

Item Title: Public Hearing to rezone a 10.08-acre parcel located at 900 Knotts Hill Place from Residential-30 (R-30) to Conditional Use-Residential-10 (CU-R-10) [PLG-RZ-001350-2019]

Specific Action Requested:

That the Board of Commissioners holds a public hearing to consider rezoning petition PLG-RZ-001350-2019 and:

- 1. Adopts the drafted statement finding that the requested rezoning to Conditional Use-Residential-10 zoning, the stated proposed use of up to 40 single-family homes, and the permissible range of uses would be consistent with both the general Wake County Land Use Plan and the East Raleigh/Knightdale Area Land Use Plan, are reasonable, and appropriate for the area;**

and by separate motion;

- 2. Approves the rezoning petition, PLG-RZ-001350-2019, as presented.**

Item Summary:

Purpose: The North Carolina General Statutes require that the Wake County Board of Commissioners holds a public hearing to rezone property.

Background: The subject 10.08-acre parcel is located at the northern end of Knotts Hill Place and at the eastern end of Rutledgeville Lane, about three-fourths of a mile northwest of the intersection of Poole Road and Smithfield Road.

The requested rezoning from Residential-30 (R-30) to Conditional Use Residential-10 (CU-R-10), would allow for the construction of up to 40 single-family homes that would be supported by available extra capacity in the community well and septic systems that serves the Rutledge Landing Subdivision to the west. The requested CU-R-10 zoning is identical to the existing zoning of the adjacent Rutledge Landing Subdivision. At their May 5, 2021 meeting the Planning Board unanimously recommended approval of the rezoning petition as requested. The planning staff concurs.

Board Goal: This action supports Growth and Sustainability Goal 1: Preserve and enhance the County residents' quality of life through coordinated land use and transportation planning.

Fiscal Impact: There is no fiscal impact related to this agenda item.

Additional Information:

Current Zoning: Residential-30 (R-30)

Proposed Zoning: Conditional Use Residential-10 (CU-R-10).

