

CITY OF RALEIGH

**Z-10-09
ETJ -1-09**

**Durham Co. RR
and
R-4**

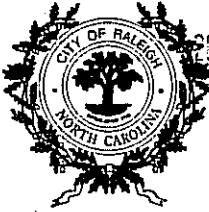
to

TD CUD

6.07 acres

Public Hearing
April 21, 2009
(August 19, 2009)

280
Feet



SEP 19 AM 10:58

Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.

2. That the following circumstance(s) exist(s):

City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.

Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.

The property has not heretofore been subject to the zoning regulations of the City of Raleigh.

3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.

4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:

- 1) to lessen congestion in the streets;
- 2) to provide adequate light and air;
- 3) to prevent the overcrowding of land;
- 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
- 5) to regulate in accordance with a comprehensive plan;
- 6) to avoid spot zoning; and
- 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate

THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature(s) Marvin Ellis
William Barker

Date: 9-18-2008
9-19-2008

Please type or print name(s) clearly:

Marvin Ellis
William Barker for Barker + Lovette General Contractors, Inc.

9-18-2008
9-19-2008

EXHIBIT B. Request for Zoning Change

Office Use Only
 Petition No. 2-10-09 / ETJ.-1-09
 Date Filed: 9-19-08
 Filing Fee: pd 1028.00 by CK#5615

Please use this form only – form may be photocopied. Please type or print

See instructions, page 6

1) Petitioner(s):
 Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.

Name(s)	Address	Telephone / E-Mail
<u>Marvin Ellis</u>	<u>3503 Page Road</u> <u>Morrisville, NC 27560</u>	<u>(919) 544-1303</u>
<u>Barker & Lovette General Contractors, Inc.</u>	<u>1401 Sunday Dr. Ste. 116</u> <u>Raleigh, NC 27607</u>	<u>(919) 859-0044</u>

2) Property Owner(s):

<u>Marvin Ellis</u>	<u>3503 Page Road</u> <u>Morrisville, NC 27560</u>	<u>(919) 544-1303</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Contact Person(s):

<u>Daniel Burbank</u>	<u>1401 Sunday Dr. Ste 116</u> <u>Raleigh, NC 27607</u>	<u>(919) 859-0044</u>
_____	_____	_____

4) Property Description:
 Please provide surveys if proposed zoning boundary lines do not follow property lines.

Wake County Property Identification Number(s) (PIN): _____
0758425783 (Wake County Side) ; 0758-03-42-2704 (Durham County Side)

General Street Location (nearest street intersections): Longistics Way and Page Road ; Longistics Way and World Trade Blvd.

5) Area of Subject Property (acres): 1.93 acres (Wake County Side) + 4.141 acres (Durham County Side) = 6.071 acres

6) Current Zoning District(s) Classification:
 Residential 4 District (R-4)
 Include Overlay District(s), if Applicable _____

7) Proposed Zoning District Classification:
Thoroughfare District (Resource Management District) – TD – Conditional Use
 Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state. _____

Office Use Only
Petition No. 2-10-09

8) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
<u>PV Limited Partnership</u>	<u>2331 Lake Drive</u>	<u>Raleigh, NC 27609</u>	<u>0758-03-33-0485 (Durham)</u>
<u>ALFC-Page Road LLC</u>	<u>4000 Westchase Blvd. #390</u>	<u>Raleigh, NC 27502</u>	<u>0758-03-12-7965 (Durham)</u>
<u>Chronaki Terry</u>	<u>7040 Kepley Road</u>	<u>Chapel Hill, NC 27514</u>	<u>0758-03-42-0453 (Durham)</u>
<u>BRL Properties LLC</u>	<u>8732 Glenwood Avenue</u>	<u>Raleigh, NC 27617</u>	<u>0758-03-42-1089 (Durham)</u>
<u>Gerald M. Stewart</u>	<u>3411 Page Road</u>	<u>Morrisville, NC 27560</u>	<u>0758-03-43-2170 (Durham)</u>
<u>Myra Kerr Stewart</u>	<u>3411 Page Road</u>	<u>Morrisville, NC 27560</u>	<u>0758-03-43-2170 (Durham)</u>
<u>Marvin Ellis</u>	<u>3589 NC Hwy 43 N.</u>	<u>Greenville, NC 27834</u>	<u>0758-03-42-2704 (Durham)</u>
<u>Harry Gentry</u>	<u>14213 Allison Drive</u>	<u>Raleigh, NC 27615</u>	<u>0758-03-32-9153 (Durham)</u>
<u>Becky Gentry</u>	<u>14213 Allison Drive</u>	<u>Raleigh, NC 27615</u>	<u>0758-03-32-9153 (Durham)</u>
<u>Globe Associates, LLC</u>	<u>P.O. Box 82</u>	<u>Columbia, SC 29202</u>	<u>0758-03-42-2388 (Durham)</u>
<u>Commercial Flex Assoc. Inc.</u>	<u>149 Gateway Drive</u>	<u>Staten Island, NY 10304-4442</u>	<u>0758419912 (Wake)</u>
<u>Terry Chronaki</u>	<u>7040 Kepley Road</u>	<u>Chapel Hill, NC 27517-6085</u>	<u>0758425468 (Wake)</u>
<u>Marvin Ellis</u>	<u>3503 Page Road</u>	<u>Morrisville, NC 27560-9408</u>	<u>0758425783 (Wake)</u>
<u>Gerald M & Myra K. Stewart</u>	<u>3411 Page Road</u>	<u>Morrisville, NC 27560-8544</u>	<u>0758426939 (Wake)</u>
<u>World Trade Properties, LLC</u>	<u>PO Box 110007</u>	<u>RTP, NC 27709-5007</u>	<u>0758438105 (Wake)</u>
<u>Shining Star Properties, LLC</u>	<u>10800 World Trade Blvd.</u>	<u>Raleigh, NC 27617-4200</u>	<u>0758521624 (Wake)</u>
<u>Briar Creek Associates LTD</u>	<u>3800 Arco Corporate Drive</u>	<u>Charlotte, NC 28273-3410</u>	<u>0758425574 (Wake)</u>
<u>PRNRP C/O AAC Real Estate Services Inc</u>	<u>Ste. 200</u>	<u>Charlotte, NC 28273-3410</u>	<u>0758425574 (Wake)</u>
<u>World Trade Properties, LLC</u>	<u>PO Box 11007</u>	<u>RTP, NC 27709-5007</u>	<u>0758533391 (Wake)</u>
<u>Globe Associates, LLC</u>	<u>PO Box 82</u>	<u>Columbia, SC 29208-0001</u>	<u>0758425323 (Wake)</u>
<u>Please also see attachments provided by the City of Raleigh and the City of Durham</u>			

For additional space, photocopy this page.

