

**TOWN OF ZEBULON
PLANNING BOARD
AGENDA
April 22, 2019
6:00 pm**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. MINUTES

1. February 25, 2019
2. March 11, 2019
3. April 8, 2019

IV. OLD BUSINESS

**REMEMBER TO BRING ALL DOCUMENTS FROM THE
APRIL 8, 2019 JOINT PUBLIC HEARING**

A. LEGISLATIVE

1. RZ 2019-01 – Cardinal Pines A request by Dennis Tharrington to rezone 7.07 acres located at 303 Pony Road from Heavy Business (HB) to Transitional Residential (TR).
2. RZ 2019-03 – The Fetching Post A request by Amy Brown-Pearce to rezone 7 acres located at 571 W. Barbee Street from Transitional Residential (TR) to Residential 20 (R-20).

B. QUASI-JUDICIAL

1. SUP 2019-04 – GREC A request by Golden Renewable Energy, LLC (GREC) to obtain a Special Use Permit for the purpose of locating a business that would refine diesel fuel from waste products using pyrolysis (refinery) and for fuel storage (storage of flammable liquids). The parcel is owned by TEBIO, LLC and zoned Heavy Industrial (IH). [NC PIN: 2705-57-4023]
2. SUP 2019-05 – Green Pace Road Commercial Center A request by Charles Walker to obtain a Special Use Permit for the subdivision of approximately 32 acres into 10 lots. The parcel is owned by Site Investments, LLC and zoned Heavy Business (HB). [NC PIN: 1796-80-2253]

V. STAFF REPORT

VI. ADJOURNMENT

**Town of Zebulon
Planning Board
Minutes
February 25, 2019**

Present: Joe Moore, Town Manager, Teresa Piner-Planning, Meade Bradshaw-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Sam Slater-Attorney

Planning Board Present: Larry Ray, Gene Blount, Stephanie Jenkins, Stan Nowell

Absent: Shannon Baxter, Laura Johnson, David Covington

Others Present: Chad Meadows, CodeWright Planners, LLC

Gene Blount called the meeting to order at 7:06pm.

AGENDA

Stephanie Jenkins made a motion, second by Stan Nowell to approve the agenda. There was no discussion and the motion passed unanimously.

MINUTES

Stan Nowell made a motion, second by Stephanie Jenkins to approve the November 13, 2018 minutes. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Review of Unified Development Ordinance – Module 1

Joe Moore thanked the Planning Board for their service and went on to explain the importance of the UDO and the Board's role in creating the UDO. Joe Moore offered some of Zebulon's historical background to the Board to support the importance of a UDO with a PowerPoint presentation. The UDO was a tactical tool to achieve the vision for the Town of Zebulon through the Strategic Plan.

Joe Moore introduced Chad Meadows from CodeWright Planners, LLC. Chad Meadows gave detail about the procedures proposed in Module 1 and how they changed from what the Town had currently. Each section in Article 1 had a summary of the key changes in the document. Footnotes were at the bottom of most pages and gave a sense of that was new, why it was there, and what changes had been made.

Each procedure, district, and development standard had a purpose and intent statement. The statements were important to ensure the Town's regulations were legally defensible. The procedures manual gave specifics on submittal requirements an applicant needed to submit an application to have it processed.

Section 1.9 conflicts, explained how the conflicts should be handled. Incentives for developers encourage what the Town wanted, but incentives could not be in conflict that was why a conflict provision was needed.

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February 25, 2019

Transitional provisions, Section 1.10, explained how filed applications would be handled during the UDO process. Once the UDO was adopted, the old document would not apply and transitional provisions would show how the new rules applied.

The zoning district translation table compared current zoning districts to new zoning districts. Some were renamed to be more intuitive, consolidated, and added new districts the Town did not currently have, such as park recreation district.

Stephanie Jenkins asked for an explanation of the zoning table. Chad Meadows gave details of the table and examples of how the districts were changing including mixed-use neighborhoods. Examples were given of how some towns were eliminating single family residential zoning and moving more toward a mixed-use neighborhood district to offer more affordable housing.

