

Memo

To: Town of Rolesville Planning Board
From: Meredith Gruber, Planning Director and Michael Elabarger, Senior Planner
Date: December 18, 2023
Re: 4124 Burlington Mills Road
Rezoning (Map Amendment) REZ-23-06

Background

The Town of Rolesville Planning Department received a Rezoning Map Amendment (REZ) application in August of 2023, to rezone the 3.48 acre property from the current Residential Low Density (RL) District to the General Industrial Conditional Zoning (GI-CZ) District. The request includes a set of Conditions of Approval, which contain one (1) condition that limits the ultimate use of the property to either a Public Safety Facility or a Warehouse use.

The property is currently in the Town's Extraterritorial Jurisdiction (ETJ) and the Applicant does not intend to voluntarily annex the property into Town limits.

Applicant Justification

In the submitted Application (see Attachment 1), the Applicant states the intention or purpose of seeking to change the Zoning District of the property is to build a new Fire Station for fire equipment and department use only.

Neighborhood Meetings

The Applicant conducted a Neighborhood meeting on December 6, 2023, see Attachment 3.

Comprehensive Plan

Land Use

The 2017 Comprehensive Plan's Future Land Use Map designates the subject property, and the entire area on both sides of Burlington Mills Road, as appropriate for Medium-Density Residential development. Per the Plan, this is defined as:

Predominantly single-family residential uses with portion of duplex, townhouse, or multifamily residential. These are lots or tracts at a density range of three to five (3-5) dwelling units per gross acre including preserved open space areas along with limited non-residential uses under planned unit development or form base code provisions.

Community Transportation Plan

The Town of Rolesville's Community Transportation Plan (CTP, adopted 2021) includes recommendations for Thoroughfares, Collectors, and intersections.

Thoroughfare Recommendations near the property

- Burlington Mills Road is planned to be a 4-lane, Raised Median-divided section with curb & gutter, bike lanes, and sidewalks.

With no specific development proposed as part of the Rezoning, a Traffic Impact Analysis [TIA] could not/was not performed at this stage; when development is proposed through a Site Development Plan in the future, the project will be vetted for warranting a TIA (and any off-site improvements).

Greenway and Bike Plans

As per the 2022 Greenway Plan:

- A ten-foot (10') Sidepath on the 'west' side of Burlington Mills Road (this property side)

As per the 2022 Bicycle Plan:

- Bicycle lane within the travel lanes of the roadway.

Consistency

The Rezoning request is not consistent with the Town of Rolesville's Comprehensive Plan for the following reasons:

- The General Industrial (GI) zoning district is not appropriate immediately adjacent an RM District (the Pearce Farm residential neighborhood).
- Minus written details in the Conditions OR a concept sketch plan of development there is no known size, height, amount, or location of buildings/square footage/exact forms of development (ie, a building, a parking lot, an accessory structure) to gauge the possible impacts of

Despite the inconsistent nature of the Rezoning request, the following should be mentioned:

- At the time of development, a GI District adjacent an RM District requires the GI zoned property to construct a Type 4 Perimeter Buffer, which is 50' in depth with a 5' high berm, a 3' wall, a continuous hedge, 4 understory trees per 100 LF, and 8 Trees per 100 LF. The property has approximately 700' of linear property line with an RM District.

Staff notes that a *Public Safety Facility* (ie, fire, police, or emergency services center) generally functions as a "community facility" and is routinely sited within or adjacent residential neighborhoods for obvious proximity and response time purposes. The proposed use of "Warehouse" is far more wide-ranging compared to Public Safety Facility. A Rezoning entitlement runs with the land, and thus if property ownership changes, the development options in the proposed Condition is valid/in effect.

Development Review

The Technical Review Committee (TRC) reviewed the Rezoning application, with the only comment to expand the proposed Conditions to the extent possible to express the sought after development of the property.

Proposed Motion

Motion to recommend to the Town Board of Commissioners (approval or denial, along with mention of consistency or inconsistency with the Comprehensive Plan) of Rezoning request REZ-23-06 – 4124 Burlington Mills Road.

