



Memo

To: Mayor and Town Board of Commissioners
From: Michael Elabarger, Senior Planner
Date: March 7, 2023
Re: MA 22-07 – 503 South Main Street Rezoning

UPDATE: The Town Board of Commissioners reviewed this Application at the November 1, 2022 meeting, at which time the Applicant chose to withdraw the application from consideration that evening. The Applicant then revised the Application to request a Conditional Zoning (CZ) form of the General Commercial (GC) District. The Planning Board reviewed the proposed GC-CZ District on January 23, 2023 and unanimously recommended Approval.

Background

The Town of Rolesville Planning Department received a Map Amendment (Rezoning) application in July 2022 for a 1.80-acre property located at 503 South Main Street with Wake County PIN 1758784708. After modifying the Application in November 2022, the Applicant, Toy Storage 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 Residential Low (RL per the LDO) and Residential Planned Unit Development (R&PUD per the retired Unified Development Ordinance, UDO) Districts. The request includes a set of proposed Conditions of Approval, with a condition that excludes/prohibits a list of Zoning Specific Uses that are otherwise permitted uses in the GC District per Section 5 of the LDO.

Neighborhood Meetings

The Applicant held an initial (1st) neighborhood meeting at the Rolesville Community Center on September 7, 2022. Nineteen (19) property owners within two hundred fifty (250) feet of the subject property were mailed invitations by the Applicant. Six (6) members of the public attended the meeting; see Attachment 2 for materials for and from that meeting. Due to revising the Application to a Conditional Zoning district request, the Applicant held another Neighborhood meeting (again at the Community Center) on January 18, 2023. 16 members of the public attended this meeting; see Attachment 2 for notes from that meeting provided by the Applicant.

Applicant Justification

The applicant provided the narrative below.

THE SUBJECT PARCEL IS WITHIN THE TOWN'S JURISDICTION AND IS ZONED RL AND R & PUD. THE MAIN STREET VISION PLAN DEPICTS THE AREA IN WHICH THIS PROPERTY IS LOCATED AS THE "VILLAGE CORE." THE ROLESVILLE COMPREHENSIVE PLAN 2017 INDICATES THE FUTURE LAND USE ZONING IS COMMERCIAL.

THE MAP AMENDMENT APPLICATION FOR GENERAL COMMERCIAL CONDITIONAL ZONING REQUESTED TO ALLOW FOR A WIDE RANGE OF USES CONSISTENT WITH ADJACENT PROPERTIES AND THE TOWN'S FUTURE ZONING PLANS.

ADEQUATE PUBLIC INFRASTRUCTURE EXISTS, AND SITE DEVELOPMENT WILL BE IN ACCORDANCE WITH THE TOWN OF ROLESVILLE'S LAND DEVELOPMENT ORDINANCE.

SEE EXHIBIT FOR EXCLUDED USES.

Comprehensive Plan

Land Use

The future land use designation of the subject property is 'Commercial'. The applicant's request for the General Commercial Conditional 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 two Residential districts to the General Commercial Conditional Zoning District (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 South 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. The decision shall be documented with specific reasoning provided by the LDA.

- Based on the level of detail available for this Map Amendment (Rezoning), a TIA would be more beneficial at the Site Development Plan stage when additional information and confirmation of development plans are available.
- The Locally Administered Projects Program (LAPP) project, aka Main Street Improvement Project, to enhance and revitalize Main Street is underway in February 2023. The 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. The Main Street construction plan design already shows all or some of the pending roadway improvements.

The LDA recommends the TIA be initiated during the Site Development Plan review process as/if it is warranted.

Development Review

The Technical Review Committee (TRC) reviewed the rezoning request, and there are no further correction related comments provided to the Applicant.

Staff Recommendation

Based on alignment with the Main Street Vision Plan principles and goals, Staff recommends approval of Map Amendment (rezoning) case MA 22-07 - 503 South Main Street.

Planning Board Recommendation

At the January 23, 2023 meeting, the Planning Board unanimously recommended approval of MA 22-07, 503 S. Main Street.