Stan Nowell inquired if the proposed zoning districts were in line with Wake County's zoning districts. Chad Meadow stated the districts were similar. The planned development district was new and would be desirable to the large scale developers because that district would give them maximum flexibility and ability to negotiate what was built in that district and gave the Town the ability to negotiate.

It was explained that the Town was poised to have a major development growth in the next 10 years. Now was the time to set regulations to push the envelope, increase quality, and set goals and clear expectations.

The table on page 2.2 was discussed with the Board. Larry Ray inquired about conservation subdivisions. Chad Meadows explained it was preferred to set aside the usual dimensional standards because the goal was to cluster all development in one part of a parcel away from the protected resources such as streams, agricultural land, and hardwoods. Conservation subdivisions were encouraged to protect farmland.

Temporary use permits limit seasonal sales such as Christmas trees or pumpkins. Changes to State law required certain sales which would be discussed in more detail in Chapter 4.

Vested rights were explained and was stated it was not mandatory.

Zoning compliance permits were for fences or small accessory structures, and the last check to make sure any proposed development conformed with requirements before a building permit was issued.

Joe Moore commended the Board for all the work accomplished at the meeting and gave the Board the option to stop, which the Board decided to do. Chad Meadows told the Board they still needed to cover the definitions, review authorities, and potential further changes to zoning district line-up.

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February 25, 2019

There was discussion about the Planning Board schedule. The next Planning Board meeting was scheduled for March 25, 2019. Joe Moore requested the Board to go back over the information that was covered at the meeting. The March 25 meeting would pick up where the Board left off and would continue on until the Board was ready to stop. There would not be a Joint Public Hearing for March.

Gene Blount suggested having two meetings in March. Chad Meadows said he would look at his schedule to see if he was available on March 11.

Stan Nowell made a motion, second by Larry Ray to adjourn the meeting. There was no discussion and the motion passed unanimously.

Adopted this the 22nd day of April, 2019.

Gene Blount—Chair

SEAL

Lisa M. Markland, CMC—Town Clerk

**Town of Zebulon
Planning Board
Minutes
March 11, 2019**

Present: Joe Moore, Town Manager, Teresa Piner-Planning, Meade Bradshaw-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Eric Vernon-Attorney

Planning Board Present: Larry Ray, Gene Blount, Stephanie Jenkins, Stan Nowell, David Covington, Laura Johnson

Absent: Shannon Baxter

Others Present: Chad Meadows, CodeWright Planners, LLC

Gene Blount called the meeting to order at 7:00pm.

AGENDA

Larry Ray made a motion, second by Laura Johnson to approve the agenda. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Unified Development Ordinance – Module I

Joe Moore gave a quick recap to the Planning Board explaining the UDO was the rulebook for development in the Town and also the wish book of how the Board wanted the town to look in the future.

Chad Meadows went over what would be included in each chapter and did a quick overview of Module 1 which was the administration module and included the development review procedures in the new UDO.

A review of special use permits was given to the Planning Board. The Town had approximately 3,500 parcels with the special use district designation. Special use district zoning was explained to the Board. It was proposed in the new UDO to move away from the special use district to conditional rezoning. An explanation and examples of each were given to the Planning Board. Chad Meadows gave a detailed explanation of planned development and conditional zoning stating the new UDO proposed planned development as a district and not a use type. Joe Moore showed a zoning map to the Planning Board. Staff would explore how to address or convert some of the special use districts to simplify the current zoning map.

There was review of the measurement and definitions chapter. The rules of measurements section was being drafted and would be finished after the uses and districts were complete. Some examples of measurements were explained to the Planning Board. The table of abbreviations was shown to the Planning Board.

The agencies made decisions on development applications under the UDO. Article 10 set out the powers, duties, composition, and rules of procedure for the reviewing agencies: Planning Board,

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Minutes
March 11, 2019

Board of Adjustment, Technical Review Committee, Town Staff, and Board of Commissioners. It was suggested the Planning Board adopt its own rules of procedure.

The next Planning Board meeting was scheduled for March 25 and would cover zoning districts. The Board would need to decide if they wanted to make changes to the zoning map. The districts were set up so that the Board did not have to rezone and could adopt the UDO and translate to the new districts. There was discussion about mobile home districts and the proposed manufactured home overlay district.

