

CZ-24-001

312 US Hwy 70 E.

Public Hearing

March 19, 2024

At a Glance

Applicant: Traci Dusenbury Tate of Halcon Companies, LLC

Owner: ANH Hospitality, LLC

Request: Tier 1 conditional district rezoning request submitted by Traci Dusenbury Tate to rezone approximately 5.04 +/- acres from Commercial Mixed Use (CMX) and Light Industrial (LI) to Commercial Mixed Use (CMX C300) Conditional. The site is located at 312 US 70 Hwy E. and may be further identified as Wake County PIN(s) 1710991886. Use conditions are proposed. Reminder that Tier 1 requests do not include/require a site-specific master plan.



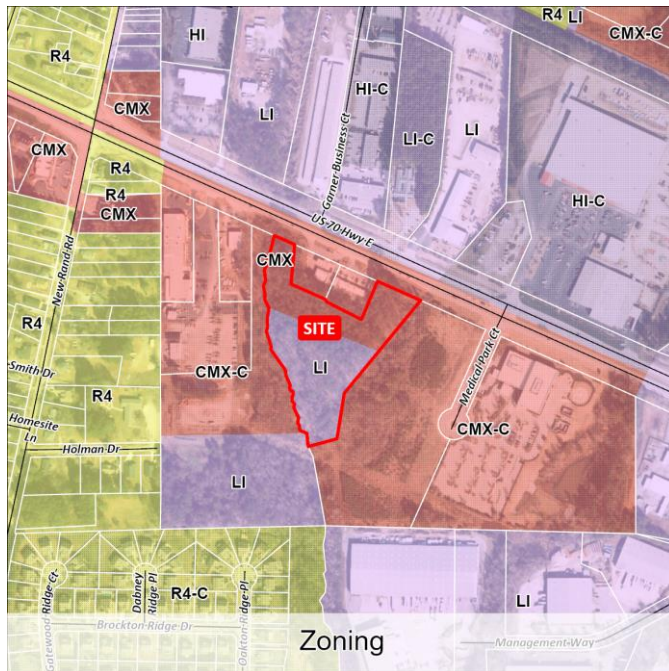
Zoning and Context

Zoning: Commercial Mixed Use and Light Industrial

- Accommodates general commercial, retail and service
- Low intensity industrial uses
- Current Use - Vacant

Context

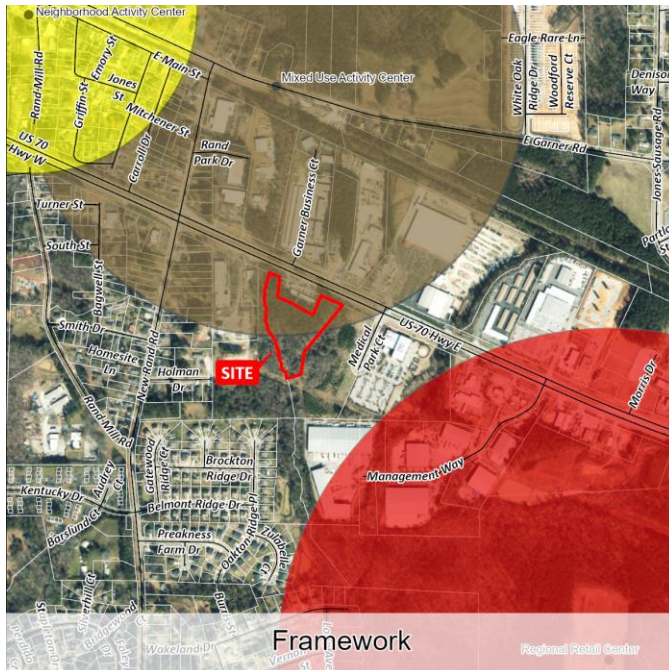
- CMX zoning fronts the site with LI bordering at the tip of the southern boundary. CMX Conditional adjoins on 2 sides of the parcel.
- North of the site, westbound on US 70 Hwy is primarily industrial.



