

Site Map

CZ-24-001

312 US Hwy 70 E

Town Council
May 7, 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 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.



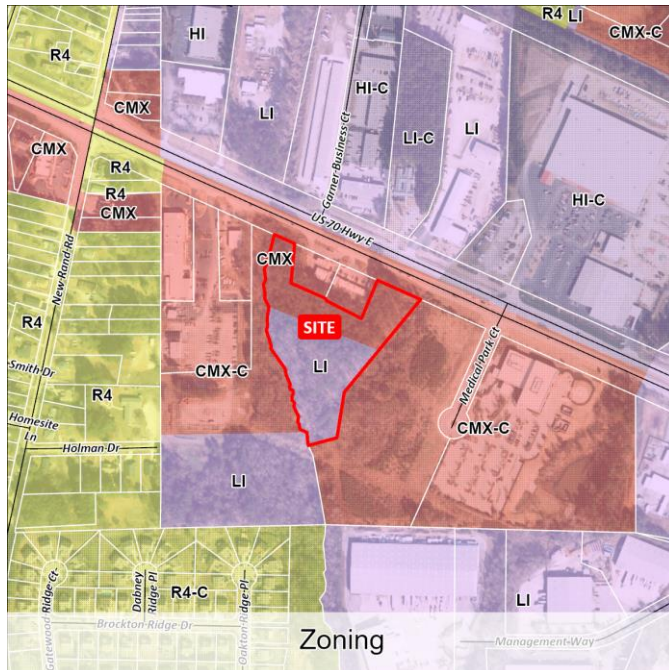
Zoning and Context

Zoning: Commercial Mixed Use and Light Industrial

- Accommodates general commercial, retail and service
- Low intensity industrial uses
- Automobile, transit and pedestrian access.

Context

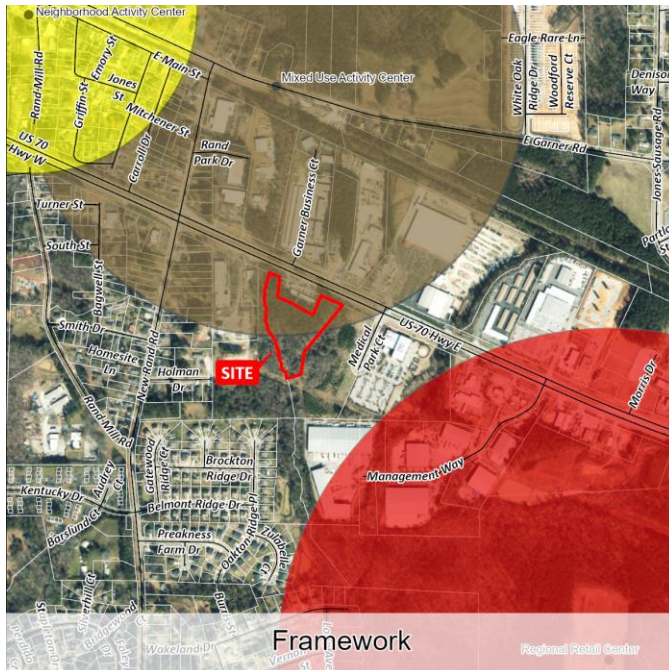
- CMX zoning fronts the site with LI bordering at the tip of the southern boundary. CMX Conditional adjoins on 2 sides of the parcel.
- North of the site on US 70 is primarily industrial.
- The last traffic count for this portion of US 70 was 32,500 AADT in 2021 and is estimated to be 34,000 AADT today.



Framework

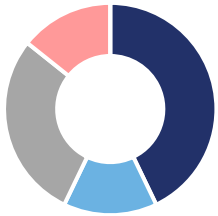
Activity Centers:

- 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 gravitate more to the Regional Employment Activity Center to the southeast.
- US 70 is a major thoroughfare and handles high volumes of traffic and connects a series of activity centers.

