

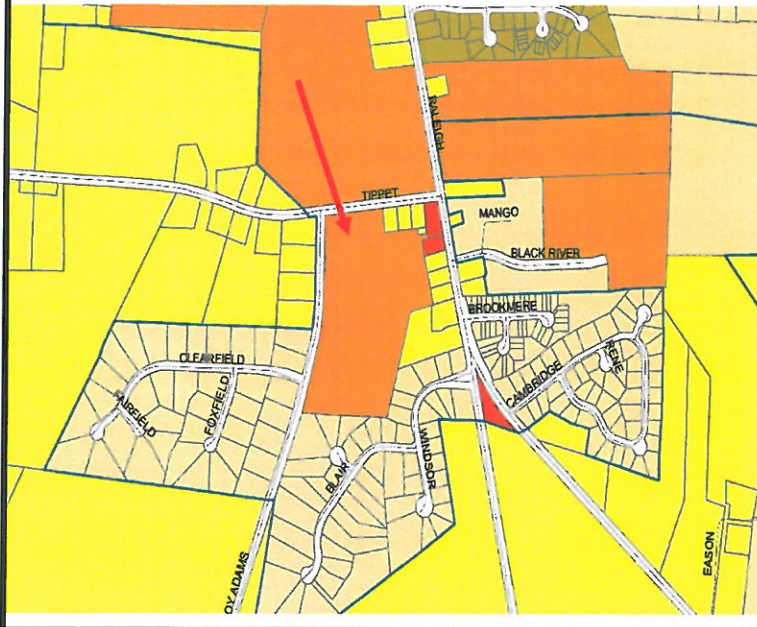
**TOWN OF ANGIER
PLANNING BOARD
Agenda
March 7, 2016
7:00 P.M.
Municipal Building
28 North Raleigh Street
Angier, North Carolina 27501**

1. Opening
2. Pledge Of Allegiance
3. Invocation
4. Approval Of The January 12, 2016 Planning Board Minutes
5. Consideration Of Agenda
6. Item For Discussion And Recommendation:
 - Conditional Rezoning Request – Pendergraph Companies, LLC is requesting a Conditional Rezoning of the property located at 742 South Raleigh Street from R-15 to CZ-R-6 Multi-Family for the purpose of constructing an apartment complex.
7. Other Business
8. Adjournment

Request for Rezoning

The Pendergraph Companies, LLC is proposing to build a 68 unit multi-family apartment community located at S. Raleigh Road and Tippet Road in Angier, NC. In order to develop this property it is our understanding the land in question must be re-zoned to comply with the Unified Development Ordinance now in effect for the Town of Angier. The land as we know it is currently zoned as R15 which allows for residential development. The request for rezoning would require a new zoning classification to allow the proposed project.

Zoning District Compatibility

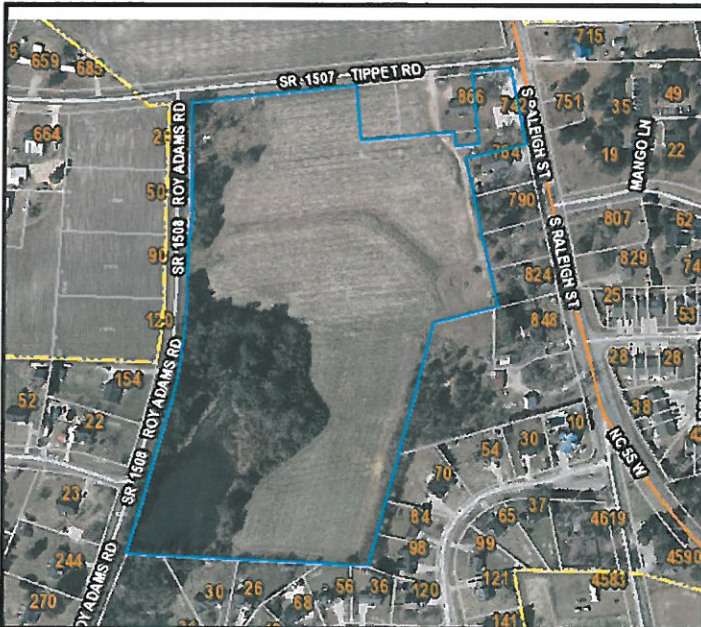


Zoning Map

	CURRENT	REQUESTED
	R-15	R-6 Cond.-Multifamily
Parks & Rec Facilities	S	
Detached Single Family	P	
Semi-Detached		
Townhomes	S	P
Multi-Family	S	P
Non-Traditional Residential		
Professional Offices	S	
Retail Uses		
Eating Establishments		
Governmental Uses	P	
Distribution		
Manufacturing Uses		

