

**TOWN OF ZEBULON
PLANNING BOARD AGENDA
Zebulon Municipal Complex
December 9, 2019
7:00pm**

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. ADOPTION OF MINUTES**

A. October 21, 2019 Planning Board Minutes

- IV. NEW BUSINESS**

A. **AN 2019-01 Green Pace Road** - A request by Site Investments, LLC. requesting annexation into the Town of Zebulon for 201 Green Pace Road. [NC PIN: 1796802253].

B. **AN 2019-03 704 Pearces Road** - A request by John R. Morgan requesting annexation into the Town of Zebulon for a property located at 704 Pearces Road. [NC PIN: 2706132411].

- V. ADJOURNMENT**



STAFF REPORT
AN 2019-01
REQUEST FOR ANNEXATION
December 9, 2019

Topic: AN 2019-01 201 Green Pace Road

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by: Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider the voluntary annexation petition received for approximately 32.4 acres located at 201 Pearces Road (PIN 1796802253). This is a legislative case.

Background:

North Carolina General Statute §160A-58.1 states that the governing board of any municipality may annex by ordinance any area non-contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area.

Discussion:

The discussion before the Board is whether to annex the subject property into the Town of Zebulon Corporate Limits.

Policy Analysis:

The Land Use Plan was last updated in May 2008 identifying the subject parcel as "Mixed Use (MU)." Mixed Use includes employment and commercial uses. This request is consistent with Comprehensive Plan Chapter 9 Land Use & Overview Policy 2 - Explore annexation strategies and Goal 2 – Continue to pro-actively manage growth and direct development in a manner that can most efficiently access existing, and future infrastructure and community service, and preserves natural resources.

Fiscal Analysis:

Fiscal Analysis is not possible with annexation requests, but the following aspects should be considered in subsequent development processes (e.g. Special Use Permits).



STAFF REPORT
AN 2019-01
REQUEST FOR ANNEXATION
December 9, 2019

Staff Recommendation:

Staff recommends approval of the annexation as it is consistent with Comprehensive Plan policies.

Attachments:

1. Application
2. Sufficiency Review
3. Boundary Survey
4. Aerial Map
5. ETJ Map
6. Zoning Map
7. Land Use Map
8. NCGS 160A-58.1
9. Site Pictures
10. Cost Benefit Analysis
11. Mailed Public Hearing Notification
12. 150' mailed noticed area



Town of Zebulon

Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597
Phone: (919) 823-1810 Fax: (919) 269-6200
www.townofzebulon.org

PETITION REQUESTING ANNEXATION

INSTRUCTIONS

1. Complete all necessary forms that follow the instructions portion of this form.
2. Attach a map showing the area proposed for annexation in relation to the primary corporate limits of the Town of Zebulon, North Carolina.
3. Attach a statement of the schedule for the full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

I/We the **undersigned owner(s)** (If the property is jointly owned, all parties must sign the annexation request below.) of real property respectfully request that the area described in "**exhibit A**" be annexed to the Town of Zebulon, North Carolina. (If there are not enough spaces on the front, continue name, address, and signature on the back of this form. Proof verifying signature may be required.)

The area to be annexed into the Town of Zebulon, North Carolina is listed as follows:

Address of Property: 201 GREEN PACE RD, ZEBULON N.C. 27597
PIN Number and/or Real Estate ID Number: PIN 1796802253

I/We acknowledge that any **zoning rights acquired pursuant to G.S. 160A385.1 or G.S. 153A344.1 must be declared and identified in this petition. A copy of such proof will be attached to this petition.** I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

HEAVY BUSINESS



Attachment 1

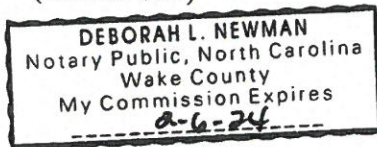
APPLICATION FOR
Petition Requesting AnnexationState of NCWake County

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name: <u>Site Investments, LLC By: JV Management, LLC mgr. Michael E Jordan, Mr</u>		
Address: <u>933 Old Knight Rd.</u>		
City: <u>Knightdale</u>	State: <u>NC</u>	Zip Code: <u>27545</u>
Signature: <u>[Signature]</u>		

Witness my hand and official seal, this the 9 day of September, 2019.

(Official Seal)



[Signature]
Official Signature of Notary

Deborah L. Newman
Notary's Printed or Typed Name

My commission expires 2 - 6, 2024.

State of _____

County _____

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name: _____		
Address: _____		
City: _____	State: _____	Zip Code: _____
Signature: _____		

Witness my hand and official seal, this the _____ day of _____, 20____.

(Official Seal)

Official Signature of Notary

Notary's Printed or Typed Name

My commission expires _____, 20____.

Attachment 2



Town of Zebulon
The Town of Friendly People

Certificate of Sufficiency
For Pin # 1796802253
201 Green Pace Road

To the Board of Commissioners of the Town of Zebulon, North Carolina:

I, Lisa M. Markland, Clerk to the Zebulon Board of Commissioners, do hereby certify that I have investigated the petition attached hereto, and have found as a fact that said petition is signed by all the owners or their legal representative of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have here unto set my hand and affixed the seal of the Town of Zebulon, this 16th day of November 2019.



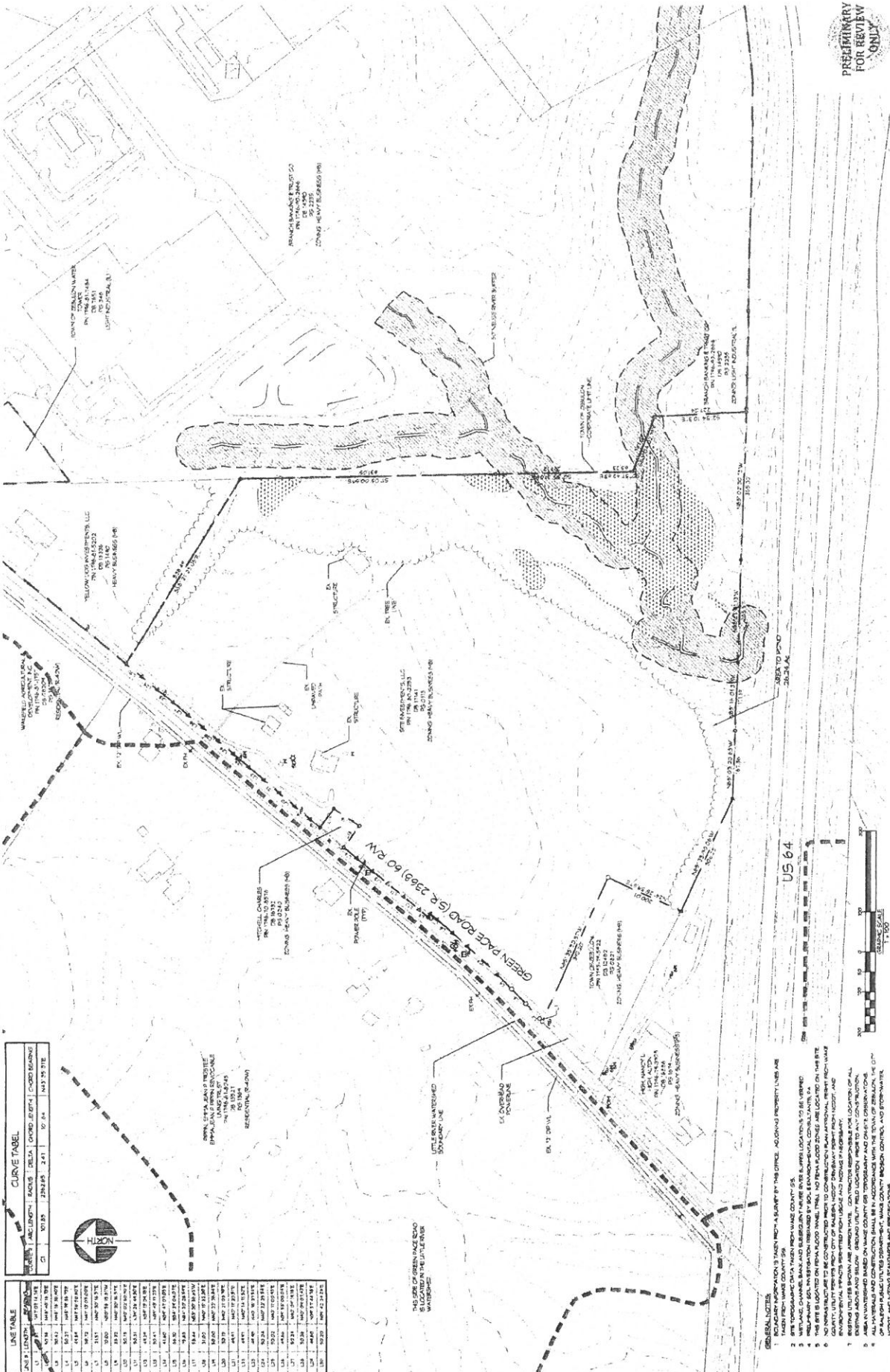
Lisa M. Markland, CMC—Town Clerk

FIRE DEPARTMENT
113 E. Vance Street
Zebulon, NC 27597
(919) 269-6487
Facsimile (919) 269-2618

POLICE DEPARTMENT
1001 N. Arendell Avenue
Zebulon, NC 27597
(919) 269-7455
Facsimile (919) 269-0312

