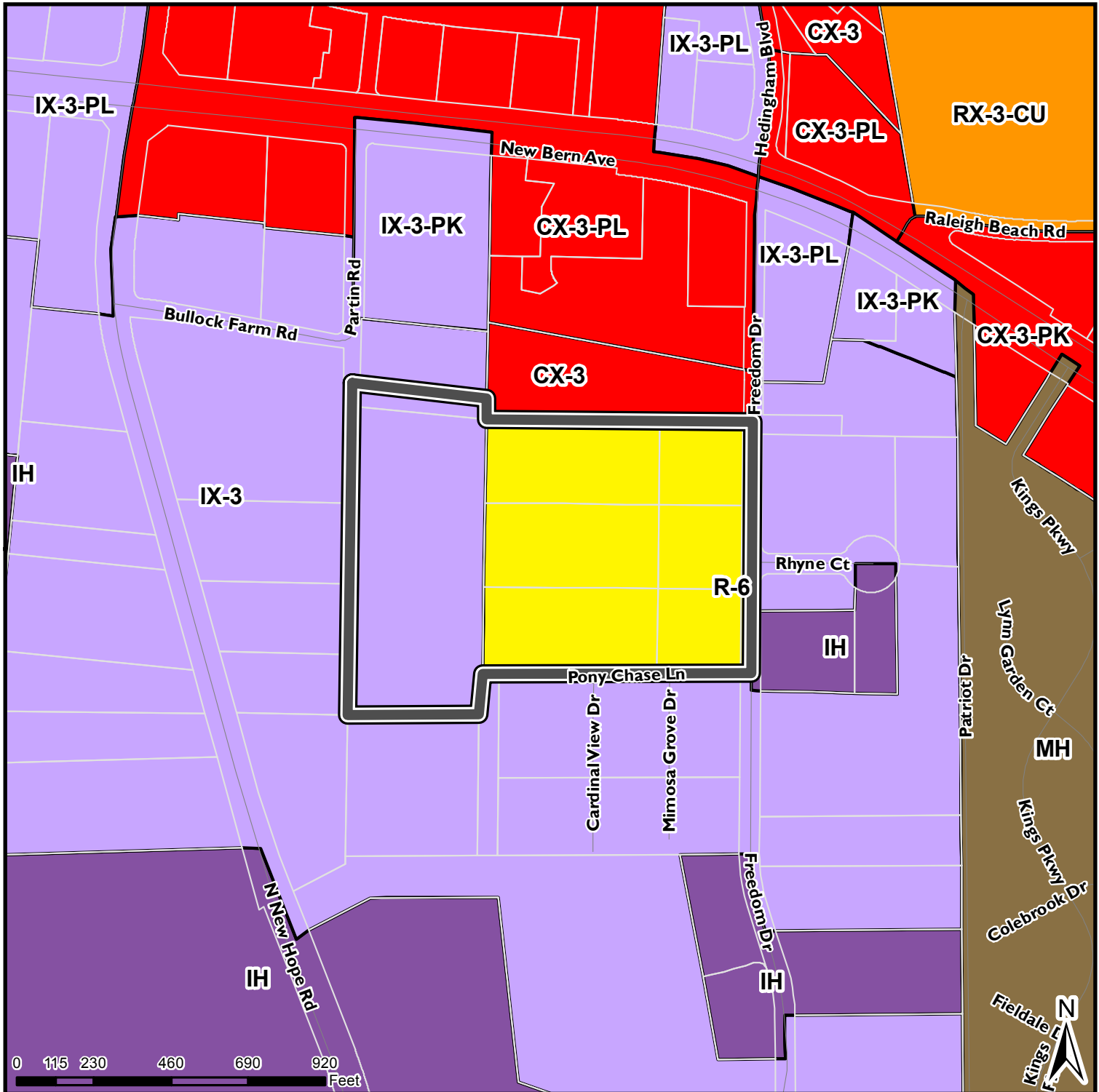


Existing Zoning Map

Z-10-17



Submittal
Date

4/7/2017

Request:

**22.22 acres from
R-6 and IX-3
to IH-CU**

VICINITY MAP



Map Date: 4/10/2017



Certified Recommendation

Raleigh Planning Commission

CR#

Case Information Z-10-17 Freedom Dr

<i>Location</i>	West side, south of New Bern Ave Addresses: 901 Freedom Dr, 1001 Freedom Dr, 1005 Freedom Dr, 1198 Partin Rd, 4524 New Bern Ave, 4702 New Bern Ave, 4704 New Bern Ave, 4710 New Bern Ave PINs: 1734143205, 1734143511, 1734143715, 1734044982, 1734044376, 1734049541, 1734049744, 1734049216
<i>Request</i>	Rezone property from R-6 & IX-3 to IH-CU
<i>Area of Request</i>	22.2 acres
<i>Property Owners</i>	William and Amelia McColl, Betty Partin, Kalas Properties LLC
<i>Applicant</i>	Karen M. Kemerait
<i>Citizens Advisory Council (CAC)</i>	Southeast CAC Chair: Ulysses J. Lane 919-250-5921, ulane6@nc.rr.com
<i>PC Recommendation Deadline</i>	August 21, 2017

Comprehensive Plan Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the 2030 Comprehensive Plan.

Future Land Use Map Consistency

The rezoning case is ☐ Consistent ☒ Inconsistent with the Future Land Use Map.

Comprehensive Plan Guidance

<i>FUTURE LAND USE</i>	Moderate Density Residential, Business & Commercial Services
<i>URBAN FORM</i>	n/a
<i>CONSISTENT Policies</i>	Policy LU 5.6 — Buffering Requirements Policy EP 8.4 — Noise and Light Impacts Policy ED 5.2 — Creating Investment Opportunities
<i>INCONSISTENT Policies</i>	Policy LU 1.2 — Future Land Use Map and Zoning Consistency Policy LU 1.3 — Conditional Use District Consistency Policy LU 4.5 — Connectivity Policy LU 5.4 — Density Transitions Policy T 2.6 — Preserving the Grid

Summary of Proposed Conditions

1. Prohibits most heavy industrial uses
2. Limits development to one principal building and two accessory buildings
3. Limits building height to 45 feet

4. Limits total development to 30,000 sq. ft.
5. Limits business hours on site
6. Prohibits scrap metal purchasing and processing
7. Requires processing activities to be enclosed
8. Limits stacking of vehicles and parts to eight feet in height
9. Limits height of stored vehicles to eight feet
10. Requires at least 100 parking spaces
11. Requires a six-foot tall fence to be erected around the graveyard on site; sets visiting hours for graveyard
12. Requires vehicle storage to be located at least 400 feet from Freedom Drive
13. Requires an eight-foot tall fence to be added to UDO required screening for vehicle storage
14. Reduces block perimeter standard

Public Meetings

<i>Neighborhood Meeting</i>	<i>CAC</i>	<i>Planning Commission</i>	<i>City Council</i>
2/21/2017	5/11/17, 6/8/17 Y-14, N-0	5/25/17 (COW), 6/22/17 (COW)	

Attachments

1. Staff report

Planning Commission Recommendation

<i>Recommendation</i>	
<i>Findings & Reasons</i>	
<i>Motion and Vote</i>	

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 attached Staff Report.

Planning Director

Date

Planning Commission Chairperson

Date

Staff Coordinator:

John Anagnost: (919) 996-2638; john.anagnost@raleighnc.gov



Zoning Staff Report – Z-10-17

Conditional Use District

Case Summary

Overview

The proposal is to rezone 22.22 acres from R-6 and IX-3 to IH-CU in order to develop a “pull-and-pay” auto parts resale use. The zoning would allow a small selection of other uses as well, including office, automobile dismantlers and recyclers, bulk storage of flammable liquids and chemicals, and outdoor storage yard for vehicles. This case covers an area south of New Bern Avenue and west of Freedom Drive. The site is composed of eight parcels lying 200 feet south of River Oaks Middle School. Development on the site currently consists of two single family homes and several out buildings. The eastern portion of the site is mostly wooded while the western portion is primarily brush and grass with few trees. The high point on the site is along the western boundary. The elevation decreases moving toward Freedom Drive on the east with slopes generally less than 10%. The site is bordered on the west, south, and east by IX-3 zoning with a small district of IH on the east side. To the north is CX-3 zoning.

