

DEPARTMENT OF PLANNING & DEVELOPMENT

PLANNING STAFF REPORT REZONING CASE # RZ1410-1

STAFF PROJECT CONTACT: Jordan McMillen



EXPLANATION OF THE REQUEST

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

OWNER/APPLICANT

OWNER: Gray Faulkner
926 Meadow Lane
Henderson, NC 27537

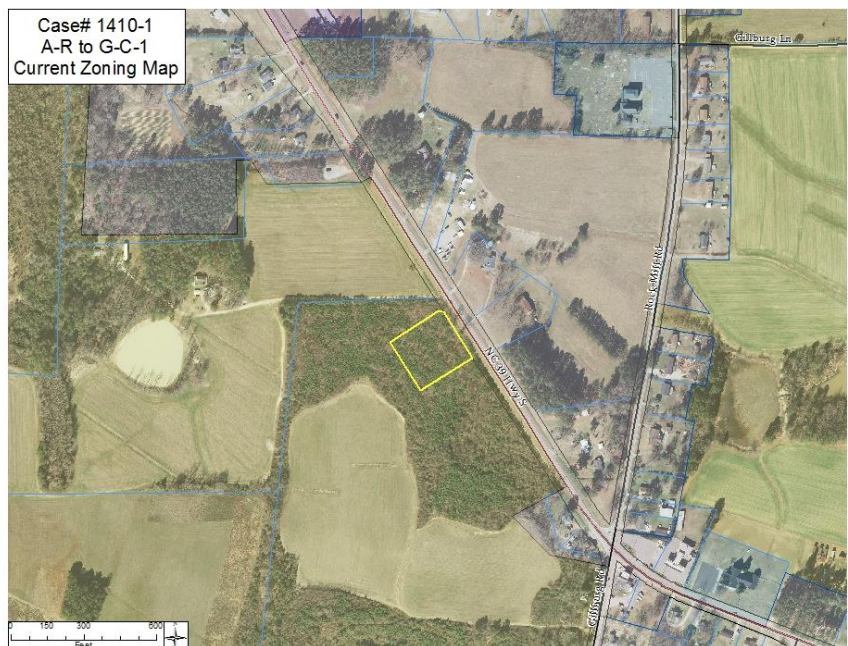
Applicant: Glandon Forest Equity, LLC
3900 Merton Drive Suite 210
Raleigh, NC 27609

PROPERTY INFORMATION

LOCATION: The proposed rezoning is on a portion of tax parcel 0546 04002. Said property is located approximately 1,000 feet northwest of the intersection of NC 39 Highway S and Gillburg / Rock Mill Road.

EXISTING LAND USE: The parcel is currently zoned A-R. It is a vacant property with approximately 34 acres of woodland and 14 acres of fields.

SURROUNDING LAND USE: The surrounding land use is mixed, including Agricultural Residential, Highway Commercial, and Residential Low Density zoning districts.



SIZE: The proposed rezoning is for 1.36 acres out of a 52.6 acre tract, as shown on attached plat.

ZONING HISTORY: All parcels in this area are zoned as they were since countywide zoning was established in November 2011.

IMPACTS

This rezoning changes the allowable uses of the property from being agricultural and residential in character to retail and service commercial activities and uses. The amendment would increase setbacks and built-upon area requirements promoting a higher density while requiring additional area for ingress and egress and sight distance requirements that are necessary for commercial development. Additionally screening and buffering would be required between the commercial use and the surrounding residential properties.

STAFF COMMENTS

According to the county land use plan, the property is situated within the Gillburg Development or Crossroads Community. Development Communities are designated areas for focused growth outside of the immediate City of Henderson area. This particular development community has access to City of Henderson water and sewer.

Due to traffic safety concerns with additional development at the Gillburg intersection, this rezoning request would prepare an area approximately 1,000 feet northwest of the intersection along NC 39 South for commercial development. As is typical of crossroads communities, commercial development is more prevalent near road intersections which promotes commercial uses in concentrated, convenient and accessible locations. Due to the offset angle of the road intersection, it was determined that an area slightly to the northwest along NC Highway 39 South was a better site for commercial development. Although this parcel will technically be surrounded by AR and R-30 zoning, it would be acceptable to consider this parcel as a part of the existing character of the crossroads area which includes existing commercial development.

As a whole, the crossroads area in Gillburg is mixed used, consisting of farms, residential development, and a few commercial and institutional establishments. Within a half-mile radius, there are two churches, a parcel zoned Light Industrial, two convenience stores, and two major subdivisions. This rezoning would allow retail and/or service establishments that will serve the residents within this area.

