

ORDINANCE APPROVING A REQUEST (ZP-890-16) TO AMEND THE WAKE COUNTY ZONING MAP BY REZONING A 3.65-ACRE PARCEL LOCATED AT THE CORNER OF BENSON ROAD AND WAKEFIELD LANE FROM CONDITIONAL USE-GENERAL BUSINESS (CU-GB) TO CONDITONAL USE-HEAVY COMMERCIAL (CU-HC)

WHEREAS, the request is to rezone a 3.65-acre parcel located at 0 Benson Road from Conditional Use-General Business to Conditional Use-Heavy Commercial (CU-HC);

WHEREAS, 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;

WHEREAS, 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;

WHEREAS, the requested rezoning is consistent with two of the stated goals of the Land Use Plan, more specifically:

- i) Goal # 2--To encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities;
- ii) Goal # 3--To encourage the development of communities which provide adequate land for anticipated demands, in a pattern which allows a mixture of uses;

WHEREAS, the requested rezoning is consistent with three of the stated goals of the Fuquay-Garner Area Land Use Plan, more specifically:

- i) Goal # 2--Encourage growth that will take advantage of existing and planned infrastructure so that municipalities are able to provide basic public services in accordance with their adopted plans;
- ii) Goal # 3--Focus compact development in mixed-use activity centers that include housing, commercial services and employment opportunities designed with convenient pedestrian and vehicular access from surrounding development areas; and
- iii) Goal # 5--Ensure that the Fuquay-Garner Area Land Use Plan takes advantage of, and reflects, the Capital Area's Transportation Plan;

WHEREAS, the traffic volumes and accident reports from the North Carolina Department of Transportation do not indicate any significant traffic issues for Benson Road;

WHEREAS, 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;

WHEREAS, on August 3, 2016, the Wake County Planning Board voted unanimously to recommend that the Board of Commissioners approve the proposed zoning map amendment as presented; and

WHEREAS, the Wake County Board of Commissioners held a duly-noticed public hearing on September 6, 2016 to consider amending the zoning map to rezone the entire area, or part of the area, to the classification and uses requested, or to a more restrictive classification or to a more limited range of uses.

NOW, THEREFORE, BE IT ORDAINED BY THE WAKE COUNTY BOARD OF COMMISSIONERS:

SECTION I

The proposed rezoning, is found to be consistent with the Land Use Plan, reasonable, and otherwise promotes the public health, safety and general welfare, therefore, the Wake County Zoning Map is hereby amended to rezone the above described property from Conditional Use-General Business (CU-GB) to Conditional Use-Heavy Commercial (CU-HC);

SECTION II

This ordinance to amend the Wake County Zoning Map as petitioned shall become effective upon adoption.

Commissioner _____ made a motion that the above ordinance be adopted. Commissioner _____ seconded the motion, and upon vote, the motion carried this 6th day of September 2016.

This Instrument Approved as to Form

Wake County Attorney

Date