



CZ-MP-23-06 Poole Drive Commercial & Fuel Sales

Public Hearing
September 17, 2024

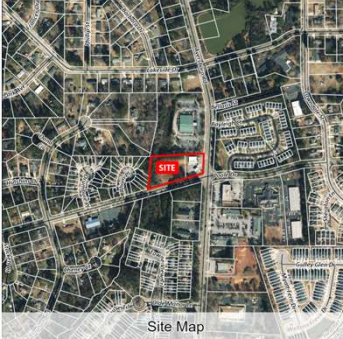
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At a Glance



Applicant: Rakesh Kumar
 Owner: AVA Property LLC
 Request: Tier 2 conditional rezoning request to rezone 1.88 +/- acres from Neighborhood Mixed Use (NMX) to Commercial Mixed Use (CMX C312) Conditional and Neighborhood Mixed Use (NMX C312) Conditional for the development of a convenience store with fuel sales and a retail center. The site is located at 900 and 910 Poole Drive.



Site Map

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Zoning and Context



Zoning: Neighborhood Mixed Use (NMX)

- Low intensity commercial enterprises that provide goods and services primarily to residents in surrounding neighborhoods.
- Typically found in areas inside the Town’s corporate limits where public water and sewer services are readily available.
- Current Uses – Convenience with fuel sales (Webb’s) and Vacant.



Context

- A mix of R2, MF-A, and NMX surrounds the site.
- The area is generally quiet and residential, with convenient access to local businesses.
- Water and sewer are available and will connect from the Poole Drive.

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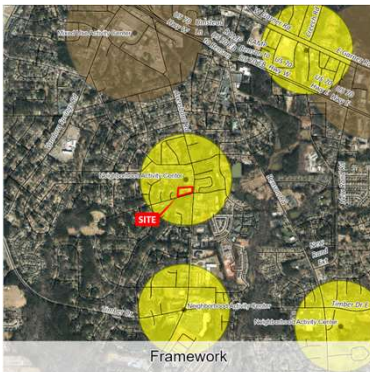
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Framework



Activity Centers: The site falls completely within the Neighborhood Activity Center along Aversboro Road, with Aversboro Road itself connecting a Mixed-Use Activity to the north (Forest Hills) and another Neighborhood Activity Center to the south at Timber Drive.



- Aversboro Road is an NCDOT-maintained road classified as a secondary route.
- The most recent NCDOT traffic count for Aversboro Road just south of Lakeside Drive was 8,590 average daily trips in September 2023.

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Rezoning: Commercial Mixed Use and Neighborhood Mixed Use (CMX-C312 and NMX C312) Conditional

- Narrowed to 14 out of 60 possible uses (CMX C312) Conditional
- Narrowed to 13 out of 37 possible uses (NMX C312) Conditional



The primary difference between the two districts is that CMX allows fuel sales, whereas NMX does not.

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Other Conditions:

2. Buildings shall be limited to one (1) story.
3. No parking signs will be purchased and installed along the side of Poole Drive that fronts the 0 Poole Drive & 1400 Aversboro Road property, pending Council approval.
4. Developer shall install an outdoor plaza with covered seating between new retail building and Poole Drive.
5. Developer shall install pedestrian seating along the sidewalk connections to Poole Drive and Aversboro Road to connect the public and private space.
6. Developer shall install a painted crosswalk at the intersection of Aversboro Road and Poole Drive, from the northwest corner to the southwest corner of the intersection.



Proposal



Other Conditions:

7. Building façade materials shall be consistent between the two buildings. Architectural elements to include brick façade with aluminum storefront systems for transparency. Minimum two (2) brick colors with soldier bond brick course above storefronts and windows. Sections of pitched asphalt shingled roofs and metal canopies.
8. The developer shall provide and record with Wake County Register of Deeds, a shared parking agreement between the 900 & 910 Poole Drive properties.
9. Developer shall provide native plant material that has proven to thrive locally during droughts and heavy rainfall.
10. Developer shall install no parking signs on the south side of Poole drive along project frontage. One (1) sign every 100 feet.
11. Developer shall install six (6) foot tall black vinyl chain-link fence as shown on rezoning exhibit.



NOTES: Applicant has communicated via email they are willing to restrict "vape stores" as a use that is not permitted within the retail/sales umbrella.

Staff has expressed concern with limiting/restricting on-street parking along Poole Drive since parking in adjacent residential development is known to not meet current minimum requirements.

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Proposal: Master Plan



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Master Plan Data: 1.88 +/- acres of CMX and NMX

- CMX - 4,500 sf of Existing building (2,400 sf) and proposed building extension (2,100 sf)
- NMX - 5,000 sf of new Commercial Space

9,835 sf of tree canopy required

- Plan provides 18,006 sf of tree canopy preservation in addition to new canopy



Parking

- Convenience store with fuel sales requires 9 (14 provided – not including fueling spaces)
- Sales/retail in new building would require 20 (23 provided)
 - Some uses require more, others less; potential occupants will be subject to zoning compliance permit approvals where parking counts will be tracked; if required exceeds provided, ZCPs would be denied

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Stormwater and Utility Notes:

- Within watershed protection area
- Subject to water quality (nitrogen) and 85% total suspended solid treatment and other quantity requirements
- 1 surface SCM's
- City of Raleigh water and sewer will serve the site and connect from Poole Dr.



