



Planning Board Agenda Abstract

Monday, July 15, 2024

Location: 134 N. Main Street, Fuquay-Varina, NC 27526

Agenda Item

Zoning Map Amendment & Land Use Plan Amendment - The Curry Engineering Group, PLLC - a Portion of 7316 Ten Ten Road - a Portion of PIN 0780601378 - REZ-2024-08

Item Explanation

The purpose of this agenda item is to consider a requested zoning map amendment for a total of 4.94 acres, located at a portion of 7316 Ten Ten Road, from the Wake County R-30 Zoning District to the General Commercial Conditional Zoning District (GC-CZD) and the corresponding Land Use Plan amendment from the Single-Family Neighborhood (SFN) classification to the Suburban Commercial (SC) classification.

Staff Comments

PROPERTY INFORMATION: The subject property totals 4.94 acres. It is located in the Town's urban service area (USA) and is the subject of ANX-2024-08. The property is generally cleared with some wooded areas. A single-family home is located on the eastern side of the property. It is a portion of a larger property that continues into Wake County's Planning Jurisdiction. The rest of the property is being developed separately.

ZONING: The property is currently zoned Wake County R-30 Zoning District. The zoning map amendment petition requests approval of the General Commercial Conditional Zoning District (GC-CZD). This zoning district is intended to permit a mix of high intensity nonresidential development of convenience services, retail, office, institutional, regional retail shopping, employment centers, and service uses. This district is generally located at intersections of and along arterial roads (freeways, expressways, parkways, and boulevards) and major thoroughfares serving two (2) miles or greater in area. Public utilities are required.

The petitioner has requested that the following uses be prohibited at the subject property:

- 1) *Live/Work Unit*
- 2) *Place of Worship*
- 3) *Place of Worship, Temporary*
- 4) *Recycling Collection Station*
- 5) *Recycling Transfer Center*
- 6) *Water/Wastewater Treatment Facility, Private*
- 7) *Night Club/Dance Club*
- 8) *Electronic Sweepstakes Gaming Operation*
- 9) *Sexually Oriented Business*
- 10) *Tattoo & Body Piercing*
- 11) *Beach Bingo*
- 12) *Tobacco and/or CBD Retailer*
- 13) *Drive-In Theater*
- 14) *Golf Course*
- 15) *Funeral Home*
- 16) *Vehicle Boat Equipment Sales and/or Rental*
- 17) *Tire Sales & Service*
- 18) *Home Occupation*
- 19) *Yard Sale*
- 20) *Convenience Store with Gas Pumps (Convenience Stores without gas pumps are still permitted)*

Additionally, the petitioner has requested the following site-specific conditions be made applicable to the subject property:

- 1) *Any required perimeter buffer abutting a residentially zoned property shall be planted with only evergreen plantings.*
- 2) *There shall be no exterior dumpsters for storage facility uses.*
- 3) *A privacy fence of at least 6' tall shall be provided. Fence may be constructed at grade or upon a berm within the required buffer along the Legacy Farms Subdivision. Fence design & material will be selected further in the process and approved by Town staff as part of that review.*
- 4) *No use shall be permitted to be open to the public 24 consecutive hours.*

SURROUNDING USE: Surrounding properties are primarily agricultural or wooded in nature with some residential uses. More specifically, the Legacy Farm subdivision is to the south, the Blaney South subdivision is to the west, and the Royal Creek subdivision is to the east. Furthermore, several large shopping centers are to the east of the subject property.

LAND USE PLAN: The 2040 Community Vision Land Use Plan (LUP) calls for the Single-Family Neighborhood (SFN) classification at the subject property. Since the requested zoning is incompatible with the designation of SFN, the petitioner has included a Land Use Plan amendment as part of this zoning map petition, which will be described later in this report.

UTILITIES: Public utilities are not currently available to serve the subject properties but will be extended by the developer with the development.