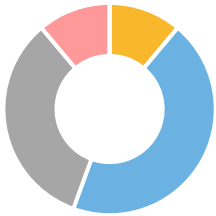


Review - Overall

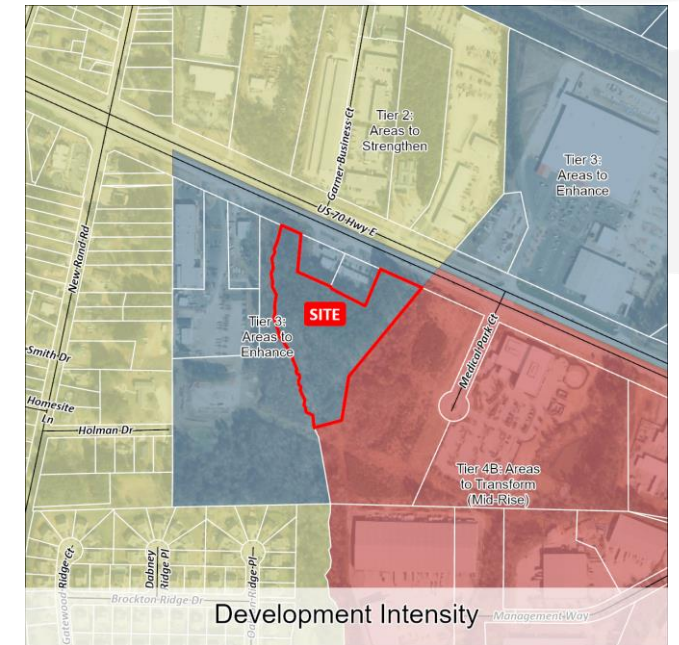
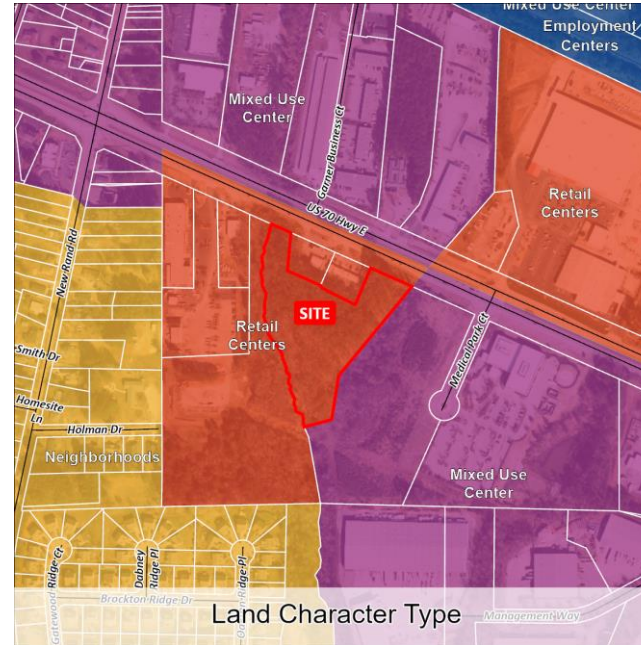
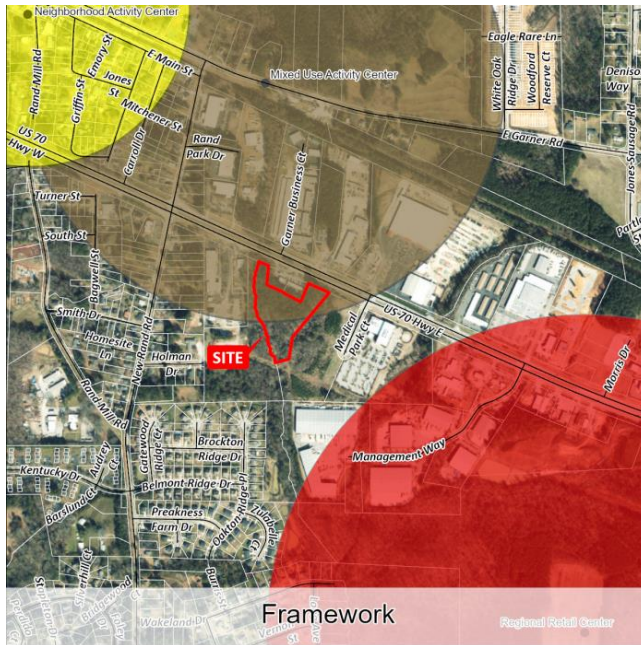
GROWTH
FRAMEWORK
CONSISTENCY