Commercial neighborhood district, industrial campus district, and mixed use districts were discussed. It was suggested for downtown to have a two district system which would be the core and periphery. To encourage more development to downtown it needed to be easier to develop in that area with less rules and more permissive densities, but would maintain design standards.

Chapter 4 covered the three types of uses: principal, accessory, and temporary and examples of each were given. The current use table would change in the new UDO and a new accessory use section would be added.

Joe Moore introduced Meade Bradshaw as the Assistant Planning Director. A new Planning Director was in the process of being hired.

Laura Johnson made a motion, second by Stephanie Jenkins to adjourn the meeting. There was no discussion and the motion passed unanimously.

Adopted this the 22nd day of April, 2019.

SEAL

Gene Blount—Chair

Lisa M. Markland, CMC—Town Clerk

**Town of Zebulon
Planning Board
Minutes
April 8, 2019**

Present: Joe Moore, Town Manager, Teresa Piner-Planning, Meade Bradshaw-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Sam Slater-Attorney

Planning Board Present: Larry Ray, Gene Blount, Stephanie Jenkins, Stan Nowell, David Covington, Laura Johnson, Shannon Baxter

Gene Blount called the meeting to order at 7:41pm.

Gene Blount asked the Board about scheduling another Planning Board meeting to discuss the agenda items presented at the Joint Public Hearing. The Board agreed to meet on April 22 at 6:00pm.

Laura Johnson made a motion, second by Stephanie Jenkins to hold the next Planning Board meeting on April 22 at 6:00pm. There was no discussion and the motion passed unanimously.

STAFF REPORT

Joe Moore told the Board the new Planning Director, Michael Clark, would begin on April 22.

Stephanie Jenkins made a motion, second by Laura Johnson to adjourn the meeting. There was no discussion and the motion passed unanimously.

Adopted this the 22nd day of April, 2019.

Gene Blount—Chair

SEAL

Lisa M. Markland, CMC—Town Clerk



STAFF REPORT
RZ 2019-01 – CARDINAL PINES
April 22, 2019

Topic: RZ 2019-01 - Cardinal Pines

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by: Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Planning Board will consider the Zoning Map Amendment received for 303 Pony Road.

Background:

A request by Dennis Tharrington to rezone 7.07 acres of land located at 303 Pony Road. The property is currently owned by Joseph B Vinson and Jewel S Vinson, Trustee. The request is to rezone the parcel from Heavy Business District (HB) to Transitional District (TR). The property is located on Pony Road, south of the intersection with Gannon Avenue. Pony Road is a two-lane undivided roadway with a posted speed of 35 mph in the vicinity.

A notice of public hearing was mailed to all property owners within 150 feet of the subject property on March 14, 2019 satisfying the mailing requirement of 20 days prior to hearing. The site was posted with public hearing signs. A notice of public hearing was published in the Zebulon Times on March 28, 2019, and April 4, 2019.

The request area is located within the Town of Zebulon.

This case was heard at the April 8, 2019 Joint Public Hearing.

Discussion:

The discussion before the Board is whether or not the Zoning Map Amendment request is consistent with the Town's adopted plans and policies. If approved, the consistency statement should be adopted. If the request is not approved, the Board should provide alternative language for the consistency statement to state the request is not consistent with the Town's adopted plans and policies.

Policy Analysis:

Zebulon 2030 Strategic Plan

The Zebulon 2030 Strategic Plan established the Town's vision to be "a vibrant, growing community that maintains its small-town charm and heritage".

Comprehensive Plan:

The Zebulon Comprehensive Plan (June 2008) provides objectives for the Town's future development. Consulting this plan on planning and growth decisions will provide the dimensions, definition, and development patterns necessary to fulfill the Town's Vision. The following chapters offer guidance on the rezoning under consideration.



STAFF REPORT
RZ 2019-01 – CARDINAL PINES
April 22, 2019

Comprehensive Plan: Land Use Plan (Chapter 9)

The Land Use Plan (June 2008) designates various areas within the Town for particular land use recommendations, based principally on goals of economic viability, preserving small-town character, pro-actively managing growth, and promoting accessibility and connectivity to community destinations.

