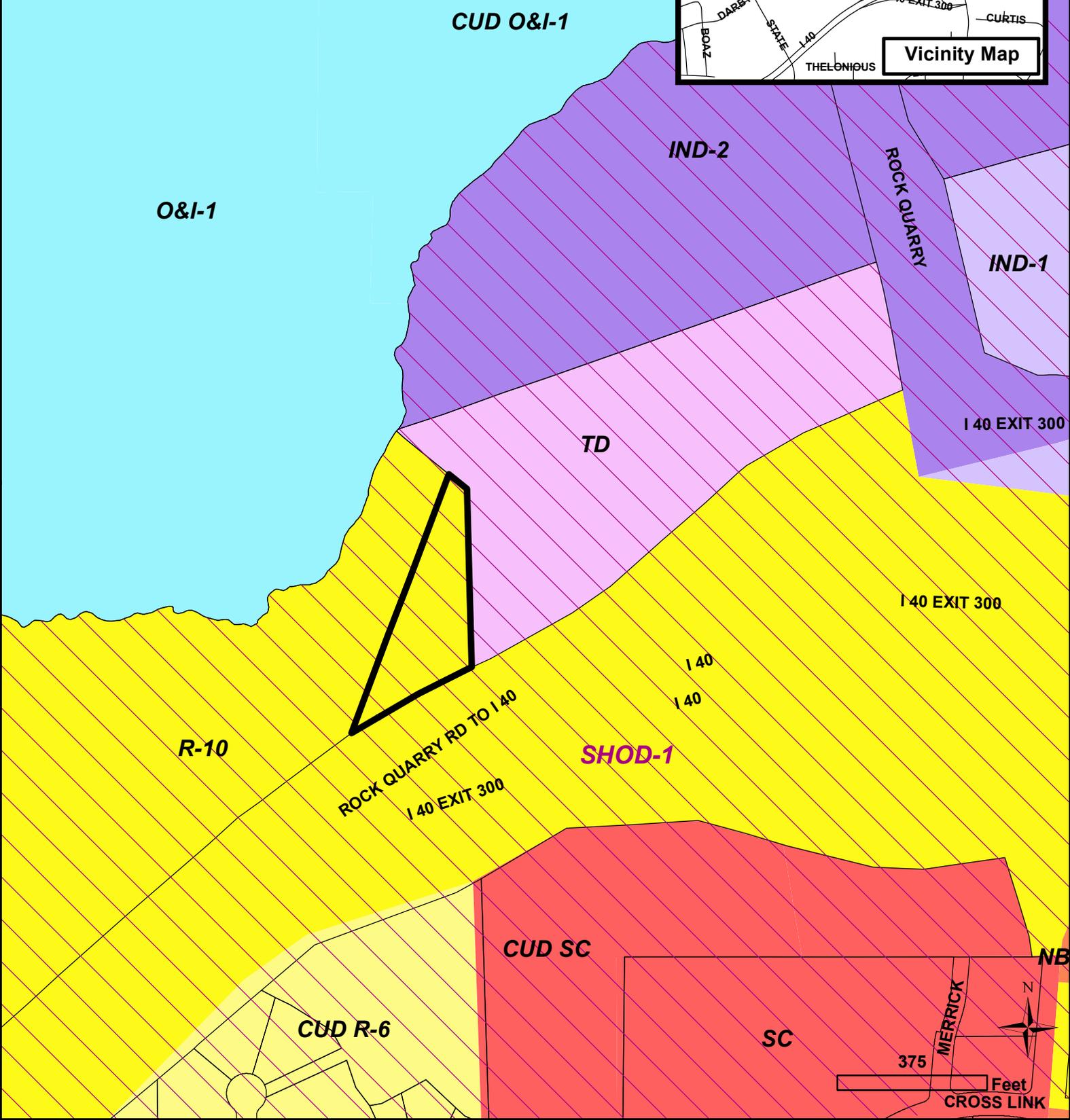
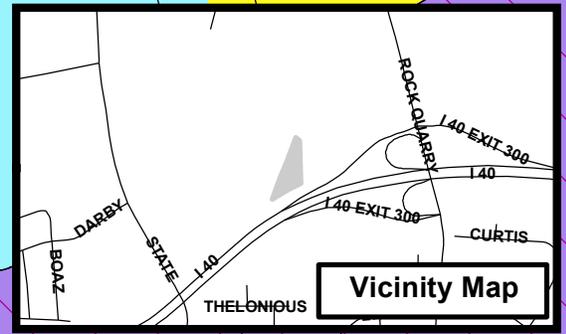


Existing Zoning Map

Case Number: Z-27-12



Request:

2.0 ac from R-10 w/ SHOD-1 to TD w/ SHOD-1

City of Raleigh Public Hearing
July 17, 2012
(October 15, 2012)



Certified Recommendation

Raleigh Planning Commission

CR# 11480

Case Information Z-27-12 I-40 and Rock Quarry Rd.

| | |
|-----------------|--|
| <i>Location</i> | Along Interstate-40, west of its interchange with Rock Quarry Road. |
| <i>Size</i> | 2.0 acres |
| <i>Request</i> | Rezone property from Residential-10 with Special Highway Overlay District-1 to Thoroughfare District with Special Highway Overlay District-1 |

Comprehensive Plan Consistency

The rezoning case is **Consistent** **Inconsistent** with the 2030 Comprehensive Plan

A checked box signifies consistency with the applicable 2030 Comprehensive Plan policy

Consistent

| | | |
|-------------------------------------|-------------------------------------|---|
| <i>Future Land Use Designation</i> | <input checked="" type="checkbox"/> | Business & Commercial Services |
| <i>Applicable Policy Statements</i> | <input checked="" type="checkbox"/> | Policy LU 2.6 – Zoning and Infrastructure Impacts |
| | <input checked="" type="checkbox"/> | Policy LU 4.5 – Connectivity |
| | <input checked="" type="checkbox"/> | Policy LU 5.6 – Buffering Requirements |
| | <input checked="" type="checkbox"/> | Policy LU 8.11 – Development of Vacant Sites |
| | <input checked="" type="checkbox"/> | Policy EP 4.2 – Floodplain Conservation |

Summary of Conditions

| | |
|-----------------------------|-------------|
| <i>Submitted Conditions</i> | General Use |
|-----------------------------|-------------|

Issues and Impacts

| | | | |
|---------------------------|---------|-----------------------------|-----|
| <i>Outstanding Issues</i> | 1. None | <i>Suggested Conditions</i> | N/A |
| <i>Impacts Identified</i> | 1. None | <i>Proposed Mitigation</i> | N/A |

Public Meetings

| <i>Neighborhood Meeting</i> | <i>Public Hearing</i> | <i>Committee</i> | <i>Planning Commission</i> |
|-----------------------------|-----------------------|------------------|----------------------------|
| N/A | 7/17/12 | Date: Action | Date: Action |

