

**CITY OF RALEIGH**

**Z-32-09  
ETJ -3-09**

**Wake Co. R-W80**

**to**

**RR w/ WPOD**

**4.59 acres**

**Public Hearing  
July 21, 2009  
(November 18, 2009)**

**380  
Feet**



# Petition to Amend the Official Zoning Map

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

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
  - ☐ City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
  - ☐ Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
  - ☒ The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
  - 1) to lessen congestion in the streets;
  - 2) to provide adequate light and air;
  - 3) to prevent the overcrowding of land;
  - 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
  - 5) to regulate in accordance with a comprehensive plan;
  - 6) to avoid spot zoning; and
  - 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate

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

Signature(s)

Date:

Please type or print name(s) clearly:

Kenneth R. Waldroup, PE

# EXHIBIT B. Request for Zoning Change

Office Use Only	
Petition No.	7 - 0 3 2 - 0 9
Date Filed:	
Filing Fee:	

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

See instructions, page 6

	Name(s)	Address	Telephone / E-Mail
<b>1) Petitioner(s):</b> Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	City of Raleigh	One Exchange Plaza	919-857-4540
	Public Utilities Dept.	Raleigh, North Carolina	Kenneth.Waldroup@
	Atten.: Kenneth Waldroup	27601	ci.raleigh.nc.us

<b>2) Property Owner(s):</b>	City of Raleigh	222 West Hargett Street	919-857-4540
		Raleigh, North Carolina	Attention: CORPUD
		27601	Kenneth Waldroup

<b>3) Contact Person(s):</b>	Kenneth Waldroup	P.O. Box 590	919-831-6161
		Raleigh, North Carolina	Kenneth.Waldroup@
		27602	ci.raleigh.nc.us

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

Wake County Property Identification Number(s) (PIN): \_\_\_\_\_

Map of the properties (PIN # 1718984977 and #1718987751) is included herein

Survey with metes and bounds included herein

General Street Location (nearest street intersections): \_\_\_\_\_

Located at intersection of Falls of the Neuse Road and Raven Ridge Road.

**5) Area of Subject  
Property (acres):** PIN # 1718987751 = 4.59 acres and PIN# 1718884977 = 5.28 (total = 9.87)

**6) Current Zoning  
District(s)**  
**Classification:** Wake County Zoning R-W80  
Include Overlay District(s), if  
Applicable \_\_\_\_\_

**7) Proposed Zoning  
District**  
**Classification:** Rural Residential, Urban Water Supply Watershed Protection Overlay District-  
Include Overlay District(s) if  
Applicable. If existing Overlay  
District is to remain, please state. Primary Water Supply Watershed Protection Area