This parcel is designated as Medium Density Residential (MD) in the Land Use Plan. MD consists of multifamily attached housing oriented in a vertical fashion, more commonly known as apartments and condominiums.

- A. The Town's adopted Comprehensive Plan suggests the parcel and surrounding areas should be Medium Density Residential.
- B. This land use is designated by the density of development and not the type of housing. Densities of this development pattern would range from a low-density pattern consisting mostly of single-family detached homes.
- C. Medium Density is an average overall density of 3 to 4 units per acre.
- D. Types of uses:
 - i. Single-Family Detached
 - ii. Duplexes
 - iii. Townhomes
 - iv. Multiple-Family Dwellings

The proposed Zoning Map Amendment conflicts with the Land Use Plan in regards to density, but not housing type.

Comprehensive Plan: Multimodal Transportation Plan (Chapter 5)

The Multimodal Transportation Plan (May 2018) designates various streets for widening, based principally on goals of developing a multi-modal transportation network, and connectivity to sidewalks, trails and other pedestrian destinations.

Any development of this property, regardless of zoning, would require widening Pony Road to three-lanes with dedication of sidewalks and bike lanes. Greenways are not designated in the *Greenway, Bicycle, and Pedestrian Master Plan*. A Traffic Impact Analysis (TIA) report is not required as the property is requesting a Zoning Map Amendment.

Comprehensive Plan: Housing & Neighborhood (Chapter 6)

The Housing and Neighborhood Chapter (June 2008) designates various housing types, based principally on goals of developing areas to meet the needs of all income levels and age groups, support pedestrian and bicycle connectivity to community destinations, and emphasize low impact for infill and new housing development.

The Transitional District zoning provides for a mixture of residences, offices, and institutional uses.



STAFF REPORT
RZ 2019-01 – CARDINAL PINES
April 22, 2019

Comprehensive Plan: Parks and Recreation Master Plan (N/A)

The Town currently does not have a Parks and Recreation Master Plan or a Parks and Recreation component of the Comprehensive Plan, to guide the placement, or assess the needs, of parks and recreation facilities.

Fiscal Analysis:

Cannot be evaluated with a Zoning Map Amendment request.

Staff Recommendation:

The properties to the adjacent north and adjacent west are zoned Heavy Business District (HB), with the property to the adjacent south zoned Residential Multi-Family District (R-MF), and the properties across Pony Road to the east are zoned Medical Arts District (MA) and Heavy Business District (HB). Not adjacent to, but south of the site along Pony Road, multiple properties are zoned Residential Multi-Family District.

Staff recommends approval of RZ 2019-01 based on the existing land uses in the area and the consistency with the adopted plans and policies of the Town of Zebulon.

Attachments:

1. Consistency Statement



STAFF REPORT
 RZ 2019-01 – CARDINAL PINES
 April 22, 2019


RZ 2019-01 Consistency Statement Chart

		Requirements	Example Motions
No changes to Ordinances or Plans	Option 1	A statement approving the zoning map amendment and describing its consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend approval of RZ 2019-01 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
	Option 2	A statement rejecting the zoning map amendment and describing its inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend disapproval of RZ 2019-01 based upon review of inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
With changes to Ordinances or Plans	Option 3	<p>A statement approving the zoning map amendment and containing <u>at least all</u> of the following:</p> <p>a. A declaration that the approval is also deemed an amendment to Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable. The Board shall not require any additional request or application.</p> <p>b. An explanation of the change in conditions the Board took into account in amending the zoning ordinance to meet the development needs of the community.</p> <p>c. Why the action was reasonable and in the public interest.</p>	I move we recommend approval of RZ 2019-01 as an amendment to the Zebulon Code of Ordinances.



STAFF REPORT
RZ 2019-03 – THE FETCHING POST
April 22, 2019

Topic: RZ 2019-03 - The Fetching Post

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Planning Board will consider a Zoning Map Amendment received for 571 W Barbee Street.