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 supports an overall finding of consistency at this time
- Full detail of consistency review attached to staff report





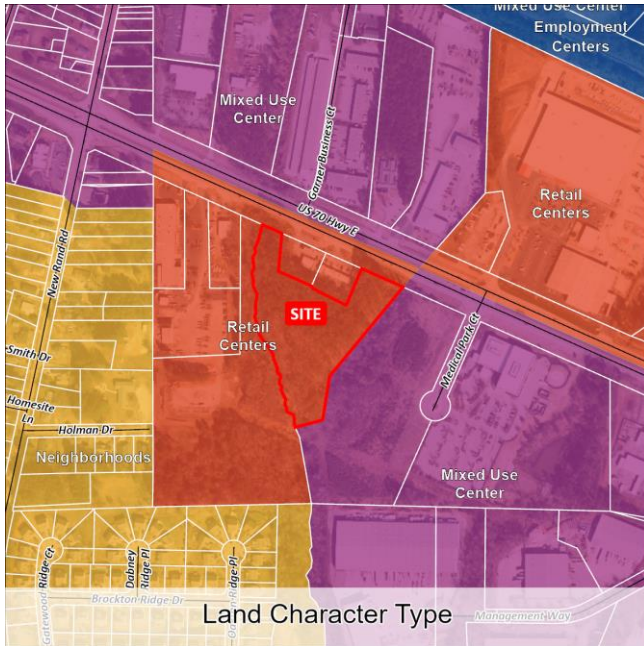
Planning Commission Meeting

Questions and comments from the Planning Commission were brief:

- Appreciated the opportunity to bring affordable housing for seniors, and
- Recommended connecting and looping the sidewalk around the edge of the parking lot and possibly incorporating an internal trail.

PC Adopted Consistency Statement

We, the Planning Commission, find that in the absence of any strong non-supporting comprehensive plan criteria and a strong level of consistency with the Plan’s growth framework, this request to rezone approximately 5.04 +/- acres from Commercial Mixed Use (CMX) and Light Industrial (LI) to Commercial Mixed Use (CMX C300) Conditional is consistent with the Town’s adopted land use plans.



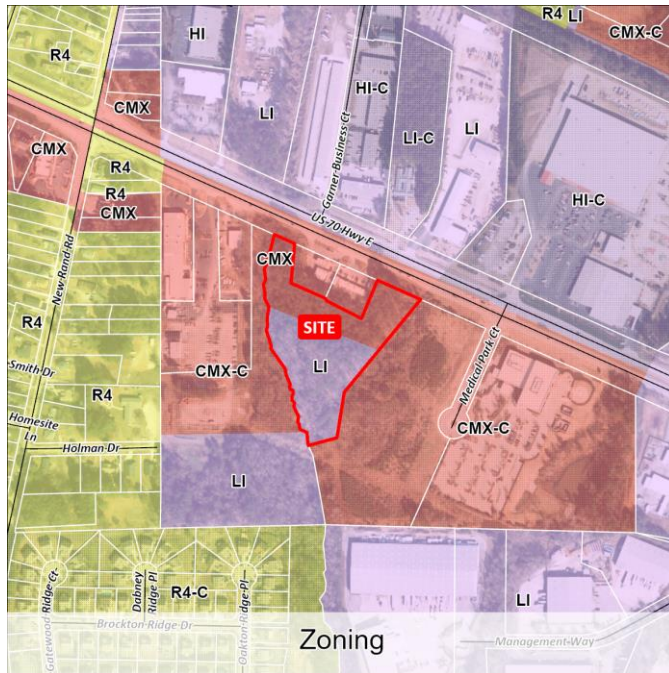
PC's Motion to Recommend Approval

I move that the Planning Commission accept the Consistency Statement herein as their own written recommendation regarding the consistency of the request with the Town's adopted land use plans and recommend approval of Case # CZ-24-001 to the Town Council.

