



TO: Mayor and Town Board of Commissioners

FROM: Danny Johnson, Planning Director

DATE: August 28, 2019

RE: Agenda Item D. 3.

Public Hearing Case: MA 19-04 (Legislative) – Request by Haynes Investments Properties, LLC to rezone 1.62 acres at 101 & 115 Redford Place Drive. (PINs 1758897617 and 1758898410) from Residential 1 (R-1) district and Residential 2 Special Use District (R2-SUD) to Commercial-Outlying – Conditional Zoning District (CO-CZ).

Background

Summary Information

PINs: Commercial-Outlying – Conditional Zoning District (CO-CZ).

Address: 101 & 115 Redford Place Drive.

Acreage: 1.62

Current Zoning: Residential 1 (R-1) and Residential 2 Special Use District (R2-SUD)

Proposed Zoning: Commercial-Outlying – Conditional Zoning District (CO-CZ).

Owner: Haynes Investments Properties, LLC

Background and Existing Conditions

The properties are inside Rolesville's corporate boundary. The current zoning district for these properties is Residential 1 Zoning District (R1). The surrounding zoning districts are Residential 1 Zoning District on the eastern side of the request that is the Rolesville Elementary School in the Residential and Planned Unit Development Zoning District (R&PUD). To the south is the Town's Community School Park. Across Redford place is existing commercial businesses located in the shopping center that is zoned Residential and Planned Unit Development Zoning District (R&PUD) with a Residential Mixed (RM) section of the Village of Rolesville PUD Master Plan similar to this rezoning request district that permits commercial businesses. North of the request is zoned Commercial Outlying Zoning District (CO-SUD) that consist of existing commercial business and a few vacant parcels.

The applicant has presented two proposed conditions to not allow Bar/Tavern/Nightclub or Electronic Gaming Operation in this conditional zoning district. As provided in the Unified Development Ordinance, the existing R-1 Residential 1 District is established as a district in which the principal use of land is for single-family residential purposes. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district.

The proposed CO-CZ Outlying Commercial Conditional Zoning District is established as a mixed-use district in which the principal use of land is for those service and retail trade purposes, which are properly located near residential areas and which cater to the everyday needs of residential neighborhoods.

Neighborhood Meeting

On July 18, 2019, a neighborhood meeting was held on the proposed rezoning request. A summary of the comments received at the meeting is not available at this time, but about 18 persons attend the meeting. There were no comments or issues identified against the rezoning request. All the comments were in favor of the request.

2017 Rolesville Comprehensive Plan

The Comprehensive Plan, Future Land Use Map classifies these parcels for commercial use. The requested proposed rezoning request of Commercial-Outlying – Conditional Zoning District (CO-CZ) is consistent with the Comprehensive Plan.

2002 Thoroughfare Plan and Traffic Impact Analysis (TIA)

The 2002 Thoroughfare Plan calls for Rolesville Road as a three-lane major highway and is an existing two-lane rural road.

The applicant is in the process of conducting the required Traffic Impact Analysis. The findings of the TIA Study when completed, and the recommended improvements based on the findings will be included in the detailed Site Plan review and approval by the Town Board of Commissioners if the decision to grant the rezoning request.

Planning Staff Recommendation

Staff recommends approval of the rezoning request, including the proposed conditions presented. The proposed zoning district is consistent with the Rolesville Comprehensive Plan, Future Land Use Map that classifies these parcels for commercial use.

Planning Board Recommendation

The Rolesville Planning Board at their meeting on July 22, 2019, considered the requested ordinance map amendment, and by unanimous vote of the Board recommending to the Town Board of Commissioners to approve the requested rezoning of MA 19-04. The proposed zoning district is consistent with the Rolesville Comprehensive Plan, Future Land Use Map that classifies these parcels for commercial use.

Board Options

- Approved the Map Amendment based on the information presented at the public hearing.
- Approved the Map Amendment with modifications in consideration of the information presented at the public hearing.
- Denied the Map Amendment based on the information presented at the public hearing with stated reason for denial.