Framework

Activity Centers:

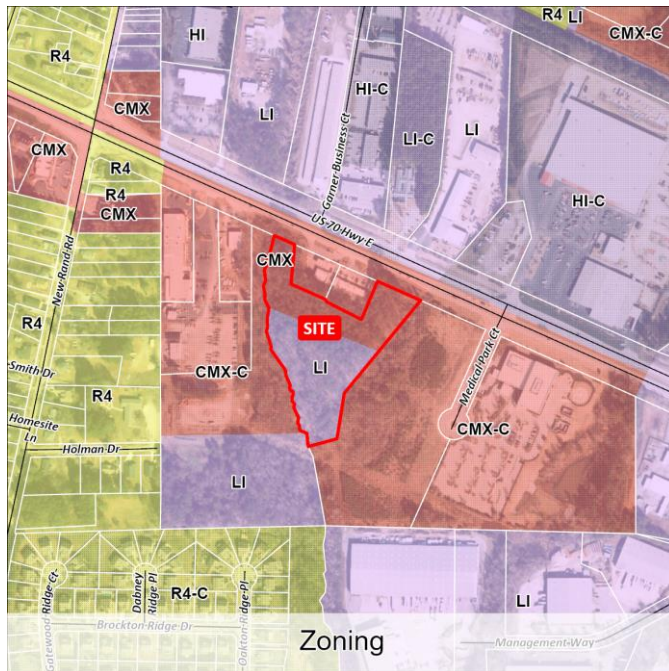
- Site is situated at the edge of a Community Activity Center focused on E Garner Road near New Rand Road but is separated from the focal point of this activity center by railroad tracks and US 70.
- Site may actually gravitate more to the Regional Employment Activity Center to the southeast.
- US Highway 70 East is a major thoroughfare and handles high volumes of traffic and connects a series of activity centers.
- The last traffic count for this portion of US Highway 70 East was 32,500 AADT in 2021 and is estimated to be 34,000 AADT today.



Proposal

Rezoning: Commercial Mixed Use (CMX C300) Conditional

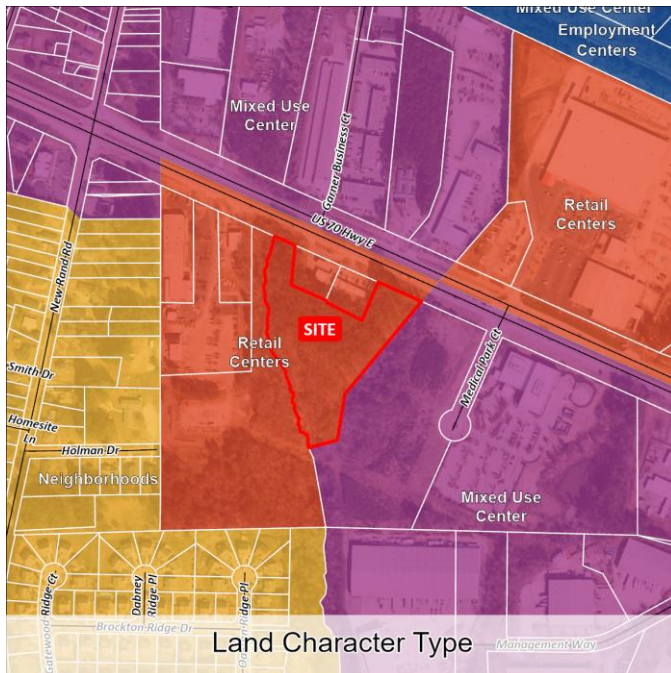
- Narrowed to 6 out of 60 possible uses in the CMX district.
- 5 proffered conditions outside of the permitted uses.
 - Housing designed for senior community
 - Minimum 4 stories for multifamily building
 - Pedestrian connection or sidewalk to WakeMed property to the east
 - Minimum of 1,800 square feet of interior recreational/social space
 - Minimum of 4,000 square feet of exterior recreational/social space



