

STAFF REPORT

Town Council, June 27, 2016

Capital Properties of Raleigh IV, LLC Annexation 16-A-08 (PL16-106)

Consider sufficiency of annexation petition and adoption of resolution to set public hearing.

From: Jeff G. Ulma, Planning Director
Prepared by: Wayne Nicholas, Planning Manager
Approved by: Mike Bajorek, Interim Town Manager
Approved by: Russ Overton, Assistant Town Manager

Speaker: Wayne Nicholas

Executive Summary: Consideration of adopting a certificate of sufficiency and resolution calling for a public hearing on owner-initiated annexation 16-A-07 located at 1212 Moulin Way, and unaddressed property on Ridgeback Road (SE corner of Moulin Way and Ridgeback Road intersection). Associated Case(s): 15-SB-021 (Autunmwood Subdivision)

Proposed Council Action: Leave blank for Town Clerk

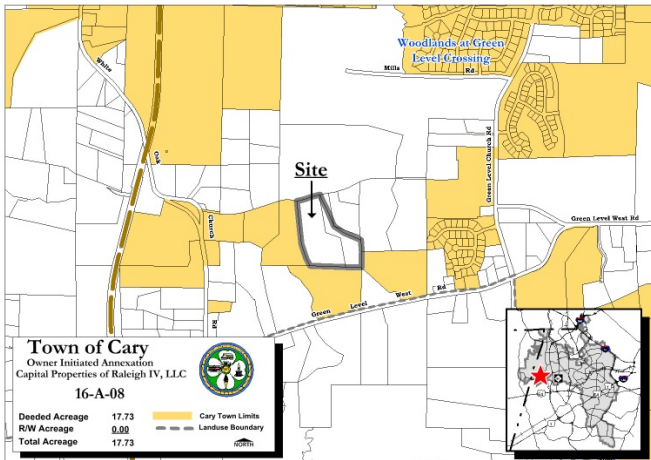
Annexation Petition Number: 16-A-08

Petition Date: 4/27/2016

OWNER(S) AND PARCEL INFORMATION

Property Owner(s)	Property Location	County Parcel Number (10-digit)	Real Estate ID	Deeded Acreage
Capital Properties of Raleigh IV, LLC 2840 Plaza Place, Suite 200 Raleigh, NC 27612	1212 Moulin Way, and unaddressed property on Ridgeback Road	0723597152, 0723691040	0138726, 0436567	17.73
Total Acres				17.73

MAP: Vicinity Map



ZONING & PROPOSED USE:

Current Zoning: R-40, within the Conservation Residential Overlay District

Acreage: 17.73 plus 0.00 adjacent right of way = 17.73 total acres

Contiguous to Primary Corporate Limits: Yes; 57% (excluding satellite town limits)

Existing Use: Detached Residential and vacant

Proposed Use: Detached Residential (Subdivision)

Active Associated Case(s): 15-SB-021 (Autumnwood Subdivision)

UTILITIES:

Water: 1380 feet S

Sewer: Adjacent to site

DISTRICTS & TAX VALUE:

Fire District: Morrisville Fire District

Voting District: A

Tax Value: \$1,214,601

6/27/2016 MEETING:

Town Council – Certificate of Sufficiency and Resolution Ordering Public Hearing

STAFF RECOMMENDATION:

Forward to public hearing on **7/25/2016**

Action:

“The documents that council will consider for adoption at this meeting are attached. The annexation ordinance that council will consider at a future meeting is included below.”

16-A-08

Capital Properties of Raleigh IV, LLC

AN ORDINANCE ANNEXING LANDS CONTIGUOUS TO THE MUNICIPAL BOUNDARIES OF THE TOWN OF CARY

WHEREAS, on 4/27/2016, the Town Council has been petitioned under G.S. 160A-31 to annex the area described below:

Capital Properties of Raleigh IV, LLC;

Wake County Parcel Identification Number **0723597152, 0723691040**; Wake County Real ID Number **0138726, 436567**;

including **17.73** acres, plus **0.00** acres of adjacent right-of-way; and

WHEREAS, the above described are contiguous to existing Town limits; and

WHEREAS, on **6/27/2016**, the Town Clerk of the Town of Cary certified the sufficiency of said Petition, the same being duly made after investigation; and

WHEREAS, on **6/27/2016**, the Town Council of the Town of Cary ordered a public hearing on the question of said annexation and Notice of a Public Hearing was published as required by law; and

WHEREAS, the matter came for public hearing before the Town Council of the Town of Cary on 7/25/2016, at which time all persons opposed and all persons in favor of said annexation were allowed to be heard; and

WHEREAS, the Petition above mentioned meets all the requirements of G.S. 160A-31.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cary, North Carolina that:

Section 1. The area described in the petition and depicted on the map (which is on file in the Planning Department), is hereby annexed to and made a part of the Town of Cary, effective on with a condition that the property owner connect to the Town of Cary sewer/water line based upon the Town's policy(ies) in place on the effective date of this ordinance.

LEGAL DESCRIPTION

Wake County Parcel Identification Number **0723597152, 0723691040**

Section 2. That from and after the effective date of this ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Cary, and shall be entitled to the same privileges and benefits as other parts of the municipality. Said annexed territory shall be subjected to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Cary shall cause an accurate map of the newly annexed territory together with a copy of this ordinance, duly certified, to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State of North Carolina.

Section 4. Pursuant to G.S. 160A-22, the Town Clerk is directed to update the Official Town Map by drawing in the territory annexed, or setting out the boundaries in a written description, or showing the current Town boundaries by a combination of these techniques. Such a map shall also be delivered to the Wake County Board of Elections as required by G.S. 163-288.1.

Section 5. Pursuant to G.S. 160A-23, the boundaries of Electoral District A are hereby revised to account for and include the territory annexed, and the Official Town Map of Electoral Wards is hereby amended to include the annexed territory in the said Electoral District.