Background:

A request by Amy Brown-Pearce to rezone an approximately 7-acre property at 571 W Barbee Street, owned by Amy Brown-Pearce. The request is to rezone the parcel from Transitional District (TR) to Residential-20 District (R-20). The property was previously rezoned from Residential-20 to Transitional District in 2007. The permitted use table within the *Code of Ordinances* has been amended to exclude *animal kennels* as a permitted use within the Transitional District. The property is located on W Barbee Street, between the Town Limits and Mack Todd Road with a posted speed of 35 mph in the vicinity.

A notice of public hearing was mailed to all property owners within 150 feet of the subject property on March 14, 2019 satisfying the mailing requirement of 20 days prior to hearing. The site was posted with public hearing signs. A notice of public hearing was published in the Zebulon Times on March 28, 2019, and April 4, 2019.

The request area is located within the Town of Zebulon's Extraterritorial Jurisdiction.

This case was heard at the April 8, 2019 Joint Public Hearing.

Discussion:

The discussion before the Board is whether or not to approve the Zoning Map Amendment request is consistent with the Town's adopted plans and policies. If approved, the consistency statement should be adopted. If the request is not approved, the Board should provide alternative language for the consistency statement to state the request is not consistent with the Town's adopted plans and policies.



STAFF REPORT
RZ 2019-03 – THE FETCHING POST
April 22, 2019

Policy Analysis:

Zebulon 2030 Strategic Plan

The Zebulon 2030 Strategic Plan established the Town's vision to be "a vibrant, growing community that maintains its small-town charm and heritage".

Comprehensive Plan:

The Zebulon Comprehensive Plan (June 2008) provides objectives for the Town's future development. Consulting this plan on planning and growth decisions will provide the dimensions, definition, and development patterns necessary to fulfill the Town's Vision. The following chapters offer guidance on the rezoning under consideration.

Comprehensive Plan: Land Use Plan (Chapter 9)

The Land Use Plan (June 2008) designates various areas within Town for particular land use recommendations, based principally on goals of economic viability, preserving small-town character, pro-actively managing growth, and promoting accessibility and connectivity to community destinations.

This parcel is designated as Traditional Neighborhood (TN). TN is characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home business. Limited commercial facilities are characterized for the area serving neighborhoods.

- A. The Town's adopted Comprehensive Plan suggests the parcel and surrounding areas should be characterized as Traditional Neighborhood.
- B. Traditional Neighborhood is an average overall density of 4 to 8 units per acre.
- C. Types of uses:
 - i. Single-Family Detached
 - ii. Duplexes
 - iii. Townhomes
 - iv. Multiple-Family Dwellings
 - v. Limited commercial uses serving neighborhoods

The proposed Zoning Map Amendment is consistent with the Land Use Plan.

Comprehensive Plan: Multimodal Transportation Plan (Chapter 5)

The Multimodal Transportation Plan (May 2018) designates various streets for widening, based principally on goals of developing a multi-modal transportation network, and connectivity to sidewalks, trails and other pedestrian destinations.

The parcel does not have road frontage; therefore, no road improvements would be required.



STAFF REPORT
RZ 2019-03 – THE FETCHING POST
April 22, 2019

A Traffic Impact Analysis (TIA) report is not required as the property is requesting a Zoning Map Amendment.

Comprehensive Plan: Housing & Neighborhood (Chapter 6)

The Housing and Neighborhood Chapter (June 2008) designates various housing types, based principally on goals of developing areas to meet the needs of all income levels and age groups, support pedestrian and bicycle connectivity to community destinations, and emphasize low impact for infill and new housing development.

Comprehensive Plan: Parks and Recreation Master Plan (N/A)

The Town currently does not have a Parks and Recreation Master Plan or a Parks and Recreation component of the Comprehensive Plan, to guide the placement, or assess the needs, of parks and recreation facilities.

Fiscal Analysis:

Cannot be evaluated with a Zoning Map Amendment request.

Staff Recommendation:

Adjacent properties to the south, east, and west are zoned Residential-20. To the north, across W Barbee Street, is an existing mobile home park zoned Residential Mobile Home-8 (RMH-8). The purpose of the rezoning request is to operate an *animal kennel* behind the existing dog grooming facility. The Zoning Map Amendment would allow residential developments consistent with the Future Land Use Plan. The proposed request from TR to R-20 would typically be considered down zoning (less intense land use) but in this case kennels are permitted in R-20, not in TR.