**8) Adjacent Property Owners**Office Use Only  
Petition No. 7 - 0 3 2 - 0 9

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

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

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
<u>SIPLING, PHILIP J &amp; DONNA B</u>	<u>1008 MEGSON CT</u>	<u>RALEIGH NC 27614-8326</u>	<u>1718890346</u>
<u>Raven Pointe Homeowners Inc</u>	<u>3949 BROWNING PL</u>	<u>RALEIGH NC 27609-6504</u>	<u>1728080277</u>
<u>JORDAN DWIGHT &amp; MARILYN</u>	<u>10527 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728082594</u>
<u>DONALD, RACHELLE D</u>	<u>10525 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728082562</u>
<u>CAMPBELL, PHILLIP</u>	<u>10523 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728082530</u>
<u>FREEMAN, JAMES &amp; NORMA</u>	<u>10521 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728082418</u>
<u>HOUGHTBY, GARY A &amp; JEAN</u>	<u>10507 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728081491</u>
<u>WELLS, VIRGINIA</u>	<u>10505 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728081388</u>
<u>HINSON, SHIRLEY SUTTON</u>	<u>10503 DAPPING DR</u>	<u>RALEIGH NC 27614-6403</u>	<u>1728081374</u>
<u>TRUST - JOANN A HAYDEN</u>	<u>1011 SUNRISE BLVD</u>	<u>PRESCOTT AZ 86301-5832</u>	<u>1728081361</u>
<u>BOWEN, DAVID &amp; PEARL</u>	<u>PO BOX 98304</u>	<u>RALEIGH NC 27624-8304</u>	<u>1728081247</u>
<u>WELLIVER, DAVID C</u>	<u>10485 DAPPING DR</u>	<u>RALEIGH NC 27614-6401</u>	<u>1728081233</u>
<u>FLANNER, JEAN F</u>	<u>10483 DAPPING DR</u>	<u>RALEIGH NC 27614-6401</u>	<u>1728081220</u>
<u>PERRY, OBIE &amp; GLENDA</u>	<u>1610 SAURATOWN RD</u>	<u>GERMANTON NC 27019</u>	<u>1728096122</u>
<u>DENMARK CONST. INC</u>	<u>416 US HWY 1 STE B</u>	<u>YOUNGSVILLE NC 27596</u>	<u>1728090038</u>
<u>DENMARK CONST. INC</u>	<u>416 US HWY 1 STE B</u>	<u>YOUNGSVILLE NC 27596</u>	<u>1718996244</u>
<u>GROVES, CHESTER F</u>	<u>PO BOX 98837</u>	<u>RALEIGH NC 27624-8837</u>	<u>1718993803</u>
<u>D R HORTON INC</u>	<u>2000 AERIAL CEN PWY STE 110</u>	<u>MORRISVILLE NC 27560</u>	<u>1728081665</u>
<u>SPENCE, ERIC R</u>	<u>1009 MEGSON CT</u>	<u>RALEIGH NC 27614-8327</u>	<u>1718893532</u>
<u>LYNCH, GEORGE &amp; CHERISE</u>	<u>1013 MEGSON CT</u>	<u>RALEIGH NC 27614-8327</u>	<u>1718895423</u>
<u>FARLAND, PHILLIP &amp; THERESA</u>	<u>1016 MEGSON CT</u>	<u>RALEIGH NC 27614-8326</u>	<u>1718895228</u>
<u>BAREFOOT, WILLIAM &amp; ROMY</u>	<u>4908 OAKMOOR CT</u>	<u>RALEIGH NC 27614-8328</u>	<u>1718893231</u>
<u>WATKINS, JAMES &amp; MELANIE</u>	<u>4904 OAKMOOR CT</u>	<u>RALEIGH NC 27614-8328</u>	<u>1718891160</u>
<u>HITT, ANDREW &amp; SHELLEY</u>	<u>4900 OAKMOOR CT</u>	<u>RALEIGH NC 27614-8328</u>	<u>1718799004</u>
<u>RAMSEY, JEROME</u>	<u>4901 OAKMOOR CT</u>	<u>RALEIGH NC 27614-8328</u>	<u>1718798260</u>

For additional space, photocopy this page.

Office Use Only	2 - 0 3 2 - 0 9
Petition No.	
Date Filed:	

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

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

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

### **Required items of discussion:**

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

### **Recommended items of discussion (where applicable):**

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

### **PETITIONER'S STATEMENT:**

#### **I. Consistency of the proposed map amendment with the Comprehensive Plan ([www.raleighnc.gov](http://www.raleighnc.gov)).**

- A. **Please state which District Plan area the subject property is located within and the recommended land use for this property:** The properties in question are outside of the City of Raleigh's planning jurisdiction at this time, are owned by the City of Raleigh and are subject to voluntary annexation under the policies and procedures of the City of Raleigh. Once annexed, the properties will become part of the North Planning District. The properties are contiguous with the existing E.M. Johnson Water Treatment Plant (EMJ WTP) and the proposed uses of said properties are consistent with existing uses at the EMJ WTP. The proposed zoning, Rural Residential (RR), with Urban Water Supply Watershed Protection Overlay District- Primary Water Supply Watershed Protection Area is consistent with contiguous zoning and is the functional equivalent to the existing Wake County zoning district.
- B. **Please state whether the subject property is located within any adopted Regional Center Plan, Small Area Plan, Corridor Plan, Neighborhood Plan, Watershed Plan, Streetscape Plan, Redevelopment Plan or other City Council-adopted plans and policies and discuss the policies applicable to future development within the plan(s) area:** The properties in question are subject to the Falls Lake Watershed Plan, border but are not subject to the I-540/Falls of Neuse Small Area Planning area and property PIN # 1718987751 is subject to the terms of the Falls of the Neuse Corridor Plan. The re-zoning is consistent with the Water System Master Plan and the draft 2030 City of Raleigh Comprehensive Plan.