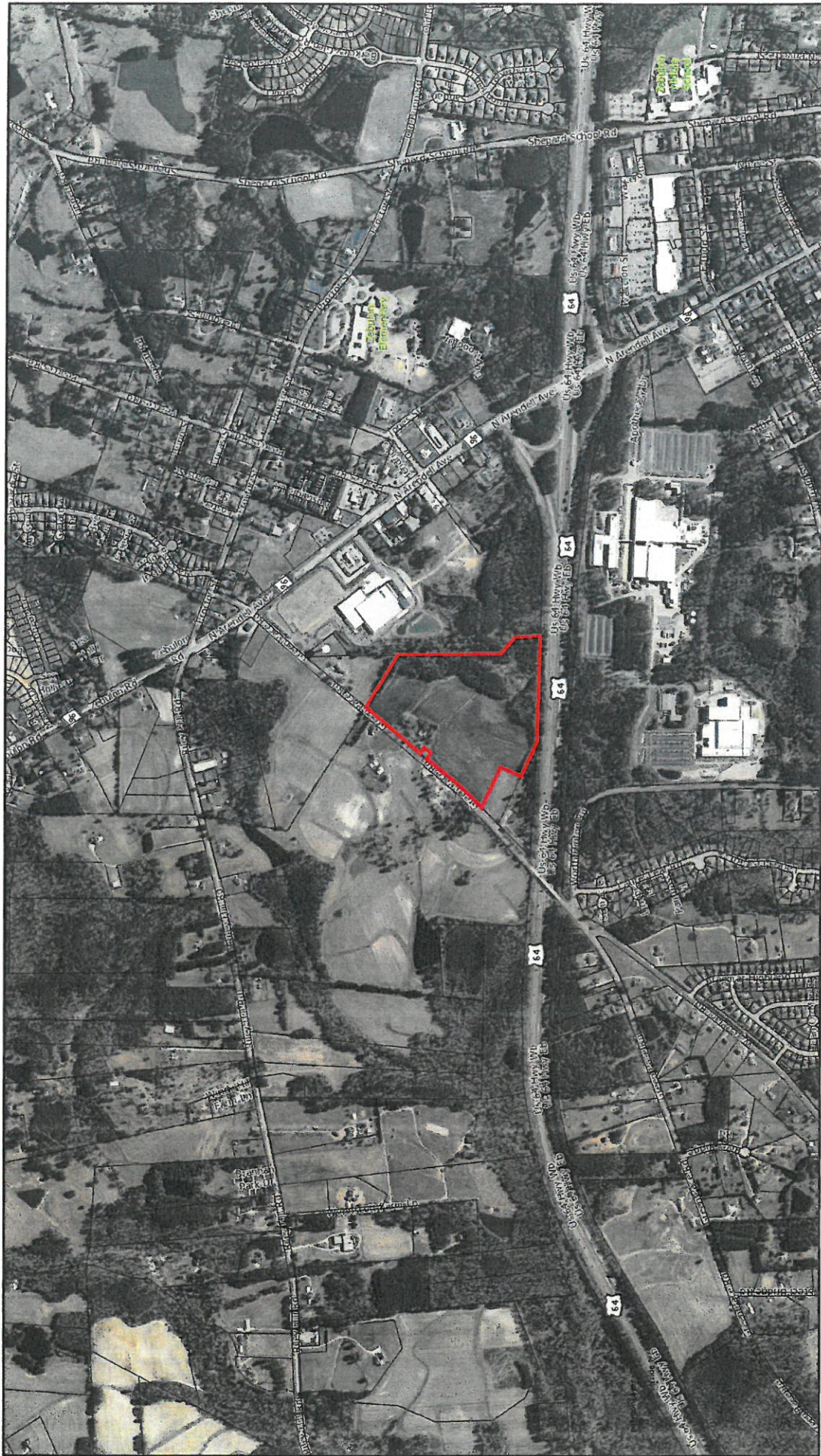
TOWN HALL
1003 N. Arendell Avenue
Zebulon, NC 27597
(919) 269-7455
Facsimile (919) 269-6200

PUBLIC WORKS DEPARTMENT
450 E. Horton Street
Zebulon, NC 27597
(919) 269-5285
Facsimile (919) 269-2617

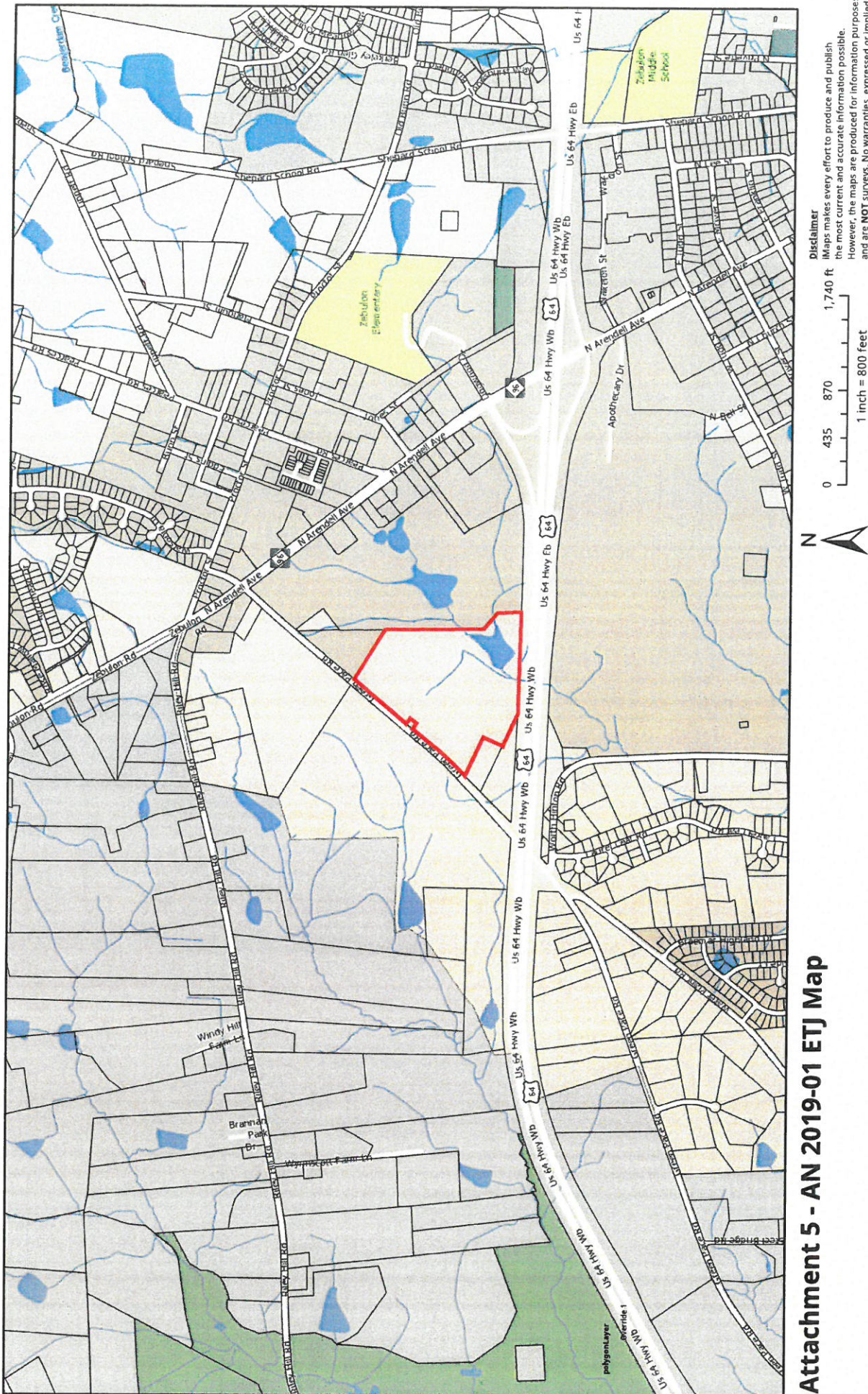


PRELIMINARY
FOR REVIEW
ONLY

[illegible]



Attachment 4 - AN 2019-01 Aerial Map



Attachment 5 - AN 2019-01 ETJ Map

0	435	870	1,740 ft
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24

Attachment 6 - AN 2019-01 Zoning Map

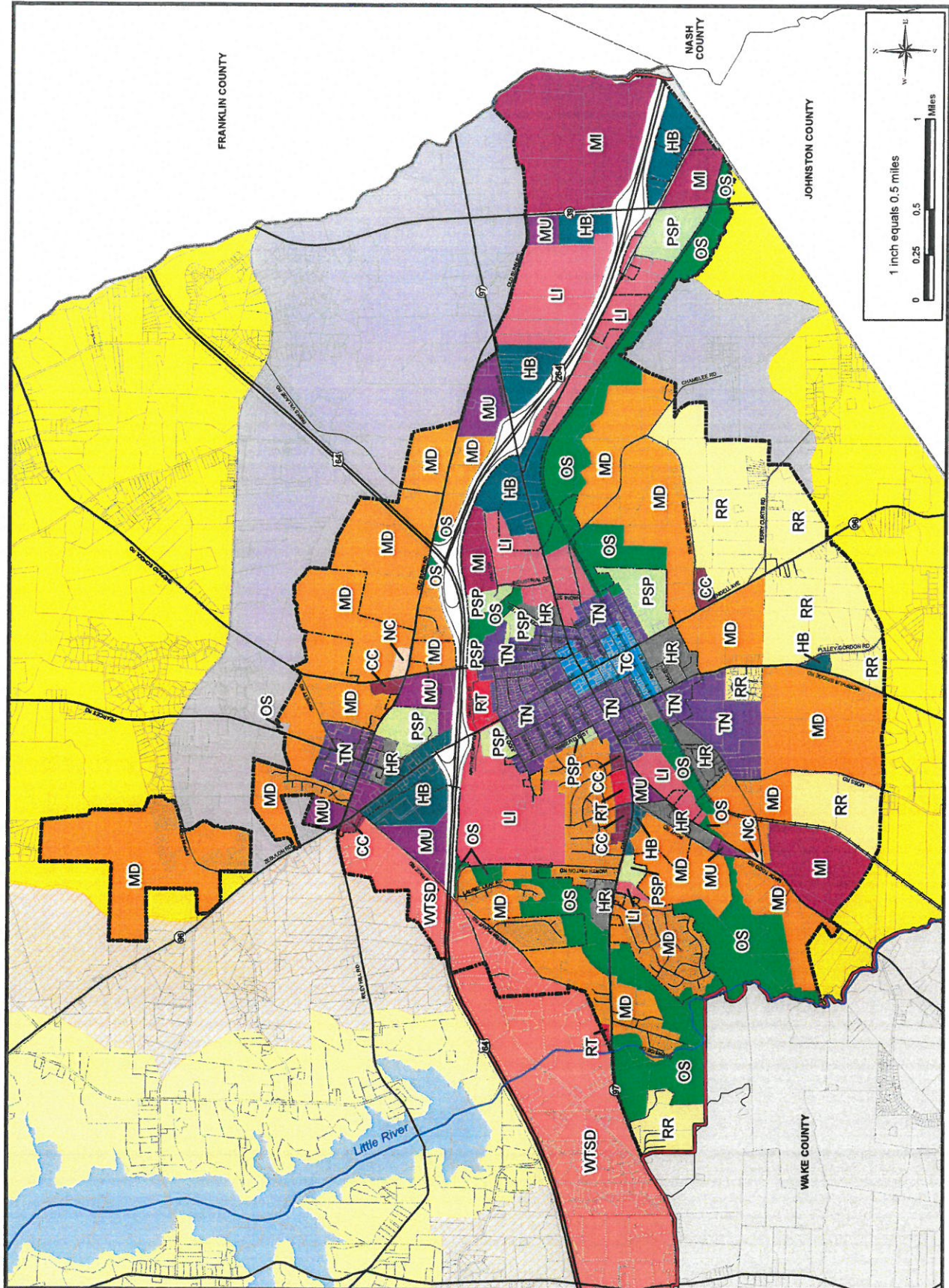
Land Use

Town of Zebulon
Wake County, NC

- Legend**
- Railroad
 - Streets
 - Major Roads
 - Major Streams
 - Critical Water Supply Watershed (R-80W)
 - Little River Reservoir
 - Little River Water
 - Supply Watershed
 - Annexation/Utility Boundary Agreement Line
 - Zebulon Short Range Utility Service Area
 - Zebulon Long Range Utility Service Area
 - WTSD-Watershed
 - Land Use**
 - OS-Open Space
 - PSP-Public/Semi-Public Open Space
 - RR-Residential Rural
 - MD-Medium Density Residential
 - HR-High Density Residential
 - TN-Traditional Neighborhood
 - TC-Town Core/Downtown
 - HB-Highway Business
 - MU-Mixed Use
 - CC-Community Commercial
 - NC-Neighborhood Commercial
 - RT-Retail
 - LI-Light Industrial
 - MI-Medium Industrial
 - Parcels
 - Zebulon City Limits
 - Zebulon Extra Territorial Jurisdiction Limits
 - Wake County

HSM

Data obtained from Wake County GIS and the Town of Zebulon
6/17/2011



Attachment 8

§ 160A-58.1. Petition for annexation; standards.

