Off-Street Parking and Loading Facilities	X
Offices, Small/Low-Impact	X
Paper Goods Manufacturing	X
Parks and Open Space, Public or Private	X
Petroleum and Related Industries	X
Petroleum Products, Storage and/or Distribution	X
Pharmaceutical Manufacturing	X
Police Services	X
Portland Cement Mixing Plants	X
Precision Instrument Manufacturing	X
Pressure Wood Treatment Plants	S
Printing and Publishing	X
Public Recreation (grounds and facilities for open air games and sporting events)	X
Public Utility Stations (including electrical substations, water tanks/towers and telephone exchanges)	X
Radio or Television Studio Activities Only	X
Railroad Stations and Yards	X
Refrigerated Warehousing	X
Research Facilities, including manufacturing incidental to same	X
Restaurants and Grills	X
Restaurants (with drive-thru)	X
Restaurants (without drive-thru)	X
Salvage and Recovery Yards	S
Sawmill or Planing Mills	X
School, Industrial Trade	X
Sewage/Water Pumping Stations	X
Sewage/Water Collection and Transmission Lines	X
Sewage/Water Treatment Plants	X
Sheet Metal Fabrication	X
Sign Painting and Fabrication Shop	X
Solar Energy Farms	X
Storage or Baling of Scrap Paper, Iron, Bottles, Rags or Junk	X
Storage, Warehouse	X
Swimming Pools	X
Telecommunication Towers	X
Telephone Exchange Cabinets	X
Textile Products (no dyeing and finishing)	X
Textile Products (with dyeing and finishing)	X

Tire Recapping	X
Tires and Inner Tubes Manufacturing	X
Tobacco Products Manufacturing or Processing	X
Truck Stop	X
Truck/Trailer Repair	C
Trucking, Transfer Companies and Heavy Equipment Terminals	X
Underground Electrical Power Distribution Lines; Water or Sewer Lines; Gas Distribution, and Liquid Fuel Transmission Lines	X
Warehouse (general storage, enclosed)	X
Wholesale and Jobbing Establishments	X
Wood Products	X

X = Permitted as use by right

S = Special Use Permit approved by Franklin County Board of Commissioners upon the recommendation by the Franklin County Planning Board

C = Conditional Use Permit approved by the Franklin County Board of Adjustment

(HB) Highway Business District Zoning

The purpose of this district shall be to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public, the reduction of highway congestion and hazard, and the minimization of blight. The following standards are established for this district and designed to promote sound permanent commercial development, and to protect nearby areas from undesirable aspects of commercial development: (1) outside storage must be screen from public view by opaque fencing, screening, or landscaping; (2) outside storage shall be limited to the rear and side of principal building; (3) storage of unsafe (corrosive, flammable, or explosive materials) or hazardous material shall comply with any local, state or federal requirements; and (4) outside storage must be on the premises of the business.

ABC Stores	X
Accessory Uses	X
Adult Businesses	S
Agricultural Production (crops)	X
Agricultural Production (livestock) except intensive livestock operations (ILO)	X
Agricultural Supply Sales	X
Animal Aquaculture	X
Animal Hospitals / Veterinarians	X
Antique Sales	X
Apparel and Accessory Sales	X
Appliance Store	X
Arts and Crafts	X
Assemblies (Coliseums, Gymnasiums and Similar Structures)	X
Auction	X
Automobile Junkyard (Including	S

Automobile Graveyards)	
Automobile Parts Sales (new only)	X
Automobile Repair Service	X
Automobile Service Station (including self-service gas pumps)	X
Automobile/Truck/Trailer Sales and Rental	X
Barber and Beauty Shops	X
Bar, Night Club, Tavern	X
Bed and Breakfast Inn (includes Boarding House and Tourist Homes)	C
Blacksmith or Horse Shoeing Services	X
Blueprinting and Photostatting Establishments	X
Boat Sales	X
Bookstore	X
Building Supply Sales	X
Bulk Mail and Packaging	X
Bus Terminal	X
Cabinet / Woodworking Shop	C
Car Washes	X
Catering Establishments	X
Church	X
Clothing Alteration and Repair	X
Club or Lodge, Public and Private	C
Cold Storage Plants	X
Communication or Broadcasting Facility	X
Computer Sales	X
Computer Services	X
Contractors, General Building	X
Contractors, Heavy Construction	X
Convenience Centers	C
Courier Service	X
Craft and Gift Shops	X
Daycare Center and Kindergarten	C
Department Stores	X
Drive-In Movies	X
Drugs, Legal Sales	X
Drug Store	X
Dry Cleaners and Laundries	X
Dwelling, Single-Family (one per lot)	X
Electrical Appliance Sales and Service	X
Emergency Shelter	X
Employment / Personnel Agency	X
Fabric or Piece Goods Store	X
Farm Equipment and Small Engine Repair	C
Feed and Grain Sales and Storage	X
Fertilizer Wholesale and Retail Sales	X
Financial Institutions (Bank, Savings and Loan, Credit Unions)	X
Flea Markets	X
Florist	X
Floor Coverings, Sales	X