2-10-09

COMMERCIAL FLEX ASSOCIATION INC
149 GATEWAY DR
STATEN ISLAND NY 10304-4442

NC PIN # 0758419912

CHRONAKI, TERRY
7040 KEPLEY RD
CHAPEL HILL NC 27517-6085

NC PIN # 0758425468

ELLIS, MARVIN
3503 PAGE RD
MORRISVILLE NC 27560-9408

NC PIN # 0758425783

STEWART, GERALD M & MYRA K
3411 PAGE RD
MORRISVILLE NC 27560-8544

NC PIN # 0758426939

WORLD TRADE PROPERTIES LLC
PO BOX 110007
RTP NC 27709-5007

NC PIN # 0758438105

SHINING STAR POPERTIES LLC
10800 WORLD TRADE BLVD
RALEIGH NC 27617-4200

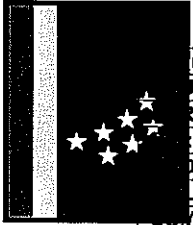
NC PIN # 0758521624

2-10-09

DURHAM

Results

City of Durham
North Carolina



1 8 6
CITY OF MEDICAL

Result:	1	
PROJECTID:	25330	
PARCEL_ID:	157692	Office of the Director
PHONE:	0758-03-33-0485	Technology Solutions
POINT_DIM:	667.34	101 City Hall Plaza
TOTAL_ACRE:	32.853	Durham, NC 27701
TOTAL_ACRE:	32.853	
APP ID:	581 -02-009 -	(919) 560-4122
USERINT:		
CITY CODE:		
ACCT :	5256795	
OWNAM1:	P V LIMITED PARTNERSHIP	
OWNAM2:		
OWNAM3:		
OWADR1:	2331 LAKE DR	
OWADR2:		
OWADR3:		
OWADR4:		
OWCITY:	RALEIGH	
OWSTA:	NC	
OWZIPA:	27609	
DIST CODE:	14	
SPLITTAXDIS:		
SPLITTAXDEC:		
LAND USE:	180	
LANDUSE_DESC:	RES/ MULTIPLE DWG'S	
NBR_CLASS:	030	
NBR_CODE:	RB	
EXEMPT_CODE:		
LAND_VALUE:	1231987	
BLDG_VALUE:	336804	
TOTAL_VALU:	1568791	
DEED_BOOK:	1440	
DEED_PAGE:	0066	
PLAT_BOOK:		
PLAT_PAGE:		
DATE SOLD:	19970101	
SALE_PRICE:	0	
SUBD ID:	0000	
SUBD_DESC:	N/A - NO SUBDIVISION	
OWNER_NAME:	P V LIMITED PARTNERSHIP	
OWNER_ADDR:	2331 LAKE DR	
CLASS_CODE:	030 RB	
SITE_ADDRE:	3404 PAGE RD	

Results

Z-10-09

Result:	3
OBJECTID:	97477
PARCEL_ID:	157732
PIN:	0758-03-42-0453
FRONT_DIM:	
POLY_ACRE:	2.811
SUM_ACRE:	2.811
OLD_ID:	581 -03-004B-
USERINT:	
CITY_CODE:	
ACCT_:	0194603
OWNAM1:	CHRONAKI TERRY
OWNAM2:	
OWNAM3:	
OWADR1:	7040 KEPLEY RD
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	CHAPEL HILL
OWSTA:	NC
OWZIPA:	27514
DIST_CODE:	7
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	440
LANDUSE_DESC:	COM/ WHSE-STORAGE
NBR_CLASS:	030
NBR_CODE:	IB
EXEMPT_CODE:	
LAND_VALUE:	281100
BLDG_VALUE:	1165470
TOTAL_VALU:	1446570
DEED_BOOK:	004654
DEED_PAGE:	000352
PLAT_BOOK:	000152
PLAT_PAGE:	000233
DATE_SOLD:	20041228
SALE_PRICE:	1550000
SUBD_ID:	3328
SUBD_DESC:	WORLD TRADE PROP PH 3
OWNER_NAME:	CHRONAKI TERRY
OWNER_ADDR:	7040 KEPLEY RD
CLASS_CODE:	030 IB
SITE_ADDRE:	10801 WORLD TRADE BLVD

Results

Result:	4
OBJECTID:	97478
PARCEL_ID:	157733
PIN:	0758-03-42-1089
FRONT_DIM:	
POLY_ACRE:	1.336
SUM_ACRE:	1.336
OLD_ID:	
USERINT:	
CITY_CODE:	
ACCT :	8400262
OWNAM1:	BRL PROPERTIES LLC
OWNAM2:	
OWNAM3:	
OWADR1:	8732 GLENWOOD AVE
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	RALEIGH
OWSTA:	NC
OWZIPA:	27617
DIST_CODE:	7
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	340
LANDUSE_DESC:	VACANT COMMERCIAL
NBR_CLASS:	030
NBR_CODE:	IB
EXEMPT_CODE:	
LAND_VALUE:	13360
BLDG_VALUE:	0
TOTAL_VALU:	13360
DEED BOOK:	006029
DEED_PAGE:	000360
PLAT BOOK:	000000
PLAT_PAGE:	000000
DATE SOLD:	20080804
SALE_PRICE:	0
SUBD_ID:	3328
SUBD_DESC:	WORLD TRADE PROP PH 3
OWNER_NAME:	BRL PROPERTIES LLC
OWNER_ADDR:	8732 GLENWOOD AVE
CLASS_CODE:	030 IB
SITE_ADDRE:	10651 WORLD TRADE BLVD

2-10-09

Results

Result:	5
OBJECTID:	97481
PARCEL_ID:	157736
PIN:	0758-03-43-2170
FRONT_DIM:	395.50
POLY_ACRE:	5.893
SUM_ACRE:	5.893
OLD_ID:	581 -03-005 -
USERINT:	
CITY_CODE:	
ACCT_:	6623200
OWNAM1:	STEWART GERALD M
OWNAM2:	STEWART MYRA KERR
OWNAM3:	
OWADR1:	3411 PAGE RD
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	MORRISVILLE
OWSTA:	NC
OWZIPA:	27560
DIST_CODE:	14
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	140
LANDUSE_DESC:	RES/ RURAL RES W/ ACREAGE
NBR_CLASS:	030
NBR_CODE:	RB
EXEMPT_CODE:	
LAND_VALUE:	294650
BLDG_VALUE:	98221
TOTAL_VALU:	392871
DEED BOOK:	0359
DEED_PAGE:	0041
PLAT_BOOK:	
PLAT_PAGE:	
DATE_SOLD:	19970101
SALE_PRICE:	0
SUBD_ID:	0000
SUBD_DESC:	N/A - NO SUBDIVISION
OWNER_NAME:	STEWART GERALD M STEWART MYRA KERR
OWNER_ADDR:	3411 PAGE RD
CLASS_CODE:	030 RB
SITE_ADDRE:	3411 PAGE RD

Results

Result:	6
OBJECTID:	97482
PARCEL_ID:	157737
PIN:	0758-03-42-2704
FRONT_DIM:	310.00
POLY_ACRE:	4.141
SUM_ACRE:	4.141
OLD_ID:	581 -03-006 -
USERINT:	
CITY_CODE:	
ACCT_:	2139740
OWNAM1:	ELLIS MARVIN
OWNAM2:	
OWNAM3:	
OWADR1:	3589 NC HWY 43 N
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	GREENVILLE
OWSTA:	NC
OWZIPA:	27834
DIST_CODE:	14
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	140
LANDUSE_DESC:	RES/ RURAL RES W/ ACREAGE
NBR_CLASS:	030
NBR_CODE:	RB
EXEMPT_CODE:	
LAND_VALUE:	207750
BLDG_VALUE:	77728
TOTAL_VALU:	285478
DEED_BOOK:	01109
DEED_PAGE:	00620
PLAT_BOOK:	000000
PLAT_PAGE:	000000
DATE_SOLD:	19970101
SALE_PRICE:	0
SUBD_ID:	0000
SUBD_DESC:	N/A - NO SUBDIVISION
OWNER_NAME:	ELLIS MARVIN
OWNER_ADDR:	3589 NC HWY 43 N
CLASS_CODE:	030 RB
SITE_ADDRE:	3503 PAGE RD