(a) Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, a city may annex an area not contiguous to its primary corporate limits when the area meets the standards set out in subsection (b) of this section. The petition need not be signed by the owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina, nor by railroad companies, public utilities as defined in G.S. 62-3(23), or electric or telephone membership corporations. A petition is not valid in any of the following circumstances:

- (1) It is unsigned.
- (2) It is signed by the city for the annexation of property the city does not own or have a legal interest in. For the purpose of this subdivision, a city has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement.
- (3) It is for the annexation of property for which a signature is not required and the property owner objects to the annexation.

(b) A noncontiguous area proposed for annexation must meet all of the following standards:

- (1) The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city.
- (2) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except as set forth in subsection (b2) of this section.
- (3) The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- (4) If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

This subdivision does not apply to the Cities of Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Locust, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Sanford, Salisbury, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Benson, Bladenboro, Bridgeton, Burgaw, Calabash, Catawba, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Fuquay-Varina, Garner, Godwin, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Leland, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, Oak Island, Ocean Isle Beach, Pembroke, Pine Level, Princeton, Ranlo, Richlands, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, Wilson's Mills, Windsor, Yadkinville, and Zebulon.

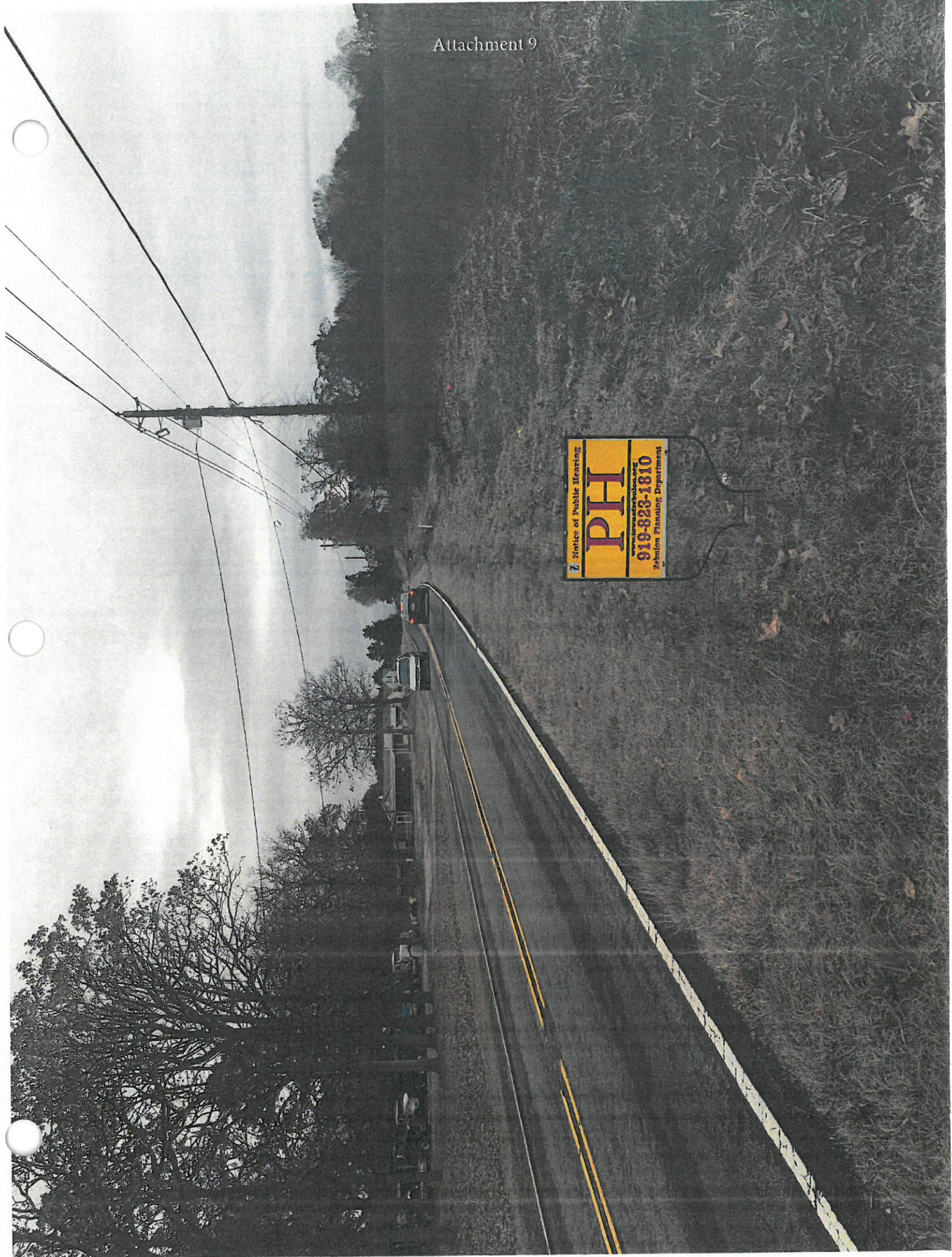
(b1) Repealed by Session Laws 2004-203, ss. 13(a) and 13(d), effective August 17, 2004.

Attachment 8

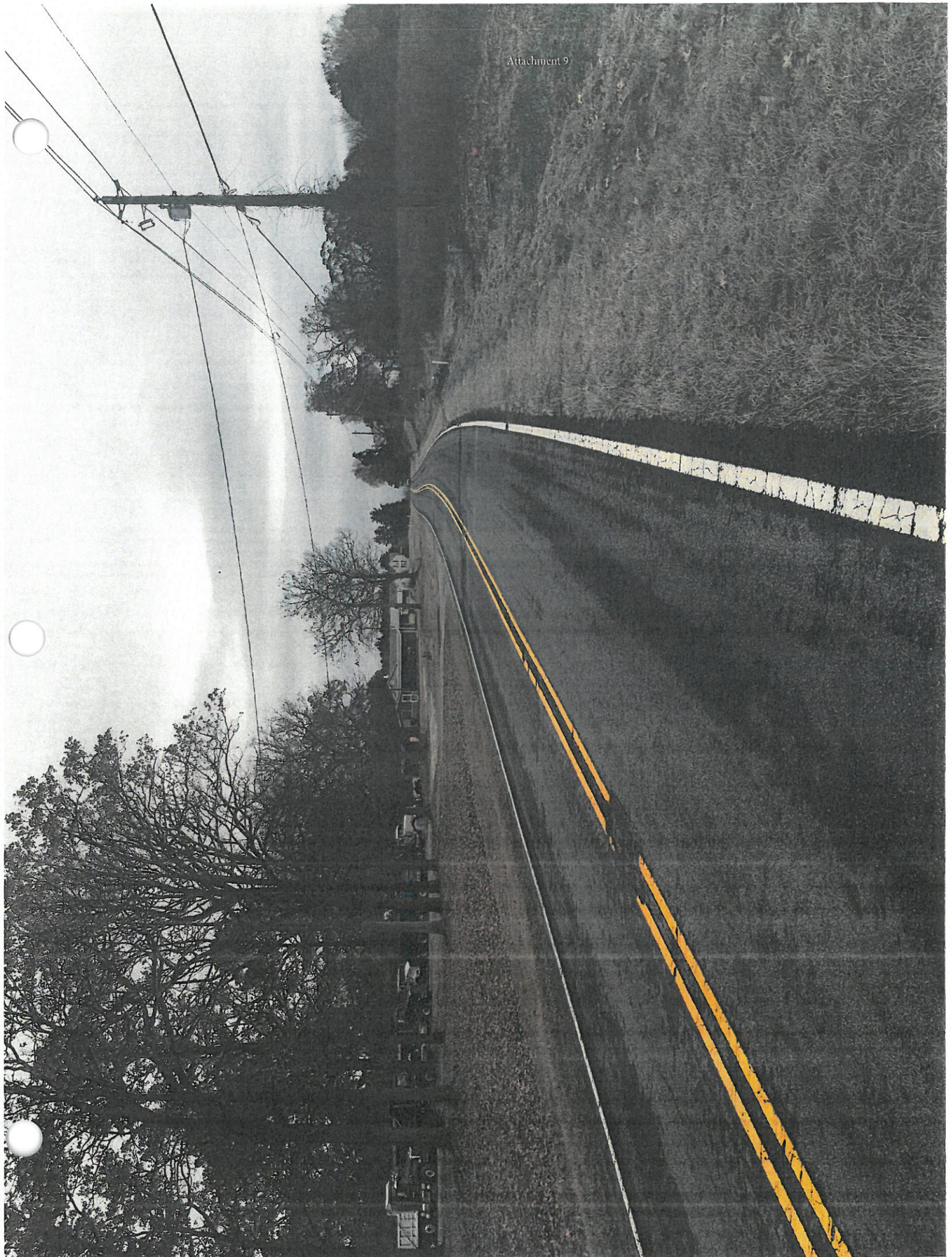
(b2) A city may annex a noncontiguous area that does not meet the standard set out in subdivision (b)(2) of this section if the city has entered into an annexation agreement pursuant to Part 6 of this Article with the city to which a point on the proposed satellite corporate limits is closer and the agreement states that the other city will not annex the area but does not say that the annexing city will not annex the area. The annexing city shall comply with all other requirements of this section.

(c) The petition shall contain the names, addresses, and signatures of all owners of real property within the proposed satellite corporate limits (except owners not required to sign by subsection (a)), shall describe the area proposed for annexation by metes and bounds, and shall have attached thereto a map showing the area proposed for annexation with relation to the primary corporate limits of the annexing city. When there is any substantial question as to whether the area may be closer to another city than to the annexing city, the map shall also show the area proposed for annexation with relation to the primary corporate limits of the other city. The city council may prescribe the form of the petition.

(d) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160A-385.1 or G.S. 153A-344.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160A-385.1 or G.S. 153A-344.1 shall be binding on the landowner and any such vested rights shall be terminated. (1973, c. 1173, s. 2; 1989 (Reg. Sess., 1990), c. 996, s. 4; 1997-2, s. 1; 2001-37, s. 1; 2001-72, s. 1; 2001-438, s. 1; 2002-121, s. 1; 2003-30, s. 1; 2004-203, s. 13(a), (c); 2004-57, s. 1; 2004-99, s. 1; 2004-203, ss. 13(a)-(d); 2005-52, s. 1; 2005-71, s. 1; 2005-79, s. 1; 2005-173, s. 1; 2005-433, s. 9; 2006-62, s. 1; 2006-122, s. 1; 2006-130, s. 1; 2007-17, s. 1; 2007-26, ss. 1, 2(a); 2007-62, s. 1; 2007-225, s. 1; 2007-311, s. 1; 2007-342, s. 1; 2008-24, s. 1; 2008-30, s. 1; 2009-40, s. 2; 2009-53, s. 1; 2009-111, s. 1; 2009-156, s. 1; 2009-298, s. 1; 2009-323, s. 1; 2011-57, s. 1; 2012-96, s. 1; 2013-248, s. 1; 2014-30, s. 2(a); 2015-80, s. 1; 2015-81, s. 2(a); 2015-172, s. 2; 2016-48, s. 2.)











