

DEPARTMENT OF PLANNING & DEVELOPMENT

PLANNING STAFF REPORT

REZONING CASE # RZ1404-1

STAFF PROJECT CONTACT: Jordan McMillen



EXPLANATION OF THE REQUEST

This is a request to amend the zoning map and to rezone 1 parcel from Residential Medium Density (R-20) to General Commercial (G-C-1).

OWNER/APPLICANT

OWNER: Crews Family Farm, LLC
5301 Burning Oak Court
Raleigh, NC 27606

Applicant: Betty Cherry, Robert Crews, & Donald Crews
5301 Burning Oak Court
Raleigh, NC 27606

PROPERTY INFORMATION

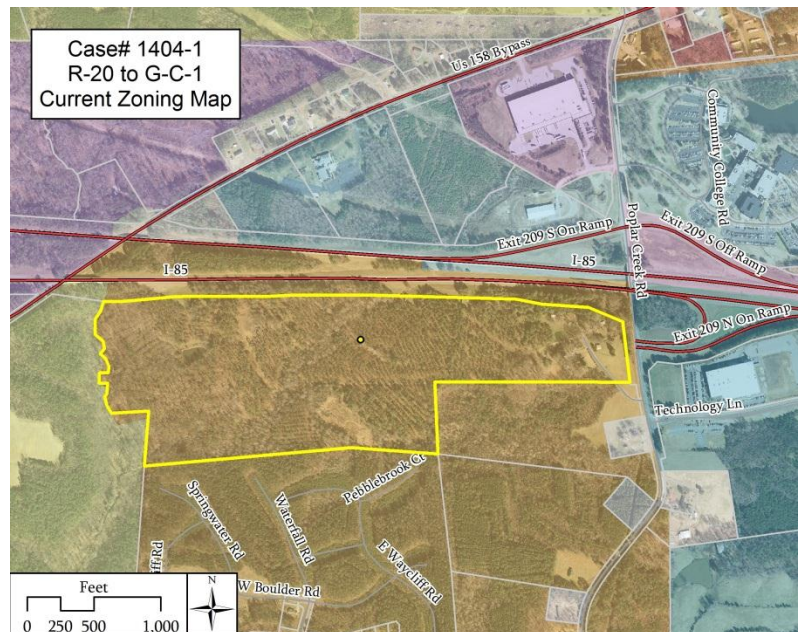
LOCATION: 95 Old Poplar Creek Road;
More specifically identified as tax parcel
0412 02007.

EXISTING LAND USE: The parcel is currently zoned R-20 and originally was a dairy farm during the 1900s. The former dairy barn has been removed and currently the farmhouse homeplace built in 1865 remains as well as 1 tenant house. In addition to these structures a few tobacco barns and storage buildings remain. Additionally there are a total of 7 billboards located on the property that are visible from I-85.

SURROUNDING LAND USE: The surrounding land use is predominantly mixed use due to its location at an interchange for I-85. The property abuts the Triangle North Vance Hub Site to the east (zoned EIA), Interstate 85 to the north and land zoned O-I just north of the interstate, and adjacent to the rear portion of Huntstone Subdivision to the south (zoned R-20). Access via Interstate 85 is very good with exit 209.

SIZE: The existing parcel is 78.84 acres, which is made up of two separate parcels that were recombined in September 2012 – see recombination survey included with staff report.

ZONING HISTORY: All lots in this area on the southern side of I-85 are zoned as they were since countywide zoning was established in November 2011. Directly north of I-85, the Community College has recently rezoned land in the northwest quadrant of the Poplar Creek and I-85 intersection to open up an additional area for institutional uses. This property owner has had an interest in positioning the property for its highest and best use for some time.



IMPACTS

This rezoning changes the allowable uses of the property from one of being medium density residential to one that is more in line with retail and service commercial activities. As a result of this change from residential to commercial, the lot standards are significantly changed. Included in these changes are requirements for a larger lot (1 acre from 0.45 acre), larger setbacks to allow for better visibility while providing space for parking and landscaping, larger frontage requirements to allow for adequate egress and ingress, and increased lot coverage thresholds due to the need for greater amounts of impervious surfaces (i.e. parking lots, buildings, etc.) for commercial uses.

