

Item Title: Public Hearing on ZP-890-16 to Rezone a 3.65-Acre Parcel Located at the Corner of Benson Road and Wakefield Lane from Conditional Use-General Business (CU-GB) to Conditional Use-Heavy Commercial (CU-HC)

Specific Action Requested:

That the Board of Commissioners holds a public hearing to consider rezoning petition ZP-890-16 and:

- 1. Adopt the attached consistency statement finding that the requested rezoning to Conditional Use-Heavy Commercial 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. Approve the rezoning request as presented and adopt the attached ordinance.**

Item Summary:

PURPOSE: To rezone a 3.65 acre parcel located on the 3600 block of Benson Road (NC Hwy 50 south of Garner) from Conditional Use-General Business (CU-GB) to Conditional Use-Heavy Commercial (CU-HC).

A conditional use rezoning means that the petitioner has voluntarily offered certain conditions as part of the rezoning petition (i.e. limiting the number and types of uses that would otherwise be permissible) in an attempt to mitigate potential negative impacts of subsequent development on the surrounding properties.

The petitioner has limited the proposed uses on this piece of property to Self-Service Storage and Vehicle Sales, Leasing or Rental. Both uses are permitted by right in the Heavy Commercial zoning district. The petitioner has also listed “masonry façade construction” as a condition of approval as well.

The stated purpose of the rezoning is a self-service storage facility with moving truck rental, however; it is important to note that either one or both of the requested uses could be conducted on the property if the rezoning is approved.

If the rezoning is approved, the applicant would submit a detailed site plan as part of the Planned Compliance Permit (PCP) process. The PCP would go to the Planning Board for review and approval. Staff would also review the site plan to ensure compliance with the UDO and other applicable regulations.

Location: The subject property is located at the southwestern corner of the intersection of Benson Road (NC 50) and Wakefield Lane just south of Garner and is currently addressed as 0 Benson Road.

Current Zoning: Conditional Use-General Business (CU-GB)

Proposed Zoning: Conditional Use-Heavy Commercial (CU-HC)

Existing Land Uses: Vacant

Petitioner: Ball Rentals LLC

Design Firm: None

Owner: TH Turner Farms Inc.

PIN: 1618 54 6225

Staff Findings

1. The proposed Conditional Use-Heavy Commercial rezoning, the stated proposed use, and the permissible range of uses are consistent with the Land Use Plan's designation of this area as a Community Activity Center, are reasonable, and appropriate for the area.
2. More specifically, the Community Activity Center allows for moderate-scale mixed-use development that allows for a combination of retail, personal services, civic, educational, and social uses that serve the needs of the surrounding neighborhoods.
3. The proposed rezoning complies with two (2) stated goals of the Wake County Land Use Plan and three (3) stated goals of the Fuquay-Garner Area Land Use Plan.
4. The traffic volumes and accident reports from the North Carolina Department of Transportation do not indicate any significant traffic issues for Benson Road or Wakefield Lane.
5. A detailed site plan must be approved by the appropriate Wake County entity prior to future development on the subject property to ensure compliance with all applicable regulations.
6. Any roadway improvements and/or driveway permits will have to be coordinated with, and approved by the North Carolina Department of Transportation during the site plan review process.
7. The Town of Garner's planning staff has indicated they are neutral on the requested rezoning as it relates to the Town's Comprehensive Growth Plan but asked that if approved additional conditions be added, relating to landscaping and signage, as part of the site development process.
8. The Wake County planning staff has received two phone calls and one email about the proposed rezoning.

Staff Recommendation

Staff recommends approval of ZP-890-16 as presented.

Planning Board Recommendation

The Planning Board voted unanimously to recommend approval of the rezoning request at its August 3, 2016 meeting.

Attachments:

1. Presentation
2. Staff Report
3. Statement of Consistency Resolution
4. Ordinance Approving Rezoning Petition
5. Petition
6. Maps
7. Comments from Town of Garner Aug. 26, 2016
8. Comments from Town of Garner July 8, 2016
9. Planning Board Minutes Aug. 3, 2016