Valid Statutory Protest Petition

Attachments

- Staff report
- Existing Zoning/Location Map

3. Future Land Use

Planning Commission Recommendation

| | |
|-------------------------------|--|
| <i>Recommendation</i> | The Planning Commission finds that this case is consistent with the Comprehensive Plan and recommends that this case be approved. |
| <i>Findings & Reasons</i> | <ol style="list-style-type: none"> 1. The proposed rezoning is consistent with the Future Land Use Map, and is also consistent with applicable Comprehensive Plan policies. 2. The request is reasonable and in the public interest. Rezoning to Thoroughfare District will have little additional impact on surrounding infrastructure, and will provide the applicant a broader range of options for development. 3. The proposal is compatible with the surrounding area; environmental constraints adjacent to the subject property provide a natural buffer and transition to adjacent residential zoning. |
| <i>Motion and Vote</i> | Motion: Haq Second: Mattox In Favor: Butler, Buxton, Fluhrer, Harris Edmisten, Haq, Mattox, Schuster, Sterling Lewis, Terando |

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.

| | | | |
|-------------------|------|---------------------------------|----------------|
| | Date | | Date |
| Planning Director | | Planning Commission Chairperson | <u>7/24/12</u> |

Staff Coordinator: Stan Wingo stan.wingo@raleighnc.gov



Zoning Staff Report – Case Z-27-12

General Use District

Request

| | |
|-----------------------------------|--|
| <i>Location</i> | Along Interstate-40, west of its interchange with Rock Quarry Road. |
| <i>Request</i> | Rezone property from Residential-10 with Special Highway Overlay District-1 to Thoroughfare District with Special Highway Overlay District-1 |
| <i>Area of Request</i> | 2.0 acres |
| <i>Property Owner</i> | MCGE Rock Quarry Road, LLC |
| <i>PC Recommendation Deadline</i> | October 15, 2012 |

Subject Property

| | <i>Current</i> | <i>Proposed</i> |
|----------------------------|------------------------------------|------------------------------------|
| <i>Zoning</i> | Residential-10 | Thoroughfare District |
| <i>Additional Overlay</i> | Special Highway Overlay District-1 | Special Highway Overlay District-1 |
| <i>Land Use</i> | Vacant land | Office or Commercial |
| <i>Residential Density</i> | 20 dwelling units | None (minimum 10 acres) |

Surrounding Area

| | <i>North</i> | <i>South</i> | <i>East</i> | <i>West</i> |
|-------------------------|--|------------------------------|------------------------------|---|
| <i>Zoning</i> | TD, R-10 | R-10 | TD | R-10 |
| <i>Future Land Use</i> | Private Open Space, Business Commercial Services | Business Commercial Services | Business Commercial Services | Private Open Space, Public Parks and Open Space |
| <i>Current Land Use</i> | Undeveloped Land | I-40 Interchange | Undeveloped Land | Undeveloped Land, Wetlands/Pond |

Comprehensive Plan Guidance

| | |
|----------------------------|--|
| <i>Future Land Use</i> | Business & Commercial Services |
| <i>Area Plan</i> | None |
| <i>Applicable Policies</i> | Policy LU 2.6 – Zoning and Infrastructure Impacts Policy LU 4.5 – Connectivity Policy LU 5.6 – Buffering Requirements Policy LU 8.11 – Development of Vacant Sites Policy EP 4.2 – Floodplain Conservation |

Contact Information

| | |
|----------------------------------|--|
| <i>Staff</i> | Stan Wingo, (919)516-2663 |
| <i>Applicant</i> | Sharon Scroggin, (919)821-5547, scroggin@hagersmith.com |
| <i>Citizens Advisory Council</i> | South CAC |

Case Overview

This site is located along Interstate 40, near its interchange with Rock Quarry Road. The property is landlocked between Interstate 40 to the south, and Walnut Creek to the north. The property directly adjacent to the east is currently zoned Thoroughfare District, and is undeveloped land. Residential-10 zoning is located directly adjacent to the west; however this vacant property is encumbered by floodway, floodplain, as well as a large pond covering the majority of the site. The eastern portion of this adjacent property will likely remain as undeveloped land, and provide a buffer to the subject property.

The rezoning request proposes Thoroughfare District zoning for the subject property, providing a more consistent zoning pattern with the vacant tract of land to the east. The undeveloped adjacent property to the east has frontage on Rock Quarry Road and could be developed in conjunction with the subject property.

Exhibit C & D Analysis

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

1.1 Future Land Use

The subject property is designated as being appropriate for Business and Commercial Services on the Future Land Use Map. Areas designated as Business and Commercial Services typically include higher-impact or “heavy” commercial land uses. Some examples could include auto sales and repair, lumberyards, nurseries, warehousing or distribution centers. The request to rezone the subject property to Thoroughfare District is consistent with this Future Land Use designation.

1.2 Policy Guidance

The following policy guidance is applicable with this request:

Policy LU 2.6 – Zoning and Infrastructure Impacts

Carefully evaluate all amendments to the zoning map that significantly increase permitted density or floor area to ensure that impacts to infrastructure capacity resulting from the projected intensification of development are adequately mitigated or addressed.

Proposal is consistent with this policy. There are no known additional impacts generated by this rezoning request.

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.

Proposal is consistent with this policy. The proposed rezoning request to Thoroughfare District would increase the feasibility of development in conjunction with the property located to the east. As the subject property is currently landlocked, being developed with the property to the east would provide vehicular access, as this property has frontage on Rock Quarry Road.

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 void potential conflicts.

Proposal is consistent with this policy. Due to the subject property's location, adequate natural buffering is in place.

Policy LU 8.11 – Development of Vacant Sites

Facilitate the development of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures that would address these.

Proposal is consistent with this policy. Due to the subject property's location, rezoning to Thoroughfare District could help facilitate development with the adjacent parcel to the east.

Policy EP 4.2 – Floodplain Conservation

Development should be directed away from the 100-year floodplain.

Proposal is consistent with this policy. However it should be noted that there is a small portion of 100-year floodplain located along the southern edge of the property. At time of site plan submittal, adequate measures should be considered to direct development away from the floodplain.

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

The subject property is located along Interstate 40, near its interchange with Rock Quarry Road. The property is landlocked between Interstate 40 to the south, and Walnut Creek to the north. Property is bordered on both the east and west by vacant undeveloped land. The property adjacent to the west, while zoned Residential-10, contains a large wetland/pond area, as well as a large percentage of floodplain and floodway. Environmental constraints effectively separate the subject property from the adjacent residentially zoned property to the west.

The adjacent property to the east is zoned Thoroughfare District, and with frontage on Rock Quarry Road, could serve as a conduit for development of the subject property. The development of the two properties in a concurrent fashion would provide vehicular and pedestrian access to this landlocked parcel. This would also help ensure a consistent pattern of development. It should be noted that rezoning the subject property could increase its intensity of development if recombined with the adjacent parcel. Due to the environmental circumstances surrounding the subject property, as well as the current

lack of access, the proposal to rezone to Thoroughfare District is consistent and compatible with surrounding land uses and zoning.

3. Public benefits of the proposed rezoning

The request as proposed is consistent with the recommended Future Land Use designation on the Future Land Use Map. While being consistent with the Future Land Use, the proposal also increases the viability of a consistent pattern of development with the adjacent parcel to the east. If developed in conjunction with the neighboring parcel, vehicular and pedestrian access could be provided to the subject property.