2-10-09

Results

Result:	7
OBJECTID:	97483
PARCEL_ID:	157739
PIN:	0758-03-32-9153
FRONT_DIM:	212.00
POLY_ACRE:	2.142
SUM_ACRE:	2.142
OLD_ID:	581 -03-007 -
USERINT:	
CITY_CODE:	
ACCT :	8369365
OWNAM1:	GENTRY HARRY
OWNAM2:	GENTRY BECKY
OWNAM3:	
OWADR1:	14213 ALLISON DR
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	RALEIGH
OWSTA:	NC
OWZIPA:	27615
DIST_CODE:	14
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	140
LANDUSE_DESC:	RES/ RURAL RES W/ ACREAGE
NBR_CLASS:	030
NBR_CODE:	RB
EXEMPT_CODE:	
LAND_VALUE:	107100
BLDG_VALUE:	30536
TOTAL_VALU:	137636
DEED_BOOK:	005766
DEED_PAGE:	000984
PLAT_BOOK:	000000
PLAT_PAGE:	000000
DATE_SOLD:	20071010
SALE_PRICE:	230500
SUBD_ID:	0000
SUBD_DESC:	N/A - NO SUBDIVISION
OWNER_NAME:	GENTRY HARRY GENTRY BECKY
OWNER_ADDR:	14213 ALLISON DR
CLASS_CODE:	030 RB
SITE_ADDRE:	3601 PAGE RD

Results

Z-10-09

Result:	2
OBJECTID:	93399
PARCEL_ID:	157683
PIN:	0758-03-12-7965
FRONT_DIM:	547.00
POLY_ACRE:	189.478
SUM_ACRE:	189.478
OLD_ID:	581 -02-004 -
USERINT:	
CITY_CODE:	
ACCT_:	8314551
OWNAM1:	ALFC-PAGE ROAD LLC
OWNAM2:	
OWNAM3:	
OWADR1:	STE 390
OWADR2:	4000 WESTCHASE BLVD
OWADR3:	
OWADR4:	
OWCITY:	RALEIGH
OWSTA:	NC
OWZIPA:	27502
DIST_CODE:	9
SPLITTAXDIS:	SPLIT
SPLITTAXDEC:	SPLIT TAX DISTRICT
LAND_USE:	350
LANDUSE_DESC:	VACANT INDUSTRIAL
NBR_CLASS:	030
NBR_CODE:	IB
EXEMPT_CODE:	
LAND_VALUE:	2557767
BLDG_VALUE:	0
TOTAL_VALU:	2557767
DEED_BOOK:	005173
DEED_PAGE:	000969
PLAT_BOOK:	000180
PLAT_PAGE:	000382
DATE_SOLD:	20060602
SALE_PRICE:	0
SUBD_ID:	0000
SUBD_DESC:	N/A - NO SUBDIVISION
OWNER_NAME:	ALFC-PAGE ROAD LLC
OWNER_ADDR:	STE 390 4000 WESTCHASE BLVD
CLASS_CODE:	030 IB
SITE_ADDRE:	3500 PAGE RD

Results

2-10-09

Result:	8
OBJECTID:	99826
PARCEL_ID:	196928
PIN:	0758-03-42-2388
FRONT_DIM:	
POLY_ACRE:	0.772
SUM_ACRE:	0.772
OLD_ID:	
USERINT:	
CITY_CODE:	
ACCT :	8215317
OWNAM1:	GLOBE ASSOCIATES LLC
OWNAM2:	
OWNAM3:	
OWADR1:	PO BOX 82
OWADR2:	
OWADR3:	
OWADR4:	
OWCITY:	COLUMBIA
OWSTA:	SC
OWZIPA:	29202
DIST_CODE:	7
SPLITTAXDIS:	
SPLITTAXDEC:	
LAND_USE:	438
LANDUSE_DESC:	COM/ PARKING LOTS
NBR_CLASS:	030
NBR_CODE:	IB
EXEMPT_CODE:	
LAND_VALUE:	77200
BLDG_VALUE:	10800
TOTAL_VALU:	88000
DEED_BOOK:	004072
DEED_PAGE:	000566
PLAT_BOOK:	000159
PLAT_PAGE:	000231
DATE_SOLD:	20030825
SALE_PRICE:	0
SUBD_ID:	3328
SUBD_DESC:	WORLD TRADE PROP PH 3
OWNER_NAME:	GLOBE ASSOCIATES LLC
OWNER_ADDR:	PO BOX 82
CLASS_CODE:	030 IB
SITE_ADDRE:	10701 WORLD TRADE BLVD

Office Use Only
Petition No. 2-10-09
Date Filed: _____

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only – form may be photocopied – please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request.

Required items of discussion:

The Planning Department is instructed not to accept any application for amending the official zoning map without a statement prepared by the applicant analyzing the reasonableness of the rezoning request. This statement *shall* address the consistency of the proposed rezoning with the Comprehensive Plan and any other applicable City-adopted plan(s), the compatibility of the proposed rezoning with the *property* and surrounding area, and the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.

Recommended items of discussion (where applicable):

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.

PETITIONER'S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan (www.raleighnc.gov).

A. Please state which District Plan area the subject property is located within and the recommended land use for this property:

The subject property (also called "Property") is located in the far eastern section of the Triangle Regional Center Plan of the Umstead District Plan. A portion of this Property is located in Wake County and a portion is located in Durham County. The Durham portion is congruent with the Wake County line and it is a part of the planning for Durham County that properties in this area could become under Raleigh Jurisdiction. Regional intensity office and residential uses with a community and neighborhood focus area are recommended uses for this area.

B. Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

The Wake County portion of the subject property is located within the Triangle Regional Center Plan. The majority of the land in the Umstead District Plan is zoned Thoroughfare District (TD), which allows for mixed land uses. Regional intensity office and residential uses

with a community and neighborhood focus area are included in the Triangle RCP as proposed future development (Umstead District Plan 5-9.3).

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?

The proposed map amendment is consistent with the above mentioned plans and policies. The portion that is located in Durham County will have to be annexed into Raleigh jurisdiction in order to be compatible with the Comprehensive Plan. The annexation application has been submitted with this rezoning application.

II. Compatibility of the proposed map amendment with the property and the surrounding area.

A. Description of land uses within the surrounding area (residential housing types, parks, institutional uses, commercial uses, large parking lots, thoroughfares and collector streets, transit facilities):

In Wake County, the Property and the neighboring property are zoned as Residential 4 (R-4), as are some of the properties to the north off of Globe Road. In Durham County, the subject property is surrounded by Residential Rural and Planned Development Residential to the north, west and south. There is also a small bit of Industrial to the south. Conditional Use-Thoroughfare District is the majority of the use on the Wake County side of the property (with exception to the R-4 mentioned previously).

Near the Property are a wide range of industrial buildings in the World Trade Center area. There also exist some detached single family homes in the area with other homes in the process of being built. There is still a large amount of undeveloped land in this area. There are a mixture of major Thoroughfares, Secondary Arterials, and Primary Arterials in close proximity to the Property.

B. Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):

Current zoning patterns in the area include Residential Rural (Durham), Planned Development Residential 4-DU/AC (Durham), Industrial Light (Durham), Thoroughfare District-CUD (Wake), and Residential-4 (Wake). The Property is zoned Residential-4 (Wake) and Residential Rural (Durham).

There is a residential detached house neighboring the subject property to the north. To the east and south east of the property are many industrial buildings that fall under the Thoroughfare District ordinances. These stipulations include, but are not limited to some of the following: building heights over 50 feet high (Sec. 10-2045 Height). Landscaping falls under Section 10-2082, Signage under Section 10-2083, and a 50 foot protective yard setback for the front yard

C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area

The rezoning of the Property to Thoroughfare would simply allow for the inclusion of this Property into the already major existing zoning that exists. The Property is currently located

mainly between mixed use and residential zoning, which are both included in the Thoroughfare District. This would allow the ability for transition between the two zonings.

III. Benefits and detriments of the proposed map amendment.

A. For the landowner(s):

The rezoning of the Property would allow the owner to more easily sell the property because of the increase in possible uses. The rezoning along with the annexation would also allow the possibility of providing City of Raleigh services directly to the property.

B. For the immediate neighbors:

The rezoning would allow for more permitted uses to the neighbors, such as retail or office space that could serve the surrounding neighbors directly that the property cannot currently provide. The annexation and rezoning of this Property would allow for the further extension of water and sewer in the area.

C. For the surrounding community:

The area currently contains a large amount of undeveloped land. This rezoning would allow for more future development as laid out in the Comprehensive Plan, allowing the surrounding community the ability for growth.

IV. Does the rezoning of this property provide a significant benefit which is not available to the surrounding properties? Explain:

The proposed rezoning would allow for those similar uses that are currently laid out under the Thoroughfare District, with the exception of those listed in the Section C of this application. This Property with the authorized rezoning could allow for services that are not currently available even though there are areas that are zoned similarly for in the area for these uses (examples are retail, gas station, office). These services or uses could be beneficial for the residential development that is planned for the area, as well as serve the already existing industrial areas.

Explain why the characteristics of the subject property support the proposed map amendment as reasonable and in the public interest.

The rezoning and annexation of the subject property meets the Triangle Regional Center Plan in providing zoning that could provide regional intensity office and residential uses with a community and neighborhood focus. The rezoning would allow for continued fluidity among the already existing zoning in the Raleigh area. The change in zoning would allow for more permitted uses than the current zoning to allow more options to serve the public.

V. Recommended items of discussion (where applicable).

- a. **An error by the City Council in establishing the current zoning classification of the property.**

Not Applicable to this application.

- b. **How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.**

The subject property's potential is being underused for meeting future needs. This area is having a high increase in the amount of residential and industrial use. The proposed zoning opens up opportunities to provide various services to both of these entities mentioned through the Thoroughfare District rezoning.

- c. **The public need for additional land to be zoned to the classification requested.**

As mentioned in item "b" above, rezoning of the subject property could be very advantageous to the current surrounding companies and residents, as well as provide a need as land is developed in the future. The current zoning on the Property limits its impact on the neighboring area.

- d. **The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.**

Water and sewer do not go directly to the subject property and would need to be extended to the Property. Sewer does extend to the east of the Northeast corner of the Property. The sewer currently only extends further south of the Property down Page Road. The rezoning of this property should not create any undue hardships on fire and safety services, parks, or recreation. The anticipated impacts made should be negligible.

VI. Other arguments on behalf of the map amendment requested.

Not applicable

**PETITION FOR ANNEXATION
INTO THE RALEIGH CITY LIMITS**

**Section A.
SUBMITTAL CHECKLIST**

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:

- WRITTEN METES AND BOUNDS DESCRIPTION OF THE PROPERTY TO BE ANNEXED.** Must be attached to this application. See Page 2. *To Be provided upon Survey completion - ASAP*
- ELECTRONIC COPY OF THE WRITTEN METES AND BOUNDS.** Submit to e-mail address:alfreda.bryant@ci.raleigh.nc.us
To Be provided upon Survey completion - ASAP
- SURVEY OR PLAT** showing above written metes and bounds description of the property to be annexed. Submit electronic file in pdf format if possible. *To Be provided upon completion - ASAP.*
- CITY OR COUNTY PROPERTY MAP** with parcels included in the annexation request clearly marked. An excerpt of a property map is acceptable, but the map number must appear on the excerpt. This map must show the EXISTING AND PROPOSED CITY LIMITS. *Various Maps are included w/ Rezoning application - attached*
- COPY OF APPROVED PRELIMINARY SITE PLAN OR FINAL SITE PLAN** showing City Building Permit Transaction Number or Group Housing Number (GH-__-02, etc.) OR **COPY OF SUBDIVISION PLAT** submitted for lot recording approval with City file number (S-__-02, etc.)
- PROJECTED MARKET VALUE OF DEVELOPMENT** at build-out (land and improvements).
- GENERAL ANNEXATION AREA DATA:** Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.
- THIS APPLICATION FORM** completed, dated and signed by the property owner(s), and attested, SUBMITTED BY THE DEADLINES NOTED IN SECTION B. OF THIS APPLICATION , PAGE 2.

REQUIRED, BUT OFTEN MISSING INFORMATION. PLEASE MAKE SURE TO INCLUDE THE FOLLOWING:

- CORRECT PARCEL IDENTIFICATION NUMBER(S) (PIN).** Call Wake County Geographic Information Services at 856-6360 if there is any question about the parcel identifier. THIS IS VERY IMPORTANT! Incorrect PIN can cause the application to be rejected, requiring re-submittal. If the property being requested for annexation is only a portion of an existing parcel, please indicate that this is the case.
- OWNER'S SIGNATURES AND DATE OF SIGNATURE.** See Page 3 of this application. All real property owners must sign the application, and the date of signature MUST be filled in!
- CORPORATE SEAL** for property owned by a corporation. *N/A*
- RE-ZONING APPLICATION** if the property is currently outside Raleigh's Extraterritorial Jurisdiction.

OPTIONAL, BUT NECESSARY IF PETITIONER DESIRES TO HAVE DEVELOPMENT PROJECT WAIVED FROM PAYING OUTSIDE SEWER CONNECTION CHARGES PRIOR TO ANNEXATION EFFECTIVE DATE.

- STANDARD PAYMENT CONTRACT** should be appropriately dated, signed and notarized and submitted with annexation petition application (see Section E).

Section B.

SUBMITTAL DEADLINES

Petitions for annexation are accepted by the Raleigh Planning Department at any time. There are no fees required for submittal of an annexation petition. It is the policy of the City to set annexation effective dates for either June 30 or December 31 of a calendar year. Following are annexation petition submittal deadlines to process the request for the noted effective dates:

<u>SUBMITTAL DEADLINE</u>	<u>EFFECTIVE DATE</u>
April 18, 2008	June 30, 2008
October 20, 2008	December 31, 2008

The City reserves the right to make exceptions to this general processing schedule where necessary.

Section C.