Under the Falls Lake Watershed Plan the following information is noted... *"A portion of the City's E. M. Johnson Water Treatment Facility lies within the critical area, that area which would normally be in the primary watershed protection area due to its proximity to Falls Lake. However, due to the nature of this facility and the public control over the use of the land occupied by this water supply facility, it should not be subject to the zoning regulations enacted to carry out the primary watershed protection policies contained within this Plan. Rather, the design of the facility itself should address the objectives served by these policies and regulations."* The property on which the E.M. Johnson WTP is located is currently zoned Rural Residential and water treatment facilities are an allowable use under that zoning. All facilities constructed by the City of Raleigh on the properties proposed will be designed to comply with requirements of the Falls Lake Watershed Plan and the Falls of the Neuse Transportation Corridor Plan.

- C. **Is the proposed map amendment consistent or inconsistent with the Comprehensive Plan and other City Council-adopted plans and policies?** The Proposed map amendment is consistent with both the current adopted and proposed draft Comprehensive Plan, is consistent with Falls Lake Watershed Plan, is not subject to but is consistent with the I-540/Falls of the Neuse Small Area Plan and is subject to and consistent with the Falls of the Neuse Transportation Corridor Plan. The Falls Lake Watershed Plan states the following regarding adjacent City owned property currently zoned RR... *"A portion of the City's E. M. Johnson Water Treatment Facility lies within the critical area, that area which would normally be in the primary watershed protection area due to its proximity to Falls Lake. However, due to the nature of this facility and the public control over the use of the land occupied by this water supply facility, it should not be subject to the zoning regulations enacted to carry out the primary watershed protection policies contained within this Plan. Rather, the design of the facility itself should address the objectives served by these policies and regulations."* Regardless of the proposed or final use of the property, the existing Wake County zoning classification (R-W80) is the functional equivalent to the proposed City of Raleigh zoning classification - Rural Residential (RR), with Urban Water Supply Watershed Protection Overlay District and Primary Water Supply Watershed Protection Area. The proposed zoning classification is the only appropriate potential rezoning classification that is consistent with the Comprehensive Plan, the Falls Lake Watershed Plan and the Falls of the Neuse Transportation Corridor Plan.

## 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):** Immediately adjacent to and contiguous with the properties in question is the E.M. Johnson Water Treatment Plant, which is zoned Rural Residential (RR). The proposed rezoning would duplicate the current use and zoning of this City of Raleigh property. To the North and West are parcels that carry the Wake County zoning designation of Residential-Watershed 80 (R-80W). This use includes low density residential use consistent with watershed protection policies of the City. To the east of the properties in question exist a subdivision that is zoned City of Raleigh CUD R-10 and other properties that are zoned R-4.
- B. **Description of existing Zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards):** For the properties under this request for re-zoning, currently the properties carry the Wake County zoning designation of R-W80. Surrounding these properties, the existing zoning pattern is light to medium residential set-backs, building heights and density; all consistent with the

transitional nature of the boundary between the planning jurisdictions of the City of Raleigh and Wake County.

- C. Explanation of how the proposed zoning map amendment is compatible with the suitability of the property for particular uses and the character of the surrounding area**  
The proposed zoning for the properties described in this request is Rural Residential with the Neuse River Watershed overlay district. The proposed zoning is in keeping with the character of all surrounding area and is identical to the zoning classification of other City owned properties contiguous to the properties in question.

**III. Benefits and detriments of the proposed map amendment.**

**A. For the landowner(s):**

The rezoning could allow the property owner, the City of Raleigh, which is a municipal corporate entity under the laws of the State of North Carolina, to make better use of said property through the development of capital improvement projects associated with the modernization of the E.M. Johnson Water Treatment Plant. Without the proposed rezoning projects to improve potable water quality, quantity and system reliability would be much more difficult to develop.

**B. For the immediate neighbors:**

For the immediate neighbors of the property, the implementation of projects to improve potable water quality, quantity and system reliability, enabled by the rezoning, will directly impact those City properties served or to be served by City supplied potable water. For those immediate neighbors of the properties located outside of the City's planning jurisdiction, the City remains the water provider of last resort in the event of ground water contamination or well failure. Without development of capital improvement projects associated with the modernization of the E.M. Johnson Water Treatment Plant, the City may not be able to offer that emergency water supply connection.