Motion – Carson

Second – Avent

Vote – Unanimous (5-0)





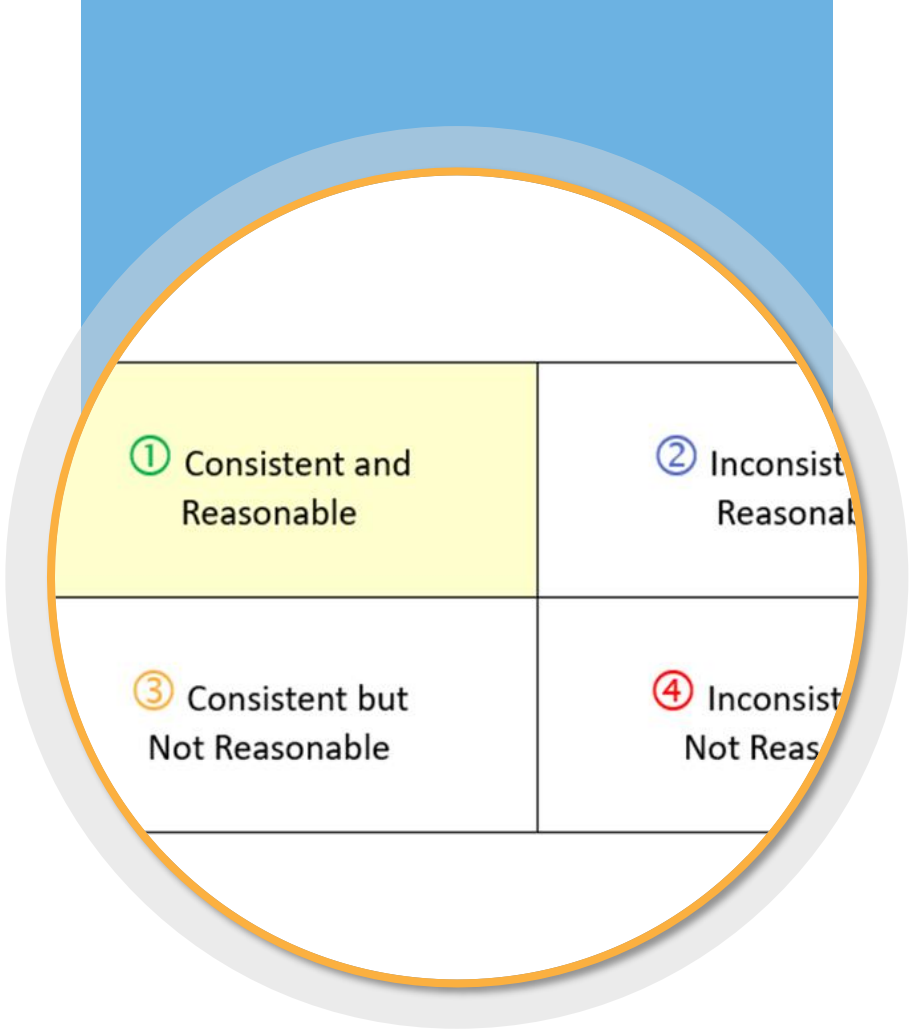
Reasonableness

1. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.
2. Suitability of the subject property for uses permitted by the current versus the proposed district.
3. Whether the proposed change tends to improve the balance of uses or meets a specific demand in the Town.
4. Availability of sewer, water, transportation infrastructure, stormwater facilities, and other necessary infrastructure generally suitable and adequate for the proposed use.
5. Preservation of key features of the natural environment.

Draft Motion

I move that the Town Council accept the Planning Commission's written statement regarding consistency of the zoning amendment request with adopted land use plans, detailed in Section III of the staff report, as our own; and I further move that the Town Council adopt Ordinance No. (2024) 5267 approving rezoning CZ-24-001, as the request is reasonable and in the public interest because:

- the proposed district is compatible with present zoning and conforming uses on nearby property and with the character of the neighborhood, and
- the available sewer, water, transportation infrastructure, stormwater facilities and other necessary infrastructure are suitable and adequate for the proposed uses.





Next Steps

- Town Council findings of reasonableness and decision to approve or deny.