SUMMARY INFORMATION / METES AND BOUNDS DESCRIPTIONS

DEVELOPMENT PROJECT NAME: Page Road Site
 STREET ADDRESS: 3503 Page Road, Morrisville
 CITY OF RALEIGH SUBDIVISION APPROVAL # (S-____-____) OR BUILDING PERMIT TRANSACTION # _____
 OR GROUP HOUSING # (GH ____-____-____). N/A

WAKE COUNTY PROPERTY IDENTIFICATION NUMBER(S):
 P.I.N. 0758425783 (Wake County) P.I.N. _____
 P.I.N. 0758-03-42-2704 (Durham County) P.I.N. _____
 P.I.N. _____ P.I.N. _____
 P.I.N. _____ P.I.N. _____

ACREAGE OF ANNEXATION SITE: 1.93 + 4.141 = 6.071 acres
 LINEAR FEET OF PUBLIC STREETS WITHIN ANNEXATION BOUNDARIES: To be provided w/ survey asap.
 ANNEXATION SITE IS REQUESTING CONNECTION TO CITY OF RALEIGH WATER and/or SEWER
 NUMBER OF PROPOSED DWELLING UNITS _____
 TYPE OF UNITS: SINGLE FAMILY TOWNHOUSE CONDO APT.
 BUILDING SQUARE FOOTAGE OF NON-RESIDENTIAL SPACE: Please see Attachment 1
 SPECIFIC PROPOSED USE (OFFICE, RETAIL, WAREHOUSE, SCHOOL, ETC.): Please see Attachment 1
 PROJECTED MARKET VALUE AT BUILD-OUT (LAND AND IMPROVEMENTS): \$ Please see attachment 1

PERSON TO CONTACT IF THERE ARE QUESTIONS ABOUT THE PETITION:

NAME: Daniel Burbank
 ADDRESS: 1401 Sunday Drive Ste 116
 TELEPHONE 919-859-0044 FAX: 919-859-6361
 E-MAIL ADDRESS: daniel@barker-inc.com

WRITTEN METES AND BOUNDS DESCRIPTION OF PROPERTY TO BE ANNEXED: Attach additional sheets if necessary.
The survey of the land is currently being completed and will be submitted asap.

Section D.

ANNEXATION PETITION

STATE OF NORTH CAROLINA
COUNTY OF WAKE
PETITION OF ANNEXATION OF PROPERTY TO THE CITY OF RALEIGH, NORTH CAROLINA

PART 1. The undersigned, being all the owners of the real property described in this application (Section C) respectfully request the annexation of said property to the City of Raleigh, North Carolina. The petitioners understand and agree that all streets and utilities within the annexed area will be constructed and installed by the developer according to the Subdivision Ordinance and any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners. The property to be annexed is:

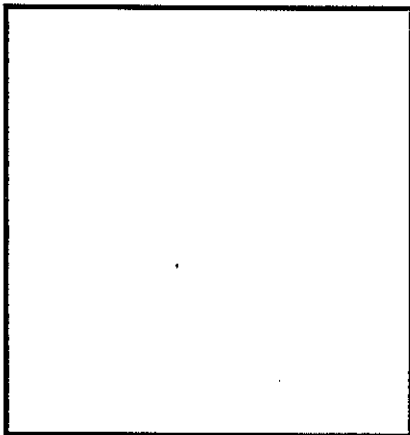
CONTIGUOUS to the present corporate limits of the City of Raleigh, North Carolina, or
 NOT CONTIGUOUS to the municipal limits of the City of Raleigh, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the City of Raleigh, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967).

PART 2. NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G. S. 160A-385.1 or 153A-344.1 for properties subject to the petition. Do you declare such vested rights for the property subject to this petition?

YES _____ NO

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this 16 day of September, 2008, by the owners of the property described in Section C.



CORPORATE SEAL

OWNER'S SIGNATURE(S) Marvin Ellis
3589 NC Hwy 43 N
GREENVILLE NC
278346143

PRINT OWNER NAME(S), ADDRESS(ES), PHONE NUMBER(S):
MARVIN ELLIS 919-544-1303
242-864-8508

ABOVE SIGNATURE(S) ATTESTED BY:
Wm Bank

Received by the City Council of Raleigh, North Carolina, this _____ day of _____, 20____, at a Council meeting duly held.

SIGNATURE OF CITY CLERK AND TREASURER: _____

Section E.

Standard Payment Contract

If petitioner desires to be considered for waiver of outside sewer connection fees required by Raleigh City Code Section 10-6081(c) , which is generally a \$200 fee per dwelling unit/business unit/or industrial unit charged at the time sewer connection permit is issued if a property is outside the city limits, annexation petitioner should submit the following standard payment contract (see attached AGREEMENT, pages 1-4). The development project will be eligible for waiver of this sewer connection fee: (1) if corresponding annexation petition is administratively recommended to be approved by City Council, and (2) if the following payment contract has been submitted to the City with appropriate signatures.

Attachment 1 to the Petition For Annexation Into the City Limits

The proposed annexation of the property listed in the Petition for Annexation is partially in Durham County and partially in Wake County. At the same time of this annexation request, an application for rezoning is also being submitted (please find a copy of this application attached).

No site plans or specific building plans have been created for this property as of yet; however, as stated in the rezoning application, we have provided conditions to the property as it is being considered for the Thoroughfare District Zoning. The Thoroughfare District rezoning is consistent with its surrounding area and it has stipulated uses and restrictions that apply to the specific zoning.

Square Footage Non-residential Space: There are no plans currently. All future plans will comply with the Thoroughfare District stipulations.

Specified Proposed Use: Only permitted uses for Thoroughfare District will be applicable along with conditions that have been stated in the Rezoning Application.

Project Market Value at Build-Out: Not available at this time.



Certified Recommendation of the City of Raleigh Planning Commission

Case File: Z-10-09 Conditional Use; Page Road

General Location: East side of Page Road, northeast of its intersection with Logistics Drive

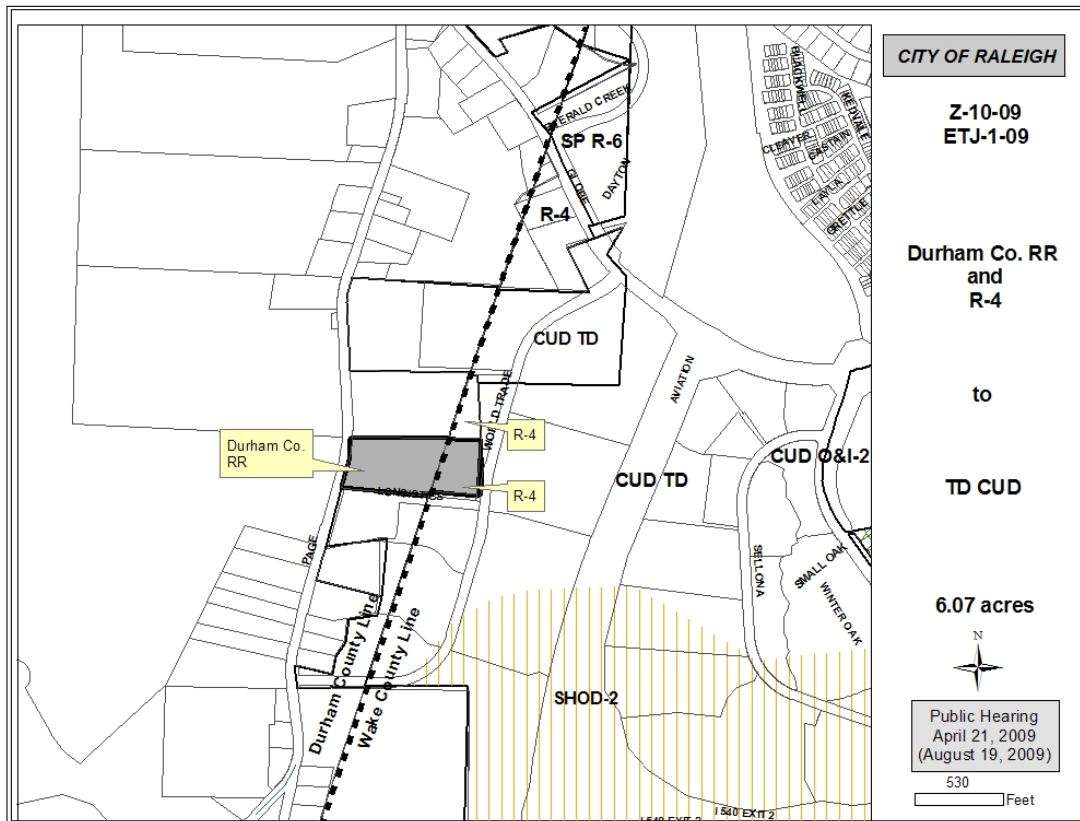
**Planning District
/ CAC:** Umstead / Northwest

