



Legislation Text

File #: 17-649, **Version:** 1

TITLE:

Public Hearing on a Request to Rezone the Lloyd Property at 700 Old Fayetteville Road to B-4-CZ

PURPOSE: The Town has received a revised application to rezone property at the northeast corner of NC Hwy 54 and Old Fayetteville Road for the construction of a mixed-use development to include a grocery store, commercial outparcels and a multi-story apartment building. The Board of Aldermen must receive public input before reaching a decision on this request.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325, Patricia McGuire - 919-918-7327, Marty Roupe - 919-918-7333, Nick Herman - 919-929-3905

INFORMATION: In April 2018, Ted Barnes, of Argus Development Group, LLC, submitted a revised application to rezone the Lloyd Farm property located at 700 Old Fayetteville Road from R-10 and B-4 to B-4, Conditional (B-4-CZ) for a mixed-use development (*Attachment C*). The proposal includes a grocery store and commercial outparcels with restaurant, retail and office uses, and a 55 and older residential component comprised of a multi-story apartment building and duplexes. Applications for text amendments to the Land Use Ordinance relating to the project have also been submitted and are being considered as a separate agenda item.

The subject property includes the two parcels located at the northeast corner of NC Hwy 54 and Old Fayetteville Road shown with diagonal hatching in the rezoning exhibit map provided in the staff memo (*Attachment G*). The parcels can be further identified by Orange County PIN numbers Lot 1 (PIN 9779-09-7922) and Lot 2 (PIN 9778-19-6618). Lot 2 currently falls within two different zoning classifications: R-10 and B-4. If approved, all of lots 1 and 2 would be rezoned to B-4-CZ and included in the subsequent application for a conditional use permit.

Two additional parcels fronting James Street were included in an earlier iteration of the project. Identified as Lot 3 (PIN 9779-10-7351) and Lot 4 (PIN 9779-20-0449) of the 2016 Lloyd Farm assemblage, the applicant agreed to a condition to dedicate both lots to the Town. The petition for rezoning and associated illustrative site plan have been revised accordingly, and the total acreage for the 2018 application (35.40 acres) is less than that of the previous application. The table below offers an “at a glance” summary.

Lot	PIN	Existing Zoning	Proposed Zoning	Acreage
1	9779-09-7922	R-10	B-4-CZ	10.18
2	9778-19-6618	R-10	B-4-CZ	8.61

2	9778-19-6618	B-4	B-4-CZ	16.61
Total 35.40				
<i>Offered by Condition to be Dedicated to the Town</i>				
3	9779-10-7351	R-10	R-10	3.73
4	9779-20-0449	R-20	R-20	0.94
Total 4.67				

The Board of Aldermen must receive public comment before adopting amendments to the Land Use Ordinance. The proposed rezoning was presented at the Joint Advisory Board meeting on September 6, 2018; the Economic Sustainability Commission and Stormwater Advisory Commission and Affordable Housing Advisory Board continued their respective review at their subsequent meetings in mid-September. Comments are provided (*Attachment J*).

Staff has prepared a set of conditions to be linked to the rezoning as part of the draft ordinance (*Attachment B*). Conditions must be mutually agreeable by the Town and the applicant. Some of the advisory boards have included comments on the proposed conditions in their recommendations.

FISCAL & STAFF IMPACT: The petitioner has submitted fees and materials for reviewing and processing this request, which includes public hearing notice and advisory board evaluation. Staff time will be necessary for public notice and public hearing agenda preparation. An economic impact analysis for the project is also provided as (*Attachment H*).

RECOMMENDATION: Staff recommends that the Board of Aldermen receive public input and consider if the proposed rezoning is consistent with Town plans and policies as well as the advancement of the public health, safety and welfare. A resolution for consistency is provided as (*Attachment A*) and a draft rezoning ordinance as (*Attachment B*).