TRANSPORTATION: The subject property is located along and has access to Ten Ten Road. Ten Ten Road is classified by the Town's 2035 Community Transportation Plan (CTP) as a 110-foot right-of-way and is identified as being a four (4)-lane, median divided cross-section with sidepaths and a future carrying capacity of 36,600 ADT. It is currently a two (2)-lane road with a carrying capacity of 18,300 ADT. 2021 NCDOT traffic counts taken approximately 0.8 miles to the east of the subject property indicated a volume of 26,000 ADT.

NEIGHBORHOOD MEETING INFORMATION: A neighborhood meeting was held by the petitioner on June 18, 2024, via the Microsoft Teams web application. The meeting report is attached, and staff takes no position regarding its content.

LAND USE PLAN AMENDMENT: The 2040 Community Vision Land Use Plan (LUP) calls for the Single-Family Neighborhood (SFN) classification at the subject property. The petitioner has proposed a Land Use Plan amendment from the SFN classification to the Suburban Commercial (SC) classification as it is more compatible with the intent of the property and development trends in the adjacent areas. Land classified as SC serves the daily needs of surrounding residential neighborhoods. Suburban Commercial areas are typically located near high-volume roads and key intersections and are designed to be accessible primarily by automobile. New Suburban Commercial areas should include multiple buildings oriented toward a system of walkable internal streets. Iconic building architecture and unified project development standards reinforce a unique sense of place for the site. Cross-access between retail destinations should also be provided via internal roads with provisions for mobility access between buildings that support a park-once mentality (or walk-to, bike-to environment from surrounding residential neighborhoods).

The requested zoning map amendment is consistent with the 2040 Community Vision Land Use Plan and supports the following LUP policies:

1) Policy 2.6: Encourage Commercial Development

- 2) *Policy 4.1: Manage Future Growth and Development in Accordance with the Priority Infrastructure Investment Areas Map*
3) *Policy 6.5: Attract New Retailers*

As such, the requested Land Use Plan amendment is consistent with the 2040 LUP's vision. The Land Use Plan amendment, if approved, would allow for improvements that are more consistent and appropriate with the proposed use and the adjacent properties.

RECOMMENDATION: Staff recommends approval of the proposed zoning map amendment and corresponding Land Use Plan amendment as it is reasonable and in the best interest of the public for the following reasons:

- 1) *Although the requested zoning map amendment is not consistent with the 2040 Community Vision Land Use Plan classification of Single-Family Neighborhood (SFN), the petitioner has opted to request a change of the Land Use Plan to Suburban Commercial (SC), which is compatible with other intended uses and other land use designations of surrounding properties.*
2) *The requested zoning district supports the LUP's Policy 2.6: Encourage Commercial Development.*
3) *The requested zoning district supports the LUP's Policy 4.1: Manage Future Growth and Development in Accordance with the Priority Infrastructure Investment Areas Map.*
4) *The requested zoning district supports the LUP's Policy 6.5: Attract New Retailers.*
5) *The proposed conditions effectively limit the future development potential for the site.*

Fiscal Note

No

Recommendation:

PUBLIC HEARING

MOTION TO: Recommend approval of REZ-2024-08, a zoning map amendment for a portion of 7316 Ten Ten Road, from the Wake County R-30 Zoning District to the General Commercial Conditional Zoning District (GC-CZD) and the corresponding Land Use Plan amendment from the Single Family Neighborhood (SFN) classification to the Suburban Commercial (SC) classification as it is reasonable and in the best interest of the public for the reasons identified by staff.

ATTACHMENTS

FUQUAY-VARINA, NORTH CAROLINA
ZONING MAP AMENDMENT & LAND USE PLAN AMENDMENT - THE CURRY ENGINEERING GROUP,
PLLC - A PORTION OF 7316 TEN TEN ROAD - A PORTION OF PIN 0780601378 - REZ-2024-08
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[REZ-2024-08 Neighborhood Meeting Report](#)

[REZ-2024-08 Staff Map](#)