Request: Petition for Rezoning from Durham County Residential Rural & City of Raleigh Residential -4 to Thoroughfare Conditional Use District.

**Comprehensive Plan
& Other Adopted Plan
Consistency:** The request is consistent with the Comprehensive Plan

**Valid Protest
Petition (VSPP):** NO.

Recommendation: The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated June 22, 2009.



CASE FILE: Z-10-09 Conditional Use

LOCATION: This site is located on the east side of Page Road, northeast of its intersection with Longistics Drive

REQUEST: This request is to rezone approximately 6.07 acres, currently zoned Durham County Residential Rural & Residential -4. The proposal is to rezone the property to Thoroughfare Conditional Use District.

**COMPREHENSIVE
PLAN & OTHER
ADOPTED PLAN
CONSISTENCY:**

The request is consistent with the Comprehensive Plan

RECOMMENDATION: **The Planning Commission finds that the proposed rezoning is consistent with the Comprehensive Plan and that this request be approved in accordance with conditions dated June 22, 2009.**

**FINDINGS
AND REASONS:**

- (1) That the rezoning request is consistent with the land use recommendations of the Comprehensive Plan. The subject property is located within the Triangle Regional Center limits, where a mix of uses is encouraged.
- (2) That the request is considered reasonable and in the public interest based on the zoning conditions that will improve the level of compatibility with the surrounding area, and help mitigate any potential adverse impacts.

To PC: 6/23/09

Case History: 4/28/09 PC applicant requested deferral to resolve issues; 5/12/09 PC applicant requested further deferral.

To CC: 7/7/09

City Council Status: _____

Staff Coordinator: Dhanya Sandeep

Motion: Butler
Second: Harris Edmisten
In Favor: Anderson, Bartholomew, Butler, Chambliss, Fleming, Haq, Harris Edmisten, Mullins, Smith, Vance
Opposed:
Excused: Holt

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.) _____ (PC Chair) _____

date: _____

date: 6/24/09



Zoning Staff Report: Z-10-09 Conditional Use

LOCATION: This site is located on the east side of Page Road, northeast of its intersection with Longistics Drive

AREA OF REQUEST: 6.07 acres

PROPERTY OWNER: Marvin Ellis, 544-1303

CONTACT PERSON: Daniel Burbank, 859-0044
Don d'Ambrosi, dambrosid111748@gmail.com

PLANNING COMMISSION RECOMMENDATION DEADLINE: August 19, 2009

ZONING:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Residential-4 (1.93 acres) Durham County Rural Res. (4.141 acres)	Thoroughfare CUD

<u>Current Overlay District</u>	<u>Proposed Overlay District</u>
None	None

ALLOWABLE DWELLING UNITS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	R-4 (1.93 acres): 7 DU Res/ Rural (4.141 acres): 6 DU	Not permitted (as the parcel is less than 10 acres in size)

ALLOWABLE OFFICE SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	No max. specified

ALLOWABLE RETAIL SQUARE FOOTAGE:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	Not permitted	Limited uses per conditions No max. specified

ALLOWABLE GROUND SIGNS:	<u>Current Zoning</u>	<u>Proposed Zoning</u>
	R-4: Tract ID sign Rural/Res: Not permitted	Low Profile Sign

ZONING HISTORY: The request includes two parcels; one is located within Wake County and one is located within Durham County. The western-most property (PIN# 075803421799) is located in Durham County and within Raleigh's Urban Service Area, designated for subsequent annexation by the City (per inter-local agreement with the City of Durham). This property is currently zoned Residential Rural District (Durham County). The Residential Rural District is established to provide for agricultural activities and residential development on lots of one acre or greater and in conservation subdivisions. This district is generally located outside the urban growth area. The regulations of this district are designed to discourage the premature development of urban services and to encourage the maintenance of an open and rural character. In the suburban tier, Residential Rural district requires a minimum lot area of 30,000 square feet per dwelling unit (DU) and a minimum lot width of 100 feet per DU.

The corresponding annexation petition for this property was approved by City Council on March 17, 2009 with an effective date of June 30, 2009. From the effective date of the annexation, the City has a maximum of 60 days to place City of Raleigh zoning on the property. During this 60-day period the Durham County zoning remains in place until City of Raleigh zoning is approved. Following this 60-day period, if no action has been taken on the zoning request, the current Durham County zoning no longer applies and the property will be officially "unzoned".

The eastern-most property (PIN # 0758425783) is located within Wake County and has been zoned Residential -4 since being brought into the City's jurisdiction in 1996.

**SURROUNDING
ZONING:**

NORTH: Residential-4, Durham Res/Rural, TD CUD (Z-76-98) & (Z-12-00)

Conditions for (Z-12-00) & (Z-76-98):

- A. All residential uses allowed in the Residential-30 District as indicated in Section 10-2071 of the City of Raleigh Zoning Code up to and including 30 units/acre; however, single-family detached residential dwelling units shall not be allowed.
- B. All Office, Institutional, Civic and Services uses allowed in the Thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code also including without limitation hospitals, and multi-family (30 units per acre, or less), and residential uses by excepting single-family detached dwellings and correctional/penal facilities, which are excluded.
- C. All Commercial uses allowed in the Thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code, except adult establishments, which are prohibited.
- D. All industrial uses allowed in the Thoroughfare District Zone as indicated in Section 10-2071 of the City of Raleigh Zoning Code.
- E. All recreation uses allowed in the Thoroughfare District of the Raleigh City Code.

NOTE A. as to above Sections A, B, C, D and E: Allowable uses shall include: "accessory uses" and "accessory structures" as permitted on the City of Raleigh Zoning Code.

- F. Development of the subject property, or subdivided lots thereof, will comply

with the provisions of Certified Recommendation 7107 of the Raleigh Planning Commission.

G. Reimbursement for additional right-of-way shall be at the rate of the current R-4 or Thoroughfare Districts as they apply to the property.

SOUTH: TD CUD (Z-65-96 – Airport Assemblage) & TD CUD (Z-12-00)
EAST: TD CUD (Z-65-96 – Airport Assemblage)
WEST: Durham Residential/Rural

LAND USE: Undeveloped (Wake portion), SF dwelling (Durham portion)

SURROUNDING LAND USE:
NORTH: SF detached residential
SOUTH: industrial
EAST: industrial
WEST: residential

DESIGNATED HISTORIC RESOURCES: None

EXHIBIT C AND D ANALYSIS:

COMPREHENSIVE PLAN SUMMARY TABLE:

In addition to the various systems plans (i.e. Transportation Plan, Parks and Recreation Plan, etc.) that are part of the City’s adopted Comprehensive Plan the following table summarizes the other comprehensive plan elements that have been adopted by the City Council.