Recommended Action

I make a motion to approve Resolution No 2019-R-13, Town Board of Commissioners Statement of Consistency and approve the Case: MA 19-04 as presented.

Attachments

MA 19-04 Aerial – Location Map

MA 19-04 Existing Zoning and Future Land Use Map

MA 19-04 Map Amendment Application

MA 19-04 101 & 115 Redford Place Drive – Neighborhood Meeting Summary

Resolution No. 2019-R-13 Statement of Consistency, MA 19-04



Legend
[Red outline] MA 19-04

Rogers Rd

S Main St

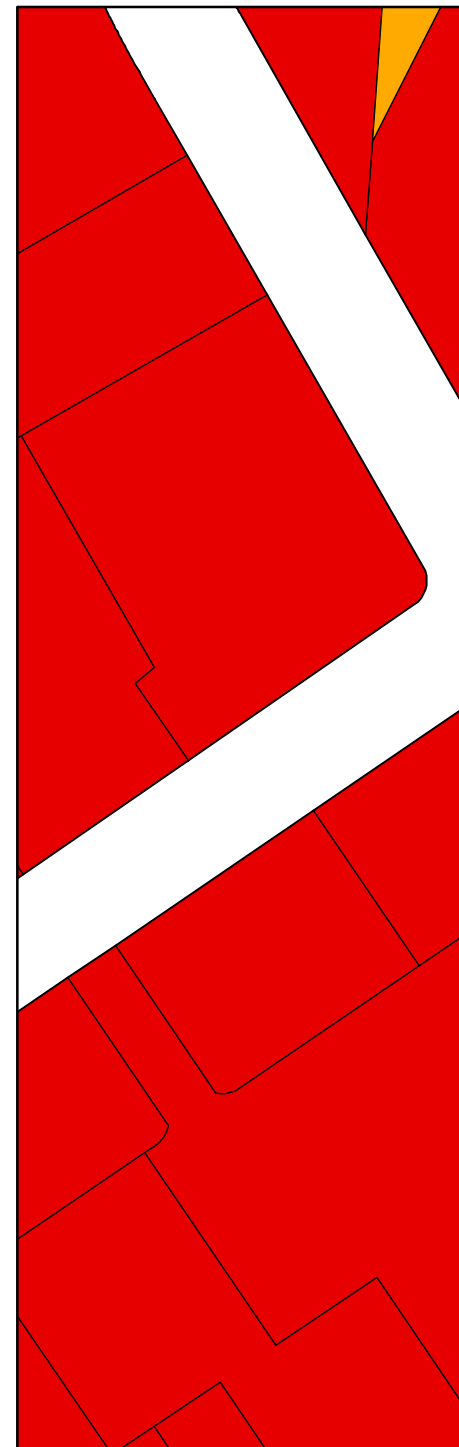
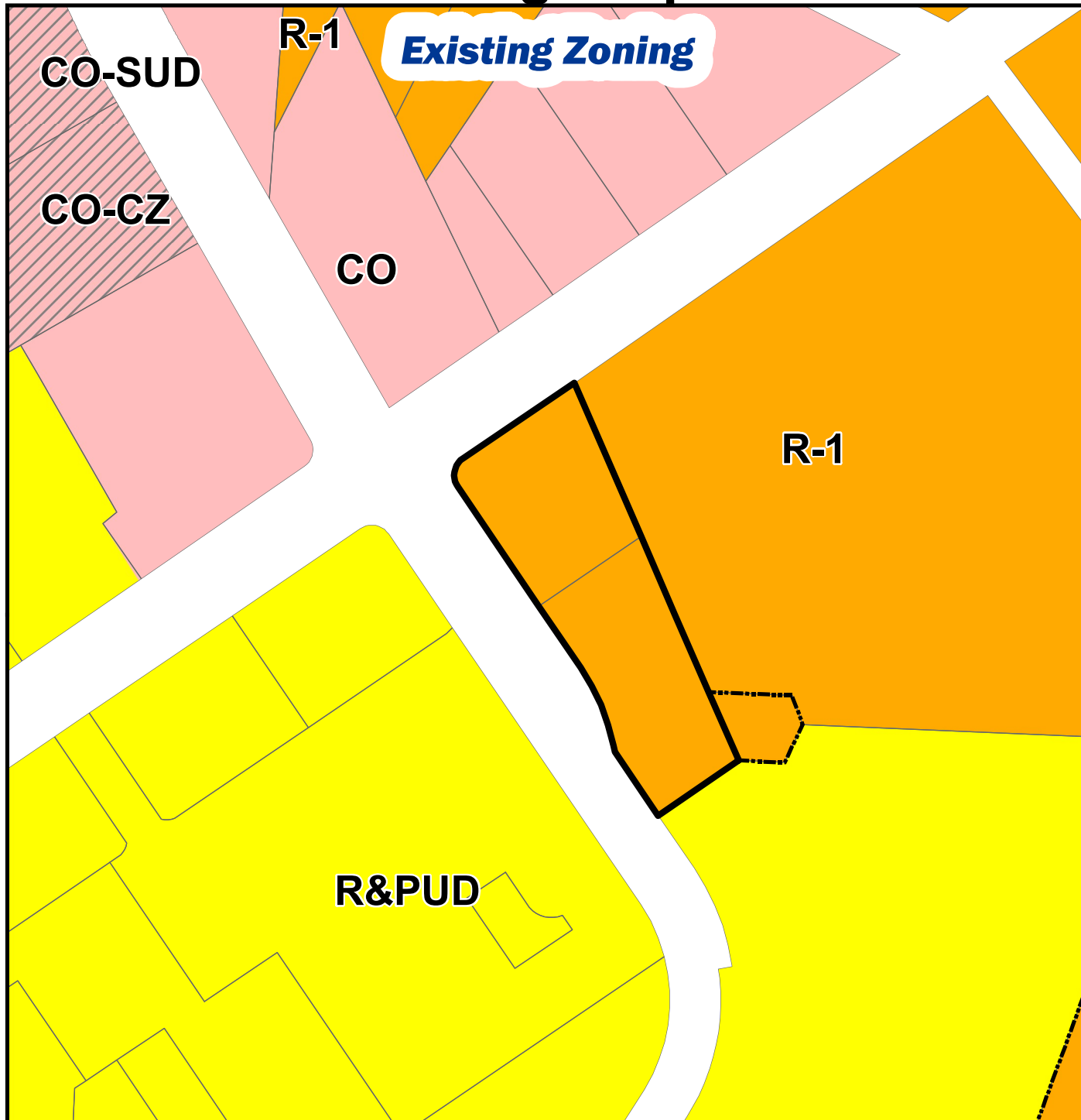
Redford Place Dr

