

ZP-898-18 Proposed Zoning Map Amendment

(modification of previously approved condition)
3252 Auburn-Knightdale Road

January 22, 2019



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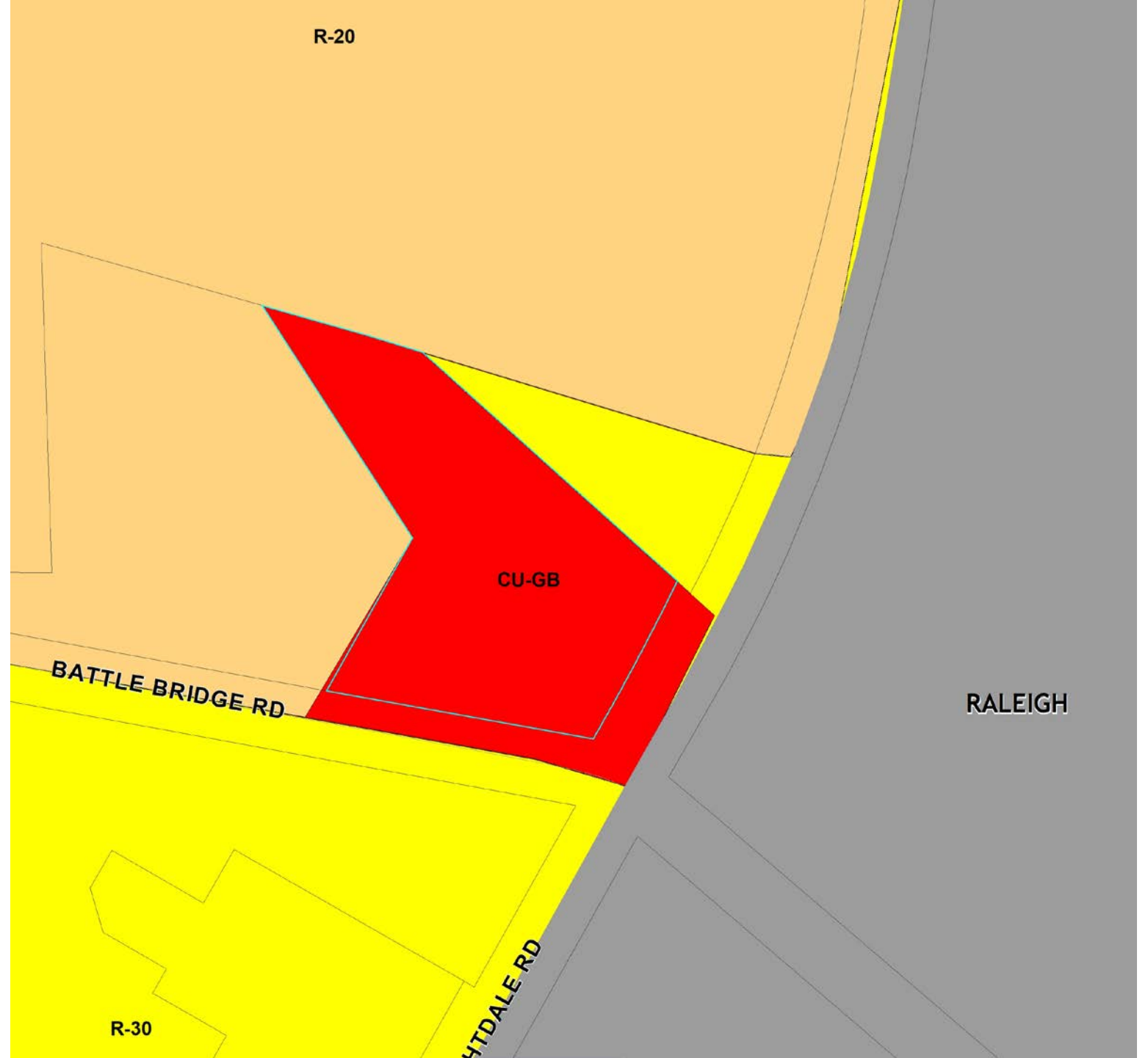
Purpose of Rezoning Request

1. To modify a condition from a previously approved (2000) conditional use rezoning case to increase the impervious surface coverage on the subject property from 30% to 50% in order to resolve existing zoning violations and to allow for a possible future expansion of use within a vacant portion of the existing building.
2. A site plan review will be required to ensure compliance with all applicable regulations such as stormwater management.