Element	Application to case
Planning District	Umstead
Urban Form	Triangle Regional Center
Specific Area Plan	None
Guidelines	None

1. Consistency of the proposed rezoning with the Comprehensive Plan and any applicable City-adopted plan(s).

The request is consistent with the Comprehensive Plan. The Wake County parcel is located within the Umstead Planning District and within the limits of the Triangle Regional Center, where mixed uses and higher densities are encouraged. The Durham County parcel is located within Raleigh's future Urban Service Area. Once this property is annexed into the City of Raleigh limits, it will also fall within the Triangle Regional Center limits where mixed uses are encouraged. Therefore, the request to rezone the subject properties to Thoroughfare District Conditional Use is consistent with the land use recommendations of the Comprehensive Plan that encourages a mix of uses in this area.

The subject request is also consistent with the adjoining City of Durham Comprehensive Plan. A letter from the City of Durham affirming this has been received.

2. Compatibility of the proposed rezoning with the property and surrounding area.

The properties are surrounded predominantly by industrial and residential uses. The Wake County parcel is surrounded by Thoroughfare District CUD zoning and mostly industrial uses. A wide range of industrial buildings are located along the World Trade Boulevard area, to the north, east and south of the subject properties. There are also a large number of undeveloped properties in this vicinity. The Durham County parcel is surrounded by Durham County Residential Rural and Planned Development Residential to the north, west and south. The subject properties have primary access only from Page Road. Access from World Trade Boulevard is limited to a cross-access shared with the adjacent property to the north. Therefore, any potential development of the property would be oriented towards Page Road for primary access.

The rezoning of the subject properties to Thoroughfare District CUD would be compatible with the surrounding uses and zoning. The properties are located between mixed use and residential zoning, which are both included in the Thoroughfare District. The proposed conditions provide for appropriate building materials, screening/ buffering between properties, and specify maximum building height at 49', thus providing for an appropriate transition between the surrounding zoning districts. It should be noted however, that most of the surrounding properties with frontage along World Trade Boulevard, zoned Thoroughfare District are generally built at a maximum of 40 feet height. These properties are not regulated by zoning conditions; however, they are regulated on many development aspects through private restrictive covenants constituted by the World Trade Boulevard Park Association.

3. Public benefits of the proposed rezoning

The applicant notes that the annexation and subsequent rezoning of the subject properties would increase the economic value and usability of the properties. That the rezoning would allow for more permitted uses to the neighbors, such as retail or office space that could serve the surrounding neighbors directly that the property cannot currently provide. These services could be beneficial for the already existing uses as well as residential development planned for the area.

The annexation and rezoning of this property would allow for the extension of water and sewer in the area and pave the way for future development in this area. Given that the request is consistent with the Comprehensive Plan, the rezoning would allow for future development as laid out in the Comprehensive Plan, allowing the surrounding community the ability for planned growth.

4. Detriments of the proposed rezoning

There are no evident detriments associated with this rezoning case. However, it should be noted that continued single-family residential use of the property once it is zoned Thoroughfare District would be rendered a legally non-conforming use.

5. The impact on public services, facilities, infrastructure, fire and safety, parks and recreation, etc.

TRANSPORTATION: Page Road is classified as a major thoroughfare and exists as 2-lane ribbon paved road. City standards call for Page Road to be constructed with a 65-foot back-to-back curb and gutter section with sidewalks on both sides within a 90-foot right of way. World Trade Blvd is classified as a collector street and is constructed to City standards as a 41-foot back-to-back curb and gutter section with sidewalk on one side within a 60-foot right of way. Longistics Way is classified as a private commercial street and is constructed as 2-lane road with a 31-foot back-to-back curb and gutter section. The subject property does not currently have access to this private easement. If this street were to be converted to a public street, City standards would call for Longistics Way to be constructed with a 41-foot back-to-back curb and gutter section with sidewalks on a minimum of one side within a 60-foot right-of-way. Neither NCDOT nor the City

have any projects scheduled on Page Road or World Trade Boulevard in the vicinity of this case.

TRANSIT: This site is within close proximity of current or future bus routes but does not provide an appropriate space for a bus stop. No transit easement is needed upon subdivision approval.

HYDROLOGY: FLOODPLAIN: None.
DRAINAGE BASIN: Little Briar
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9 – Stormwater Regulations. No Buffer. No WSPD.

PUBLIC UTILITIES:

	Maximum Demand on Current Zoning	Maximum Demand on Proposed Zoning
Water	Approx. <u>12,140</u> gpd	Approx. <u>75,875</u> gpd
Waste Water	Approx. <u>12,140</u> gpd	Approx. <u>75,875</u> gpd

The proposed rezoning would add approximately 63,735 gpd to the City's wastewater collection or water distribution systems. There are no existing sanitary sewers or water mains located adjacent to the zoning case's boundary. The petitioner would be required to extend the required sanitary sewer and water mains to the proposed rezoning property and subsequently any internal mains within the property area.

PARKS AND

RECREATION: This property is not adjacent to a greenway corridor and does not impact park services.

WAKE COUNTY

PUBLIC SCHOOLS: No impacts as residential uses will not be permitted under the proposed TD zoning since the parcels are less than 10 acres in size.

IMPACTS SUMMARY: The petitioner would be required to extend the required sanitary sewer and water mains to the proposed rezoning property and subsequently any internal mains within the property area.

OPTIONAL ITEMS OF DISCUSSION

- 1. An error by the City Council in establishing the current zoning classification of the property.**

N/A

- 2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not be property applied to it now were it being zoned for the first time.**

The applicant notes that the subject property's potential is being underused for meeting future needs. This area is having a high increase in the amount of residential and industrial uses and the proposed zoning opens up opportunities to provide various services to the surrounding property owners. Given that the request is consistent with the Comprehensive Plan, the rezoning would allow for future development as laid out in the Comprehensive Plan, allowing the surrounding community the ability for planned growth.

**APPEARANCE
COMMISSION:**

This request is not subject to Appearance Commission review.

**CITIZENS'
ADVISORY COUNCIL:**

DISTRICT: Northwest - Umstead
CAC CONTACT PERSON: Jay M. Gudeman, 789-9884
Nancy Murray, 845-8845