The property owner is aware that the existing 2 residential homes will be allowed to continue as is due to being grandfathered as existing on the property prior to zoning. This zoning change will prevent further expansion of the residential uses going forward.

STAFF COMMENTS

The rezoning request opens up an additional section of land adjacent to Interstate 85 for commercial development. As mentioned in the application, the rezoning would allow the property to be zoned to allow for its highest and best use. While creating a highest and best use alone would not be sufficient to justify a rezoning, the overall character of the area lends itself to commercial activity.

From a planning perspective, the rezoning request is very reasonable. From looking at the surrounding area and zoning, it is apparent that commercial uses have the potential for expansion within this area. The County land use plan identifies this area as a transitional development area which is characterized as an area located along a transportation corridor that has experienced a limited amount of mixed growth previously and has the potential for such growth in the future. Due to this location, the zoning of the property is very compatible with the proposed General Commercial zoning category.

While this particular interchange on I-85 is prime for non-retail employment and institutional uses such as medical, manufacturing, office and educational facilities, it is apparent that the general commercial (G-C-1) zoning would provide an area of retail and service commercial activities which would supplement very well with the existing non-retail uses in the area.

In addition to this, it is important to be aware that this property is adjacent to the undeveloped portion of the Huntstone Subdivision. The impact of any future commercial development adjacent to the subdivision appears to be lessened due to the subdivision having a separate and distinct access point off of Oxford Road. Additionally existing buffers between the properties will be required to remain should any future development take place on the subject property.

Overall, the rezoning is consistent with the character of the area, fits very well with the surrounding area and is consistent with the land use plan. Staff recommends approval of the rezoning request.

Attachments: Rezoning Application, Aerial View Map, Survey Map



Vance COUNTY

NORTH CAROLINA

RECEIVED
FEB 27 2014
Rezoning Process

Vance County Planning & Development Department

For Administrative Use Only:

Case #	<u>RZ1404-1</u>
Fee Paid	<u>\$250 CR# 1245</u>
PB Date	<u>4/16/2014</u>
BOC Date	

156 Church Street, Suite 3
Henderson, NC 27536
Ph: (252) 738-2080
Fax: (252) 738-2089

Property Owner Information

Property Owner: CREWS Family Farm LLC
Mailing Address: 5301 Burning Oak Ct.
City: Raleigh State: NC Zip Code: 27606
Phone #: 919-847-6525 Fax #: () -
E-mail Address: don.crews58@gmail.com

Applicant Information

Applicant: Betty Cherry, Robert Crews, Donald Crews
Mailing Address: 5301 Burning Oak Ct.
City: Raleigh State: NC Zip Code: 27606
Phone #: 919-847-6525 Fax #: () -
E-mail Address: don.crews58@gmail.com (c) 919-971-5684

Property Information For multiple properties please attach an additional sheet.

Property Address: 95 Old Poplar Creek Rd. Henderson 27536
Tax Map Number: 0412-02007 + 0412-02008 PIN (parcel identification #):
Existing Zoning: B-20 Proposed Zoning: 0412-02007-7G-C-I
Acreage: 55/30 Road Frontage: 0412-02008-7D-I
Existing Use: Tree Farm ≈ 800ft on Poplar Creek Rd.

Deed Reference

- ☐ Metes and bounds description attached
☐ Site plan/sketch of proposal attached



Vance COUNTY

NORTH CAROLINA

Rezoning Process

Vance County Planning & Development Department

Statement of Justification

1. Would the amendment correct an error in the zoning map? ☒ NO ☐ YES: *Please explain below:*

Promotes highest and best use due to location on
interchange of I-85

2. Have conditions changed in the area to justify the requested amendment? ☐ NO ☒ YES:
Please explain below:

Promotes further development of Triangle North
and Vance Granville Community College

3. What factors justify the proposed amendment?

- Recent rezoning of nearby VGCC property
- Encourage economic development of Triangle North

