



STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

Conklin UBD (SUP1405)

Type of Request: Special Use Permit

Meeting Dates

Planning Board on January 20, 2015

City Council on February 3, 2015

Contact Information

Jordan Conklin

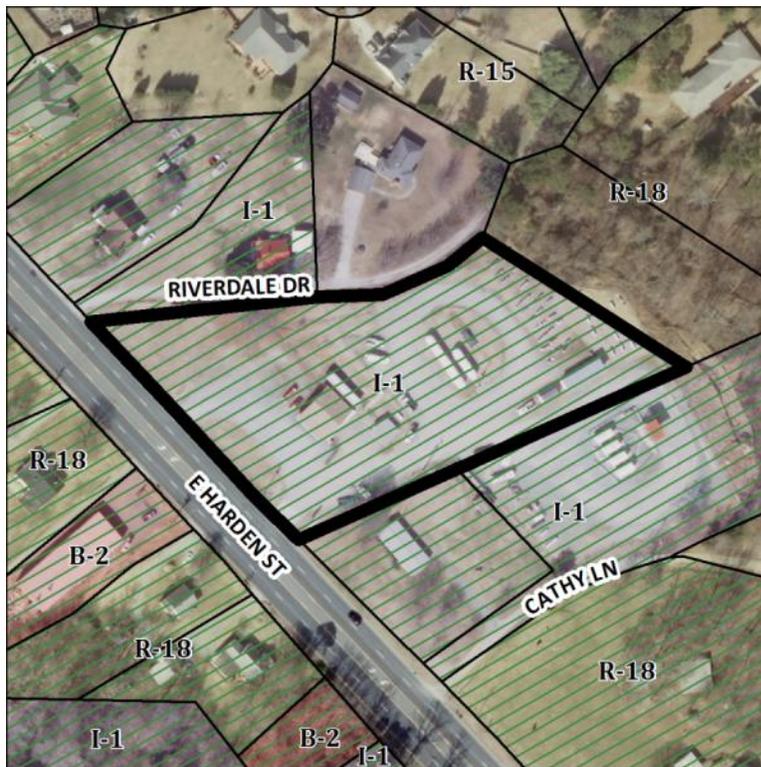
1268 E Harden St, Graham, NC 27253

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Summary

This is a request for a Special Use Permit for a Unified Business Development for property located at 1268 E Harden St. There is an existing business on the site – Conklin Oil and Propane. The requested Special Use Permit is for the front portion of the property, with the rear portion not a part of the request.



Location

1268 E Harden St

GPIN: 8883997150

Proposed Special Use

Unified Business Development

Current Zoning

Light Industrial (I-1)