Approximate Cost Benefit Analysis Based of AN 2019-01 to Gauge Scale of Operational Costs Against Potential Revenue

Town Service	Notes	Operating Budget	Cost per Service	Anticipated Cost	Anticipated Revenue	Benefit Analysis
Finance	- Population increases daily service of office visits and phone calls - Assume 0 dwelling units - Water Bill customers average 9 per month - Estimated total water customers 9 - Number of calls drives demand - Increase in population assumes increase in volume of calls	\$285,650	9/2,030 = 17% • 22% customers pay at window $\$285,650 / (9 * 12) = \$2,644$ per visit	9 * 0.22 = 2 • Expected increase in window visits $\$53 * 24 = \$1,272$ • Value of increased window visits	See "Property Tax Rate" ¹	-\$1,272
Fire	- Number of calls drives demand - Increase in population assumes increase in volume of calls	\$545,855	• \$0.096 Fire Tax Rate	• Wake County Tax revenue will be lost as property is annexed - Assessed value \$733,892 $(\\$733,892 / 32 \text{ acres}) * 0.096 \text{ (fire tax rate)} = \\$2,398$	See "Property Tax Rate" ¹	\$2,398
Fleet Maintenance	- Divided among 7 departments: Building and Grounds, Fire, Parks and Recreation, Planning, Police, Sanitation, Street Maintenance 55 employees - Current Population Estimate 5,500	\$110,800	$\$110,800 / 5,500 = \$2,015$ • Per employee	N/A	See "Property Tax Rate" ¹	\$0.00
Parks and Recreation	Current Population Estimate 5,500	\$797,361	$\$797,361 / 5,500 = \144.97 • Per person fee	N/A	• Youth Programs - Spring Baseball, Fall Baseball, Basketball, Soccer - Assume 2010 US Census Age 5-14 at 15% population = 334 - Assume 10% participation based on current services = 33 $\\$45 * 33 * 4 = \\$5,940$ - See "Property Tax Rate" ¹	\$0.00
Planning	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2,227 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year	\$332,950	$\$332,950 / 5,500 = \60 • Per person fee	N/A	See "Property Tax Rate" ¹	\$0.00
Police	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2,227 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year	\$1,829,950	$\$1,829,950 / 10,000 = \183	• Cost to add one police patrol officer is \$100,000 \$52K salary + \$3K uniform + \$45K vehicle - IACP Workload Manpower Formula adds one unit with this increase in incidents	See "Property Tax Rate" ¹	-\$109,800
Sanitation	2,140 estimated number of residences receiving service - Assume 0 added residences	\$1,019,055	$\$1,019,055 / 2,140 = \476 • Per residence fee	$\$476 * 0 = \0 • Per residence fee	• Receptacle, Trash, Recycling, Bulky Waste Fee $\\$20.50 * 12 * 0 = \\0	\$0.00
Stormwater	16.20 miles of stormwater - Assume .055 miles of added stormwater \$2.71 pole + \$16.29 fixture = \$19 per month - Assume 0.55 miles of added streets with 1 light per 140LF - Assume 4 new lights	\$214,590	$\$214,590 / 16.20 = \$13,246$ • Per mile fee	$\$13,246 * .055 = \729.00	• Stormwater fee is dedicated to capital budget. See "Property Tax Rate" ¹ .	-\$729.00
Street Lights	24.85 miles of streets - Assume .055 miles of added streets - Powell Bill \$126,000 - PEMR page 95 - \$14.63/yd² 2" overlay 20-year cycle for overlay - Assumes 21ft wide streets		$\$19 * 12 = \228 • Per light per year	$\$228 * 4 = \912 per year	See "Property Tax Rate" ¹	-\$912.00
Street Maintenance	24.85 miles of streets - Assume .055 miles of added streets - Powell Bill \$126,000 - PEMR page 95 - \$14.63/yd² 2" overlay 20-year cycle for overlay - Assumes 21ft wide streets		$(24.85 * \$280 * 24) / 9 = 349,888 \text{ yd}^3$ $(349,888 * \$14.63) / 20 = \$255,943$	$(2.26 * \$280 * 24) / 9 = 31,821 \text{ yd}^3$ $(31,821 * \$14.63 \text{ yd}^3) / 20 = \$23,277$	• Powell Bill Revenue is based 75% per capita and 25% on street mileage $\\$126,000 * 25 = 31,500 / 24.85 = \\$1,267.60$ per mile $\\$126,000 * 75 = 94,500 / 5000 \text{ people} = \\17.82 per person 17.82 * 0 people = \$0.00 $1267.60 * 0.055 = \\$69.72$ - Cost Per Service $\\$24,855 * \\$280 * 21 / 9 = 306,152$ $306,152 * 14.63 / 20 = \\$223,950$ - Anticipated Cost $0.055 * \\$280 * 21 / 9 = 677.60 * 14.63 / 20 = \\495.67 - See "Property Tax Rate" ¹	• \$495.67 per year 2" overlay fee • + \$69.72 Powell Bill revenue -\$425.95

Property Tax Rate	- Rate is per \$100 assessed valuation 0.525 for operating budget - 5 cents of tax rate dedicated to streets, fleet, facilities, greenways - Assume Wake County average for Zebulon \$140,000 rounded to the nearest \$10,000 - Legislature prohibits setting price points					$(\$140,000/100) * 0.525 * 9 = \$6,615$	\$6,615
Vehicle Tax Rate	- Rate is per \$100 assessed valuation - Assumes Wake County's average vehicle value of \$10,000 0.525 for operating budget - 5 cents of tax rate dedicated to streets, fleet, facilities, greenways					$(\$10,000/100) * 0.525 * 0 = \0	\$0
Vehicle Decal Fee	\$10.00 per vehicle - Assume 0 vehicles per home					$\$10 * 0 = \$7,020$	\$0
Sales and Use Tax	- Article 40 based on per capita - FY2020 = \$165,000					$(\$165,000/4964) * 2,227 = \$74,024$	\$74,024
Utilities Franchise Tax	- Ad Valorem percentage of Wake County - Wake County = \$900 Million - Assume Zebulon Average \$140,000 - FY2020 = \$574,000					$140,000 * 9 = \$1,260,000$ $\$1,260,000M = 0.0014\%$ $\$74,000 * 0.13 = \$803,600$	\$803,600
Beer and Wine Tax	- Per Capita - FY 2020 = 20,279					$20,279/4,964 = \$4$ $\$4 * 2,227 = \$8,908$	\$8,908
TOTAL						$-\\$113,138.95 - \\$895,545$	\$782,406.05
Approximate Cost Benefit Analysis ²							Positive

¹ Services not covered by fees are funded through property tax revenue

² Approximate Cost Benefit Analysis is only a gauge to scale the operational costs against potential revenue. It is not a definitive reflection of the actual costs spent to serve the site, nor a definitive reflection of the actual revenue received from the site.

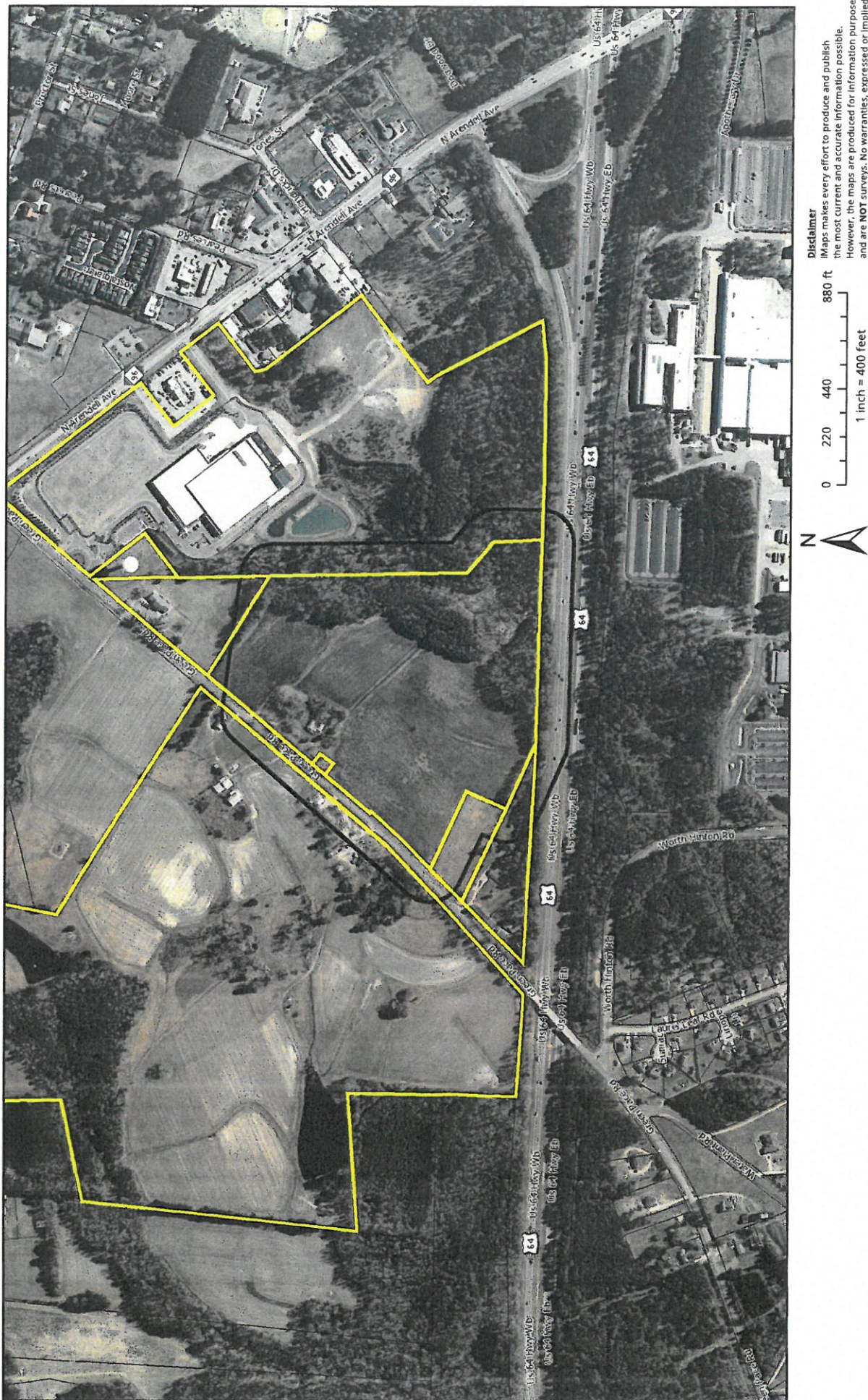
Attachment 11

To Whom It May Concern: **Notice of Public Hearing**

Notice is hereby given pursuant to the provisions of Section 152.083 of the Land Use Code of the Town of Zebulon that a public hearing will be held on **December 9, 2019 at 7:00 PM**. The hearing will be held at the **Zebulon Municipal Complex, 1003 N. Arendell Ave.**, and will be conducted by the Board of Commissioners of the Town of Zebulon and the Zebulon Planning Board sitting jointly for the purpose of considering the following items:

AN 2019-01 - A request by Site Investments, LLC for a petition of annexation of approximately 32.3 acres of land located at 201 Green Pace Road. The request is to file a petition of annexation with the Town of Zebulon. [NC PIN: 1796802253].