**C. For the surrounding community:**

The E.M. Johnson water treatment plant provides potable water to approximately 430,000 customers within the City of Raleigh and the Towns of Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon. The rezoning could allow the City to implement projects to improve potable water quality, quantity and system reliability via improvements to the E.M. Johnson water treatment plant, the source of drinking water for the City of Raleigh and the Towns of Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon. The development of potable water quality, quantity and system reliability via improvements to the E.M. Johnson water treatment plant is in the public interest as the provision of potable water is a fundamental service of the City as defined by the Articles of Incorporation (City Charter) and applicable State of North Carolina General Statute and Administrative Code. If the property is not used for water treatment plant improvements, the proposed zoning would still allow for compatible beneficial use if the property is sold by the City for future development.

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

Yes, the rezoning could allow the City to implement projects to improve potable water quality, quantity and system reliability via improvements to the E.M. Johnson water treatment plant, the

source of drinking water for the City of Raleigh and the Towns of Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon.

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

The proposed zoning is in keeping with the character of all surrounding area and is identical to the zoning classification of other City owned properties contiguous to the properties in question. Regardless of the proposed or final use of the property, the existing Wake County zoning classification (R-W80) is the functional equivalent to the proposed City of Raleigh zoning classification - Rural Residential (RR), with Urban Water Supply Watershed Protection Overlay District and Primary Water Supply Watershed Protection Area. It is the only appropriate potential rezoning classification that is consistent with the Comprehensive Plan, the Falls Lake Watershed Plan and the Falls of the Neuse Transportation Corridor Plan.

**V. Recommended items of discussion (where applicable).**

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

Not Applicable

- 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.

Not Applicable

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

The rezoning will allow the City to implementation of projects to improve potable water quality, quantity and system reliability via improvements to the E.M. Johnson water treatment plant, the source of drinking water for the City of Raleigh and the Towns of Garner, Rolesville, Wake Forest, Knightdale, Wendell and Zebulon.

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

While the specific end is planned to be improvements to the existing water treatment facility, the RR zoning classification provides for other low-impact uses. Property development in the RR zone district will most likely have a minimal impact of the public infrastructure and surrounding properties.

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





## Certified Recommendation of the City of Raleigh Planning Commission

**Case File:** **Z-32-09/ETJ-3-09 General Use; Falls of Neuse Rd and Raven Ridge Rd**

**General Location:** This site is located on the west side of Falls of Neuse Road, SW of its intersection with Raven Ridge Road.

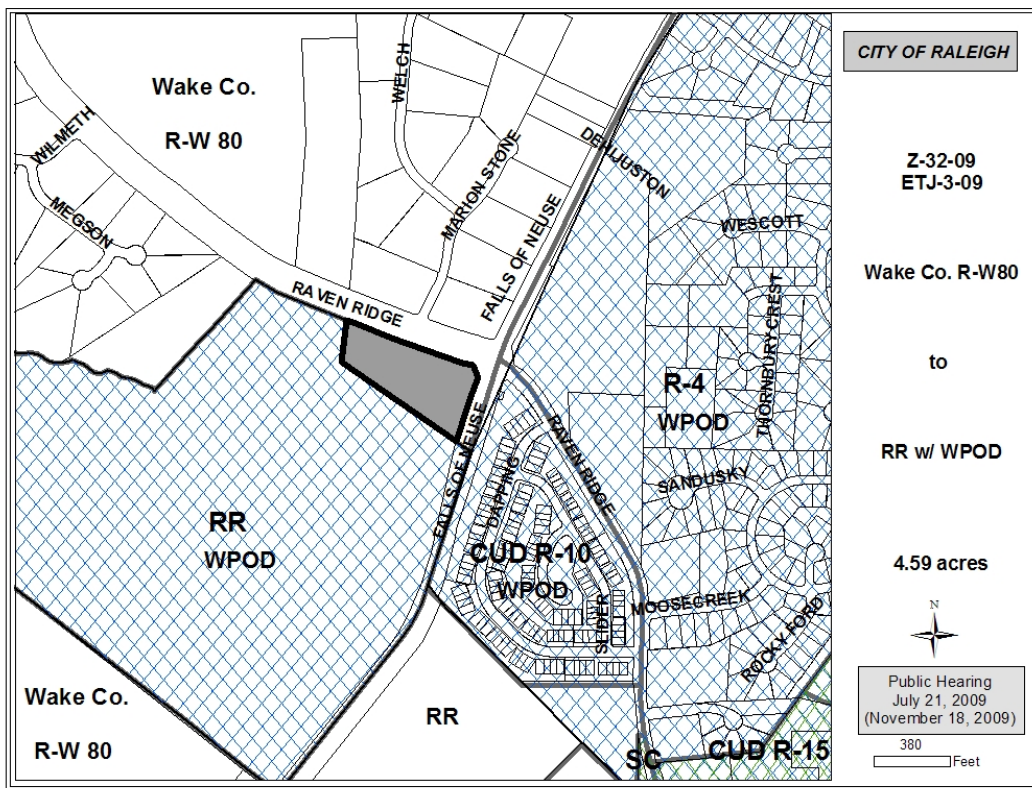
**Planning District / CAC:** North / North