Consistency and Reasonableness

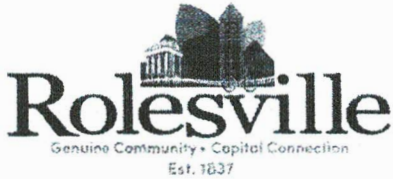
As noted above under the Comprehensive Plan section of this report, the rezoning request for the subject parcel supports Rolesville's Main Street Vision Plan. Every property along South Main Street between Rogers Road and Burlington Mills Road is planned for Commercial development on the Future Land Use map. MA 22-07 is thus consistent with the Comprehensive Plan and other applicable Plans and is therefore reasonable.

Proposed Motions

- Motion to (approve or deny) rezoning request MA 22-07 - 503 South Main Street.
- (Following Approval) Motion to adopt a Plan Consistency Statement and Statement of Reasonableness.

Attachments

	Description	Date
1.	Application	Revised 11-23-2022
2.	Neighborhood Meeting information	September 2022 & January 2023
3.	Vicinity Map	n/a
4.	Zoning Map (existing)	n/a
5.	Future Land Use Map	n/a
6.	Proposed Conditions of Approval	Revised dated 01-30-2023



V2 Submittal

Case No. MA 22-07

Date rcvd 11-23-22

Map Amendment Application

Contact Information

Property Owner TOY STORAGE LLC
 Address 2700 GRESHAM LAKE City/State/Zip RALEIGH NC 27615
 Phone 919-604-0505 Email STORIT@AOL.COM

Developer TOY STORAGE LLC
 Contact Name ALLEN MASSEY
 Address 2700 GRESHAM LAKE City/State/Zip RALEIGH NC 27615
 Phone 919-604-0505 Email STORIT@AOL.COM

Property Information

Address 503 S. MAIN STREET, ROLESVILLE NC
 Wake County PIN(s) 1758784708
 Current Zoning District RC WORKSHP Requested Zoning District GC-C2
 Total Acreage 1.80

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 E. Allen Massey Date Nov 22-2022

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, a Notary Public, do hereby certify that E. ALLEN MASSEY personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This the 22 day of NOVEMBER 2022.

My commission expires 04.29.27

Signature Janet Mills Seal



Town of Rolesville Planning

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

Map Amendment Application

Rezoning Justification

THE SUBJECT PARCEL IS WITHIN THE TOWN'S JURISDICTION AND IS ZONED RL AND R & PUD. THE MAIN STREET VISION PLAN DEPICTS THE AREA IN WHICH THIS PROPERTY IS LOCATED AS THE "VILLAGE CORE". THE ROLESVILLE COMPREHENSIVE PLAN 2017 INDICATES THE FUTURE LAND USE ZONING IS COMMERCIAL.

THE MAP AMENDMENT APPLICATION FOR GENERAL COMMERCIAL CONDITIONAL ZONING REQUESTED TO ALLOW FOR A WIDE RANGE OF USES CONSISTENT WITH ADJACENT PROPERTIES AND THE TOWN'S FUTURE ZONING PLANS.

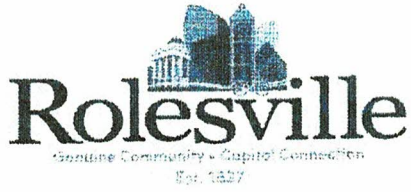
ADEQUATE PUBLIC INFRASTRUCTURE EXISTS, AND SITE DEVELOPMENT WILL BE IN ACCORDANCE WITH THE TOWN OF ROLESVILLE'S LAND DEVELOPMENT ORDINANCE.

SEE EXHIBIT FOR EXCLUDED USES.

Exhibit to Rezoning Application for 503 S. Main Street Road Rezoning Conditions

1. Proposed to exclude the following uses listed as permitted or special uses as listed in General Commercial as per Table 5.1. Permitted Principal Use Table in the Land Development Ordinance:

- Day Care
- Urgent Care (Free Standing Structure)
- Brewery / Distillery
- Vehicle Rental / Sales & Minor Serv.
- Carwash
- Minor Utility
- Funeral Home
- Major Utility
- Recreation (In/Outdoor)
- Minor Transp. Installation
- Retail Sales – Comm. and Shopping Center
- Water Storage Tank.
- School (K-12)