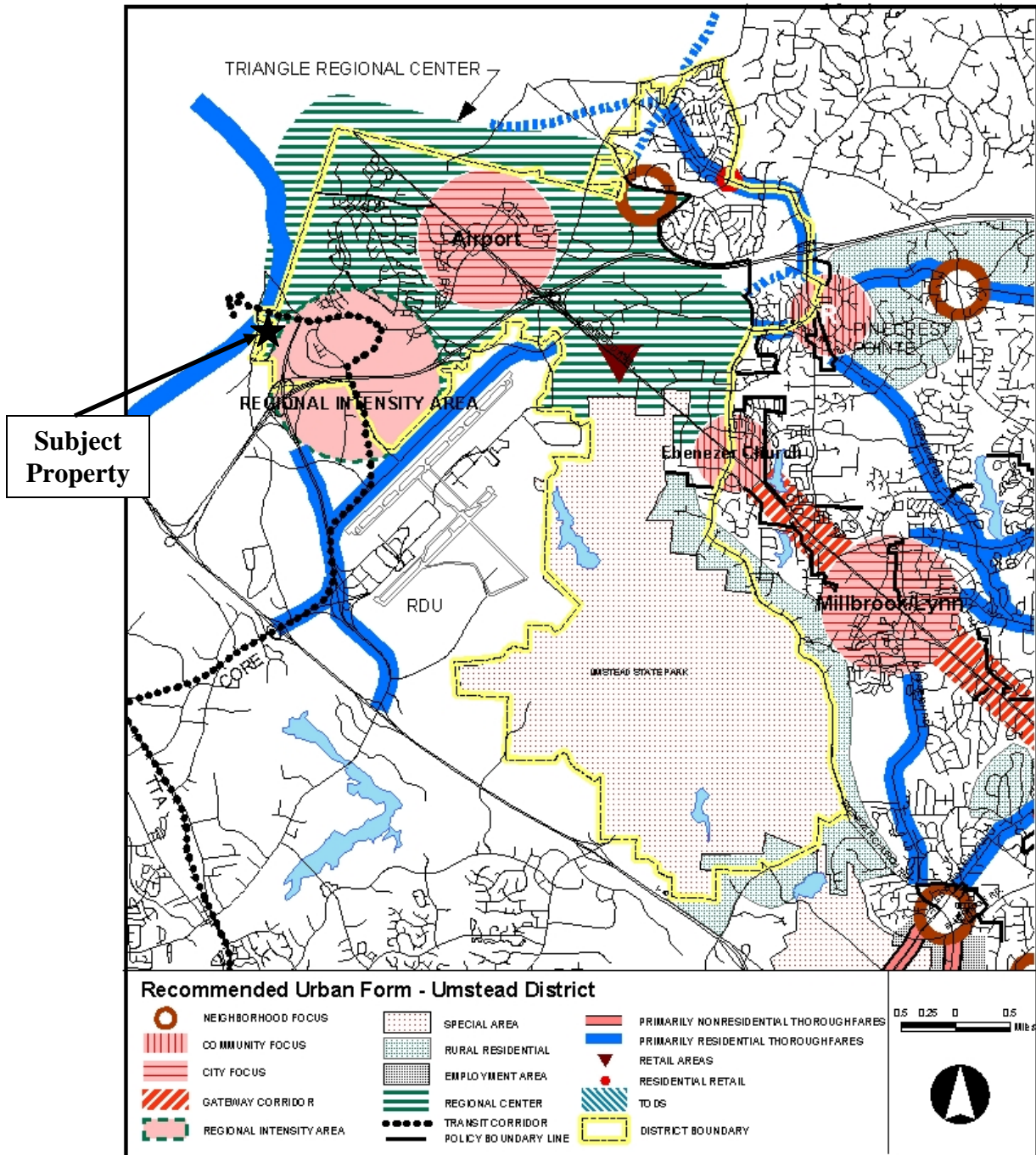
SUMMARY OF ISSUES:

COMPREHENSIVE PLAN / COMPATIBILITY / ADVERSE IMPACTS:

The request is consistent with the Comprehensive Plan.

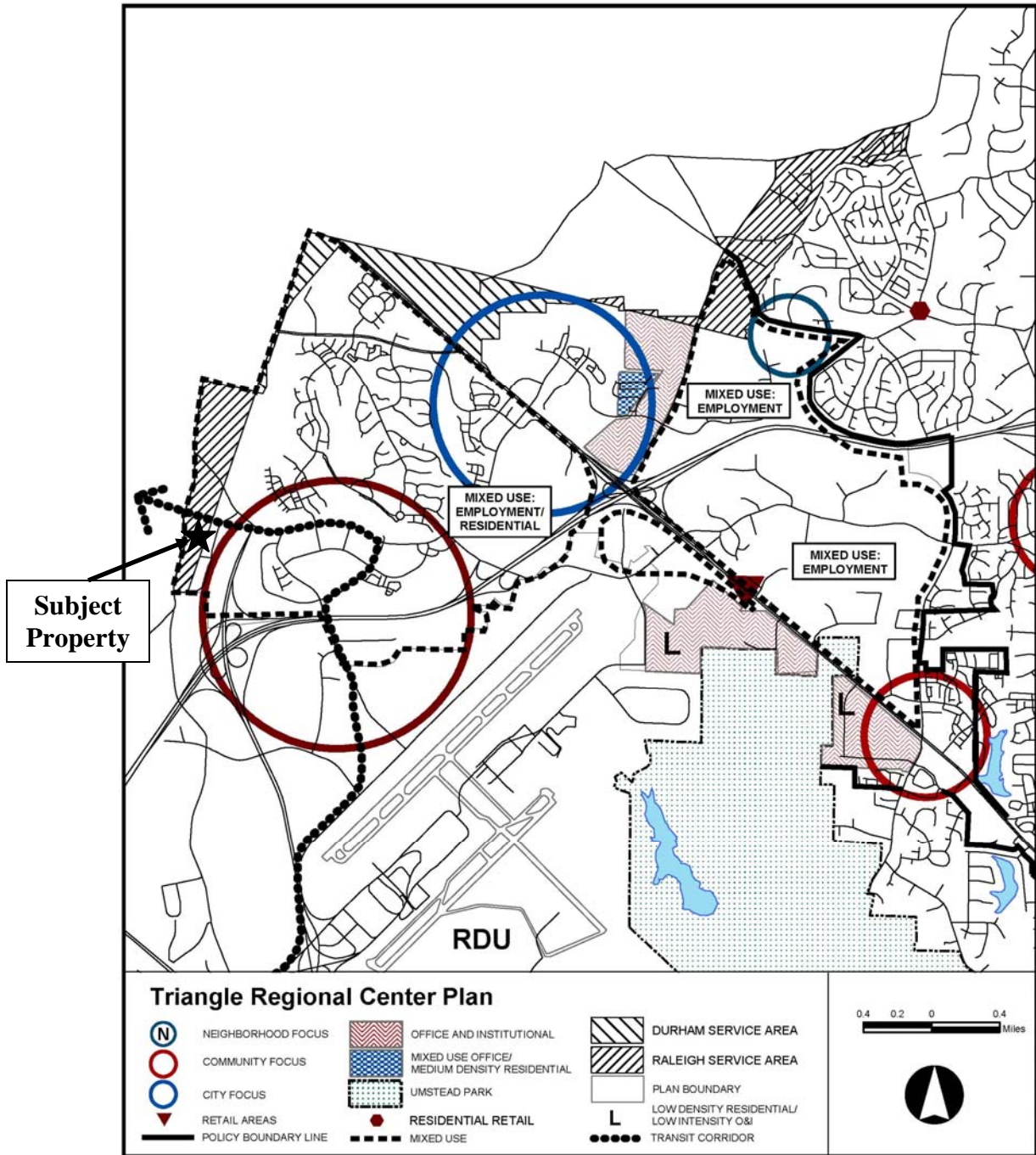
1. Outstanding issues

The corresponding annexation petition for this property was approved by City Council on March 17, 2009 with an effective date of June 30, 2009. From the effective date of the annexation, the City has a maximum of 60 days to place City of Raleigh zoning on the property.



8/05 Raleigh Comprehensive Plan

Umstead District 5-9.F



08/06 Raleigh Comprehensive Plan

Triangle Regional Center Plan 6-2.3