4. Detriments of the proposed rezoning

There are no known detriments associated with this proposed rezoning.

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

5.1 Transportation

| <u>Primary Streets</u> | <u>Classification</u> | <u>2009 NCDOT Traffic Volume (ADT)</u> | <u>2035 Traffic Volume Forecast (CAMPO)</u> | | | |
|---|---|--|---|---------------------|------------------------------------|-------------------------------------|
| Rock Quarry Road | Major Thoroughfare | 22,000 | 37,150 | | | |
| Street Conditions | | | | | | |
| <u>Rock Quarry Road</u> | <u>Lanes</u> | <u>Street Width</u> | <u>Curb and Gutter</u> | <u>Right-of-Way</u> | <u>Sidewalks</u> | <u>Bicycle Accommodations</u> |
| Existing | 5 | 112' | None | 215' | None | None |
| City Standard | 4 | 65' | Back-to-back curb and gutter section | 90' | minimum 5' sidewalks on both sides | Striped bicycle lanes on both sides |
| Meets City Standard? | YES | YES | NO | YES | NO | NO |
| Expected Traffic Generation [vph] | <u>Current Zoning</u> | <u>Proposed Zoning</u> | <u>Differential</u> | | | |
| AM PEAK | 24 | 13 | -11 | | | |
| PM PEAK | 25 | 53 | 28 | | | |
| Suggested Conditions/ Impact Mitigation: | Traffic Study Determination: Staff has reviewed a trip generation differential report for this case and a traffic impact analysis study is not recommended for Z-27-12. The subject property is a land locked parcel and will require access to a public street when developed. | | | | | |
| Additional Information: | The City of Raleigh is undertaking a feasibility study for pedestrian improvements along Rocky Quarry Road at the I-40 Overpass in the vicinity of this case. | | | | | |

Impact Identified: None

5.2 Transit

No transit comments.

Impact Identified: None

5.3 Hydrology

| | |
|------------------------------|-------------------------------|
| <i>Floodplain</i> | FEMA |
| <i>Drainage Basin</i> | Walnut Creek |
| <i>Stormwater Management</i> | Subject to Part 10, Chapter 9 |
| <i>Overlay District</i> | None. |

Impact Identified: Site is subject to Part 10, Chapter 4 Floodplain Regulations. Special attention should be given to Code Section 10-4008(c) with regard to Bulk Lot Coverage.

5.4 Public Utilities

| | <i>Maximum Demand (current)</i> | <i>Maximum Demand (proposed)</i> |
|--------------------|---------------------------------|----------------------------------|
| <i>Water</i> | 14,500 gpd | unknown |
| <i>Waste Water</i> | 14,500 gpd | unknown |

A number of uses are permitted under the proposed Thoroughfare District zoning. Due to this, maximum demand is unknown at this time. There is no sanitary sewer or water main available to the proposed rezoning property at this time. The applicant will be required to extend the sanitary sewer and water mains in accordance to Public Utilities Department requirements. Down stream sanitary sewer improvements may be required, by the City, of the applicant depending upon the actual use.

5.5 Parks and Recreation

The subject tract is not located adjacent to a greenway corridor. The nearest park to this location is Lake Lynn.

Impact Identified: This rezoning case has the potential to add some additional population to the parks and recreation level of service.

5.6 Urban Forestry

This is a wooded site 2 acres and will have to meet the Tree Conservation Ordinance 10-2082.14 when a site plan is submitted.

Impact Identified: This is a wooded site.

5.7 Designated Historic Resources

There are no historic districts or designated landmarks on this property.

Impact Identified: None

5.8 Community Development

The subject property is not within a designated redevelopment area.

Impact Identified: None

5.9 Impacts Summary

None

6. Appearance Commission

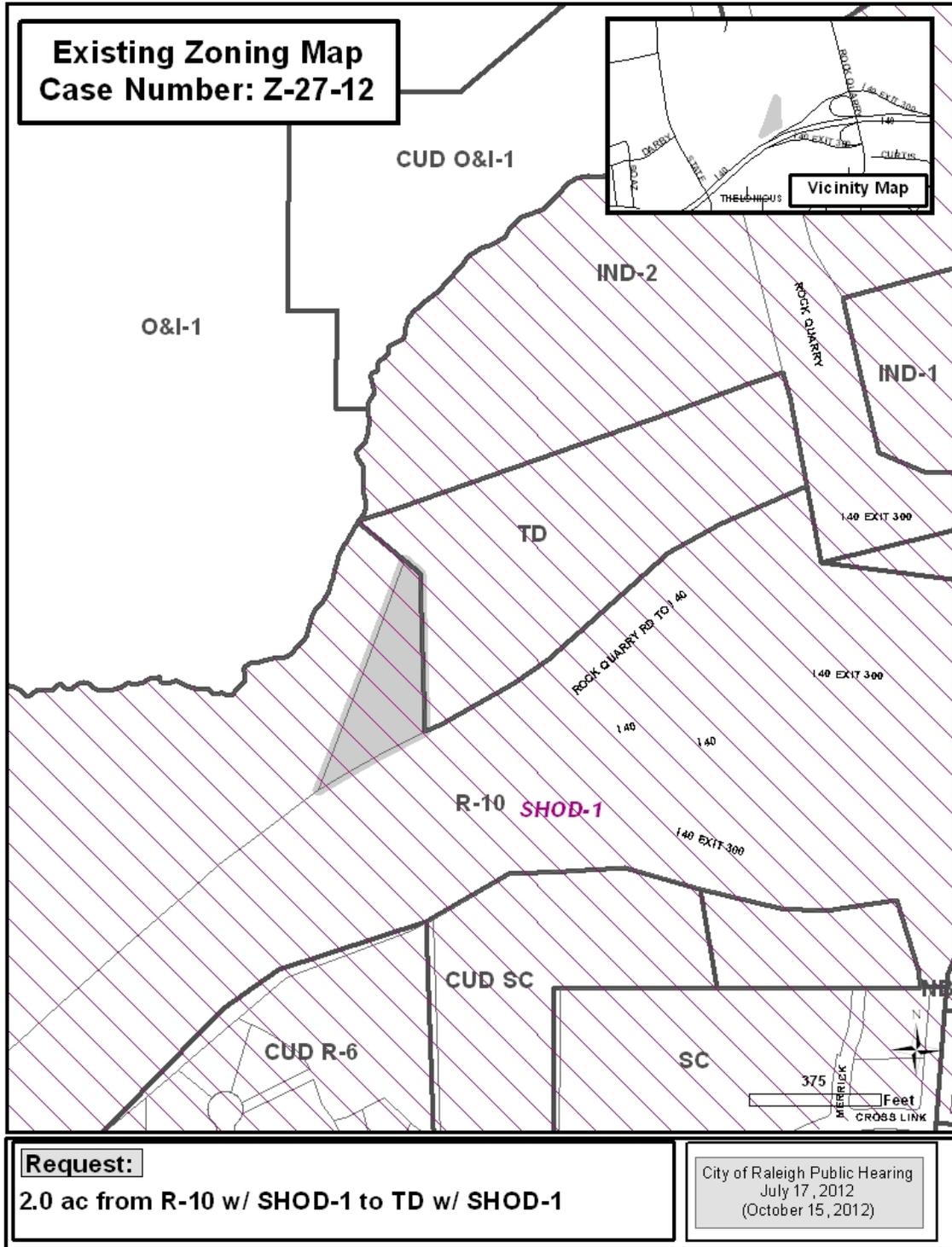
This request is not subject to review by the appearance commission.

