

Item Title: Public Hearing on ZP-897-18 to Rezone One Parcel Totaling 19.67 Acres Located at the end of Inwood Forest Drive from Town of Garner Zoning District Service Business Conditional Use (SB C20) to Wake County Zoning District Residential-40 Watershed (R-40W)

Specific Action Requested:

That the Board of Commissioners holds a public hearing to consider rezoning petition ZP-897-18 and:

- 1. Adopts the draft statement finding that the requested rezoning to Residential-40 Watershed is 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: Garner Town Council relinquished extraterritorial jurisdiction (ETJ) for the subject property at its February 20, 2018 meeting. In accordance with General Statute 160A-360(f), the County has a period of 60 days to assign zoning to the relinquished parcels.

The Town of Garner has stated that the site has no future urban development potential. The Town utility extension policies and Swift Creek Land Management Plan do not allow municipal sewer and water services within a Water Supply Watershed unless a health and safety issue exists.

Location: The property is located northeast of the stub connection at the end of Inwood Forest Drive along the Norfolk Southern Railroad line off Lake Wheeler Road.

Current Zoning: SB C20 (Service Business Conditional Use) (Town of Garner Zoning)

Proposed Zoning: R-40W (Residential-40 Watershed) (Wake County Zoning)

Petitioner: Wake County Planning, Development & Inspections

Planning Staff Findings

1. The proposed Residential-40 watershed rezoning and the permissible density and range of uses are consistent with the Land Use Plan's designation and are reasonable and appropriate for the area.
2. The R-40 watershed density allows for one dwelling unit per acre, which complies with the Land Use Plan's designation of one dwelling unit per acre.
3. The proposed rezoning complies with Land Use Plan which strives to minimize pollutants from storm water runoff, protect drinking water, and protect water quality

suitable for fishing, boating, and swimming by allowing only appropriate land uses and densities which meet or exceed applicable State water quality guidelines.

4. A detailed site plan must be approved by the appropriate Wake County entity prior to future redevelopment.
5. Garner Town Council relinquished ETJ for the subject site at its February 20, 2018 meeting.
6. In accordance with North Carolina General Statute 160A-360(f), the County has a period of 60 days to assign zoning to the relinquished property.

Planning Staff Recommendation

The planning staff recommends that the Board of Commissioners:

1. Adopts the attached draft statement finding that the requested rezoning to Residential-40 Watershed 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, ZP-897-18, as presented.

Planning Board Recommendation

The Planning Board, at their March 7, 2018 meeting, recommended by a vote of 8 to 1 that the Board of Commissioners approve the rezoning request as presented based on the finding of consistency and that the rezoning is reasonable and in the public interest.

Attachments:

1. Presentation
2. Staff Report
3. Ordinance Regarding Statement of Consistency, Reasonableness, and Public Interest
4. Ordinance Approving Rezoning Petition as Presented
6. Planning Board Minutes Excerpt