Overlay District

E Harden St/Hwy 54

Surrounding Zoning

R-18, B-2 & I-1

Surrounding Land Uses

Single Family Houses, General
Businesses & Light Industrial

Public Water & Sewer

Yes, along Harden

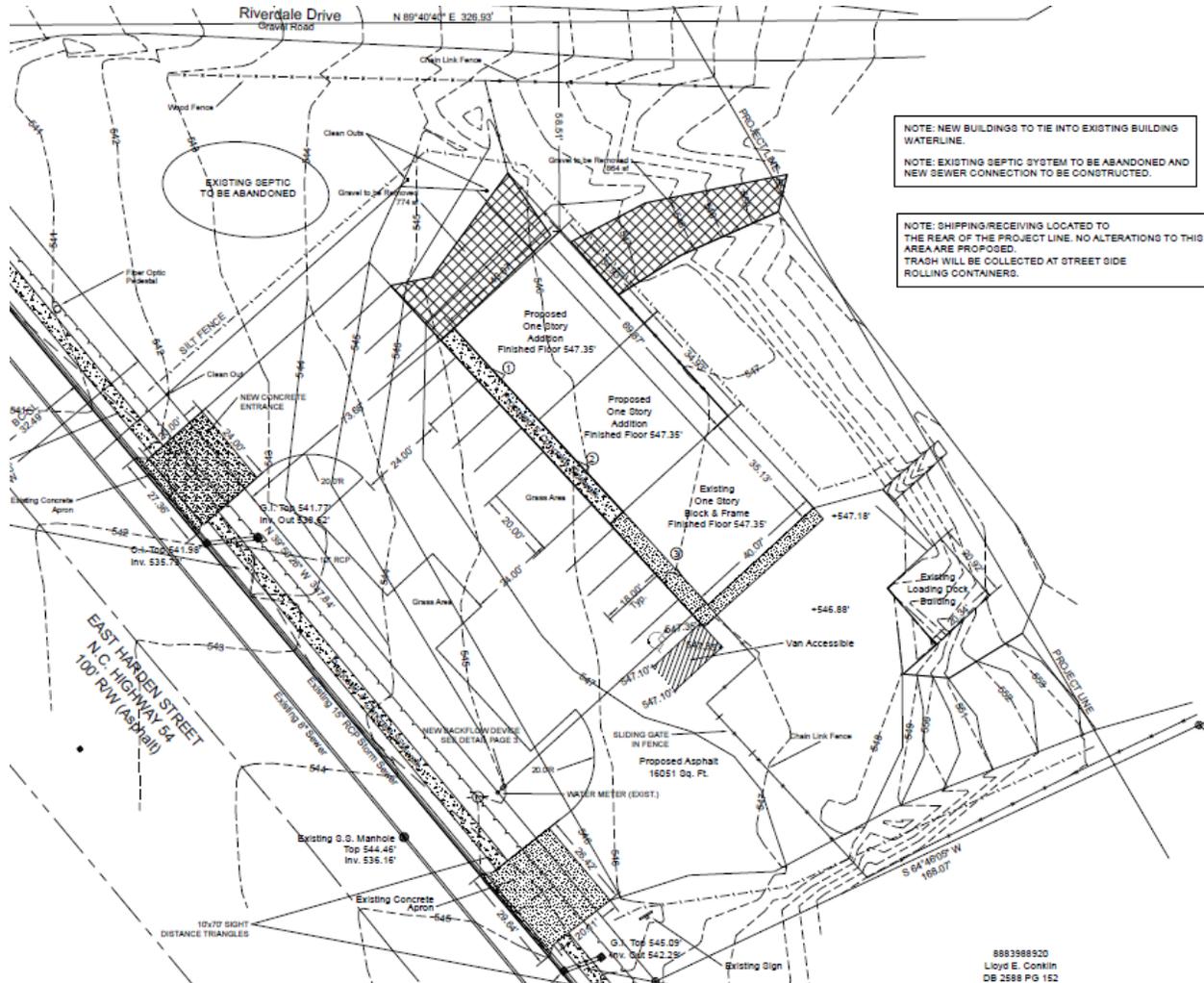
Floodplain

No

Staff Recommendation

Approval with conditions

A preliminary site plan was submitted as part of the application and was revised based on TRC comments. The proposal is to add on to the existing building to create two additional storefronts. The proposal also includes an asphalt parking lot with 13 spaces, a new 4' wide sidewalk along E Harden St, abandoning an existing septic system, and removing sections of existing gravel.



Technical Review Committee

The TRC reviewed the preliminary site plan and met with the applicant on November 3, 2014 and January 5, 2015. As of the writing of this staff report, the following TRC comments that impact the preliminary site plan have not been addressed:

- Sidewalk along E Harden St should be 5' wide, not 4'. Should also be at least 4' from the back-of-curb.

Conformity to the *Growth Management Plan (GMP)* and Other Adopted Plans

Applicable Goals to Guide Us into the Future

- 6.1.3. Enforce landscaping standards to help beautify and buffer development sites. *Landscaping is not required because the addition is less than 3,000sf.*
- 6.2.1. Reduce and restrict the number of curb cuts and driveways along major arterials. *The proposed development uses two existing curb cuts on E Harden St.*
- 6.3.2. Encourage commercial development within designated village centers as opposed to continued commercial strip development. *This would permit a unified business development adjacent to a designated village center.*
- 6.3.2. Prohibit the encroachment of commercial development into established or planned residential areas. *The property is planned for neighborhood residential but is immediately adjacent to a designated village center. The draft 2035 Comprehensive Plan identifies this property as part of a commercial corridor.*
- 6.3.2. Encourage commercial development that utilizes effective landscaping and buffering to aid in improving the overall aesthetics of the community. *Landscaping is not required by the Development Ordinance because the addition is less than 3,000sf.*

Applicable Planning District Policies and Recommendations

- 7.4.4.1.1. Ensure that development along Highway 54 does not replicate the highway commercial/strip development characteristic of South Main Street. This can be accomplished by promoting nodal development through a regional commercial center and village center with sufficient separation between centers. A regional commercial center could include a major anchor store(s) interspersed with smaller commercial activities, office and institutional uses, multi-family, and governmental facilities located within an integrated complex. *This would provide for commercial development adjacent to a designated village center.*
- 7.4.4.1.2. Limit direct highway access or the number of curb cuts to commercial activities by directing development to proposed regional and village centers and requiring internal connectivity between commercial uses, as well as uniformity in design standards. *The proposed unified business development uses two existing curb cuts and has a common parking lot.*
- 7.4.4.1.3. Provide a transitional buffer between the proposed commercial and village centers and existing or proposed single-family neighborhoods that would consist of landscaping, multi-family developments and/or townhouse developments. *The proposed unified business development is in a transition area between a designated village center and existing single family houses, and because it is an expansion of less than 3000sf, it is not required to provide a transitional buffer of landscaping.*