Attachments: Rezoning Application, Aerial view map, Survey Map, Legal description



Vance COUNTY

NORTH CAROLINA

Rezoning Process

Vance County Planning & Development Department

156 Church Street, Suite 3

Henderson, NC 27536

Ph: (252) 738-2080

Fax: (252) 738-2089

For Administrative Use Only:

Case #	<u>RZ1410-1</u>
Fee Paid	<u>\$250.00, ck 9046</u>
PB Date	<u>10-9-2014</u>
BOC Date	

Property Owner Information

Property Owner: Gray Faulkner

Mailing Address: 926 Meadow Lane

City: Henderson State: NC Zip Code: 27537

Phone #: () - Fax #: () -

E-mail Address: _____

Applicant Information

Applicant: Glandon Forest Equity, LLC

Mailing Address: 3900 Merton Drive Suite 210

City: Raleigh State: NC Zip Code: 27609

Phone #: (919) 459 - 2601 Fax #: (919) 459 - 2604

E-mail Address: gbarnes@vanguardpg.com

Property Information *For multiple properties please attach an additional sheet.*

Property Address: _____

Tax Map Number: _____ PIN (parcel identification #): 0546 04002

Existing Zoning: A-R Agricultural Residential Proposed Zoning: General Commercial

Acreage: _____ Road Frontage: _____

Existing Use: Vacant

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:*

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

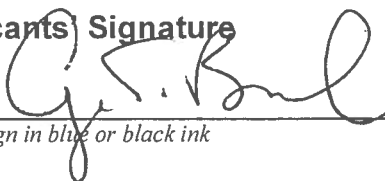
3. What factors justify the proposed amendment?

Property Owners Signature

Please sign in blue or black ink

Date _____

Applicants' Signature



Please sign in blue or black ink

Date 8/27/14



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:*

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

3. What factors justify the proposed amendment?

Property Owners Signature

Donald Gray Faulkner, Sr
Please sign in blue or black ink
By Donald Gray Faulkner, Jr POA

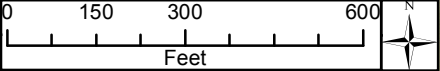
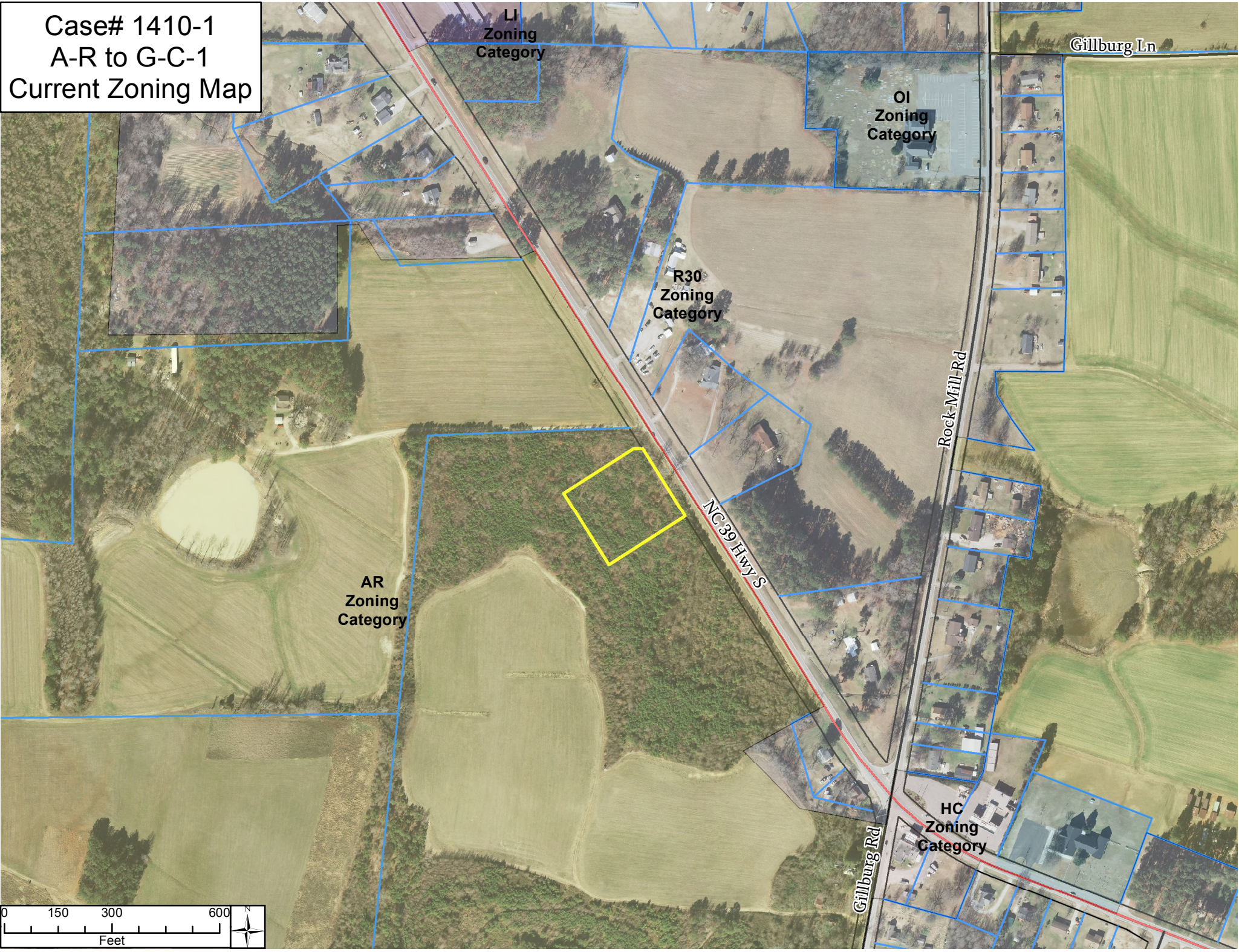
Date 8-28-14

