



STAFF REPORT

Planning Commission

CASE #S-638-15

PC Date:	June 16, 2015	Case Planner:	Caitlin Hasenbalg Long
CC Date:	July 20, 2015		
Location:	5601 Holly Street		
Applicant:	Old Dominion Freight Line	Owner:	Same as Applicant
Address:	500 Old Dominion Way, Thomasville, NC 27360	Address:	Same as Applicant

Case Summary

Request:	Consolidate four properties into a single lot.
Project Description:	Old Dominion Freight Lines proposes to expand the existing transportation terminal located at 5601 Holly Street with an 88 door cross dock addition. To accommodate the expansion, the company has acquired several adjacent properties, and has submitted a consolidation plat to create one large lot. Concurrent case #Z-925-15 will rezone one of the properties from I-2 to I-1 to match the zoning of the rest of the proposed lot.
Issues/Concerns:	<ul style="list-style-type: none">• Creation of legal and conforming lots
Key Approval Criteria:	<ul style="list-style-type: none">• Compliance with the Comprehensive Plan• Final Plat Approval Criteria
Staff Recommendation:	Approval
Current Zone District:	I-1 (Light Intensity Industrial District), I-2 (Medium Intensity Industrial District)
Requested Zone District:	I-1 (Light Intensity Industrial District)
Comp Plan Designation:	Industrial/Distribution

Attachments for Review: *Checked if applicable to case.*

☒ Proposed Final Plat

☒ Vicinity Map

Background Information

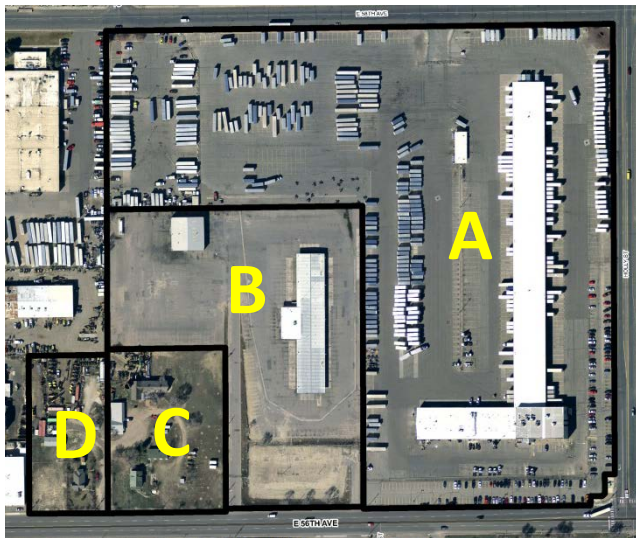
Site Information

Site Size:	38 acres
Current Conditions:	Developed with an 80,450 square foot transportation terminal (cross dock and offices)
Existing Right-of-Way:	Holly Street to the east; East 56 th Avenue to the south; East 58 th Avenue to the north
Neighborhood:	56 th Avenue Industrial Park
Existing Buildings:	Yes: 80,450 square foot cross dock and office
Buildings to Remain?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site in Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Surrounding Properties

Existing Land Use		Occupant	Zoning
North	Industrial	Houg Special Services, DATS Trucking	I-1
South	Industrial	UPS Freight	I-1
East	Industrial	Reis Environmental, South Adams County Fire Station No. 2	I-1
West	Industrial	CT Power, Iceberg Rentals, Kendo, Rocky Mountain Powertrain	I-2

Case History



To fully understand the case history associated with the land included in the scope of this conditional use permit, it is necessary to first break the property into sections based on the historic property lines.

Parcel A is associated with the address 5601 Holly Street, and is the current location of the Old Dominion transportation terminal.

Parcel B is associated with the address 5375 E 56th Avenue, and is the former location of the Estes Trucking terminal. That building has since been demolished.

Parcels C and D are being purchased by Old Dominion from Robert F Johnson, and are the location of the former Johnson Dairy. Both of these parcels contain existing legal non-conforming residential uses. These are referred to elsewhere in this report as the "Johnson Properties."

There are six relevant cases in the history of the subject properties, as shown below:

Case	Date	Parcel	Request	Action
Z-002-78	Jan. 1968	Parcel D	Zone change from I-1 to I-2	Approval
Z-148-78	Jun. 1978	Parcel A	Zone change from I-1 to I-2	Approval with Conditions
S-140-86	Mar. 1986	Parcel B	Subdivision into 2 lots	Approval with Conditions
Z-586-93	Nov. 1993	Parcel A	Zone change from I-2 to I-1	Approval
S-190-93	Apr. 1994	Parcel A	Subdivision to consolidate multiple parcels	Approval
CU-106-14	Oct. 2014	Parcel A	Conditional Use Permit: transportation terminal in I-1	Approval with Conditions

Parcel A: Records indicate that the majority of the property has been zoned I-1 since 1962. At that time, the property consisted of various parcels and lots. In 1978, a previous owner rezoned a portion of the property, which lies approximately in the middle of block along Holly Street, from I-1 to I-2 in

case #Z-148-78 to accommodate his use. That development did not materialize, and the existing transportation terminal was built at the northwest corner of E 56th Avenue and Holly Street in 1980.