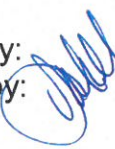
Interested resident citizens are encouraged to attend and be heard. Maps and other relevant information pertaining to these matters are available at the Zebulon Town Hall and are filed with the Planning Department.





STAFF REPORT
AN 2019-03
REQUEST FOR ANNEXATION
December 9, 2019

Topic: AN 2019-03 704 Pearces Road

Speaker: Meade O. Bradshaw, III, CZO, Assistant Planning Director
From: Michael J. Clark, AICP, CZO, Planning Director
Prepared by: Meade O. Bradshaw, III, CZO, Assistant Planning Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider the voluntary annexation petition received for approximately 0.78 acres of located at 704 Pearces Road (PIN 2706132411). This is a legislative case.

Background:

North Carolina General Statute §160A-58.1 states that the governing board of any municipality may annex by ordinance any area non-contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area.

Discussion:

The discussion before the Board is whether to annex the subject property into the Town of Zebulon Corporate Limits.

Policy Analysis:

The Land Use Plan was last updated in May 2008 identifying the subject parcel as "Medium Density Residential (MD)." Medium Density includes the existing use, single-family detached at densities average at 3-4 units an acre, as density and design characteristics of Medium Density Residential. This request is consistent with Comprehensive Plan Chapter 9 Land Use & Overview Policy 2 - Explore annexation strategies and Goal 2 – Continue to pro-actively manage growth and direct development in a manner that can most efficiently access existing, and future infrastructure and community service, and preserves natural resources.

Fiscal Analysis:

Fiscal Analysis is not possible with annexation requests, but the following aspects should be considered in subsequent development processes (e.g. Special Use Permits).



STAFF REPORT
AN 2019-03
REQUEST FOR ANNEXATION
December 9, 2019

Staff Recommendation:

Staff recommends approval of the annexation as it is consistent with Comprehensive Plan policies.

Attachments:

1. Application
2. Sufficiency Review
3. Boundary Survey
4. Aerial Map
5. ETJ Map
6. Zoning Map
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8. NCGS 160A-58.1
9. Site Pictures
10. Cost Benefit Analysis
11. Mailed Public Hearing Notification
12. 150' mailed noticed area



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AN 2019-03
REQUEST FOR ANNEXATION
December 9, 2019

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RECEIVED

10/30/19

Town of Zebulon

Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597
Phone: (919) 823-1810 Fax: (919) 269-6200
www.townofzebulon.org

PETITION REQUESTING ANNEXATION

INSTRUCTIONS

1. Complete all necessary forms that follow the instructions portion of this form.
2. Attach a map showing the area proposed for annexation in relation to the primary corporate limits of the Town of Zebulon, North Carolina.
3. Attach a statement of the schedule for the full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

I/We the **undersigned owner(s)** (If the property is jointly owned, all parties must sign the annexation request below.) of real property respectfully request that the area described in "**exhibit A**" be annexed to the Town of Zebulon, North Carolina. (If there are not enough spaces on the front, continue name, address, and signature on the back of this form. Proof verifying signature may be required.)

The area to be annexed into the Town of Zebulon, North Carolina is listed as follows:

Address of Property:	704 Pearces Rd. Zebulon
PIN Number and/or Real Estate ID Number:	2706132411 / 0019917

I/We acknowledge that any **zoning rights** acquired pursuant to G.S. 160A385.1 or G.S. 153A344.1 **must be declared and identified in this petition**. A copy of such proof will be attached to this **petition**. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.



RECEIVED

State of

North CarolinaWakeJohnston
County

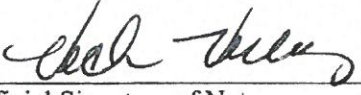
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name: <u>J&W Morgan Properties, LLC / John R. Morgan Owner</u>		
Address: <u>9608 West N.C. 97</u>		
City: <u>Middlesex</u>	State: <u>NC</u>	Zip Code: <u>27557</u>
Signature: <u>John R. Morgan</u>		

Witness my hand and official seal, this the 15th day of MARCH, 2019.

(Official Seal)

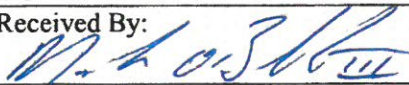
VICKIE VERLEY
Notary Public
Johnston Co., North Carolina
My Commission Expires June 01, 2019


Official Signature of NotaryVickie Verley

Notary's Printed or Typed Name

My commission expires 6/01, 2019.

When a petition for annexation is received, the governing body must direct the Clerk to investigate the sufficiency thereof. This means the Clerk has found as a fact that the petition is signed by all owners of real property lying in area described therein, in accordance with G.S. 160A-31

FOR OFFICE USE ONLY	
Date Received: <u>10/30/19</u>	Received By: <u></u>
Annexation Permit Number: <u>AN 2019-03</u>	

Attachment 2



Town of Zebulon
The Town of Friendly People

Certificate of Sufficiency
For Pin # 2706132411
704 Pearces Road

To the Board of Commissioners of the Town of Zebulon, North Carolina:

I, Lisa M. Markland, Clerk to the Zebulon Board of Commissioners, do hereby certify that I have investigated the petition attached hereto, and have found as a fact that said petition is signed by all the owners or their legal representative of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have here unto set my hand and affixed the seal of the Town of Zebulon, this 3rd day of December 2019.



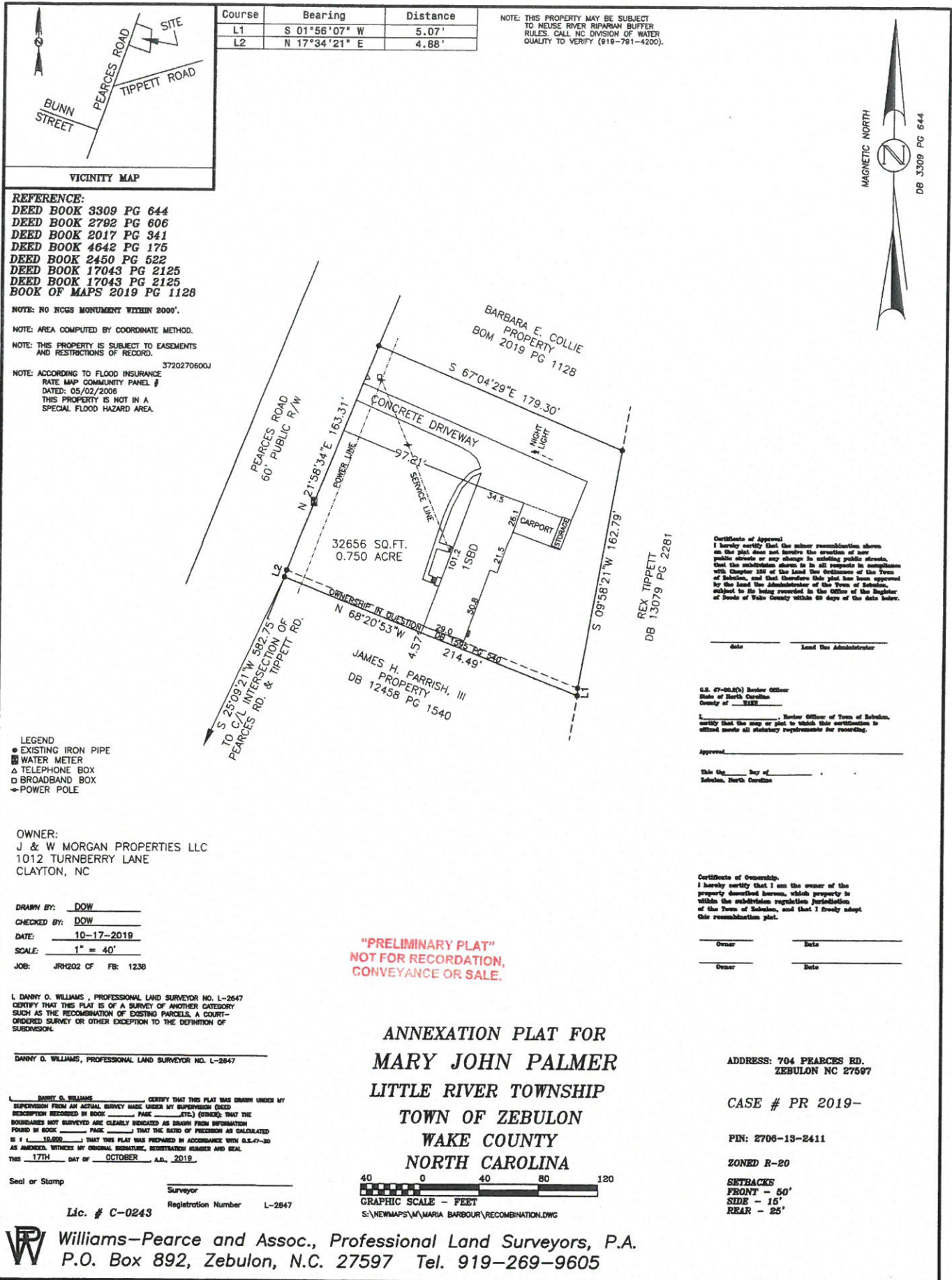
Lisa M. Markland, CMC—Town Clerk

FIRE DEPARTMENT
113 E. Vance Street
Zebulon, NC 27597
(919) 269-6487
Facsimile (919) 269-2618

POLICE DEPARTMENT
1001 N. Arendell Avenue
Zebulon, NC 27597
(919) 269-7455
Facsimile (919) 269-0312

TOWN HALL
1003 N. Arendell Avenue
Zebulon, NC 27597
(919) 269-7455
Facsimile (919) 269-6200

PUBLIC WORKS DEPARTMENT
450 E. Horton Street
Zebulon, NC 27597
(919) 269-5285
Facsimile (919) 269-2617

