



ROCKY MOUNT
CITY MANAGER'S OFFICE
THE CENTER OF IT ALL
City Council Agenda

Date: June 10, 2019

To: The Honorable Mayor and City Council

Subject: Rezoning Request # 05-05-19 – Request to rezone approximately 25 acres to OI-2

Summary of Requested Action: Planning Board recommends approval of a request submitted by Brian Michot; Kinley-Horne and Associates, Inc. to rezone approximately 25 acres of a 54.29-acre parcel located north of East Raleigh Boulevard bordering U.S. Highway 64 to the east from R-10 (low density residential) to O-I2 (office mixed use district). Rezoning request will result in an increase in zoning intensity compared to the current zoning classification, one that was anticipated by the community during the Together Tomorrow: Tier 1 Smart Growth Comprehensive Plan adoption process

Department Requesting Action: Development Services *CB*

Budgetary Impact: None

City Manager's Recommendation: *Recommend Approval. R. D. Noy*
6/5/19

PUBLIC NOTICE
Public Hearing / Proposed Amendments to the Land Development Code

Publication Dates
5/25/2019 & 6/4/2019

CITY OF ROCKY MOUNT
NOTICE

NOTICE is hereby given that a public hearing relative to the following proposed amendments to the Land Development Code and Map of the City of Rocky Mount will be held Monday, June 10, 2019 at 7:00 p.m. in the George W. Dudley City Council Chamber on the third floor of the Frederick E. Turnage Municipal Building, Rocky Mount, North Carolina:

Section 1. Zoning classification of the following described premises:

- proposed to be changed from R-10 to R-10 and O-12: +54.29 acres located on East Raleigh Boulevard

The City Council may change the existing zoning classification of the entire premises, or any part or parts thereof, to the proposed classification, or to a higher classification or classifications without the necessity of additional notice of hearings. Parties in interest and citizens shall have an opportunity at the public hearing to be heard and may get further information on the proposed change prior to the hearing from the office of the City Clerk.

Anyone planning to attend this meeting who will need services to accommodate speech, hearing or visual impairments, should call the City Clerk's office at 972-1319 one (1) week in advance of the meeting so appropriate arrangements can be made.

[TT (TDD) 1-800-735-2962 or VOICE 1-800-736-8262]

BY ORDER OF THE CITY COUNCIL
Pamela O. Casey, City Clerk
295680 5/28/19 6/4/19

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ROCKY MOUNT
DEVELOPMENT SERVICES
THE CENTER OF IT ALL

INTEROFFICE MEMORANDUM

To: Pamela O. Casey, City Clerk

From: William Deaton, Director of Development Services

Date: May 15, 2019

Subject: Planning Board Recommendations from May 14, 2019 Meeting

Approval of a request submitted by Brian Michot; Kimley-Horne and Associates, Inc. to rezone +54.29 acres located on East Raleigh Boulevard from R-10 to R-10 and O-I2 on the basis that the proposed rezoning of the subject site will have minimal to no negative impact on the area and conforms with the adopted Comprehensive Plan.



ROCKY MOUNT
OFFICE OF THE CITY CLERK
THE CENTER OF IT ALL

May 24, 2019

COPY

Dear Citizen:

The Planning Board, at its meeting on May 14, 2019, recommended approval of the following rezoning request:

--- request by Brian Michot; Kimley-Horne and Associates, Inc. to rezone +54.29 acres located on East Raleigh Boulevard from R-10 to R-10 and O-I2

As required by law, at a regular scheduled meeting on **Monday, June 10, 2019 at 7:00 p.m.**, the City Council will conduct a public hearing relative to the rezoning described above. The meeting will be held in the George W. Dudley City Council Chamber on the third floor of the Frederick E. Turnage Municipal Building. This meeting is open to the public and comments from interested persons are invited.

Should you need additional information regarding the public hearing, please contact the City Clerk's office at 972-1319.

Yours very truly,

Pamela O. Casey
City Clerk

Regulations for the residential districts are designed to protect the residential character of areas so designated from the noise, congestion, and heavy traffic commercial and industrial activities. The regulations are also designed to encourage a suitable environment for family life by providing for openness of living areas and permitted appropriate neighborhood facilities and compatible community facilities.

R-10, low density residential district. The R-10 district is intended to provide for urban residential development, which is designed to provide quiet, low-density areas for single-family living with related recreational facilities protected from intrusion of commercial and industrial activity. Permitted uses are designed to stabilize and protect the essential characteristics of the area and permit certain home occupations as set forth in this LDC.