7. Conclusions

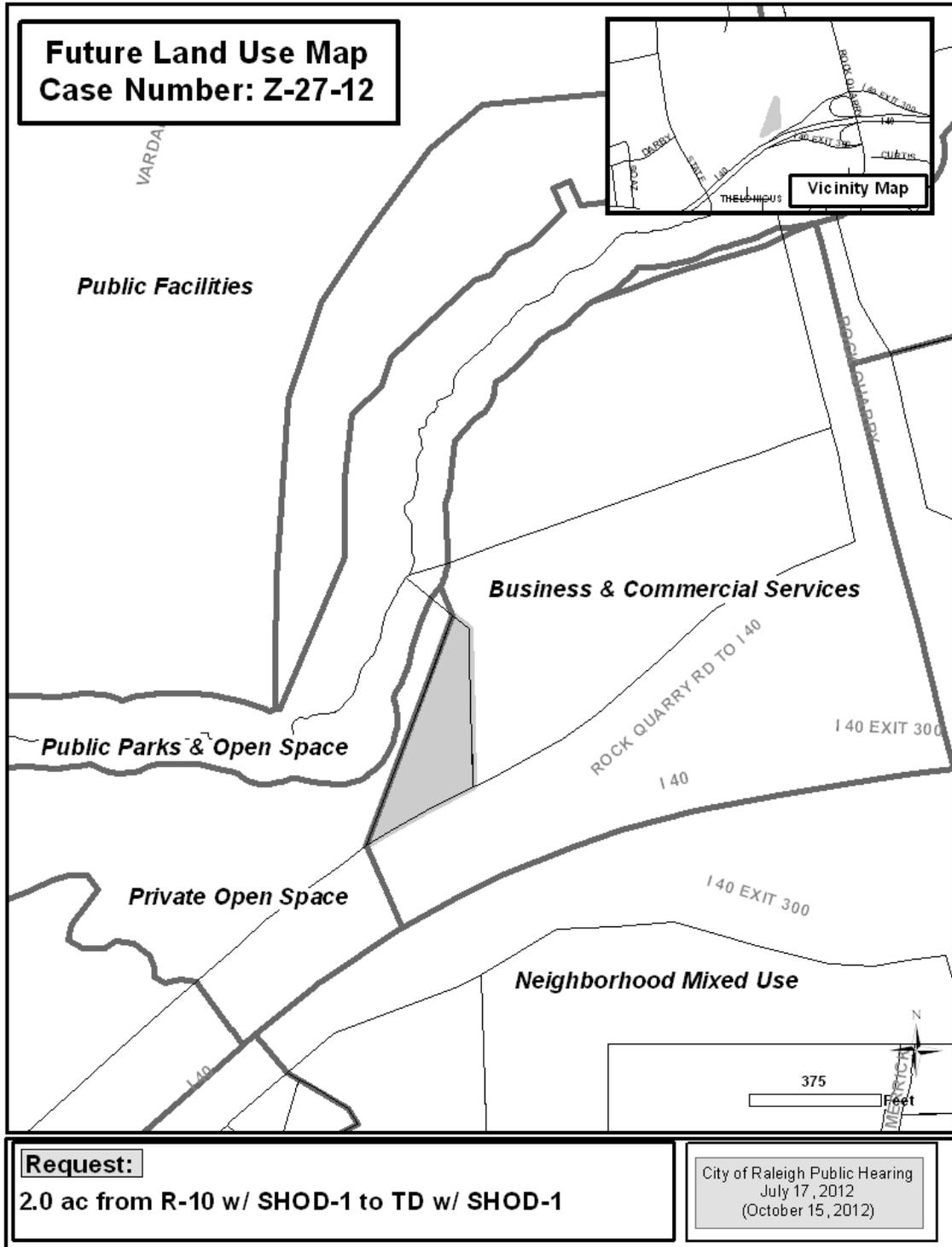
The proposed rezoning request is consistent with the Future Land Use Map as well as applicable Comprehensive Plan policies. The request to rezone this property to Thoroughfare District is consistent with the Future Land Use designation of Business & Commercial Services.

The subject property is currently land-locked with no vehicular access or potential development. The request to rezone will provide a more consistent pattern of zoning, and allow this property to develop in conjunction with the vacant Thoroughfare District property to the east. While the property is directly adjacent to vacant residential zoning to the west, there are a number of environmental constraints that provide an effective buffer between the two tracts. There were no known impacts identified with this request, and it is consistent and compatible with the surrounding area.

Existing Zoning Map



Future Land Use Map





Petition to Amend the Official Zoning Map

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

The following items are required with the submittal of rezoning petition. For additional information on these submittal requirements, see the *Filing Instructions* addendum.

Rezoning Application Submittal Package Checklist

Completed Rezoning Application which includes the following sections:

- Signatory Page
- Exhibit B
- N/A Exhibit C (only for Conditional Use filing)
- Exhibit D
- Map showing adjacent property owner names with PIN's (SEE EXHIBITS 'E' & 'H')

Application Fee

- \$540 for General Use Cases
- \$1081 for Conditional Use Cases
- \$2702 for PDD Master Plans

N/A Neighborhood Meeting Report (only for Conditional Use filing)

Receipt/ Verification for Meeting Notification Mail out

Traffic Impact Generation Report OR written waiver of trip generation from Raleigh Transportation Services Division

(General Use ONLY) if applicant is not the petitioner must provide proof of notification to the adjacent property owners per G.S. 160A-384

2012 MAR 16 AM 11:13
CITY OF RALEIGH
CITY PLANNING DEPT



Petition to Amend the Official Zoning Map ^{Pd 540.00} Before the City Council of the City of Raleigh, North Carolina _{by CKH 3354}

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 consistent 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:
 - a. to lessen congestion in the streets;
 - b. to provide adequate light and air;
 - c. to prevent the overcrowding of land;
 - d. to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - e. to regulate in accordance with a comprehensive plan;
 - f. to avoid spot zoning; and
 - g. 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.

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. All property owners must sign below for conditional use requests.

