



Franklin County Communique to the Planning Board

REQUEST FOR REZONING 17-REZ-05

NC 56 HWY (Agriculture-Residential AR to Highway Business HB)

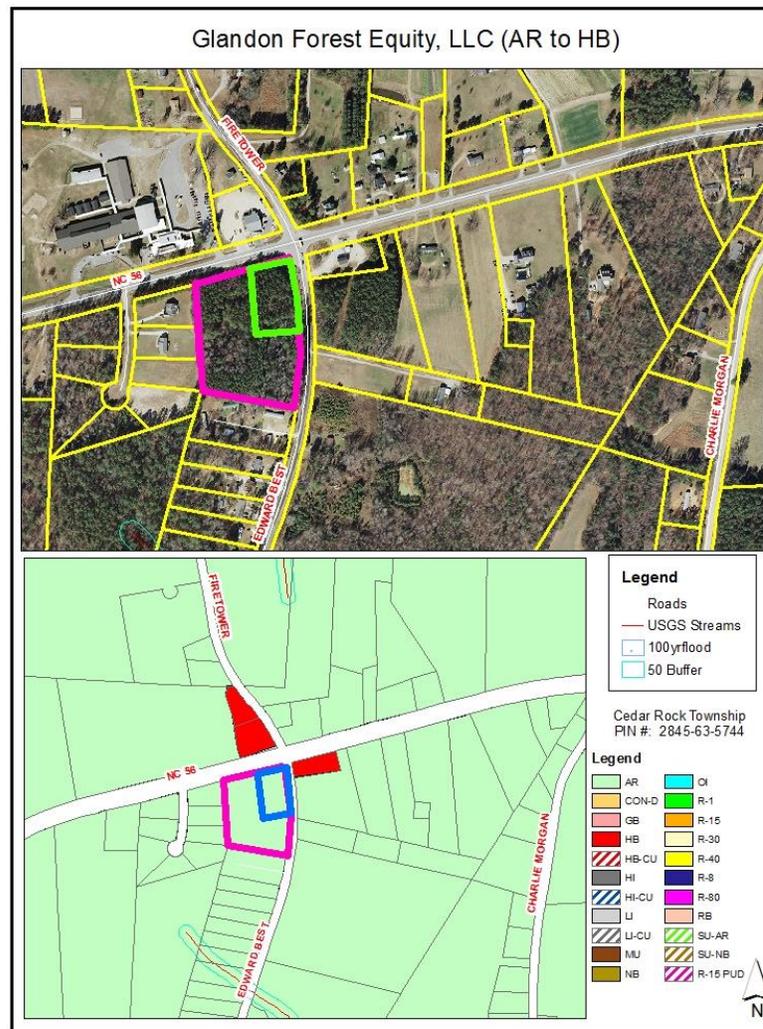
PETITIONER(S):

Name of Petitioner: Glandon Forest Equity, LLC
Address: 3825 Barrett Dr. Suite 100
CityStateZip: Raleigh, NC 27609

OWNER(S):

Name of Owner: LH Dickens III, J Mark
Dickens, LBH LLC
Address: 2311 White Level Rd.
CityStateZip: Louisburg, NC 27549

LOCATION:



ATTACHMENTS:

Rezoning Application
Map

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Glandon Forest Equity, LLC	2845-63-5744	AR	1.59
TOTAL			1.59 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	AR	Vacant/Agricultural
North	HB	Commercial (Edward Best Grocery)
South	AR	Residential
East	HB	Commercial (Convenience Store)
West	AR	Residential (Subdivision)

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: Glandon Forest Equity, LLC. is requesting to rezone 1.59 acres of 21.38 acre tract located off NC 56 HWY in Cedar Rock Township from Agriculture/Residential (AR) to Highway Business (HB).

PLANNING & ZONING

Land Use Plan: The Future Land Use plan indicates that this property is intended for Office-Institutional. It is located at a Commercial Node.

Zone Map Change Analysis:

Glandon Forest Equity, LLC is requesting to rezone 1.59 acres of a 21.38 acre tract located off NC 56 HWY in the Cedar Rock Township from Agriculture/Residential (AR) to Highway Business (HB).

The application states that the zoning request will be consistent with the other general retail sales properties located at the intersection of NC 56 HWY and Edward Best Rd. The application further states that a retail facility will be proposed to provide every-day grocery and general use merchandise to an underserved area of the County. According to the Future Landuse Plan, the subject property is intended for Office Institutional uses. However, the property is located within a commercial node. Commercial nodes will serve as commercial focus areas. In the attempt to avoid strip commercialization, commercial land uses have been provided in nodes located at the intersection of thoroughfares. The adjacent properties to the North and East are zoned Highway Business (HB).

