

Memo

To: Town Board of Commissioners
From: Michael Elabarger, Senior Planner
Date: February 7, 2023
Re: MA 22-11 – 207 North Main Street Rezoning

UPDATE: The Town Board of Commissioners on December 6, 2022 tabled action on MA 22-11 to allow the Applicant the opportunity to re-apply for this Application as a Conditional District request; see revised materials.

Request

The Town of Rolesville Planning Department received a Map Amendment (Rezoning) application for a 1.017-acre property located at 207 North Main Street with Wake County PIN 1769124496. The Applicant, Formyduval5 LLC, is requesting to rezone the property to the General Commercial Conditional Zoning (GC-CZ) District of the Land Development Ordinance (LDO) from the existing General Industrial Conditional Zoning (GI-CZ) District. The Conditional nature is due to the translation from the former Zoning District, I-CZ, under Unified Development Ordinance; Staff is not aware of any specific zoning conditions governing this property. The proposed Conditional aspect of this application clarifies Permitted Uses, Special Use Permit Uses, and Prohibited Uses.

Background

The property is fully developed (Wake County indicates the building was built in 2001; aerial imagery indicates the property developed as observed today between 1999 and 2005) with an approximately 10,000 SF building and associated site features (approximately 50 parking spaces, landscaping, refuse receptacles). There is no indication of any new physical development proposed as an outcome of the request to change the Zoning District. The property owner seeks to afford a wider variety of future tenants to locate to the building, which currently could be utilized for up to 9 separate lease spaces per the Applicant. The primary tenancy currently is that of Zoning uses that are all permitted in the GC District. The applicant seeks to continue, and foster, such tenancy by businesses that are Permitted, such as retail sales and services, office users, and restaurants, and remove limitations for tenants that exist under the current General Industrial district.

Neighborhood Meeting

The Applicant held an online, virtual neighborhood meeting on October 20, 2022. Seventeen (17) property owners within two hundred fifty (250) feet of the subject property were mailed invitations. Two (2) members of the public attended the meeting; see Attachment 2 for materials for and from that meeting.

Comprehensive Plan

The future land use designation of the subject property is 'Commercial'. The applicant's request for the General Commercial zoning district would be consistent with this land use category, which is described in the 2017 Comprehensive Plan as "*Suburban commercial centers serving the daily needs of surrounding residential neighborhoods. They typically are located near roads with a high volume of traffic and key intersections that are designed to be accessed primarily by automobile. These consider other modes of transportation in design choices as well, both internally and externally of the commercial neighborhood. Common types include single tenant buildings on individual lots, single and multi-tenant buildings normally found in shopping centers, or multi-tenant units with big box or anchor retail businesses in commercial shopping facilities.*"

Main Street Vision Plan

The Town of Rolesville developed the Main Street Vision Plan to help the community grow, reestablish a true town center, and reclaim its Main Street. The plan includes five principles and five goals, the following of which are applicable to this rezoning request:

- Principle 5: Quality development/redevelopment must be supported
- Goal 4: Reestablish a town center
- Goal 5: Retain & respect the small-town feel

Changing the zoning of the subject property from General Industrial to the General Commercial District Conditional Zoning (GC-CZ) will provide greater potential to meet the principles and goals of the Main Street Vision Plan. Non-residential uses and forms of development typically align better with the type of corridor that Main Street is, and will be, transforming into over the coming years.

Transportation and Traffic

As per LDO Section 8.C.4., the Land Development Administrator (LDA) may waive the requirement for a Traffic Impact Analysis (TIA) upon determining that a TIA is not necessary to determine needed road improvements, that adequate capacity exists to serve the proposed development, and that no unsafe or hazardous conditions will be created by the development as proposed. Based on the level of detail available for this Map Amendment (Rezoning), and that the site is already fully developed, a TIA was determined to not be required. Further, the Town has been awarded funding from the State Locally Administered Projects Program (LAPP) to enhance and revitalize an almost 2 miles long stretch of Main Street, ending just south (west) of the subject property. The grant project will re-create Highway 401 Business into Rolesville's Main Street and includes streetscape improvements, crosswalks, curb and gutter, new sidewalks, and bicycle transportation enhancements from Burlington Mills Road to Young Street.

Development Review

Town Planning Department staff reviewed the rezoning request, and there were no correction related comments provided to the applicant.

Staff Recommendation

Based on alignment with the Comprehensive Plan, the Main Street Vision Plan principles and goals, and the synergy with the future LAPP project improvements to the Main Street corridor as a whole, Staff recommends approval of Map Amendment (rezoning) case MA 22-11 – 207 North Main Street.