Food Store	X
Forestry	X
Funeral Home	X
Furniture Store	X
Glass, Sales	X
Golf Course, Miniature	X
Golf Driving Range	X
Grocery and Convenience Stores	X
Grounds & Facilities For Open Air Games & Sporting Events	S
Hardware Stores	X
Heating, Equipment and Plumbing Fixtures	X
Home Furnishings, Miscellaneous	X
Homeless Shelter	S
Horse Shows	C
Industrial and Commercial Machinery, Sales	X
Jewelry Sales and Watch Repair	X
Kennel Operations, Care	C
Landscape and Horticultural Services	X
Laundromat, Coin-Operated	X
Law Enforcement Station	X
Locksmith, Gunsmith	X
Manufactured Home Sales but excluding any residential occupancy	X
Manufactured Home, Individual, For Office and Exhibition	C
Miscellaneous Retail Sales	X
Motels / Hotels	X
Motor Vehicle Sales (new and used)	X
Motorcycle Sales	X
Music Festival	S
Musical Instrument Sales	X
Neighborhood Business	X
Newsstand	X
Office for Business, Professional or Personal Services	X
Office Machine Sales	X
Optical Goods Sales	X
Outdoor Fruit and Vegetable Markets	X
Paint and Wallpaper Sales	X
Paper Products, Sales	X
Parks and Open Space, Public or Private	X
Pawnshop or Used Merchandise Store	X
Pest or Termite Control Services	X
Pet Cremation	X
Pet Store	X
Photocopying and Duplicating Services	X
Photographic Equipment	X
Plant Nurseries / Lawn and Garden Stores	X
Pottery and Related Products, Sales	X
Public Buildings	X

Public Recreation (grounds and facilities for open air games and sporting events)	X
Public Utility Stations (including electrical substations, water tanks/towers and telephone exchanges)	C
Record and Tape Store	X
Recreation Facility, Indoors	C
Recreational Vehicle Sales	X
Rest Homes	X
Restaurants and Grills	X
Restaurants (with drive-thru)	X
Restaurants (without drive-thru)	X
Salvage and Recovery Yards	S
School, Business, Professional and Art	X
Shoe Sales and Repair	X
Shopping Centers / Commercial Group Development	X
Soap and Cosmetics, Sales	X
Sporting Goods Shop	X
Storage Facilities, Mini	X
Swimming Pools	X
Tattoo Shops	C
Taxidermist	X
Telecommunication Towers	X
Telephone Exchange Cabinets	X
Tire Sales	X
Tobacco Products, Sales	X
Travel Agency	X
Truck Stop	X
Truck / Trailer Repair	C
Veterinary Office / Hospitals	X
Utility Building Sales	X
Video Tape Rental and Sales	X
Warehouse (general storage, enclosed)	X

X = Permitted as use by right

S = Special Use Permit approved by Franklin County Board of Commissioners upon the recommendation by the Franklin County Planning Board

C= Conditional Use Permit approved by the Franklin County Board of Adjustment

Setbacks and Lot Size:

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback	Min. Side Setback	Min. Rear Setback
<i>Existing Zoning</i> Heavy Industrial	80,000 Sq. Ft.	150	75	25	75
<i>Proposed Zoning</i> Highway Business	30,000 Sq. Ft.	75	50	10	25

Water/Sewer Service: Public water is available to this site. The site currently utilizes well and septic.

Transportation: The 2013 average daily traffic count along US 1 Highway is approximately 17,000-18,000 vehicles per day.

Environmental Issues: The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre. Franklin County GIS maps indicate a tributary on the property based on the county's soils map information.

REZONING GUIDE CHECKLIST

- (1) Does the proposed zoning classification conform to the County Land Use Plan
FINDING ___ Yes ___ No

- (2) Is there a public need for additional land to be zoned for this use/district?
FINDING ___ Yes ___ No

- (3) If there is a need for additional land to be zoned to this district, should it be in this area, or would the public interest be better served if the zoning were done in another area of the county?
FINDING ___ Yes ___ No

- (4) The granting of the rezoning request will not impose serious hardships on adjacent property owners in the form of noise, odors, signs, and/or other similar nuisances?
FINDING ___ Yes ___ No

- (5) The request does not raise any legal questions such as "spot zoning", "violation of precedents", and the rule of reasonableness?
FINDING ___ Yes ___ No

- (6) The granting of the rezoning request is of benefit to the general public and not solely for a private individual.
FINDING ___ Yes ___ No

- (7) The request will not result in the lessening the enjoyment of use of adjacent properties?
FINDING ___ Yes ___ No

- (8) The request would not have a serious impact on existing public facilities, such as schools, fire & rescue etc.
FINDING ___ Yes ___ No

PLANNING STAFF RECOMMENDED PLANNING BOARD DISCUSSION ITEMS

Review proposed map amendment, solicit comments or questions, and make a recommendation regarding the rezoning request.

Zoning Consistency Statement: The Future Land Use plan indicates that this property is intended for Heavy Industrial zoning, with surrounding properties being designated as the same. The property is located along a major thoroughfare. Public water is available to this site. The adjacent parcels to the west, north and east are currently zoned Heavy Industrial, and to the south is zoned Mixed Use (rezoned from HI in 2007).

PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD

Recommend approval of the requested rezoning based upon the reasons stated in the above narrative.