Hardee's

Food Lion

Rolesville Elementary School

Rezoning Request MA 19-04 - 101 & 115 Red





Case No. _____

Date _____

Map Amendment Application

Contact Information

Property Owner Myrtle Wall Heirs

Address 400 Watkins Farm Road City/State/Zip Rolesville, NC 27571

Phone 919-418-5798 Email RONALDRWALL@MAC.COM

Developer Rogers Road 3415, LLC

Contact Name Jonathan Boes

Address 1000 Crescent Green City/State/Zip Cary, NC 27518

Phone 919-247-0497 Email jeboes@gmail.com

Property Information

Address 101 & 115 Redford Place Drive, Rolesville, NC 27571

Wake County PIN(s) 1758897617 (101 Redford Place Drive) & 1758898410 (115 Redford Place Drive)

Current Zoning District R-I (Residential I District) Requested Zoning District CO-CZ (Commercial Outlying Conditional Zoning District)

Total Acreage 1.62 Acres

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 Ronald R Wall Date 8 July 2019

STATE OF NORTH CAROLINA

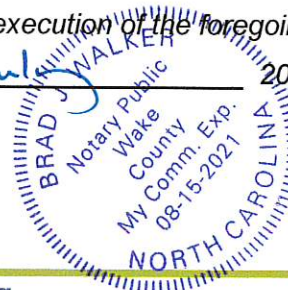
COUNTY OF Wake

I, a Notary Public, do hereby certify that Ronald Wall

personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This the 8th day of July