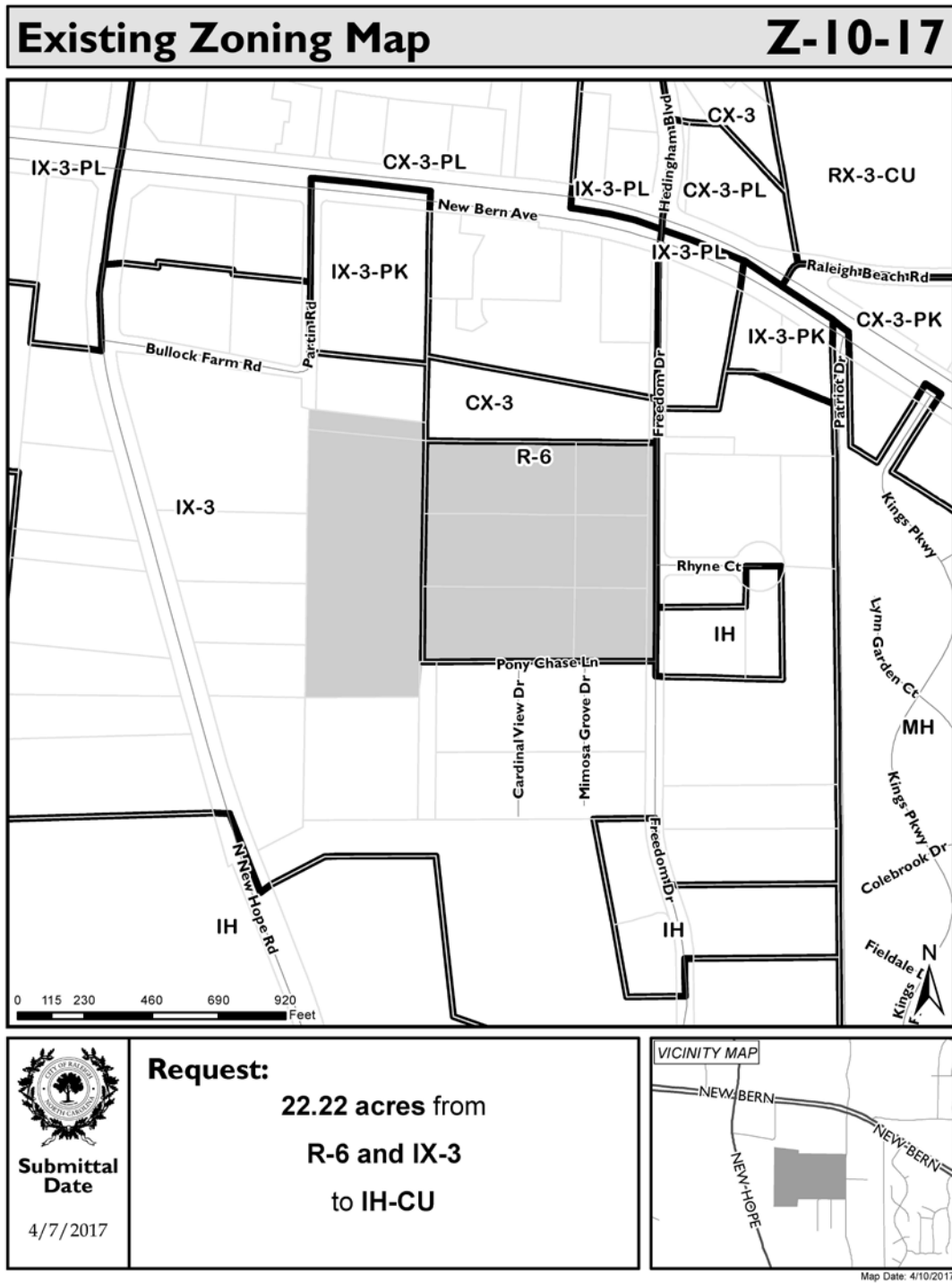
Surrounding uses are mainly warehouse, distribution, and industrial storage. Neighboring properties to the west are all industrial uses like warehouse, distribution, and contractor storage. To the east is a moving truck rental agency, vehicle repair, and outdoor vehicle storage. There is a manufactured housing community directly south of the site, and a single family home is located between the site and the middle school to the north. A private burial plot of about one-eighth of an acre is present at the southern end of the site, 330 feet from the western boundary. The decommissioned Wilders Grove landfill is located about 500 feet southwest of the site.

The zoning request proposes to rezone from a combination of industrial mixed use and low density residential to the heavy industrial district. Conditions offered with the request prohibit most heavy industrial uses. Gross floor area of the final development is limited by condition to 30,000 square feet. Conditions also require a fence around certain activities. Other activities are required by condition to be enclosed. Hours of operation are also limited by an offered condition.

Outstanding Issues

<i>Outstanding Issues</i>	<ol style="list-style-type: none">1. The proposal is inconsistent with the Future Land Use map and the 2030 Comprehensive Plan.2. The proposal seeks to avoid the block perimeter standard.	<i>Suggested Mitigation</i>	<ol style="list-style-type: none">1. None2. Offer a condition for a pedestrian path across the site.
---------------------------	--	-----------------------------	---

ZONING REQUEST



Rezoning Case Evaluation

1. Compatibility Analysis

1.1 Surrounding Area Land Use/ Zoning Summary

	Subject Property	North	South	East	West
Existing Zoning	R-6 and IX-3	CX-3	IX-3	IX-3 and IH	IX-3
Additional Overlay	n/a	n/a	n/a	n/a	n/a
Future Land Use	Moderate Density Residential, Business & Commercial Services	Community Mixed Use	Moderate Density Residential, Business & Commercial Services	Moderate Density Residential	Business & Commercial Services
Current Land Use	Single family	Single family	Manufactured housing	Outdoor vehicle storage	Warehouse/distribution
Urban Form (if applicable)	n/a	Mixed-Use Center	n/a	n/a	n/a

1.2 Current vs. Proposed Zoning Summary

	Existing Zoning		Proposed Zoning
	R-6	IX-3	IH
Residential Density:	6 u/a	27 u/a	0 u/a
Setbacks:			
Front:	10'	3'	50'
Side:	5'	0' or 6'	0'
Rear:	20'	0' or 6'	0'
Retail Intensity Permitted:	0 sf.	106,000 sf.	0 sf.
Office Intensity Permitted:	0 sf.	137,000 sf.	30,000 sf.

1.3 Estimated Development Intensities

	Existing Zoning	Proposed Zoning*
Total Acreage	22.22	22.22
Zoning	R-6 and IX-3	IH
Max. Gross Building SF	506,600 sf.	30,000 sf.

<i>(if applicable)</i>		
Max. # of Residential Units	318	0
Max. Gross Office SF	137,000	30,000
Max. Gross Retail SF	106,000	0
Max. Gross Industrial SF	126,600	30,000
Potential F.A.R	0.52	0.03

*The development intensities for proposed zoning districts were estimated using an impact analysis tool. The estimates presented are only to provide guidance for analysis.

The proposed rezoning is:

☒ **Compatible** with the property and surrounding area.

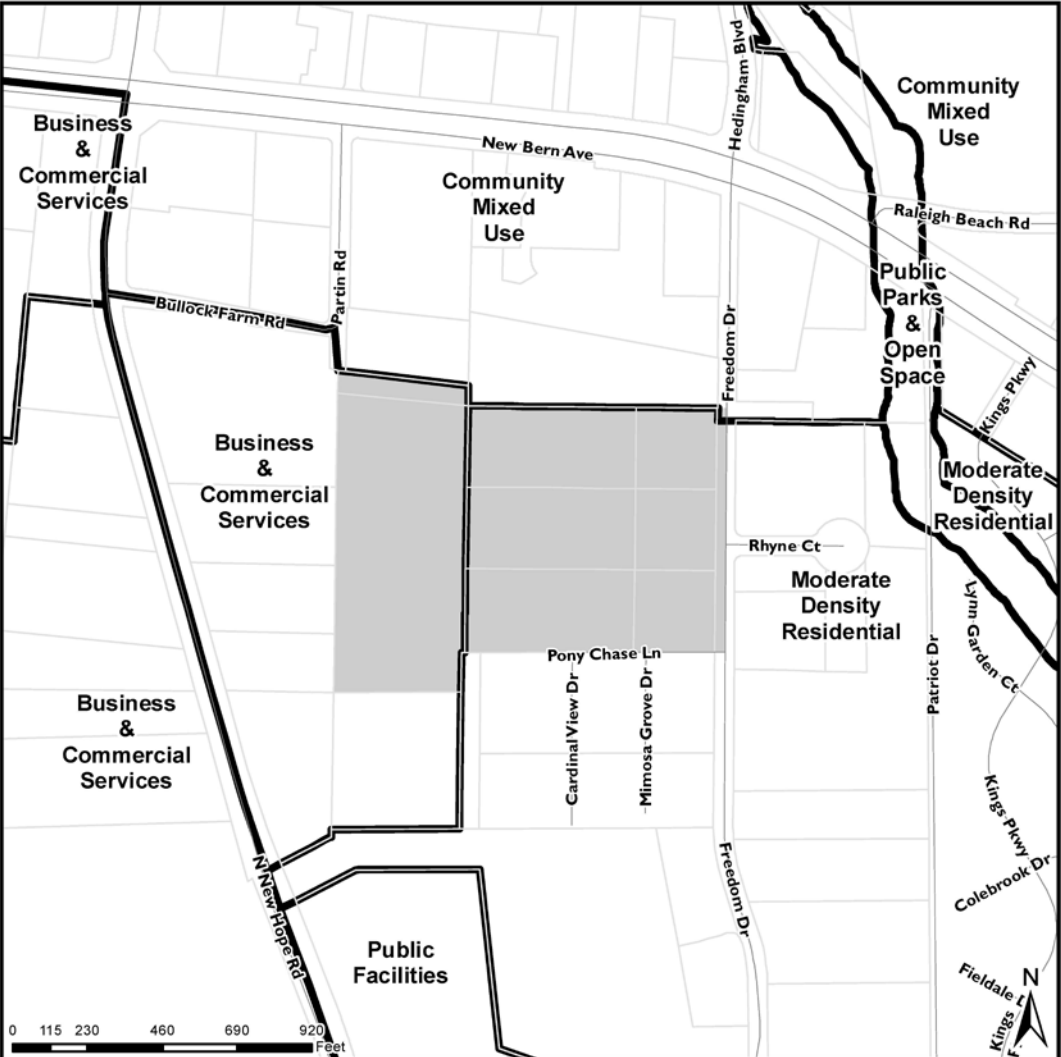
☐ **Incompatible.**



Analysis of Incompatibility:

