



## Legislation Text

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File #: ID 16-0734, Version: 1

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### ...Title

Ordinance Establishing Original Zoning for Property Located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trosper Road and a Portion of the Trosper Road Right-of-Way

Department: Planning  
Council District: Proximate to District 3

Public Hearing: September 20, 2016  
Advertising Date/By: September 8 and 15, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649  
Contact 2 and Phone: Sue Schwartz 373-2149

### PURPOSE:

Marc Isaacson, on behalf of Sun Capital LLC, is requesting original zoning from **County AG** (Agricultural), **County LB** (Limited Business) and **County RS-40** (Residential Single Family) to **City CD-C-M** (Conditional District Commercial Medium) for property located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trosper Road and a portion of the Trosper Road right-of-way, generally described as north and south of Trosper Road and east of Lake Brandt Road.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **September 20, 2016** meeting.

### BACKGROUND:

Following a public hearing on August 15, 2016, the Zoning Commission voted 5-3 to recommend approval of this request. Three persons spoke in favor of the request and eight in opposition. (See attachment B: Minutes of the August 15, 2016 Zoning Commission meeting). This request is associated with a voluntary annexation petition.

This rezoning request includes the following conditions:

1. All uses permitted within the C-M district except: cemeteries,; hotels and motels; funeral homes and crematoriums,; taxi dispatch terminal; taxidermist; pawn shop; sexually oriented businesses; self storage facilities; any Light Industrial uses; wholesale trade and any warehousing storage and freight handling; **any Residential Use; Auditoriums, Coliseums, Stadiums; Governmental Facilities (not to include general office space); Specialty Hospitals; Temporary and Emergency Shelters; TV/HDTV/AM/FM Broadcast; Wireless Telecom Facilities; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Campgrounds and RV Parks; Park & Ride Facilities; All other commercial parking; Bars, Nightclubs, Brewpubs; Kennels with outdoor accommodations; ABC Stores; Tattoo Parlors.**

2. A minimum of 50% of the exterior building materials will consist of wood, brick, glass or stone.
3. The following conditions shall apply to any commercial development on the parcel located at the southeast corner of Lake Brandt Road and Trosper Road, known as Tax Parcel 0137457:
  - a. Within any required landscaped buffer abutting a single family residence, a continuous visual screen shall be required. This may be achieved by installation of evergreen materials to augment existing vegetation or by installing plantings of an evergreen variety at a rate and layout designed to achieve the continuous visual screen. Additionally an opaque fence a minimum of six (6) feet high, where allowed, shall also be installed between the required buffer and any development.
  - b. No illuminated signage may be placed on a building wall facing an abutting residential use.

**Note:** The applicant offered (and Zoning Commission accepted) amended and new conditions for this request at the August 15, 2016 Zoning Commission meeting at the beginning of the public hearing on this item.

This request addresses the following MAP Goals:

**MAP Goal 1 - Create an environment that promotes economic development opportunities and job creation**

**MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

**BUDGET IMPACT:**

This item will have no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 5-3 to **approve** this request.

Planning recommends **approval** of the request based on:

- Request is consistent with the **Growth at the Fringe** goal to promote sound, sustainable land use patterns that provide for the efficient provision of public services and facilities.
- Request is consistent with the **Economic Development** goal to 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.