P=Permitted, S=Special Use

Physical Characteristics



Aerial Photograph

Site Description: The Site is mostly vacant agricultural land with a wooded portion and a small pond along the western side.

Surrounding Land Uses: Surrounding Land Uses Include Low and Medium Density Residential.

Services Available

Water:

- ☒ Public
☐ Private (Well)
☐ Other: Unverified

Sewer:

- ☒ Public
☐ Private (Septic Tank)
☐ Other: unverified

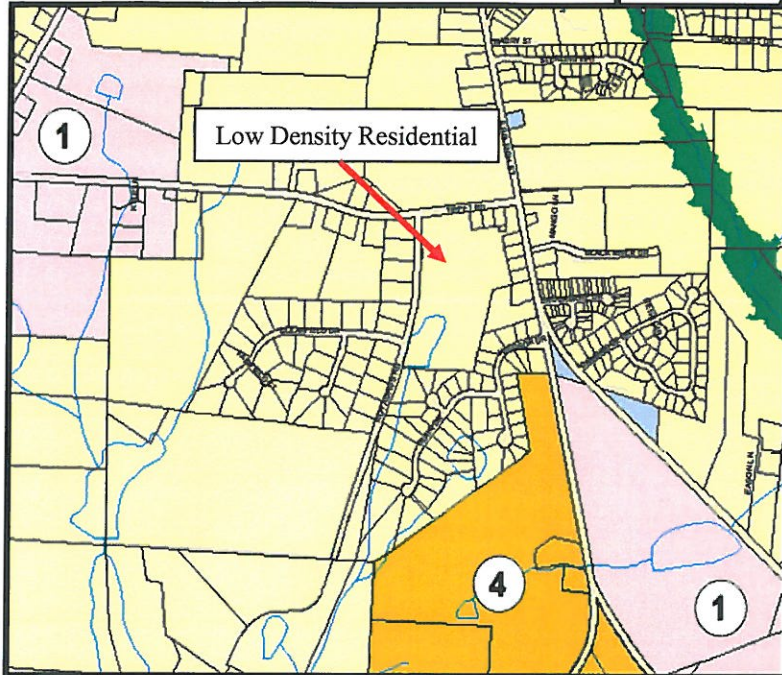
Transportation:

Annual Daily Traffic

Count: N/A

Site Distances: Site distances are good.

Land Use Classification Compatibility



Future Land Use Map (2007)

	ZONING	LAND USE
	R-6 C	LDR
Parks & Rec Facilities		
Detached Single Family		X
Semi-Detached		
Townhomes	X	
Multi-Family	X	
Non-Traditional Residential		
Professional Offices		
Retail Uses		
Eating Establishments		
Governmental Uses		X
Distribution		
Manufacturing Uses		

While this proposed multi-family use is not compatible with our current Future Land Use Map, staff expects the Tippet Road corridor between HWY 210 and HWY 55 will see medium to high density development in the future. We are in the process of updating our Future Land Use Map, and this area will change from its current Low Density classification to allow for expected Medium/High Density uses.

Zoning Petition Information

This zoning petition, to Conditional Zoning R-6 for the purpose of multifamily use is being requested to facilitate development of the lot as described above, totaling 19.85 acres. The specific use requested, and required, as part of the conditional zoning petition is a multi-family/ apartment development. Review and consideration by the Board of this request shall include the following: (1) specified use, (2) development layout, (3) overall design, (4) building elevations, and (5) building color. If approved, the Board may add any conditions it deems necessary and appropriate. If the conditional zoning petition is approved, review for compliance with the Ordinance of standard improvements, such as parking areas and landscaping, will be conducted by Planning staff at the time of site plan submittal. The zoning district would become distinct and singular, as it would be a stand-alone district, named **CZ-R6-2**. Any variation of the approval would be considered a violation of the Unified Development Ordinance.