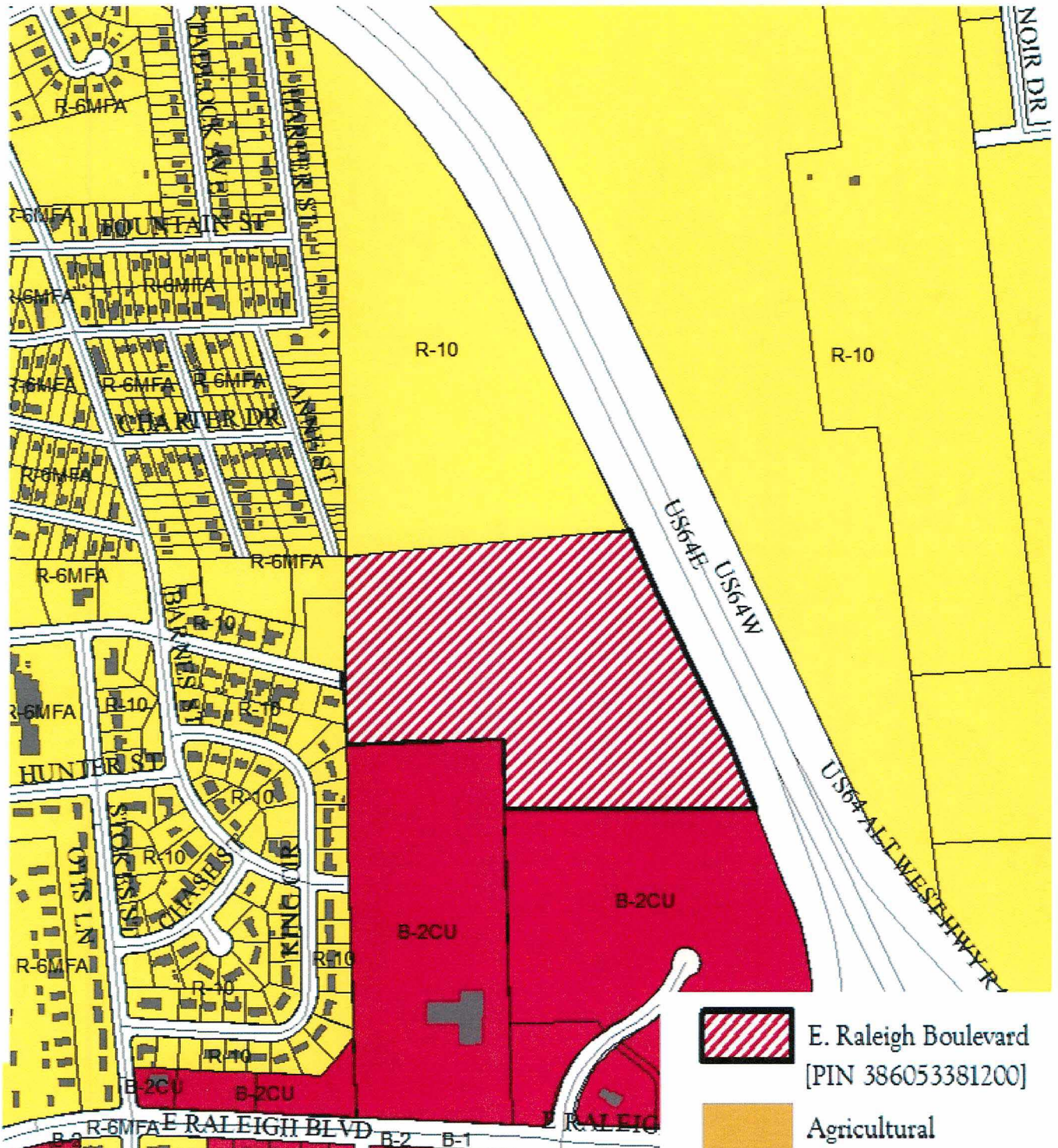
PROPOSED

OI-2, Office mixed use district (combination of business, office and residential). This is a mix-use district that allows office, residential and limited business. The business and office uses allow and fulfill service and convenience needs of the surrounding neighborhood. These uses are primarily pedestrian oriented. The district is intended to be established along the following corridors: Sunset Avenue (Halifax Road to Wesleyan Boulevard), Benvenue Road (Peele Road to Jefferys Road), Goldrock Road (Benvenue Road to Greyson Road), Raleigh Street (Parker Street to Springfield Road), Raleigh Road (Wesleyan Boulevard to the foot of the bridge that runs over Main Street) and Cokey Road (Marigold Street to Fairview Road). In addition, this district is encouraged for parcels abutting proposed or existing subdivisions/neighborhoods.