During the 1980s, Northwest Transport Services, Inc. grew significantly and expanded the transportation terminal, acquiring additional parcels that comprise the current property. In 1994, Northwest Transport consolidated its various properties into a single lot in case #S-190-93. They also rezoned to I-1 the small portion that was previous rezoned to I-2 in case #Z-586-93. This ensured that the entire property had the same zoning to accommodate the transportation terminal.

Northwest Transport Services, Inc. sold the property in 1999, and Old Dominion Freight Line purchased it in 2008. Old Dominion has been in operation at this site since that time. During this time, the adoption of the Land Development in 2009 made the existing use legally non-conforming by requiring a Conditional Use Permit for transportation terminals in the I-1 zone district. In 2014, to allow for the addition of a 3,000 square foot IT room on the site, Old Dominion applied for a conditional use permit in case #CU-106-14 to make the non-conforming use legal and conforming. This was granted in October, 2014. To date, the property is in compliance with conditions imposed regarding minor landscape improvements to the site.

Parcel B: Zoned I-1, this property was subdivided from a larger property in case #S-140-86. That larger property extended from E 56th Avenue to E 58th Avenue, west of the Northwest Transport Services property which Old Dominion occupies today. The subdivision created two lots: a northern lot, along E 58th Ave, and a southern lot along E 56th Ave. The northern lot was created for use as additional parking for the adjacent Northwest Transport Services. That lot was consolidated with Northwest Transport Services' other properties in 1993, as described in the section above. The southern lot remained an independent transportation terminal, most recently used by Estes Trucking. This property was acquired by Old Dominion in 2014, and the abandoned terminal was demolished early in 2015.

Parcel C: This property is zoned I-1, and The existing home on the property was built in 1901, and it appears to have been used residentially since that time. There is no record of any land use cases for this property. Old Dominion is under contract to purchase this property as well as adjacent Parcel D.

Parcel D: Records indicate that the existing home on the property was built in 1938, and appears to have been used residentially since that time. In 1968, this property was rezoned from I-1 to I-2 as part of a larger rezoning in case #Z-002-68 intended to accommodate various industrial uses in the area which were non-conforming in the I-1 zone district. Along with Parcel C, this property is currently under contract to be purchased by Old Dominion.

Applicant's Request

The applicant is requesting a subdivision plat to consolidate the four parcels into a single lot.

The two largest subject properties (Parcels A and B) were originally platted and replatted in the various filings of the Northwest Transport Subdivision. The two smaller parcels (Parcels C and D) have never been platted.

The proposed final plat creates one legal and conforming lot, while also simplifying and clarifying the platting in this area. The lot size and bulk standards for the I-1 zoning accomodates the proposed

expansion of the transportation terminal, and no variances are needed in order to achieve a conforming status in the I-1 zone district.

Development Review Team Analysis

Comprehensive Plan

The DRT recommendation for this case is supported by the following Comprehensive Plan Goals:

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use	LU 1a	Future Land Use Plan as Guide: Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the Land Development Code (LDC).
<u>Analysis:</u>	The Comprehensive Plan identifies the 56 th Avenue Industrial Park for future Industrial/Distribution uses. The proposed consolidation plat and the expansion of the existing transportation terminal are both consistent with the Industrial/Distribution future land use designation.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use	LU 2.1	Infill Development Promoted: Promote infill development and redevelopment to use utilities and services efficiently, to support multi-modal transportation, to revitalize neighborhoods, and to maintain prosperous businesses.
<u>Analysis:</u>	This consolidation will provide several underutilized properties the opportunity to become part of the expansion of an existing successful national company. The redevelopment will allow for a more efficient use of public services and improve the appearance of the 56 th Avenue corridor.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Redevelopment and Reinvestment	RR 2.1	Historic City Industry Retained: Allow light industry, warehousing, flex, office, and community-serving retail; support but do not expand existing residential uses in existing industrial areas.
<u>Analysis:</u>	Through the approval of this plat, Old Dominion will be able to consolidate several properties into one and expand their existing transportation terminal use. This use is consistent with the types of light industry desired in the historic city, and the redevelopment will eliminate the existing non-conforming residential uses on the subject property.	