Attachments

1	Rezoning Map Amendment Application
2	Deed_Bk16369_g2073
3	Neighborhood Meeting Package – December 6, 2023
4	Proposed Conditions of Approval

REZ-23-06

Case No. _____

Date 07.25.2023



Map Amendment Application

Contact Information

Property Owner Rolesville Rural Fire Department

Address 4124 Burlington Mills Road City/State/Zip Wake Forest, NC 27587

Phone 919-556-2064 Email chief@rolesvillefire.com

Developer TBD

Contact Name _____

Address _____ City/State/Zip _____

Phone _____ Email _____

Property Information

Address 4124 Burlington Mills Road

Wake County PIN(s) 1749808870

Current Zoning District RL Requested Zoning District GI-CZ

Total Acreage 3.48

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 Rolesville Rural Fire Dept. Inc. *By Frank C. Pearce, Jr.* Date 7-31-23

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public, do hereby certify that 8 Frank C. Pearce sr.

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This

the 07 day of 31 2023

My commission expires May 21, 2024

Signature  Seal

SANDRA MCCONNELL
Notary Public
Wake Co., North Carolina
My Commission Expires May. 21, 2024

Town of Rolesville Planning

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.554.6517



Map Amendment Application

Property Owner Information

Wake County PIN	Property Owner	Mailing Address	Zip Code
1749808870	Roelsville Rural Fire Department	PO BOX 249 Roelsville, NC	27571-0249

WAKE COUNTY, NC 148
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/29/2016 13:57:41
STATE OF NC REAL ESTATE
EXCISE TAX: \$250.00
BOOK:016369 PAGE:02073 - 02076

This instrument prepared by: James S. Warren, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.
HOLD FOR: Warren, Shackelford & Thomas, P.L.L.C.

PREPARED BY: Warren, Shackelford & Thomas, P.L.L.C.,
P.O. Box 1187, Wake Forest, NC 27588

TAX IDENTIFICATION #: 107673 REVENUE STAMP \$ 250.00

NORTH CAROLINA GENERAL WARRANTY DEED

This deed made this 27th day of April, 2016 by and between:

GRANTOR: **STACY F. PEARCE AND JULIE H. PEARCE**

GRANTEE: **ROLESVILLE RURAL FIRE DEPT. INC.**
P. O. Box 249, Rolesville, NC 27571

Grantor, for valuable consideration paid by Grantee, receipt of which is hereby acknowledged, does grant, convey and transfer unto Grantee in fee simple the property described as follows:

TOWNSHIP OF _____, COUNTY OF WAKE

SEE ATTACHED EXHIBIT "A"

The above property was acquired by Grantor by instrument recorded in Book 4269, Page 671.

All or a portion of the property herein conveyed ___ includes or ___ does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the above described property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title to the property against the lawful claims of all others except for the exceptions set out below.

Title to the property described herein is subject to the following exceptions:

- 1. Subject to the right of way of Burlington Mills Road.
- 2. Subject to easement(s) and restriction(s) of record.

IN WITNESS WHEREOF, Grantor has set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by a duly authorized officer.


 _____ (SEAL)
 Stacy F. Pearce



 _____ (SEAL)
 Julie H. Pearce

STATE OF NORTH CAROLINA, COUNTY OF Wake

I, James S. Warren, a Notary Public for the County and State aforesaid, certify that **Stacy F. Pearce** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 29 day of April, 2016.

My Commission Expires: 10-3-2020

 Notary Public 



STATE OF NORTH CAROLINA, COUNTY OF Wake

I, James S. Warren, a Notary Public for the County and State aforesaid, certify that **Julie H. Pearce** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 29 day of April, 2016.

My Commission Expires: 10-3-2020


 Notary Public 



EXHIBIT A

BEGINNING at a PK nail in the centerline of State Road 2051, said iron stake being located 636 feet in a northwesterly direction along the centerline of State Road 2051 from the intersection of the centerline of State Road 2073 and the centerline of State Road 2051; runs thence from said point of beginning South 32 degrees 24 minutes West 199.39 feet to an iron stake; runs thence North 57 degrees 36 minutes West 41.17 feet to an iron stake; runs thence South 32 degrees 24 minutes West 140.85 feet to an iron stake; runs thence North 85 degrees 39 minutes West 363.71 feet to an iron stake; runs thence North 04 degrees 21 minutes East 280.74 feet to an iron stake; runs thence South 85 degrees 39 minutes East 560.00 feet to a PK nail in the centerline of SR 2051, the point and place of beginning, being all of that certain tract of land containing 3.00 acres as shown by map and survey of Williams, Pearce & Associates, P.A. dated May 13, 1988 entitled "House Location for Stacy Frank Pearce and Julie Harris Pearce, Wake Forest Township, Wake County, North Carolina."