Map Amendment Application

Metes and Bounds Description of Property

SEE ATTACHED METES AND BOUNDS DESCRIPTION

CMP Professional Land Surveyors

Michael A. Moss, PLS L-3794

Telephone (919) 556-3148

Jason L. Panciera, PLS L-3835, CFSNC-140

L. Jordan Parker Jr., PLS L-4685

333 South White Street, Post Office Box 1253

Wake Forest, NC 27588-1253

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHERN RIGHT-OF-WAY OF S. MAIN STREET (HWY 401), SAID POINT BEING LOCATED S 82°46'12" E A DISTANCE OF 69.41' FROM THE INTERSECTION OF S. MAIN STREET AND WALL CREEK DRIVE; THENCE ALONG S. MAIN STREET RIGHT-OF-WAY N 55°19'04" E A DISTANCE OF 68.15' TO A POINT; THENCE N 55°19'04" E A DISTANCE OF 258.41' TO A NEW IRON PIPE; THENCE LEAVING RIGHT-OF-WAY S 34°39'23" E A DISTANCE OF 187.76' TO AN EXISTING IRON PIPE; THENCE S 34°39'23" E A DISTANCE OF 45.00' TO A NEW IRON PIPE; THENCE S 61°36'48" W A DISTANCE OF 402.57' TO AN EXISTING IRON PIPE, SAID EXISTING IRON PIPE HAVING NC GRID NAD 83/2011 COORDINATES N(y): 788,591.40' E(x): 2,157,267.49' THENCE N 14°42'54" W A DISTANCE OF 86.66' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 86.82', WITH A RADIUS OF 340.00', WITH A CHORD BEARING OF N 21°57'55" W, WITH A CHORD LENGTH OF 86.58', TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 37.12', WITH A RADIUS OF 25.00', WITH A CHORD BEARING OF N 13°06'36" E, WITH A CHORD LENGTH OF 33.80'; TO A POINT; WHICH IS THE POINT OF BEGINNING, CONTAINING AN AREA OF 78,412 SQUARE FEET, 1.800 ACRES

ATTACHMENT 2 - NEIGHBORHOOD MEETING DOCUMENTS
Meetings held September 7, 2022 and January 18, 2023

August 22, 2022

NEIGHBORHOOD MEETING NOTICE

Dear Property Owner:

By way of this letter, the Applicant, Toy Storage, LLC, wants to officially notify you of a pending Zoning Map Amendment (Case# MA-22-07) for a development adjacent to your property.

The applicant will hold a neighborhood meeting on Wednesday, September 7, 2022 from 4:00 - 6:00 PM to explain their proposal. **The meeting will be held at the Rolesville Community Center, located at 514 Southtown Circle, Rolesville, NC 27571.** Any questions or comments on the proposed project prior to the meeting are welcome.

If you are receiving this letter, it is our understanding that you own property or belong to a neighborhood association within 200 feet of the subject property.

This case involves a request to rezone one parcel of land located at 503 Main Street (PIN 0753971388), The Site is currently zoned Residential Low Density (RL) and Residential and Planned Unit Development (R&PUD). This proposal would rezone the Site to General Commercial (GC). Enclosed for your reference is a vicinity map outlining the location of the subject parcel.

If you have questions, or cannot attend the meeting, but would like further information, please feel free to contact Keith Gettle, PE, by phone: 919.201.3934 or email: Kpgettle@gmail.com

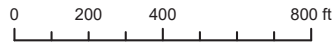
Sincerely,

Keith P. Gettle P.E.