The proposed zoning offers conditions prohibiting the most intensive industrial uses allowed in the IH district. The surrounding area is mostly developed with uses similar to the proposed allowed uses. There is a manufactured housing community to the south of the site and a single family dwelling to the north that may be impacted by the proposed zoning. Conditions offered provide some mitigation for potential spillover effects on this community. Zoning for the nearby residential parcels suggests higher intensity uses will be developed in the future that are more compatible with the proposed zoning. The manufactured housing site is currently zoned IX-3 and was zoned IND-1 before the UDO remapping. Manufactured housing parks are not allowed uses in either of these districts. The manufactured housing community is an existing nonconforming use and therefore not a good test of compatibility.

Future Land Use Map

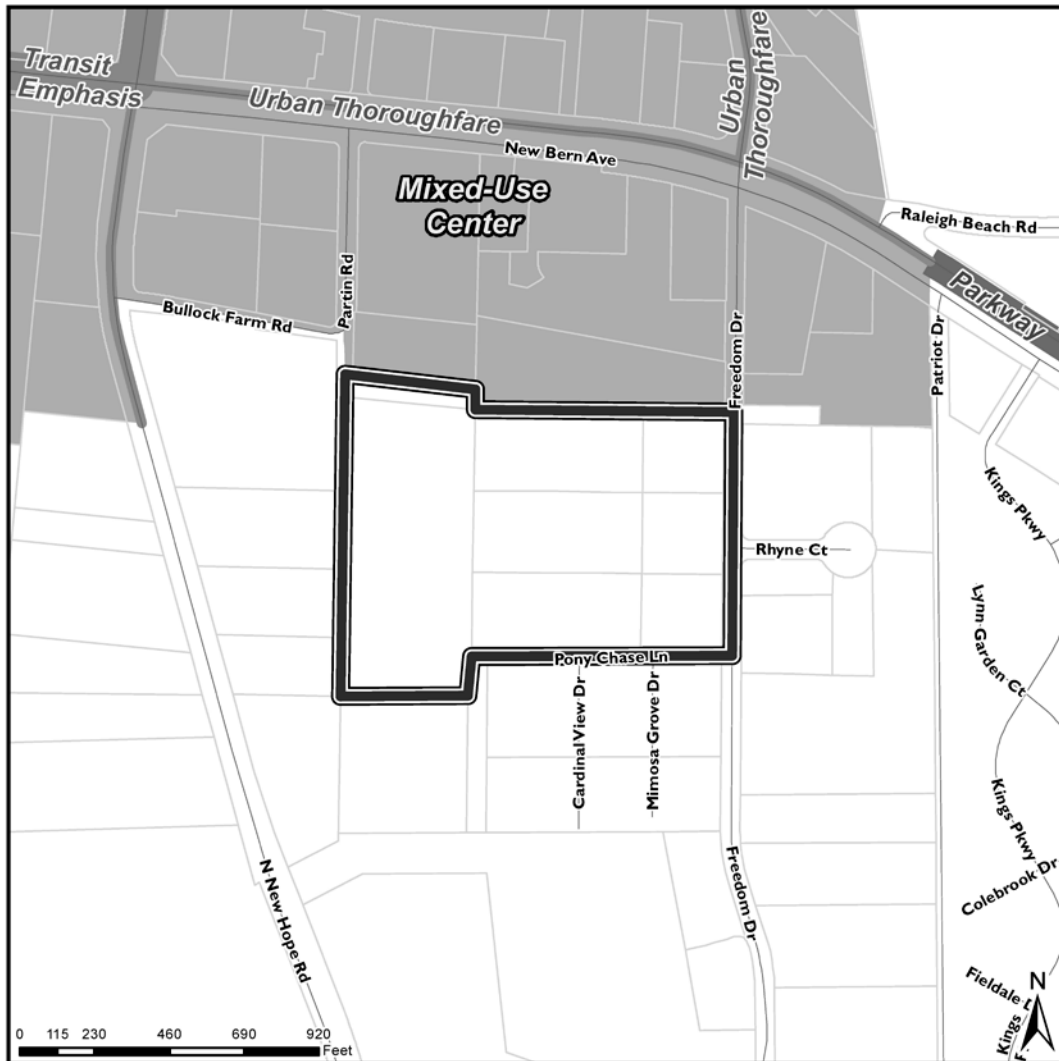
Z-10-17



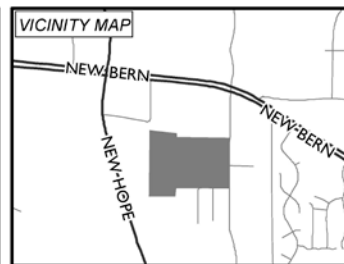
 <p>Request:</p> <p>22.22 acres from</p> <p>R-6 and IX-3</p> <p>to IH-CU</p>	<p>Request:</p> <p>22.22 acres from</p> <p>R-6 and IX-3</p> <p>to IH-CU</p>	<p>VICINITY MAP</p>  <p>Map Date: 4/10/2017</p>
---	---	--

Urban Form Map

Z-10-17



Request:
22.22 acres from
R-6 and IX-3
to IH-CU



Map Date: 4/10/2017

2. Comprehensive Plan Consistency Analysis

2.1 Comprehensive Plan

Determination of the conformance of a proposed use or zone with the Comprehensive Plan includes consideration of the following questions:

- A. Is the proposal consistent with the vision, themes, and policies contained in the Comprehensive Plan?
- B. Is the use being considered specifically designated on the Future Land Use Map in the area where its location is proposed?
- C. If the use is not specifically designated on the Future Land Use Map in the area where its location is proposed, is it needed to service such a planned use, or could it be established without adversely altering the recommended land use and character of the area?
- D. Will community facilities and streets be available at City standards to serve the use proposed for the property?

- A. The proposal is generally inconsistent with the vision, themes, and policies of the Comprehensive Plan. The Greenprint Raleigh vision theme calls for the 'wise use of resources'. Allowed uses enable reuse of manufactured materials that reduces resource consumption from new manufacturing. For this reason, the use falls into both the categories of clean-tech and green-tech. Both of these are encouraged in the Economic Prosperity and Equity vision theme. However, the proposal conflicts with the Growing Successful Neighborhoods and Communities by reducing the block perimeter standard and applying a single use to a large site. This development style is not 'walkable' and produces a detriment to 'convenient access' for surrounding developments and potential future redevelopments. The proposal is inconsistent with several policies of the Comprehensive Plan especially relating to connectivity, transitions, and the future land use map. Considering the relationship with surrounding uses and the future land use map designations on the site, the proposal is inconsistent with the Comprehensive Plan.
- B. The proposal is inconsistent with the future land use map. It is wholly inconsistent with the Moderate Density Residential designation. The proposed zoning is inconsistent with the Business & Commercial Services component of the site, though the conditioned use prohibitions make it more consistent with this designation.
- C. The proposed zoning would adversely alter the recommendation of Moderate Density Residential as it does not allow residential uses. The proposed zoning, as it includes conditions prohibiting most IH uses, is compatible with the uses recommended for Business & Commercial Services. The surrounding warehouse, distribution, and outdoor storage uses are compatible with the allowed uses of the proposal and conditions.
- D. The proposed use is low intensity with regard to traffic and public utility use when compared to the current entitlement. The site is currently served by Freedom Drive and has access to water and sewer connections at its northwest corner. City of Raleigh water supply is also present along Freedom Drive. Future developments may be deficient of road connectivity and access due to the condition removing the block perimeter standard. This condition could allow the applicant to avoid building a public street connection.

2.2 Future Land Use

Future Land Use designation:

The rezoning request is:

☐ **Consistent** with the Future Land Use Map.

