




CZ-24-002 Gateway 540

Public Hearing continued
September 17, 2024

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At a Glance



Applicant: Beth Blackman of Timmons Group

Owner: Forsyth Development & Investment Company LLC; Forsyth Investments Company LLC; Benson Road Land Company LLC

Request: Tier 1 conditional district rezoning request to rezone 97.15 +/- acres from Highway District (HD) and Residential-30 (R-30) (Wake County) to Light Industrial (LI C311) Conditional and the Limited Access Highway (LHO) and Lower Swift Creek Conservation (LSC) overlay districts. The site is located at 3530, 3540, 3544, and 3550 Parrish Farm Road; 3933 and 4009 Benson Road; 7001 and 7013 Cleveland School Road; and 5600 Painters Road.



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Zoning and Context



Zoning: Wake County Highway District (HD) and Residential-30 (R-30)

- Low Density Residential
- HD district includes low density residential AND a wide range of nonresidential uses (mostly by special use permit)
- Current Use – Vacant



Context

- R-30 zoning surrounds the site on 3 sides. Highway District (HD) is found to the north, west, and south of the site.
- 540 adjacent to north side.
- There are currently two mixed-use development rezoning cases under review within a one-mile radius of the site.

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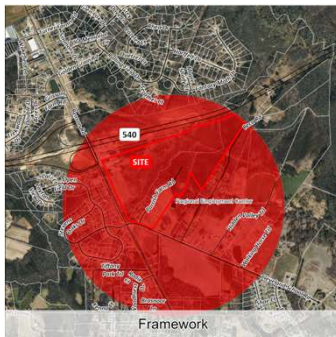
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Framework



- Activity Centers:
- This stretch of Benson Road (NC 50) is primarily two lanes, although some improvements are being constructed as part of the NC 540 extension project.
 - Benson Rd. (NC 50) is an arterial roadway connecting the Garner town core on its north end, south through rural lands to Ten-Ten Road (Community Activity Center) and further on to the future 540 (Regional Employment Center) and eventually to NC 42.
 - NCDOT reports the last traffic count for this portion of Benson Rd. as 17,544 AADT (annual average daily trips) in 2023 and Cleveland School Road as 9,549 AADT.



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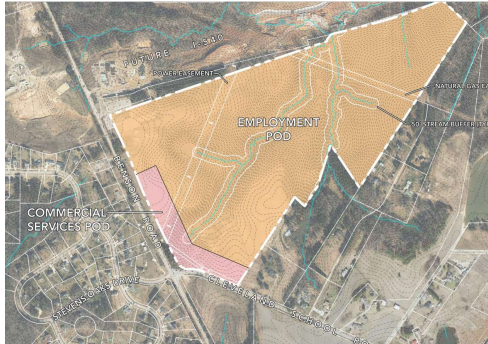
Proposal



Rezoning: Light Industrial (CMX C311) Conditional

- Narrowed to ~~36~~ 32 out of 41 possible uses
- ➔ 7 11 proffered conditions outside of the permitted uses

2. Definitions



a. Property: as used herein, the “Property” means and refers to all of those tracts or parcels of land located at 3530 Parrish Farm Road, 3540 Parrish Farm Road, 3544 Parrish Farm Road, 3550 Parrish Farm Road, 3933 Benson Road, 4009 Benson Road, 7001 Cleveland School Road, 7013 Cleveland School Road and 560 Painters Road, having Wake County Parcel Identification Numbers 1618802326, 1618803562, 1618714274, 1618801117, 1618804161, 1618804796, 1618809958, 1618816547 and 1618917330.

b. Commercial Services Pod: as used herein, the “Commercial Services Pod” means and refers to that portion of the Property depicted on the attached Exhibit A as Commercial Services Pod consisting of an area measuring 200’ deep along the entire Benson Road frontage of the Property.

c. Employment Pod: as used herein, the “Employment Pod” means and refers to all of the Property less the Commercial Services Pod as depicted on the attached Exhibit A as Employment Pod.

Proposal



Rezoning: Light Industrial (CMX C311) Conditional

3. Prohibited Uses within Commercial Services Pod. Within the Commercial Services Pod, the following uses identified in the Permitted Use Table are prohibited:
 - a. All Residential Use
 - b. All Civic and Institutional Uses
 - c. The following Recreation and Entertainment Use:
 - 1) Outdoor Athletic or Entertainment Facility
 - d. All Industrial, Manufacturing, Warehousing, Waste Services and Transportation Uses
 - e. All Utilities Uses
 - f. All Agricultural and Miscellaneous Uses
4. Maximum Amount of Flex Space Uses. For a period of ten (10) years following the effective date of this rezoning, within the Employment Pod no more than 25% of the gross land area shall be used for Flex Space uses.

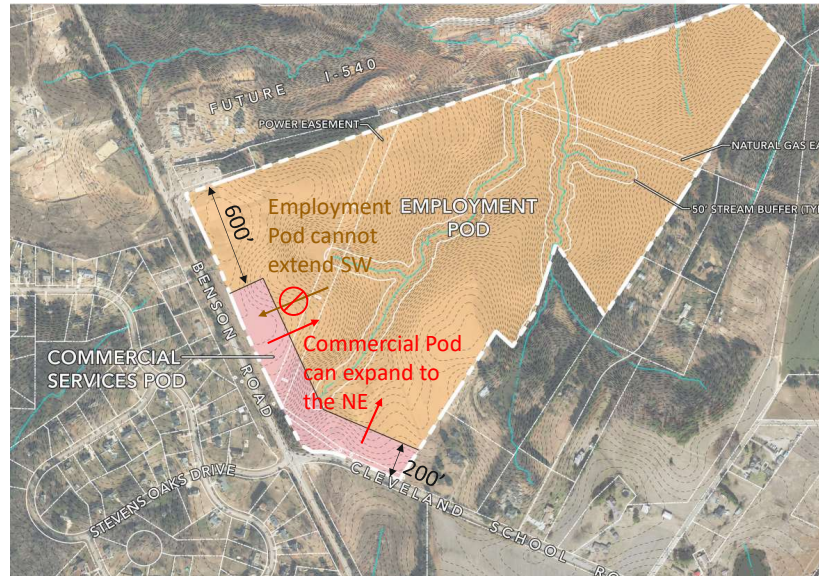


Area Map



Employment pod only allows for 25% of land area to be "Flex" uses for the first 10 years