Staff recommends approval of RZ 2019-03 due to the Zoning Map Amendment being consistent with the Land Use Plan and existing zoning in the area.

Attachments:

1. Consistency Statement



STAFF REPORT
 RZ 2019-03 – THE FETCHING POST
 April 22, 2019

RZ 2019-03 Consistency Statement Chart

		Requirements	Example Motions
No changes to Ordinances or Plans	Option 1	A statement approving the zoning map amendment and describing its consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend approval of RZ 2019-03 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
	Option 2	A statement rejecting the zoning map amendment and describing its inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend disapproval of RZ 2019-03 based upon review of inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
With changes to Ordinances or Plans	Option 3	<p>A statement approving the zoning map amendment and containing <u>at least all</u> of the following:</p> <p>a. A declaration that the approval is also deemed an amendment to Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable. The Board shall not require any additional request or application.</p> <p>b. An explanation of the change in conditions the Board took into account in amending the zoning ordinance to meet the development needs of the community.</p> <p>c. Why the action was reasonable and in the public interest.</p>	I move we recommend approval of RZ 2019-03 as an amendment to the Zebulon Code of Ordinances.



STAFF REPORT
SUP 2019-04 GREC
April 22, 2019

Topic: SUP 2019-04 GREC

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by: Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Planning Board will consider two Special Use Permits for property located at 517 Industrial Drive.

Background:

Golden Renewable Energy, LLC (GREC) has found a property located at 517 Industrial Drive to operate their business. This property is zoned Heavy Industrial District (IH).

GREC refines diesel fuel from waste products using pyrolysis. *Refining* is a permitted use within the Heavy Industrial District (IH) through issuance of a Special Use Permit.

GREC will also have an area for the storage of fuel. A Special Use Permit is required for the *storage of fuel on the property categorized as flammable liquids or gases, bulk storage in quantities less than 100,000 gallons* within Heavy Industrial District (IH).

Unlike a General Use Permit issued by the Land Use Administrator (the Town Manager or their designee), Special Use Permits must be obtained from the Board of Commissioners.

Discussion:

The discussion before the Board is whether or not to approve the Special Use Permit. If approved, any conditions should be stated in the motion to approve, and the Board need not make findings of fact.

If denied, the Board must vote on each specific finding and state a reason as to why the finding did not have sufficient evidence to be met. Only one finding must be found unproven based upon evidence submitted at the hearing to oppose the permit. The findings of fact are as follows:

- 1) The proposed special use will not materially endanger the public health, safety or welfare;
- 2) The proposed special use will not substantially injure the value of adjoining or abutting property;
- 3) The proposed special use will be in harmony with the area in which it is to be located; and
- 4) The proposed special use will be in general conformity with the ordinances, policies, land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners.



STAFF REPORT
SUP 2019-04 GREC
April 22, 2019

The application, supporting documents, and any expert testimony provided by the applicants, staff, or the public, such as the application and findings of fact, proposed concept plan, and proposed conditions that were entered into the public record as exhibits during the Joint Public Hearing should be given careful examination to guide the Board's discussion for the four findings of fact necessary to approve or deny the special use permit.

Operational Analysis:

Comprehensive Plan: Land Use Plan (Chapter 9)

The Land Use Plan, Attachment 3, designates the parcel and area as Light Industrial (LI). LI is characterized by industrial uses that are lower in intensity and activity.

- A. The Town's adopted Comprehensive Plan suggests the parcel and surrounding areas should be Light Industrial.
- B. Uses must be accommodated within the environmental aspects of the land around the proposed land use.
- D. Types of uses:
 - i. Enclosed Storage
 - ii. Warehousing
 - iii. Research Laboratories
- E. The proposed Special Use Permit is consistent with the Land Use Plan.

Comprehensive Plan: Multimodal Transportation Plan (Chapter 5)

- A. The property is located on Industrial Drive, north of the intersection with Gannon Avenue.
- B. Industrial Drive is a two-lane undivided roadway.
- C. The Multimodal Transportation Plan shows no improvements to this section of Industrial Drive.