☒ **Inconsistent**

Analysis of Inconsistency:

This site has two Future Land Use designations. The future land use map calls for Moderate Density Residential on the majority of the site. The proposed zoning is not consistent with this designation. The IH district does not allow residential uses of any kind, whereas the Moderate Density Residential designation calls for only residential or civic uses. The other future land use designation on the site, Business & Commercial Services, is slightly more consistent with the uses allowed by the proposal combined with the conditions offered. This designation calls for 'higher impact or "heavy" commercial' uses. The pick-and-pay use largely fits this description. However, the intended use is not allowed in the recommended district for this designation, IX-3. It is allowed in the IH district, which is not recommended for the Business & Commercial Services designation because IH allows many heavier industrial uses. Overall, the proposed zoning district is inconsistent with the future land use map designations for the site.

2.3 Urban Form

Urban Form designation:

☒ **Not applicable** (no Urban Form designation)

The rezoning request is:

☐ **Consistent** with the Urban Form Map.

☐ **Inconsistent**

Analysis of Inconsistency:

n/a

2.4 Policy Guidance

The rezoning request is **inconsistent** with the following policies:

Policy LU 1.2 – Future Land Use Map and Zoning Consistency

The Future Land Use Map shall be used in conjunction with the Comprehensive Plan policies to evaluate zoning consistency including proposed zoning map amendments and zoning text changes.

- The request is inconsistent with both future land use map designations on the site because it does not allow residential uses and introduces the IH district where it is not recommended.

Policy LU 1.3 – Conditional Use District Consistency

All conditions proposed as part of a conditional use district (CUD) should be consistent with the Comprehensive Plan.

- The condition to reduce the block perimeter standards is in conflict with Comprehensive Plan policies calling for greater connectivity. The reduced block perimeter standard also conflicts with vision theme guidance related to connectivity.

Policy LU 4.5 – Connectivity

New development and redevelopment should provide pedestrian and vehicular connectivity between individual development sites to provide alternative means of access along corridors. The reduced block perimeter standard would negatively impact pedestrian and vehicular connectivity and would preclude a new street that is planned in the Street Plan Map. This planned street would enable an 'alternative means of access along a corridor' as called for in this policy.

- The reduced block perimeter standard would negatively impact pedestrian and vehicular connectivity and would preclude a new street that is planned in the Street Plan Map. This planned street would enable an 'alternative means of access along a corridor' as called for in this policy.

Policy LU 5.4 – Density Transitions

Low- to medium-density residential development and/or low-impact office uses should serve as transitional densities between lower-density neighborhoods and more intensive commercial and residential uses. Where two areas designated for significantly different development intensity abut on the Future Land Use Map, the implementing zoning should ensure that the appropriate transition occurs on the site with the higher intensity.

- The proposed zoning does not offer transition of intensity from the area designated for residential to the south.

Policy T 2.6—Preserving the Grid

Existing street grid networks should be preserved and extended where feasible and appropriate to increase overall connectivity.

- The proposal avoids the construction of streets that would meet UDO block perimeter standards, extend the street grid network, and increase connectivity as called for in this policy.

The rezoning request is **consistent** with the following policies:

Policy LU 5.6 – Buffering Requirements

New development adjacent to areas of lower intensity should provide effective physical buffers to avoid adverse effects. Buffers may include larger setbacks, landscaped or forested strips, transition zones, fencing, screening, height and/or density step downs, and other architectural and site planning measures that avoid potential conflicts.

- The proposal includes a condition requiring an 8-foot fence around the vehicle storage area.

Policy EP 8.4 — Noise and Light Impacts

Mitigate potential noise and light pollution impacts from new development on adjoining residential properties.

- The applicant has offered a condition requiring enclosure of activities generating high levels of noise.

Policy ED 5.3 – Creating Investment Opportunities

In areas needing reinvestment and revitalization, create investment opportunities for new housing and employment through land assemblage incentives, site preparation, and public infrastructure improvements.

- The rezoning would allow for the assemblage of parcels for a business offering employment opportunities.

2.5 Area Plan Policy Guidance

There is no area plan policy guidance for this case.

n/a

3. Public Benefit and Reasonableness Analysis

3.1 Public Benefits of the Proposed Rezoning

The proposed zoning would add to the area's options for auto parts sales.

3.2 Detriments of the Proposed Rezoning

The proposed zoning may cause negative impacts for nearby residential uses. Impacts may include light, noise, dust, and undesirable visual features.

4. Impact Analysis

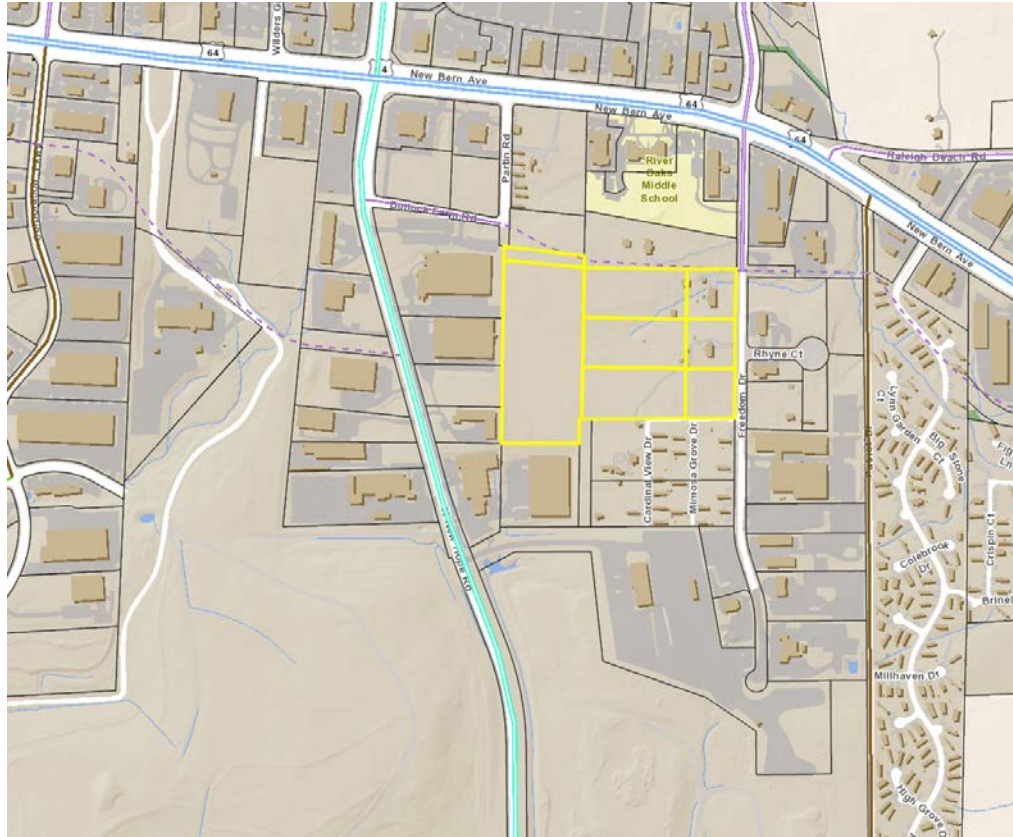
4.1 Transportation

This site is located on Freedom Drive, approximately 1/4 mile south of New Bern Avenue. Case Z-10-2017 consists of eight separate parcels; only three of them have public street frontage onto Freedom Drive. The remaining five parcels are land-locked. There are a series of unsurveyed and unrecorded easements that provide access to Freedom Drive for these land-locked parcels.

There are no City of Raleigh CIP projects or state STIP projects planned in the immediate vicinity of the Z-10-2017 site. A transit transfer facility, located on the north side of New Bern Avenue 0.2 miles west of Freedom Drive, is partially funded under the current state STIP.

Offers of cross access to adjacent parcels shall be made in accordance with the Raleigh UDO section 8.3.5.D. A private street, Pony Chase Lane, straddles the southern property line of parcels 1734-04-9216 and 1734-14-3205. Pony Chase Lane provides the sole means of access to Freedom Drive for a manufactured housing development.

The only public street available to the Z-10-2017 parcels is Freedom Drive. This segment of Freedom Drive is unclassified but would be treated as an Industrial Street (R/W = 69') if case Z-10-2017 is approved. The Raleigh Street Plan shows a future extension of Bullock Farm Road across the northern boundaries of parcels 1734-04-4982, 1734-04-9744 and 1734-14-3715 to connect with Freedom Drive. Bullock Farm Road is classified as an Avenue, 2-Lane, Undivided (R/W = 64'). Proposed Conditions #5, #6 and #12 would allow the developer to either construct a portion of Bullock Farm Road or pay a fee-in-lieu of construction for the portion where the alignment abuts the parcels listed above.



In accordance with UDO section 8.3.2, the maximum block perimeter for IH zoning is 6,000 feet. Due to existing patterns of development with private streets, unrecorded easements and the City of Raleigh Yard Waste Center, the block perimeter for Z-10-2017 cannot be defined. Condition #12 of case Z-10-2017 proposes to exempt this site from the requirement for a public street grid due to the layout and existing uses of adjoining properties. Approval of case Z-10-2017 would require an administrative design adjustment per Section 8.3.1.D of the City's Uniform Development Ordinance.