The Development Review Team (DRT) also reviewed the application for compliance with the lot standards for the I-1 zone district (Light-Intensity Industrial District). Specifically, the I-1 zone district requires that all lots with this zoning have a minimum lot frontage of 80 feet and have a minimum lot size of 30,000 square feet. The proposed lot has three frontages, each of which far exceed the minimum 80-foot standard. The frontage along Holly Street is 1,320 feet, while the frontages along East 56th and 58th Avenues are 1,427 feet and 1,289 feet, respectively. In addition, the area of the proposed lot is 1,657,439 square feet, which exceeds the minimum 30,000 square foot area required.

Issue	City Standard	Proposed	Meets Standard?
Lot Size	Min. 30,000 sf	1,657,439 sf	Yes
Lot Frontage	Min. 80 feet	1,320 feet; 1,427 feet; 1,289 feet	Yes
Lot Access	Access is required to be provided to a public street	Access from Holly Street as well as from East 56 th and 58 th Avenues	Yes

Street Width	To dedicate and install ROW that complies with city standards	The necessary ROW dedications have been made. Roadway improvements are not required.	Yes
School Land	None for industrial zoning	No dedication needed for industrial zoning	N/A
School Capacity Fee	None for industrial zoning	No fee required for industrial zoning	N/A
Comprehensive Plan	Industrial/Distribution	Industrial/Distribution	Yes
Parks/Open Space	Fee to be paid at building permit issuance. Amount in accordance with LDC.	A Park Fee is required, and will be paid at time of building permit issuance	Yes
Neighborhood Issues	N/A	Staff has received no comments or objections	N/A

Through this consolidation, there will actually be a reduction in the number of access points into the site by eliminating the curb cuts to the non-conforming residential properties on Parcels C and D. There will still be two driveways on East 56th Avenue and one on Holly Street for employee and visitor access; all truck traffic accesses the site from East 58th Avenue. The Public Works Department has reviewed the proposed plat and has no issues or objections to the existing or proposed access points.

After reviewing the proposed plat and determining that the lot will meet the minimum lot requirements for the I-1 zone district, as well as analyzing the request against the specific approval criteria for a final plat as shown on the next page, the DRT is recommending that the document be approved as proposed.

Criteria Met?	Sec. 21-3241. Final Plats or Consolidation Plats	Rationale
<input checked="" type="checkbox"/>	The plat is consistent with any approved land use document;	The proposed plat is consistent with the lot standards for property that is zoned I-1
<input checked="" type="checkbox"/>	The plat is consistent with and implements the intent of the specific zoning district in which it is located;	The proposed plat will create a lot intended for industrial development, which is consistent with the existing I-1 zoning designation .
<input checked="" type="checkbox"/>	No evidence suggests that the plat violates any laws, regulations, or requirements;	No indication has been provided through the development review process that the plat violates any laws, regulations, or requirements.
<input checked="" type="checkbox"/>	The general layout of the plat minimizes land disturbance, maximizes open space, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of the LDC;	The proposed layout will minimize land disturbances to the maximum extent feasible by retaining much of the original layout of the site. It also has been reviewed to ensure that it accomplishes the purpose and intent of the Land Development Code.
<input checked="" type="checkbox"/>	The plat complies with all applicable city standards and does not unnecessarily create lots that make compliance with such standards difficult or infeasible;	The plat complies with the city standards for subdivisions, creates a conforming lot in the I-1 zone district, and the proposed development will not require variances to any bulk standards as a result of this plat.
<input checked="" type="checkbox"/>	The plat: Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they are envisioned to exist in any adopted City plan, program or ordinance;	The plat will not result in substantial or undue adverse effects. The consolidation will allow for the increase in the intensity of use of the property to be spread across a greater land area, and will ensure that all access, parking, and improvements for the benefit of the existing use are located on a single lot.
<input checked="" type="checkbox"/>	Sufficient public services (utilities, safety, etc) and uses (parks, schools etc) are available to serve the subject property;	Adequate public services are currently available to serve the subject property.
<input checked="" type="checkbox"/>	A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and	Not applicable; a development agreement was not required as part of this project.
<input checked="" type="checkbox"/>	As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.	Not applicable; there is no phasing plan proposed for this project.

Development Review Team Recommendation

Based upon the analysis above, the Development Review Team believes that the application meets the criteria for a Final Plat set forth in the Land Development Code and recommends that the Planning Commission forward the Final Plat request to the City Council with a favorable recommendation.

Recommended Motion

To recommend approval:

I move that the Planning Commission enter a finding that the requested Final Plat for the property located at **5601 Holly Street** contained in case **S-638-15** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat.

Alternative Motions

To recommend approval subject to condition(s):

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Final Plat for the property located at **5601 Holly Street** contained in case **S-638-15** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested Final Plat for the property located at **5601 Holly Street** contained in case **S-638-15** fails to meet the following criteria of the Land Development Code:

List the criteria not met

I further move that, based upon this finding, the Planning Commission recommend that the City Council deny the Final Plat.