My commission expires 8/15/21

Signature [Signature] Seal



Town of Rolesville Planning

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

EXHIBIT 'A'

115 Redford Place, Rolesville, NC 27571

Beginning at a point in the center on U.S. Highway 401, said point being the common corner of the property herein conveyed and the property of the Rolesville School; thence along the center of the said highway 401 South 60° West 850 feet to a point, said point being in the center of said road; thence South 4° West 1,193 feet to an iron stake; thence South 88° 30' West 340.5 feet to an iron stake; thence South 3° West 727 feet to an iron stake; thence 8° 10' West 926.5 feet to an iron stake; thence South 82° West 299 feet to a point, said point being in the center of a branch; thence following along said branch as follows: South 18° 30' West 158 feet to a point; thence South 10° 10' East 173 feet; thence South 37° West 86 feet; thence South 22° 15' West 276 feet; thence South 66° West 242 feet; thence South 8° 45' West 477 feet; thence South 4° 15' West 105 feet; thence South 17° 30' East 172 feet; thence South 57° 30' West 215 feet; thence South 68° West 138 feet; thence South 9° 45' West 96 feet; thence South 2° 45' West 190 feet; thence South 15° West 263 feet; thence South 23° 20' West 295 feet; thence South 17° 50' West 160 feet; thence South 6° 15' East 241 feet to an iron stake in the East bank of the said branch; thence continuing along the said run of said branch North 67° East 316 feet; thence South 85° 15' East 180 feet; thence North 76° East 210 feet; thence South 85° 10' East 234 feet; thence South 88° 45' East 172 feet; thence North 75° East 242 feet; thence South 49° 45' East 183 feet to an iron stake in the north bank of said branch; thence South 88° 10' East 1,179 feet to an iron stake and Oak pointers; thence North 9° 45' East 1,673.1 feet to an iron stake; thence North 11° 40' East 924 feet; thence North 46° 45' East 148 feet; thence North 3° 45' West 298 feet to an iron stake, said iron stake being in the property line of the Matheny land; thence along the Matheny line North 84° 15' West 795 feet to an iron stake; thence north 13° 50' East 858 feet to a point, said point being in the property line of W. C. Roberts property; thence North 17° East 1,300 feet to a point; thence North 33° 15' East 154 feet to a point; thence North 2° 10' West 77 feet to a point; thence North 82° West 444 feet to a point; thence North 15° West 37 feet to a point; thence North 82° West 100 feet to a point, said point being Rolesville School property; thence along the Rolesville School property North 15° West 455.9 feet to a point and place of BEGINNING, and containing 259.76 acres more or less according to survey by G. R. Johnson, made in February, 1960 of the Redford Estate properties, and being the identical tract of land formerly belonging to William H. Wall, Sr., deceased, and the parties hereto being all of the heirs of the said William H. Wall, Sr.; and this deed being made a division of said land between the heirs.

EXHIBIT 'A'

101 Redford Place, Rolesville, NC 27571

Being all of Lots G & F as shown on plats recorded in Book of Maps 1992, Page 41 and Book of Maps 1993, Page 1381, Wake County Registry, LESS and EXCEPT that certain right of way dedication area as shown on a plat recorded in Book of Maps 2003, Page 435 in said registry.