ALL CONDITIONAL PAGES MUST BE SIGNED BY ALL PROPERTY OWNERS

| | | |
|---|--------------------------|---------|
| Signature(s) | Print Name | Date |
|  | D. McQueen Campbell, III | 3/15/12 |
| | | |
| | | |
| | | |
| | | |
| | | |

EXHIBIT B. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

Contact Information

| | Name(s) | Address | Telephone/Email |
|--|---|---|--|
| Petitioner(s) (for conditional use requests, petitioners must own petitioned property) | D. McQueen Campbell | 1305 Cameron View Ct Raleigh, NC 27607 | (919) 828-0092 mcqueen.campbell@gmail.com |
| Property Owner(s) | MCGE Rock Quarry Road, LLC | 1305 Cameron View Ct Raleigh, NC 27607 | (919) 828-0092 mcqueen.campbell@gmail.com |
| Contact Person(s) | Sharron Scroggin HagerSmith Design, PA | 1305 Cameron View Ct Raleigh, NC 27607 | (919) 821-5547 scroggin@hagersmith.com |

Property information

| | |
|---|-----------------------|
| Property Description (Wake County PIN) | 1713314042 |
| Nearest Major Intersection | I-40 & Rock Quarry Rd |
| Area of Subject Property (in acres) | 2.0 Acres |
| Current Zoning Districts (include all overlay districts) | R-10, SHOD-1 |
| Requested Zoning Districts (include all overlay districts) | TD, SHOD-1 |

EXHIBIT D. Request for Zoning Change

Please use this form only -- form may be photocopied. Please type or print. See instructions in *Filing Addendum*

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 the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed land uses:

Please see 'Exhibit D' attachment

B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area.

Please see 'Exhibit D' attachment

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity").

Please see 'Exhibit D' attachment

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

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):

Please see 'Exhibit D' attachment

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

Please see 'Exhibit D' attachment

- 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:

Please see 'Exhibit D' attachment

III. Benefits and detriments of the proposed map amendment.

- A. For the landowner(s):

Please see 'Exhibit D' attachment

- B. For the immediate neighbors:

Please see 'Exhibit D' attachment

- C. For the surrounding community:

Please see 'Exhibit D' attachment

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

Please see 'Exhibit D' attachment

EXHIBIT D. Request for Zoning Change

Please use this form only – form may be photocopied. Please type or print. See instructions in *Filing Addendum*

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

Please see 'Exhibit D' attachment

V. Recommended items of discussion (where applicable).

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

Please see 'Exhibit D' attachment

- 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.**

Please see 'Exhibit D' attachment

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

Please see 'Exhibit D' attachment

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

Please see 'Exhibit D' attachment

- e. **How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**

Please see 'Exhibit D' attachment

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

Please see 'Exhibit D' attachment

EXHIBIT D- PETITIONER’S STATEMENT:

I. Consistency of the proposed map amendment with the Comprehensive Plan:

A. Please state the recommended land use(s) for this property as shown on the Future Land Use Map and discuss the consistency of the proposed uses:

Currently, the subject property is zoned R-10, SHOD-1. It is under the same ownership, as the property to its immediate east (PIN: 1713319493), which is zoned TD, SHOD-1. These adjacent properties will most likely be developed in concert, in the future. This petition serves to change the subject property zoning from R-10, SHOD-1 to TD, SHOD-1, allowing the two adjacent parcels to have consistent zoning. Fronting on I-40 to the south, near the Rock Quarry Road exit ramp, their location makes development under the TD designation ideal. It is also a designation more aligned with the Future Land Use Map. Both properties plus the adjacent property to the north are flanked by Walnut Creek to the west and north, I-40 to the south and Rock Quarry Road to the east, and are designated on the Future Land Use Map as 'Business & Commercial Services.' 'Business & Commercial Services' is defined as *'a category for higher-impact or "heavy" commercial activities that would not be compatible with residential uses, or that have locational needs (such as thoroughfare or interstate frontage) that are not conducive to mixed use development. Most of these areas are currently zoned TD and I-1.'* A TD designation would be consistent with the planned future use, while the current R-10 zoning is incompatible with the desire to eliminate residential uses within this category. Environmentally sensitive properties to the immediate west, designated as open space, provide a buffer to residential communities further west down I-40. This parcel was once contiguous to the west, but was cut off by flood plain and subdivided out. Its current R-10 designation appears to be a remnant zoning no longer making sense in its current context or envisioned future use. (Reference Exhibits 'F' & 'G')

B. Please state whether the subject property is located within any Area Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area:

Other than the 2030 Future Land Use Master Plan, and current City of Raleigh zoning map, the subject property is not located within any Area Plan or other City Council-adopted plans and policies.

C. Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies? All references to Comprehensive Plan policies should include both the policy number (e.g. LU 4.5) and short title (e.g. "Connectivity"):

Based on the 2030 Comprehensive Plan and the 'Business & Commercial Services' zoning designation, the proposed rezoning from R-10 to TD is absolutely consistent. Additionally, Policy LU 8.11- Development of Vacant Sites: *'Facilitate the development of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot*

dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures that would address these,' supports the recommendation to unify the zoning of the subject parcel, with the parcel under same ownership to the east, in order to make it developable and harmonious in its context.

II. Compatibility of the proposed map amendment with the property and 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):

To the south the property fronts on I-40, near the Rock Quarry Road exit ramp. The property to the immediate east, located on the corner of Rock Quarry Rd & I-40, is vacant, zoned TD, and under the same ownership as the subject property. To the west, the subject property is bordered by environmentally sensitive sites designated to be 'Open Space' on the Comprehensive Plan, and serving as a transitional buffer to residential communities further west down I-40. Immediately north exists an industrial site serving as a flea market, and east across Rock Quarry Rd is an industrial site utilized as a service garage by the Wake County Board of Education. Two of the properties directly southeast across I-40 are presently vacant, but zoned CUD SC. The property southwest across I-40 is vacant, owned by the Triangle Greenways Council, and zoned CUD R-6. (Reference Exhibit 'E')

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

Properties immediately adjacent to the subject property are all under a SHOD-1 overlay, due to their proximity to I-40. The subject property, along with the I-40 corridor, and the environmentally sensitive site directly to the west are zoned R-10. The property to the Immediate east, under the same ownership as the subject property, is zoned TD. Further west and southwest, properties are zoned R-6. Properties to the north are zone IND-2 and O&I-1, and similarly properties to the east across Rock Quarry Road are zoned IND-2 and IND-1. Properties directly south across I-40 are zoned CUD SC and CUD R-6. (Reference Exhibits 'E' & 'G')

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:

Due to its future designation as 'Business & Commercial Services' on the Comprehensive plan, it's context fronting I-40, industrial, commercial and open space uses, and its connection with the adjacent TD property, a TD rezoning makes the most sense for the landowner, adjacent properties, and context within the larger community.

III. Benefits and detriments of the proposed map amendment

A. For the landowner(s):

As mentioned in statement I-A, above, and in accordance with Policy LU 8.11- Development of Vacant Sites, the rezoning of the property would better enable the owner to develop this site, along with the adjacent site to its immediate east, under the same TD zoning designation.

B. For the immediate neighbors:

The proposed amendment would benefit the immediate neighbors by unifying the subject property under zoning consistent with current and future land use designations.

C. For the surrounding community:

Due to its future designation as 'Business & Commercial Services' on the Comprehensive plan, it's context fronting I-40 and surrounded by industrial, commercial and open space uses, and its connection with the adjacent TD property, a TD rezoning makes the most sense for the landowner, adjacent properties, and context within the larger community.

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

The rezoning of this property does not provide a significant benefit unavailable to the surrounding properties, but only seeks to eliminate an existing hardship to the owner, by removing the remnant zoning that is out of context with its surroundings.

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

The context of the subject property in its current and envisioned future zoning, along with its location on I-40, makes a TD designation an obvious amendment.