Comprehensive Plan: Housing & Neighborhood (Chapter 6)

Not applicable

Comprehensive Plan: Parks and Recreation Master Plan (Chapter 7)

The Town currently does not have a Parks and Recreation Master Plan or a Parks and Recreation component of the Comprehensive Plan, to guide the placement, or assess the needs, of parks and recreation facilities.

Zebulon 2030 Strategic Plan

The proposal is consistent with the following goal:

- *Growing Smart - Identify certified sites for Economic Development Projects*

Traffic

A Traffic Impact Analysis (TIA) is not required.



STAFF REPORT
SUP 2019-04 GREC
April 22, 2019

Greenway, Bicycle, and Pedestrian Master Plan

The Greenway, Bicycle, and Pedestrian Master Plan (GBPMP) does not plan for bikeways along this section of Industrial Drive.

Water and Sewer Allocation Policy

Water and Sewer are available.

Ordinance Requirements

The plan submitted with the Special Use Permit is a concept plan. The Special Use Permit allows the use on the property. The project will need to receive a Zoning Permit from the town conforming to any conditions of approval with the Special Use Permit and all of the Town of Zebulon *Code of Ordinances* and *Land Development Regulations*.

Fiscal Analysis:

The applicant's application includes responses to the Findings of Fact.

Staff Recommendation:

Staff recommends approval of SUP 2019-04 with the following conditions:

1. Masonry screening will be required around the fuel tanks and dumpster approved at the time of Zoning Permit issuance.

Attachments:

1. Consistency Statement




SUP 2019-04 Consistency Statement Chart

		Requirements	Example Motions
No changes to Ordinances or Plans	Option 1	A statement approving the zoning map amendment and describing its consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend approval of SUP 2019-04 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
	Option 2	A statement rejecting the zoning map amendment and describing its inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend disapproval of SUP 2019-04 based upon review of inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
With changes to Ordinances or Plans	Option 3	<p>A statement approving the zoning map amendment and containing at least all of the following:</p> <p>a. A declaration that the approval is also deemed an amendment to Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable. The Board shall not require any additional request or application.</p> <p>b. An explanation of the change in conditions the Board took into account in amending the zoning ordinance to meet the development needs of the community.</p> <p>c. Why the action was reasonable and in the public interest.</p>	I move we recommend approval of SUP 2019-04 as an amendment to the Zebulon Code of Ordinances.



STAFF REPORT
SUP 2019-05 – GREEN PACE ROAD
COMMERCIAL CENTER
April 22, 2019

Topic: SUP 2019-05 Green Pace Road Commercial Center

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Planning Board will consider the Special Use Permit located at 201 Green Pace Road.

Background:

The property is approximately 32.03 acres in size zoned Heavy Business (HB) located within the Town of Zebulon's Extraterritorial Jurisdiction.

In accordance with *Code of Ordinances* Section 152.053, major subdivisions require a Special Use Permit issued by the Board of Commissioners. The proposed subdivision is a ten-lot commercial subdivision. Nine lots will be commercial developments, while one lot will serve as the regional stormwater control measure.

Unlike a General Use Permit or Minor Subdivision issued/approved by town staff, Special Use Permits must be obtained from the Board of Commissioners.

Discussion:

The discussion before the Board is whether or not to approve the Special Use Permit. If approved, any conditions should be stated in the motion to approve, and the Board need not make findings of fact.

If denied, the Board must vote on each specific finding and state a reason as to why the finding did not have sufficient evidence to be met. Only one finding must be found unproven based upon evidence submitted at the hearing to oppose the permit. The findings of fact are as follows:

- 1) The proposed special use will not materially endanger the public health, safety or welfare;
- 2) The proposed special use will not substantially injure the value of adjoining or abutting property;
- 3) The proposed special use will be in harmony with the area in which it is to be located; and
- 4) The proposed special use will be in general conformity with the ordinances, policies, land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners.