The existing land use consists of two single-family dwellings which generate virtually no traffic. Conditions have been proposed which would restrict the future land use below what could be developed under its current R-6 and IX-3 zoning. The proposed uses would lead to net decrease in AM peak, PM peak and Daily trip volumes. A traffic study is not required for case Z-10-2017.

Z-10-2017 Existing Land Use (Residential)	Daily	AM	PM
	20	2	2
Z-10-2017 Current Zoning Entitlements (Residential & Office & Retail & Industrial)	Daily	AM	PM
	6,188	470	603
Z-10-2017 Proposed Zoning Maximums (Office)	Daily	AM	PM
	330	47	45
Z-10-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	-5,858	-423	-558

Impact Identified: Block Perimeter and Public Street Connectivity

4.2 Transit

Freedom Drive is not currently served by transit. Neither the City of Raleigh Short Range Transit Plan nor the Wake County Transit Investment Strategy recommend future service on Freedom Drive. There are no transit requests. GoRaleigh Route 15 currently serves New Hope Commons. Both the City of Raleigh Short Range Transit Plan and the Wake County Transit Investment Strategy recommend service be extended east along New Bern Ave

Impact Identified: None

4.3 Hydrology

<i>Floodplain</i>	none
<i>Drainage Basin</i>	Crabtree
<i>Stormwater Management</i>	Article 9.2 of the UDO
<i>Overlay District</i>	None

Impact Identified: Site is subject to stormwater control regulations under Article 9.2 of the UDO. There appears to be a possible stream feature on the site that should be evaluated by NC DEQ for the presence of Neuse River Buffer. No impacts identified.

4.4 Public Utilities

	<i>Maximum Demand (current)</i>	<i>Maximum Demand (proposed)</i>
<i>Water</i>	1250 gpd	500 gpd
<i>Waste Water</i>	1250 gpd	500 gpd

The proposed rezoning would add approximately 500 gpd to the wastewater collection and water distribution systems of the City. There is an existing public water main in Freedom Drive and an existing public sewer main in 1198 Partin Drive.

Impact Identified: Verification of water available for fire flow is required as part of the Building Permit process. Any water system improvements recommended by the analysis to meet fire flow requirements will also be required of the Developer.

4.5 Parks and Recreation

Impact Identified: There is no impact to parks or greenway access level of service associated with the proposed rezoning. There are no existing or proposed greenway trails or corridors within or adjacent to this site.

4.6 Urban Forestry

Applicable code section: UDO Article 9.1. Tree Conservation

Impact Identified: The subject site, consisting of seven parcels, is larger than two acres in size and all will be subject to UDO Article 9.1. Tree Conservation if recombined for when the site is developed. There are four parcels currently larger than two acres that are subject to City of Raleigh protected buffer laws in UDO Sec. 9.1.10. before development.

The proposed zoning district change is to IH from R-6 and IX-3, and as submitted including proposed conditions, does not conflict with the City's tree conservation laws in UDO Article 9.1.

4.7 Designated Historic Resources

The site is not located within or adjacent to a National Register Historic District or Raleigh Historic Overlay District. It does not include not is or adjacent to any National Register individually-listed properties or Raleigh Historic Landmarks.

Impact Identified: None

4.9 Impacts Summary

Avoiding the block perimeter standard reduces connectivity and diminishes future opportunities for a more connected street grid.

4.10 Mitigation of Impacts

The applicant could remove the condition that removes the block perimeter standard. The normal UDO standards would apply.

5. Conclusions

The proposal is inconsistent with the Future Land Use map due to the intensity of the allowed uses of the proposed district. The case seeks to avoid the block perimeter standard that improves connectivity and create a coherent street grid. These issues make the case inconsistent with the 2030 Comprehensive Plan. The allowed uses are mostly compatible with surrounding uses with the exception of two residential properties to the north and south. The case is in an area that is intended to serve as transition between industrial uses to the west and residential uses to the east. The proposal offers some mitigation of impacts on neighboring property, but a less intense use or a transition of uses across the site would be more consistent with the vision of the Comprehensive Plan and Future Land Use map.

Z-10-2017 Existing Land Use (Residential)	Daily	AM	PM
	20	2	2
Z-10-2017 Current Zoning Entitlements (Residential & Office & Retail & Industrial)	Daily	AM	PM
	6,188	470	603
Z-10-2017 Proposed Zoning Maximums (Office)	Daily	AM	PM
	330	47	45
Z-10-2017 Trip Volume Change (Proposed Maximums minus Current Entitlements)	Daily	AM	PM
	-5,858	-423	-558
Z-10-2017 Traffic Study Worksheet			
6.23.4	Trip Generation	Meets TIA Conditions? (Y/N)	
A	Peak Hour Trips \geq 150 veh/hr	No, the allowed uses would lead to net decrease in AM peak, PM peak and Daily trip volumes	
B	Peak Hour Trips \geq 100 veh/hr if primary access is on a 2-lane street	No	
C	More than 100 veh/hr trips in the peak direction	No	
D	Daily Trips \geq 3,000 veh/day	No	
E	Enrollment increases at public or private schools	Not Applicable	
6.23.5	Site Context	Meets TIA Conditions? (Y/N)	
A	Affects a location with a high crash history [Severity Index \geq 8.4 or a fatal crash within the past three years]	No	
B	Takes place at a highly congested location [volume-to-capacity ratio \geq 1.0 on both major street approaches]	No	
C	Creates a fourth leg at an existing signalized intersection	No	
D	Exacerbates an already difficult situation such as a RR Crossing, Fire Station Access, School Access, etc.	No	
E	Access is to/from a Major Street as defined by the City's Street Plan Map	No	
F	Proposed access is within 1,000 feet of an interchange	No	
G	Involves an existing or proposed median crossover	No	
H	Involves an active roadway construction project	No	
I	Involves a break in controlled access along a corridor	No	
6.23.6	Miscellaneous Applications	Meets TIA Conditions? (Y/N)	
A	Planned Development Districts	No	
B	In response to Raleigh Planning Commission or Raleigh City Council resolutions	No	

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST				
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District	R-6	Height	Frontage	
Overlay(s) <u>None</u>				
Proposed Zoning Base District	IH	Height	Frontage	
Overlay(s) <u>None</u>				
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.				
If the property has been previously rezoned, provide the rezoning case number:				
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:				
Pre-Submittal Conference				
461364				

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address	1005 Freedom Drive, Raleigh, NC 27610		
Property PIN	1734143715	Deed Reference (book/page)	003937 / 00136
Nearest Intersection	New Bern Avenue and Freedom Drive		
Property Size (acres)	1.42	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address	Phone 919-231-2034 Fax		
McColl, William David and Amelia P.	Email amccoll01@gmail.com		
1005 Freedom Drive			
Raleigh, NC 27610-1421			
Project Contact Person/Address	Phone 919-755-8764 Fax 919-755-8800		
Karen M. Kemerait	Email karen.kemerait@smithmoorelaw.com		
Smith Moore Leatherwood LLP			
434 Fayetteville Street, Suite 2800, Raleigh, NC 27601			
Owner/Agent Signature	Email		
<i>Amelia Pontin McColl</i>			
<i>William David McColl</i>			

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST					OFFICE USE ONLY	
<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan				Transaction #
Existing Zoning Base District	R-6	Height	Frontage	Overlay(s)	None	Rezoning Case #
Proposed Zoning Base District	IH	Height	Frontage	Overlay(s)	None	
Click here to view the Zoning Map, Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.						
If the property has been previously rezoned, provide the rezoning case number:						
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:						
Pre-submittal conference						
461364						

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address	1001 Freedom Drive, Raleigh, NC 27610-1421		
Property PIN	1734143511	Deed Reference (book/page)	05-E-2697
Nearest Intersection	Freedom Drive and New Bern Avenue		
Property Size (acres)	1.42	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address		Phone	Fax
Partin, Betty H.		919-669-6392	
1001 Freedom Drive		Email	
Raleigh, NC 27610-1421			
Project Contact Person/Address		Phone	Fax
Karen M. Kemerait		919-755-8764	919-755-8800
Smith Moore Leatherwood LLP		Email	
434 Fayetteville Street, Ste 2800, Raleigh, NC 27601		karen.kemerait@smithmoorelaw.com	
Owner/Agent Signature		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST					
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # Rezoning Case #	
Existing Zoning Base District	R-6	Height	Frontage		Overlay(s) <u>None</u>
Proposed Zoning Base District	IH	Height	Frontage		Overlay(s) <u>None</u>
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.					
If the property has been previously rezoned, provide the rezoning case number:					
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:					
Pre-submittal conference	461364				