V. Recommended items of discussion (where applicable):

A. An error by the City Council in establishing the current zoning classification of the property.

N/A

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.

As elaborated on in statements above, the current R-10 zoning designation is an obvious remnant zoning misaligned with its neighboring zoning, location on I-40, and designation on the Future Land Use map. If this property were

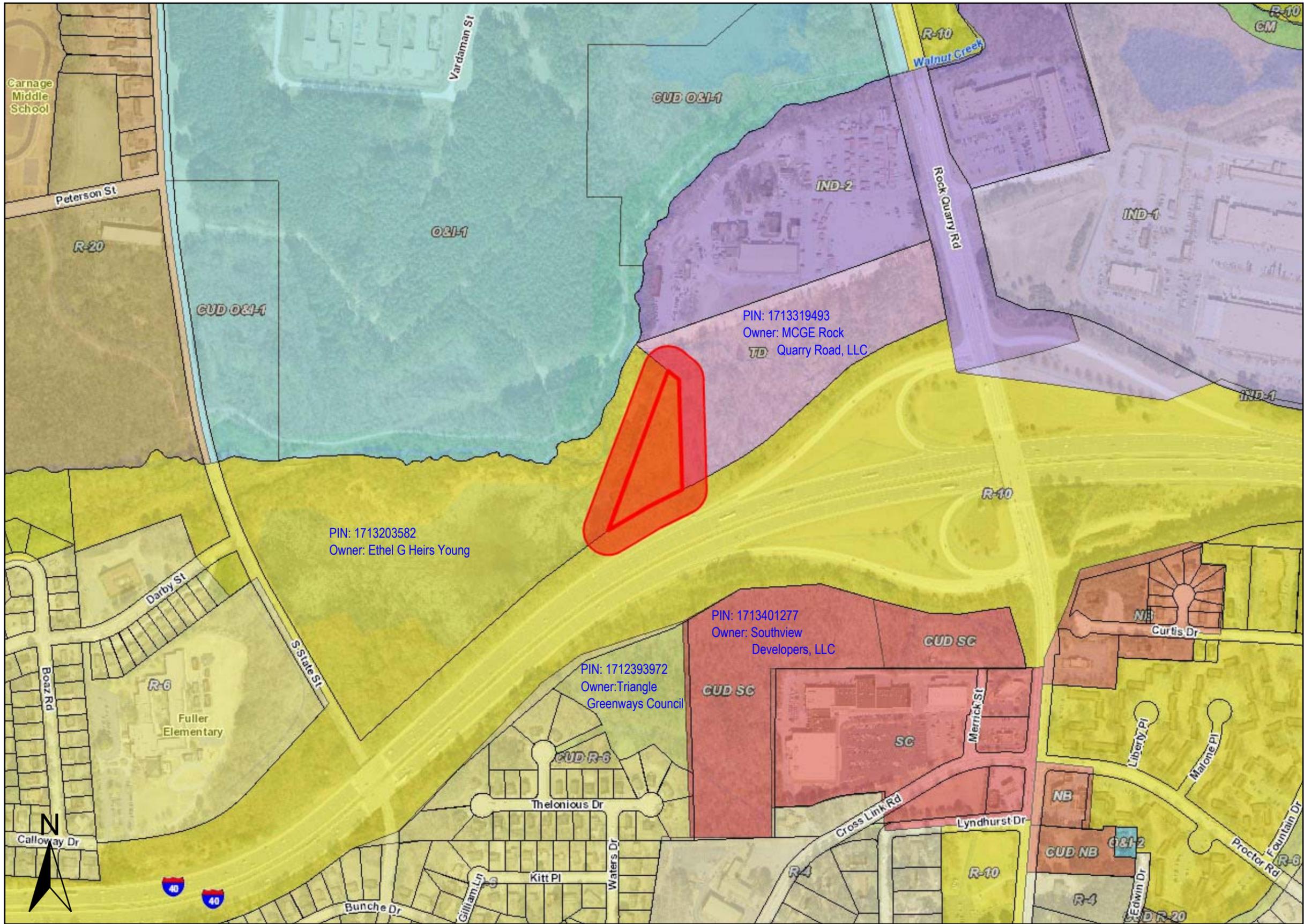
to be zoned today it would most likely carry a TD designation in concert with its neighbor and location on I-40.

- C. The public need for additional land to be zoned to the classification requested.**
N/A

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

- E. How the rezoning advances the fundamental purposes of zoning as set forth in the N.C. enabling legislation.**
It aligns the property with the 2030 Comprehensive plan, and makes it developable in a way that the enabling legislation has envisioned for the growth of Raleigh.

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



| Field | Value |
|-------------------------|--|
| PIN | 1713314042 |
| Real Estate ID | 0177177 |
| Map Name | 171318 |
| Owner | MCGE ROCK QUARRY ROAD LLC |
| Mailing Address 1 | 1305 CAMERON VIEW CT |
| Mailing Address 2 | RALEIGH NC 27607-3363 |
| Mailing Address 3 | |
| Deed Book | 11684 |
| Deed Page | 1805 |
| Deed Date | 11/15/2005 |
| Deeded Acreage | 2.00 |
| Assessed Building Value | \$0.00 |
| Assessed Land Value | \$48,000.00 |
| Total Assessed Value | \$48,000.00 |
| Billing Class | CORPORATE LISTING |
| Property Description | PRP ETHEL YOUNG HEIRS &CORNWALLIS88-1806 |
| Heated Area | |
| Site Address | 0 S STATE ST |
| City | Raleigh |
| Township | ST. MARYS |
| Year Built | 0 |
| Total Sale Price | \$0.00 |
| Sale Date | |
| Type and Use | |
| Design Style | |
| Land Class | VACANT |
| Old Parcel Number | 579-00000-0176 |

Properties w/in 100' - Labeled

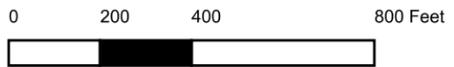
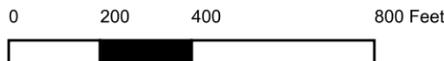


EXHIBIT 'E'