**Request:** Petition for Rezoning from Wake County R-80W to Rural Residential with Watershed Protection Overlay.

**Consistency with Comprehensive Plan and Other Adopted Plans:** This request is consistent with the Comprehensive Plan.

**Valid Protest Petition (VSP):** NO

**Recommendation:** The Commission finds that this case is consistent with the Comprehensive Plan and recommends that this case be approved.



**CASE FILE: Z-32-09 General Use**

**LOCATION:** This site is located on the west side of Falls of Neuse Road, SW of its intersection with Raven Ridge Road.

**REQUEST:** This request is to rezone approximately 4.59 acres, currently zoned Wake County R-80W. The proposal is to rezone the property to Rural Residential with Watershed Protection Overlay District.

**COMPREHENSIVE PLAN CONSISTENCY:** This request is consistent with the Comprehensive Plan.

**RECOMMENDATION:** The Commission finds that this case is consistent with the Comprehensive Plan and recommends that this case be approved.

## FINDINGS AND REASONS:

- (1) The proposal is reasonable and in the public interest. Rezoning the property will allow the adjacent City of Raleigh Water Treatment Facility to expand and update their systems. This will allow for a safer and more efficient operation.
- (2) Rezoning to Rural Residential with Watershed Protection Overlay is consistent and compatible with surrounding zoning and land uses. Current zoning on the property is R-80W Wake County, and the proposal is the most compatible City of Raleigh zoning designation.
- (3) That for the above stated reasons the Commission recommends approval for this rezoning case.

**To PC:** 7/28/09  
**Case History:** COW 9/1/09  
PC 9/8/09

**To CC:** 9/15/09

**City Council Status:**

**Staff Coordinator:** Stan Wingo

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

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

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

date: 9/10/09



## Zoning Staff Report: Z-32-09 General Use

**LOCATION:** This site is located on the west side of Falls of Neuse Road, SW of its intersection with Raven Ridge Road.

**AREA OF REQUEST:** 4.59 acres

**PROPERTY OWNER:** City of Raleigh

**CONTACT PERSON:** Kenneth Waldroup 831-6161

**PLANNING COMMISSION  
RECOMMENDATION  
DEADLINE:** *November 18, 2009*

---

**ZONING:** Current Zoning

R-80

Current Overlay District

Watershed

Proposed Zoning

Rural Residential

Proposed Overlay District

WPOD

**ALLOWABLE  
DWELLING UNITS:**

Current Zoning

2 dwelling units

Proposed Zoning

4 dwelling units

**ALLOWABLE OFFICE  
SQUARE FOOTAGE:**

Current Zoning

Office uses not permitted.

Proposed Zoning

Office uses not permitted.

**ALLOWABLE RETAIL  
SQUARE FOOTAGE:**

Current Zoning

Retail uses not permitted.

Proposed Zoning

Retail uses not permitted.

**ALLOWABLE  
GROUND SIGNS:**

Current Zoning

Tract ID

Proposed Zoning

Tract ID

**ZONING HISTORY:** This property is currently in Wake County's jurisdiction and zoned R-80W. An annexation petition has been submitted and approved by City Council. The annexation becomes effective on August 31, 2009, after which the City has 60 days to place zoning on the property.

**SURROUNDING**

**ZONING:** NORTH: R-W80  
SOUTH: RR w/WPOD  
EAST: R-10 CUD w/WPOD  
WEST: RR w/WPOD

**LAND USE:** Undeveloped wooded land

**SURROUNDING LAND USE:** NORTH: Single family homes  
SOUTH: City of Raleigh Water Treatment Plant  
EAST: Single family homes  
WEST: Single family homes

**DESIGNATED HISTORIC RESOURCES:** This site is not located within a designated historic district and does not include any historic landmarks.