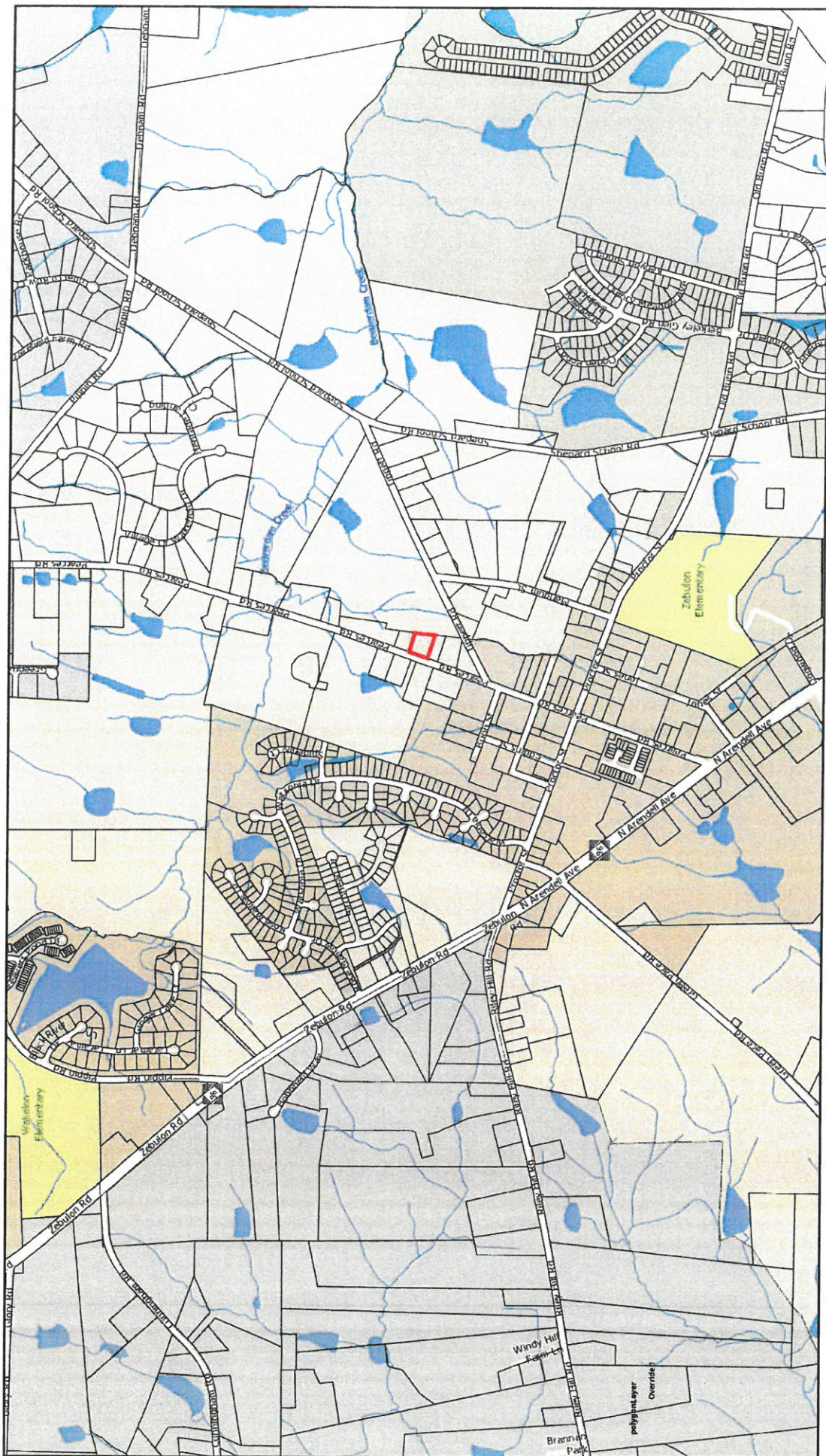




Attachment 4 - AN 2019-03 Aerial Map

Disclaimer

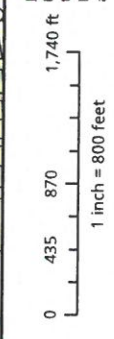
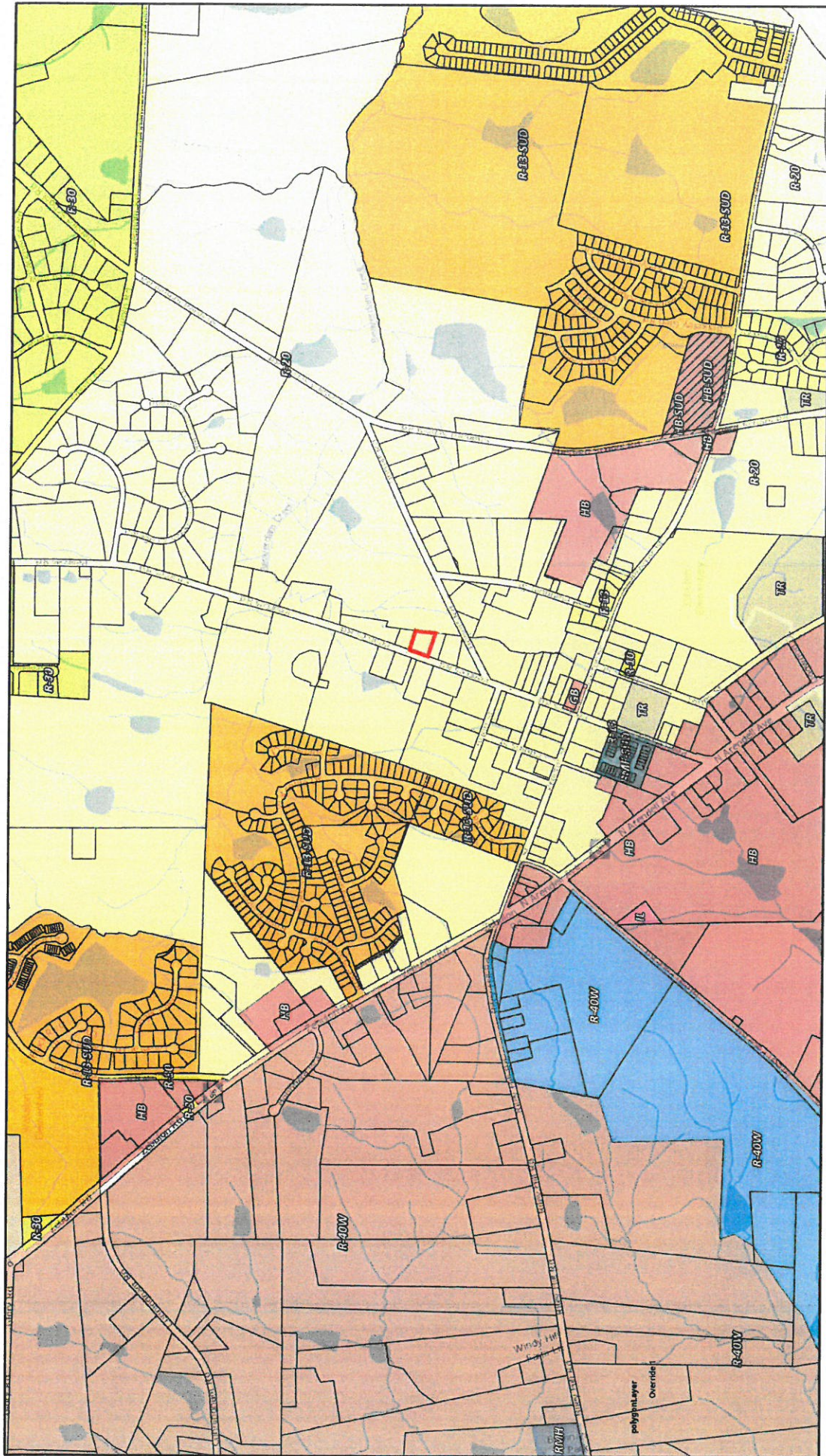
Maps make every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use or its interpretation.



Disclaimer

IMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

Attachment 5 - AN 2019-03 ETJ Map



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Attachment 6 - AN 2019-03 Zoning Map

Land Use

Town of Zebulon
Wake County, NC

Legend

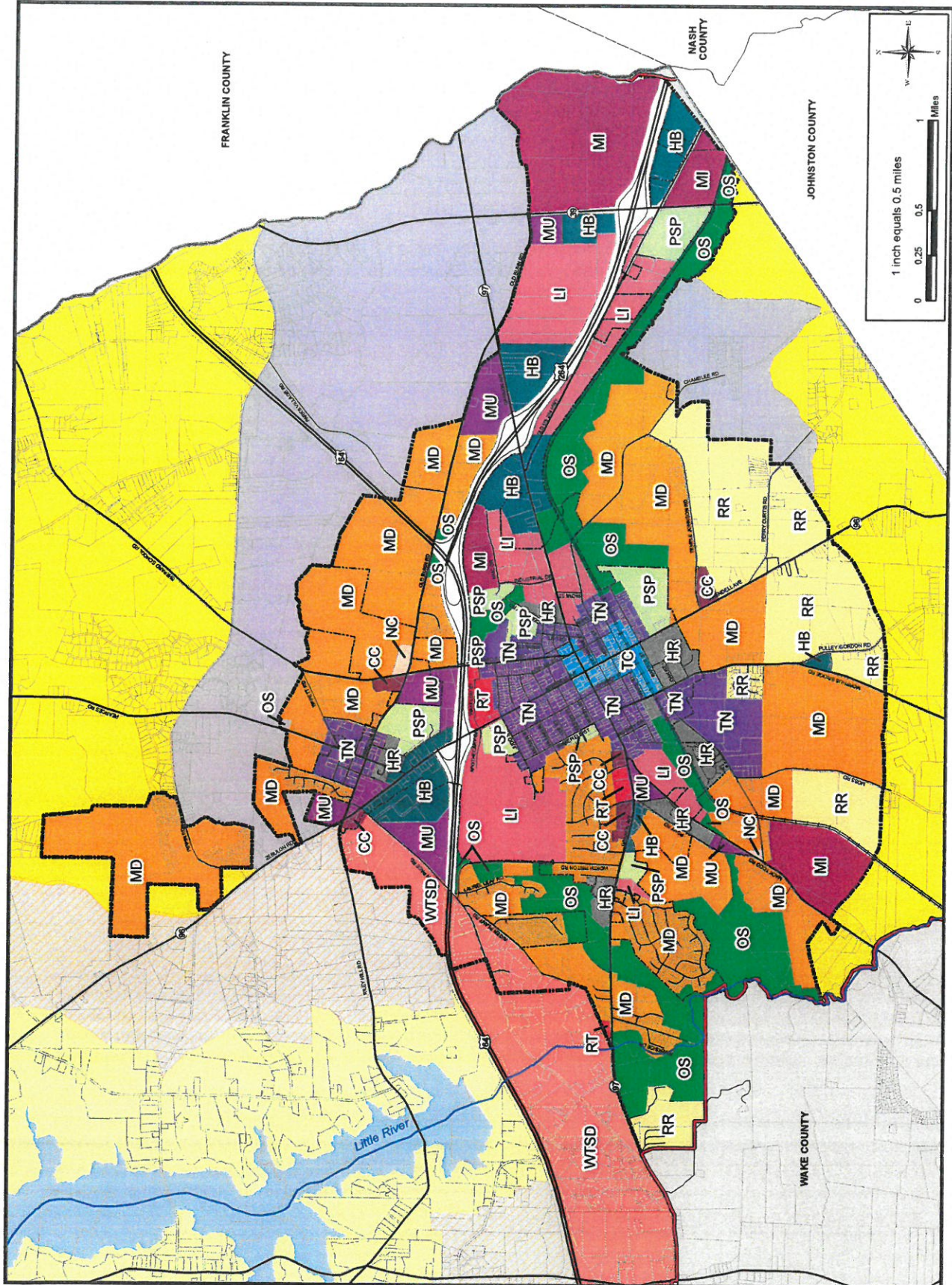
- == Railroad
- Streets
- Major Roads
- Major Streams
- Critical Water Supply Watershed (R-80W)
- Little River Reservoir
- Little River Water
- Supply Watershed
- Annexation/Utility Boundary Agreement Line
- Zebulon Short Range Utility Service Area
- Zebulon Long Range Utility Service Area
- WTSD-Watershed

Land Use

- OS-Open Space
- PSP-Public/Semi-Public Open Space
- RR-Residential Rural
- MD-Medium Density Residential
- HR-High Density Residential
- TN-Traditional Neighborhood
- TC-Town Core/Downtown
- HB-Highway Business
- MU-Mixed Use
- CC-Community Commercial
- NC-Neighborhood Commercial
- RT-Retail
- LI-Light Industrial
- MI-Medium Industrial
- Parcels
- Zebulon City Limits
- Zebulon Extra Territorial Jurisdiction Limits
- Wake County

HSM

Data obtained from Wake County GIS and the Town of Zebulon
7/21/2011



Attachment 8

§ 160A-58.1. Petition for annexation; standards.

