

Agenda Item: New Zoning Applications

DATE: May 3, 2016
FROM: Kathi Ingrish

Background/Issue:

We have received 2 new zoning applications to be scheduled for public hearing dates:

- 2016-644, 9601 E Independence Blvd, at the corner of Sam Newell Rd next to McDonald's restaurant, from Conditional to B-1(CD)
 - A previous rezoning request for restaurant and other use(s) in 2014 had uncertainty about future right-of-way needs for the US74 conversion/Sam Newell Rd overpass coming in a few years
 - This new request does not propose making changes to current building or parking lot footprints, but simply moving forward with moving the site out of the old Conditional zoning category as strongly encouraged by Planning staff
 - As with any zoning application requesting a change in zoning district, staff in various Town and County departments, as well as other agencies such as NCDOT, will review the proposal and suggest further clarifications prior to the public hearing; this means the hearing is normally scheduled two months after formal submission (July)
- 2016-645, Sportsplex, from R20 to ENT
 - The first phase of development was able to proceed under the existing R-20 zoning because parks are a permitted use, and the UDO with the new ENT zoning category was not yet adopted
 - The second (final) phase of development was approved for construction meeting the ENT district provisions, and with the full knowledge and expectation that the property would undergo a rezoning action to the new ENT district designation prior to completion
 - The stadium with seating is not a permitted use in the R-20, so the property needs to be zoning ENT to allow a final Certificate of Occupancy to be issued for the stadium portion of the park site
 - County Park & Recreation and Real Estate staff have worked together to prepare the proposed conditional notes, using the Sportsplex engineering plans as a base site plan drawing
 - In order to be ahead of the construction completion schedule, this application is requested to be scheduled for June public hearing and probable July decision

Proposal/Solution:

Planning staff has verified these two zoning applications are complete and ready to have their public hearing dates scheduled.

Financial Impact:

None

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

- Schedule a public hearing for June 13, 2016 for Zoning Application 2016-645.
- Schedule a public hearing for July 11, 2016 for Zoning Application 2016-644.