---

#### EXHIBIT C AND D ANALYSIS:

**COMPREHENSIVE  
PLAN SUMMARY  
TABLE:**

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

Element	Application to case
Planning District	North
Urban Form	Falls Lake Watershed Plan
Specific Area Plan	N/A
Guidelines	N/A

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

This site is currently located within Wake County's jurisdiction. Surrounding guidelines recommend low density residential uses within a watershed protection area. The proposal to rezone the property to Rural Residential with Watershed Protection Overlay District is consistent with adjacent Comprehensive Plan guidelines.

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

Applicant states that the proposed rezoning is in keeping with the character of the surrounding area and is identical to the zoning classification of other City owned properties contiguous to the properties in question. The site is directly adjacent to the E.M. Johnson Water Treatment Plant. All other surrounding uses are single family residential developments.

Staff agrees with the assessment provided by the applicant. The proposal to annex and rezone the property to Rural Residential with Watershed Protection Overlay would be consistent and compatible with surrounding zoning and land uses.

**3. Public benefits of the proposed rezoning**

Applicant states that the E.M. Johnson Water Treatment facility provides potable water to approximately 430,000 customers within the City of Raleigh and several neighboring jurisdictions. The rezoning will allow the City to implement projects improve potable water quality, quantity and system reliability via improvements to the water treatment plant. The proposal is in the public interest as the provision of potable water is a fundamental service of the City.

Staff agrees with this assessment. There is a significant public benefit associated with this request. The annexation and rezoning of this property will allow for expansion of the treatment facility and help in the implementation of projects to improve water quality and quantity. The applicant requests Rural Residential zoning with the Watershed Protection Overlay District. It should be noted that the RR zone district allows for a range of low intensity uses. This petition is not seeking a conditional use rezoning, and all allowed uses and development standards associated with the RR district would be applicable.

#### **4. Detriments of the proposed rezoning**

There are no known detriments in association with this case.

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

**TRANSPORTATION:** Falls of Neuse Road is classified as a secondary arterial thoroughfare (2007 ADT 27,000 vpd) and exists as a 5-lane roadway with a curb and gutter section and multi-use path on one side within a 130-foot right-of-way. City standards call for Falls of Neuse Road to be constructed as a 6-lane median divided road with sidewalk or multi-use paths on both sides within the existing right-of-way. Raven Ridge Road is classified as a minor thoroughfare and exists as a two-lane ribbon paved roadway within a varying 130 -150 feet of right-of-way. City standards call for Raven Ridge Road to be constructed as a multi-lane facility with a 53-foot back-to-back curb and gutter section with sidewalks on both sides with the existing right of way. The City of Raleigh has a Capital Improvement Project to widened Falls of Neuse Road in the vicinity of the subject property. This project calls for Falls of Neuse Road to be widened to a multi-lane roadway beginning south of Raven Ridge Road and continuing on existing alignment to approximately at Lowery Farms Road then traversing on new location across the Neuse River to connect to New Falls of Neuse Road in Wakefield. The widening of Falls of Neuse Road is scheduled to being in the Fall of 2011.

**TRANSIT:** Prior to lot recordation or the issuance of any building permit, whichever shall first occur, the owner of the property shall deed to the City a transit easement measuring twenty feet (20') long by fifteen feet (15') wide adjacent to the public right-of-way to support a bus stop for future transit services in the area. The location of the transit easement shall be timely reviewed and approved by the Transit Division of the City and the City Attorney or his designee shall approve the transit easement deed prior to recordation in the Wake County Registry.

**HYDROLOGY:** FLOODPLAIN: No FEMA  
DRAINAGE BASIN: Neuse  
STORMWATER MANAGEMENT: Site is subject to Part 10, Chapter 9, Stormwater Control and Watercourse Buffer Regulations. Some Neuse River Buffer on site. The site is in the Falls Lake Watershed Protection overlay District.

#### **PUBLIC UTILITIES:**

**Maximum Demand  
on Current Zoning**

**Maximum Demand  
on Proposed Zoning**

Water	Approx. <u>6,189</u> gpd	Approx. <u>3,681</u> gpd
Waste Water	Approx. <u>6,189</u> gpd	Approx. <u>3,681</u> gpd

The proposed rezoning request would become part of the City of Raleigh's E. M Johnson Water Treatment Plant. There would be no additional impact on the City's wastewater or water treatment systems as a result of this rezoning request.

**PARKS AND**

**RECREATION:**

This property is not adjacent to any greenway corridors. The proposed rezoning has not impact upon park level of service.