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address 901 Freedom Drive, Raleigh, NC 27610			
Property PIN	1734143205	Deed Reference (book/page)	16-E-2366
Nearest Intersection Freedom Drive and Pony Chase Lane			
Property Size (acres)	1.44	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address McColl, Amelia P. 1005 Freedom Drive Raleigh, NC 27610		Phone	919-231-2034
		Fax	
Project Contact Person/Address Karen M. Kemerait Smith Moore Leatherwood LLP 434 Fayetteville St, Ste 2800, Raleigh, NC 27601		Email	amccoll01@gmail.com
		Phone	919-755-8764
		Fax	919-755-8800
		Email	karen.kemerait@smithmoorelaw.com
Owner/Agent Signature <i>Amelia P. McColl</i>		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST					OFFICE USE ONLY	
<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan				Transaction #
Existing Zoning Base District	R-6	Height	Frontage	Overlay(s)	None	Rezoning Case #
Proposed Zoning Base District	IH	Height	Frontage	Overlay(s)	None	
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.						
If the property has been previously rezoned, provide the rezoning case number:						
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:						
Pre-submittal conference						
461364						

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address 4704 New Bern Avenue, Raleigh, NC 27610			
Property PIN 1734049744		Deed Reference (book/page) 002180 / 00135	
Nearest Intersection Freedom Drive and New Bern Avenue			
Property Size (acres)	2.97	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address		Phone	Fax
McColl, Amy Partin			
1005 Freedom Drive		Email	
Raleigh, NC 27610-1421			
Project Contact Person/Address		Phone	Fax
Karen M. Kemerait		919-755-8764	919-755-8800
Smith Moore Leatherwood LLP		Email karen.kemerait@smithmoorelaw.com	
434 Fayetteville St, Ste 2800, Raleigh, NC 27601			
Owner/Agent Signature <i>Amy Partin McColl</i>		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST					
<input type="checkbox"/> General Use	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Master Plan		OFFICE USE ONLY Transaction # Rezoning Case #	
Existing Zoning Base District	R-6	Height	Frontage		Overlay(s) <u>None</u>
Proposed Zoning Base District	IH	Height	Frontage		Overlay(s) <u>None</u>
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.					
If the property has been previously rezoned, provide the rezoning case number:					
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:					
Pre-Submittal Conference					
461364					

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address	4702 New Bern Avenue, Raleigh, NC 27610		
Property PIN	1734049541	Deed Reference (book/page)	05-E-2697
Nearest Intersection	Freedom Drive and Pony Chase Lane		
Property Size (acres)	2.98	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address		Phone	Fax
Partin, Betty Howell		919-669-6392	
1001 Freedom Drive		Email	
Raleigh, NC 27610-1421			
Project Contact Person/Address		Phone	Fax
Karen M. Kemerait		919-755-8764	919-755-8800
Smith Moore Leatherwood LLP		Email	
434 Fayetteville St., Ste 2800, Raleigh, NC 27601		karen.kemerait@smithmoorelaw.com	
Owner/Agent Signature		Email	
<i>Betty Howell Partin</i>			

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST					
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan				OFFICE USE ONLY Transaction # Rezoning Case #	
Existing Zoning Base District	R-6	Height	Frontage		Overlay(s) <u>None</u>
Proposed Zoning Base District	IH	Height	Frontage		Overlay(s) <u>None</u>
Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.					
If the property has been previously rezoned, provide the rezoning case number:					
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:					
Pre-submittal conference					
461364					

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address	4710 New Bern Avenue, Raleigh, NC 27610		
Property PIN	1734049216	Deed Reference (book/page)	16-E-2366
Nearest Intersection	Freedom Drive and Pony Chase Lane		
Property Size (acres)	3.08	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address McColl, Amelia P. 1005 Freedom Drive Raleigh, NC 27610		Phone	919-231-2034
		Fax	
Project Contact Person/Address Karen M. Kemerait Smith Moore Leatherwood LLP 434 Fayetteville St, Ste 2800, Raleigh, NC 27601		Email	amccoll01@gmail.com
		Phone	919-755-8764
		Fax	919-755-8800
		Email	karen.kemerait@smithmoorelaw.com
Owner/Agent Signature <i>Amelia P. McColl</i>		Email	


A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District IX-3-PK Height 3-story Frontage Overlay(s) <u>None</u>			
Proposed Zoning Base District IH Height Frontage Overlay(s) <u>None</u>			
<i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
Pre-submittal conference 461364			

GENERAL INFORMATION			
Date 3/13/2017	Date Amended (1)	Date Amended (2)	
Property Address 1198 Partin Road, Raleigh, NC 27610			
Property PIN 1734044982		Deed Reference (book/page) 12072 / 1597	
Nearest Intersection Partin Road and Bullock Farm Road			
Property Size (acres) .61	(For PD Applications Only) Total Units		Total Square Feet
Property Owner/Address Kalas Properties LLC 4805 Westminster Drive Raleigh, NC 27604-6027		Phone 919-872-0721 (H) 919-754-7142 (C)	Fax
		Email	
Project Contact Person/Address Karen M. Kemerait Smith Moore Leatherwood LLP 434 Fayetteville St., Ste. 2800, Raleigh, NC 27601		Phone 919-755-8764	Fax 919-755-8800
		Email karen.kemerait@smithmoorelaw.com	
Owner/Agent Signature 		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

Rezoning Application



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

REZONING REQUEST			
<input type="checkbox"/> General Use <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Master Plan			OFFICE USE ONLY Transaction # Rezoning Case #
Existing Zoning Base District IX-3-PK Height 3-story Frontage Overlay(s) <u>None</u> Proposed Zoning Base District IH Height Frontage Overlay(s) <u>None</u> <i>Click here to view the Zoning Map. Search for the address to be rezoned, then turn on the 'Zoning' and 'Overlay' layers.</i>			
If the property has been previously rezoned, provide the rezoning case number:			
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences:			
Pre-submittal conference			
461364			

GENERAL INFORMATION			
Date	3/13/2017	Date Amended (1)	Date Amended (2)
Property Address 4524 New Bern Avenue, Raleigh, NC 27610			
Property PIN 1734044376		Deed Reference (book/page) 09584 / 1089	
Nearest Intersection Partin Road and Bullock Farm Road			
Property Size (acres)	8.30	(For PD Applications Only) Total Units	Total Square Feet
Property Owner/Address Kalas Properties, LLC 4805 Westminster Drive Raleigh, NC 27604-6027		Phone 919-872-0721 (H) 919-754-7142 (C)	Fax
		Email	
Project Contact Person/Address Karen M. Kemerait Smith Moore Leatherwood LLP 434 Fayetteville St, Ste. 2800, Raleigh, NC 27601		Phone 919-755-8764	Fax 919-755-8800
		Email karen.kemerait@smithmoorelaw.com	
Owner/Agent Signature <i>Karen Kemerait</i>		Email	

A rezoning application will not be considered complete until all required submittal components listed on the Rezoning Checklist have been received and approved.

REZONING APPLICATION ADDENDUM #1**Comprehensive Plan Analysis**

The applicant is asked to analyze the impact of the rezoning request. State Statutes require that the rezoning either be consistent with the adopted Comprehensive Plan, or that the request be reasonable and in the public interest.

OFFICE USE ONLY**Transaction #****Rezoning Case #****STATEMENT OF CONSISTENCY**

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

PLEASE SEE THE ATTACHED STATEMENT OF CONSISTENCY

1.

2.

3.

4.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

PLEASE SEE THE ATTACHED "PUBLIC BENEFITS" STATEMENT

1.

2.

3.

4.

STATEMENT OF CONSISTENCY

Provide brief statements regarding whether the rezoning request is consistent with the future land use designation, the urban form map, and any applicable policies contained within the 2030 Comprehensive Plan.

The rezoning request to Heavy Industrial (IH) is substantially consistent with the future land use designations for the Property, is consistent with the policies contained within the 2030 Comprehensive Plan, is consistent with the current uses in the area, and is appropriate for the area. Development of the Property under the proposed zoning change would be very much in keeping with the uses and character of the surrounding area.

The urban form map is not applicable to the Property.

Consistency with future land use designations

The rezoning to IH is consistent with the future land use designation of Business and Commercial Services for Parcel Nos. 1734044982 and 173404436. The Business and Commercial Services category is entirely consistent with the proposed use of a self-service, retail, automobile parts recycling facility. The Business and Commercial Services category is for higher impact or “heavy” commercial activities, and examples of those activities include auto dealerships, auto repair and service businesses, lumberyards, nurseries, contractor suppliers, warehousing, printers, truckstops, distribution centers, and other uses that are quasi-industrial or highway-oriented in character.