The amendment from Agricultural Residential (AR) to Highway Business (HB) to the zoning map is supported by 1) the Franklin County Comprehensive Land Use Plan, including 2) the Future Lane Use Map dated November 17, 2006; and 3) the adjacent Highway Business zoned parcels to the subject property.

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:

(AR) Agricultural-Residential District Zoning

This district is established to promote a compatible mixture of agricultural, forestry, conservation, and very low-density residential uses where few public services will be available. Protection of the environment, preservation of prime farm land, and the continuation of rural lifestyles are goals this district seeks to attain.

Abattoir/Slaughterhouse	S
Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock) Except intensive livestock operations (ILO)	X
Agricultural Supply Sales	C
Airport Operations, Aircraft Port, Heliports	S
Animal Aquaculture	X
Animal Hospitals / Veterinarians	S
Auction	S
Automobile Junkyard (including Automobile Graveyards)	S
Barber and Beauty Shops	C
Bed and Breakfast Inn (includes Boarding and Tourist Homes)	C
Bituminous Coal & Lignite Mining	S
Blacksmith or Horse Shoeing Services	X
Bona Fide Farms	X
Bulk Grain Storage	C
Cabinet / Woodworking Shop	C
Carnivals and Fairs	C
Catering Establishments	X
Cemetery, Church and Family	X
Cemetery, Commercial	C
Church	X
Club or Lodge, Public or Private	C
Conference Center / Retreat Facilities	C
Convenience Centers	C
Country Clubs, Private or Public	C
Craft and Gift Shops	C
Crude Petroleum & Natural Gas	S
Customary Home Occupation	X
Dairy Processing and Distribution	X
Day Care Center and Kindergarten	C
Detention Facilities	S
Dwelling, Single-Family (one per lot)	X
Dwelling, Two-Family/Duplex	X

Emergency Shelter	X
Family Care Home	X
Farm Equipment & Small Engine Repair	S
Feed & Grain Sales and Storage	C
Fire Station Operations	C
Flea Markets	S
Florist	C
Forestry	X
Golf Course	C
Golf Driving Range	C
Grocery and Convenience Stores	C
Grounds & Facilities For Open Air Games & Sporting Events	S
Hatcheries	C
Home for the Aged	C
Horse Shows	C
Inert Debris Reclamation	S
Kennel Operations, Care	C
Landscape and Horticultural Services	X
Law Enforcement Station	X
Manufactured Home (individual, for residential occupancy)	X
Manufactured Home Park but excluding any manufactured home sales	C
Marina	C
Mining Industries	S
Music Festival	S
Neighborhood Business	C
Nonmetallic Minerals, except fuels	S
Offices, Small/Low-Impact	C
Orphanage	X
Outdoor Fruit and Vegetable Markets	X
Paper Products, Sales	S
Parks and Open Space, Public or Private	X
Pet Cremation	C
Petroleum Products, Storage and/or Distribution	S
Planned Unit Development	S
Plant Nurseries/Lawn and Garden Stores	C
Public Buildings	C
Public Recreation (grounds and facilities for open air games and sporting events)	X
Radio or Television Studio Activities Only	C
Recreation Facility, Indoors	C
Rest Homes	C
Restaurants and Grills	C
Riding Stables / Riding Academy	C
Rural Family Occupation	X
Salvage and Recovery Yards	S
Sanitary Landfill	S
School, Business, Professional and Art	X

School, Public and Private	X
Septic System Contractor	S
Sewage/Water Pumping Stations	S
Sewage/Water Treatment Plants	S
Solar Energy Farms	S
Storage Facilities, Mini	S
Swimming Clubs	C
Swimming Pools	X
Telecommunication Towers	C
Telephone Exchange Cabinets	X
Veterinary Office/Hospitals	S

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 Franklin County Board of Adjustments.

(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 Automobile Graveyards)	S
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> Agriculture Residential (AR)	30,000 Sq. Ft.	100	30	10	25
<i>Proposed Zoning</i> Highway Business (HB)	30,000 Sq. Ft.	75	50	10	25

Water/Sewer Service: Public water and sewer are not available to this site.

Transportation: The 2015 average daily traffic count along this section of NC 56 HWY is approximately 2,500 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.

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 and surrounding properties are designated as Office Institutional (OI). The property is located at a commercial node and the property is located along a major thoroughfare. The adjacent parcels to the North and East are currently zoned Highway Business (HB).

PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD

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