

519 S. Main Street Rezoning

Exhibit 1 – Justification Statement

Rezoning Justification

(1) Is the application consistent with the Comprehensive Plan, Community Transportation Plan, Bicycle and Greenway Plans, and any other adopted Town policy plans? **Response: The Future Land Use Map designates the property as Commercial. Guidance in the Comprehensive Plan suggests that areas designated Commercial serve the daily needs of surrounding residential neighborhoods. They are typically located near roads with a high volume of traffic and key intersections that are designed to be accessed primarily by automobile. Common types include single tenant buildings on individual lots. The proposed rezoning is consistent with the Comprehensive Plan as it will serve the surrounding community by providing a use consistent with the Comprehensive Plan and current zoning district.**

(2) Is the application in conflict with any provision of the LDO or the Town Code of Ordinances? **Response: The proposed rezoning will facilitate the development of a tire store under the Vehicle, Minor Service Use, pursuant to Section 5.1.4.V.4(e) of the LDO. This section states “[n]o more than three (3) service bays shall be permitted.” The proposed development would provide eight (8) service bays to serve the community. As such, the applicant has filed a Text Amendment application contemporaneously with this rezoning application to amend this section to read, “Three (3) service bays shall be permitted to face the public right-of-way. Service bays facing the yard, side and/or the yard, rear as defined in LDO Section 11.7, shall not be limited in number.” The limitation of three (3) service bays places an economic strain on the Vehicle, Minor Service use that the nearby jurisdictions of Raleigh, Wake Forest, and Knightdale do not place on Vehicle Repair and/or Vehicle Maintenance use categories.**

(3) Does the application correct any errors in the existing zoning present at the time it was adopted? **Response: No.**

(4) Does the proposed rezoning allow uses that are compatible with existing and permitted uses on surrounding land/properties? **Response: Yes. The intent of the proposed rezoning is to add the permitted use of Vehicle, Minor Service that is not an included use within the current conditions. The zoning district will remain General Commercial-Conditional Use (GC-CZ). This use is compatible with existing and permitted uses on surrounding land/properties.**

(5) Would the application ensure efficient development within the Town, including the capacity and safety of the street network, public facilities, and other similar considerations? **Response: The proposed rezoning is compatible with surrounding uses and suitable to accommodate the requested use. Further, the rezoning does not adversely affect Town and other service providers from providing adequate services to the subject property or surrounding properties. In addition, by rezoning the property in a manner consistent with the Comprehensive plan, the proposed rezoning will not have an adverse impact on other properties.**

(6) Would the application result in a logical and orderly development pattern? **Response: The proposed rezoning will meet the current development patterns in the Town by bringing a use compatible with the Comprehensive Plan and Future Land Use Map.**

(7) Would the application result in adverse impacts on water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment? **Response: The proposed rezoning is not expected to have significant adverse impacts on the natural environment and will be compliant with the provisions of the LDO that provide environmental projections for air, water, noise, stormwater management, wildlife, vegetation, and wetlands.**

(8) If a **Conditional district** providing proposed Conditions of Approval, do they address and mitigate the impacts reasonably expected to be generated by the development or use of the property, can they reasonably be implemented, and can they be enforced for the subject property, and will they result in no greater impact on adjacent properties or the community at large than would be expected to occur by the permitted uses and the minimum development standards of the corresponding General zoning district. **Response: The proposed conditions address and mitigate impacts reasonably expected to be generated on the site and can be enforced for the subject property. They will result in no greater impact on adjacent properties or the community at large than would be expected to occur by the permitted uses and the minimum development standards of the corresponding General Commercial zoning district. Please see the Proposed Zoning Conditions attached as Exhibit 2.**

In addition to the policies discussed above, the proposed rezoning also meets policy D5.3 (Modify zoning strategies to create the downtown we want to see). This policy calls for the use of urban design strategies to improve the character and experience of the built environment and should underscore massing, height, setbacks, parking location, landscaping, and signage in a simple, direct language.