Planning District

Central

Development Type

Neighborhood Residential, adjacent to Traditional Neighborhood Development and Village Center (associated with Southern Loop)

Located near a major thoroughfare

For single family residential, townhouses, apartments, commercial, office/institutional, mixed use

Characteristics include open space; parks included with development; pedestrian-oriented; automobile-oriented; design requirements; sidewalks; street trees; landscaping; buffering/screening; parking provided on-site; height of structures regulated; controlled access; building orientation

3+ dwelling units per acre
<100,000sf of retail

Infrastructure includes water, sewer, street connectivity and underground utilities

Graham Pedestrian Plan

- Recommends a five-foot sidewalk on this section of E Harden St as a high priority project. *A 4' wide sidewalk along E Harden St is proposed. A 5' wide sidewalk is required by the Development Ordinance.*

DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.
The property is zoned I-1 and E Harden St/Highway 54 Overlay. "Unified Business Development" is permitted in the I-1 zoning district with a Special Use Permit and is not prohibited in the overlay district. The proposed development meets the area, height and yard regulations. Signs will require a sign permit. The proposed development complies with the site standards of the overlay district, with the exception of providing a 5' wide sidewalk (the proposed sidewalk is 4' wide). All other standards specific to the overlay district will be complied with before a building permit is issued.
2. Conditions specific to each use, identified by the Development Ordinance, are complied with.
The following requirements are specific to this use:
 - *Such developments shall abut a major thoroughfare, minor arterial, or collector street (existing or proposed). The property abuts NC 54/E Harden St, which is a minor arterial.*
 - *All uses permitted in the B-2 district are permitted in a Unified Business Development, with the exception of certain uses which are not permitted. The only use specified for this Unified Business Development is the existing business, which is petroleum and petroleum products storage. That use is permitted in the B-2 district and is not prohibited in Unified Business Developments. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
 - *All business establishments shall be retail or service establishments dealing directly with the public. The only specified use – the existing petroleum business – directly serves the public. All future uses to be located within the UBD will be required to obtain a Zoning Permit prior to occupancy.*
 - *All uses shall be completely enclosed in buildings except for plant sales, sidewalk cafes, and permitted drive-in uses. The only specified use – the existing petroleum business – includes area that is not enclosed in a building. The preliminary site plan indicates that the applicant wishes to not include that area in this Special Use Permit. That area is located to the rear of the proposed Unified Business Development and behind a gate.*
 - *An opaque screen shall be provided wherever, in the city council's judgment, such screening is necessary to shield adjacent residential districts. The property to the rear of this property is zoned residential, but it is currently heavily wooded. The properties to the west of this property are zoned light industrial but are occupied by single family homes.*
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.
The proposed Unified Business Development will not materially endanger the public health or safety.

4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.

The proposed Unified Business Development will not substantially injure the value of adjoining property.

5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.

The proposed Unified Business Development is a commercial use that will be located along a five-lane highway corridor and is in general conformity with the Growth Management Plan 2000-2020.

6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.

Satisfactory provision has been made for vehicle circulation, parking and loading, service entrances and areas, and utilities.

Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit amendment, **with the following conditions**:

- Screening, as described in Section 10.246(10)(b) of the *Development Ordinance*, shall be provided along the western property line to screen the Unified Business Development from view of the residential properties.
- The sidewalk along E Harden St shall meet the design requirements of the *Development Ordinance*.

The following supports this recommendation:

- The *Growth Management Plan 2000-2020* identifies this area as the edge of a Traditional Neighborhood Development Village Center, which includes a mix of uses and a focus on the pedestrian. However, the draft 2035 Comprehensive Plan identifies this area as a commercial corridor adjacent to a commercial development node. Also, the existing zoning and uses in this area, and the small scale of the proposed development, suggest that it is compatible with the area.
- The development complies with the standards of the *Development Ordinance* if approved with the recommended conditions.
- The development will meet all six conditions required by Section 10.144 of the *Development Ordinance* if approved with the recommended conditions.