To: Neighboring Property Owners

From: Chief Lawrence Rural Rolesville Fire Department

Date: November 13, 2023

Re: Neighborhood Meeting- 4124 Burlington Mills Road Rezoning (REZ-23-06)

Please join us to discuss the proposed rezoning (map amendment) of the Rural Rolesville Fire Department property located at 4124 Burlington Mills Road Wake Forest, NC 27587. We have scheduled an informational meeting with surrounding neighbors on December 6, 2023 at 6:00 PM. This meeting will be held at the Rolesville Fire Station 104 E Young Street Rolesville, NC 27571.

The purpose of this meeting is to discuss the proposed rezoning of 4124 Burlington Mills Road Wake Forest, NC 27587 (REZ-23-06). The property assemblage totals approximately 3.48 acres in size and is located east of the intersection at Forestville Road and Southeast along Burlington Mills Road.

The property is currently zoned Residential Low (RL) under the Town of Rolesville's Land Development Ordinance (LDO). The proposed rezoning would change the zoning to General Industrial (GI) as a Conditional Zoning (CZ) District, with a Condition that restricts the use and development of the property to only the "Public Safety Facility and Warehouse" Zoning specific use. We believe the proposed rezoning at this location, while inconsistent with the Future Land Use Map which calls for Medium Density Residential in this area will serve the area greatly in the future when needed.

The town of Rolesville requires a neighborhood meeting involving the Rural Rolesville Fire Department and tenants of property within 500 feet of the property during the rezoning process. During this information session, you will have the opportunity to hear about and ask questions regarding the proposed rezoning. After the meeting, we will prepare a report for the Planning Department regarding the items discussed at the meeting.

Neighborhood Meeting Information

- **Date: December 6, 2023**
- **Time: 6:00 PM**
- **Location: Rural Rolesville Fire Station 104 E Young Street**

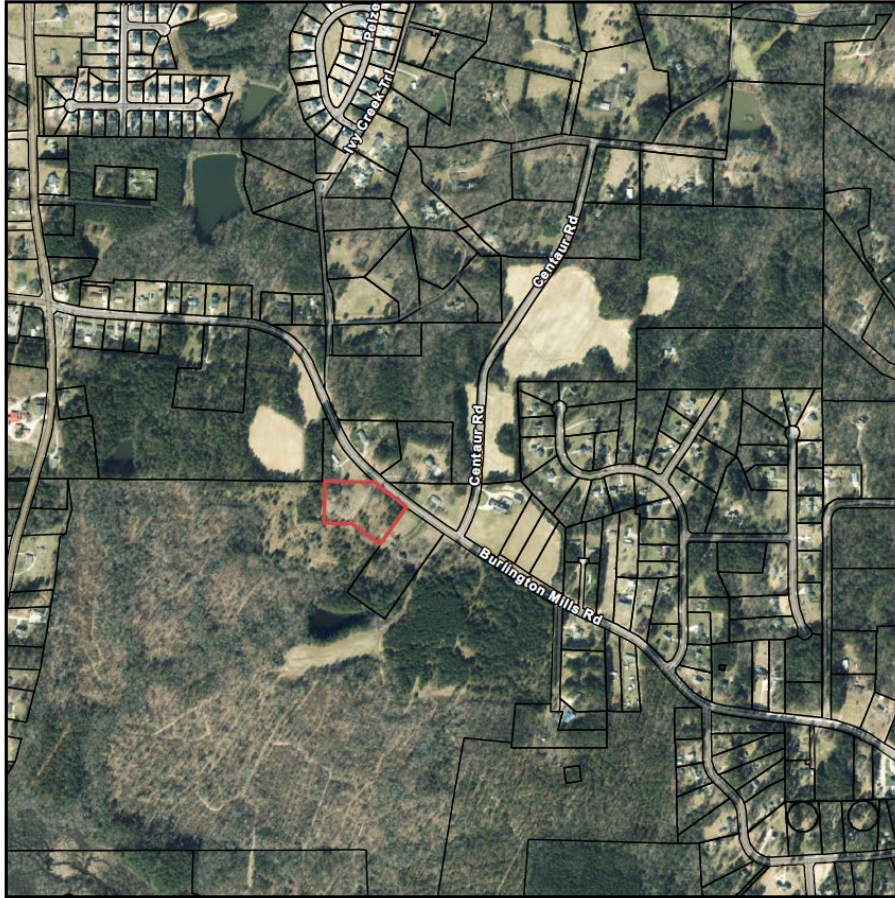
Please do not hesitate to contact me directly if you have any questions or wish to discuss any issues. I can be reached at [\(919\) 556-2064](tel:9195562064) and chief@rolesvillefire.com. Also for more information about the rezoning, you may visit <https://www.rolesvillenc.gov/projects/4124-burlington-mills-road> or contact the Rolesville Planning Department at 919-554.6517 and Planning@Rolesville.NC.Gov. We look forward to meeting with you.