Property Owners Signature

① Betty C Cherry 2/24/2014

② Robert Wink

Please sign in blue or black ink

Date 2/24/2014

③ Ronald F. Lewis

2-24-2014

Applicants' Signature

Ronald F. Lewis

Please sign in blue or black ink

Date 2-24-2014



Elaine F. Marshall
Secretary

North Carolina

**DEPARTMENT OF THE
SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

[Account Login](#) [Register](#)

Date: 2/26/2014

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 [Print a Pre-populated Annual Report Fillable PDF Form](#) | [Amend A Previous Annual Report](#) |

Corporation Names

Name	Name Type
NC CREWS FAMILY FARM LLC	LEGAL

Limited Liability Company Information

SOSID:	1040912
Status:	Current-Active
Effective Date:	4/29/2008
Citizenship:	DOMESTIC
State of Inc.:	NC
Duration:	PERPETUAL
Annual Report Status:	CURRENT

Registered Agent

Agent Name:	CHERRY, BETTY C.
Office Address:	5301 BURNING OAK COURT RALEIGH NC 27606

Mailing Address:	5301 BURNING OAK COURT RALEIGH NC 27606
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Principal Office

Office Address:	5301 BURNING OAK COURT RALEIGH NC 27606
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Mailing Address:	5301 BURNING OAK COURT RALEIGH NC 27606
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Officers/Company Officials

Title:	MEMBER
Name:	BETTY C CHERRY
Business Address:	5301 BURNING OAK COURT RALEIGH NC 27606

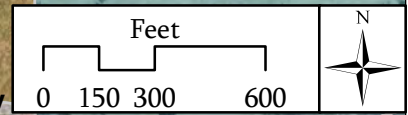
Title:	MEMBER
Name:	ROBERT W CREWS
Business Address:	291 TATUM ROAD MOCKSVILLE NC 27028

Title:	MEMBER
Name:	DONALD F CREWS

Case# 1404-1
R-20 to G-C-1
Current Zoning Map

The map displays various zoning categories and property details for Case# 1404-1. Key features include:

- Zoning Categories:** R30, R20, AR, LI, OI, EIA, and R30.
- Properties and Owners:**
 - 0409 01038: GRANVILLE COUNTY
 - 0409 01026: BURWELL CHARLES W
 - 0409 01030: WOOD KELVIN
 - 0409 01029: NORWOOD KELVIN
 - 0412 04001: TAYLOR RAY A
 - 0412 04003: ROMAN CATHOLIC DIOCESE
 - 0412 04005: ROMAN CATHOLIC DIOCESE
 - 0409 02001: NET 1 HENDERSON LLC
 - 0412 04004: VANCE GRANVILLE COMMUNITY
 - 0409 02003: VANCE GRANVILLE COMMUNITY
 - 0410 04007: VANCE-GRANVILLE COMMUNITY
 - 0412 02007: CREWS FAMILY FARM LLC
 - 0412 02011: BARNES JOHN
 - 0412 02006: BARNES JOHN
 - 0412 02009: BARNES JOHN
 - 0412 02005: BARNES JOHN
 - 0412 02004: BARNES JOHN E HEIRS
 - 0412 02012: BARNES JOHN
 - 0412 02005: BARNES JOHN
 - 0412 01019: TNCP ONE LLC
 - 0412 01001: KERR TAR REGIONAL ECONOMIC
 - 0412 01002: CAPPS JERRY B
 - 0412 01018: CAPPS JERRY B
 - 0412 01014: CAPPS JERRY B
 - 0412C01012: OLD OXFORD ROAD PTRS. LLC
 - 0412C01013: ROSCH ROBERT G
 - 0412C01014: HOTIN EDWARD L
 - 0412C01009: HUNT INVESTMENTS LLC & B PARTNERSHIP
 - 0412C01016: MCREE MATTHEW J
 - 0412A01030: MC GOWAN RALPH E
 - 0412A01003: LEQUIRE BOBBIE L
 - 0412A01004: ALLEN BARNARD L
 - 0412A01005: YANCEY JUDY B
 - 0412A01008: VOLLMER VICKIE B
- Highways and Roads:** I-85, Exit 209 S On Ramp, Exit 209 S Off Ramp, Exit 209 N Off Ramp, Exit 209 N On Ramp, Poplar Creek Rd, Old Poplar Creek Rd, E Waycliff Rd, W Waycliff Rd, Springwater Rd, W Boulder Rd, E Boulder Rd, Us 158 Bypass.
- Scale and Orientation:** A scale bar indicates distances in feet (0, 150, 300, 600). A north arrow is located in the bottom right corner.