Planning Board Recommendation

At the December 19, 2022 meeting, the Planning Board unanimously recommended approval of MA 22-11, 207 N. Main Street.

Consistency and Reasonableness

As noted above under the Comprehensive Plan section of this report, the rezoning request for the subject parcel supports Rolesville’s Main Street Vision Plan. The property is within an area on the west side of North Main Street planned for Commercial development on the Future Land Use map. MA 22-11 is thus consistent with the Comprehensive Plan and other applicable Plans and is therefore reasonable.

Proposed Motion

- Motion to (approve or deny) rezoning request MA 22-11 - 207 North Main Street.
 - (Following Approval) Motion to adopt a Plan Consistency Statement and Statement of Reasonableness.

Attachments

	Description	Date
1.	Application	09-30-2022
2.	Neighborhood Meeting information	October 2022
3.	Proposed Conditions of Approval	12/15/2022
4.	Vicinity Map	n/a
5.	Zoning Map (existing)	n/a
6.	Future Land Use Map	n/a



Application

Revised December 2022 for GC-CZ

Contact Information

Property Owner Formy Duval 5 LLC Angeline Formy Duval
Address 207 N. Main St City/State/Zip Rolesville NC 27571
Phone 919 632 9924 Email angie@sbsraleigh.com

Developer 1
Contact Name _____
Address 20
Phone 919

Property Information

Address 207 North Main Street Rolesville NC 27571
Wake County PIN(s) 0241767
Current Zoning District GI-CZ Requested Zoning District GC-CZ see Conditions
Total Acreage 1.017 Requested Special Use _____

Owner Signature

I hereby certify that the information contained herein is true and completed. I understand that if any item is found to be otherwise after evidentiary hearing before the Town Board of Commissioners, that the action of the Board may be invalidated.

Signature Angeline Formy Duval Date 9-28-2022

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public, do hereby certify that ANGELINE FORMY DUVALL
personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This
the 28th day of SEPTEMBER 20 22
My commission expires 4/14/25

Signature Justin Storm Thigpen Seal



ATTACHMENT 2

October 11, 2022

**Reference: 207 N. Main Street -- Map Amendment 22-11
(Rezoning) Neighborhood Meeting Notification**

Dear Neighbor:

We are writing to notify you of a neighborhood meeting to discuss the proposed rezoning of 207 North Main Street (Wake County PIN 1769124496) from the current General Industrial – Conditional Zoning (GI-CZ) District to the General Commercial (GC) District under the Town of Rolesville Land Development Ordinance (LDO).

The proposed rezoning constitutes a “down zoning” from a more intense district to a less intense district.

Per Town requirements, notification is being provided to property owners within 200 feet (plus widths of right-of-ways within 200') of the property.

The online Microsoft TEAMS meeting will be held **Thursday, October 20, 2022 at 6:00 PM** – please see the instructions and meeting link below.

Please log onto the internet and type in the URL link below which should take you to the Microsoft Teams meeting directly.

<https://tinyurl.com/MA-22-11-Rezoning>

If that link does not work, please try the link below and enter in the “ID” and “Passcode”:

<https://www.microsoft.com/microsoft-teams/join-a-meeting>

- Meeting ID: 279 651 310 263
- Passcode: PXMmf9

If neither of those links work, please CALL in for audio access only to:

[+1 984-204-1487,,791784192#](tel:+19842041487791784192) United States, Raleigh

Phone Conference ID: **791 784 192#**

Sincerely,

Angie & Cory Formyduval
Dba FORMYDUVAL 5, LLC

PIN_NUM	OWNER	ADDR1	ADDR2
1769126832	MESSIAH, JOHN MESSIAH, VIOLA FAWZY	216 NORTWICK RD	ROLESVILLE NC 27571-9228
1769127274	BOWLING, RICHARD KEVIN	14004 POSSUM TRACK RD	RALEIGH NC 27614-9384
1769113963	WALL, EDWARD ANTHONY WALL, SHELBY	202 N MAIN ST	ROLESVILLE NC 27571-9645
1769128342	BOWLING, JUNE B	200 BOWLING DR	ROLESVILLE NC 27571-9414
1769127107	BOWLING, JUNE B	200 BOWLING DR	ROLESVILLE NC 27571-9414
1769124496	FORMYDUVAL 5 LLC	207 N MAIN ST STE 113	ROLESVILLE NC 27571-9300
1769122872	WARD, JOYCE ANN	201 NORTWICK RD	ROLESVILLE NC 27571-9229
1769125765	MCPHERSON, JOHN A MCPHERSON, SHRILEY R	212 NORTWICK RD	ROLESVILLE NC 27571-9228
1769127623	WAKE MONUMENT CO INC	213 N MAIN ST	ROLESVILLE NC 27571-9646
1769129452	MUELLER, CATHERINE BOYNE, MARY ANN	300 N MAIN ST	ROLESVILLE NC 27571-9647
1769123847	AVERY, JUAN AVERY, GWENDOLYN	209 NORTWICK RD	ROLESVILLE NC 27571-9229
1769124790	BOONE, JONATHAN L BOONE, DAPHNE DANETTE	208 NORTWICK RD	ROLESVILLE NC 27571-9228
1769124625	MOORE, MALINDA JACKSON SEWORTH, ESTELLA J	204 NORTWICK RD	ROLESVILLE NC 27571-9228
1769121549	LAWRENCE, DONALD H III	205 N MAIN ST	ROLESVILLE NC 27571-9646
1769124062	STROMAN, BEVERLY B	204 N MAIN ST	ROLESVILLE NC 27571-9645
1769029362	COLUMBIA PARK EAST MHP-KB LLC	8480 HONEYCUTT RD STE 200	RALEIGH NC 27615-2261
1769125170	NGUYEN, CASIDY PHAN PHAN, QUANG HUYNH	208 N MAIN ST	ROLESVILLE NC 27571-9645
1769123307	LAWRENCE, DONALD H III	205 N MAIN ST	ROLESVILLE NC 27571-9646
1769123640	KEITH, LARRY E KEITH, ERNESTINE	200 NORTWICK RD	ROLESVILLE NC 27571-9228

MA 22-11 / 207 N. Main Street
Neighborhood Meeting held 10/20/2022 – NOTES

Attendees :

1. Property co-owner Angie Formyduval
2. Donnie Lawrence, 205 N Main
3. Jonathan Boone, 208 Nortwick Rd
4. Mical McFarland, Town of Rolesville Economic Development

The meeting lasted 20 minutes as the owners discussed the reasoning behind the rezoning. No substantial questions/concerns or issues arose.

ATTACHMENT 3 - MA 22-11

MA 22-11 / 207 N. Main Street
Exhibit A – Proposed Conditions of Approval

12/15/2022

1. Permitted uses shall be limited to and governed by the following table:

<u>PERMITTED (13)</u>	<u>SPECIAL USE Permit Required (14)</u>	<u>PROHIBITED (16)</u>
Assembly / Church	Day Care	Carwash
Cultural Facility	Schools (K-12)	Gas Station
Govt Office	Park/Public Recreation	Golf Course
Bank	Bar/Nightclub	Recreation, Outdoor
Eating Establishment	Commercial Parking	Retail Sales & Service, Shopping Center
Recreation, Indoor	Event Center	Vehicle, Rental & Sales
Retail Sales & Service, Neighborhood	Funeral Home	Minor Utility
Retail Sales & Service, Community	Brewery/Distillery	Major Utility
Tattoo Establishment	Vehicle, Minor Service	Minor Transportation Installation
Dwelling, Upper Story Unit	Animal Care	Water Storage Tank
Dental Facility	Urgent Care	Colleges/University
Medical Facility	Artisanal Manufacturing	Hospital
Professional Office	Lodging	Flex
	Social Services	Fulfillment Center
		Major Transportation Installation
		Telecommunications Tower