EXHIBIT 'B'

Overview of Request & Property Introduction:

On behalf of the applicant, Rogers Road 3415, LLC, Pabst Design Group, PA (PDG) has prepared and hereby respectfully submits this application for the approval of a Commercial Outlying Conditional Zoning District (CO-CZ) to allow a mixed use building consisting of medical office, dental office and retail uses. The request is for two parcels within the Town of Rolesville having pin's 1758897617 and 1758898410 located at 101 and 115 Redford Place Drive, Rolesville, NC 27571. The subject parcels are bound by a Rolesville Community School Park to the south, Redford Place Drive to the west, South Main Street to the north and Rolesville Elementary School to the east. There is no existing use for 101 Redford Place Drive. The existing use for 115 Redford Place Drive is a single detached residential home. Adjacent uses and zoning districts to the subject parcels are as follows:

1. Rolesville Community School Park to the south east
(R&PUD)-Residential and Planned Unit Development District
2. Food Lion, Hardees and Dollar General to the south west
(R&PUD)-Residential and Planned Unit Development District
3. CVS Pharmacy, AutoZone Auto Parts and Universal Eye Center to the north west
(R&PUD)-Residential and Planned Unit Development District &
(CO) Commercial Outlying District
4. Sonic Drive-In and Rolesville Elementary School to the north east
(CO) Commercial Outlying District &
(R-I) Residential I District

Existing Zoning: (R-I) Residential-I District

The R-I Residential I District is established as a district in which the principal use of land is for single-family residential purposes. The regulations of this district are intended to discourage any use which, because of its character, would be a nuisance to the development of residences and would be detrimental to the quiet residential nature of areas included within this district.

Proposed Zoning: (CO-CZ) Commercial Outlying Conditional Zoning District

The C-O Outlying Commercial District is established as a mixed-use district in which the principal use of land is for those service and retail trade purposes, which are properly located near residential areas and which cater to the everyday needs of residential neighborhoods.

Statement of Reasonableness:

Per the current Town of Rolesville Comprehensive Land Use Plan, the subject parcels are classified as commercial and defined as follows:

Commercial: 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

EXHIBIT 'B'

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.

As described above, the proposed zoning district is consistent with the Rolesville Comprehensive Land Use Plan and map classification. In addition to being consistent with the comprehensive plan, this site is consistent in character with its surrounding uses as they are all commercial, recreational or institutional in nature to serve the surrounding residential neighborhoods as described in the comprehensive plan. The proposed zoning district is compatible with adjacent zoning districts and will not disrupt consistency with nearby commercial uses. The proposed zoning will allow for commercial development that will help improve accessibility to the nearby residential neighborhoods and provide immediate access to medical and dental needs.

Conditions:

1. The following uses shall not be permitted:
 - a. Bar/Tavern/Nightclub
 - b. Electronic Gaming Operation

Neighborhood Meeting:

At the time of this application a neighborhood meeting has been scheduled for July 18th, 2019 at the Rolesville Community Center, 514 Southtown Circle, Rolesville, NC 27571. The meeting is scheduled to begin at 6:45 p.m. A list and mail receipts of the neighboring landowners who were notified of this meeting are attached to this application as Exhibit 'C'.

EXHIBIT 'C'

Owner	Mail Address 1
DOITAL INVESTMENTS LLC	ATTN: STORE ACCOUNTING 1 CVS DR # MC2320 WOONSOCKET, RI 02895
BODDIE NOELL ENTERPRISES INC	1021 NOELL LN ROCKY MOUNT, NC 27804
REDFORD CENTER I LLC REDFORD CENTER II LLC	WIRELESS DEPOT 1859 W RED FOX RD SANTA ANA, CA 92704
LEN PROPERTIES LLC	3614 FORWARD WAY RALEIGH, NC 27614
WALL, MYRTLE R HRS	RONALD R WALL 400 WATKINS FARM RD ROLESVILLE, NC 27591
WALL, MYRTLE R HRS	ROBERT L WILSON JR EXEC 3420 DOYLE RD RALEIGH, NC 27607
WAKE COUNTY BOARD OF EDUCATION	RE SERVICES DIRECTOR 1551 ROCK QUARRY RD RALEIGH, NC 27610
LEN PROPERTIES LLC	3614 FORWARD WAY RALEIGH, NC 27614
ROLESVILLE, TOWN OF THE	PO BOX 250 ROLESVILLE, NC 27571
SPIRIT MASTER FUNDING VII LLC	215 CENTERIEW DR STE 210 BRENTWOOD, TN 37027
ROLESVILLE, LLC	11016 RUSHMORE DR STE 160 CHARLOTTE, NC 28277
ANDELIA P WATKINS	5219 OLD ROGERS RD ROLESVILLE, NC 27571
ROLESVILLE DEVELOPMENT LLC	GLENNON BITTAN INVESTMENTS PO BOX 30803 GREENVILLE, NC 27833



Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: _____

To: WAKE COUNTY BOARD OF EDUCATION

PS Form 3817, April 2007 PSN 7530-02-000-9065

EXHIBIT 'C'

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



Certificate Of Mailing

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From: _____

To: ANDELIA P WATKINS

PS Form 3817, April 2007 PSN 7530-02-000-9065

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: TOWN OF ROLESVILLE

PS Form 3817, April 2007 PSN 7530-02-000-9065

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U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: POLESVILLE LLC

PS Form 3817, April 2007 PSN 7530-02-000-9065

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U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: MYRTLE R HRS WALL

PS Form 3817, April 2007 PSN 7530-02-000-9065

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: SPIRIT MASTER FUNDING VII LLC

PS Form 3817, April 2007 PSN 7530-02-000-9065

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: REDFORD CENTER I LLC
REDFORD CENTER II LLC

PS Form 3817, April 2007 PSN 7530-02-000-9065

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: MYRTLE R HRS WALL

PS Form 3817, April 2007 PSN 7530-02-000-9065

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U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



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From: _____

To: ROLESVILLE DEVELOPMENT, LLC

PS Form 3817, April 2007 PSN 7530-02-000-9065

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U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



Certificate Of Mailing

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From: _____

To: DOITALL INVESTMENTS LLC

PS Form 3817, April 2007 PSN 7530-02-000-9065

1000
U.S. POSTAGE PAID
FCM LETTER
RALEIGH, NC
JUL 02 19
AMOUNT
\$1.45
R2304M115997-09



Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: _____



To: LEN PROPERTIES LLC
3614 FORWARD WAY
RALEIGH, NC 27614

U.S. POSTAGE PAID
FCM LETTER P/1
RALEIGH, NC
27605
JUL 02, 19
AMOUNT
\$1.45
R2304M115997-

PS Form 3817, April 2007 PSN 7530-02-000-9065



Certificate Of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: _____



To: LEN PROPERTIES LLC
3614 FORWARD WAY
RALEIGH, NC 27614

U.S. POSTAGE PAID
FCM LETTER P/1
RALEIGH, NC
27605
JUL 02, 19
AMOUNT
\$1.45
R2304M115997-08

PS Form 3817, April 2007 PSN 7530-02-000-9065



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From: _____



To: BODDIE NOELL ENTERPRISES, LL
1021 NOELL LANE
ROCKY MOUNT, NC 27864

U.S. POSTAGE PAID
FCM LETTER P/1
RALEIGH, NC
27605
JUL 02, 19
AMOUNT
\$1.45
R2304M115997-

PS Form 3817, April 2007 PSN 7530-02-000-9065

Redford Place Medical Office - Neighborhood Meeting Minutes

Meeting Date/Time: Thursday, July 18th, 2019 at 6:45 p.m.

Meeting Location: Rolesville Community Center - 514 Southtown Cir, Rolesville, NC 27571

Meeting Host: Pabst Design Group, PA (Mark Phillips & Sam Brothers), The Redfoot Studio Architecture PC (Richard Redfoot) & TriLand Properties Commercial (Gregg Marks). Host was joined by Town of Rolesville Planning Director Danny Johnson.