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The application, supporting documents, and any expert testimony provided by the applicants, staff, or the public, such as the application and findings of fact, proposed concept plan, and proposed conditions that were entered into the public record as exhibits during the Joint Public Hearing should be given careful examination to guide the Board's discussion for the four findings of fact necessary to approve or deny the special use permit.

Operational Analysis:

Comprehensive Plan: Land Use Plan (Chapter 9)

The Land Use Plan, Attachment 3, designates the parcel as Watershed (WTSD).

- A. While the Future Land Use Plan designates this parcel as Watershed, the watershed boundary is on the opposite side of Green Pace Road.

Comprehensive Plan: Multimodal Transportation Plan (Chapter 5)

- A. The property is located on Green Pace Road, south of its intersection with N Arendell Avenue.
- B. Green Pace Road is a two-lane undivided roadway.
- C. The Multimodal Transportation Plan shows this section of Green Pace Road to be a 2-lane section with paved shoulders.

Comprehensive Plan: Housing & Neighborhood (Chapter 6)

Not applicable

Comprehensive Plan: Parks and Recreation Master Plan (Chapter 7)

The Town currently does not have a Parks and Recreation Master Plan or a Parks and Recreation component of the Comprehensive Plan, to guide the placement, or assess the needs, of parks and recreation facilities.

Zebulon 2030 Strategic Plan

The proposal is consistent with the following goal:

- *Growing Smart - Identify certified sites for Economic Development Projects*

Traffic

A Traffic Impact Analysis (TIA) is not required.

Greenway, Bicycle, and Pedestrian Master Plan

Bikeways and sidewalks are designated along this section of Green Pace Road.

Water and Sewer Allocation Policy

Water is available in Green Pace Road. The development is providing a connection to the water services. The property will require annexation into the Town of Zebulon. A



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developer's agreement will be required reading the future connection to sanitary sewer services.

Ordinance Requirements

The project will go through the Town's Technical Review Committee conforming to the conditions of approval of the Special Use Permit and all of the Town of Zebulon *Code of Ordinances and Land Development Regulations*.

Fiscal Analysis:

Attachment 5 is the applicant's application which includes responses to the Findings of Fact.

Staff Recommendation:

Staff recommends approval of SUP 2019-05 with the following conditions:

1. The property is annexed into the Town of Zebulon prior to lot recordation;
2. A developer's agreement is created and approved by the Town of Zebulon regarding the future connection to sanitary sewer service prior to lot recordation. The agreement will address, but is not limited to the following discussion points:
 - a. The Town of Zebulon is not responsible for the connection or extension to the sanitary sewer service;
 - b. The Town of Zebulon is not responsible for the maintenance of the septic systems on the individual lots; and
 - c. When the sanitary sewer line is extended, the lots fronting on Green Pace Road will be required to connect at the expense of the commercial park.
3. A twenty-year warranty is approved by the Public Works Director for the cul-de-sac being constructed; and
4. The requirement of a Transportation Impact Analysis will be determined during Technical Review Committee Review.
5. The project must receive Technical Review Committee approval from the Town of Zebulon conforming to the Code of Ordinances and Land Development Regulations.

Attachments:

1. Consistency Statement



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SUP 2019-05 Consistency Statement Chart

		Requirements	Example Motions
No changes to Ordinances or Plans	Option 1	A statement approving the zoning map amendment and describing its consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend approval of SUP 2019-05 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
	Option 2	A statement rejecting the zoning map amendment and describing its inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable, explaining why the action taken is reasonable and in the public interest.	I move we recommend disapproval of SUP 2019-05 based upon review of inconsistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable.
With changes to Ordinances or Plans	Option 3	<p>A statement approving the zoning map amendment and containing <u>at least all</u> of the following:</p> <p>a. A declaration that the approval is also deemed an amendment to Town of Zebulon Comprehensive Plan, Zebulon Zoning Ordinance, and any other official plan that is applicable. The Board shall not require any additional request or application.</p> <p>b. An explanation of the change in conditions the Board took into account in amending the zoning ordinance to meet the development needs of the community.</p> <p>c. Why the action was reasonable and in the public interest.</p>	I move we recommend approval of SUP 2019-05 as an amendment to the Zebulon Code of Ordinances.