While the additional parcels proposed to be rezoned are indicated as Moderate Density Residential in the Comprehensive Plan, that designation was likely assigned due to the fact that older residences are currently located on the parcels. Furthermore, the Moderate Density Residential designation has been assigned to many nearby parcels that are developed with industrial uses, which is inconsistent with a majority of uses in the area. It is important to note that the area is predominately industrial in nature with numerous industrial businesses along Highway 64, New Hope Road, Bullock Farm Road, and Freedom Drive. The industrial uses include: Batea Fitness Systems USA; Yellow Dot Heating and Air Conditioning; Grifols; ABC Supply Co.; UNI Select USA; National Air Filters; Progress Solar Systems, Precast Terrazzo Enterprises; Precision Machine Fabrication; Pike Electric, Inc.; Component Processing Center; U-Haul Self Storage; Sunbelt Rentals, Dunn’s Wrecker; Freedom Outdoor Storage, Boats, RVs, Buses, and Equipment; C&A Equipment Services, Inc.; Readilite & Barricade; C&D Metals; and the City of Raleigh Waste Center. In addition to the industrial uses on Highway 64, there are numerous commercial establishments on Highway 64 (United Rentals, Walgreens, and Quality Inn), along with a Wake County School located on Highway 64 and a nearby mobile home park. The two older residences located on the parcels will be removed upon approval of the proposed rezoning, and once the residences have been removed, the area will consist of almost exclusively industrial and commercial uses. If the parcels were to be redeveloped with Moderate Density Residential uses, such uses would be inconsistent and incompatible with the surrounding industrial and commercial area. Due to the industrial nature of the area, the parcels are not appropriate for a small lot single family subdivision or patio home development that would be found in a Moderate Density Residential area.

Moreover, the current zoning classifications of the adjacent parcels do not include residential zoning classifications. The parcels to the north are zoned CX-3; the parcels to the south are zoned IX-3; the parcels to the east are zoned IH and IX-3; and the parcels to the west are zoned IX-3. The properties farther to the south and west are zoned IH.

Compatibility with the surrounding area

The uses in the area are predominantly industrial uses, along with commercial uses, a school, and a mobile home park. Due to the industrial nature of the area, a conditional rezoning to allow for a self-service, retail, automobile parts recycling facility would not adversely alter the recommended land use or character of the area. Not only will the conditional rezoning not adversely alter or affect the area, but the conditional rezoning will allow a use that will be compatible with the current uses in the area.

Consistency with the policies of the 2030 Comprehensive Plan

The conditional rezoning is consistent with the following policies of the Comprehensive Plan:

- LU 1.1** – Future Land Use Plan Purpose
- LU 1.2** -- Future Land Use Map and Zoning Consistency
- LU 1.3** – Conditional Use District Consistency
- LU 2.1** – Placemaking
- LU 5.6** – Buffering Requirements
- LU 11.1** – Preserving Industrial Land
- LU 11.2** – Location of Industrial Areas
- LU 11.5** – Mitigating Industrial Land Use Impacts

The rezoning is consistent with many Comprehensive Plan policies as stated below.		
LAND USE / Policy LU11.1 / Preserving Industrial Land		
1	Support Land use policies that protect competitive opportunities to locate industrial, flex, and warehouse sites near major transportation corridors and the airport (1,4)	The conditional rezoning will allow a needed service – a self-service, retail, automobile parts recycling facility -- to be located in an area of the City where such a service is needed and near Highway 64.
LAND USE / Policy LU 11.2 / Location of Industrial Areas		
2	Accommodate industrial uses – including municipal public works facilities – in areas that are well buffered from residential uses (and other sensitive uses such as schools), easily assessed from major roads and railroads, and characterized by existing	The proposed use will be well sited and well buffered, and is located in a predominately industrial area near Highway 64. In addition to numerous adjacent industrial uses, the City’s Yard Waste Center is located south of the Property. The Property is separated from

	concentrations of industrial uses. Such areas are generally designates "General Industrial" on the /future Land Use Map. (3,4,6)	River Oaks Middle School (that is located on Highway 64) by significant buffering, the Bullock Road Farm Road extension, and another parcel. The Property will be separated from the parcels to the south where mobile homes are located with a landscaped buffer and Pony Chase Lane.
LAND USE / Policy LU 11.5 / Mitigating Industrial Land Use Impacts		Mitigating Industrial Land Use Impacts
3	Mitigate the adverse impacts created by industrial uses through a variety of measures, including buffering, site planning and design, strict environmental controls, performance standard, and the use of a range of industrial zones that reflect the varying impacts of different kind of industrial uses. (6)	There will be no adverse land use impacts. The facility provides for an environmentally sensitive service for the reuse and recycling of end-of-life automobiles. It will preserve and protect the environment through implementation of a strong comprehensive ecological program.

PUBLIC BENEFITS

Provide brief statements regarding the public benefits derived as a result of the rezoning request.

The Property is suitable for redevelopment, as the area surrounding the Property is primarily industrial. There are currently two older residences on the Property that are no longer compatible with the area since the area has been developed with industrial uses. Thus, the residential nature of the Property is no longer an appropriate use for the Property given its surrounding neighbors. Redevelopment of the Property will allow for uses that are more suitable for the area.

The City as a whole will benefit from the development of this site. The proposed self-service, retail, automobile parts recycling facility will play an important role in the preservation of the environment, and it will provide a needed service to the community. The facility is a “green” business that will allow residents in the area to purchase affordable recycled auto parts, while recycling valuable resources. By allowing for re-use of auto parts and recycling of end-of-life cars, substantial pounds of material will be diverted from the waste stream. The facility will operate with no adverse environmental impact and in full compliance with EPA regulations.

The facility will have a clean and neat appearance. There will be no stacking of vehicles, and the vehicles will be placed in neat, organized rows.

REZONING APPLICATION ADDENDUM #2**Impact on Historic Resources**

The applicant is asked to analyze the impact of the rezoning request on historic resources. For the purposes of this section, a historic resource is defined as any site, structure, sign, or other feature of the property to be rezoned that is listed in the National Register of Historic Places or designated by the City of Raleigh as a landmark or contributing to a Historic Overlay District.

OFFICE USE ONLY

Transaction #

Rezoning Case #

INVENTORY OF HISTORIC RESOURCES

List in the space below all historic resources located on the property to be rezoned. For each resource, indicate how the proposed zoning would impact the resource.

There is a Private Family Cemetery on Parcel No. 1734044376. It is .06 acres on the 8.30-acre parcel. N.C.G.S. §§ 65-101 and 102 address the handling of private grave sites. Property owners are required to allow family members, descendants of the interned, to visit the grave sites during the daylight hours if they provide written notice.

PROPOSED MITIGATION

Provide brief statements describing actions that will be taken to mitigate all negative impacts listed above.

The David J. Joseph will be enclosed and secured with a fence and locked gate.
Access to the cemetery will be provided during the hours of operation of the Facility.
All requirements of the State Statutes and the Office of State Archeology that oversees the proper handling and registering of private cemeteries in the State of North Carolina will be met.

CONDITIONS

1. The following uses otherwise permitted in the Heavy Industrial zoning district as provided in Section 6.5.1 of the UDO shall be prohibited:

- a) Asbestos, radioactive materials.
- b) Animal processing, packing, treating and storage, concentrate plant, processing of food and related products, production of lumber, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing.
- c) Commercial feed lot.
- d) Concrete batching and asphalt processing and manufacture, batch plant earth moving, heavy construction equipment, transportation equipment.
- e) Detention center, jail, prison.
- f) Explosives.
- g) Fabricated metal products and machinery.
- h) Industrial sign-making.
- i) Leather and leather products, including tanning and finishing.
- j) Lumberyard and wood products.
- k) Manufactured or modular housing sales.
- l) Primary metal manufacturing.
- m) Pulp mill, rubber and plastic products, rubber manufacturing.
- n) Scrap metal processors, sawmill, secondary materials dealers.
- o) Tire recapping, tobacco products, transportation equipment.

2. A maximum of one (1) principal building and two (2) accessory buildings will be constructed on the site.

3. Building height shall be limited to 45 feet, measured in accordance with UDO Section 1.5.7.

4. The development on the site will be limited to 30,000 square feet.

5. The retail hours of operation will be limited to the hours of 8:00 a.m. until 6:00 p.m.

6. The facility will not purchase or process scrap metal.

7. Coring, crushing, and fluid removal of vehicles will be conducted in the principal or accessory buildings.

8. There will be no stacking of vehicle parts or vehicles over eight (8) feet in height.

9. The crushed and bundled vehicles will be no greater than eight (8) feet in height.

10. There will be a minimum of 100 parking spaces on the site.

11. The graveyard on the site will be enclosed with a six (6) foot tall gated fence and will be made available to the public from the hours of 8:00 a.m. until 6:00 p.m.
12. The vehicle storage area where vehicles are placed on stands will be located a minimum of 400 feet from Freedom Drive.
13. The requirement of Section 7.5.3(2) of the UDO will be met with a C1 protective yard or Tree Conservation Area with an 8-foot tall fence.
14. The block perimeter requirement contained in UDO Section 8.3.2 shall be altered so that construction of new public streets is not required except for the Bullock Farm Road extension where the alignment for the Bullock Farm Road extension abuts the Property.