Attached to this invitation are the following materials:

1. Subject Property Map
2. Future Land Use Map

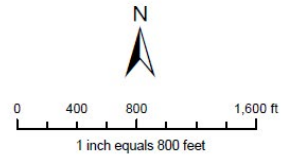
Sincerely,

Chief Donnie Lawrence

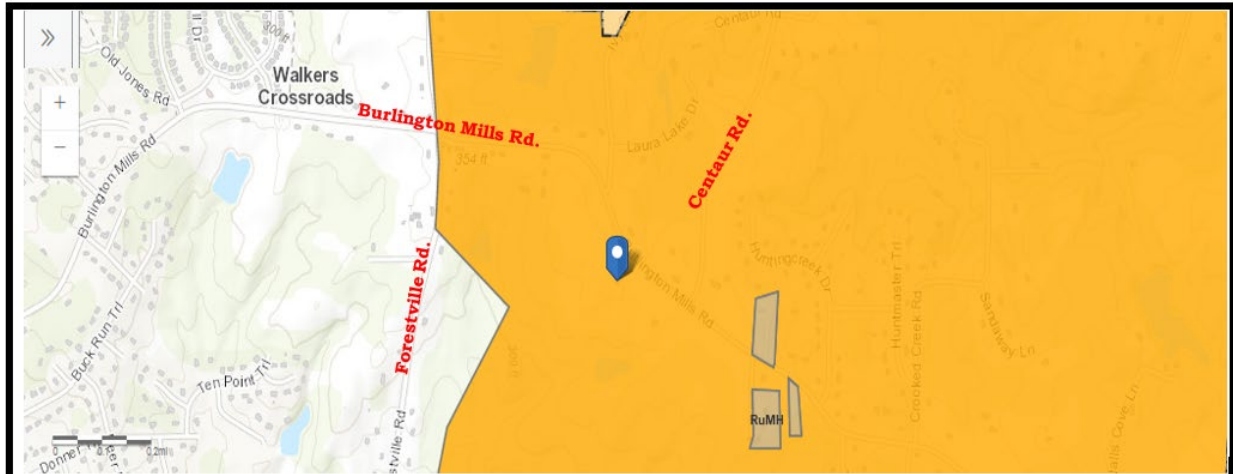


RRFD-Proposed Rezoning

REID: 0107673
 PIN: 1749808870
 PIN Extension: 000
 Land Value: \$120928
 Total Value Assessed: \$120928
 Deed Acres: 3.48
 Planning Jurisdiction: RO
 Township: Wake Forest
 Owner: ROLESVILLE RURAL FIRE DEPT INC
 Mailing Address 1: PO BOX 249
 Mailing Address 2: ROLESVILLE NC 27571-0249
 Deed Book: 016369
 Deed Page: 02073
 Deed Date: 4/29/2016
 Land Class: Vacant
 Map Name: 1749 04
 Billing Class: Business
 Property Description: LO1 ROLESVILLE FIRE DEPARTMENT BM2016-01916
 Address: 4124 BURLINGTON MILLS RD
 Street Name: BURLINGTON MILLS RD
 Old Parcel Number: -
 Total Structures: 1
 ZIP: 27587

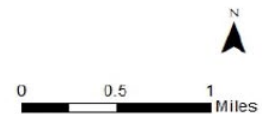


Disclaimer
 Maps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



Rolesville: Future Land Use Map

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



November 09, 2023

REZ-23-06
4124 Burlington Mills Road

Conditions of Approval:

Permitted uses shall be:

- 1.) Public Safety Facility and
- 2.) Warehousing

Owner	Address	Mailing Address 1	Mailing Address 2	PIN
ALEXANDER FAMILY INVESTMENTS LLC	0 CENTAUR RD	PO BOX 3661	CARY NC 27519-3661	1759028216
BROWN, CYNTHIA HOPE BROWN, MARTY RAY	3900 BURLINGTON MILLS RD	305 SOMBRERO BEACH RD	MARATHON FL 33050-3902	1749717465
BURNHAM, KENYON BURNHAM, ABIGAIL ELIZABETH	4140 BURLINGTON MILLS RD	8120 BENTWOOD PL	RALEIGH NC 27615-3506	1749901404
FAISON-KEITH, CATHERINE ANN	4109 BURLINGTON MILLS RD	4244 BURLINGTON MILLS RD	WAKE FOREST NC 27587-9639	1749819243
HARRINGTON, DAVID B HARRINGTON, CYNTHIA F	4117 BURLINGTON MILLS RD	4117 BURLINGTON MILLS RD	WAKE FOREST NC 27587-9129	1749913110
PEARCE, GARY L	4141 BURLINGTON MILLS RD	3500 QUARRY RD	WAKE FOREST NC 27587-6934	1749904833
PEARCE, STACY F	4108 BURLINGTON MILLS RD	PO BOX 377	ROLESVILLE NC 27571-0377	1749817019
POGE LLC ESNE LLC	0 FORESTVILLE RD	PO BOX 97487	RALEIGH NC 27624-7487	1748891680
ROLESVILLE RURAL FIRE DEPT INC	4124 BURLINGTON MILLS RD	PO BOX 249	ROLESVILLE NC 27571-0249	1749808870
TOWN OF ROLESVILLE	PO Box 250		Rolesville, NC 27571	

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



ALEXANDER FAMILY INVESTMENTS LLC
PO BOX 3661
CARY, NC 27519-3661

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



CYNTHIA HOPE BROWN
MARTY RAY BROWN
305 SOMBRERO BEACH ROAD
MARATHON, FL 33050-3902

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



KENYON BURNHAM
ABIGAIL BURNHAM
8120 BENTWOOD PLACE
RALEIGH, NC 27615-3506

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



CATHERINE ANN FAISON-KEITH
4244 BURLINGTON MILLS ROAD
WAKE FOREST, NC 27587-9639

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



DAVID B HARRINGTON
CYNTHIA F HARRINGTON
4117 BURLINGTON MILLS ROAD
WAKE FOREST, NC 27587-9129

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



GARY L PEARCE
3500 QUARRY ROAD
WAKE FOREST, NC 27587-6934

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



STACY F PEARCE
PO BOX 377
ROLESVILLE, NC 27571-0377

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



POGE LLC ESNE, LLC
PO BOX 97487
RALEIGH, NC 27624-7487

Rolesville Rural Fire Department, Inc.

POST OFFICE BOX 249
ROLESVILLE, NORTH CAROLINA 27571



**Town of Rolesville
PO Box 250
Rolesville NC 27571**

Rolesville Rural Fire Department, Inc.

Rolesville Fire District
PO Box 249
Rolesville, NC 27571

Rolesville Fire Department
4124 Burlington Mills Road Property Rezoning
Meeting Minutes

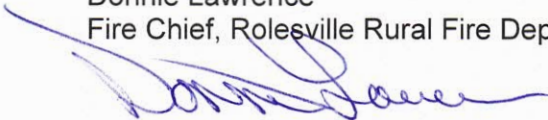
A scheduled meeting was held at the Rolesville Rural Fire Department at 104 E. Young Street, Rolesville, NC on December 6, 2023 at 6:00 PM. The purpose of this meeting was to discuss with property owners the rezoning of this property from residential to commercial. Present were homeowner Stacy Pearce, Donnie Lawrence, Rolesville Fire Department Fire Chief, Herbert Holding, Rolesville Rural Fire Department Board Member, Frank Pearce, Jr., Secretary/Treasurer of the Rolesville Rural Fire Department, and Edna Allison, Administrative Assistant at Rolesville Rural Fire Department.

Chief Lawrence displayed maps on a screen of the property being requested to be rezoned as well as a display of an architectural rendering of the fire station designed for that location. Handouts were made available of the property plot.

Chief Lawrence discussed with Stacy Pearce the request for rezoning this property from residential low to general industrial zoning. His only question and concern was when the fire station will be constructed at that property location.

There were no other property owner attendees present and the meeting was adjourned at 7:00 PM.

Donnie Lawrence
Fire Chief, Rolesville Rural Fire Department



November 09, 2023

REZ-23-06
4124 Burlington Mills Road

Conditions of Approval:

Permitted uses shall be:

- 1.) Public Safety Facility and
- 2.) Warehousing