(a) Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, a city may annex an area not contiguous to its primary corporate limits when the area meets the standards set out in subsection (b) of this section. The petition need not be signed by the owners of real property that is wholly exempt from property taxation under the Constitution and laws of North Carolina, nor by railroad companies, public utilities as defined in G.S. 62-3(23), or electric or telephone membership corporations. A petition is not valid in any of the following circumstances:

- (1) It is unsigned.
- (2) It is signed by the city for the annexation of property the city does not own or have a legal interest in. For the purpose of this subdivision, a city has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement.
- (3) It is for the annexation of property for which a signature is not required and the property owner objects to the annexation.

(b) A noncontiguous area proposed for annexation must meet all of the following standards:

- (1) The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city.
- (2) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except as set forth in subsection (b2) of this section.
- (3) The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- (4) If the area proposed for annexation, or any portion thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included.
- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.

This subdivision does not apply to the Cities of Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Locust, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Sanford, Salisbury, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Benson, Bladenboro, Bridgeton, Burgaw, Calabash, Catawba, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Fuquay-Varina, Garner, Godwin, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Leland, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, Oak Island, Ocean Isle Beach, Pembroke, Pine Level, Princeton, Ranlo, Richlands, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, Wilson's Mills, Windsor, Yadkinville, and Zebulon.

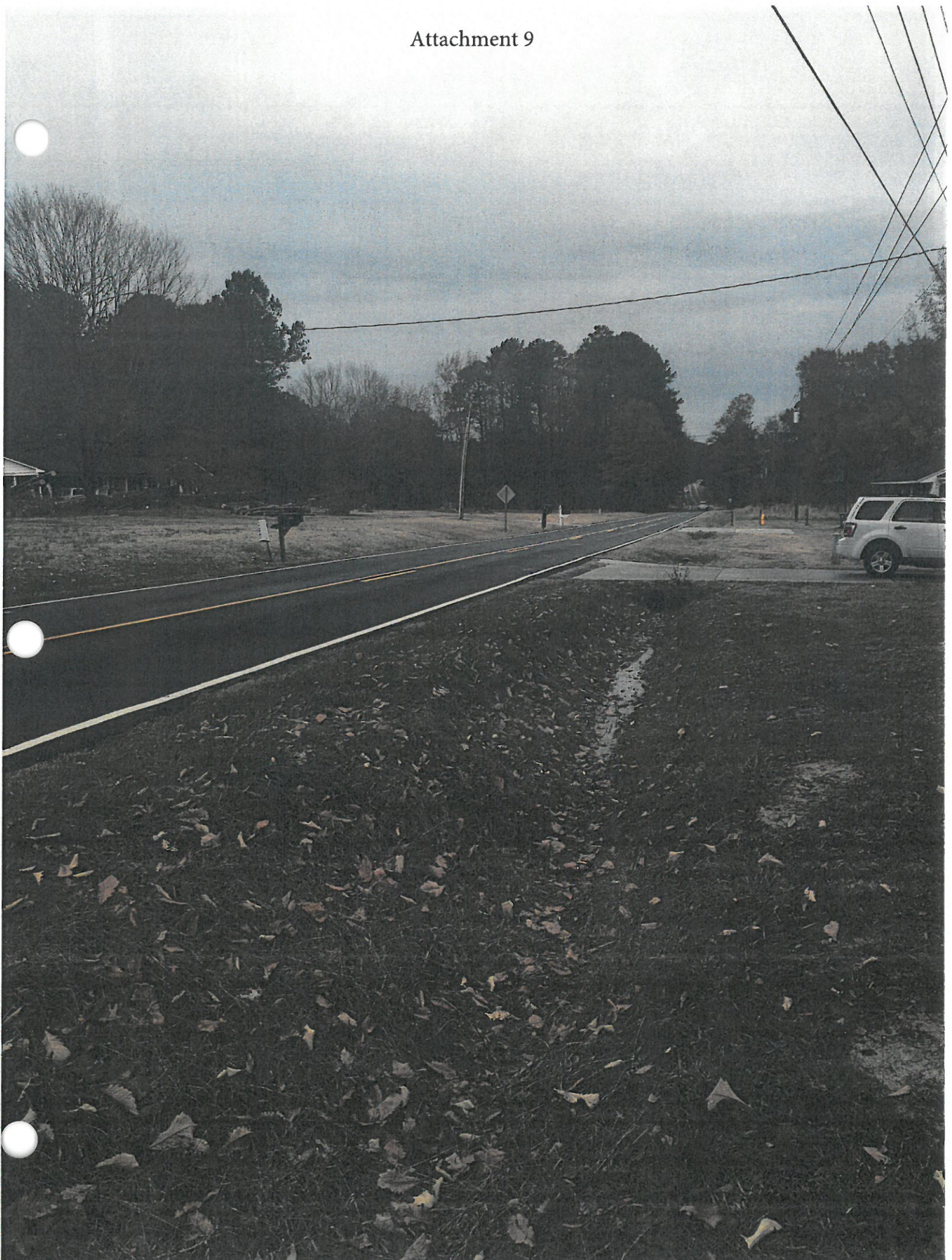
(b1) Repealed by Session Laws 2004-203, ss. 13(a) and 13(d), effective August 17, 2004.

Attachment 8

(b2) A city may annex a noncontiguous area that does not meet the standard set out in subdivision (b)(2) of this section if the city has entered into an annexation agreement pursuant to Part 6 of this Article with the city to which a point on the proposed satellite corporate limits is closer and the agreement states that the other city will not annex the area but does not say that the annexing city will not annex the area. The annexing city shall comply with all other requirements of this section.

(c) The petition shall contain the names, addresses, and signatures of all owners of real property within the proposed satellite corporate limits (except owners not required to sign by subsection (a)), shall describe the area proposed for annexation by metes and bounds, and shall have attached thereto a map showing the area proposed for annexation with relation to the primary corporate limits of the annexing city. When there is any substantial question as to whether the area may be closer to another city than to the annexing city, the map shall also show the area proposed for annexation with relation to the primary corporate limits of the other city. The city council may prescribe the form of the petition.

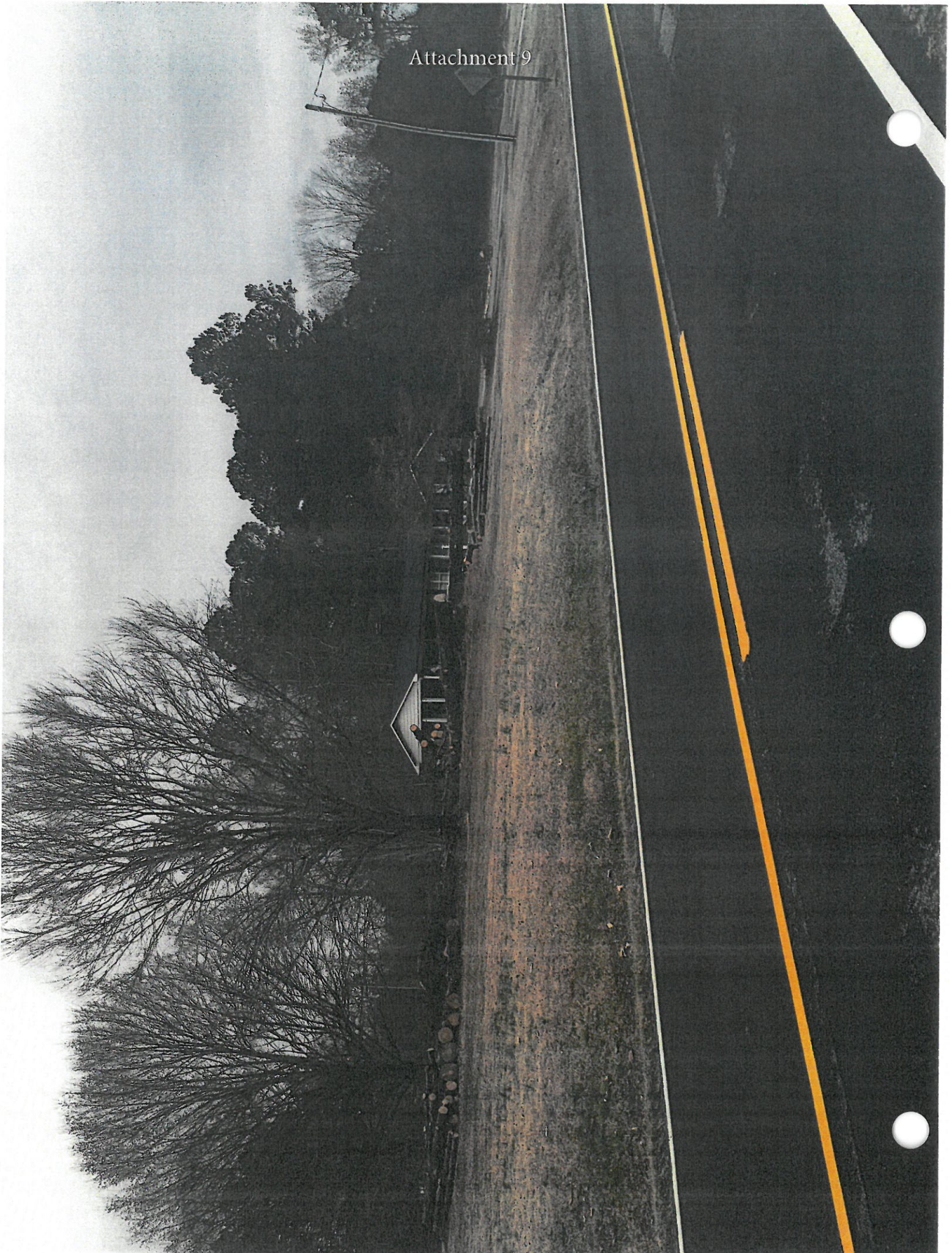
(d) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160A-385.1 or G.S. 153A-344.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160A-385.1 or G.S. 153A-344.1 shall be binding on the landowner and any such vested rights shall be terminated. (1973, c. 1173, s. 2; 1989 (Reg. Sess., 1990), c. 996, s. 4; 1997-2, s. 1; 2001-37, s. 1; 2001-72, s. 1; 2001-438, s. 1; 2002-121, s. 1; 2003-30, s. 1; 2004-203, s. 13(a), (c); 2004-57, s. 1; 2004-99, s. 1; 2004-203, ss. 13(a)-(d); 2005-52, s. 1; 2005-71, s. 1; 2005-79, s. 1; 2005-173, s. 1; 2005-433, s. 9; 2006-62, s. 1; 2006-122, s. 1; 2006-130, s. 1; 2007-17, s. 1; 2007-26, ss. 1, 2(a); 2007-62, s. 1; 2007-225, s. 1; 2007-311, s. 1; 2007-342, s. 1; 2008-24, s. 1; 2008-30, s. 1; 2009-40, s. 2; 2009-53, s. 1; 2009-111, s. 1; 2009-156, s. 1; 2009-298, s. 1; 2009-323, s. 1; 2011-57, s. 1; 2012-96, s. 1; 2013-248, s. 1; 2014-30, s. 2(a); 2015-80, s. 1; 2015-81, s. 2(a); 2015-172, s. 2; 2016-48, s. 2.)