Y-196

TOTAL COMBINED AREA
84.84 ACRES

NOTE

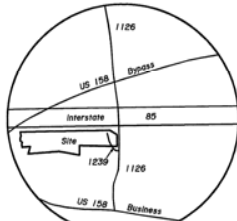
This survey has been completed without the benefit of a title report and therefore does not necessarily indicate all encumbrances on the subject property.

This plat is subject to all easements, agreements, and Rights of Way of Record prior to the date of this plat.

All Areas By Coordinate Method

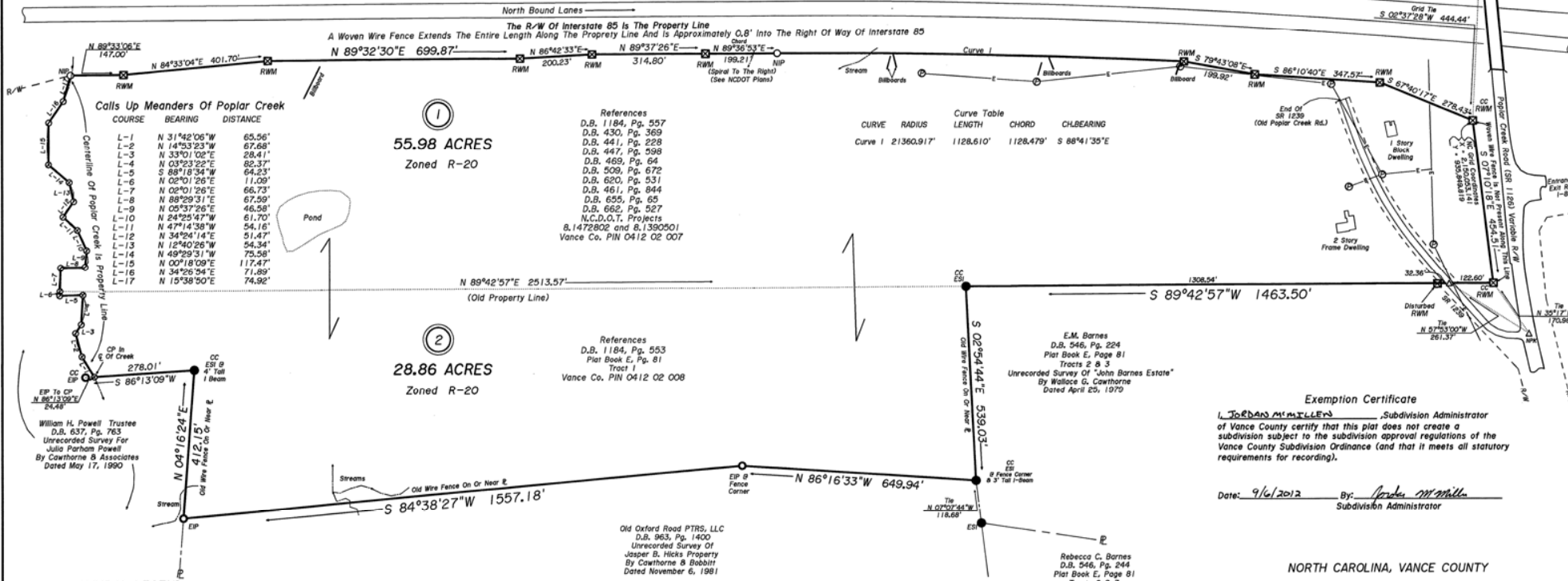
This will certify that the subject property is not located in a Special Flood Hazard Area as determined by the Dept. of Housing and Urban Development and/or the Federal Emergency Management Agency, Effective 04/16/07
Comm. Panel 3720 1945 00 J