Site Address	REID	OWNER Name	Mailing Address 1			
411 S Main	0198390	Redford Plaza LLC	2306 S Fairview Street	Santa Ana	CA	92704
415 S Main	224459	McDonalds Real Estate CO	PO BOX 182571	Columbus	OH	43218
501 S Main	0224460	2 Smiths LLC	703 S Bickett BLVD	Louisburg	NC	27549
418 S Main	0107605	Getty Leasing Inc	292 Madison Avenue, FL 9	New York	NY	10017
414 S Main	0006012	RP Diehl Properties LLC	1424 Hunting Ridge Road	Raleigh	NC	27615
500 S Main	0182704	Richard C Bartholomew, Shirley B Bartholomew	PO BOX 6	Rolesville	NC	27571
504 S Main	0018947	R Howard Fleming, Dolly H Fleming	7517 Wingfoot Drive	Raleigh	NC	27615
112 S Main	0427730	10580 Ligon Mill Office Plaza Condo, Lloyds of Rolesville LLC	PO Box 638	Wake Forest	NC	27588
250 S Town Cir	0214172	Lloyds of Rolesville LLC	PO Box 638	Wake Forest	NC	27588
511 S Main	0186807	Joyce C Bartholomew	920 N Main Street	Rolesville	NC	27571
513 S Main	0186814	Mildred Joyce Bartholomew	920 N Main Street	Rolesville	NC	27571
515 S Main	0047785	Rolesville One LLP	515 S Main Street	Rolesville	NC	27571
100 Wall Creek Dr	0202169	AMH 2014-3 Borrower LP	30601 Agoura Rd, Ste 300	Agoura Hills	CA	91301
102 Wall Creek Dr	0202168	Joshua R Debnam Jr, Edith Debnam	102 Wall Creek Dr	Rolesville	NC	27571
104 Wall Creek Dr	0202167	Jacqueline Lee-Smith	104 Wall Creek Dr.	Rolesville	NC	27571
101 Wall Creek Dr	0202151	Robert and Babette Tenbuuren	101 Wall Creek Drive	Rolesville	NC	27571
103 Wall Creek Dr	0202152	Lee D McPherson & Samantha K Ward	115 Wellspring Farm Lane	Rolesville	NC	27571
105 Wall Creek Dr	0202153	Linda J Hood, Leroy A Hood	105 Wall Creek Drive	Rolesville	NC	27571
107 Wall Creek Dr	202154	James L Edwards, Joyce P Edwards	107 Wall Creek Drive	Rolesville	NC	27571



Site Map



1 inch equals 400 feet

Disclaimer
 iMaps 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.

Neighborhood Meeting

Toy Storage, LLC - Rezoning of 503 S. Main Street

September 7, 2022

4:00 PM – 6:00 PM

Rolesville Community Center

Attendees - Richard Bartholomew, Joe Armistead, Babette Tenbuura, Jackie Wilson, Allen Massey, Cody Buzzell

Jackie met with Richard Bartholomew, local carwash owner, outside of the Town Hall due to mobility issues. Richard stated he had no problems with the proposed zoning change request.

Jackie Wilson is the President of the EMO (Entrance Maintenance) and resident of Wall Creek for 20 years. Prior to the meeting Jackie spoke with Lee and Linda Hood on the phone, they were out of town, but they stated they were okay with general commercial use in the area of discussion. Though Lee & Linda did have questions about the buffering.

Babette Tenbuura – concerns: traffic flow, dumpster location, trash disposal, fencing.

Joe Armistead - voiced full support of the project.

Toy Storage – 503 S. Main St. Rolesville
Neighborhood Meeting

7-Sep-22

4:00 PM – 6:00 PM

Rolesville Community Center

Name: Richard Bartholomew

Address: _____

Comments:

↓
met JACKY WILSON IN THE
TOWN PARKING LOT AND SAID HE
HAD NO ISSUES WITH THE PROPOSED
ZONING CHANGE REQUEST.

Toy Storage – 503 S. Main St. Rolesville

Neighborhood Meeting

7-Sep-22

4:00 PM – 6:00 PM

Rolesville Community Center

Name:

Zahette & Robert Tenburen

Address:

101 Wall Creek Dr Rolesville

Comments:

- Traffic into and out of property

- Fencing

- If food facilities - will the trash be away from residential properties. - Don't want the smell + pests that come with food.

-

January 9, 2023

NEIGHBORHOOD MEETING NOTICE

Dear Property Owner:

By way of this letter, the Applicant, Toy Storage, LLC, wants to officially notify you of a pending Zoning Map Amendment (Case# MA-22-07) for a development adjacent to your property.

The applicant will hold a neighborhood meeting on **January 18, 2023** at 8:00 pm to 10:00 pm to explain their proposal. **The meeting will be held at the Rolesville Community Center, located at 514 Southtown Circle, Rolesville, NC 27571.** Any questions or comments on the proposed project prior to the meeting are welcome.

