

Item Title: Public Hearing on ZP-884-14 to Rezone Five Lots, Totaling 8.18 acres, Located at 9305 and 9401 Fayetteville Road, and 9305, 9312 and 9316 Daffodil Drive, from Highway District (HD) and Residential-30 (R-30) to Conditional Use-Office and Institutional (CU-O&I)

Specific Action Requested:

That the Board of Commissioners holds a public hearing to consider rezoning petition ZP-884-14 and:

- 1. Adopts the attached consistency statement finding that the requested rezoning to Conditional Use-Office and Institutional, the stated proposed use, and the permissible range of uses are consistent with the Wake County Land Use Plan, reasonable, and in the public interest;**

and by separate motion

- 2. Approves the rezoning request as presented.**

Item Summary:

PURPOSE: To rezone five parcels totaling 8.18 acres located at 9305 Fayetteville Road, 9401 Fayetteville Road, 9305 Daffodil Drive, 9312 Daffodil Drive, and 9316 Daffodil Drive. More specifically, the request is to rezone two parcels totaling 5.39 acres that are currently zoned Highway District (HD) and three parcels totaling 2.79 acres that are currently zoned Residential-30 (R-30), to Conditional Use-Office and Institutional (CU-O&I). The subject properties are shown on the attached map. The current uses are an informal parking lot, two houses, and vacant wooded land. The stated intended use is to allow for the construction of additional parking facilities to support the community college. However, the rezoning decision must be based upon all possible uses as listed in the attached staff report.

Location: The subject properties are located on the eastern side of Fayetteville Road/US 401 and immediately south of Tech Road and the main Wake Tech campus.

Current Zoning: Highway District (HD) and Residential-30 (R-30)

Proposed Zoning: Conditional Use-Office and Institutional (CU-O&I)

Petitioner: Rachel Cotter, The McAdams Company

Owner: Dr. Stephen Scott, Secretary to the Board, on behalf of the Trustees of Wake Technical Community College

PINs: 0689608986, 0689608627, 0689703969, 0689701506, and 0689700490

Planning Staff Findings

1. The proposed Conditional Use-Office and Institutional rezoning and the permissible range of uses are consistent with the Land Use Plan's designation of this area as a Regional Activity Center and are reasonable and appropriate for the area.
2. More specifically, the Regional Activity Center allows for large-scale urban land uses that are served by major thoroughfares and municipal water and sewer and that provide for a primary job base.
3. The proposed rezoning complies with four (4) stated goals of the Land Use Plan (see discussion above).
4. The traffic volumes and accident reports from the North Carolina Department of Transportation do not indicate any significant traffic issues for Fayetteville Road/US 401.
5. A detailed site plan must be approved by the appropriate Wake County entity prior to future development on the subject properties to ensure compliance with all applicable regulations.
6. The Town of Fuquay-Varina's planning staff has indicated that they do not object to the rezoning petition.
7. The Wake County planning staff has received no objections from the surrounding property owners or the general public.

Planning Staff Recommendation

The planning staff recommends that the Board of Commissioners:

- (1) Adopts the attached consistency statement finding that the requested rezoning to Conditional Use-Office and Institutional, the stated proposed use, and the permissible range of uses are consistent with the Wake County Land Use Plan, reasonable, and in the public interest;

and by separate motion

- (2) Approves the rezoning request as presented.

Planning Board Recommendation

1) The Planning Board, at their Wednesday, May 4, 2016 meeting, recommended, by a vote of 8 to 0, that the Board of Commissioners finds that the requested rezoning to Conditional Use--Office and Institutional, the stated proposed use, and the permissible range of uses are:

- a) Consistent with the Land Use Plan's designation of this area as a Regional Activity Center and is reasonable and appropriate for the area;
- b) Consistent with the Regional Activity Center allowance for large-scale urban land uses that are served by major thoroughfares and municipal water and sewer and that provide for a primary job base;
- c) Consistent with several of the stated goals of the Land Use Plan, more specifically:

- i) Goal #1--to guide quality growth throughout the County in conjunction with affected local governments;
 - ii) Goal # 2--to encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities;
 - iii) Goal # 3--to encourage the development of communities which provide for adequate land for anticipated demands, in a pattern which allows a mixture of uses; and
 - iv) Goal # 7--to ensure that the land use plan and transportation plan mutually support each other;
- d) Reasonable, and in the public interest because it would allow for improvements that would:
 - i) Facilitate improved vehicular circulation, access and safety for vehicles and pedestrians;
 - ii) Provide environmental protection through stormwater management facilities; and
 - iii) Enhance aesthetics and sense of place

All of which advance the public health, safety, and general welfare and enable Wake Tech to adequately serve growing educational and employment needs of the public.

- e) Reasonable, and in the public interest because various provisions in the Wake County Unified Development Ordinance and the established development review process with outside agencies such as the North Carolina Department of Transportation and other county departments, will ensure that there are no significant adverse impacts on the public health, safety and general welfare. For example, there are no significant traffic issues on Fayetteville Road/US 401, the subsequent development will comply with county requirements regarding buffering, stormwater and erosion control, and protection of environmentally sensitive areas.
- 2) The Planning Board then recommended, by a vote of 8 to 0, that the Board of Commissioners approve the rezoning request, as presented, based on the findings of Land Use Plan consistency, reasonableness, and the public interest.

Attachments:

1. PowerPoint
2. Staff Report
3. Ordinance Regarding Statement of Consistency, Reasonableness. and Public Interest
4. Ordinance Approving Rezoning Petition as Presented
5. Petition
6. Maps
7. Neighborhood Meeting Information
8. Planning Board Minutes Excerpt