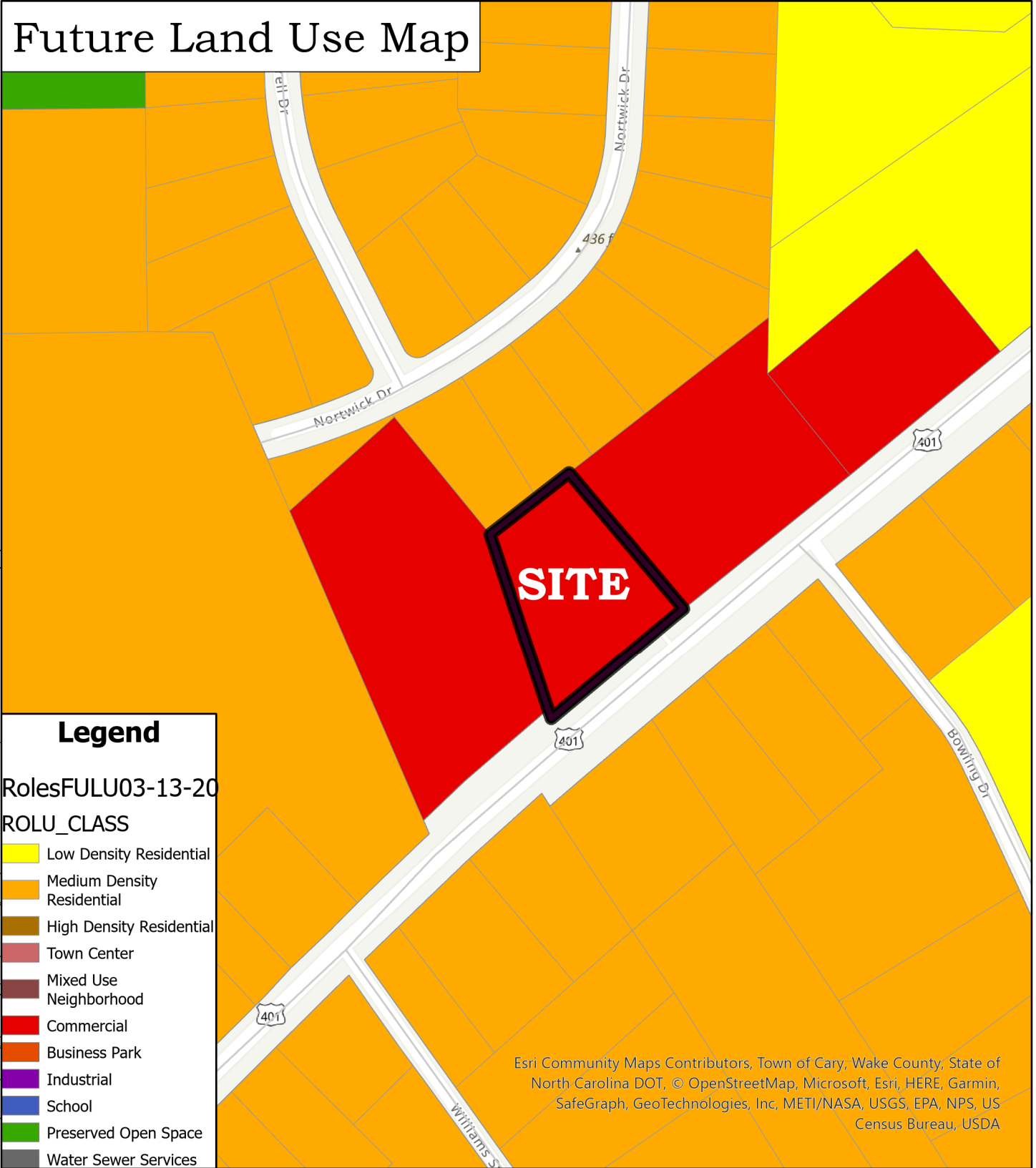


Case: MA 22-11
Address: 207 N. Main
PIN 1769124496
Date: 10.18.2022

Future Land Use Map

Date Saved: 10/18/2022 2:10 PM

Path: C:\Users\SRaby\Desktop\GIS\2022 Projects\MA 22-11_207 N Main\MA 22-11_207 N Main Basemap.aprx



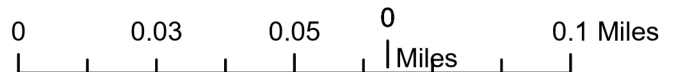
Legend

RolesFULU03-13-20

ROLU_CLASS

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Town Center
- Mixed Use Neighborhood
- Commercial
- Business Park
- Industrial
- School
- Preserved Open Space
- Water Sewer Services

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Case: MA 22-11
Address: 207 N. Main
PIN 1769124496
Date: 10.18.2022

Vicinity Map

Terrell Plantation

SITE

Little House

Nortwick Dr

N Main St

401

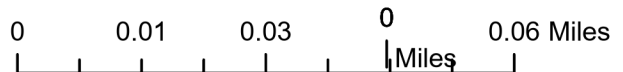
401

401

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ATTACHMENT 6



Case: MA 22-11
Address: 207 N. Main
PIN 1769124496
Date: 10.18.2022

Zoning Map

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Legend

Rolesville_Zoning_2

Zoning Classification

- RL
- RM
- RM-CZ
- RH
- RH-CZ
- R&PUD
- R&PUD-CZ
- MH
- OP
- OP-CZ
- GC
- GC-CZ
- TC
- GI
- GI-CZ

SITE

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