Review

Observations:

- The layering of a community activity center on top of a retail area as well as being near a regional employment activity center signals some support for greater massing and intensity on the site.
- Without a master plan commitment, it is difficult to evaluate some metrics; however, some are implied due to the unique shape of the site.
- Neighborhood Meeting – February 15, 2024
 - 71 letters mailed; 10 attendees
 - Full meeting information attached to staff report

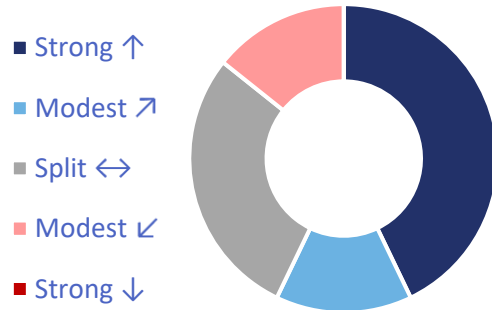


Review - Framework Consistency

7 Growth Framework criteria evaluated

- 3 strongly consistent
- 1 modestly consistent
- 2 split modest
- 1 modestly inconsistent

GROWTH FRAMEWORK
CONSISTENCY



The Transportation Choices criteria was rated modestly inconsistent due to the absence of separate infrastructure for pedestrians and cyclists

- Note: this is a pre-existing condition and therefore did not result in the lowest rating being given by staff

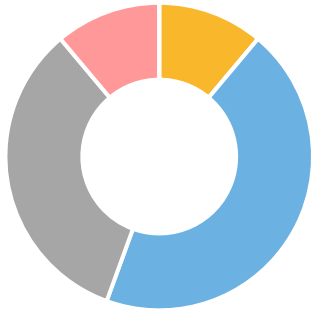
Review - Land Use and Community Character Consistency

8 criteria determined applicable or possible to meaningfully address

- 4 modestly consistent
- 3 split
- 1 modestly inconsistent
- 1 bonus/extra credit

LAND USE AND COMMUNITY CHARACTER CONSISTENCY

- Extra +
- Strong ↑
- Modest ↗
- Split ↔
- Modest ↘
- Strong ↓



Extra credit for infill criteria for expanding use without straining existing infrastructure

Modest inconsistency - the proposal could be seen as a shift toward reclassifying an activity center to residential since it is likely not to be a mixed-use development in and of itself, but it should keep any residential subservient to non-residential uses in the area generally

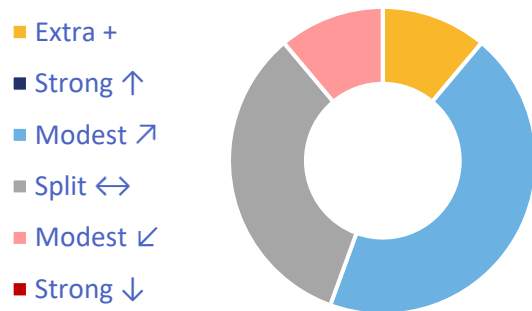
Scoring limited by lack of other written proffered conditions besides a restricted list of permitted uses

Review - Overall

GROWTH FRAMEWORK
CONSISTENCY



LAND USE AND COMMUNITY
CHARACTER CONSISTENCY



- In the absence of any strong non-supporting criteria and a modest level of consistency with the Plan’s growth framework, staff believes that a finding of consistency could be made should the Council find the proposed list of permitted uses and conditions may advance the public interest - particularly in the area of housing options for low-income seniors
- Full detail of consistency review attached to staff report



Next Steps

- Finish conducting and close the public hearing
- Planning Commission findings of plan consistency and recommendation to approve or deny
- Town Council findings of reasonableness and decision to approve or deny