If you are receiving this letter, it is our understanding that you own property or belong to a neighborhood association within 200 feet of the subject property.

This case involves a request to rezone one parcel of land located at 503 Main Street (PIN 0753971388), The Site is currently zoned Residential Low Density (RL) and Residential and Planned Unit Development (R&PUD). This proposal would rezone the Site to General Commercial (GC). Enclosed for your reference is a vicinity map outlining the location of the subject parcel.

If you have questions, or cannot attend the meeting, but would like further information, please feel free to contact Keith Gettle, PE, by phone: 919.201.3934 or email: Kpgettle@gmail.com

Sincerely,
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Vicinity Map



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107 Wall Creek Dr	202154	James L Edwards, Joyce P Edwards	107 Wall Creek Drive	Rolesville	NC

MA 22-07
Mailing List for
Neighborhood Meeting
held 1/18/2023

MA 22-07 / Neighborhood Meeting Held 01-18-2023 Attendance list

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>
M. BEAUDREAU	122 WALL CREEK	mbeaudreau@gmail.com
PETE NEUMANN	417 GREEN TURRET DR	JPN129@AOL.COM
CHARLES BUCHANAN	607 CRESSTAR DR	CWBUCK1@GMAIL.COM
Charles Johnson	120 Wall Creek Dr.	cclintonjohnson@gmail.com
Rich Coombs	622 Cresstar Dr.	the2coombs@gmail.com
Joanne Coombs	622 Cresstar Dr.	jodycoombs@gmail.com
Linda + Leroy Hood	105 Wall Creek Dr.	ljhood1711@gmail.com
Andrew Williams	611 Cresstar Dr.	acwill25@gmail.com
Billy + Sharon Evans	331 Staples Dr	evansfamily2911@gmail.com
Peggy Monphew Melo	313 Staples Dr	pmonphewmelo@gmail.com
Babette + Robert Tenbuuren	101 Wall Creek Dr.	robbab1@gmail.com
Valerie + Kelly Pasiechi Kern	412 Green Turret Dr	maomjo@hotmail.com

MA 22-07 / 503 S. Main Street Rezoning

Neighborhood Meeting held 1/18/2023 at 8PM, Rolesville Community Center

Notes/Minutes

- Wall Creek residents have concerns about traffic flow along the rear of the property and how it will impact their ability to access the neighborhood.
- Residents have concerns over upkeep of Wall Creek wall, sign and landscaping. We assured them we would take care of grass and trimming and that they will be able to keep the wall. Also, some residents would like to see the Bradford Pears go.
- Residents have concerns over storm water flow. We explained there will be a bio retention pond and they should see less runoff in their neighborhood as a result.
- Residents have concerns over not having a tattoo parlor and having a bar (night club) because of loud music, etc. Residents are fine with restaurants that serve alcohol.
- Residents have concerns about patrons parking on their road. We assured them that the entrance road would not be used. Contacting Law Enforcement could be used if that was to be a problem.
- Residents have concerns about bright lights. We assure them that the site lighting would not be harsh.

ATTACHMENT 3



Case: MA 22-07 503 S. Main Street
Address: 503 S. Main Street
PIN 1758784708
Date: 07.05.2022

Vicinity Map

Date Saved: 7/5/2022 3:11 PM

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ATTACHMENT 4



Case: MA 22-07 503 S. Main Street
Address: 503 S. Main Street
PIN 1758784708
Date: 07.05.2022

Zoning Map

Date Saved: 7/5/2022 3:11 PM

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Legend

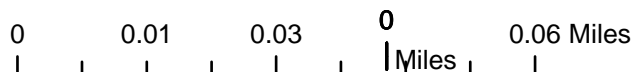
Rolesville_Zoning_2

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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ATTACHMENT 5