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Transportation Notes:

- Project will have two points of access:
 - Proposed full access driveway from Aversboro Road
 - One shared driveway along Poole Dive
- A TIA was not required by Town of Garner or NCDOT
 - Trip generation letter was provided by Ramey Kemp
 - Expected to generate 481 average daily trips
 - 23 inbound AM Peak, 21 outbound AM Peak
 - 29 inbound PM Peak, 28 outbound PM Peak
- No off-site improvements are recommended as needed to reflect the limited proportional impact of the added traffic generated by this proposal

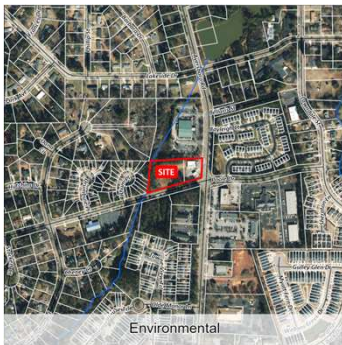


Proposal



Environmental and Cultural Resource Notes:

- Existing stream with associated buffers along the western boundary of the project.



Review



- Observations:
- 352 properties and occupants notified for neighborhood meetings
 - Meeting #1 – September 12, 2023
 - Meeting #2 – July 30, 2024
 - 12 attendees at first meeting; 11 at second meeting
 - Full meeting information attached to staff report



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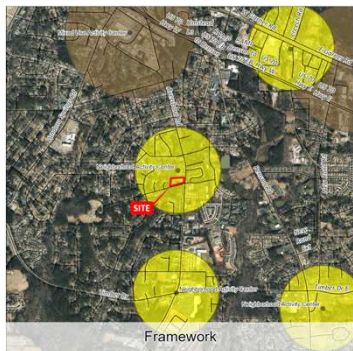
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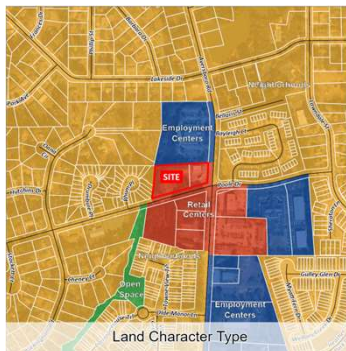
Review - Framework



Neighborhood Activity Center
Retail Area Character Typology
Level Three – Area to Enhance



Framework



Land Character Type




Development Intensity

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Review - Framework Consistency



10 Growth Framework criteria evaluated

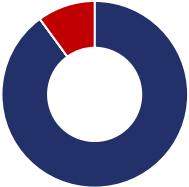
- 9 strongly consistent
- 1 strongly inconsistent


Inconsistencies

- Lack of an identified pocket park – did create a small outdoor plaza
 - 0.4 miles to South Garner Park

GROWTH FRAMEWORK CONSISTENCY

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




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Review - Land Use and Community Character Consistency



17 criteria determined applicable or possible to meaningfully address

- Consistency is modest currently
- Minor changes and additional details shifted consistency due to:
 - Emphasis on the public realm
 - Use of open space for creating a stronger central focal point to the neighborhood
 - Proffering additional conditions (or clarifying existing ones) speaks more directly to specific recommendations of the comprehensive plan

LAND USE AND COMMUNITY CHARACTER CONSISTENCY

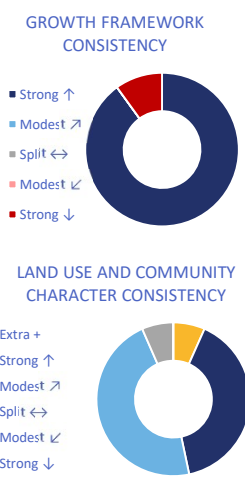
- Extra +
- Strong ↑
- Modest ↗
- Split ↔
- Modest ↘
- Strong ↓




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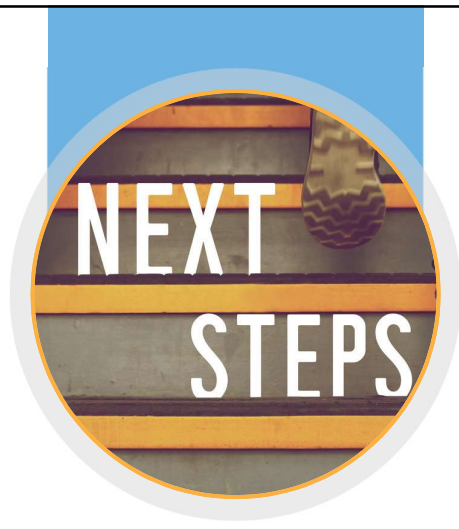
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Review - Overall



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

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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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