E. Raleigh Boulevard [PIN 386053381200]

Rezoning Request

R-10 to R-10 and O-I2



ROCKY MOUNT
DEVELOPMENT SERVICES
THE CENTER OF IT ALL



CERTIFICATION


MAILING OF NOTICES RELATIVE TO THE REZONING OF PROPERTY

I, Pamela O. Casey, City Clerk for the City of Rocky Mount, hereby certify that on May 24, 2019 in accordance with the provisions of GS 160A-384, all owners and adjoining property owners (list attached) of properties represented in the following rezoning request which was recommended for approval by the Planning Board on May 14, 2019 were mailed notice of a public hearing to be held Monday, June 10, 2019 at 7:00 p.m. in the George W. Dudley City Council Chamber, Third Floor of the Frederick E. Turnage Municipal Building:

- request by Brian Michot; Kimley-Horne and Associates, Inc. to rezone +54.29 acres located on East Raleigh Boulevard from R-10 to R-10 and O-I2

Said notices were mailed based upon information provided from the city and/or county tax office.

This the 28th day of May, 2019.


Pamela O. Casey
City Clerk

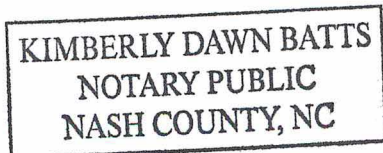
Nash County, North Carolina
Sworn to and subscribed before me

this 28th day of May, 2019.


Kimberly Dawn Batts, Notary Public

My Commission Expires: 2-24-2024

(Official Seal)



Carlton Andra Alston et al
1305 Anne Street
Rocky Mount, NC 27801

Richard Battle et al
1525 Harper St
Rocky Mount, NC 27801

Kenneth Boddie
1721 King Cir
Rocky Mount, NC 27801

Minnie Mae Brown
1313 Anne St
Rocky Mount, NC 27801

Ethel L Bryant
717 West End St
Rocky Mount, NC 27803

Michael F Burbidge
7200 Stonehenge Drive
Raleigh, NC 27613

Herbert Cofield
P.O. Box 1583
Rocky Mount, NC 27802-1583

Nathan Michael Dixon Jr
2412 W Valley Vis
Rosamond, CA 93560-6201

Minnie Lillian Dickens et al
5512 Hayes St Ne
Washington, DC 20019

Marion Pittman Couch
4031 Yarbrough Ave
Winston-Salem, NC 27106

DRB Enterprises Inc
940 White Horse Dr
Greenville, NC 27834

Dorothea Cox Life Est et al
15410 Bennetts Run Ct
Brandywine, MD 20613

DPF Properties Edgecombe LLC
P.O. Box 9037
Rocky Mount, NC 27804

Johnny L Eason et al
6864 Alverton Ct
Hughesville, MD 20637

Mary H Dunn
224 Herron St
Rocky Mount, NC 27803

Earl Powell Properties LLC
P. O. Box 2952
Wilson, NC 27894

Gray Huenell Jr., et al
1301 Anne St
Rocky Mount, NC 27801

Eugene Edmond
109 Zinnia Ct
Rocky Mount, NC 27801

Gill Company
1029 Benvenue Rd
Rocky Mount, NC 27804

Jacob Charles
1541 Harper St
Rocky Mount, NC 27801

Henderson Samuel et al
1421 Harper St
Rocky Mount, NC 27801

Matthew R Hutchinson et al
700 Eagles Ter
Rocky Mount, NC 27804

Bessie Johnson Heirs
1219 Hamilton St NE
Washington, DC 20011

Minnie S Howard
1553 Harper St
Rocky Mount, NC 27801

JLJB V LLC
P.O. Box 7921
Rocky Mount, NC 27804

Samuel Lyons et al
1321 Anne St
Rocky Mount, NC 27801

Jacobs Myrtle
1512 Charter Dr
Rocky Mount, NC 27801

Jimmie Lee Lancaster et al
1608 Cherry Street
Rocky Mount, NC 27801

McCulley Christina et al
305 Linden Ave
Rocky Mount, NC 27801

Tyrone Jones et al
1053 Fairlawn Ave
Virginia Beach, VA 23455

Henry Lyons Jr
1513 Harper St
Rocky Mount, NC 27801

Melissa Ann Norwood
1229 Anne St
Rocky Mount, NC 27801

Bertha Lyons et al
6307 Farmview Ct
Clinton, MD 20735

Onyx Martin et al
P.O. Box 1163
Clinton, NC 28329-1163

Powell Lineage
Edgecombe County LLC
P.O. Box 7947
Rocky Mount, NC 27804

Maldonado Salvador Barajas
1613 Burnt Mill Road
Rocky Mount, NC 27804

Rocky Mount Edgecombe
Community Dev Corp
P.O. Box 1477
Rocky Mount, NC 27802

Fredonna Whitfield et al
327 Pennsylvania Ave
Rocky Mount, NC 27801

N C Department of
Transportation
P O Box 25201
Raleigh, NC 27611

Dave Smith
90 Rhea-Smith Rd
Roanoke Rapids, NC 27870

Showers Of Blessing
Christian Center
P. O. Box 2916
Rocky Mount, NC 27802

Housing & Community
Revitalization I LLC
5922 A Six Forks Rd
Raleigh, NC 27609

(Applicant)
Brian Michot;
Kimley-Horn and Associates,
421 Fayetteville St Ste 600
Raleigh, NC 27601