**WAKE COUNTY**

**PUBLIC SCHOOLS:**

Proposed rezoning would increase residential density by no more than 2 dwelling units. This would have very little additional impact to area public schools.

**IMPACTS SUMMARY:**

There would be very little impact to the infrastructure in this area associated with this rezoning request.

**APPEARANCE**

**COMMISSION:**

This request is not subject to Appearance Commission review.

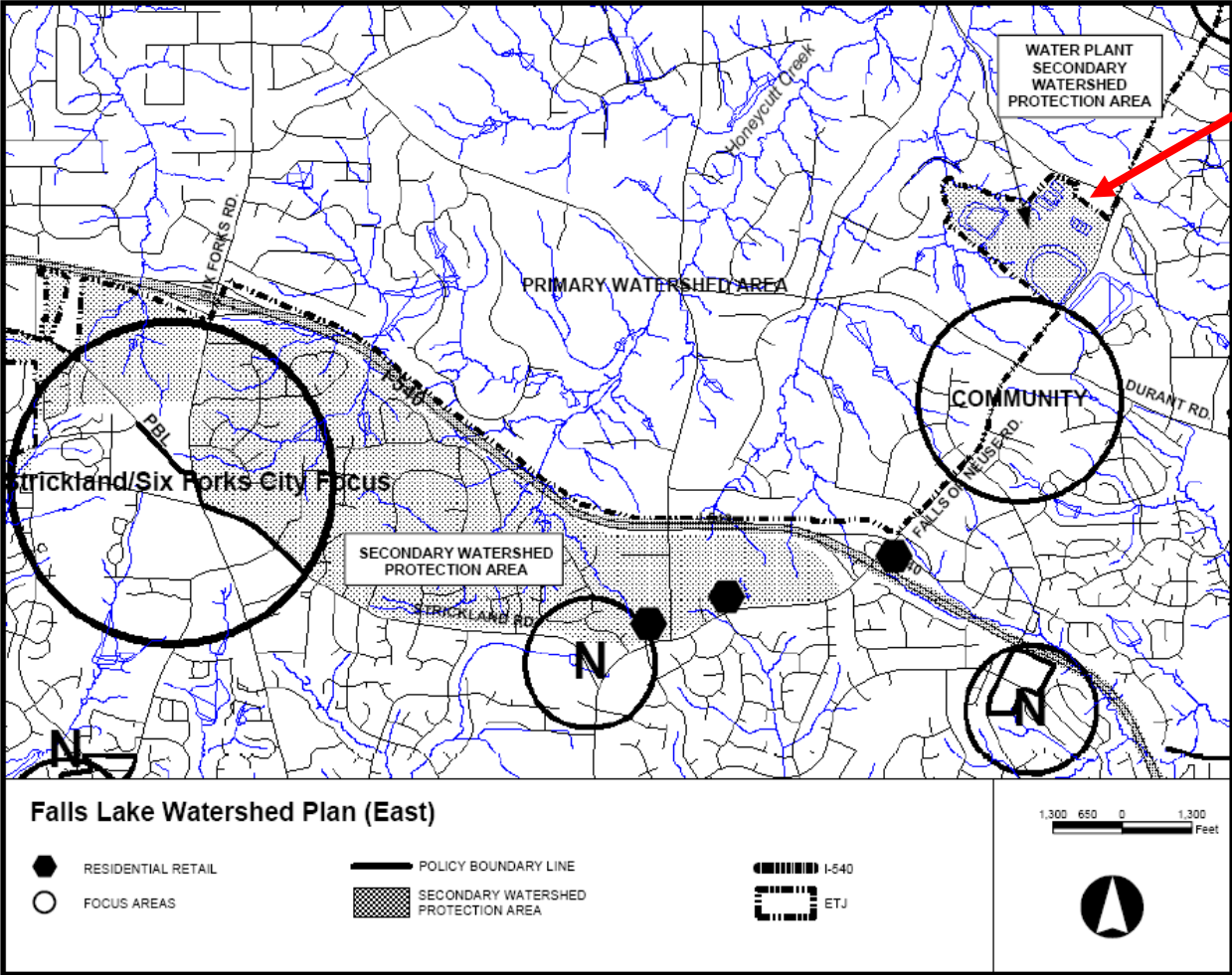
**CITIZENS'**

**ADVISORY COUNCIL:**

DISTRICT: North

CAC CONTACT PERSON: Ann Weathersbee 876-1807

---





# Falls of Neuse Corridor Plan