Dated: June __, 2017

By: _____
Karen M. Kemerait
In accordance with Authorization
by Property Owner

JUSTIFICATION FOR CONDITION 12

As justification for Condition 12, David J. Joseph requests an alteration of the block perimeter requirement contained in UDO Section 8.3.2 so that road connection installation, other than the Bullock Farm Road extension, will not be required. Those road connections are both unnecessary and inappropriate, as they would simply be providing access where none is needed. There is no need to provide road access to the adjoining industrial uses, as such where road connections might be required are incompatible with the proposed use, and connectivity is unnecessary since there will be no need for vehicular and pedestrian access between the adjoining industrial uses. The adjoining uses include the following industrial uses: Grifols, an industrial lab facility; ABC Supply Co., an industrial roofing, siding, windows, and gutters facility; Progress Solar Systems, an industrial solar supply facility; Precision Machine Fabrication; and Component Processing Center. In addition, a mobile home park is located to the south of the Property, and is separated from the Property by the existing Pony Chase Lane. No road connection is therefore necessary between the Property and the mobile home park.

There is existing safe and efficient vehicular access to the adjoining industrial sites from New Hope Road, and there is existing safe and efficient vehicular access to the mobile home park from Freedom Drive and Pony Chase Lane. There will be safe and efficient vehicular access to the proposed facility from Freedom Drive or the Bullock Farm Road extension once it is constructed. The requested alteration of the block perimeter requirement will not cause traffic congestion in the area, and the vehicular access to the Property and all adjoining properties will continue to be safe, direct, and convenient.



434 Fayetteville Street
Suite 2800
Raleigh, NC 27601

February 7, 2017

Neighboring Property Owner

Re: Meeting to Discuss Possible Rezoning on Freedom Drive

Dear Sir or Madam:

Our firm represents the David J. Joseph Company regarding a potential rezoning request for property that it has contracted to purchase along Freedom Drive (the "Property"). You are receiving this letter because the public records indicate that you own property in close proximity to the Property. You are invited to attend a neighborhood meeting on February 21, 2017. The meeting will be held at the Quality Inn hotel conference room, located at 4716 New Bern Avenue (the corner of New Bern Avenue and Freedom Drive), and it will begin at 7:00 p.m.

The purpose of this meeting is to discuss the potential rezoning of approximately 22.22 acres located along Freedom Drive at the following site addresses: 1198 (7)* Partin Road; 901 (2), 1001 (4), and 1005 (6) Freedom Drive; and 4524 (8), 4702 (3), 4704 (5), and 4710 (1) New Bern Avenue. This Property is currently zoned Industrial Mixed Use w/ 3-story height limit (IX-3) and Residential-6 (R-6). We anticipate requesting that the Property be rezoned to Heavy Industrial (IH). Enclosed for your reference, please find a map highlighting the Property in question.

We find that a dialogue with the neighbors is always helpful to answer your questions and to assure that your concerns are carefully considered. Please join us on Tuesday, February 21, at 7:00 p.m. at the Quality Inn hotel conference room, located at 4716 New Bern Avenue to discuss this rezoning request.

We look forward to seeing you at the meeting. Please feel free to call me or send an e-mail with any questions. (More specific information is available at the City of Raleigh website www.raleighnc.gov or from the Raleigh Department of Planning, email: rezoning@raleighnc.gov, phone: 919.996.2626.)

*Numbers in parentheses correspond to Numbers on Map

Sincerely,

Smith Moore Leatherwood LLP

Karen M. Kemerait
Phone: 919.755.8764
karen.kemerait@smithmoorelaw.com

Enclosure

Map ID	PIN	Owner	Mail Address 1	Mail Address 2
1	1734049216	PARTIN, FAYE M	1924 CASTLE PINES DR	RALEIGH NC 27604-8465
2	1734143205	PARTIN, FAYE M	1924 CASTLE PINES DR	RALEIGH NC 27604-8465
3	1734049541	PARTIN, BETTY HOWELL	1001 FREEDOM DR	RALEIGH NC 27610-1421
4	1734143511	PARTIN, BETTY H	1001 FREEDOM DR	RALEIGH NC 27610-1421
5	1734049744	MCCOLL, AMY PARTIN	1005 FREEDOM DR	RALEIGH NC 27610-1421
6	1734143715	MCCOLL, WILLIAM DAVID MCCOLL, AMELIA P	1005 FREEDOM DR	RALEIGH NC 27610-1421
7	1734044982	KALAS PROPERTIES LLC	4805 WESTMINSTER DR	RALEIGH NC 27604-6027
8	1734044376	KALAS PROPERTIES LLC	4805 WESTMINSTER DR	RALEIGH NC 27604-6027
A	1734130987	BUNCH FAMILY PROPERTIES LLC	PO BOX 30731	RALEIGH NC 27622-0731
B	1734036896	PARTIN, BETTY HOWELL MCCALL, AMELIA P	1001 FREEDOM DR	RALEIGH NC 27610-1421
C	1734034779	RICHARDSON, ROY EUGENE	1100 N NEW HOPE RD	RALEIGH NC 27610-1416
D	1734031732	RICHARDSON, ROY E	1100 N NEW HOPE RD	RALEIGH NC 27610-1416
E	1734041028	ANDREWS, JAMES D II TRUSTEE	1006 VANCE ST	RALEIGH NC 27608-2260
F	1734040246	BRADCO SUPPLY CORP	1 ABC PKWY	BELOIT WI 53511-4466
G	1734040561	BRADCO SUPPLY CORP	1 ABC PKWY	BELOIT WI 53511-4466
H	1724949970	KALAS PROPERTIES LLC	4805 WESTMINSTER DR	RALEIGH NC 27604-6027
I	1734051330	FIFTEENTH STREET LLC C/O CHRISTIAN E PORTER, MANAGER	1698 E ARLINGTON BLVD	GREENVILLE NC 27858-5871
J	1734054086	PARTIN, BETTY HOWELL MCCOLL, AMELIA P	1001 FREEDOM DR	RALEIGH NC 27610-1421
K	1734059036	PARTIN, BETTY HOWELL MCCOLL, AMELIA P	1001 FREEDOM DR	RALEIGH NC 27610-1421
L	1734156213	AREC 1 LLC	2727 N CENTRAL AVE	PHOENIX AZ 85004-1120
M	1734158070	N C ELECTRIC MOTOR & REPAIR INC	3570 PORTAGE AVENUE	WINNIPEG MB R3K 0Z8
N	1734146666	KJC PROPERTY INVESTMENTS LLC	PO BOX 46325	RALEIGH NC 27620-6325
O	1734146355	DL RESTORATION LLC	PO BOX 90846	RALEIGH NC 27675-0846
P	1734146159	DUNN, ROBERT C	4704 RHYNE CT	RALEIGH NC 27610-1410
Q	1734137849	MORGAN LEASING LLC	900 FREEDOM DR	RALEIGH NC 27610-1424

REPORT OF NEIGHBORHOOD MEETING

A neighborhood meeting was held on February 21, 2017 to discuss a potential rezoning of the following parcels:

Parcel No. 1734143715 located at 1005 Freedom Drive, Raleigh, NC 27610;
Parcel No. 1734143511 located at 1001 Freedom Drive, Raleigh, NC 27610;
Parcel No. 1734143205 located at 901 Freedom Drive, Raleigh, NC 27610;
Parcel No. 1734049744 located at 4704 New Bern Avenue, Raleigh, NC 27610;
Parcel No. 1734049541 located at 4702 New Bern Avenue, Raleigh, NC 27610;
Parcel No. 1734049216 located at 4710 New Bern Avenue, Raleigh, NC 27610;
Parcel No. 1734044982 located at 1198 Partin Road, Raleigh, NC 27610;
Parcel No. 1734044376 located at 4524 New Bern Avenue, Raleigh, NC 27610.

The neighborhood meeting was held at the Quality Inn located at 4716 New Bern Avenue, Raleigh, NC 27610.

There were approximately seven (7) neighbors in attendance. The general issues discussed were as follows:

SUMMARY OF ISSUES

During the neighborhood meeting, representatives of The David J. Joseph Company provided detailed information as to the rezoning request to Heavy Industrial (IH) and plans to redevelop the property as a self-service, retail, automobile parts recycling facility. Representatives of the applicant explained that the facility will be a safe and secure facility, and that it will have no adverse environmental impact and will operate in full compliance with EPA regulations.

With the exception of one attendee who owns adjacent property on Freedom Drive, all other neighbors at the neighborhood meeting support the rezoning and the redevelopment of the property. However, Robert Dunn, who owns an industrial facility on Freedom Drive, expressed concern about the redevelopment of the property. Mr. Dunn stated that he wants the property to remain unchanged with residences on the property, and that he does not want the access to the facility to be from Freedom Drive. Mr. Dunn also expressed concern about traffic from the facility and possible environmental issues from the use.

ATTENDANCE ROSTER

[illegible]