



Franklin County Communique to the Planning Board

REQUEST FOR REZONING 18-REZ-03

Long Mill Road General Business (GB) to Residential-8 (R-8)

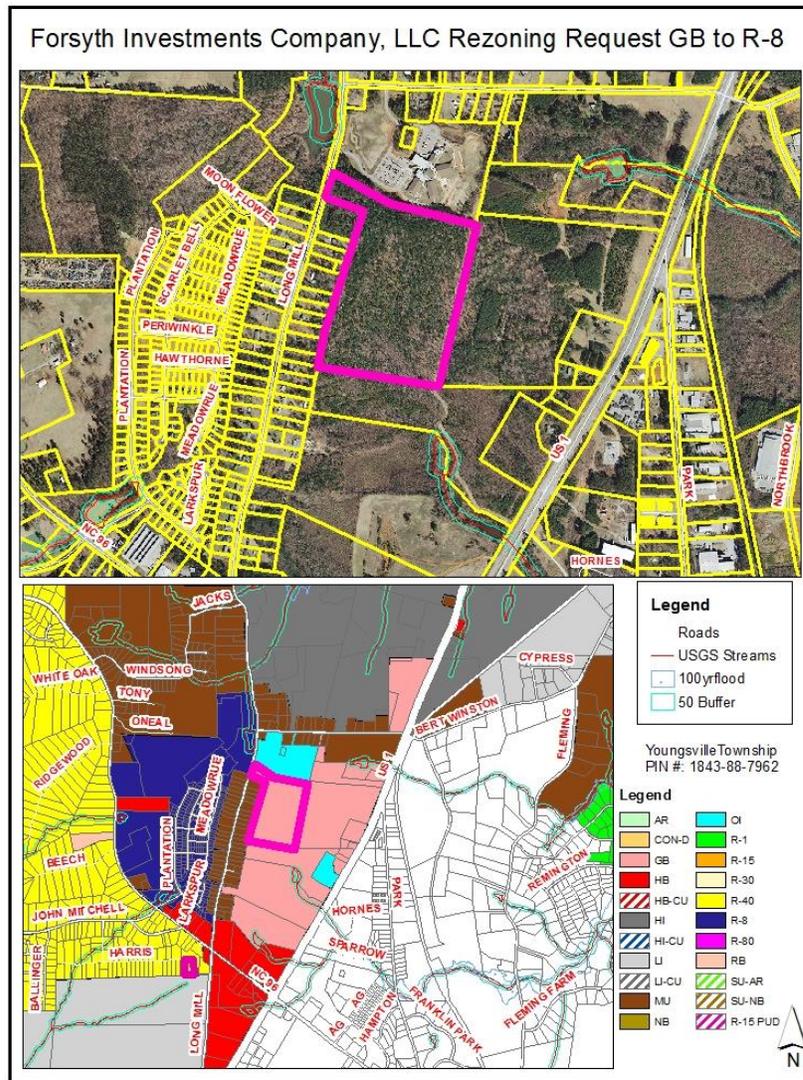
PETITIONER(S):

Name of Petitioner: Forsyth Investments Company LLC
Address: 414 Forsyth St
CityStateZip: Raleigh, NC 27609

OWNER(S):

Name of Owner: Place Dale Trustee, Mitchell John F Trustee
Address: PO Box 900
CityStateZip: Louisburg, NC 27549

LOCATION:



ATTACHMENTS:

- Rezoning Application
- Map
- Metes and Bounds Description

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Place Dale Trustee, Mitchell John F Trustee	1843-88-7962	GB	45.8
TOTAL			45.8 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	General Business (GB)	Wooded/Vacant
North	Office Institutional (O&I)	Long Mill Elementary School
South	General Business (GB)	Wooded/Vacant
East	General Business (GB)	Wooded/Vacant
West	Mixed Use (MU)	Residential

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: Forsyth Investments Company, LLC is requesting to rezone 45.8 acres at Long Mill Road in Youngsville Township from General Business (GB) to Residential-8 (R-8).

PLANNING & ZONING

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

Zone Map Change Analysis: Forsyth Investments Company, LLC is requesting to rezone 45.8 acres at Long Mill Road, Youngsville Township from General Business (GB) to Residential-8 (R-8).

The application states the adjacent residential zoned parcels in this area combined with the rezoning of nearby Winston Ridge Subdivision to the Residential-8 (R-8) designation, supports this application for rezoning. The application further states that this parcel has 260 feet of road frontage, limiting its commercial development potential. The subject property is adjacent to Long Mill Elementary School. The Land Use Plan indicates that this property is intended for Industrial Uses. Public water and sewer is adjacent to this site. However, there is limited allocation available for residential development. There is a limited amount of General Business (GB) zoned parcels located along US 1 Hwy. The General Business (GB) zoning district would allow for commercial uses that could serve the existing surrounding residential neighborhoods.

Board members should use the provided rezoning checklist as a part of the decision-making process and are encouraged and required by general statute to consider all allowable uses under the district rather than only the proposed use as presented. Notices have been mailed to the adjacent property owners in accordance with Section 26-8 (E) of the Unified Development Ordinance.