Commercial pod only allows "Commercial, Office, Retail, Service" uses; "Overnight Accommodation" uses; and indoor "Recreation and Entertainment" uses



Proposal



Rezoning: Light Industrial (CMX C311) Conditional

5. Declaring permit choice to include those uses and special use permit applicability pending the outcome of in progress or future text amendments.
6. A minimum of 15% of the site will be Preserved Tree Cover Area.
7. A distinct and identifiable community gathering space of at least 7,000 square feet area shall be provided. Within this space a minimum of seven benches, one public art installation, and a minimum 500 square foot flower bed containing a minimum of 50% pollinator friendly plants shall be provided.
8. A minimum of 75% of landscaping shall be native and adaptive species.
9. At least 55% of the primary building materials shall be brick, stone or decorative/scored concrete masonry units.
10. All building and suite entrances shall be covered by awnings, colonnades, or canopies with a minimum of 5' x 5' area or entrances shall be under covered walkways adjacent to the primary façade.
11. All buildings and building clusters shall provide outdoor gathering spaces or patios. These outdoor spaces shall be a minimum size of 10% of the building first floor footprint(s) of the building(s) they serve and shall be adjacent to or within 150 feet. Patios shall be constructed of masonry pavers, decorative colored or stamped concrete, artificial turf, rubber surfacing and/or similar materials as approved by the Planning Director. Additionally, these outdoor gathering spaces shall include atmospheric/architectural lighting, minimum 250 square feet of shade structure(s) and a minimum of 20 linear feet of permanent seating for each 1,000 square feet of patio or gathering space area.



Review



Observations:

- Site is completely located within Garner Forward’s Focus Area #5 – NC 540 at NC 50
 - Subarea 1 is noted as “a mix of employment uses organized around a life science center campus will be drawn to this strong logistics location”
 - Subarea 2 sketches commercial development that is “locally serving” as well as serving “the traveling public passing through this area, a key entry into Johnston County in the near future”.
- The choice of zoning district and permitted uses are particularly supportive of the specific recommendations regarding Subarea 1.



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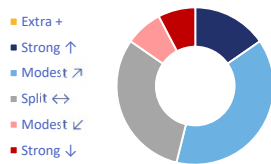
Review - Overall



GROWTH FRAMEWORK CONSISTENCY



LAND USE AND COMMUNITY CHARACTER CONSISTENCY

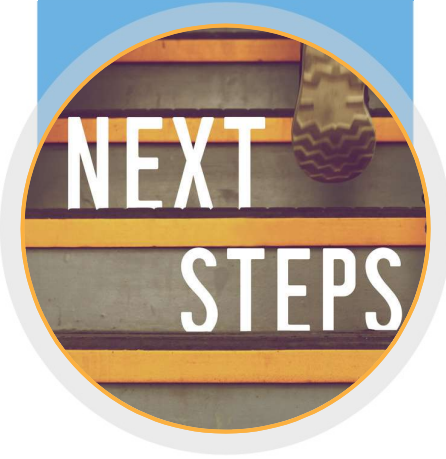


- With some continued fine tuning in response to this evaluation tool and additional public input, staff will likely support an overall finding of consistency.
- Full detail of consistency review attached to staff report.

Note – scores still reflect original analysis – to be re-reviewed prior to Planning Commission

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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


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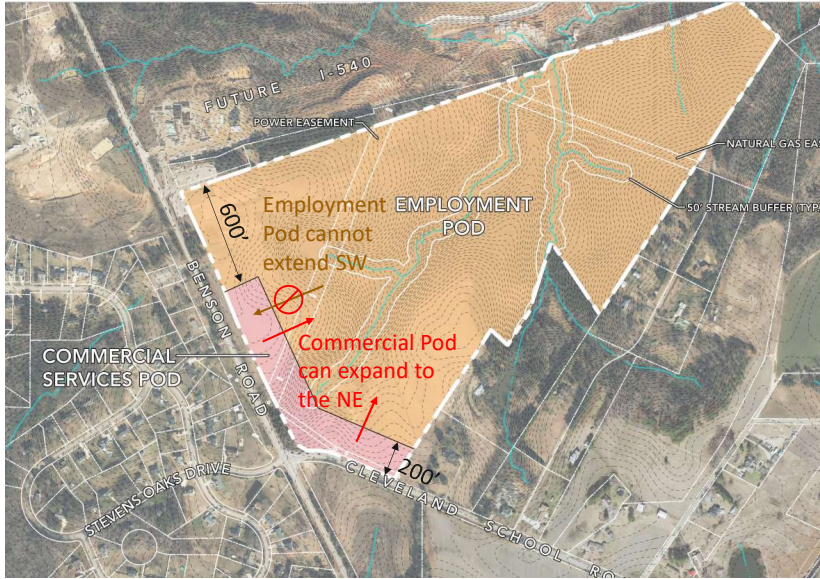
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