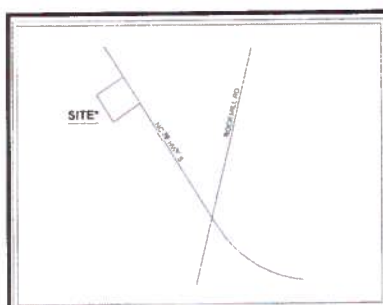
Applicants' Signature

Please sign in blue or black ink

Date _____

Case# 1410-1
A-R to G-C-1
Current Zoning Map





VICINITY MAP

NOT TO SCALE

REFERENCES:

DEED BOOK 378, PAGE 505
PLAT CABINET T, SLIDE 520
*OTHERS SHOWN HEREON

LEGEND and NOMENCLATURE

SYMBOLS

- Ex. Iron pin/iron nail
- Ex. Concrete monument
- Iron iron pipe
- Calculated point
- Boundary survey monument

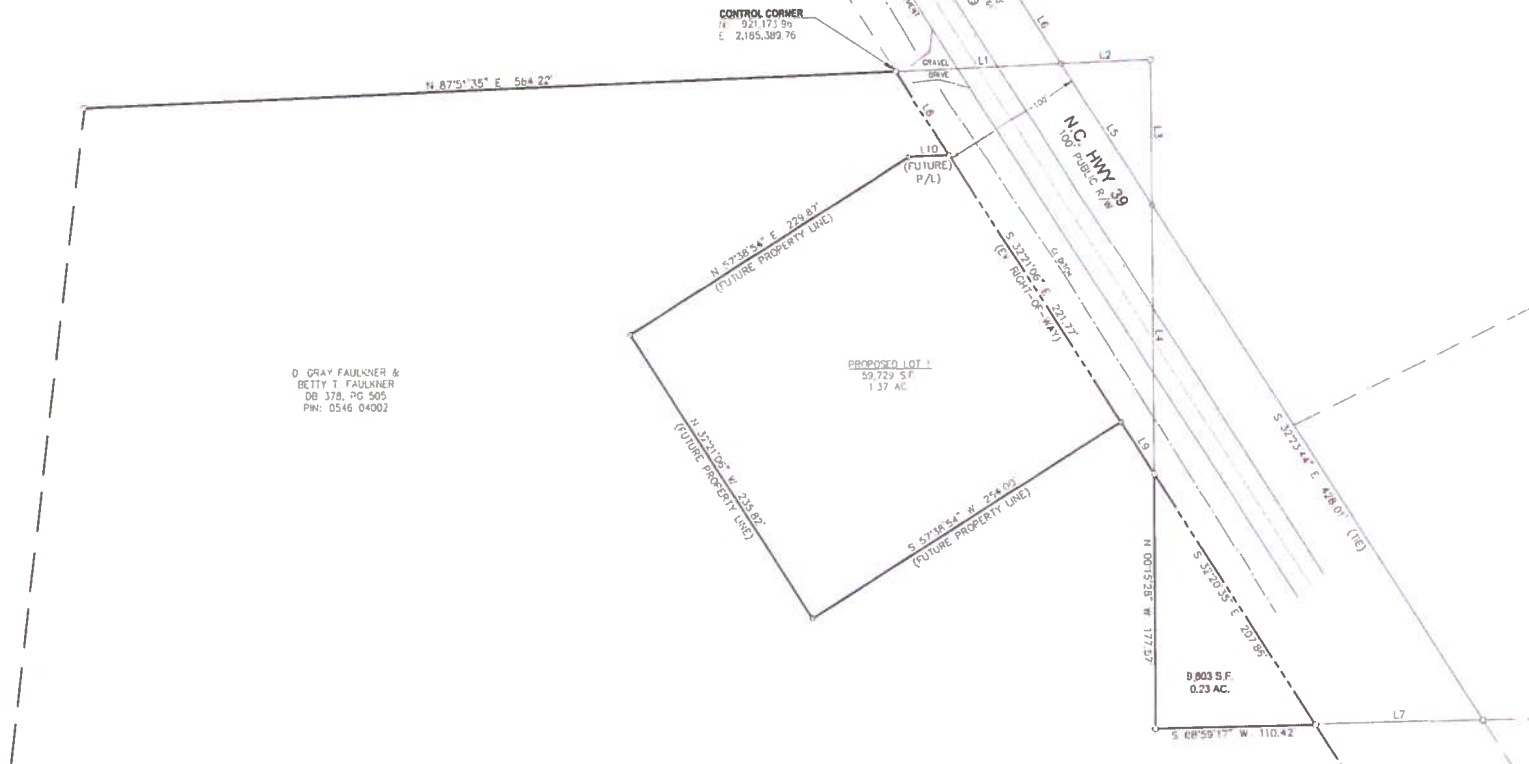
ABBREVIATIONS

- DB Deed Book
- PD or DM Plat Book / Book of Maps
- NH Name of Highway
- Pg Page
- SF Square feet
- Ac Acres
- Right-of-way

LINE	LENGTH	BEARING
L1	114.93	N 87°42'22" E
L2	83.14	N 87°42'22" E
L3	150.43	S 32°23'44" E
L4	188.14	S 32°23'44" E
L5	117.22	S 32°23'44" E
L6	81.81	S 32°23'44" E
L7	116.81	N 88°42'37" E
L8	83.14	S 32°23'44" E
L9	41.33	S 32°23'44" E
L10	27.03	S 87°42'32" W

DENNIS W. POTTHREISS
UB 1234, PG 488
PB T, PG 520
PIN 0546 04008

NC GRID NORTH
(NAD 83)



PRELIMINARY
NOT FOR CONSTRUCTION



Commencing at a point, said point being an existing iron pipe at the northernmost corner of the D. Gray Faulkner and Betty T. Faulkner tract as recorded in Deed Book 378, Page 505 in the Vance County registry, said point also being on the southwestern 100 foot right-of-way margin of N.C. Highway 39 and having North Carolina State Plane coordinates of N=921,173.90 and E=2,185,389.76; Thence, along said right-of-way of N.C. Highway 39 S32°23'44"E, 69.43 feet to the Place and Point of Beginning; Thence, from said Point of Beginning continuing along said right-of-way S32°23'44"E, 221.17 feet to a point, said point being