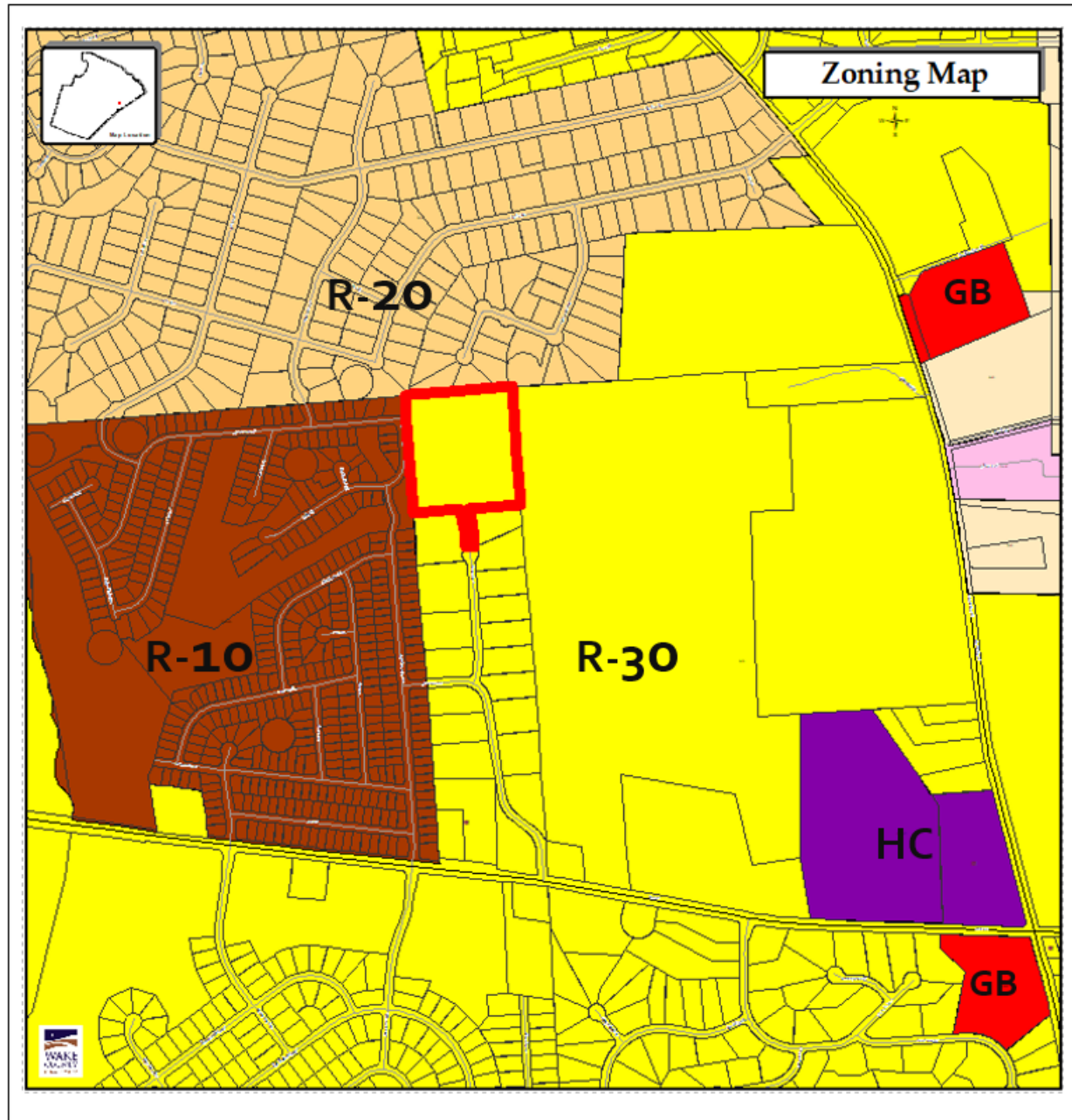
Petitioner: Andrew Petesch, Petesch Law

Owner: Hughes Development, LLC, Richard Stockett, principal

Location: The subject property is located at the northern end of Knotts Hill Place and at the eastern end of Rutledgeville Lane and is addressed as 900 Knotts Hill Place (PIN 1763007038). Please see the maps below.

This parcel was originally part of the Huntsboro Subdivision when it was first platted in 1995. It was labeled as “Reserved by Owner” because it was considered unfeasible to cross the stream that separates this parcel from the remainder of the subdivision. The development of the Rutledge Landing Subdivision to the west provides an opportunity to access the property via Rutledgeville Lane. The petitioner has voluntarily provided a condition that prohibits any road connection to Knotts Hill Place in the Huntsboro Subdivision “which will allow the natural buffer on either side of the perennial stream to be preserved and protected.”





The subject property is currently designated on the East Raleigh/Knightdale Area Land Use Plan as appropriate for “Residential Less Than 1.5 [Dwelling] Units Per Acre”, which corresponds to the existing Residential-30 zoning district. This petitioner has requested a Land Use Plan Amendment (LUPA) to reclassify the subject property for “Residential 1.5 to 4 [Dwelling] Units Per Acre” (case PLG-LUPA-002583-2020).

This Land Use Plan amendment received a unanimous recommendation from the Planning Board at its April 7, 2021 meeting and the requested rezoning will be consistent with the amended Land Use Plan (if approved by the Board of Commissioners). The

petitioner has complied with four applicable goals of the Wake County Land Use Plan, and two of the applicable goals of the East Raleigh/Knightdale Area Land Use Plan.

