



Z-13-01-004
Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: January 14, 2013

GENERAL INFORMATION

APPLICANT John Hallenbeck for Lanxess Corporation

HEARING TYPE Quasi-Judicial

REQUEST **Special Use Permit** for expansion of an existing chemical manufacturer operations

CONDITIONS 1. Uses: Limited to the manufacturing and storage of chemicals.

LOCATION **520 Broome Road**, generally described as southeast of Broome Road and West of US 421 (JM Hunt Jr. expressway)

PARCEL ID NUMBER(S) **7873030812**

PUBLIC NOTIFICATION The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **17** notices were mailed to those property owners in the mailing area.

TRACT SIZE 19.11 Acres

TOPOGRAPHY Undulating

VEGETATION Existing for non-residential industrial uses

SITE DATA

Existing Use Lanxess Corporation – Manufacturing and storage of chemicals

| | Adjacent Zoning | Adjacent Land Uses |
|---|--|--|
| N | HI (Heavy Industrial) | NCDOT right-of-way and industrial uses |
| E | HI (Heavy Industrial) | Kirk Sineath's Towing Company |
| W | HI (Heavy Industrial) | Vacant offices and warehouse |
| S | HI and LI (Heavy and Light Industrial) | Vacant property |

Zoning History

| | | |
|--------|------|-----------------|
| Case # | Date | Request Summary |
|--------|------|-----------------|

This property has been zoned **HI** (Heavy Industrial) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO) it was zoned **HI** (Heavy Industrial).

ZONING DISTRICT STANDARDS

District Summary *

| | | |
|------------------------------|---|--|
| Zoning District Designation: | Existing (HI) | Requested (SUP for manufacturing and storage of chemicals) |
| Max. Density: | N/A | N/A |
| Typical Uses | Primarily intended to accommodate wide ranges of assembling, fabricating, and manufacturing activities. The district is established for the purpose of providing appropriate locations and development regulations for uses which may have significant environmental impacts or require special measures to ensure compatibility with adjoining properties. | A Special Use Permit is required for manufacturing and storage of chemicals in the HI (Heavy Industrial) zoning district. The property use is limited to all permitted uses in the HI zoning district and limited to the manufacturing and storage of chemicals. |

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation
n/a

Environmental/Soils

Water Supply - Watershed Site drains to South Buffalo Creek

Floodplains Onsite – FEMA Floodway is also onsite. No disturbance or encroachment is allowed within the FEMA Floodway. Any disturbance within the FEMA Special Flood Hazard Area (Floodplain) must have a Floodplain Development Permit. Any buildings, structures, electrical, mechanical, HVAC, etc equipment must be elevated to 1ft above the Base Flood Elevation (BFE). An Elevation Certificate is required for any of the following above.

Streams Onsite – 50ft undisturbed Jordan buffer is required. We recommend that no disturbance is to take place within the 50ft buffer.

Other: If >1acre is to be disturbed and is High Density Development, site must meet Phase 2 requirements. Water quality & water quantity must be addressed. Built Upon Area (BUA) must be treated by a State approved Water Quality BMP. Water quantity control must be addressed for the

entire site.

Utilities (Availability and Capacity)

Potable Water Water is available and capacity is in line with request
 Waste Water Sewer is available and capacity is in line with request

Airport Overlay District

The subject property is not located within the Airport Overlay District.

Landscaping Requirements – Applicable to Expansion Area Only

A proposed development plan for this site is currently being reviewed by TRC

Broome Rd. - Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

South Property Line - Type C Yard – average width 15’; 2 canopy trees per 100’, 3 understory trees per 100’, 17 shrubs per 100’

East Property Line – NA

West Property Line – NA

Parking Lot Landscaping

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

Required Landscaping

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

| Table 10–4: Location of Parking Lot Planting Areas | | |
|--|---|--|
| Size of Parking Lot Planting Area (sq. ft.) | Number of Trees In Planting Area | Max. Distance from Parking Space (feet) |
| 200-499 | 1 | 100 (1) |
| 500-899 | 3 | 130 |
| (1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance | | |

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

Tree Preservation Requirements – Applicable to Expansion Area Only

Acreage Requirements

19.11 ac 10% of Expansion Area. A proposed development plan for this site is currently being reviewed by TRC.

Transportation

- Street Classification: Broome Road – Local Street.
- Site Access: All access(es) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: None available.
- Trip Generation: N/A.
- Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5’ sidewalk with a 5’ grass strip is required along both sides of thoroughfares. 5’ sidewalk with a 3’ grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.
- Transit in Vicinity: Yes, GTA Route 13 (Martin Luther King, Jr Boulevard) within 0.25 miles of the subject site, along Martin Luther King, Jr Boulevard.
- Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)
- Street Connectivity: N/A.
- Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **SUP** (Special Use Permit) will allow an expansion of an existing land use that is compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map (GFLUM) designates this location as **Industrial/Corporate Park**. The requested **Special Use Permit** for the manufacture and storage of hazardous or volatile chemicals, within an established HI (Heavy Industrial) zoning district, is generally consistent with this GFLUM designation.

Connections 2025 Written Policies

Land Use, Goal 4.1 - Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4C - Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7C - Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A - Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Connections 2025 Map Policies

Industrial/Corporate Park: This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

CONFORMITY WITH OTHER PLANS**City Plans*****Consolidated Plan 2010-2014: Plan for a Resilient Community***

Principle 1) Provide More Transportation Choices:

Goal B) Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

Principle 3) Enhance Economic Competitiveness:

Goal F) Provide opportunities for job training, mentoring, education and job creation.

Principle 4) Support Existing Communities:

Goal F) Promote neighborhood and economic development by fulfilling target area

commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

Principle 6) Value Communities and Neighborhoods:

Goal E) Work at the neighborhood level to reconnect neighborhoods to jobs and services, promote "Desirable Infill Development" and redevelop major corridors to strengthen adjacent neighborhoods.

Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:

Goal A) Promote more efficient land development patterns.

Community Development

Applicant is strongly encouraged to discuss this request for a Special Use Permit with owners of adjacent properties.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s), subject to applicable guidelines: New Markets Tax Credits (federal); Urban Development Investment Incentives (local).

STAFF ANALYSIS AND RECOMMENDATION

Staff Analysis

This Analysis is based on information provided to staff as indicated in this report. The recommendation of staff below is only to be considered to the degree that this information is consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission and is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject property contains Lanxess Corporation which operates a manufacturing and chemical company on a 19.11-acre parcel. The applicant, who is currently operating a manufacturing and chemical company, would like to expand the facility by constructing a storage building containing approximately 1,900 square feet and several more above ground chemical storage tanks. The request to expand the chemical manufacturing and storage operations on this site requires a special use permit. The surrounding properties are developed with industrial uses to the north, vehicle towing and storage to the east, warehouse and storage to the west and vacant industrial property to the south.

Per Section 30-8-10.5 of the Land Development Ordinance, facilities for manufacturing and storage of chemicals: operations must be setback at least 50 feet from any property line, tanks, loading areas, or other facilities for the manufacturing, handling, or storage of flammable or explosive materials must be separated from any residential district by at least 500 feet and security fencing at least 8 feet in height must be provided around the perimeter of the operation.

To be approved, this request must conform to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in that:

1. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the adjacent and nearby industrial properties

and their operations.

3. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

Staff Recommendation

Staff recommends **approval** of the requested **SUP** (Special Use Permit).