Attachment 9





Approximate Cost Benefit Analysis Based of AN 2019-03 to Gauge Scale of Operational Costs Against Potential Revenue

Town Service	Notes	Operating Budget	Cost per Service	Anticipated Cost	Anticipated Revenue	Benefit Analysis
Finance	- Population increases daily service of office visits and phone calls - Assume 1 dwelling units - Water Bill customers average 9 per month - Estimated total water customers 2,647 - Number of calls drives demand - Increase in population assumes increase in volume of calls	\$285,650	$1/2,030 = 0.0004\%$ • 22% customers pay at window $\$285,650 / (1 * 12) = \$23,804$ per visit • Per person fee	$1 * 0.22 = 0.22$ • Expected increase in window visits $\$53 * 0.22 = \11.66 • Value of increased window visits	See "Property Tax Rate" ¹	-\$4,081
Fire	- Number of calls drives demand - Increase in population assumes increase in volume of calls	\$545,855	$\$545,855 / 5,500 = \99 • Per person fee	Wake County Tax revenue will be lost as property is annexed o Assessed value \$733,892 o $(\$733,892 / 32 \text{ acres}) * 0.096$ (fire tax rate) = \$2,398 • $\$99 * (\text{estimated per person job growth}) =$ o Per person fee	See "Property Tax Rate" ¹	$-\$99 \text{ Per person fee}$ $+ \$2,398 \text{ Tax revenue lost from Wake County}$ -\$2,299
Fleet Maintenance	- Divided among 7 departments: Building and Grounds, Fire, Parks and Recreation, Planning, Police, Sanitation, Street Maintenance 55 employees - Current Population Estimate 5,500	\$110,800	$\$110,800 / 5,500 = \20.15 • Per employee	$\$20.15 * 1 = \20.15 • Police position – see Police	See "Property Tax Rate" ¹	\$0.00
Parks and Recreation	Current Population Estimate 5,500	\$797,361	$\$797,361 / 5,500 = \144.97 • Per person fee	$\$144.97 * 2.1 = \304 • Per person fee	Youth Programs o Spring Baseball, Fall Baseball, Basketball, Soccer o Assume 2010 US Census Age 5-14 at 15% population = 1 o Assume 10% participation based on current services = 0.01 $\$45 * 0.01 * 4 = \1.80 o See "Property Tax Rate" ¹	$-\$304.437 \text{ Per person fee}$ $+ \$1.80 \text{ Program revenue from fees}$ -\$304.00
Planning	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$332,950	$\$332,950 / 5,500 = \60 • Per person fee	$250 / 5500 = 4\%$ • 4% of population visits monthly $2.1 * 0.05 = 111$ expected increase $\$60 * 111 = \$6,660$ value of expected increased visits $\$183 * 600 = \$105,408$ • Cost to add one police patrol officer is \$100,000 o \$52K salary + \$3K uniform + \$45K vehicle	See "Property Tax Rate" ¹	-\$6,660
Police	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$1,829,950	$\$1,829,950 / 10,000 = \183	$\$183 * 600 = \$105,408$ • Cost to add one police patrol officer is \$100,000 o \$52K salary + \$3K uniform + \$45K vehicle	See "Property Tax Rate" ¹	\$0.00
Sanitation	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$1,019,055	$\$1,019,055 / 2,647 = \384 • Per residence fee	$\$384 * 1 = \384.00 • Per residence fee	Receipts, Trash, Recycling, Bulky Waste Fee o $\$20.50 * 12 * 1 = \246 • Stormwater fee is dedicated to capital budget. See "Property Tax Rate" ¹ .	$-\$246.00$ \$0.00 N/A
Stormwater	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$214,590	$\$214,590 / 16.20 = \$13,246$ • Per mile fee	$\$13,246 * 0.0 = \0.00 $\$228 * 0 = \0 per year	See "Property Tax Rate" ¹	N/A
Street Maintenance	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$214,590	$\$214,590 / 16.20 = \$13,246$ • Per mile fee	$\$19 * 0 = \0 • Per light per year	See "Property Tax Rate" ¹	N/A
Property Tax Rate	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$214,590	$\$214,590 / 16.20 = \$13,246$ • Per mile fee	$\$19 * 0 = \0 • Per light per year	See "Property Tax Rate" ¹	\$82.88
Vehicle Tax Rate	- Population increases daily service of office visits and phone calls - Average office and window visits per month 250 - Assume population increase 2.1 - Number of calls drives demand - Increase in population assumes increase in volume of calls - Current Incident Estimate 10,000 - Estimated 600 calls per year 2,647 estimated number of residences receiving service - Assume 1 added residences	\$214,590	$\$214,590 / 16.20 = \$13,246$ • Per mile fee	$\$19 * 0 = \0 • Per light per year	See "Property Tax Rate" ¹	\$236.8

Vehicle Decal Fee	\$10.00 per vehicle - Assume 2 vehicles per home				$10 * 2 * 1 = \$20$	\$20
Sales and Use Tax	- Article 40 based on per capita - FY2020 = \$165,000				$(\$165,000/5,500) * 2,647 = \$79,410$	\$79,410
Utilities Franchise Tax	- Ad Valorem percentage of Wake County - Wake County = \$900 Million - Assume Zebulon Average \$140,000 - FY2020 = \$574,000				$140,000 * 1 = \$140,000$ $\$1.26M/900M = 0.0014\%$ $574,000 * 0.13 = \$803,600$	\$140,000
Beer and Wine Tax	- Per Capita - FY 2020 = 20,279				$20,279/5,500 = \$3.6$ $\$4 * 2,647 = \$9,759$	\$9,759
TOTAL					$-\\$6,930 - \\$103,508$	\$96,578.68
Approximate Cost Benefit Analysis ²						Positive

¹ Services not covered by fees are funded through property tax revenue

² Approximate Cost Benefit Analysis is only a gauge to scale the operational costs against potential revenue. It is not a definitive reflection of the actual costs spent to serve the site, nor a definitive reflection of the actual revenue received from the site.

Attachment 11

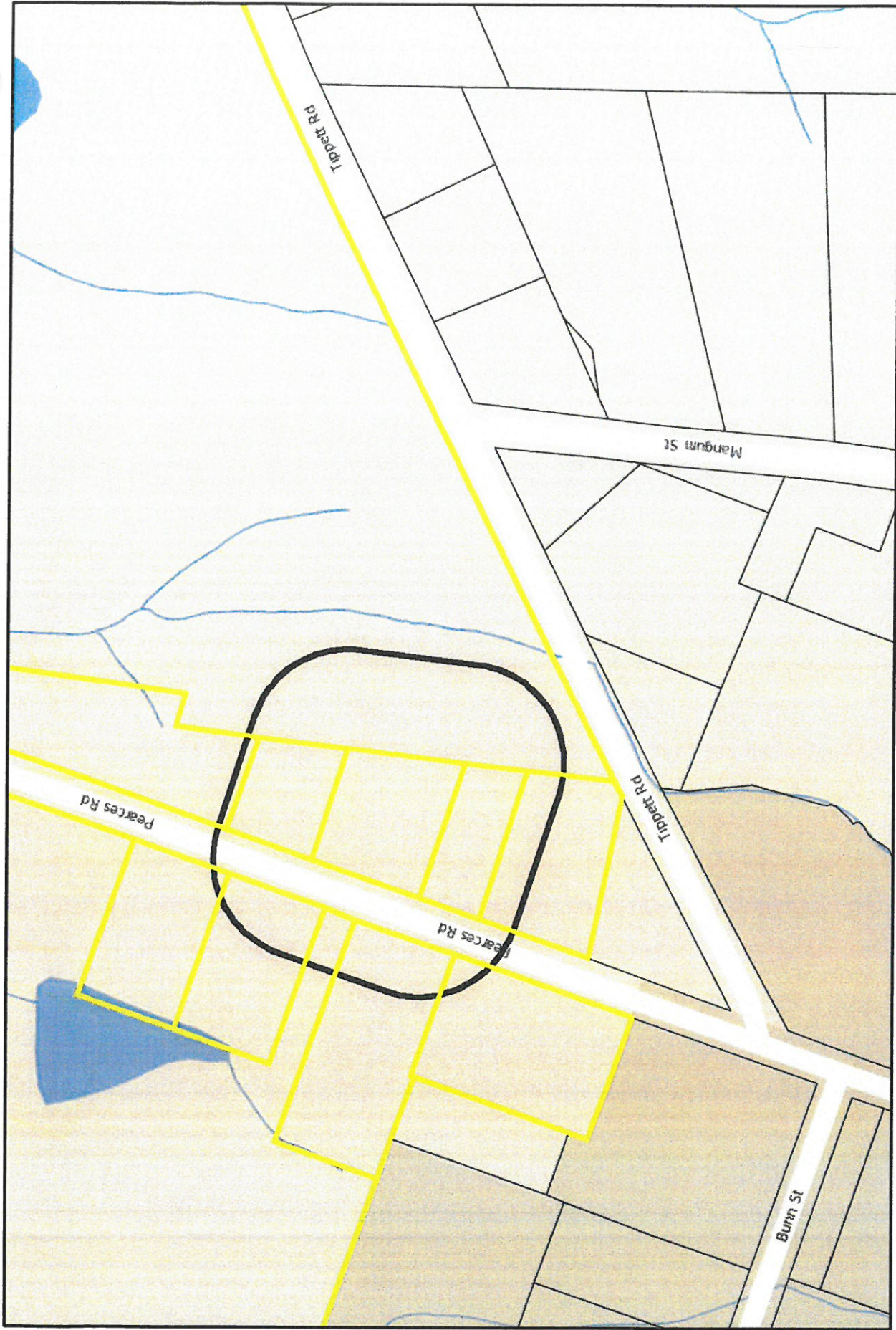
To Whom It May Concern: **Notice of Public Hearing**

Notice is hereby given pursuant to the provisions of Section 152.083 of the Land Use Code of the Town of Zebulon that a public hearing will be held on **December 9, 2019 at 7:00 PM**. The hearing will be held at the **Zebulon Municipal Complex, 1003 N. Arendell Ave.**, and will be conducted by the Board of Commissioners of the Town of Zebulon and the Zebulon Planning Board sitting jointly for the purpose of considering the following items:

AN 2019-03 704 Pearces Road. A request by John R. Morgan requesting annexation into the Town of Zebulon for a property located at 704 Pearces Road. [NC PIN: 2706132411].

Interested resident citizens are encouraged to attend and be heard. Maps and other relevant information pertaining to these matters are available at the Zebulon Town Hall and are filed with the Planning Department.

Attachment 12



Mailing Area 150'



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