Possible conditions:

1. All other UDO requirements should be met.
2. The building elevations submitted with the application shall be the basis for design of the buildings. Minor variations, as approved by staff, may apply as specific site details are designed.
3. The submitted site plan shall be the basis for approval of the development layout and overall design. Minor variations, as approved by staff, may apply as specific site details are designed.

Evaluation

- ☒ Yes ☐ No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.
REASONING: The impact to the surrounding community is minimal.
- ☐ Yes ☒ No The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The requested zoning is not compatible with the future land use map because it calls for Low Density Residential, which is classified as 1 to 3 units per acre. The proposed development includes three story apartments which will be more than 3 units per acre.
- ☒ Yes ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: The requested zoning district will allow for use of the site that is compatible with the surrounding uses as well as providing another housing option for people in and around Angier, and therefore will enhance the general welfare of the public.
- ☐ Yes ☒ No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: This request is for Conditional Zoning and does not have to be evaluated for a small scale rezoning.
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Suggested Statement-of-Consistency (Staff concludes that...)

The requested rezoning to Conditional Zoning R-6 for the purpose of Multifamily is compatible with Town of Angier regulatory documents, would not have an unreasonable impact on the surrounding community, and will enhance the public health, safety, and general welfare for the reasons stated in the evaluation. It is recommended that this rezoning request be **APPROVED**.

Site Photographs



Standards of Review and Worksheet

STANDARDS OF REVIEW

The Planning Board shall consider and make recommendations to the Town Board of Commissioners concerning this proposed conditional zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- ☐ Yes ☐ No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ Yes ☐ No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ Yes ☐ No C. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ Yes ☐ No D. The proposed change is in accordance with the comprehensive plan and sound planning practices.

☐ **GRANTING THE REZONING REQUEST**

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

☐ **DENYING THE REZONING REQUEST**

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- ☐ The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ☐ There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- ☐ The proposed change was not found to be reasonable for a small scale rezoning

Attachments

- ☒ Original Rezoning Application
- ☒ Justification Statement



APPLICATION FOR ZONING CHANGE

Planning Department
55 N. Broad Street W.
P.O. Box 278
Angier, NC 27501
Phone: (919)-639-2071 Fax: (919) 639-6130

For Planning Department Use Only

Case Number: 2016-000035

Date Received: 2/9/16

Fee Paid: 400.00

Planning Board Mtg. 3/8/16 - Monday

Town Board Mtg. 4/5/16

Applicant Information:

Owner of Record:

Name: Butts, Barbara A.
Address: 7824 Saint Anns Way
City/State/Zip: Fuquay - Varina, NC 27526
Phone: _____
E-mail: _____
Fax: _____

Applicant:

Name: Perco Land Company (Attn: Frankie Pendergraph)
Address: 3924 Browning Place
City/State/Zip: Raleigh, NC 27609
Phone: 919-755-0558
E-mail: f.pendergraph@thepencos.com
Fax: 919-861-6075

Property Description:

PIN(S): 0673-65-9280,000 Acreage: 19 Acres
Tax Parcel ID: 040673 0213 REID: 0000203 Acre: 405286000
Address: Intersection of S. Raleigh Street and Tippet Rd.
Directions from Town Hall: _____

Deed Book: 0096E Page: 126
Plat Book: _____ Page: _____

Zoning Request:

Existing zoning: R15 Requested zoning: ~~R15~~ R6-C

Multi-Family

Attachments:

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Section 14.3 of the Unified Development Ordinance.

Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:

Barbara A. Butts 2-8-2016 [Signature] 2/9/16
Property Owner Signature Date Authorized Agent Signature Date

Requirements for Consideration:

The Planning Board shall consider and make recommendation to the Town Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely used which applicants state they intend to make of the property involved.)
4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
5. The proposed change is in accordance with the comprehensive plan and sound planning practices.