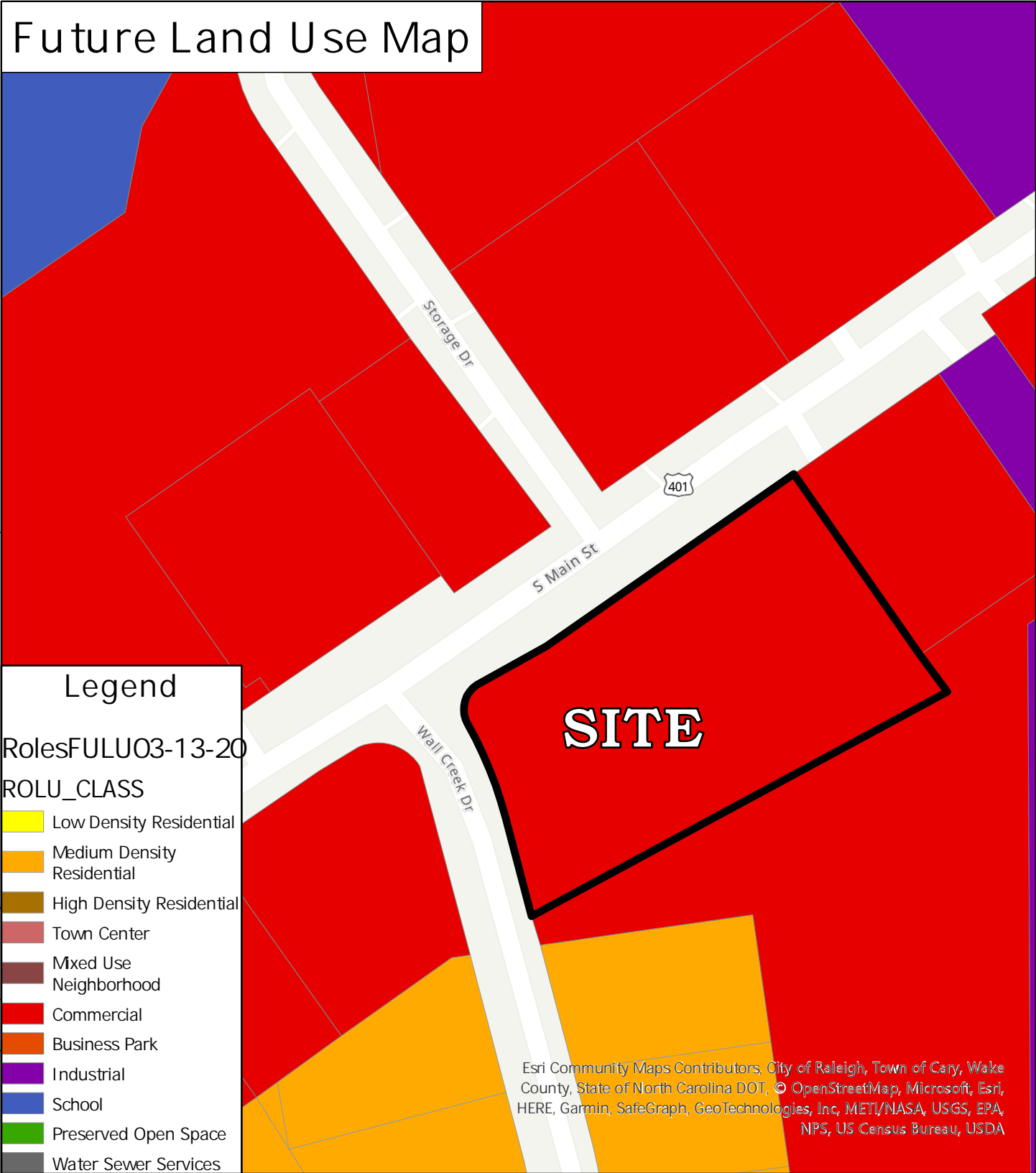


Case: MA 22-07 503 S. Main Street
Address: 503 S. Main Street
PIN 1758784708
Date: 07.05.2022

Future Land Use Map

Date Saved: 7/5/2022 3:11 PM

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SUBMITTED 01/30/2023.

MA 22-07

Exhibit to Rezoning Application for 503 S. Main Street Road Rezoning Conditions

1. Proposed to exclude the following uses listed as permitted or special uses as listed in General Commercial as per Table 5.1. Permitted Principal Use Table in the Land Development Ordinance:

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- Retail Sales – Comm. and Shopping Center
- Water Storage Tank.
- School (K-12)
- Bars and Nightclubs
- Tattoo Establishment