Permitted Uses:

General Business (GB) District Zoning

The purpose of this district is to provide a commercial zone along major highways in Franklin County that provides for a range of commercial, service centers and limited industrial uses that are accessible to the general public and surrounding neighborhoods. Businesses in this district are intended to serve the daily convenience and personal needs of an immediate area, and/or with direct access to a thoroughfare road or street. The following standards are established for this district to promote sound commercial development while protecting nearby areas from undesirable aspects of commercial development:

- Outdoor storage of materials or equipment shall be screened from public view by a solid fence or wall at least six (6) feet in height.
- Outdoor storage of materials and equipment shall be permitted only in the rear or side of the principal building.
- Outdoor storage shall be on the premises or lot of the business and be for use by that business.
- All storage of unsafe, corrosive, flammable or explosive materials or hazardous materials shall comply with all local, state or federal requirements.
- Any assembly and/or manufacturing activities shall be confined entirely within a building.

Accessory Uses (incidental to any permitted uses)	X
Agricultural Production (crops)	X
Agricultural Production (livestock), except intensive livestock operations (ILO)	X
Airport Operations, Aircraft Port, Heliports	C
Ambulance Service/Rescue Squad	X
Animal Aquaculture	X
Assemblies (Coliseums, Gymnasiums, and Similar Structures)	X
Assembly and Packaging Operations	X
Automobile Auction Facility	X
Automobile/Truck/Trailer Sales and Rental	X
Boat Sales	X
Bona Fide Farms	X
Bottling Works	X
Building Supply Sales	X
Bulk Mail and Packaging	X
Carnivals and Fairs	C
Clinic Services, Medical & Dental	X
Cold Storage Plants	X
Communication or Broadcasting Facility	X
Conference Center/Retreat Facilities	X
Convenience Centers	C
Cosmetics Manufacturing	X
Day Care Center and Kindergarten	C
Department Stores	X
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
Farm Machinery Assembly and Repair	X
Fire Station Operations	X
Food Store	X
Forestry	X
Grounds and Facilities for Open Air Games and Sporting Events	S
Hospitals/Nursing Homes	X
Industrial and Commercial Machinery, Sales	X
Industrial Supplies and Equipment Services	X
Laboratory Operations, Medical or Dental	X
Laboratory Research	X
Law Enforcement Station	X
Motels/Hotels	X
Motor Vehicle Sales (New and Used)	X
Motorcycle Sales	X
Music Festival	S
Office for Business, Professional or Personal Services	X
Parks and Open Space, Public or Private	X
Pharmaceutical Manufacturing	X
Police Services	X
Post Office	X
Precision Instrument Manufacturing	X
Printing and Publishing	X
Public Buildings	X
Public Utility Stations (including electrical substations, water tanks/towers, and telephone exchanges)	C
Railroad Stations and Yards	X
Recreation Facility, Indoors	X
Research Facilities (including manufacturing incidental to same)	X
Restaurants and Grills	X
Restaurants (with drive-thru)	X
Restaurants (without drive-thru)	X
School, Business, Professional and Art	X
School, Industrial Trade	X
Shopping Centers/Commercial Group Development	X
Storage, Warehouse	X
Swimming Pools (See Note 14)	X

Telecommunication Tower	C
Telephone Exchange Cabinets	X
Underground Electrical Power Distribution Lines; Water or Sewer Lines; Gas Distribution and Liquid Fuel Transmission Lines	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 Franklin County Board of Adjustments.

Residential (R-8) District Zoning

This district is defined as containing high-density residential areas where single-family and multifamily dwellings are commingled and certain open areas where similar residential development will be a viable land use. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock), except intensive livestock operations (ILO)	X
Animal Aquaculture	X
Bona Fide Farms	X
Cemetery, Church and Family	X
Church	X
Convenience Centers	C
Country Clubs, Private or Public	C
Customary Home Occupation	X
Day Care Center and Kindergarten	C
Dwelling, Clustered Detached Single-Family	X
Dwelling, Multi-Family	C
Dwelling, Single-Family (one per lot)	X
Emergency Shelter	X
Family Care Home	X
Fire Station Operations	C
Group Care Facility	S
Home for the Aged	C
Homeless Shelter	S
Law Enforcement Station	X
Parks and Open Space, Public or Private	X
Planned Unit Development	S
Public Buildings	C

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
Rural Family Occupation	X
School, Public or Private	C
Sewage/Water Pumping Stations	S
Swimming Clubs	C
Swimming Pools	X
Telephone Exchange Cabinets	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> General Business (GB)	30,000	100	50	15	25
<i>Proposed Zoning</i> R-8 Residential (Cluster)	5,000 Sq. Ft.	40	15	6	10

Water/Sewer Service: Public water and sewer is adjacent to this site.

Transportation: The 2018 average daily traffic count along this section of Long Mill Road is approximately 3,600 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 and rescue, etc.
 FINDING ___ Yes ___ No

PLANNING STAFF RECOMMENDED PLANNING BOARD DISCUSSION ITEMS

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

Zoning Consistency Statement: The requested zoning map amendment is inconsistent with the land use plan. The Future Land Use plan indicates that this property is intended for industrial uses. There is a limited amount of property located along the US 1 corridor zoned for General Business (GB). The purpose of the General Business (GB) district is to provide a commercial zone along major highways in Franklin County that provides for a range of commercial, service centers and limited industrial uses that are accessible to the general public and surrounding neighborhoods. Businesses in this district are intended to serve the daily convenience and personal needs of an immediate area, and/or with direct access to a thoroughfare road or street. Uses in this district include but are not limited to Department Stores, Hospitals, and Schools. Public water and sewer is adjacent to this site. However, there is limited allocation available for residential development. The requested rezoning to Residential-8 (R-8) is not in the best interest of the public.

PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD

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