the easternmost corner of proposed Lot 1; Thence, leaving said right-of-way S57°38'54"W, 254.00 feet to the southernmost corner of said proposed Lot 1; Thence, N32°21'06"W, 235.82 feet to the westernmost corner of said proposed Lot 1; Thence, N57°38'54"E, 229.87 feet to a point, Thence, N87°51'38"E, 27.83 feet to the Place and Point of Beginning, containing an area of 59,729 square feet or 1.37 acres, more or less.

RE-ZONING EXHIBIT
PROPERTY OF
D. GRAY FAULKNER & BETTY T. FAULKNER
SANDY CREEK TSHIP VANCE COUNTY NORTH CAROLINA

60 30 0 60 120
SCALE: 1" = 60'

Commencing at a point, said point being an existing iron pipe at the northernmost corner of the D. Gray Faulkner and Betty T. Faulkner tract as recorded in Deed Book 378, Page 505 in the Vance County registry, said point also being on the southwestern 100 foot right-of-way margin of N.C. Highway 39 and having North Carolina State Plane coordinates of N=921,173.96 and E=2,185,389.76; Thence, along said right-of-way of N.C. Highway 39 S32°21'06"E, 69.43 feet to the Place and Point of Beginning; Thence, from said Point of Beginning continuing along said right-of-way S32°21'06"E, 221.77 feet to a point, said point being the easternmost corner of proposed Lot 1; Thence, leaving said right-of-way S57°38'54"W, 254.00 feet to the southernmost corner of said proposed Lot 1; Thence, N32°21'06"W, 235.82 feet to the westernmost corner of said proposed Lot 1; Thence, N57°38'54"E, 229.87 feet to a point; Thence, N87°51'35"E, 27.93 feet to the Place and Point of Beginning, containing an area of 59,729 square feet or 1.37 acres, more or less.