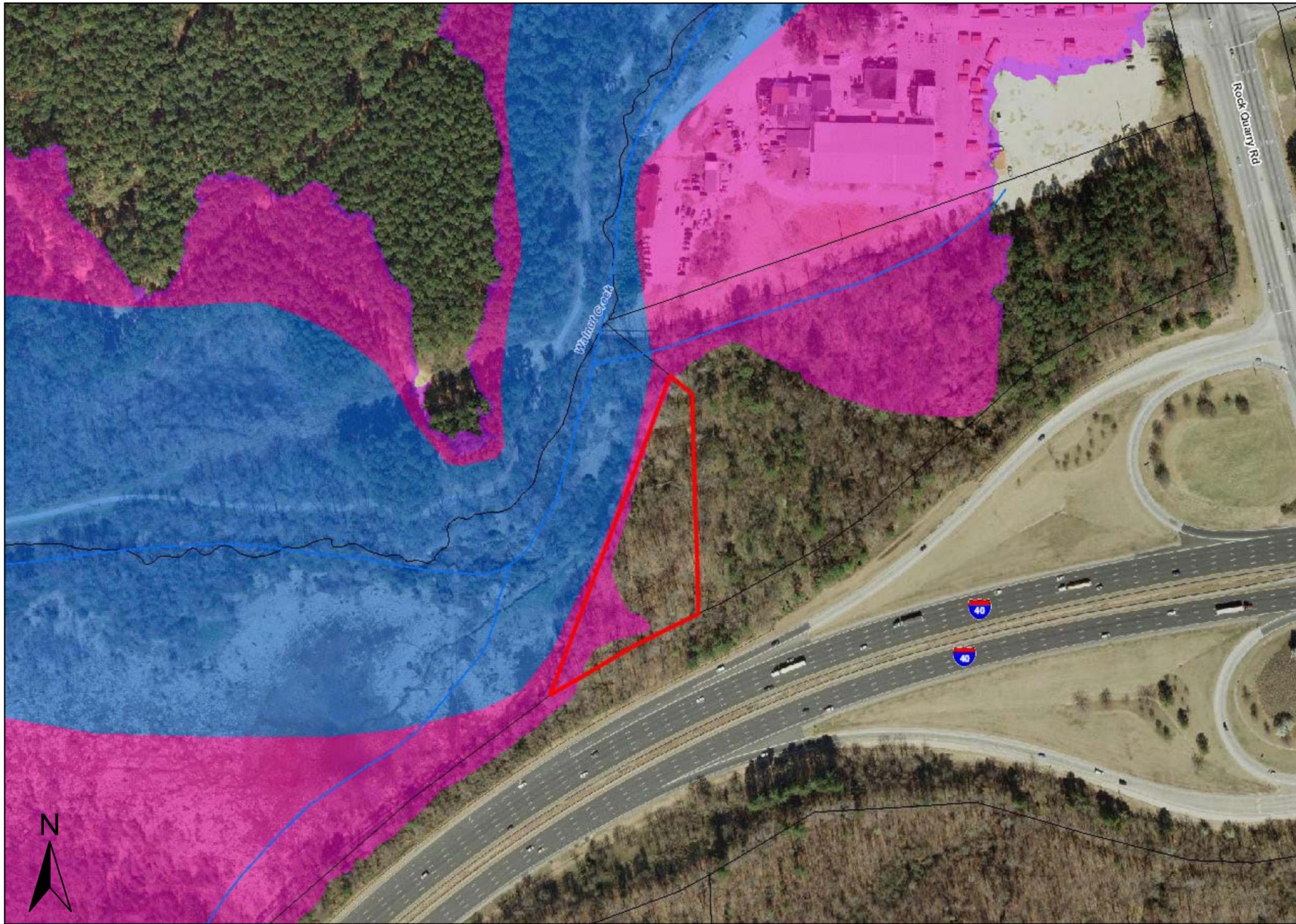
Future Land Use Plan



| Field | Value |
|-------------------------|---|
| PIN | 1713314042 |
| Real Estate ID | 0177177 |
| Map Name | 171318 |
| Owner | MCGE ROCK QUARRY ROAD LLC |
| Mailing Address 1 | 1305 CAMERON VIEW CT |
| Mailing Address 2 | RALEIGH NC 27607-3363 |
| Mailing Address 3 | |
| Deed Book | 11684 |
| Deed Page | 1805 |
| Deed Date | 11/15/2005 |
| Deeded Acreage | 2.00 |
| Assessed Building Value | \$0.00 |
| Assessed Land Value | \$48,000.00 |
| Total Assessed Value | \$48,000.00 |
| Billing Class | CORPORATE LISTING |
| Property Description | PRP ETHEL YOUNG HEIRS & CORNWALLIS88-1806 |
| Heated Area | |
| Site Address | 0 S STATE ST |
| City | Raleigh |
| Township | ST. MARYS |
| Year Built | 0 |
| Total Sale Price | \$0.00 |
| Sale Date | |
| Type and Use | |
| Design Style | |
| Land Class | VACANT |
| Old Parcel Number | 579-00000-0176 |

EXHIBIT 'F'





| Field | Value |
|-------------------------|---|
| PIN | 1713314042 |
| Real Estate ID | 0177177 |
| Map Name | 171318 |
| Owner | MCGE ROCK QUARRY ROAD LLC |
| Mailing Address 1 | 1305 CAMERON VIEW CT |
| Mailing Address 2 | RALEIGH NC 27607-3363 |
| Mailing Address 3 | |
| Deed Book | 11684 |
| Deed Page | 1805 |
| Deed Date | 11/15/2005 |
| Deeded Acreage | 2.00 |
| Assessed Building Value | \$0.00 |
| Assessed Land Value | \$48,000.00 |
| Total Assessed Value | \$48,000.00 |
| Billing Class | CORPORATE LISTING |
| Property Description | PRP ETHEL YOUNG HEIRS & CORNWALLIS88-1806 |
| Heated Area | |
| Site Address | 0 S STATE ST |
| City | Raleigh |
| Township | ST. MARYS |
| Year Built | 0 |
| Total Sale Price | \$0.00 |
| Sale Date | |
| Type and Use | |
| Design Style | |
| Land Class | VACANT |
| Old Parcel Number | 579-00000-0176 |

Fema & Aerial

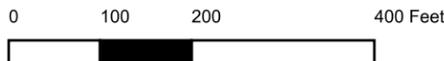


EXHIBIT 'G'



EXHIBIT 'H'



VICINITY MAP

STATE OF NORTH CAROLINA, PROP. BM 1962 pg 25

NOTE: The area in the Young tract before the recombination is 29.407ac according to a survey performed by James McNeil dated 11-4-80 and entitled 'Property of Ethel G. Young Heirs'. The area in the Cornwallis tract before the recombination is 11.217ac according to a survey performed by Bass Nixon and Kennedy dated 4-8-80 and entitled 'Property survey for southern equipment by Cornwallis Company'.

THIS IS NOT A SUBDIVISION BUT A RECOMBINATION OF PREVIOUSLY PLATTED PROPERTY.
George B. Chapman 12-19-88
GEORGE B. CHAPMAN DATE
Director of Planning

THIS PLAT NOT TO BE RECORDED AFTER 15 DAY OF Jan 89
1 COPY TO BE RETAINED FOR THE CITY.
THIS PLAT IS IN OUT OF THE CITY LIMITS.

AREA IN TRACT SHOWN: 87,132 sq ft = 2.00 ac.