Aerial Map



Zoning Map



Background

- The site was approved for CU-GB rezoning in 2000 with a condition that limited impervious surface coverage to 30%.
- The site is over the allowed impervious surface coverage due to:
 - ❖ An error on the original site plan.
 - ❖ The addition of a freestanding ATM.
 - ❖ The lack of the two required ATM parking spaces.
 - ❖ The placement of almost 1,500 square feet of gravel to accommodate overflow parking of large trucks because they were causing erosion damage.

Land Use Plan

- General zoning was first applied to the southeastern portion of Wake County in 1970.
- East Raleigh-Knightdale ALUP was adopted, designating the surrounding area as an Neighborhood Activity Center (NAC) in 2003.
- Located within Raleigh's SRUSA and a NAC, which allows for a variety of small-scale nonresidential uses (specifically lists convenience stores, gas sales, and restaurants).
- Consistent with two stated goals of the Land Use Plan.
- The requested condition modification, the existing and continued CU-GB zoning, the existing and continued uses, and the permissible range of uses (only food services) would be consistent with the LUP's NAC designation, reasonable, and appropriate for the area.

Reasonableness/Public Interest

- Allow for resolution of the existing zoning violations, which will allow for the continued provision of these convenience services to the community.
- Allow for a moderate expansion of use within the vacant portion of the existing building (additional parking spaces may be needed).
- No changes to any of the other previously approved rezoning conditions.
- Site plan review will ensure compliance with all applicable UDO standards and provide protection of the public health and safety.

Staff Findings

1. To modify a previously approved rezoning condition to resolve existing zoning violations and to allow for a possible moderate expansion of use within the vacant portion of the existing building.
2. All other previously approved rezoning conditions will be unchanged and will remain valid and in effect.
3. The request is consistent with the LUP's NAC designation, two stated LUP goals, and would be reasonable, and appropriate, for the area.

Staff Findings

4. There are no environmentally sensitive features on, or near, the subject property, and there is no indication of previous stormwater issues on the subject property.
5. A site plan will be required to ensure compliance with all applicable current standards so as to protect the public health, safety and general welfare.
6. There are no traffic issues on the adjacent roadways, and the modification of the previously approved rezoning condition is not anticipated to generate any significant new traffic to the site.

Staff Findings

7. The City of Raleigh had no objection to the request and indicated that the uses are consistent with the City's Future Land Use Map.
8. The Wake County Planning staff has received no objections from the surrounding property owners or the general public.

Public Hearing



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Planning Staff Recommends Approval

That the Board of Commissioners:

1. Adopts the drafted statement of consistency with the Land Use Plan, reasonableness, and public interest (please reference the draft statement for the record).

and by separate motion;

2. Approves the rezoning petition, ZP-898-18, as presented.

Planning Board Recommends Approval (7-0)

That the Board of Commissioners:

1. Adopts the drafted statement of consistency with the Land Use Plan, reasonableness, and public interest.
2. Approves the rezoning petition, ZP-898-18, as presented.

The Planning Board, at their December 5th, 2018 meeting, voted 7-0 on both motions.

Suggested BOC Motions

That the Board of Commissioners:

1. Adopts the drafted statement of consistency with the Land Use Plan, reasonableness, and public interest (please reference the draft statement for the record).

and by separate motion;

2. Approves the rezoning petition, ZP-898-18, as presented.

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