



Z-17-03-010

City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: March 20, 2017

GENERAL INFORMATION

APPLICANT	Colonial Pipeline Company
HEARING TYPE	Special Use Permit
REQUEST	Request to allow a facility to store chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI (Heavy Industrial) zoning district.
CONDITIONS	N/A
LOCATION	411, 411-near Gallimore Dairy Road and 610, 728 & 732 South Chimney Rock Road
PARCEL ID NUMBER(S)	Multiple
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). 38 notices were mailed to those property owners in the mailing area.
TRACT SIZE	316.32 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	Industrial

SITE DATA

Existing Use	Facility for the manufacturing and storage of chemicals, petroleum products, explosives and allied products.
Adjacent Zoning	Adjacent Land Uses
N HI (Heavy Industrial)	Industrial Operations
E HI (Heavy Industrial)	Industrial Operations

W	HI (Heavy Industrial) CD-LI (Conditional District-Light Industrial) BP (Business Park)	Industrial Operations Industrial Operations Office Facility
S	County CU-LI (Conditional Use-Light Industrial) County RS-40 (Residential Single-Family) R-3 (Residential Single-Family)	Industrial Operations Vacant residential lots Single-family dwellings

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned HI (Heavy Industrial) and has been since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned HI (Heavy Industrial).
Z-17-03-009	March 20, 2017	A rezoning request from BP (Business Park), R-3 (Residential Single-Family) and AG (Agricultural) to HI (Heavy Industrial) is scheduled to be heard prior to this Special Use Permit request.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (HI)	Requested (A special Use Permit is requested to allow a facility to store chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI zoning district)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of uses including office, retail, service, institutional and high density residential developments in pedestrian-oriented mixed-use setting (often, multiple uses may be located in the same building).	A special Use Permit is requested to allow a facility to store chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI zoning district.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Land 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 Upper Randleman Lake WS-IV, East Fork Deep River sub-basin Watershed

Floodplains Onsite, any disturbance within the FEMA 1% Special Flood Hazard Area requires a Floodplain Development Permit from Stormwater.

Streams Streams on site must be identified for correct buffers. For High Density Development perennial streams have a 100ft buffer measure from top of bank on each side. Intermittent streams and perennial streams (for low density development) have a 50ft stream buffer measure from top of bank on each side. See City LDO Chp.30-12-3.9 for Allowances and Structures permitted within the stream buffer zones.

Other: Site must meet current watersupply watershed requirements, water quality and water quantity control must be addressed. Maximum High Density Development is 70% BUA. If site is developed as a Low Density Development 24% or less, a scoresheet must be completed for 120 points. Site is also within the 5 statue mile radius of the PTI Airport. No water quality device (BMP) is permitted within this area unless documentation is provided.

Utilities

Contact Kenny Treadway for a water /sewer feasibility (336-373-2897)

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

There are no Landscaping and Tree Conservation requirements associated with a Special Use Permit alone.

Transportation

Street Classification: Gallimore Dairy Road – Major Thoroughfare.
South Chimney Rock Road – Minor Thoroughfare.

Site Access: All access(s) 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 exist along a portion of the frontage of this property.
Transit in Vicinity:	No.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The requested **Special Use Permit to allow storage of chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI (Heavy Industrial) zoning district**, would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Industrial / Corporate Park**. The requested **Special Use Permit to allow storage of chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI (Heavy Industrial) zoning district** is generally consistent with the **Industrial / Corporate Park** 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 4A: Remove present impediments to infill and investment in urban areas.

Policy 4B: Target capital investments to leverage private investment in urban areas.

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

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

Community Character, Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5E: Improve the aesthetic quality of publicly owned and maintained landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhoods, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

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 7A: Target city investment and regulatory policies for economic development.

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

High Residential (over 12 d.u./acre): This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

CONFORMITY WITH OTHER PLANS

City Plans

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and

organizations furthering Greensboro's energy and sustainability efforts.

Other Plans

n/a

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss the requested **Special Use Permit to allow storage of chemicals, petroleum products, explosives and allied products in addition to all uses permitted in the HI (Heavy Industrial) zoning district** with owners of surrounding properties.

Based on the proximity of the subject site to planned bicycle lanes along Boulder Road, Chimney Rock Road, and Gallimore Dairy Road, as specified in the 2015 Greensboro BiPed Plan, long term safety and accessibility for employees of the subject site would be greatly enhanced by provision of secure, convenient bicycle parking facilities.

Staff Analysis

This analysis is based on factual 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 determined to be consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission. It is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject property contains 316.32 acres and is currently developed as a facility to store chemicals, petroleum products, explosives and allied products. The operation is currently non-conforming because it was established prior to the adoption of the Land Development Ordinance (LDO) in 2010, which requires a Special use Permit for said operations. The facility is interested in adding a blending operation and the determination has been made this operation will be an expansion of the existing nonconforming use. This triggered the need for the operation to comply with current regulation and secure a Special Use Permit.

Properties to the north and east of the request contain industrial operations (zoned HI). Uses to the south vary with industrial operations, single-family dwellings and vacant lots (HI, City R-3, County RS-40 and County CU-LI). West of the request are a combination of industrial operations and offices (zoned HI, CD-LI and BP).

To get approval for a Special Use Permit, the Zoning Commission must determine that this request conforms to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in:

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 residential properties.
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.

Facilities used for manufacturing and storage of Chemicals, petroleum products; explosives and allied products are also regulated in Section 30-8-10.5 of the Land Development Ordinance.

Applicable regulations include:

1. Setbacks
 - a. All operations must be set back at least 50 feet from any property line.
 - b. 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.
2. Security Fencing
Security fencing at least 8 feet in height must be provided around the perimeter of the operation (see 30-9-4).

The Greensboro Board of Adjustment granted limited variances from these development standards at their February 27, 2017 meeting.

The Comprehensive Plan's Generalized Future Land Use Map designates this area as 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.

Staff Recommendation

Staff recommends **approval** of the requested **Special Use Permit**.