I, Robert T. Newcomb, III certify that under my direction and supervision this map was prepared from an actual field survey, that the error of closure as calculated by latitudes and departures is greater than 1/10,000, that the boundaries not surveyed by this office are shown as broken lines plotted from deed information as noted, that this plat was prepared in accordance with NC GS 47-30 as amended.
Witness my hand and seal this 17 day of NOVEMBER, 1988.
[Signature]
Registered Land Surveyor (L 2444)



ETHEL G. YOUNG, HEIRS, PROP. TAXMAP 606 parcel 171

CONTROL CORNER
North Carolina State Plane Coordinates
N(y) = 730,604.90
E(x) = 2,113,241.70

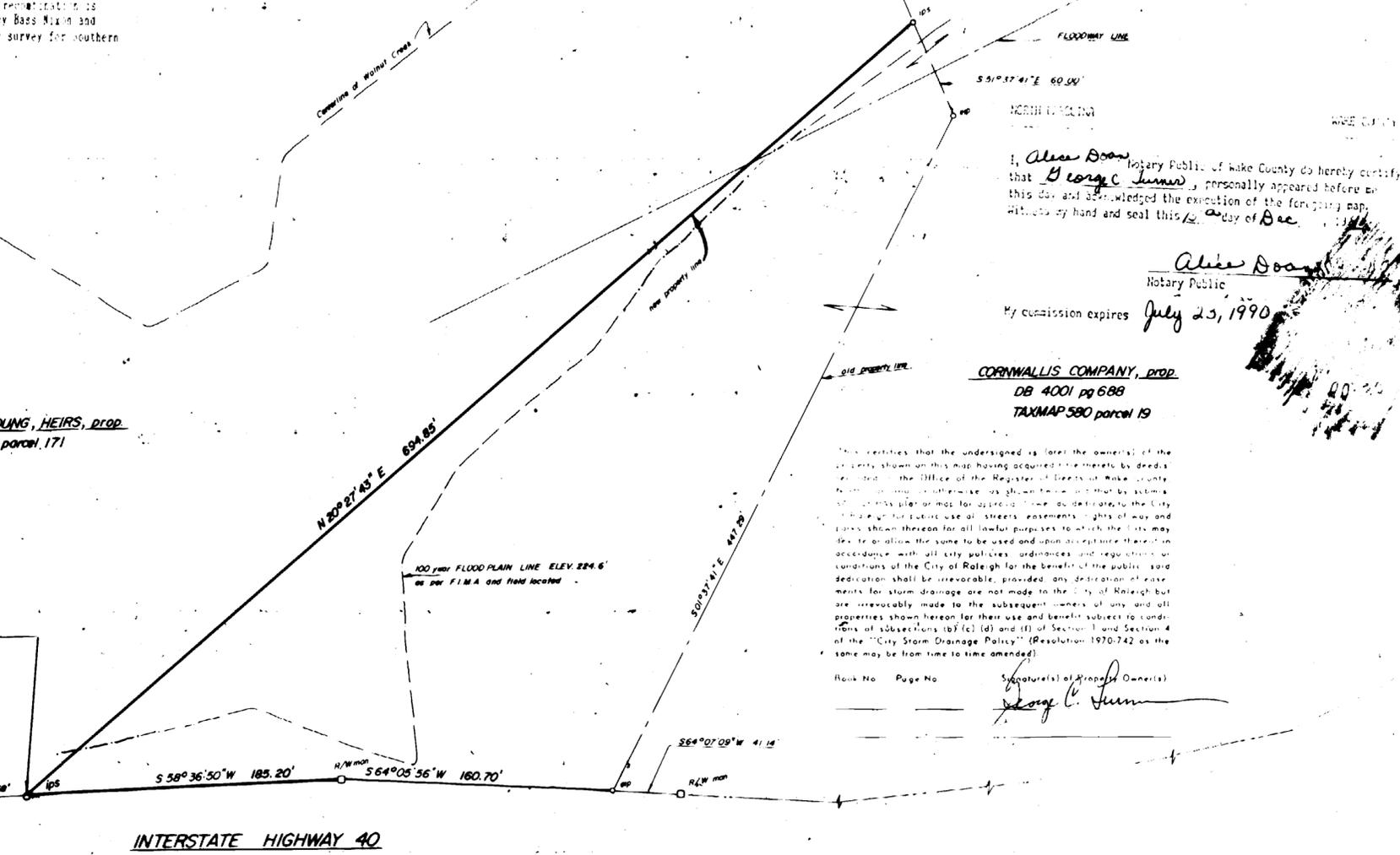
NORTH CAROLINA Wake COUNTY
I, DAVID R. DOLEZSAR, Notary Public of Wake County do hereby certify that Robert T. Newcomb, III personally appeared before me this day and acknowledged the execution of the foregoing map.
Witness my hand and seal this 17 day of NOVEMBER, 1988.
[Signature]
Notary Public
My commission expires: 7-15-90



NORTH CAROLINA Wake COUNTY
The foregoing certificate of David R. Dolezсар, Notary, is certified to be correct. This instrument was presented for registration and recorded in this office this 29 day of December, 1988, or 11:35 o'clock A.M.
KENNETH C. WILKINS [Signature]
Register of Deeds Deputy Register of Deeds

RECORDED: Book of Maps 1988, page 1806

ROBERT T. NEWCOMB, III, Registered Land Surveyor, 262 West Millbrook Road, Raleigh, NC 27609 (919) 847-1800



I, Alisa Boon Notary Public of Wake County do hereby certify that George C. Jumper, personally appeared before me this day and acknowledged the execution of the foregoing map.
Witness my hand and seal this 12 day of Dec.
Alisa Boon
Notary Public
My commission expires July 23, 1990

CORNWALLIS COMPANY, PROP. DB 4001 pg 688 TAXMAP 580 parcel 19

This certifies that the undersigned is (are) the owner(s) of the property shown on this map having acquired title thereto by deed(s) recorded in the Office of the Register of Deeds of Wake County, North Carolina, or otherwise, as shown by deed, and that by submission of this plat or map for approval, I/we do dedicate to the City of Raleigh for public use all streets, easements, rights of way and lands shown thereon for all lawful purposes to which the City may lawfully apply the same to be used and upon acceptance thereof in accordance with all city policies, ordinances and regulations or conditions of the City of Raleigh for the benefit of the public, said dedication shall be irrevocable, provided, any dedication of easements for storm drainage are not made to the City of Raleigh but are irrevocably made to the subsequent owners of any and all properties shown hereon for their use and benefit subject to conditions of subsections (b) (c) (d) and (f) of Section 1 and Section 4 of the "City Storm Drainage Policy" (Resolution 1970-742 as the same may be from time to time amended).

Book No. Page No. Signature(s) of Property Owner(s)
George C. Jumper

FLOOD PLAIN ORDINANCE.

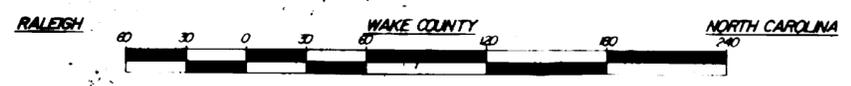
APPROVED 12-17-88

DISAPPROVED

BY [Signature] (FEMA)

RECOMBINATION OF THE PROPERTY OF

ETHEL G. YOUNG, HEIRS, and the CORNWALLIS COMPANY (a North Carolina General Partnership)



NOVEMBER, 1988

NORTH CAROLINA WAKE COUNTY
I, Thomas Mitchell, Kad Notary Public of Wake County do hereby certify that George C. Jumper, personally appeared before me this day and acknowledged the execution of the foregoing map.
Witness my hand and seal this 14 day of Dec, 1988.
Thomas Mitchell, Kad
Notary Public
My commission expires Nov. 13, 1990

Book No. Page No. Signature(s) of Property Owner(s)
George C. Jumper
Lethia H. Davis

R-151-88