Attendance: See attached

Meeting Minutes:

Mark Phillips from Pabst Design Group (PDG) opened the meeting at 6:45 p.m. and began by giving introduction to the applicant's design team and reminded everyone to be sure to sign the attendance sheet and provide any questions or concerns before leaving the meeting. Following introduction, Mark proceeded to describe the existing property location, size, existing uses and surrounding uses. Mark explained that the current zoning district is Residential I (R-I) and that the proposed zoning is to be Commercial Outlying Conditional Zoning District (CO-CZ). Mark then read the Town of Rolesville comprehensive plan definition of commercial use as proposed in the comprehensive plan and explained how the proposed zoning district is compliant with the comprehensive plan. After the proposed zoning information was established, Mark presented the site layout, conceptual landscape rendering and conceptual building elevations to illustrate the proposed use to include building size, number of parking spaces, buffer requirements and other associated site items involved with the development. Mark further explained that with this rezoning application the conditions proposed are as follows: The following uses shall not be permitted: Bar, Tavern, Nightclub or Electric Gaming Operation. Once the presentation was complete Mark offered to answer any questions and opened the floor for discussion with the meeting attendees. Below is a dialogue of questions brought up at the meeting.

Question: What type of medical?

TriLand Properties Commercial Answer: top floor dental (standard and specialty), 2nd floor medical and 1st floor retail. There has been discussion with a physical therapy group potentially using the 1st floor instead of retail. There's a high likelihood of all medical uses.

Question: Does applicant have possession of the land?

TriLand Properties Commercial Answer: no, not yet but its under contract

Question: Will the median in redford place be removed?

PDG Answer: Town is currently conducting a traffic impact analysis to determine what improvements if any would be required associated specifically to this project.

Question: Has the town proposed re-paving?

PDG Answer: None known at this time, there will be public sidewalk extension along the frontage of the subject parcels.

Question: When is TIA going to be conducted, because school is out?

PDG Answer: The traffic engineer consultant will consider all surrounding uses into their study and will most likely conduct their counts during school periods when school is back in.

Question: Where is the exit?

PDG Answer: Exit of the site is shared with the entrance in the southern portion of the lot.

Question: Will occupants be under contract prior to construction?

PDG Answer: generally speaking, user is usually under contract prior to certificate of occupancy. TriLand Properties Commercial Answer: 70%+ lease prior to co, lots of interest has been expressed to occupy this building.

Closing Comments:

Mark stated that this case will go to Planning Board on July 22nd and then the Board of Commissioners in August which will be published at a later date once the hearing has been set. No attendees had any objection to the proposed rezoning and expressed excitement about the proposed use. A handful of attendees expressed their appreciation that the existing home was planned to be removed and one of the attendees expressed how this use would add value to the nearby homes.



RESOLUTION NO. 2019-R-13
TOWN BOARD OF COMMISSIONERS STATEMENT OF CONSISTENCY
Case No.: MA 19-04

WHEREAS, Haynes Investments Properties, LLC, has submitted a petition for a map amendment to the Town's official Zoning Map known as MA 19-04 to rezone 1.62 acres from the current zoning of Residential 1 (R-1) and Residential 2 Special Use (R2-SUD) Districts to Commercial-Outlying – Conditional Zoning District (CO-CZ).for properties located at Rolesville Rd. (PINs 1758897617 and 1758898410).

WHEREAS, N. C. General Statutes Section 160A-386, requires the Town Board of Commissioners to adopt a zoning amendment consistency statement whenever it approves or rejects a proposed zoning amendment;

WHEREAS, the proposed map amendment is consistent with the Rolesville Comprehensive Plan, Future Land Use Plan classification as commercial land use and that the proposed zoning district is a included in that classification.

WHEREAS, the Rolesville Planning Board at their meeting on July 22, 2019, considered the requested ordinance map amendment, and by unanimous vote of the Board recommending to the Town Board of Commissioners to approve the requested rezoning of MA 19-04. The proposed zoning district is consistent with the Rolesville Comprehensive Plan, Future Land Use Map that classifies these parcels for commercial use.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ROLESVILLE:

The Town Board finds that the proposed map amendment is consistent with the Rolesville Comprehensive Plan, Future Land Use Plan classification as commercial land use and that the proposed zoning district request is a included in that classification.

The preceding resolution, having been submitted to a vote, received the following vote and was duly adopted the ____ day of _____, 2019.

Ayes: _____

Noes: _____

Absent or Excused: _____

C. Frank Eagles, Mayor

ATTEST:

Robin E. Peyton, Town Clerk

[SEAL]