In addition to the Land Use Plan consistency basis, the state law requires that the rezoning petition be evaluated for reasonableness and public interest. In that regard the planning staff has noted the following:

- The environmentally sensitive area along the stream between the subject property and the Huntsboro Subdivision to the south will be preserved and protected (with a condition of no road connection to Knotts Hill Place).
- The site will be served with available capacity in the community water and wastewater system that serves the adjacent Rutledge Landing development.
- A detailed traffic assessment statement was performed and found that the traffic from these 40 new homes would have minimal impact on the area roadways.
- The proposed development is comparable to existing surrounding developments, especially the existing CU-R-10 zoning of the adjacent Rutledge Landing Subdivision.
- A detailed subdivision plan must be approved by the appropriate county and state agencies prior to future development on the subject property to ensure compliance with all applicable regulations.

It is the planning staff's professional opinion that the rezoning petition for Conditional Use-Residential-10 zoning, the stated proposed use of up to 40 single-family homes, and the permissible range of uses would be consistent with both the general Wake County Land Use Plan and the East Raleigh/Knightdale Area Land Use Plan (if the pending Land Use Plan Amendment, PLG-LUPA-002583-2020, is approved), are reasonable, and appropriate for the area.

All property owners (265) within 1,000 feet of the perimeter of the subject property were sent letters notifying them of the Planning Board meeting on May 5, 2021 and of this Board of Commissioners' public hearing. Public hearing notification signs were posted at the northern end of Knotts Hill Place and at the eastern end of Rutledgeville Lane for each of these meetings. Legal advertisements of this public hearing appeared in the News and Observer on Friday, June 11, 2021 and Monday, June 14, 2021. In addition to the staff's efforts, the petitioner had held four neighborhood meetings in 2019 and 2020 to discuss the proposed rezoning and subsequent development. In response to the staff's notification efforts staff has received two phone calls of general inquiry, but no opposition has been noted.

Planning Staff Findings

1. The proposed Conditional Use-Residential-10 rezoning, the stated proposed use, and the permissible range of uses are consistent with the Land Use Plan's designation (if the pending Land Use Plan Amendment, PLG-LUPA-002583-2020, is approved), are reasonable, and appropriate for the area.

2. The proposed rezoning complies with four (4) stated goals of the Wake County Land Use Plan and two (2) stated goals of the East Raleigh/Knightdale Area Land Use Plan.
3. A detailed traffic assessment statement prepared by a professional traffic engineer indicated that the proposed 40-lot development would have minimal impacts on the studied intersections.
4. A detailed subdivision plan must be approved by the appropriate county and state agencies prior to future development on the subject property to ensure compliance with all applicable regulations.
5. The Town of Knightdale does not object to the requested rezoning.
6. The Wake County planning staff has received no objections from the surrounding property owners or the general public.

Planning Staff Recommendation

That the Board of Commissioners holds a public hearing to consider rezoning petition PLG-RZ-001350-2019 and:

1. Adopts the drafted statement finding that the requested rezoning to Conditional Use-Residential-10 zoning, the stated proposed use of up to 40 single-family homes, and the permissible range of uses would be consistent with both the general Wake County Land Use Plan and the East Raleigh/Knightdale Area Land Use Plan (if the pending Land Use Plan Amendment, PLG-LUPA-002583-2020, is approved), are reasonable, and appropriate for the area;

and by separate motion

2. Approves the rezoning petition, PLG-RZ-001350-2019, as presented.

Planning Board Recommendation

At their May 5, 2021 meeting the Planning Board unanimously recommended (9 to 0) that the Board of Commissioners adopt the attached suggested statement of consistency with the Wake County Land Use Plan, reasonableness, and public interest (see the attached Planning Board minutes):

and by separate motion

The Planning Board unanimously recommended (9 to 0) approval of the rezoning request as presented.

Attachments:

1. Presentation
2. Staff Report
3. Rezoning Petition 04/29/21
4. Rezoning Petition Narrative 04/29/21

5. Planning Board Minutes Excerpt
6. Ordinance Regarding Statement of Consistency, Reasonableness, and Public Interest
7. Ordinance Approving Rezoning Petition as Presented