FILED Sep 06, 2012 01:10 pm
BOOK 0000Y
PAGE 0196
INSTRUMENT # 03500
FILED FOR RECORD - VANCE COUNTY NC
CAROLYN R. PECORA, REGISTER OF DEEDS



Vicinity Map
(Not to Scale)

INTERSTATE 85 (Variable R/W)



Calls Up Meanders Of Poplar Creek

COURSE	BEARING	DISTANCE
L-1	N 31°42'06"W	65.56'
L-2	N 14°53'23"W	67.68'
L-3	N 33°01'02"E	28.41'
L-4	N 02°32'22"E	62.37'
L-5	S 88°18'34"W	64.23'
L-6	N 02°01'26"E	11.09'
L-7	N 02°01'26"E	66.73'
L-8	N 88°29'31"E	67.59'
L-9	N 05°37'26"E	46.58'
L-10	N 84°25'47"W	61.70'
L-11	N 47°14'38"W	54.16'
L-12	N 34°24'14"E	51.47'
L-13	N 12°40'26"W	54.34'
L-14	N 49°29'31"W	75.58'
L-15	N 00°18'09"E	117.47'
L-16	N 34°26'54"E	71.89'
L-17	N 15°38'50"E	74.92'

55.98 ACRES
Zoned R-20

28.86 ACRES
Zoned R-20

William H. Powell Trustee
D.B. 637, Pg. 763
Unrecorded Survey For
Julia Parham Powell
By Cowhorne & Associates
Dated May 17, 1990

SYMBOL LEGEND

- Existing Iron Pipe (EIP)
- Existing PK Nail (EPK)
- Existing RR Spike (ERS)
- Ex. Conc. Mon. (ECM)
- 50 Penny Nail (50PN)
- Existing Axle (EA)
- Power Pole
- Existing Solid Iron (ESI)
- Electric Lines
- Center Line
- R/W Right of Way
- Man Hole
- Existing Planted Stone (EPS)
- New Rebar (NRB)
- New Iron Pipe (NIP)
- New PK Nail (NPK)
- New RR Spike (NRS)
- New Conc. Mon. (NCM)
- Existing Rebar (ERB)
- Computed Point (CP)
- CC Control Corner
- Light Pole
- Grid Monument
- Property Line
- R/W Monument (RWM)
- Telephone Lines
- Utility Lines

I, Charles M. Davis, Jr., Professional Land Surveyor HL-3270, certify that this plat is of a survey of another category, such as the recombination of existing parcels, a court-ordered survey or other exception to the definition of subdivision.

8/31/12
Date

Charles M. Davis, Jr.
Professional Land Surveyor L-3270



Exemption Certificate
I, Jordan M. Miller, Subdivision Administrator of Vance County certify that this plat does not create a subdivision subject to the subdivision approval regulations of the Vance County Subdivision Ordinance (and that it meets all statutory requirements for recording).
Date: 9/6/2012 By: Jordan M. Miller
Subdivision Administrator

NORTH CAROLINA, VANCE COUNTY

This instrument was presented for registration and recorded in this office in Plat Book _____, Page _____, this _____ day of _____, at _____ o'clock _____.

Carolyn R. Pecora, Register Of Deeds

By: _____

Final Plat

The name of the owner(s) as shown is for indexing purposes only, and shall not be construed as title certification.

Recombination Survey Of Property Owned By

CREWS FAMILY FARM LLC

Dabney Township
Vance County, North Carolina

Scale 1" = 200' August 31, 2012

I, Charles M. Davis, Jr., certify that under my direction and supervision, this map was drawn from an actual field survey, (D.B. 1184, Pg. 553), that the ratio of precision as calculated, before any adjustments, is 1:15,000, and that this map was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 31st day of August, 2012
Charles M. Davis, Jr.



State Of North Carolina
County Of Vance
I, _____, new Officer of Vance County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording as required by GS 47-30 as amended.
9/11/12
Date Review Officer



License No: C-0799

PIEDMONT SURVEYS, INC.

Charles M. Davis, Jr.
Professional Land Surveyor
105 CHURCH STREET - P.O. BOX 562
LOUISBURG, NC 27549 (919)496-3797
FAX (919)496-5157