(Property Owners)
Community Development
Initiative Capital Inc.
P.O. Box 98148
Raleigh, NC 27624

**ORDINANCE AMENDING THE LAND DEVELOPMENT CODE AND MAP
OF THE CITY OF ROCKY MOUNT**

WHEREAS, pursuant to legislative authority, cities and towns in North Carolina are empowered to adopt zoning and development regulation ordinances either as a part of a unified development ordinance or as a separate ordinance; to provide for the manner in which zoning regulations shall be determined, established and enforced; and, to make provisions for how zoning regulations may be amended, supplemented or changed; and

WHEREAS, on July 12, 2004, the City Council of the City of Rocky Mount adopted a unified Land Development Code, which became effective on the day of adoption; and

WHEREAS, the North Carolina General Statutes require Planning Board review of any proposed zoning ordinance amendment and for said Planning Board to make a written recommendation to the City Council as to the adoption of the ordinance as well as whether the proposed amendment is consistent with any comprehensive plan or any other officially adopted plan that is applicable; and

WHEREAS, the Planning Board has reviewed certain Land Development Code Amendments; has certified said amendments to be in conformance with the City's comprehensive plan; and has recommended them for adoption, said amendments being set out in Section 2 below; and

WHEREAS, the City Council finds the amendments recommended for approval by the Planning Board, and set out in Section 2 below, to be consistent with the City's comprehensive plan, reasonable, and in the public interest;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rocky Mount:

Section 1. The City Council hereby finds and determines that the amendments recommended for approval by the Planning Board as set forth in Section 2 below are consistent with the City's comprehensive plan and are reasonable and in the public interest because they will promote the public health, safety, and general welfare of the citizens of the City of Rocky Mount, and will encourage the most appropriate use of land.

Section 2. That the Land Development Code and Map of the City of Rocky Mount, North Carolina, as amended, be further amended by changing the zoning classification of the following described premises, petition of which was submitted by Brian Michot; Kimley-Horne and Associates, Inc. from R-10 to R-10 and O-I2:

A PARCEL OF LAND BEING PART OF LAND NOW OR FORMERLY OWNED BY NC COMMUNITY DEVELOPMENT INITIATIVE CAPITAL INC (PARCEL # 386053381200, DB 1556 PG 606) LOCATED IN THE CITY OF ROCKY MOUNT, EDGEcombe COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF U.S. HIGHWAY 64 BYPASS AT THE NORTHEAST CORNER OF LANDS NOW OR FORMERLY OWNED BY ROCKY MOUNT EDGECOMBE COMMUNITY DEVELOPMENT CORP (DB 1278 PG 646); THENCE S 880 59' 38" W, ON THE NORTH LINE OF SAID ROCKY MOUNT EDGECOMBE COMMUNITY DEVELOPMENT CORP LANDS, A DISTANCE OF 930.03 FEET TO A POINT ON THE EAST LINE OF LANDS NOW OR FORMERLY OWNED BY SHOWERS OF BLESSING CHRISTIAN CTR INC (DB 1148 PG 743); THENCE N 010 00' 22" W, ON THE EAST LINE OF SAID LANDS OWNED BY SHOWERS OF BLESSING, A DISTANCE OF 267.33 FEET TO A POINT; THENCE S 880 21' 17" W, ON THE NORTH LINE OF SAID LANDS OWNED BY SHOWERS OF BLESSING, A DISTANCE OF 598.71 FEET TO A POINT; THENCE N 000 15' 31" W, A DISTANCE OF 678.89 TO A POINT; THENCE N 880 59' 38" E, A DISTANCE OF 1108.72 TO A POINT ON THE WESTERLY LINE OF U.S. HIGHWAY 64 BYPASS; THENCE S 250 35' 08" E, ON THE WESTERLY LINE OF U.S. HIGHWAY 64 BYPASS, A DISTANCE OF 828.77 TO A POINT; THENCE S 200 40' 14" E, CONTINUING ON THE WESTERLY LINE OF U.S. HIGHWAY 64 BYPASS, A DISTANCE OF 197.32 FEET TO THE POINT OF BEGINNING. CONTAINING 1,089,020 SQUARE FEET MORE OR LESS. (25.00 ACRES)

Section 3. (a) All ordinances or clauses of ordinances in conflict herewith are hereby repealed.

(b) This ordinance shall become effective from and after the date of its adoption.

Introduced: 6-10-2019

Adopted: 6-10-2019

Pamela O. Casey
City Clerk